

**MINUTES of the  
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 2021-06, 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.**

**May 5, 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; Alternates Heinz Sauk-Schubert and Karen Bouffard

**MEMBERS EXCUSED:** None

**ALSO PRESENT:** Nick Cracknell, Principal Planner, Planning Department

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Mr. Martin brought up the McIntyre Project charrette process. He said he thought it was a mistake that the HDC members were asked to exclude themselves from the charrette, noting that he didn't see any conflict of interest that forced the Commission members out of that process. He said it was a shame that, as citizens of Portsmouth, he and the other Commission members weren't able to participate. City Council Representative Trace said she was a member of the McIntyre Subcommittee and wasn't allowed to participate in the charrettes or anything else. She said that the Commission was a quasi-judicial board, so the members weren't allowed to have an opinion on the project until it came before them. Mr. Doering said if the process had happened in the City Hall Chambers instead of through Zoom meetings, the Commission members could have at least had the opportunity to hear what the public wanted.

*Mr. Adams moved that City Council Representative Trace relay the Commission's message to 'the powers that be', and Vice-Chair Wyckoff seconded. The motion **passed** by unanimous vote, 7-0.*

**I. APPROVAL OF MINUTES**

**A. April 07, 2021**

The vote was tabled to the next meeting so that a question could be resolved.

**B. April 14, 2021**

The April 14, 2021 minutes were **approved** as presented by unanimous vote, 7-0.

## **II. ADMINISTRATIVE APPROVALS**

**Note:** Several administrative approval items were taken out of sequence to review and vote on them separately due to recusals or To-Be-Determined (TBD) statuses.

### **1. 112 Gates Street**

The request was to install an iron fence to a gate and replace the existing fencing. There were two fence design options. The applicant Marybeth Herbert was present and said she was flexible on the design choice but preferred the spear design. It was decided that the spear design would be more appropriate.

*Stipulation: the spear finial design shall be used.*

### **2. 10 State Street, Unit B**

The request was to install six termination vents and covers to match the brick color and existing vents.

### **3. 175 Market Street**

City Council Representative Trace recused herself.

Mr. Cracknell said the project had recently finished construction and that the applicant didn't want to install the previously-approved skylight but wanted to add a screen snorkel termination vent on the roof. Ms. Doering asked if the screen was solid or a rail, and Mr. Cracknell said he thought it was a rail.

*Ms. Ruedig moved to **approve** the item, and Mr. Adams seconded. The motion **passed** by unanimous vote, 6-0.*

### **4. 379 New Castle Avenue**

The request was to extend the deck at the edge of the first story.

### **5. 5 Hancock Street**

Mr. Cracknell said gooseneck lighting fixtures were added between the garage doors and the second-floor windows per a previous stipulation and that the applicant also requested a mini split unit for the side. Mr. Cracknell said there was an existing fence for screening and that the unit would be on the rear corner of the addition.

### **6. 150 Congress Street**

The request was to place rooftop mechanical equipment on the Jumpin' Jay's Fish Cafe restaurant. Mr. Cracknell said it wouldn't be seen from the street. He said the transformer for it was a separate request. Ms. Doering asked if it would jump a gap. Mr. Cracknell agreed but said it wouldn't go any higher than the restaurant's roof or 150 Congress Street. City Council Representative Trace stated for the record that the owner of Jumpin' Jay's was the same owner as the 130 Congress Street administrative approval request that followed.

**7. 130 Congress Street, Unit #4**

The request was for a transformer for the Flatbread Company restaurant. Mr. Cracknell said it would displace one parking space and that concrete-filled metal pipes were required.

*Stipulation: the metal pipes shall be painted black.*

**8. 135 Bow Street**

Chairman Lombardi recused himself and Vice-Chair Wyckoff was Acting Chair.

Mr. Cracknell said the request was for a blanket approval for the Andersen A Series windows and doors. The applicant's representative Carla Goodnight was present and reviewed the doors and windows in detail. Ms. Doering said the blanket approval would set the standard for people who weren't ready to do a replacement but could access the document in a few years and choose the appropriate approved window. She asked how long a blanket approval ran for. Mr. Cracknell said it ran indefinitely but the idea was to get it back to what it was supposed to be in the beginning in order to make it uniform.

*Mr. Adams moved to **approve** the request as presented, and Mr. Ryan seconded. The motion **passed** by unanimous vote, 7-0.*

**9. 160 Court Street**

Ms. Ruedig recused herself from the petition

The applicant's representative Carla Goodnight reviewed the changes. Mr. Ryan said the slider doors looked odd with the classical columns and frieze and so on, and he asked if they were necessary. Ms. Goodnight said the frame would be black and there would not be any sidelights, so the slider doors wouldn't be noticeable.

*Vice-Chair Wyckoff moved to **approve** the requested, and City Council Representative Trace seconded. The motion **passed** by a vote of 6-1, with Mr. Adams voting in opposition.*

Mr. Adams said he was bothered by the sliding glass panel doors because they seemed like an intrusion into the core of the District.

**10. 49 Mt. Vernon Street**

The request was to change the height of the railing from 42 inches to 36 inches and to add an iron railing down to the steps to meet code requirements.

### 11. 9 Prospect Street, Unit #3

Mr. Cracknell said the unit had already been installed and that the applicant was willing to paint the unit yellow to match the siding color. Mr. Ryan said the siding could be changed and recommended that the unit be painted to match whatever color the siding was.

*Ms. Doering moved to **approve** the item with the following **stipulation**:*

- *The condenser unit shall be painted the color of the siding.*

*Vice-Chair Wyckoff seconded. The motion **passed** by unanimous vote, 7-0.*

### 12. 229 Pleasant Street, Unit #2

The request was for a condenser. Mr. Cracknell said the applicant was willing to screen the unit on the ground. City Council Representative Trace asked if it would be on the Richmond Street side because it was a narrow street and would affect some neighbors. There was further discussion and also questions, but the applicant wasn't present.

*Mr. Ryan moved to approve the item as presented, and Vice-Chair Wyckoff seconded. The motion **failed** by a vote of 6-1, with only Mr. Ryan voting in favor of the request.*

### 13. 16 Porter Street

Mr. Cracknell said the applicant provided information on what the requested radon system would look like and that the PVC 3" pipe would be shrouded in a copper-coated channel. The applicants were present and said they preferred that the pipe be painted instead. Mr. Ryan said he saw no problem because it was in a private alley. Ms. Ruedig said the pipe should be uncovered and that it should be painted. Mr. Adams suggested that it be painted red to match the brick and that the portion above the roofline be painted the color of the roof. Mr. Cracknell asked if the condominium association would understand that the copper sleeve would be removed, since it had already been stated that it would not. The applicant said it was a health and safety issue because the unit had tested high above the limit. City Council Representative Trace said there might be a radon test if the condo unit was put up for sale and might affect the sale if the radon tested positive.

*Ms. Ruedig moved to **approve** the item with the following **stipulation**:*

- *The PVC pipe shall be painted red to match the brick and the portion above the roof shall be painted a darker color to match the roofline.*

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

### 14. 195 State Street

The request was for two mini split units. Mr. Cracknell said they would be painted black or whatever color the Commission preferred. Mr. Adams said he preferred that it be painted the brick color, and Vice-Chair Wyckoff agreed. Ms. Doering asked if there could be a screening on the new unit, noting that there was a lot of mechanical equipment in that area. Mr. Cracknell said it was tricky to screen units that were off the ground without drawing more attention to them and that a box screen would double the unit's size. Mr. Ryan said the units were lower than the fence so he didn't see an issue that wasn't already there due to the spiral stairway, fire escapes, and so on. Mr. Cracknell said it would be a good opportunity for all four condenser units to be painted the brick color and that he would check to see if the two existing condensers were previously approved by the Commission.

*Stipulation: All four units shall be painted red to match the brick.*

#### **15. 239 Northwest Street**

Mr. Cracknell said the request was for minor changes due to a waterproofing issue and some structural challenges. He said the applicant had to do more alterations by making the shed roof higher, relocating or removing the bulkhead, and making the back dormer smaller.

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

#### **16. 114 Maplewood Avenue**

Mr. Cracknell said the project was approved in 2019 but didn't take place, so the request was a redo of the previous approval. He said there was no change in the design and that the applicant wanted to replace the existing shed roof on the back with a hip.

*Mr. Adams moved to **approve** the item, and Vice-Chair Wyckoff seconded. The motion **passed** by unanimous vote, 7-0.*

#### **17. 45 Gardner Street**

The request was for a vent for a new fuel source and to locate the vent to a side wall.

*Stipulation: the vent shall be painted to match the color of the siding.*

#### **18. 67 Bow Street**

Mr. Cracknell said the request was to add three mechanical AC condensers to the restaurant. He said they would be screened by the awning. Ms. Doering said the awning wasn't permanent and asked if the condensers would be revealed if it were removed. The applicant Pete Labrie was present and said the awning structure would support the units, and if the awnings were removed, he'd have to remove the condensers or return to the Commission for permission for another type of screen.

*Ms. Ruedig moved to **approve** Items 1, 2, 4, 5, 6, 7, 8, 10, 14, 17 and 18, with their respective stipulations. Mr. Ryan seconded. The motion **passed** by unanimous vote, 7-0.*

Chairman Lombardi noted that there were two requests to postpone, Work Session A for Marcy Street (Prescott Park) and Work Session B for One Raynes Avenue. Mr. Cracknell said the City wasn't ready to move forward on the Prescott Par project and thought the applicant would withdraw the petition instead of it being continued. He said the One Raynes Avenue petition should be continued to the June meeting.

*It was moved, seconded, and passed unanimously (7-0) to **continue** Work Session B, One Raynes Avenue, to the June 2, 2021 meeting.*

### **III. CERTIFICATE OF APPROVAL - EXTENSION REQUESTS**

1. Petition of **Bow Street Theatre trust, owner**, for property located at **125 Bow Street**, wherein permission was requested for a 1-year extension of the Certificate of Approval originally granted on June 10, 2020 to allow new construction to an existing structure (replace roof and add insulated cladding on walls) as per plans on file in the Planning Department. Said property is show on Assessor Map 105 as Lot 1F and lies within the Character District 4 (CD4), Downtown Overlay, and Historic Districts.

### **DECISION OF THE COMMISSION**

Mr. Adams and Mr. Ryan abstained from the vote.

*Ms. Ruedig moved to **grant** the request for extension, and Vice-Chair Wyckoff seconded. The motion **passed** by unanimous vote, 5-0.*

### **IV. PUBLIC HEARINGS (NEW BUSINESS)**

1. Petition of **Carol Elliot Revocable trust of 2011, owner**, for property located at **143 Gates Street**, wherein permission was requested to allow the removal of an existing shed to be replaced with a new shed as per plans on file in the Planning Department. Said property is shown on Assessor Map 103 as Lot 99 and lies within the General Residence B (GRB) and Historic Districts.

Mr. Adams recused himself from the petition. Alternate Sauk-Schubert took a voting seat.

### **SPEAKING TO THE PETITION**

The applicant Carol Elliot said she wanted to replace the existing shed with a larger one, noting that it would be cedar and that only the roof and the front of the shed would be seen.

Vice-Chair Wyckoff asked if was a manufactured shed, and Ms. Elliot agreed. Ms. Ruedig said it would be simpler and look cleaner if the shed could be all horizontal siding. Mr. Cracknell asked if the applicant proposed a 3-tab shingle or an architectural asphalt shingle. Ms. Elliot said she

didn't know. Ms. Ruedig said either shingle would be fine, and Vice-Chair Wyckoff said he preferred an architectural dark-colored shingle.

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 petition as presented, with the following **stipulations**:*

- 1. The shingle shall be an architectural asphalt one, and*
- 2. The shed shall have horizontal siding.*

Vice-Chair Wyckoff said the project would preserve the integrity of the District, noting that it was a wood shed with wood siding and wood doors, and that it would preserve the special and defining character of surrounding properties.

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

2. Petition of **Michael Peter Lewis and Arna Dimambro Lewis, owners**, for property located at **41 Salter Street**, wherein permission was requested to allow new construction to an existing structure (construct 2<sup>nd</sup> floor addition over existing first floor foot print) as per plans on file in the Planning Department. Said property is shown on Assessor Map 102 as Lot 30 and lies within the Waterfront Business (WB) and Historic Districts.

### **SPEAKING TO THE PETITION**

Architect Carla Goodnight was present on behalf of the applicant. She said she had a letter of support from the abutter who was most affected by the decision. She reviewed the petition.

Mr. Adams asked what was at the end of the foundation. Mr. Goodnight said it was the existing deck with an access area. Mr. Adams said the addition was sided with different materials of clapboard and shingle and that the line defined the end of the small Cape that was the original building. He asked why the applicant would unify the siding on that side and make the defining line go away. Ms. Goodnight said it was for continuity. Mr. Adams said he preferred that the line be kept, and Ms. Goodnight said it could be a stipulation. Ms. Ruedig asked about the fluted corner boards on the shed dormer, and Ms. Goodnight said she didn't think they would be used. Chairman Lombardi asked how close the house was to the neighbor in the tall building, and Ms. Goodnight said she wasn't sure but that it was within the setback. She noted that the neighbor was also the prior owner of the applicant's home.

Vice-Chair Wyckoff said the details taken from the existing home were amateurish. He said the corner board on the dormer was out of proportion and that he didn't know if the rake board cut level on the bottom covered the whole soffit. Ms. Goodnight pointed out the appropriate design

and said the pitch wasn't really that shallow. Mr. Adams noted that the corner boards on the new extension were shown as 9-1/2 inches and thought that was the reason that something seemed out of scale with the trim. Ms. Goodnight said she could step it down, and it was further discussed. Vice-Chair Wyckoff suggested that the corner board be 1/5 or 1/6, with no flutes. City Council Representative Trace asked about half-screens, noting that one of the windows had a full screen.

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, with the following **stipulations**:*

- 1. The fake corner board on the left-hand side shall be replaced;*
- 2. the corner board on the addition shall be 1/6 in size and fluted; and*
- 3. The new windows shall have half-screens.*

*Mr. Adams seconded the motion.*

Vice-Chair Wyckoff said the project would preserve the integrity of the District and maintain its special character. He said the new addition would have more character to match the surrounding properties and that the Commission had looked at the significant historical and architectural value of the existing structure. Ms. Doering abstained from the vote, saying she had a hard time differentiating between her personal feelings about the project and her judicial responsibilities.

*The motion **passed** by unanimous vote, 6-0.*

## **V. PUBLIC HEARINGS (OLD BUSINESS)**

A. 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 applicant. He reviewed the petition and the changes that were made as a result of the previous work session.

Mr. Adams asked what was meant by a smooth standard garage door. Mr. Emerson said it normally came in a wood grain but that it would be fiberglass and smooth. He said fiberglass was preferred because of maintenance issues. Mr. Adams said the drawing showed four doors with

glazing panels and so on. Mr. Emerson said they were windows and that the smooth fiberglass would be the rails and styles of the door. It was further discussed.

Vice-Chair Wyckoff said he appreciated the simplifying of the rake on the street side and the little boards over the door with the brackets. He said it didn't seem right to have that little bit of siding inside the roof and suggested that it have a panelized look to it. Mr. Emerson said it could be done. City Council Representative Trace asked why the dormer had two vertical panels that didn't continue down. Mr. Emerson said the roof overhung by a foot. Mr. Ryan said the massing was much better and that he liked the unique detailing. He said he didn't have a problem with the detailed expressions that matched the existing house and thought it worked fine. City Council Representative Trace suggested half-screens to be consistent with other applications. Ms. Ruedig said the structure still seemed very tall for a garage but thought it was beautifully designed and matched the house. She said there was enough room on the property to accommodate it but that it would be a new and notable structure in that location.

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. Ryan moved to **grant** the Certificate of Approval for the petition with the following stipulations:*

- 1. Half-screens shall be used; and*
- 2. The garage door shall be field painted and the smooth side shall be used.*

*Vice-Chair Wyckoff seconded.*

Mr. Ryan said the project would preserve the integrity of the District and would be consistent with the special and defining characters of the surrounding properties.

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

### **VI. WORK SESSIONS (OLD BUSSINESS)**

A. Work Session requested by **City of Portsmouth, owner**, for property located at **Marcy Street (Prescott Park)** wherein permission is requested to allow exterior construction to an existing structure (elevate, remove additions, and re-locate the Shaw warehouse on-site) as per plans on file in the Planning Department. Said property is shown on Assessor Map 104 as Lot 5 and lies within the Municipal (M) Historic Districts.

### **DECISION**

The applicant will withdraw the petition.

B. Work Session requested by **One Raynes Ave, LLC, 31 Raynes LLC, and 203 Maplewood Avenue, LLC, owners**, for properties located at **1 Raynes Avenue, 31 Raynes Avenue, and 203 Maplewood Avenue**, wherein permission is requested to allow the construction of a 4-5 story mixed-use building and a 5 story hotel) as per plans on file in the Planning Department. Said property is shown on Assessor Map 123 Lot 14, Map 123 Lot 13, and Map 123 Lot 12 and lies within the Character District 4 (CD4) and Historic Districts.

### DECISION OF THE COMMISSION

*It was moved, seconded, and passed unanimously (7-0) to **continue** the petition to the June 2, 2021 meeting.*

C. Work Session requested by **64 Vaughan Mall, LLC, owner**, for property located at **64 Vaughan Street**, wherein permission is requested to allow new construction to an existing structure (add a 4<sup>th</sup> floor, revitalize storefronts, and create entry points to the Worth Lot) and additional site improvements as per plans on file in the Planning Department. Said property is shown on Assessor Map 126 as Lot 1 and lies within the Character District 5 (CD5), Downtown Overlay, and Historic Districts.

### WORK SESSION

Mr. Cracknell said the intention was to submit the dock removal portion of the petition as an administrative approval and that the Commission could either approve it as such or the applicant could return the following week. The applicant's representative Steve Wilson and architect Mark Mueller were present. Mr. Wilson said he wanted to move forward with the administrative approval for the removal of the dock. He said the existing loading dock was detrimental because it raised the access to the back of the building and that it also had an underground oil tank.

*Mr. Adams moved to **approve** the removal of the loading dock/ancillary piece of the building as an administrative approval item, and City Council Representative Trace seconded. The motion **passed** by unanimous vote, 7-0.*

Mr. Wilson reviewed the rest of the petition. He said they still needed the Commission's feedback on the material for the lower portion of the new building. Mr. Mueller reviewed the changes stemming from the previous work session. He said they weren't certain that the top of the old building was really brick but liked what it did for the façade in crafting a decorative masonry surface and wanted to continue that expression on the proposed façade. He said the floor elevations were different on the new building to create the illusion of two separate properties. He said the outside corner balconies were eliminated and relocated to the juxtaposition between the buildings to create a demarcation line. He said it would expose a new outside corner to the old building and create depth. He said there were three windows on each end of the façade, with a place in the middle reserved for public art. He said the alleyway façade had less windows than before, with shed dormers and decorative rosettes instead of dormer gables, and that a corner balcony at the Hanover Street corner had a quiet expression.

Mr. Adams said he was excited about the design because the building was blending in with the old city and the new city. He said he appreciated the lighter fenestration, especially on the alleyway side, and thought putting the balcony shadow line between the old and new buildings was useful. He said he liked the wrapping of the storefront around to the Vaughan Mall side and wasn't bothered by the stone base but wondered if the stone base and brick top section to a simulated slate roof was an appropriate way to have a comfortable building. Ms. Bouffard said she liked the changes on the west side with the shed dormers and the rosettes and the recessed balconies, as well as the front façade. Ms. Ruedig said the old building façade was still great but thought there were a lot of 2/1 windows all over it and suggested doing something different for the façade. She said the new building's layout and massing were still fine and agreed that the recession between the two buildings was a nice detail. She liked the simplification of the top floor. She thought the windows on the south elevation matched too much and said she wasn't sold on the ocular windows on the top part. She said the building had a very traditional form and was simple, and she thought it could be a good opportunity for using different materials. She said she liked the stone base but thought continuing with another brick and slate had the potential to make the building boring. She said it should be clear that it was new construction and that it could be made into an attractive contemporary building by using contemporary details and materials to make it stand out instead of blending in with everything else.

Vice-Chair Wyckoff said he was comfortable with the amount of fenestration and didn't think the building would be boring. He agreed with Mr. Adams' comments about the stone base and brick and slate roof and said the design was good for an infill building. He said he was glad the floors didn't line up exactly and thought that leaving the panel on the old building could be a good idea. He said he would defer further comment until he saw what the final brick building design looked like. He said he was pleased with the direction the project was going in. Ms. Doering said there was an opportunity for different materials above the stone and below the slate roof other than brick. Mr. Ryan said he had no complaints and looked forward to seeing the details of the ocular windows. He said the building was a little safe and thought an ocular window on each side of the Hanover Street corner could make the building more of a tower feature. He said there were a lot of good changes. Mr. Sauk-Schubert said he concurred with most of the comments, especially Ms. Doering's comment about the use of materials on the first-floor level. He noted that there was wonderful granite in the basement that could possibly be reused. Chairman Lombardi said the applicant was a good listener and had been able to sort out the Commission's divergent comments. He said he would also welcome different materials, noting that brick was beautiful but that there was an opportunity to do something different between the roof and the granite base. He said putting the balconies between the two buildings was a good move. Mr. Adams suggested a metal cornice for the front of the building.

Chairman Lombardi opened the public comment session.

Allison Griffin said she was an abutter and agreed that the building looked nicer, even though she had hoped it would be kept a three-story building. She said Mr. Wilson did great work and that she hoped the building would keep its low-profile top. No one else was present to speak, and Chairman Lombardi closed the public comment.

Mr. Wilson said the balcony relocation was the most effective change made in the two buildings aesthetically, as well as more practical. He further discussed the windows and said he had a simple design for the brick pattern over the windows that he would present at the next meeting. Mr. Sauk-Schubert said the space at the parking lot elevation for the art mural was the weakest part of the façade and suggested that it simply be continued.

## **DECISION**

*The applicant indicated that he would return for a work session/public hearing at the June 2, 2021 meeting.*

*It was moved, seconded, and **passed** by unanimous vote (7-0) to **close** the work session.*

## **VII. ADJOURNMENT**

The meeting was adjourned at 10:40 p.m.

Respectfully submitted,

Joann Breault  
HDC Recording Secretary