

1
2 APPROVED
3 NEW CASTLE HISTORIC DISTRICT COMMISSION
4 OCTOBER 6, 2016 at 7 PM

5 Board Members Present: Jeff Hughes, Vice Chair, Tom Maher, Irene Bush, Kate Murray, and
6 Peter Reed.

7 Not Present: Chair Rodney Rowland, Elaine Nollet and Judy Groppa
8

9 Vice Chair Hughes called the meeting of the New Castle HDC to order at 7:00 pm and noted that
10 he, Tom Maher, Kate Murray, Irene Bush and Peter Reed will be voting this evening. Asked that
11 anyone who wants to speak must sign in.
12

13 1. Public Hearing for Philip and Diane Llewellyn, 12 Main Street, Map 18, Lot 64-1
14

15 Phil Llewellyn, & wife Diane, applicants, appeared.

16 Randy and Ellen Bryan, abutters.
17

18 The Vice Chair stated that the application was published, all abutters were notified and all fees
19 have been paid.
20

21 Phil Llewellyn stated they were coming in with a smaller project than the last time. They are
22 requesting to put up a small storage shed off one side of the driveway. It meets the various
23 setbacks which are 5'. Llewellyn stated the walls of the shed are 6' high and the shed will set
24 behind some shrubbery so neighbors will not be looking at it. Applicants have spoken to the
25 Muirs next door, who would be most impacted by the shed, and they are fine with it.
26

27 Vice Chair Hughes opened it up to the board for discussion. Kate Murray asked about the line
28 that goes through the shed on the plan. Llewellyn stated it is a topography line and indicates
29 where the land falls away from the house. Murray asked if they will need to do some grading
30 and Llewellyn stated that it is pretty flat, although they may have to dig a little to get the shed
31 level as they want to keep the structure as low as possible, but the land is quite flat. Hughes
32 asked if the setback is 5' and if the Building Inspector signed off on it? Llewellyn stated that
33 Yes, the Building inspector and he talked about it and Graves was in agreement that it was OK.
34 There was some discussion amongst the board as to what the actual setbacks are. Maher stated
35 that it is not the purview of the HDC.
36

37 Hughes opened the hearing to public comments asking if there was anyone to speak to, for or
38 against.
39

40 Randy Bryan, an abutter, stated that he has seen the plans and agrees and supports it. Ellen
41 Bryan also reviewed the plans and was fine with the shed being installed as indicated on the plan.
42 Tom Maher asked about the siding which is in the application and was told it would be matching
43 the house, it will be a natural cedar and will be stained.
44

45 There were no other public comments and Vice Chair Hughes closed the public hearing at 7:06
46 pm.

1 Peter Reed moved to approve the application and Irene Bush seconded. All in favor.
2 Application approved.

3
4 2. Public Hearing for Karen Fay, 108 Main Street, Unit 3, Map 18, Lot 1

5
6 David Berton, applicant and Karen Fay, homeowner appeared.
7

8 Vice Chair Hughes stated that the application was published, all abutters were notified and all
9 fees have been paid.

10
11 Berton stated this application was for Unit 3, to install a deck system off the 2nd floor in the rear
12 of the building and also to provide an access door off the 2nd floor kitchen. The application also
13 asks for modification of a window on the 3rd floor but he is removing that from the application
14 and will leave the window as it is. The deck system originally applied for was a dimension of 5'
15 x 13' but in discussion with the immediate neighbor underneath, applicant is reducing the size to
16 4 1/2' x 13'.

17
18 Vice Chair Hughes asked if the proposed changes were visible from the front of the building?
19 Kate Murray stated she walked around and couldn't see it from the front or from the back on
20 Piscataqua and didn't believe anyone was going to see it. Hughes asked why the Building
21 Inspector asked Berton to come before the HDC. Berton stated the Building Inspector used a
22 ladder at the 2nd floor level and he was able to see a car down by the yacht club and also possibly
23 to Atkinson Street with no foliage, so Graves said because of the possibility it could be seen, he
24 should apply to HDC. Murray says it cannot be seen from Atkinson Street.

25
26 Hughes opened it to the public and asked if anyone wanted to speak to, for or against? No one
27 spoke and the hearing was closed to the public at 7:11 pm
28

29 There was some discussion by the board that they did not think the proposed changes could be
30 seen from the street. Tom Maher stated the Building Inspector was doing his due diligence but
31 he didn't see that it was in the purview of the HDC.
32

33 Peter Reed had questions on where the post for the second floor deck would be and Berton
34 indicated one is located at the exact location of the current rail on the first floor entry and the
35 other is 2 1/2' from where the building protrudes.
36

37 Hughes confirmed that the deck would be 4 1/2' x 13' and Kate Murray asked if the condo owner
38 in the lower unit was OK with a roof over their heads? Yes, the lower unit condo owner is fine
39 with the construction of a deck on the 2nd floor.
40

41 Irene Bush motioned to approve the plan with the modification of the deck to 4 1/2' x 13' and that
42 the 3rd floor window will not be changed. Kate Murray seconded. All in favor. Approved.
43
44

13. Public Hearing for ASJ Palmer, LLC, 41 Oliver Street, Map 16, Lot 26

2

3 Amy Gworek appeared.

4

5 Irene Bush officiated as Jeff Hughes recused himself as he is an abutter. Bush stated all fees were
6 paid, abutters notified and the application was published. The applicant is seeking approval for a
7 shed in the back yard. She went before the ZBA last week and received approval for an 8' x 12'
8 shed. She came before the HDC to talk about placement of the shed and had an updated
9 application moving the shed by the white fence, which is aligned with her neighbor, Jeff Hughes'
10 land. She had a plan drawn to scale to show where the shed will be in the back yard, which
11 slopes down slightly, and the shrubs and trees are dense so she doesn't believe anyone would
12 see the shed driving down the road. (Most of the board had not received the new plan and the
13 applicant did not have enough copies for everyone, so there was much confusion as to placement
14 of the shed.) Gworek stated that the height of the shed should be about 10' from the top of the
15 roof to the ground and the wall height is 6 ½' .

16

17 Irene Bush asked if the new plan reverses the shed from one side of the yard to the other side.

18 Amy indicated the first plan had the shed on the other side and you could see it from the
19 driveway, but they now have it tucked in on the other side by the fence.

20

21 Kate Murray asked to confirm what is on list for tonight's meeting, stating that the plan shows a
22 big patio. Amy Gworek stated the shed is now going to the other side and they are not looking to
23 put in a deck at this time. Right now their driveway is partially brick and partially dirt and they
24 are trying to keep the yard in line with the look of the house and trying to make a decision as to
25 whether they want a deck.

26

27 Irene Bush asked if the shed is mid-way in the yard? Amy Gworek stated no, the property goes
28 way back and the shed is closer to the house. Tom Maher stated that the original plan rendering,
29 which was in the board's packet, really shows the size of the lot.

30

31 Irene Bush wanted confirmation that the applicant was just asking for approval of the shed and
32 not increasing the patio or building a deck. Gworek stated that the patio in the drawing does not
33 exist and wanted to make it clear they are not requesting approval for the deck or patio. She also
34 didn't think that scape work was part of what needed to be approved by the HDC to which Irene
35 Bush responded that it depended on high the deck is.

36

37 Tom Maher stated that he recognizes that setbacks are not in the purview of the HDC but stated
38 that ZBA approved a 2' setback from Hughes' property line and that he was trying to get his
39 head wrapped around what the setback is for a non-permanent structure like a shed even though
40 he was raising something not in the board's purview. Maher also stated the he had rented this
41 house 8 years ago and that moving the shed to the other side of the yard will not allow it to be
42 seen from the road and it will be almost invisible to neighbors.

43

44 Reed questioned again where the shed is being placed because he didn't have a new plan. He
45 also asked about the shower shown on the plan and Amy Gworek said the shower is not being

1 put in at this time and there is not an existing shower. Kate Murray confirmed once again that
2 the board was just looking at the shed. Gworek answered Yes.
3
4 Irene Bush asked if there were further questions from the board? Reed asked if the shed was
5 going to be used as a garden shed? Gworek indicated it would be used for bikes, paddleboards,
6 etc.
7
8 Bush opened the public hearing. Hughes, an abutter, attended the ZBA hearing and said that the
9 shed will not be seen from the street. As an abutting neighbor, he is in support of the shed. Bush
10 closed the public discussion at 7:30 p.m.
11
12 Kate Murray moved that the application presented today for the shed as depicted on revision 4
13 dated August 30, 2016 with a size of 8' x 12', be approved; Tom Maher seconded. All in favor.
14 Approved.
15
164. Work Session for Thomas and Martha Bates, 36 Piscataqua Street, Map 18, Lot 30
17
18 Work session withdrawn.
19
205. Work Session for Doug and Dan, LLC, 3 Walbach Street, Map 18, Lot 56
21
22 Doug Palardy presenting for Doug and Dan, LLC.
23 Andy Schulte, 107 Main Street
24 There was a letter submitted by Ann Miller McAndrew and Michael Hume McAndrew which is
25 attached to these minutes.
26
27 Palardy asked if the work session was opened to the public also? Hughes indicated that as a
28 work session, the board is trying to get some idea of what changes they are looking to make and
29 yes, the public will be allowed to make any statements. Palardy is most interested in getting the
30 board's ideas on windows because as soon as they close on the property they want to order
31 windows because they take several months to produce.
32
33 Tom Maher wanted to make clear that since this is a work session, the board is not approving
34 anything, so they would not be approving windows. Palardy stated he wanted to know if the
35 board approves certain types of window rather than others as he has been before boards in other
36 towns who like only a certain make of windows.
37
38 Kate Murray stated the board's goal is that they want the house to look as historic as its period
39 after the changes are made.
40
41 Palardy stated that the property is directly across from town hall with a lot behind it. They
42 would like to have five units for guests. He showed the plot plan with the existing building and
43 parking and asked if HDC has purview over parking? Vice Chair Hughes stated that there is a
44 charge to the HDC to protect spaces as well as structures, so the board will have to become
45 familiar with that also. Palardy stated that 8 spaces would allow 1.5 spaces per room, but they
46 are confident that 6 spaces will be sufficient which would be one space per room plus 1 for staff.

1 However, after going thru the planning board and ZBA, they feel that 8 spaces would be more
2 appropriate as it would allow for snow storage or if someone has a guest over briefly, as they
3 want all guests to be able to park off the street. They will keep as much green space as possible.
4 The parking lot will be permeable.

5
6 The next plan showed six parking spots. Palardy stated that both the planning board and the
7 ZBA gave unanimous approval and that all abutters are in favor of this project. Hughes asked if
8 they were proposing an apartment house or a Bed & Breakfast? Palardy stated they are
9 proposing an inn. They owned and operated the Ale House Inn in Portsmouth for several years,
10 which had no food facilities and had 10 guest rooms and it worked fine. He stated that with food
11 operations, there are such large requirements for cooking for the public, that if doing a traditional
12 bed and breakfast, they would have to build a commercial kitchen and it's not feasible. They are
13 proposing small kitchenettes in each unit so that guests can cook for themselves. The
14 kitchenettes will all be to code and will adhere to all fire safety requirements. Seeing as Henry's
15 next door doesn't have dinner, a guest could heat water for tea or warm up some food; kitchens
16 will be very small, but guests will have a place to keep food to go to the beach for the day.

17
18 Reed stated the house appears to be rectangular and asked how they proposed to put in five
19 separate living facilities? Some will have to be on the 3rd floor and he was concerned about fire
20 code requirements in terms of people leaving the building. He asked if they were going to put
21 fire escapes outside the buildings? Palardy stated that yes, and that he had other drawings,
22 although they are very rudimentary.

23
24 Tom Maher said this house will be a challenge because it is visible from every vantage point; it's
25 right there on Main Street and it can be seen from Walbach, from Piscataqua Street, from
26 Henry's, and from the water. Palardy agreed which is why they wanted to ask about windows
27 and talk about fire safety. He stated that pretty much all of the windows are 9 over 9 although
28 there is one window that is different, above the front door and it doesn't seem historically
29 accurate. Ideally the applicant would like to put a window over the door the same size as the
30 other windows in the house which is an 1820's house, federal style.

31
32 Palardy said they plan to remove the aluminum siding and to paint it. On the roofline, they will
33 remove two skylights and have only one remaining on each side. Kate Murray asked if they will
34 have the roof redone? Palardy stated that they didn't think so; they will have phase 1 and phase
35 2 for construction. The roof, if it is needed, will be phase 2. Palardy showed a plan of the roof
36 and the dormers on the side towards Henry's building, and stated they will remove one skylight
37 on that side also.

38
39 Palardy next stated that he wanted to discuss the buildup on the roof in the front of the building.
40 He is not sure when this was added but there is not a chimney going through it and they would
41 like to remove it unless the board feels otherwise. Kate Murray said there are two ways of
42 looking at a historic house, one being at the far extreme of being a purist and keeping the historic
43 community, but the neighborhood has seen this house with this buildup for years and they could
44 keep it because it is part of the downtown landscape that everyone has come to recognize.
45 Maher stated it would behoove us to do some research and find out how long it has been there;

1 if only since 1972, he would favor removing it. If it was built in 1910 – 1920, and has been there
2 100 years, that would be different.

3
4 Pallardy stated they are looking through photos and trying to get a sense of when it was added.
5 He has checked the Athaneum and has found nothing. Palardy stated that if they open it up and
6 find 2 x 4's from 1970, they will know. It sort of looks like a façade on a western street but there
7 is no chimney in it.

8 Irene asked if there is only one chimney in the house? Yes, and they will not be adding
9 fireplaces.

10
11 Reed asked about a life safety door that Palardy had mentioned. What is it? Palardy stated that
12 currently there is a stairwell on the left side which you can see from Main St, which goes up to
13 the second floor. An exterior area on the 2nd & 3rd floor is needed, where guests can get out to so
14 the fire department can put a ladder up to get them. They would like to remove the stairs but
15 keep the bumpout on the 2nd floor that is currently there. To do an outdoor staircase up to the
16 unit, they would need wider stairs and would also have to enclose it. They are trying to avoid
17 having a monstrosity on the outside and a stairwell would encroach on Henry's side. Hughes
18 asked how many units would be on the 2nd floor? There will be two units and this bumpout
19 would serve as a fire exit for only one of them. So looking at the building from Henry's side,
20 there is currently a stairwell, doors, and windows; they are proposing removing the stairwell and
21 keeping the bumpout as an escape for the 2nd floor unit.

22
23 The 3rd floor has only one unit and they are thinking of a bumpout on the back side. These
24 bumpouts will not be big enough for a table and are not for entertaining purposes; they would be
25 for safety purposes in the event of fire. Irene Bush asked if they had checked whether casement
26 windows would be adequate. Palardy stated they would need an "area of refuge" and a casement
27 window would not suffice.

28
29 Vice Chair Hughes stated he was excited thinking that the house was going to be restored but is
30 concerned that it will look like a rooming house. Hughes said he is less concerned about the side
31 facing Henry's but rather concerned about the rest of the house and its appearance adding that
32 the back side of the house is very visible.

33
34 Palardy wanted to get the board's opinion on safety egress for the back side. Maher stated that
35 as much as could be kept on Henry's side, would be best. Palardy stated he would check with
36 the fire department and inquire if a drop down ladder could be used for the 3rd floor dormer.
37 Palardy stated that he will figure out how much they can do on Henry's side and what will be the
38 smallest area of refuge needed, maybe 3' x 4'.

39
40 Maher asked if the 3rd floor becomes a sticking point, would they consider reducing the number
41 of units as he believes the 3rd floor will be a challenge. Palardy said it barely works with five
42 units.

43
44 Palardy asked if the HDC's purview included paint color and was told no although he will be
45 picking a Benjamin Moore historic color. The house will have wood clapboards and some of
46 them are still under the aluminum siding. They would like to use clad exterior wood windows

1 and would like the ones offered in black as they want to marry this property with 19 Walbach
2 Street which also has black. They like the look of black windows. Irene Bush stated that the
3 board had approved black windows at 36 Piscataqua Street.

4
5 Hughes told the applicant that he should come for another work session and to research when the
6 façade was added. He would like Chair Rodney Rowland to weigh in on that discussion because
7 he has the most knowledge on historic houses.

8
9 Palardy asked again about windows and asked whether it was not so much the brand but the look
10 that the board is interested in? Yes, the board is more interested in the look and have approved
11 both wood and vinyl clad.

12
13 Vice Chair Hughes asked if there were any members of the public with questions or wanted to
14 speak? Andy Schulte stated that in the interest of efficiency, the applicant has to go to the
15 Building Inspector and firm up the type of windows. If they are going to replace like for like
16 that's OK, but with a complete renovation, they have to be approved. He stated that casement
17 windows open from the corner and open wide.

18
19 Schulte stated that the house at 40 Atkinson Street at the end of Atkinson turned the 3rd floor attic
20 into a bedroom and required an area of refuge, which turned out to be a balcony a little wider
21 than the window, which is the type that Palardy will need in the back because it is the least
22 visible and that way the fire department can get a ladder up to the 3rd floor. Schulte doesn't
23 believe the fire department will require a staircase.

24
25 Hughes advised Palardy that the board will look forward to further discussions and asked that he
26 reach out to Rodney Rowland directly to get his feedback. The work session was closed.

27
286. Approval of minutes from September 1, 2016 meeting. Was tabled until the next meeting
29 because the board members did not receive them.

30
317. New Business

32
33 None

34
35 Motion to adjourn the meeting made by Tom Maher; seconded by Irene Bush. All Approved at
36 8:15 pm.

37
38 Respectfully submitted,
39 Diane L. Cooley, Recording Secretary