

APPROVED
Historic District Commission
July 3, 2014

Public Hearing re: Michael & Maria Southworth, 36 Piscataqua St., Map 18, Lot 30

BOARD MEMBERS PRESENT: Patty Cohen; Kate Murray; Elaine Nollet; Peter Reed;
Rodney Rowland

BOARD MEMBER ABSENT: Irene Bush

Chairman Rowland called the meeting to order at 7:00 p.m.

Public Hearing re: Michael & Maria Southworth, 36 Piscataqua St., Map 18, Lot 30:

GUESTS: Michael & Maria Southworth, applicants; Ray Holmes, Architect

Chairman Rowland announced this was a public hearing for Michael & Maria Southworth, 36 Piscataqua St., Map 18, Lot 30. The applicants are requesting permission to remove the rear farmer's porch and kitchen and to build a new two story addition with a deck. The public hearing has been properly advertised, abutters have been notified and all fees paid.

The Chair said there were no new designs submitted and the Board is reviewing the designs submitted at the May meeting and the applicant has brought materials for the Board's review.

Ray Holmes, Architect, came before this Board two months ago with the applicants. They have gone through the proposal in depth and the Board asked them to return to the public hearing with the following items:

1. Materials on the blueprints, i.e., clapboards, trim, etc.
2. PVC trim outside the building
3. They have brought a model of the project
4. They brought a window for the Board's review

Holmes presented the model of the main building that was built in the 1700's, showed the garage which exists, and showed the area they are rebuilding. What they have now is a shed dormer. They have taken the shed dormer, bumped it up in order to stand on the second floor, and they held that back with a lower shed roof to make it more diminutive and showed the small deck on the second floor, in order to enjoy the river and to access the outside in case of fire.

Window – Holmes showed the window with a PVC composite material and showed the window sill and the trim. This material does not rot. He showed the Anderson Window, the color will be canvas, it will have a simulated divided grill; 6/6 window up; 9/6 below, mullions are permanent and the inside will be natural wood painted.

Chairman Rowland assumes all of the windows are being replaced. Holmes agreed.

Materials List – Holmes brought a full set of plans, dated May 13, 2014.

Cohen assumes it is only the left side elevation and the rear elevation that is changing. Everything else remains as is. Holmes agreed.

Holmes said there is one design change that was requested two months ago because there is a low sloping shed and one could not stand up on the second floor. They tried to elevate this so one could stand up on the second floor. They popped the door up and the reason for that is to give it some architectural interest.

The Chair questioned the two bay windows by the driveway. Holmes replied they agreed that both windows will remain as bay windows.

Chairman asked if the Board had further comments.

Cohen asked for clarification of the angle aspect of the back deck area.

Holmes said if you go to the plot plan, this thin angle piece is very awkward, floor plan wise. They bumped it out and it is a 19 s.f. addition that was approved by the ZBA.

Chairman Rowland asked for public comments. There were none. He closed the public portion of the public hearing.

Nollet moved for the HDC to approve the plan, as presented this evening and dated 7-3-14 on the plans. Reed seconded the motion.

Discussion on the motion.

Nollet likes what the applicants have done with the house. She was in that house when the Smith's lived there so she can appreciate what they want to do with the interior.

Murray questioned the concerns about the second floor deck two months ago. Is there still concern or is it not a concern because it is behind the house.

Chairman Rowland mentioned that two months ago Peter Follansbee brought up the fact that this building, which dates from the 1700's, would never have had a deck on the second floor. A deck on the second floor is, at best, a Victorian feature, it is completely alien to this sort of architecture and it is highly visible from Steamboat Lane. He has real concerns about putting a deck especially in the neighborhood that is arguably one of the most original and pristine on the Island.

This is a neighborhood densely populated with houses, many of which date from the early settlement of this Island. When you walk that lane you get a sense for the evolution of New Castle and he feels this is a feature that is inappropriate for this period house.

Nollet questioned whether that garage was part of a period house that has been attached to it.

The Chair replied no but it is a separate structure. They are putting an upper deck on a 1700 house.

Reed asked if the applicant took the railing off and have a flat deck it would have less of a visual.

The Chair replied he is not sure that the applicant can do a deck without a railing.

Murray did not feel that a flat roof without railings would be appropriate.

The Chair agreed.

Cohen asked if the extensions could be made bigger, eliminate the deck and make that a bigger house. She is unsure if that would conflict with the ZBA.

Holmes replied they would have to go back before the ZBA. He tried to keep the character of the house and make it feel colonial. That was their goal. The deck is fairly small and it is tucked inside.

Chairman Rowland has no issues with anything else.

Cohen read the ZBA approval, (Attachment A.)

Holmes pointed out that the ZBA told them they could not come back and ask for more volume or more area.

Nollet said this deck is in the back and this Board has approved many decks all over this town, that deck is the least obtrusive, it is tasteful, and it is necessary in the event they have to get out in case of a fire.

The Chair said his concern is these two images are shot from a public way, i.e., Steamboat Lane and the Town owned road. That deck is going to be visible from these two locations as there is nothing in the way.

Nollet asked which looks better. She feels this new look is better than what is there now.

Cohen said the point is the age of the home. That is the distinction.

The Chair mentioned that this Board had approved other homes with decks but they were not in this location. You cannot treat the district all the same just like the building they approved last month as that was an entirely separate area of the district and it has to be treated as such. In his mind, this is a very important area of the historic district. There is nothing else like this, in terms of architecture, within eyesight of this building.

Nollet said the house has bay windows, it has a newer garage.

The Chair agreed the house has a few flaws.

Murray has concerns with the door.

Nollet asked how many houses are on Steamboat Lane? It is not a high traffic area.

Chairman Rowland asked if the Board had further comments.

Murray has a concern with the upper deck and she would also have a concern with a flat roof and no railings. It would not look right.

The Chair said with this vote it is either there is a deck or there is no deck. There is no way we can approve some other change to the structure without going to another public hearing.

Cohen asked Holmes if he was sure that the ZBA would not allow for this to be an enclosed structure as opposed to an open deck.

Holmes reiterated that the ZBA told them not to come back to increase the volume or quantity. He said the railing they were planning to do would be a cedar or a teak wood railing. If the deck railing was made of some other construction, like a grid or lattice, would that help the situation? He also stated that when he drives around the neighborhood, there are at least thirty or more second floor decks everywhere. He said the Chair addressed that by saying most of them are not in a house of this age.

Chairman Rowland agreed this house was pure colonial and emphasized this was not the place for a second floor deck given the age of the structure.

Cohen said, as proposed, the building area includes 50% but if they enclosed the deck it would convert into the full calculation of building area.

The Chair said we have a motion and we have a second. He asked for all in favor of the motion, as submitted.

Nollet votes in favor of the motion

Reed votes in favor of the motion

The Chair asked for all who opposed the motion, as submitted.

Cohen is opposed of the motion, as submitted

Murray is opposed of the motion, as submitted

Chairman Rowland is opposed of the motion, as submitted. The back deck is not in keeping with surrounding architecture.

Motion Denied.

Holmes said the rear section of the house needs to be rebuilt and one cannot stand up on the second floor, at least for half the room. That area under the deck is the current kitchen and it would be the new kitchen after the remodeling. If we are not allowed to have the deck, we cannot take the deck off and just have a flat roof there. If he tried to put a roof on it and do something else, he would probably make the building look more intrusive and it would increase the volume. He cannot do what the ZBA allowed them to do.

Cohen replied you have been given 3,012 sf by the ZBA. She interprets that as you have to work within that. The ZBA said that the applicant is making a nonconforming structure less non-conforming.

Chairman Rowland asked if the applicant could do a shed roof above the kitchen, replacing the deck.

Holmes replied that it does not get you out of the building in a fire. He might have to go back and start over with the ZBA because we are not doing what they approved.

The Chair does not understand how a second floor deck is an egress. He does not see why the applicant cannot put a shed roof on it and you can get out just as easily and crawl down the shed roof. He feels the applicant has to work that out with the Building Inspector.

Holmes said one of the things one has to do in this town now on third floors is you have to put a balcony out there so that you can get out the window and stand outside the balcony and wait to be rescued.

Cohen questioned if the back porch can be moved in a way so that the extension is further over. It is a challenge to keep within the square footage.

Holmes said you cannot do a flat rubber roof, it would not look good.

The Chair knows that the shed roof would work because it does not increase the area; it simply gives the roof some pitch over the existing area. You're going from a flat roof, where the deck was, to a slight shed pitched roof over the existing kitchen.

Holmes said you would not have a door or a way to get out of the building. He feels they will have to go before the ZBA.

Cohen said the applicant would not have to go before the ZBA if they do the shed roof as that is not an increase in building area.

Murray questioned the door on the second floor.

Nollet said if you had a fire, would you rather run out from a deck or a porch than stay inside. She asked what the Board can do to help the applicant.

Maria Southworth said she took several photographs of the houses in their district, including what they get to see across the street from their house, currently, which looks like a gravel pit. Most all the houses in the district have porches or decks and this is where they were getting their guidance from and all within view of the main street.

Michael Southworth, applicant, said that roughly 80% of what they are doing to this house is to make the house look like what it should be. The house is in bad shape, the windows need to be replaced, and the electrical needs to be redone. 80% of the money they are spending is making this house what it should be, a beautiful colonial house in the historic district. 80% of what we are doing is making this house so that it can be around for another 100 years. The small thing they are asking for and they are not getting any input from the Board. They have been around the block, Holmes is a home builder and designer, he has done a great job in designing. If the deck was going to be an issue, at the last meeting, he is somewhat confused as he heard from the Chair saying that the deck was another issue to be discussed later. If he would have known that there would have been so much opposition, they would not have gone ahead and paid for this model that the Board requested.

Chairman Rowland disagrees with Southworth and that Peter Follansbee made it quite clear that he would not vote for the deck.

Southworth agreed he heard Follansbee say he would not vote for the deck.

The Chair clarified saying the discussion was whether or not there was precedence in the historic district that prevented this Board from not voting on a specific house.

Cohen can empathize with the applicant's frustration on this. One thing that makes this different is the information about the period of this house. We know the public output of support on preserving this historic street, in particular. She empathizes with the applicant's point of view that we did say this is a discussion for a later time, but that referred to a bigger context of second floor decks in the historic district.

Michael Southworth said we know that we cannot go over 32 ft. in height. We know that we have to have egress. Nowhere has he ever heard that we better watch out for decks.

Cohen gave an example of a particular house on the corner of Main St and Cranfield St, directly across from Maddy Alana's house. A new owner bought this house and wanted to put an upper deck.

This Board did not approve an upper deck on that particular house because of the high visibility and the fact that it can be seen from a public road. The HDC's purview is from whatever is seen from the road.

Maria Southworth said that all of their abutters wrote letters saying they were in favor of their proposed plans for the house. They are very disappointed in the Board's decision.

Chairman Rowland hopes there is a way to make this work.

Michael Southworth said that the Board has not offered them any advice. Unfortunately, they do have limited funds. We may continue to rent this house, as it is, which is not good for this house. The deck plans cost them a great deal of money. He wished the Board would have said it is not going to happen with a deck.

Holmes said that is the reason they made the model because one of the Board members was having trouble reading blueprints.

Holly Biddle, 7 Piscataqua St., asked if it was the small deck that bothered the Board. What if it were a deck with invisible wires. Then you would not see it.

The Chair replied we talked about that earlier and then you would end up with a flat roof.

Reed asked Chairman Rowland how he would feel if it were made with wrought iron instead of wood.

The Chair replied that it is his opinion against the Board members that it just does not belong as a flat deck. If they had a shed roof, which is a typical colonial roof, it would be great.

Biddle wondered if it would help if they came out on the side and just had a smaller flat area. What if they came with that shed roof and had a small deck then they could have access.

The Chair replied he did not know he would have to see it.

Holmes said it is possible to come up with a different roof line. It probably would look contrived and it may not look good. He asked the Board about what options the Southworth's have. They could sell the house and move to another house; they could try to come up with another design and take it back to the ZBA. Would that be a good second choice?

Chairman Rowland replied it depends. As he understands their approval, it talks about area and he does not know if a shed roof is area. It is not living space; it is simply a roof design so you might be able to do it without going back to the ZBA. You would have to check with the Building Inspector.

Discussion followed among the Board.

The Chair suggested the applicant ask the Building Inspector if there was a way to do a shed roof from a pair of windows that would actually get you closer to grade in the event of an emergency.

Holmes asked to continue his question on options - Option 1 would be to sell the house; Option 2 would be to redesign it in such a way that you think you do not have to go back to the ZBA; Option 3 would be to redesign it and go back to the ZBA and tell them that this Board did not approve their design. He asked the Board if there were any other options.

The Chair replied no. He pointed out that the minutes are clear that he was not in favor of the deck as well but he was unclear as to whether he had a choice.

Murray said she was not in favor of the deck.

Michael Southworth asked the Chair what expertise he had to make this choice on the house. Is it a personal dislike or do you have a degree in colonial homes?

Chairman Rowland replied he is Director of Special Projects and Facilities at Strawberry Banke Museum where he has been for twenty-five years. He has a degree in History; he has lived in New Castle all his life and he takes this very seriously.

Chairman Rowland closed the public hearing for Michael and Maria Southworth.

Review of the HDC Minutes of June 5, 2014:

Cohen moved for the Board to approve the minutes of June 5, 2014, as amended. Reed seconded the motion. Approved.

New Business:

Election of Vice Chairman for the Historic District Commission

Chairman Rowland nominated Irene Bush to become Vice Chairman of the Historic District Commission. Nollet seconded the motion. Approved.

Discussion followed on obtaining a new Alternate to the Board.

Adjournment:

Reed moved for the HDC meeting to adjourn. Nollet seconded the motion. Meeting adjourned at 8:15 pm.

Respectfully Submitted,

Anita Colby

Recording Secretary

Attachment A: The ZBA Approval for Michael & Maria Southworth