

**MINUTES OF  
THE HISTORIC DISTRICT COMMISSION  
PORTSMOUTH, NEW HAMPSHIRE  
EILEEN DONDERO FOLEY COUNCIL CHAMBERS**

**6:30 p.m.**

**January 08, 2025**

**MEMBERS PRESENT:** Chair Reagan Ruedig; Vice-Chair Margot Doering; City Council Representative Rich Blalock; Members Jon Wyckoff, Martin Ryan, Dr. Dan Brown, Dave Adams, and Alternate Larry Booz

**MEMBERS EXCUSED:** None.

**ALSO PRESENT:** Izak Gilbo, Planner 1, Planning Department

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Mr. Booz was late to the meeting. Chair Ruedig called the meeting to order at 6:30 p.m.

**I. APPROVAL OF MINUTES**

1. December 04, 2024

*Mr. Adams moved to **approve** the minutes as submitted, seconded by Councilor Blalock. The motion passed unanimously.*

**II. ADMINISTRATIVE APPROVALS**

1. **33 Jewell Court**

[Timestamp 3:32] Mr. Gilbo said the applicant wanted to replace two third-floor windows due to the vents needed for a new heating and cooling system. He said the Commission previously had questions on the vent's sizing and whether some of the original window trim work could be kept.

Project architect Richard Desjardins was present and reviewed four options. He said Option 1 was the original option but then they discovered that the windows were 1977 replacement ones and there was an arched part in the window, so they proposed to replace the entire window and leave the arched portion but infill it with a standard louver size. He said Option 2 was to keep the window frame and remove the sashes and place the louver within the frame. He said Option 3 was a replicated 6/6 window with two aluminum sashes in front of the louver, and Option 4 was to create two new masonry openings within the elevation itself to provide the smallest louver size possible but was an undesirable option that would cause saw cutting into the brick, repointing around the lintel area and replacing damaged brick. He said Options 1, 2, and 3 would allow them to place windows back into the openings if there was a future change in use.

[Timestamp 8:53] Mr. Wyckoff said he thought Option 2 was the best because if it didn't work out, the frame would still be there. Mr. Ryan agreed. Architect Mark Gianniny was also present

and said they did not recommend Option 2 because it was a 1990s replacement window and would not save anything historical. Mr. Adams said Option 2 was a better example of putting louver into an existing building. There was further discussion about Option 1 vs. Option 2 and it was agreed that Option 2 was the best choice.

**Stipulation:** Option 2 shall be used.

## **2. 93 Pleasant Street**

Mr. Gilbo said the Commission previously asked that the metal awnings return for further discussion. He said there were now two options, the previously-approved one and a mockup one. He showed a photo of the mockup installed on the building. Mr. Ryan said the mockup looked like he expected it to and that he could accept it.

## **3. 50 South School Street, Unit #4**

The request was for a new kitchen exhaust vent that was visible to the public. He showed a photo of the vent. Vice-Chair Doering asked if the vent was similar to the one below it in size and shape. Mr. Gilbo said the application did not indicate the size.

**Stipulation:** The vent size shall match the existing venting on that façade and shall be painted to match the brick.

## **4. 254 South Street**

Mr. Gilbo said the applicant was doing a kitchen renovation and wanted to remove a first-floor window on the side of the home toward the rear, move the location of the window, and replace it with a Marvin Elevate half-hung window. Vice-Chair Doering said it would result in an odd asymmetry but the window would be a good way toward the back of the house in this case.

## **5. 2 Russell Street**

[Timestamp 18:30] Ryan Plummer of 2 International Group was present to review some proposed changes to a previously-approved petition. He said the corner of Building 1 needed to be pulled out of the easement and the sprinkler room had to have direct access to the outside, so they updated it to show the door and metal infill panels. He said Building 2 had a similar issue because the building's back side faced the parking garage, so they updated the glazing to metal infill panels. He said they didn't need as much mechanical screening on all three buildings as previously shown because the equipment on the roof was much smaller than they thought. He said they had two additional retail spaces with direct access to the street, so there were doorways there instead of windows. He said the entrance to the mechanical space was now in Building 1.

The Commission voted on the five items. Mr. Adams said he would abstain from voting because he did not support the 2 Russell Street application.

*Councilor Blalock moved to **approve** the five items with stipulations on Items 1 and 3. Vice-Chair Doering seconded. The motion **passed** unanimously, with Mr. Adams abstaining.*

### III. CITY COUNCIL REFERRAL

1. Request from **Scott and Jessie Rafferty, owners**, for property located at **185 Orchard Street** wherein permission is requested for the removal of 185 Orchard Street from The Historic District. The City Council voted to request a vote from the Historic District Commission and Planning Board at the October 07, 2024 meeting. Said property is located on Assessor Map152 Lot 2-1 and lies within the General Residence A (GRA) and Historic Districts.

[Timestamp 23:20] Mr. Gilbo said the property was recently divided and that it was previously part of 15 Lafayette Road, which directly faced the Historic District. He said the back half faced Orchard Street. He said the new divided lot was still under the HDC's jurisdiction but did not make sense because Orchard Street itself was not in the Historic District. He said the Planning Board recommended approval and that the Commission was there to give their recommendation. Chair Ruedig said she met with the Planning Department in December to start the process of clarifying the boundary lines and that they would follow the property lines of all the properties facing Middle Street. Mr. Wyckoff said he thought it was a 100-ft corridor and that the map did not indicate that. It was further discussed. Chair Ruedig said the Planning Department would bring a recommendation to the City Council to have those boundary lines clarified. Councilor Blalock said the City Council agreed and wanted to ensure that the Commission was also in agreement. Mr. Wyckoff said the house was styled for where it sat. Mr. Adams asked if the proposed change fell in line with movement of the HDC's boundaries. Chair Ruedig agreed and said it would be further discussed before bringing it to the City Council to ensure that everyone understood what was proposed and agreed that the new boundaries made sense. Mr. Ryan said the house could be approved by the Commission as designed. Chair Ruedig said it was more of the intent of what the Historic District boundaries were drawn for, and in that area the intent was to take in the corridor of Middle Street and Lafayette Road. She said that particular part focused on that corridor and not the side streets. Mr. Ryan said he still thought it could remain in the Historic District and be accommodated. Mr. Adams said he had similar sentiments and found it difficult to think that someone would want to give up the level of protection that the Historic District provided to a homeowner. Chair Ruedig said having that one property included in the Historic District that is focused on Middle Street would be incongruous and would not protect the neighborhood around Orchard Street as much as it could. It was further discussed. Mr. Ryan said if the house remained in the Historic District and the owners wanted to change out a storm door, the Commission would not hold the owner to the same standard as the South End. He said he did not think that it should be advertised that it was a bad thing to be in the Historic District and to retreat from it. Dr. Brown asked if there was a real estate value to being in the Historic District. Vice-Chair Doering said it was a point of view. Councilor Blalock pointed out that the project's construction had already been delayed a year.

### DECISION OF THE BOARD

*Councilor Blalock moved to recommend **removing** 185 Orchard Street from the Historic District. Vice-Chair Doering seconded.*

[Timestamp 33:41] Vice-Chair Doering said the Commission had already discussed redrawing the boundary lines. She said when that redrawing happened, the property would have fallen out. She also thought the house should go with the neighborhood it belonged to, and once the subdivision happened, it would belong to the Orchard Street neighborhood.

*The motion **passed** by a vote of 5-2, with Mr. Ryan and Mr. Adams opposed.*

#### IV. REQUEST FOR REHEARING

1. Request from **Glen Brown, owner**, for property located at **50 Maplewood Avenue, Unit #305**, for a rehearing of the Administrative Approval that was granted for property located at 238 Deer Street on November 06, 2024. Said property is shown on Assessor Map 125 as Lot 3 and lies within the Character District 4 (CD4) and Historic Districts.

[Timestamp 36:15] Chair Ruedig referred to the letter proposing the request for rehearing and said it would be an administrative discussion on whether the Commission thought the rehearing was warranted due to something procedurally out of line that the Board did, whether there was new information brought forward, or whether the Board had not correctly applied their criteria and findings of fact or decision. Mr. Wyckoff said it merited more discussion because it was visible from the petitioner's condo and could be fixed by a higher fence. He said he felt that the Board's findings of fact were slight askew. Chair Ruedig said that slight abnormality for it was that it was an administrative approval, which was harder because the Commission didn't generally have written findings of fact for that sort of thing. She said the rehearing would be on that particular administrative approval and decision and that the rehearing process was technically a public hearing. Mr. Ryan said he did not see new evidence or new data, and that the only new thing he saw was that the applicant did not like the Commission's decision. He said it was not a good condition visually but thought the Commission did their job in protecting the Historic District. He said something might have to be done in the zoning regulations for something of that nature. Mr. Adams said the Commission might have inappropriately accepted the application as an administrative decision. He said it was presented as a modification at the time and it wasn't that there were more or larger units but that the units had to be moved up in the air. He said moving things up seemed difficult but was not a design problem because it was the same stuff but just in a different place. He said he didn't think it was in the Commission's purview to change and that he didn't see that they did anything wrong. Mr. Wyckoff said he made the recommendation to approve all the administrative approvals at the time, and according to the letter from the 238 Deer Street owner, he said the owner noted that some of the condenser units were increased in size and much larger than presented on June 6. Chair Ruedig said that would have to be clarified by Vincent Hayes in the Planning Department. Vice-Chair Doering said it was pointed out that in the process of designing, the applicant went from 21 condenser units down to 15 units, but she thought it was too bad that the owners were not willing to make a slightly higher railing. She said they claimed that the railing was high enough to cover all but an inch or two of the condenser. She said the picture previously provided to the Commission was not the final view and that the fence would be higher. She said the Commission approved a lower number of condensers and approved a fence to provide screening, and she didn't see anything that the Commission could have done differently.

## DECISION OF THE COMMISSION

*Councilor Blalock moved to **grant** the request to rehear, seconded by Vice-Chair Doering.*

*The motion **failed** by a roll vote of 2-5, with Mr. Ryan, Vice-Chair Doering, Mr. Adams, Chair Ruedig, and Councilor Blalock voting in opposition.*

## V. PUBLIC HEARINGS (OLD BUSINESS)

A. Petition of **Jay Ganesh, LLC, owner**, for property located at **201 Islington Street** wherein permission is requested to remove and replace fencing as per plans on file in the Planning Department. Said property is shown on Assessor Map 138 as Lot 33 and lies within the Character District 4-L2 (CD4-L2) and Historic Districts.

### SPEAKING TO THE PETITION

[Timestamp 48:00] The co-owner Dixita Patel was present and said he wanted to put a solid 6-ft vinyl fence around the building to make his business more appealing. Mr. Gilbo asked if the existing chain-link fence would be removed, and Mr. Patel said it was not his fence. Mr. Gilbo asked the applicant if the fence was proposed to go to the side entrance points or all the way to the corner of Islington Street. Mr. Patel said the fence would go one the side with the entrance and not on the other side. Mr. Adams asked if the existing fence posts and metal would be removed. Mr. Patel said it was the neighbor's fence. Mr. Adams pointed out that an abutter said the fence was the applicant's fence. Mr. Patel said he could find out more information but that he did not plan to touch the metal fence. Vice-Chair Doering asked if there were plans for shielding the dumpster, and Mr. Patel said there were not. She said the building was in the Historic District even if the building itself wasn't historic, and a modern plastic fence would not help the building fit into the Historic District more fully. Mr. Wyckoff said he supported the petition because the building was a commercial one, a gas station that had a large parking lot, and a vinyl fence at that location was better than one on a residential property in that neighborhood. Dr. Brown said the fence would also hide a less historic chain-link fence, so he was in favor of it. Mr. Adams said he was on the site and saw that almost every abutting property was covered with vinyl plastic materials, so he thought the fence was in keeping with the current situation. He said he did have an issue with the presented plan, however, because he wanted the metal fence removed because it was an eyesore. He said the proposed vinyl fence was appropriate but thought some low shrubbery similar to what was on the other side of the property would solve the problem and would not create a wall for the neighborhood. He asked that the plan be slightly adjusted. Mr. Ryan said he wanted to see a site plan that showed how far the plastic fence would extend to the left and right of the building. Mr. Patel said he didn't plan to do anything on the left side of the building because it had nice landscaping but that he could also do landscaping on the right side instead of the fence. He said the dumpster could also be enclosed if the Commission requested it.

Vice-Chair Doering suggested continuing the application so that the applicant could return with the site plan and information about who owned the metal fence. Chair Ruedig said it could also be approved with the stipulation that the applicant return with a site plan.

**Note:** at this point in the meeting, Mr. Booz arrived.

Chair Ruedig opened the public hearing.

### **SPEAKING TO, FOR, OR AGAINST THE PETITION**

No one spoke, and Chair Ruedig closed the public hearing.

### **DECISION OF THE COMMISSION**

*Mr. Wyckoff moved to **grant** the Certificate of Approval for the petition, with the following stipulations:*

- 1. The fence shall only run along the rear and not wrap around the right side;*
- 2. If the existing metal chain-link fence is the owner's or if the fence is the neighbor's fence and they allow him to remove it, the owner shall remove it;*
- 3. The owner shall return with a site plan showing exactly where the fence will go.*

*Dr. Brown seconded the motion.*

Mr. Wyckoff said the project would conserve and enhance property values and would have compatibility of design with surrounding properties.

*The motion **passed** unanimously.*

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

**1.** Petition of **Sarah Jane Fodero and Joseph Crawford Wolfkill III, owners**, for property located at **192 New Castle Avenue** wherein permission is requested to allow exterior renovations to an existing structure (replacement windows) as per plans on file in the Planning Department. Said property is shown on Assessor Map 207 as Lot 51-1 and lies within the Single Residence B (SRB) and Historic Districts.

### **SPEAKING TO THE PETITION**

[Timestamp 1:06:10] The owner/applicants Sarah Jane Fodero and Joseph Wolfkill were present, along with their contractor Tom Entolino. Ms. Fodero said the windows were in rough shape and that they wanted to replace them with Andersen 400 Series windows to match the neighbor's windows. She said they would paint and keep as much molding as possible and would not touch the frame or casing, and would remove the existing storms.

[Timestamp 1:08:39] Mr. Wyckoff said the Andersen windows would be a good replacement and match the ones next to it. He noted that the Commission should have previously insisted on 6/6 windows instead of the 2/2 windows because they would be more appropriate for the 1740s house. Dr. Brown asked when the neighbor's windows were put in. Mr. Wolfkill said he thought it was 10-15 years ago. Mr. Ryan confirmed that the 2/2 windows would be replaced with Andersen 2/2 windows. Vice-Chair Ruedig asked if the standard white aluminum screens would

be inside or outside. Mr. Entolino said they would be outside and that the screens could be painted to match the ones on the left side so that they didn't stand out. Mr. Adams said the left-side windows had an inappropriate paint. Mr. Wolfkill said the paint he would use would be better. Mr. Booz said the Andersen product was a premium one that he had used. Mr. Wyckoff suggested using the Andersen 400 Series stone or bronze color because it would accept the darker color better than white. Chair Ruedig said she was sad to see historic windows removed because their repair would make the windows last longer than expensive replacement windows, but she thought it made a good case for the rest of the house becoming consistent.

Chair Ruedig opened the public hearing.

### **SPEAKING TO, FOR, OR AGAINST THE PETITION**

No one spoke, and Chair Ruedig closed the public hearing.

### **DECISION OF THE COMMISSION**

*Councilor Blalock moved to **grant** the Certificate of Approval for the petition as presented, seconded by Mr. Wyckoff.*

Councilor Blalock said the project would conserve and enhance property values and would be consistent with the special and defining character of the surrounding properties.

*The motion **passed** unanimously.*

### **VII. ELECTION OF OFFICERS**

- 1. Chair**
- 2. Vice-Chair**

*Mr. Adams nominated Ms. Ruedig to remain as Chair and Ms. Doering to remain as Vice-Chair. Mr. Ryan seconded. The motion **passed** unanimously.*

[Timestamp 1:19:27] Chair Ruedig said the Commission would work on redefining the Historic District boundaries and getting that extra chapter into their guidelines. She said she would present a draft to the Commission to make sure everyone agreed. It was further discussed.

### **VIII. ADJOURNMENT**

The meeting adjourned at 7:55 p.m.

Submitted,

Joann Breault  
HDC Meeting Minutes Taker