

APPROVED MINUTES
APRIL 6, 2023
HDC MEETING

Members Present: Chair Rodney Rowland, Vice Chair Irene Bush, Jane Finn, Kate Murray, Judy Groppa, and Julia Thomas

Absent: Ruth Zikaras.

The meeting was held in the Macomber Room. Chair Rowland called the meeting of the New Castle Historic District Commission to order at 7:00 pm. Rowland asked anyone who was going to speak to sign in. There will be a public hearing on the front lot of Map 16, Lot 40, which is continued from last month, and a work session and public hearing on the back lot of Map 16, Lot 40; there was a site walk for both lots on Friday, March 31st as this is a new subdivision. Both properties are located at 34 Oliver Street. The hearings have been published and abutters notified. All commission members present will be voting.

1. Public Hearing for Mary and Ron Pressman, 34 Oliver Street - Front Lot, Map 16, Lot 40 for new construction on subdivided lot.

Guests: Michael Cerbone from Mangel DeStefano Architects, Mary Pressman, Ian Moodie, Brian Bouchard of Sheehan, Phinney, Bass & Green, attorney for Amy Gworek, Jim Cerny, and Elaine Nollet.

The Chair stated the Commission will continue the site walk process with the public hearing. There was a work session and hearing at last month's meeting. Michael Cerbone of Mangel DeStefano Architects stated he really had nothing new to add with regard to the front lot other than a rendering showing the house at 26 Oliver Street in relation to the new building.

The Chair asked if Commission members had any questions. There being none at the time, he opened the hearing to the public at 7:03 pm.

Ian Moodie, an abutter at 62 Portsmouth Avenue, stated he walks Oliver Street every day and believes the applicant has produced a building that is reasonably massive on a street that is quite modest adding that it towers over the Callahan property at 26 Oliver Street. Moodie commented that the scale is on the high side, especially with both the house and barn and will look in the Callahan house. It is architecturally beautiful but the size is too big.

Attorney Brian Bouchard, retained by Amy Gworek of 41 Oliver Street, who lives directly across from the new construction gave a "hats off" to the architect and designer but emphasized that the house doesn't belong in the historic district. It is a building that is massive and incongruent with the size and scale of other houses in the neighborhood. Bouchard stated that this board is obligated to apply the

1 ordinance pertaining to the historic district, particularly Section 9.3.6.3 that all
2 new construction conform with the criteria for existing structures. Section
3 9.3.6.2.a requires the scale and general size of new construction be in relation to
4 surrounding buildings, with consideration of height, width . . . and Section
5 9.3.6.3.c which requires that the size of proposed structures be similar in external
6 dimension to typical historic structures. Simply put this ordinance requires new
7 construction be comparable in scale. Bouchard reviewed the application and
8 doesn't see any information identifying the size and dimensions of other houses in
9 the neighborhood and how this project compares to them. This building will be
10 approximately 3700 square feet and the average house size on Oliver Street is
11 2794 square feet. This is almost 1,000 square feet more, not including the 3 car
12 garage. The architect has done a nice job of limiting the frontage on Oliver Street
13 to 40 feet but it's a mirage. If walking up Oliver Street away from the water, one
14 will see a wall that will extend the entire length and a 3 car garage which itself is
15 a novelty in the historic district. Cerbone confirmed that elevation is 53 feet, and
16 the height of the house is 27' 10" from grade.
17

18 Bouchard again stated there's been no confirmation that the building height is
19 comparable to other buildings in the neighborhood. Bouchard submitted a letter
20 which is enclosed with these meeting minutes, that highlights everything he spoke
21 of, again stating it is the applicant's burden to prove this meets the criteria of the
22 ordinance and believes the applicant has failed to do that. The result would be
23 this building is incongruent with size, scale and nature of other properties in the
24 neighborhood and for that reason a certificate of approval should be denied.
25

26 Jim Cerny of 44 Portsmouth Avenue is an abutter on the back side of the
27 property and may not see this house from his property but he does walk the
28 neighborhood and had a different view. The property to the right [of the
29 applicant's property] actually has 3 garage bays and the property on the other
30 side, Martin & Olive, if measured, is even larger than this house. So one has to be
31 careful what you compare with.
32

33 Elaine Nollet of 56 Oliver Street stated she is in favor of the project and believes
34 the streetscape will be improved. Nollet opined that it meets all requirements as
35 this part of town has larger homes and was strongly in favor of the project.
36

37 The Chair asked if there was anyone else in the public speaking to, for or against.
38 There being no one, he closed the public hearing at 7:11 pm.
39

40 Rowland and the Commission took a couple minutes to read the attorney's letter
41 and then the Chair read another letter that he received via email from Chuck
42 McIntyre of 119 Main Street, a copy of which is enclosed with these meeting
43 minutes.
44

45 McIntyre and his wife have lived in historic homes, in five different historically
46 protected areas, the oldest being here on the island near the post office which is

1 their current home, and also in Alexandria VA, both of which were built in 1766.
2 McIntyre stated he understands the frustration of construction in designated areas
3 but when purchasing a property in a historic district you understand there are
4 restrictions. He doesn't believe the scale of the proposed homes are consistent
5 with the surrounding properties nor the historic district. McIntyre said he spent
6 many hours on this property with John Palmer and to say it is a unique property is
7 to understate its stature. He appreciates the owner's right to pull up the tennis
8 court and, having legally subdivided the property, has the right to build two
9 homes. However, McIntyre firmly believes that the houses must conform with
10 scale, which he doesn't believe they do. "Much more will be lost than the
11 historical nature of the neighborhood; a precedent will be set that every owner
12 will point to and the town will be invoked to prevent. There will also be less
13 sunlight to neighbors, as they will be staring into the house and have less light.
14 The minimum setback from the road only exacerbates its out of proportion scale."
15 McIntyre sees no effort by the owners to comply with historic district
16 requirements and believes there is plenty of room for adjustment and scale that
17 will not reduce the owner's enjoyment of their property."

18
19 The size of the front lot is 24,426 square feet and the house is 3700 square feet
20 which includes the connection but not the garage. Judy Groppa asked Cerbone
21 what the height of the house was to the ridge. Cerbone replied it will be 27'10"
22 from grade along Oliver Street; the house is 44' wide and 84' deep overall. The
23 Chair asked for confirmation of the 84' and it is from the front of the house to the
24 back of the garage, the overall depth of the structure.

25
26 There will be cedar clapboards on the front, cedar shingles on the sides, an asphalt
27 roof, brick veneer on the chimneys, board and batten siding on the garage, the
28 foundation will be "cast in place" concrete and have landscaping across the front
29 of the house. The door trim detail was copied from an existing house at the
30 corner of Oliver Street and Cape Road, and the shutters will be wood. The trim
31 will be a composite that was presented at the work session and strongly mimics
32 wood.

33
34 The Chair confirmed that it is fair to say abutters' concerns are around scale, but
35 that the design is appropriate; some are for and some against the size of the
36 property. He asked to hear from Commission members what they thought.

37
38 Irene Bush stated that what has been said of Oliver Street is not true of the historic
39 district as the Marvin house is a great deal larger, as is her own home. Kate
40 Murray stated that further down Oliver Street on the left and also on the main
41 road there are larger homes as well. Murray appreciated the comments on scale
42 and massing and that's a consideration around this property but going out a little
43 farther, there are other houses that are that large; it is a gray area to make a
44 decision on.

1 The Chair stated the impact on Oliver Street is the central core of the house and
2 the frontage is 44'; the connector is brought in from either side of the house and
3 reduces the view shed from Oliver Street as well as reduces the massing. Bush
4 asked Cerbone how deep is the house if not counting the garage and was advised
5 that the main body of the house is 36' deep, it's shallower than it is wide. The
6 connector is set back 6' of either side of the house.
7

8 Judy Groppa stated she doesn't find the height unusual. Rowland stated there is a
9 grade difference between Oliver Street and the house and asked Cerbone about
10 any fill; Cerbone stated that any fill will be minimal and will only be used to
11 create drainage from the house. There will be a flat plane from the street to the
12 front entryway, they are not proposing to build it up. The house is being built
13 within 1-2' of existing grade. The tennis court having been there before, and
14 because the Commission has learned from past experiences, Kate Murray wanted
15 to know what would be done if it is found the house cannot be built at grade and
16 needs to be built up, what the recourse will be. Cerbone stated they are trying to
17 minimize the excavation because there is a potential burial ground on the
18 property, so digging will be minimized. The entire east portion of the main house
19 is going to be crawl space, as well as the connector and the garage. They are
20 hoping to have a full basement for the westerly portion, however if the excavators
21 run into issues, that portion will change to crawl space also. The property has 19%
22 impervious surface, just under the 20% requirement.
23

24 The Chair confirmed that this house was sited so it is not directly across the street
25 from either 39 or 41 Oliver Street. Cerbone showed where the house would be on
26 Google maps and then presented the site plan showing that the house lies between
27 39 and 41 Oliver Street. The house was also staked for the site visit.
28

29 Murray stated that she is always interested to hear from abutters but her quandary
30 is that she didn't see anything that is objectionable as to what is in the purview of
31 the Commission. Groppa agreed as did the Chair, who stated he appreciated the
32 comments from the attorney, but the Commission had a lot of time reviewing the
33 application with both a work session, two public hearings, and a site walk. The
34 Commission has a good idea of where the building sits and Rowland's concerns
35 are eased quite a bit. There are elements of this building on numerous houses on
36 the streetscape. The Marvin house is larger, and the Decoursey house is similar in
37 size and scale, so he can't find fault with the scale.
38

39 Ian Moodie commented that Cerbone has provided the square footage of the
40 building when discussing the size of the house, however, Moodie wanted to know
41 what the build area calculation required by the building department is, which
42 shows the volume of the house. Moodie stated that the total build area of the
43 structure that will be finished on the property, the mass of the building is what
44 everyone is concerned about. Moodie indicated that while talking about the
45 square footage of 3700 SF, and the house being 44' x 36', there's also a two level
46 barn and a second floor of the house, and wanted to know exactly what the

1 building mass was. Cerbone stated the property is within the 20% lot coverage
2 and the building conforms with all zoning, which includes the existing barn. Jim
3 Cerny stated the height is also 5" lower than what code allows. Moodie continued
4 to question the mass.

5
6 Chair Rowland stated that Portsmouth Avenue is not in the historic district so the
7 Commission cannot speak to Moodie's view shed, adding that there are a lot of
8 people who think the historic district should be expanded.

9
10 The Chair called for a motion which Kate Murray agreed to make. The Chair
11 advised her to give a general outline stating language used in the Findings of Fact
12 under new construction, advising of those items which are appropriate to this
13 application and specific details of the house.

14
15 M/S/P Kate Murray motioned that the applicant's proposal for property at Map 16 lot 40
16 on the front lot at 34 Oliver Street be approved based on Findings of Fact #1 in
17 that it meets the special and defining character of surrounding properties,
18 including the architectural details, design, height, scale, mass and width of
19 surrounding structures, street frontages, type of roof, and facade openings. The
20 criteria for new construction is that the architecture of the proposed new structure
21 conforms with typical styles of houses within the district. Such structure conforms
22 with specified historic architectural style, the size is similar in external
23 dimensions to typical historic structures of this style, and the house is consistent
24 with prevailing size and scale of other structures within the district or relevant
25 neighborhood.

26
27 Irene Bush seconded. All in favor including the Chair.

28
29 2. Work Session and Public Hearing for Mary and Ron Pressman, 34 Oliver Street -
30 Back Lot, Map 16, Lot 40 for demolition of existing structure and new
31 construction.

32
33 Guests: Michael Cerbone from Mangel DeStefano Architects, Mary Pressman,
34 Jim Cerny, and Joanne Armitage.

35
36 The Chair moved on to the work session for the back lot, to remove the existing
37 structure and build a new house per ordinance 9.3.5.1.

38
39 Cerbone spoke to the location of the building and its scale. The driveway will
40 come in from Oliver Street to the left of the house on the front lot; the house will
41 be 250' back from Oliver Street, 375' from River Road and 100' from Portsmouth
42 Avenue on the west side. The house is very hidden from Oliver street, the façade
43 of the house is barely visible.

44
45 The overall volume from the garage to the south wing is 136' and at the widest
46 point, from the easterly point to the back of the garage is 72'. The proposed ridge

1 height is 28'2", about 2.4" below the height limit. The existing house is 88' in
2 length and 34' front to back.
3

4 The setback from property lines are 60' from the northerly side, 45' to east, 15'
5 from west and 112' at the south or rear of the property. Several landscaping
6 buffers exist and will be added between the houses and which will also screen the
7 property from the road. Existing landscaping buffers to the east provide a narrow
8 view to the house. The first picture Cerbone presented was from Oliver Street,
9 then from River Road indicating the main gable may be seen as a prominent
10 feature, however, the majority of the house will be screened by landscaping.
11

12 Portsmouth Avenue is not in the historic district but in relation to neighboring
13 homes, the lot has a unique shape and the applicant is trying to maintain zoning
14 setbacks equivalent to or greater than required. The exterior materials will match
15 and play off of the front house: there will be a combination of cedar clapboard
16 and wood shingles, with board and batten on the garage. Cerbone stated they had
17 talked at the last meeting about a metal roof, representing it has a high level finish
18 which has been used in New England for 200 years. There will be a stone veneer
19 around the exterior foundation to bring in traditional aesthetics. While this house
20 has unique features, it is very hidden and a lot of elements are hidden from
21 historic areas.
22

23 Kate Murray asked if the roof was aluminum standing seam metal with natural
24 copper on some elements. Cerbone stated many houses utilize a metal roof with a
25 modern flair but it has been a traditional material in New England, highly
26 functional and addresses snow loads. So little of the roof will be visible from
27 historic streets that the applicant felt it appropriate.
28

29 The Chair asked Cerbone to confirm the setbacks: from Oliver Street to the front
30 of the house is about 250', from the northern property line is 60', setback from the
31 east is 45', and from the west is 15'. Cerbone pointed out on the plan that the red
32 dash line is the property line and the solid red line is the approximate outline of
33 the existing home; the overlay is the new construction, to show how the house
34 relates to property lines. Judy Groppa asked about the 15' west setback which is
35 the minimum setback per zoning and Irene Bush also asked questions about the
36 location of the house as Groppa and Bush were unable to attend the site walk.
37

38 Joanne Armitage of 86 Portsmouth Avenue stated that there was mention of
39 excavation and asked what will be used to excavate. Cerbone stated it will be
40 determined at the time of excavation adding that excavation is needed for the
41 garage which is being built on a slab and requires minimal excavation. The
42 garage footings can be placed on the ledge, actually pinned to the ledge.
43 Armitage was concerned about blasting and asked if they could guarantee there
44 will not be damage to her house. Cerbone stated the entire house is on the same
45 ledge and the excavators will be far more educated than he could speak to
46 excavation. The Chair advised Armitage to speak with the Building Inspector to

1 safeguard her house. She was advised to take pictures of all the walls. Cerbone
2 advised that excavation would begin in mid to late summer and that excavation
3 will be handled by the contractor, adding that they have done everything possible
4 to minimize excavation. Kate Murray recommended to Armitage to take
5 photographs as there have been situations where damage happens, adding that
6 using digital photography will date her photos as to when taken. Murray advised
7 to also take photos of fireplaces and chimneys as well as walls.
8

9 Jim Cerny stated that it's interesting that the three closest abutting houses,
10 although not in the historic district, already have metal roofs.
11

12 Peter Schwab of 63 Piscataqua Street stated that looking at this house, he couldn't
13 believe it would be allowed in the historic district due to its size and scale, adding
14 that it's very imposing on Portsmouth Avenue neighbors. Schwab stated the
15 height, proximity, and materials will be extremely visible from Portsmouth
16 Avenue, reminding the Commission that the house is still in the historic district
17 and would set a difficult precedent.
18

19 Judy Groppa said she does not know of any other metal roof in the historic
20 district, adding that she was not able to go on the site walk but the roof is going to
21 be visible and probably the only thing that will be visible. Groppa stated that if the
22 town doesn't have a tradition of metal roofs in the historic district, it shouldn't
23 start.
24

25 The Chair asked if there were any other public comment or questions.
26

27 Kate Murray followed up on Peter Schwab's comments, asking what are the
28 historical elements of this house and how does it fit into the historic district. The
29 Chair stated the house is 250' from Oliver Street and even further from River
30 Road, so much of that detail is not going to matter as it will not be seen. Rowland
31 added that if this house was on Oliver Street or River Road, this discussion would
32 have been over already, but it is a long way from the street and there is much
33 landscaping hiding most of it. The Chair guessed the applicant is trying to get this
34 approved because there is so little view from the street and agreeing that there
35 isn't anything here that speaks to the historic district, concurring that the metal
36 roof stands out. Cerbone asked if the Commission would approve an asphalt
37 shingle roof and was advised yes that would be approved. Cerbone asked if the
38 copper accents and details could remain on the awning roof over the side, the
39 entry roof over the end wing, the arch roof over the entry and in the back. The
40 Chair stated he doesn't have trouble with copper because it is a historic material
41 and the patina makes it disappear over time.
42

43 Mary Pressman stated that they are very well aware that the house is within the
44 historic district adding that the house sets quite back from relevant streets. The
45 house was also moved away from the wetlands which is why it is pushed closer to
46 Portsmouth Avenue, in particular as they abandoned a lot of disturbed land from

1 the previous setting. Pressman added that what's deceptive is that this looks like
2 it's standing out in the middle of a field, but it's surrounded by trees, adding that
3 some trees will need to be taken down but they will be replaced.

4
5 The Chair closed the public hearing at 8:01 pm and asked Commission members
6 if they had any comments.

7
8 Kate Murray stated a discussion was needed as this structure is within the historic
9 district but it doesn't look like a historic house, and the fact that you cannot see it
10 well from the street, still made it awkward to think of approving it. What does it
11 mean to build in the historic district if it's not going to look historic. The fact is
12 that this house is in the historic district. Rowland stated that it's probably the only
13 lot that pulls away from the streetscape and the Commission always talks about
14 streetscape, and also why the Commission doesn't address things that cannot be
15 seen from the street.

16
17 Karen McCormack of 14 Atkinson Street asked the Commission whether they
18 consider whether all the trees were taken down. The Chair stated he would be
19 more concerned if the property owner owned all of the screening. Kristen
20 McCormack of 41 Piscataqua Street asked if this is approved, will it set a
21 precedent. Rowland stated he asked an attorney about precedent and the
22 Commission has a lot of leeway because the historic district was created over
23 time, adding that just because you see a house in the historic district on Piscataqua
24 Street doesn't mean it belongs in the historic district on Oliver Street as they are
25 of two different vintages. The historic district was created in 1993 and homes
26 have many features that existed before its creation, so precedent doesn't always
27 work and therefore the Commission has some latitude.

28
29 The Chair asked Cerbone if the Commission had all the materials. Cerbone
30 responded that the windows will be simulated divided light with exterior non-
31 removable grill spacers between glass panes, and the window schedule was
32 included with the packet. However, the plans did not specify materials and
33 Rowland was worried about how the Building Inspector would know what will be
34 wood, composite, asphalt, or copper roof as the elevations don't show the
35 materials listed. Cerbone wanted to outline there at the meeting but Murray asked
36 that he return with a listing of materials. Cerbone asked if the approval could be
37 made contingent on materials being to the Commission's liking which he
38 indicated he could get to Rowland by the next day.

39
40 Judy Groppa stated the tower with the 2 ½ story window will be visible on
41 Portsmouth Avenue and was very inconsistent with the historic district. Although
42 Portsmouth Avenue is not in the historic district, this building is in the historic
43 district, and allowing a completely non-traditional building is not acceptable. The
44 tower will be seen when driving down Portsmouth Avenue, and although the
45 rooflines are traditional, the stairwell tower does not belong in the historic district.
46 Groppa did not believe it is in the Commission's purview to allow this non-

1 traditional building in the historic district. Mary Pressman said the tower is a
2 stairwell and although they can change the windows, the stairwell will remain.
3 Cerbone stated they tried to carefully articulate the staircase and break up the
4 length along Portsmouth Avenue by offering variability to the back elevation. The
5 architect understands the position of the Commission is difficult but their concern
6 wasn't focused on the Portsmouth Avenue side given that the homes there have
7 very different styles and are not in the historic district.
8

9 The Chair asked Groppa whether her concern was the windows or the curve of the
10 roof. Cerbone suggested they put a gable on the roof, a peak instead of a curve.
11 Irene Bush asked if the long expanse of windows could also be broken up.
12 Rowland stated there is a trimboard that divides the upper window from the lower
13 window. Cerbone asked if based upon the Findings of Fact, whether this is
14 something not allowed in a historic home. The Chair again stated this would
15 never be allowed if this house was on Oliver Street and, because the building is in
16 the historic district, the Commission is trying to pull it back because this is not a
17 feature seen in the historic district. Rowland advised that changing the roof will
18 help and also asked Cerbone to lower the trim board and evenly divide the
19 windows. Jane Finn asked Cerbone if, when changing the roof, will the window
20 be squared off and he advised the window will look better squared with a peaked
21 roof.
22

23 Kate Murray stated she was not comfortable supporting this and even more
24 uncomfortable as changes were being discussed because the Commission loses its
25 control on the project, adding that it's not tidy and would prefer to have the entire
26 package before the Commission. Murray stated that it's not the precedent but
27 more the philosophy that this is in the middle of the historic district and although
28 the Commission's purview is from streetscape, this is an entire house and there is
29 nothing to reference the historic element of New Castle. Murray added that she
30 would vote against approval to keep the conversation going and also have it in the
31 record. This is unique for the Commission as we have not seen a new house
32 which is not historically relevant, and she would vote No to have it in the record
33 that this is a concern that needs to be addressed.
34

35 Mary Pressman asked what specifically the Commission would like to see
36 different. Rowland would like elements that reference a historical home so it
37 looks like an effort was made to fit in the historic district. Bush commented that
38 the applicant had done that with the house on the front lot. Pressman stated the
39 way she envisioned the house on the front lot was as a house with an ell and a
40 barn however, because of the grades on the back lot, it was harder to manage that
41 and still have the functionality of the structure. Cerbone confirmed that the shape
42 and orientation of the lot provided challenges.
43

44 Cerny asked if the HDC has the ability to expedite the timetable because time
45 melts away with a monthly meeting schedule. Cerbone stated we have gone to
46 length to outline details and this was not the first time talking about this house but

1 it was pointed out that this was just the second meeting discussing this property.
2 Rowland stated there is a 14 day lead time to announce public hearings so the
3 minimum would be 2 weeks.
4

5 Irene Bush stated she is very uneasy about this house. The Chair understood as
6 the house is not historic and would support a motion to continue the hearing to
7 next month. Rowland advised the applicant that in terms of what the Commission
8 is looking for and what would or would not be approved, that the house has
9 eyebrows and curves, and although he could think of one house in New Castle
10 with these features, it is not in the historic district. The tower and windows, metal
11 roof have all been discussed and addressed. He asked the applicant to bring the
12 house a little more in keeping with other houses in the historic district.
13

14 Irene Bush was concerned about objections of people on Portsmouth Avenue but
15 the applicant is pulling the construction away from wetlands as there are setbacks
16 for the wetlands.
17

18 M/S/P Kate Murray moved to continue this hearing to the May meeting. Mary Pressman
19 will not be available. Judy Groppa seconded. All in favor including the Chair.
20

21 3. Approve minutes from March 2, 2023
22

23 M/S/P Irene Bush motioned to approve the minutes of March 2, 2023 as amended; Jane
24 Finn seconded. All approved including the Chair.
25

26 4. Any New Business
27

28 The Chair stated the Commission needs to give the Building Inspector a notice of
29 decision that has specific language. The Chair is trying to create a template of
30 Findings of Fact for the Commission to work with. The individual making a
31 motion has to say what specific features of the house fit in with a certain Finding
32 of Fact. Judy Groppa stated the Commission should use the description from the
33 completed survey as it has features etc. of each house and is an objective
34 description. The attorney said the Commission has to use the ordinance, to which
35 it was suggested that both the survey and the ordinance be referenced. Finn stated
36 the lawyer is going to work with the Commission but it might require a public
37 hearing, which won't get done before the town meeting. The Chair stated there's
38 about 100 pages difference between New Castle's HDC language and the City of
39 Portsmouth and if there's anything the Commission can do to avoid a challenge, it
40 needs to be addressed. Finn stated it was also recommended that a list of rules
41 and procedures be compiled such as who is voting, what happens if there's an
42 alternate, etc. and that the attorney would assist with all of this.
43

44 M/S/P Irene Bush motioned to adjourn; Jane Finn seconded. All approved including the
45 Chair.
46

1 Meeting adjourned at 8:36 pm.
2
3 Respectfully submitted,
4 Diane L. Cooley, Recording Secretary