

**MINUTES
HISTORIC DISTRICT COMMISSION
PORTSMOUTH, NH**

Remote Meeting Via Zoom Conference Call

Per NH RSA 91-A:2, III (b) the Chair has declared the COVID-19 outbreak an emergency and has waived the requirement that a quorum be physically present at the meeting pursuant to the Governor's Executive Order 2020-04, Section 8, as extended by Executive Order 2021-01, and Emergency Order #12, Section 3. Members will be participating remotely and will identify their location and any person present with them at that location. All votes will be by roll call.

6:30 p.m.

April 07, 2021

MEMBERS PRESENT: Chairman Vincent Lombardi; Vice-Chairman Jon Wyckoff; Members Reagan Ruedig, Margot Doering, Martin Ryan, and David Adams; City Council Representative Paige Trace; Alternate Karen Bouffard

MEMBERS EXCUSED: Alternate Heinz Sauk-Schubert

ALSO PRESENT: Nick Cracknell, Principal Planner, Planning Department

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I. APPROVAL OF MINUTES

- 1. March 03, 2021**
- 2. March 10, 2021**

*Vice-Chair Wyckoff moved to **approve** the March 3 minutes as amended and the March 10 minutes as presented. Ms. Ruedig seconded. The motion **passed** by unanimous vote, 7-0.*

*It was moved, seconded, and passed by unanimous vote (7-0) to **postpone** the Section III, Petition A, 33 Jewell Court petition to the June 2, 2021 meeting.*

II. ADMINISTRATIVE APPROVALS

*It was moved, seconded, and passed by unanimous vote, 7-0, to **postpone** Items 11 and 13 to the April 14, 2021 meeting.*

1. 37 South Street

The request was to locate condensers on the rear and sides of the house, with the conduit running up and no screening. The conduit piping and lack of screening were discussed.

It was stipulated that the applicant shall screen the condenser on three sides with a louvered screen that was consistent with the screening proposed for 229 Pleasant Street (LUHD-289).

2. 58 South Street

The request was to replace two double hung windows on the side of the house with Brosco windows consistent with the front of the house.

3. 319 Vaughan Street

The request was to replace the rooftop air handling unit on the 3S Artspace building with a larger unit. Mr. Cracknell said it would be placed more than 100 feet from the front of the building and wouldn't be visible to the public, so it didn't need to be screened.

4. 500 Market Street, Unit #2A

Mr. Cracknell said the applicant submitted a design for the HVAC screening, which was previously stipulated. He said a 3-sided screen was proposed.

5. 229 Pleasant Street, Unit #2

The request was to install a screened condenser unit. The Commission wasn't comfortable with the fact that the conduit would run up the second floor of the Richmond Street façade and said it be on run on the least offensive location. The applicant wasn't present, and the item was **postponed** to the April 14 meeting.

6. 135 Congress Street, Unit #145

Mr. Cracknell said the request was to change the previously-approved lighting to a gas lantern one to make it look more historic, and to remove and replace the CMU with a recessed brick pattern. The applicant Andy Sidford was present and explained that the pattern would be brick to match the side of the building. Mr. Adams asked why the brick panels would be set back one-quarter of an inch instead of $\frac{3}{4}$ " or an inch, and Mr. Sidford said it was to better preserve the windows on the inside and maintain the fire rating. He also said they were rebuilding the openings but still needed the fire-rated wall, which a glass block would not achieve.

It was stipulated that the final gas lantern design shall be submitted to the Planning Department and, if substantially different than the presented image, it shall return for an administrative approval.

7. 74 Congress Street

The request was to place a condenser unit on the top of the building that would not be visible and did not require screening. Mr. Cracknell said he would verify that it would not be in someone else's air space.

8. 22 Daniel Street

The request was to replace the front window on Moe's Sub Shop with one that had a different metal frame to allow an opening to pass food orders to customers on the sidewalk.

9. 38 Chapel Street

The request was to replace six windows on the Daniel Street façade. The applicant Ryan (no last name given) was present and said the windows had half-screens that would match the windows on the front of the building.

It was stipulated that the windows shall match the previously-approved windows and have half-screens.

10. 261 South Street

The request was to install a condenser with a stockade fence surround. The Commission said the fence should have a louvered design instead. Mr. Doering suggested that the existing condenser unit also have the louvered design to match.

It was stipulated that a louvered screen design (as shown in LUHD-289) shall surround the new condenser and, if approved by the owner, the existing condenser can also include the same screen.

11. 16 Porter Street

The item was **postponed** to the April 14 meeting.

12. 166 New Castle Avenue

The request was for a side entry wooden awning. Mr. Adams and Vice-Chair Wyckoff said it looked awkward. The applicant was present and said it was a temporary maintenance solution, and it was further discussed. It was decided that more details were needed, and the item was **continued** to the April 14 meeting.

13. 17 Hunking Street

The item was **postponed** to the April 14 meeting so that the applicant could ensure that her options for a furnace vent met the building code.

14. 99 Marcy Street

The request was for three condensers. City Facilities Manager Joe Almeida was present and said the Players Ring building was an important one, so the units would have conduit run up on the inside of the building and the two ground units be hung instead. He said the screening would be a shutter design. He said the unit on the back was a conventional one and would sit on a pad. The Players Ring Production Manager Margherita Giacobbi was also present and said the two mini split units would ensure that the temperature would be kept at pleasant levels. Vice-Chair Wyckoff said he would support the request as long as the mini split units were screened properly.

Mr. Ryan said the wall-mounted units should have their fasteners driven into the ground and not the brick. The shutter screening design was further discussed. Mr. Almeida said it would be very simple and similar to the Pleasant Street application. The Commission discussed the flexibility for ground or wall mounting conditions and whether the LCHIP grant would require the mounting to be a certain way, and they said they could support either mounting.

It was stipulated that, upon LCHIP approval, the mini splits may be installed either on the wall using stainless steel fasteners or, on the ground using a pad with a louvered screen as presented.

*Mr. Ryan moved to **approve** Administrative Approval Items 1 through 4, 6 through 10, and 14 with their respective stipulations as noted above. Vice-Chair Wyckoff seconded. The motion **passed** by unanimous vote, 7-0.*

(Items 5, 11, and 13 were postponed to the April 14 meeting, and Item 12 was continued to the April 14 meeting).

III. CERTIFICATE OF APPROVAL- RE-HEARINGS (OLD BUSINESS)

A. Petition of **Jewell Court Properties, LLC, owner and Jessica Kaiser, applicant**, for property located at **33 Jewell Court**, wherein permission was requested for a re-hearing to allow renovations to an existing structure (replace existing slate roof with an asphalt shingle roof) as per plans on file in the Planning Department. Said property is shown on Assessor Map as Lot and lies within the Character District 4-W (CD4-W) and Historic District.

DECISION OF THE COMMISSION

The petition was **postponed** to the June 2, 2021 meeting.

IV. CERTIFICATE OF APPROVAL- EXTENSION REQUESTS

A. Petition of **Maier Family Revocable Trust of 2018, John R. and Sky W. Co-Trustees, owners**, for property located at **50 Austin Street**, wherein a one-year extension of the Certificate of Approval granted by the Historic District Commission on June 03, 2020, was requested to allow exterior renovations to an existing structure (add an enclosed porch on the rear of the structure) as per plans on file in the Planning Department. Said property is shown on Assessor Map 136, Lot 1 and lies within the General Residence C (GRC) and Historic Districts.

Mr. Adams abstained from the vote, and Alternate Ms. Bouffard took a voting seat.

DECISION OF THE COMMISSION

*Ms. Ruedig moved to **grant** the Request for Extension, and Ms. Doering seconded. The motion **passed** by unanimous vote, 7-0.*

V. PUBLIC HEARINGS (NEW BUSINESS)

1. Petition of **Thomas P. and Kimberley S. Lyng, owners**, for property located at **333 New Castle Avenue**, wherein permission was requested to allow exterior renovations to an existing structure (remove two casement windows and replace with new picture window and two double hung windows) as per plans on file in the Planning Department. Said property is shown on Assessor Map 207 as Lot 2 and lies within the Single Residence B (SRB) and Historic Districts.

Ms. Ruedig recused herself from the vote, and Alternate Ms. Bouffard took a voting seat.

SPEAKING TO THE PETITION

The applicant Kimberley Lyng was present and said the replacement Andersen window would look like the one in the front of the house. She explained that the new window would have the same height as the front window but would have a smaller width. In response to questions from the Commission, she said the new window would be significantly taller than the existing window and would be one unit. Vice-Chair Wyckoff said he supported the petition because the existing window was a very old Andersen one and the new window would be a nice replacement for the house, which was relatively new itself. Mr. Ryan agreed.

Chairman Lombardi opened the public hearing.

SPEAKING TO, FOR, OR AGAINST THE PETITION

No one was present to speak, and Chairman Lombardi closed the public hearing.

DECISION OF THE COMMISSION

*Vice-Chair Wyckoff moved to **grant** the Certificate of Approval for the application as presented, and Mr. Ryan seconded.*

Vice-Chair Wyckoff said the project would preserve the integrity of the District because it would be on the back of a new house and would do no harm, and the proposed design would meet the design of the existing structure. Mr. Ryan said he was a bit disappointed that the Commission was allowing a lot of leeway on that particular petition, noting that no drawings or material descriptions were presented, but that he would still approve it because no harm would be done.

*The motion **passed** by a vote of 5-2, with Ms. Doering and Mr. Adams voting in opposition.*

2. Petition of **Ronald Furst Revocable Trust, Ronald & Taylor Diane Furst Trustees, owners and Peter Furst, applicant**, for property located at **238 Marcy Street**, wherein permission is requested to allow the installation of mechanical equipment (solar panels on the south side of the structure) as per plans on file in the Planning Department. Said property is shown on Assessor Map 103 as Lot 52 and lies within the General Residence B (GRB) and Historic Districts.

Ms. Ruedig resumed her voting seat and Ms. Bouffard returned to Alternate status.

SPEAKING TO THE PETITION

The applicant Peter Furst said he wanted to place 18 solar panels on the south side of the building and that they would be barely visible from Marcy Street. He said the panels would be located to the roof's slope instead of angled and that their black matte finish would match the current asphalt. He said the power generated by the panels would cover 75 percent of the building's annual power consumption.

Ms. Ruedig said she was impressed by how little of the panels people would actually see from any public way and how much of the house's power usage it would generate. She said the Commission had to be careful about where they allowed solar panels to be in the District but felt that the application didn't have much of an effect due to the slope of the panels. Mr. Ryan said the energy efficiency wasn't in the Commission's purview. Based on the criteria of historic preservation and character, he said the solar panels weren't really compatible but were acceptable because they wouldn't be seen from the public way, but that any future applications for solar panels had to meet a high standard. Vice-Chair Wyckoff said it was a good application and noted that solar panels could go up in a day and come off in a day. Chairman Lombardi said it was an unusual application due to the very low visibility of the house and its roof, but agreed that the Commission had to be very careful with solar panels. City Council Representative Trace said she was always mindful of setting a precedent and that, although the panels might be fine in that particular case because they wouldn't be seen, it got lost in the shuffle sometimes. She said it was the District and she couldn't support it.

Chairman Lombardi opened the public hearing.

SPEAKING TO, FOR, OR AGAINST THE PETITION

No one was present to speak, and Chairman Lombardi closed the public hearing.

DECISION OF THE COMMISSION

*Ms. Ruedig moved to **grant** the Certificate of Approval for the application as presented, and Mr. Adams seconded.*

Ms. Ruedig said the project would conserve surrounding property values and contribute to innovative technologies.

*The motion **passed** by a vote of 6-1, with City Council Representative Trace voting in opposition.*

3. Petition of **Sally E. Elshout and Bruce Addison, owners**, for property located at **17 Pray Street**, wherein permission was requested to allow exterior renovations to an existing structure (replacement windows and new doors) as per plans on file in the Planning Department. Said property is shown on Assessor Map 102 as Lot 37 and lies within the General residence B (GRB) and Historic Districts.

SPEAKING TO THE PETITION

Project designer Jennifer Ramsey was present on behalf of the applicant. She said they wanted to install two French doors and replace a shed window with a slightly smaller one on the side elevation, and replace two windows on the back elevation with three smaller ones. She said they would also replace one window in the main home with a set of French doors. She said there were four letters of support from the neighbors.

Ms. Doering said the placement of the three small windows seemed awkward and asked why they would be placed in that location. Ms. Ramsey said it was due to the cabinet and sink layout of the kitchen and the desire to get more light into that space. Mr. Adams noted that the shed was newer construction and asked why it had an old rubble stone foundation. Ms. Ramsey said the house was quite old and that the attached shed wasn't really new, and that the garage was from the Sixties. Mr. Adams asked what would be done with the aluminum siding. Ms. Ramsey said they would patch and match it. The window and door trims were further discussed. Ms. Ruedig said the changes were minimal and all appropriate, and Chairman Lombardi agreed.

Chairman Lombardi opened the public hearing.

SPEAKING TO, FOR, OR AGAINST THE PETITION

No one was present to speak, and Chairman Lombardi closed the public hearing.

DECISION OF THE COMMISSION

*Mr. Adams moved to **grant** the Certificate of Approval for the application as presented, and Ms. Ruedig seconded.*

Mr. Adams said the project was in keeping with the period of the structure and not out of character with changes made to kitchen sheds or houses. He said the siding would be fine because it would be in the back of the house.

*The motion **passed** by unanimous vote, 7-0.*

4. Petition of **Timothy R. and Alison E. Malinowski, owners**, for property located at **91 Lafayette Road**, wherein permission was requested to allow the new construction of a detached garage on the property) as per plans on file in the Planning Department. Said property is shown on Assessor Map 151 as Lot 11 and lies within the General Residence (GRA) and Historic Districts.

SPEAKING TO THE PETITION

Tom Emerson was present on behalf of the owners and reviewed the petition. He said the setback from the back property line was 15 feet instead of 20 but that the code allowed accessory buildings to be set back by their height. He said the proposed garage would match the addition in size, scale, and materials.

Mr. Adams asked why the rake on the right-hand side over the door stopped four feet from the end. Mr. Emerson said a short section of sheet wall and an eave and gutter were missing on the front elevation drawing and that the elevations got switched on the drawings. He said the door would be as shown on the elevation facing the house and not the street elevation.

The roof gable was discussed. Mr. Adams thought it was awkward, and Vice-Chair Wyckoff agreed. He said the dormer on the left side was also awkward and should be more subordinate. He said he could not support it the way it was drawn. He noted that the applique had a Swiss/German look and asked if it was on the plane of the siding or under the fascia board. Mr. Emerson said the piece with the rounded board was out at the rake board and the vertical piece was back at the level of the siding. Vice-Chair Wyckoff said he didn't feel that it was appropriate to put it on the garage and that he'd rather see the garage be a plain, secondary utilitarian building. He said the dormer should be dropped down in height, and Ms. Doering agreed. Mr. Ryan said he was okay with it and thought the details could be worked out. He suggested that the slope of the roof above the door change pitch slightly to mark the entrance and thought the decorative element at the peak of the gable added character to the structure. He said his main concern was the building's massing because it seemed very lopsided, and he asked if some of the weight could be placed on the other side of the gable so that it was counterbalanced. Mr. Emerson said he preferred to run the ridge over the top instead of installing a small dormer.

Mr. Emerson noted that the drawings were two-dimensional ones. Ms. Ruedig said the design looked very harsh and that a perspective view would help in understanding the massing better. She added that the garage was big and tall and that seeing it in perspective and context would be helpful to understand its height in relation to the main house. Chairman Lombardi suggested that the applicant return for a work session/public hearing to address the massing concerns.

There was no public comment.

DECISION OF THE COMMISSION

*Mr. Adams moved to **continue** the petition to the May 5, 2021 meeting, and Vice-Chair Wyckoff seconded. The motion **passed** by unanimous vote, 7-0*

Chairman Lombardi stated that the HDC guidelines needed updating as related to solar panels, mini splits, and other things, and that the Certified Local Government State Program should be looked into further. He suggested having a separate meeting to discuss it. It was decided that Mr. Ryan and Ms. Doering would prepare the agenda for an open work session to be held either Wednesday, May 12 or Wednesday, May 19.

VI. ADJOURNMENT

The meeting was adjourned at 8:55 p.m.

Respectfully submitted,

Joann Breault

HDC Recording Secretary