

**APPROVED MINUTES
AUGUST 3, 2023
HDC MEETING**

Members Present: Chair Etoile Holzaepfel, Vice Chair David Myers, Kate Murray, Jane Finn, Ruth Zikaras, Guy Stearns, Alternate and Joseph Cuetara, Alternate

The meeting was held in the Macomber Room. Chair Etoile Holzaepfel, called the meeting of the New Castle Historic District Commission to order at 7:00 pm. The Chair introduced all the members of the Board and advised that anyone who wants to speak, should sign in, speak clearly, and to address the Board.

1. Public Hearing Continuation for Applicants Ben & Candice Stebbins, for 119 Portsmouth Avenue, Map 16 Lot 6, 9.3.5. Activities Subject to Approval by Historic District Commission to rebuild a new home per Zoning Ordinance 9.3.5.1.

Guests: Ben Stebbins and Candice Stebbins, Applicants; Sam Taylor, Hank Stebbins.

Ben Stebbins advised that the roof material on the lower roof has changed from metal to an asphalt roof, as well as changing the front door from a double door to a single door. The Chair had a copy of the denial of the Stebbins' building permit issued on June 10th and asked Mr. Stebbins if this was the first time he learned their home was in the historic district, and whether when receiving that information, if he then read the ordinance. Stebbins advised that he read the entire historic district ordinance and pointed out that the preamble says "it is not the purpose of this ordinance to deny a citizen the right to erect, relocate . . . as long as the result will not affect the character of the historic district." Stebbins stated that the house is set 250' back from the road, so the details will not be seen. Mr. Stebbins added that he has done 23 walks through the historic district and counted every window type, 4 over 1, 2 over 1, 1 over 1, etc. and he did not agree with the Commission's comment at the July meeting that 6 over 6 is standard because there are multiple types of windows throughout the town. Stebbins stated that if the commission would like to tell him what is not historic about their plan, there may be a difference of design opinions and he is willing to make more changes, but he doesn't believe the Stebbins' plans will affect the character of the historic district.

The Chair asked the Board if they had any questions. Kate Murray stated the property may be set back but she could not differentiate where the road was on the plan because there was no direction as to orientation of the house on the property. Candice Stebbins pointed out on the plan where the road was.

Joe Cuetara stated that the ordinance says "which lies within the historic district and visible from any street" adding that the front door cannot be seen from the

1 street. Stebbins agreed the front door cannot be seen and added "I can put in a
2 double door and go to the ZBA (for approval) because you cannot see it from the
3 street." Stebbins added there were comments at the July meeting that the entire
4 building is reviewable but he has talked to four people that have been in front of
5 the HDC and they all said that only those things that can be seen from the street
6 are within the HDC purview.
7

8 Mr. Stebbins stated that if you read the ordinance, it states the historic district
9 ends at the intersection of Oliver Street and depending on where you put a line on
10 the intersection, their property is within 6 or 7 inches of the historic district.
11 Stebbins stated he would concede that their house is in the historic district, but
12 you cannot have a modern house and then within feet from that house is the
13 boundary of the historic district; there's got to be a blend. Stebbins stated he
14 looked at the map for the historic district and it is incorrect; the law is how the
15 district boundaries are applied and not how a map is drawn.
16

17 Chair Holzaepfel asked if anyone had questions. David Myers stated the Stebbins
18 have cooperated and made changes as the Commission asked and he thought the
19 Board should approve the Stebbins application because "it's been a mess for them
20 since day one."
21

22 Ruth Zikaras was looking at the design and asked about the doors, as to which
23 was the front door. Jane Finn asked about the windows and Stebbins advised they
24 will remain 4 over 1.
25

26 Chair Holzaepfel opened the hearing to the public at 7:12 pm. Sam Taylor said he
27 is in favor of the Stebbins' proposal. Hank Stebbins stated he is in favor also.
28

29 Public hearing was closed at 7:13 pm
30

31 The Chair asked if members of the Board had any comments and if not,
32 Holzaepfel would entertain a motion.
33

34 M/S/P Jane Finn motioned to approve the application for 119 Portsmouth Ave, Map 16
35 Lot 6 under ordinance 9.3.5, as the size of the proposed structure is similar in
36 external dimensions to typical historic structures and it does not conflict with the
37 building code; this structure is consistent with the prevailing scale and size of
38 other structures within the district and relevant neighborhood. David Myers
39 seconded. All in favor, including the Chair.
40

- 41 2. Public Hearing for Applicant, Sam Taylor, for Owner Eron Jokipii, 24
42 Salamander Lane, Map 18 Lot 32, for exterior changes under 9.3.5 Activities
43 subject to Approval by HDC to add a dormer instead of approved gables, add a
44 generator, and make door and window changes, along with moving HVAC, per
45 Zoning Ordinance 9.3.5.1.
46

1 Guests: Sam Taylor, Applicant; Susan Epstein
2

3 The Chair stated that this project came before the HDC in August and September,
4 2022 and an exterior plan was approved. Holzaepfel had the approval, including
5 the images of what was approved. The applicant is asking to put a Nantucket
6 dormer on the house instead of gable dormers, which were approved in 2022, add
7 a generator and make door and window changes, along with moving the HVAC.
8

9 Taylor stated that some changes are not visible from the street. He presented
10 historic photos to show a farmers porch on this property from the early 1900's.
11 The Chair asked Taylor what the age of the home was and he advised that the
12 town has it listed as 1669, however, the current dormers were put on less than 100
13 years ago.
14

15 Taylor stated the issue is the center dormer which was a bathroom, and the
16 shower was under the eave; the owner is 6' 2" and the slanted roof presents an
17 issue. The roof itself is collapsing so they have to rebuild the roof structure and
18 they would also like to incorporate more egress to make the bathroom safe and
19 accessible. The Nantucket dormer allows them to build something that's not
20 monstrous, looks historic and also gives proper egress in both the bedroom and
21 the bathroom. There are two bedrooms on the second floor with a center hallway,
22 closets and a bathroom.
23

24 Chair Holzaepfel stated the period of the Nantucket home presented in a photo by
25 the applicant, is much newer and not in keeping with a home that dates back to
26 1669. Taylor stated that the current house is not 1669. The original building is a
27 tiny structure that is nestled in a corner and there have been 10 additions to this
28 house. Taylor showed the various additions from early 19th century, 1941 and
29 1971. The home has 2 x 4's from the early 19th century, however, the dormers on
30 the front are not timber framed, they are modern 2 x 4's. Taylor advised they are
31 importing antique beams to put in the house. The back section has been
32 lengthened by 6' or so, it was an addition with an entrance where the tunnel
33 connects. Taylor stated that the majority of the house is 100 years old, not 1669
34 vintage. The condition of the house is one of the worse he has seen in 30 years,
35 they have removed asbestos, the basement floods and has mold, rats and raccoons.
36 Taylor would have condemned this building if he was an inspector, adding that
37 it's quite a different reality from what was spray painted red.
38

39 The Chair asked Taylor what his background is with historic homes. Taylor
40 stated he has been working on homes for almost 30 years, beginning in Newfields
41 on a historic cape, where he was a journeyman. He has built new structures and
42 restored carriage houses; he has been working on buildings since age 14. He put
43 himself through school and for over three decades has worked on some of the
44 oldest homes, repairing rot, etc. Older homes have more character and also need
45 more work. Taylor learned that with an old house you cannot get things plum and
46 straight but have to make it look good. Although he has to deal with safety codes

1 which were not in place when houses were built, he needs to make the home
2 aesthetically pleasing and his goal is to make the property look like it's always
3 been there.
4

5 24 Salamander Lane was probably built by people who came from England as
6 there was timber framing that was used in Europe, Japan, etc. Taylor enjoys
7 seeing that history. He got into repairing the original timber frame on this house
8 but materials cannot be found and he is doing his best to make it look as close as
9 possible to the original interior.
10

11 Taylor would like to maintain a semblance of the look and period on the exterior,
12 but the house does have different eras. The house was originally mid-century but
13 then was remodeled. Taylor stated the porch would help facilitate a dormer and
14 the curve in the roof allows for proper egress from windows. The roof will be
15 asphalt architectural shingles.
16

17 Joe Cuetara stated his house was built in 1765 and he has a sign that says "please
18 leave your level at the door." Cuetara asked Taylor about solar panels but they do
19 not plan on having any solar panels.
20

21 Dave Myers advised that he had walked around the property and asked Taylor if
22 the porch will be on the center house only and Taylor advised that yes, it will be
23 on the main house only. Taylor stated the curve allows the windows to be sunk
24 in and to keep the dormer low and to minimize it. Taylor believes a straight
25 dormer would not look as nice. Board members thought the porch being near the
26 water would require approval of the Conservation Committee. Taylor stated the
27 seawall is 20' and they are 8' out from that. He advised it is being built on the
28 lawn and within the setback, they are not building the porch on the shore.
29

30 Kate Murray asked if the porch is facing the water, can it be seen from a street
31 and was advised that it can be seen while sitting at the park next to the Coast
32 Guard station and also from Becker Lane. Murray also had questions whether a
33 Nantucket dormer fits the house, and is concerned as the proposed dormer cannot
34 be seen on the plan. It was asked whether the dormer is going to be higher than
35 the dormers that are there now and how it would relate to the shed dormer on the
36 back which has a pitch.
37

38 Taylor advised that the dormer is not higher than the roof, however Chair
39 Holzaepfel pointed out that there is a pitch. Taylor stated the dormers are slightly
40 below the peak. Murray questioned whether the Nantucket dormer would go with
41 the shed dormer and asked how much higher are the gable dormers than the shed
42 dormer. Guy Stearns believes the Nantucket dormer would be more period and
43 attractive. Taylor stated that a full shed dormer such as is on the back would look
44 terrible on the front and the Nantucket dormer to replace the 3 gable dormers is
45 more traditional. The changes would be to enlarge the left and right dormer and
46 have a raised dormer, the Nantucket dormer, in the middle.

1 The Chair stated there is a difference between Nantucket dormers and New
2 England dormers and although they are similar, they are not the same. The gable
3 dormers approved in 2022 were more in keeping with other homes of the historic
4 district as the center part of the house is essentially a cape. Other capes in New
5 Castle have raised dormers or gable dormers, not Nantucket dormers. Period
6 wise, the Nantucket dormer is newer looking than the existing architecture.
7 However, Jane Finn pointed out that there are various periods to this house.
8 Taylor stated what everyone is used to seeing, which is red, is less than 100 years
9 old. Taylor showed photos of the house with no dormer, and a picture of the
10 house when it had a skylight. At one point this was an abandoned shack and now
11 it is a house with a bigger footprint. One photo is listed as 1915 and there are no
12 dormers.

13
14 Ruth Zikaras asked if Taylor was anticipating changing any windows on the first
15 floor and he advised that no, everything is the same that was previously approved
16 and that the front windows, Andersen windows, were installed in 1989 or 1991.
17 Taylor is adding two windows on an end but they cannot be seen from the street.
18 Taylor also advised that instead of clapboards in the front, he would like to put
19 cedar shakes.

20
21 Taylor was asked if he is looking to replicate the picture of the porch or would his
22 porch have all full posts. Taylor advised that the porch will not have half posts
23 and the posts will be square and champered on the edges so people don't cut
24 themselves. The porch is about 8' and the main house width is 32'. The original
25 cape was 19 x 29.

26
27 The Chair thought the porch will need approval of the Conservation Commission
28 because of proximity to tidal water. Taylor stated that he won't get a building
29 permit without HDC approval of the changes and then the Building Inspector will
30 instruct him as to what other boards to apply to.

31
32 David Myers stated 6 posts seems like much on the front porch and asked if there
33 was any way of narrowing it down. The picture presented was a smaller house
34 and the Salamander Lane house is longer and Taylor does not want a post in the
35 middle of the porch. The porch will have to be the entire width to get the curve of
36 the roof for the dormer. If the porch was minimized, Taylor would most likely
37 have to do a straight roof. Taylor prefers the curved roof for the coast but the
38 Chair thought it makes the house look more like a bungalow than a cape. The
39 roof is curving only where it meets the porch as the curve only makes sense when
40 something is added on the front of the pitch.

41
42 Taylor stated he needed a post with a railing because he is using a pre-
43 manufactured composite Azek railing and it comes in 6 and 8 feet widths. He
44 could possibly have four posts supporting the roof and 8' between posts.

1 Murray stated she is still struggling with the fact that they are talking about so
2 many things that are not on the plan. The Chair stated that if the Board is in
3 support of what Taylor is proposing, he could come back with a drawing of
4 exactly what he plans to build. Murray was concerned about the roof line of the
5 Nantucket dormer in relation to the shed dormer and also that the drawings didn't
6 indicate which windows are being moved so the Chair asked him to walk through
7 them one by one.
8

9 On the gable end facing the river, on the far right as one faces the house, there are
10 two single windows which will each be changed to a double window, however,
11 these cannot be seen from the road. Zikaras stated it makes sense from the water
12 to have larger windows. Taylor advised this was the bedroom which was added in
13 1971 but is now the kitchen. The inside of the house was flipped because there
14 were three entrance doors and two mudrooms and the master bedroom was full of
15 asbestos. It made sense to eliminate a door to the mudroom that no one could use.
16 Now the master bedroom has its own view of the water and has privacy. There is
17 a window and a door which face the Bush's house which Taylor would like to
18 remove for privacy; these cannot be seen from the street because the Bush's house
19 hides them. The door went to a mudroom they couldn't use and the space is now
20 being used to expand the bathroom.
21

22 The door on the tunnel entrance cannot be seen from the street. There are doors
23 on both sides of the tunnel, one of which is a storm door and it lets rain and water
24 flow into the house and causes rot. It's just a wooden door with a screen and
25 Taylor would like to replace it with a window. The terrain is granite ledge and
26 you cannot actually walk out this door.
27

28 Taylor advised that the current air conditioner is on the roof facing the Epstein
29 property. They would like to put the condenser on the side of the tunnel out of
30 view and tucked up and away. The propane tank needs to be 25' away from the
31 structure, however it's all ledge so they need to put the propane tank behind the
32 stone wall and trees and will put plantings around it. Murray advised that it needs
33 to be screened as the Board can only approve fencing, not shrubs. The generator
34 will be on the side of the garage.
35

36 Taylor stated the prior approval was for bleach oil shakes on the front and back
37 and he would like to put bleach oil shakes all the way around the house. There is
38 a screen door that was not weather proof and he would like to install a sealed door
39 to keep out weather.
40

41 Guy Stearns stated the only changes requested that are visible from the street are
42 the Nantucket dormer and the farmer's porch. The propane tank is on a private
43 drive but you can see it if it is not screened. The tank is tucked behind the garage.
44 Susan Epstein's driveway is a right of way for 24 Salamander Lane.
45

1 The Chair opened the public hearing at 8:04 pm. Susan Epstein of 29 Salamander
2 Lane stated that everything Taylor has done to the house is wonderful. The only
3 piece that is a change is the front of the house and everything else is in the
4 driveway and visible to her. Epstein stated that when you are on Piscataqua Street
5 at the sign for Salamander Lane, you are actually on her driveway, as Salamander
6 Lane is actually a driveway from the end of Piscataqua Street. Her driveway is a
7 right of way and Salamander Lane is a private drive. When Epstein bought the
8 property at an estate sale, they ended up with 29 Salamander Lane but also with
9 the property at the end which has a garage. Cuetara differed with her as he read
10 from the ordinance that "a private way offering the principal means to abutting
11 properties becomes a street" and asked if any other neighbors had rights to her
12 driveway. Epstein stated that only 24 Salamander Lane has a right of way which
13 is in the deed. No other neighbors have rights to the driveway, only the owner of
14 24 Salamander Lane and her own property, 29 Salamander Lane.

15
16 The Chair closed the public hearing at 8:08 pm.

17
18 The Chair asked for comments from the board regarding all the changes. Kate
19 Murray stated she is fine with nos. 4, 5 & 6 (the generator). There has been much
20 discussion about all the windows being changed and Murray stated she lost track
21 of all the window changes. Murray also struggles with the farmer's porch and
22 Nantucket dormer because there are no drawings. Dave Myers stated he would
23 approve all of them because it is a dramatic improvement from what exists and
24 believes everything proposed is reasonable. Ruth Zikaras agreed with Myers but
25 structurally would like to make the porch more in keeping with the design of
26 Patrick Ahearn, with not as many posts.

27
28 Jane Finn stated she is fine with all the changes. The Chair stated she has the
29 same reservations with regard to the limitations of the presentation and drawings
30 and would like line drawings better illustrating the design changes. Taylor said he
31 could provide that and the Chair advised Taylor he should provide an elevation
32 with architectural drawing. Taylor stated that last time the Board wanted
33 renderings and this will cause a delay. Myers asked if the Board could approve
34 the application subject to changes. Murray advised this is a public hearing and the
35 applicant could ask for a vote or could ask for a motion to continue. Murray
36 stated the Board can approve this on the condition of the drawings being
37 approved, and that Taylor can go ahead but there is a risk that the Board doesn't
38 approve the drawings once they review them.

39
40 Ruth Zikaras asked if the Board did some conditional approval on items 1 and 2
41 and approved items 3, 4, 5 & 6, would it be possible to see drawings before the
42 next meeting. Murray stated the Board can approve the items we agree on or we
43 can approve the entire request or we can pull out the first 2 items and say they are
44 contingent upon the drawings being approved.

1 M/S

2 Ruth Zikaras motioned to approve the application of Sam Taylor, 24 Salamander
3 Lane, Map 18 Lot 32, for exterior changes under ordinance 9.3.5 to change the
4 approved gable dormers to a Nantucket dormer, add a farmers porch, change
5 windows and doors as described in the application, to change the siding to all
6 bleach oil shingles instead of clapboard, to relocate the HVAC and to add a
7 generator to be screened from view; Myers seconded.

8 Upon discussion of the Board, Kate Murray stated the Commission does not have
9 a construction plan to present to the Building Inspector and record in town hall.

10
11 The Chair stated she would consider an amendment to the motion that the Board
12 needs drawings that are accurate as Taylor has himself stated that the drawings
13 are not accurate. Holzaepfel stated she has no problem with items no. 3. 4 & 5
14 but feels the Board needs drawings to show the revisions to the farmer's porch
15 and Nantucket dormer, but as Chair she cannot make the motion. Murray again
16 stated that the Board does not have plans to submit to town hall and has never run
17 across this problem. Myers asked why does the Board want to hold Taylor up for
18 a month; Taylor advised that the dormer and porch would essentially be like the
19 photo and he can't get more accurate than that. The Chair pointed out that Taylor
20 has waited since August of last year to come back for changes and has come
21 without plans that are accurate. Holzaepfel stated that the Board has also asked
22 for changes to the farmer's porch and roof and construction drawings are needed
23 showing the proposed Nantucket dormer, roof and the farmer's porch as the
24 Board cannot vote on words. Murray confirmed that when that has occurred in the
25 past, what was built is not what the Board had approved and then there is no
26 documentation.

27
28 Ruth Zikaras suggested the Board approve items 3, 4, 5 and 6 and not approve the
29 porch and dormer. Taylor stated that he thought the HDC was to approve how it
30 looks and not how it is structurally built, that was the realm of the Building
31 Inspector. The Chair replied that Taylor presented a picture of another structure
32 rather than elevation drawings of actual construction of the house in question.
33 Taylor advised he could do a drawing with elevation showing height, etc. for the
34 front of the house and the ends. Holzaepfel confirmed Taylor should provide that
35 for the gable ends and for the front.

36
37 Kate Murray stated there's a lot of work that can still be done on other elements
38 of the application but the Board does need to see drawings with an accurate
39 depiction of the proposed changes. Taylor stated he can provide the elevation
40 drawings but he wanted to know if the Board liked the photo and the concept so
41 that he is not wasting his time. The Chair stated everyone has expressed support
42 for what you are proposing but it's not clear enough and we do need the drawings.
43 Zikaras stated the Board doesn't usually approve something that isn't depicted as
44 to what is actually being built as the Building Inspector is going to want to see the
45 plans.

1 M/S/P Ruth Zikaras amended the motion to approve item #3, changes to windows and
2 doors, #4 the change in siding, #5 relocation of the mini split HVAC and #6
3 addition of the generator as described in the applicant's write up. Jane Finn
4 seconded. All in favor including the Chair.

5
6 M/S/P Zikaras motioned to continue the hearing on item no. 1 for the addition of the
7 Nantucket dormer and item 2 for the addition of the farmers porch to the next
8 meeting of the HDC, for elevation drawings to be provided which accurately
9 portray the proposed changes; Kate Murray seconded. All in favor including the
10 Chair.

11
12 3. Approve Minutes from July 6, 2023.

13
14 M/S/P Jane Finn moved to approve the minutes as amended; Ruth Zikaras seconded. All
15 approved, including the Chair.

16
17 4. New Business

18
19 There was discussion as to whether the Board has to consider whether Salamander
20 Lane is a street and to get clarification of the definition of a street which should be
21 in the town zoning ordinance. Page 66 of the HDC ordinance (2023 handbook)
22 describes what is the Board's venue and overall responsibility.

23
24 It was asked whether the Board has purview over the entire house or only what is
25 seen from the street. Jane Finn stated the town's attorney said to continue with
26 what the Board has been doing as it is very vague and because it is vague, The
27 Board can define it any way. Joe Cuetara stated that if he was defending, he
28 would say that precedent is that the HDC purview is from the street. The Chair
29 stated that if the HDC doesn't address historic structures and show concern about
30 the integrity of the historic district, then the historic district will be lost. Jane Finn
31 stated she will send the lawyer's opinion to Board members. Chair Holzaepfel
32 stated that if the Board only has purview on what is seen from the street, we don't
33 need to be sitting here because you'll have a bastardized historic district. The
34 Chair stated that if the Board has a proposed change to the ordinance, it needs to
35 go to town warrant and the HDC should speak to the Planning Board about
36 changing the ordinance. Murray added that if the Board wants to make changes,
37 it should start putting language together and get some public input as there will be
38 pushback.

39
40 Murray advised the Board has legal responsibility to submit plans that can be
41 stored in town hall.

42
43 Jane Finn advised a training is being scheduled for the Board based on the New
44 Castle ordinance and should be sometime in September. The Master Plan gives
45 the impression that people want an extension to the historic district.

1 Jane Finn moved to adjourn; Ruth Zikaras seconded. All approved including the
2 Chair.

3
4 Adjourned 9:04 pm

5
6 Respectfully submitted,
7 Diane L. Cooley, Recording Secretary
8
9

10
11
12