

NASHUA HISTORIC DISTRICT COMMISSION

Tuesday, February 23, 2021, 6:30 p.m.

NOTE: Due to Governor's Executive Order, City Land Use Boards are authorized to meet via Zoom meetings, until it is deemed safe to meet in City Hall. Chairwoman MacKay read an introductory statement stating that the Historic District Commission is meeting via Zoom, and indicated how the public is able to access the meeting.

HDC Members:

Mariellen MacKay, Chair
Robert Vorbach, Vice Chair
Robert Sampson
Chris Barrett
Bill Slivinski

Also present:

Matt Sullivan, Planning Manager
Carter Falk, Deputy Planning Manager/Zoning
Kate Poirier, Zoning Coordinator

Mr. Falk called the Roll Call, the attending members indicated their presence by verbal confirmation, and everyone stated that they are alone.

MINUTES:

January 25, 2021

MOTION by Mr. Sampson to approve the minutes as presented, waive the reading, and place the minutes in the file.

SECONDED by Mr. Barrett.

MOTION CARRIED UNANIMOUSLY BY VERBAL ROLL CALL OF THE MEMBERS.

OLD BUSINESS:

None.

NEW BUSINESS:

None.

1. **74 Concord Street, LLC, Robert Clegg, Jr., Manager (Owner) Tumpney Hurd Clegg, LLC, George Hurd, Member (Applicant) 74 Concord Street (Sheet 65 Lot 97) requesting approval to construct a four bay, 18'x40' carport generally located at end of driveway off Stark Street. RA Zone, Ward 3. [TABLED FROM 1-25-21 MEETING]**

Voting on this case:

Mariellen MacKay
Robert Vorbach
Chris Barrett
Robert Sampson

MOTION by Mr. Slivinski to take this item off the Table.

SECONDED by Mr. Sampson.

MOTION CARRIED UNANIMOUSLY BY VERBAL ROLL CALL OF THE MEMBERS.

Attorney Colin Jean, 64 McKean Street, Nashua, NH. Atty. Jean said he is representing the owner and the applicant. He said that Robert Clegg, Jr. is with him, who is the Manager/Member of both the owner and applicant. Atty. Jean said that there were issues raised the last time they were here, and believe the issues have been addressed.

Atty. Jean said that the view from Concord Street area, which would show the right hand side of the carport – that entire wall area would be addressed by putting on shakes from top to bottom, and they would be consistent with the ones on the home. He said that with respect to the concern about wooden posts that might be visible to either neighbors or from public view to the street. He said that the owner and applicant have offered to completely encase those in shakes, the same ones that are being used on the proposed wall, and that would enclose them from public view, so there would be no posts visible to anyone. He said that the structure has no center posts, so those are not in play.

Atty. Jean said that some of the concerns were the view from the neighbor at 78 Concord Street. He said that the concern was from their deck looking at cars in the shelter. He said that the applicant is offering to put a fence up against, or near, the back side of the shelter, it would be the exact same fence as the folks have at 78 Concord Street so the view would be of a fence, not of any cars in a carport. He said that for the neighbors at 3 and 5 Stark Street, their properties are completely enclosed by a white vinyl fence, and if necessary, the owner would be willing to place a white vinyl fence up against that remaining left hand side wall, so the view inside the carport would be non-visible.

Atty. Jean said that the roof remains with architectural shingles, the same as the residence, the purpose is that on the property, there are some black walnut trees. He said that the tenants over the years have suffered significant dings on their cars. He said that the owner would like to retain the trees on the lot, and the residents do like the trees.

Mr. Barrett asked if the previous plan showed if the carport was going to be walled in on three sides, or zero.

Atty. Jean said that the previous plans had no walls. He said that the proposal now concerns the view towards Concord Street because there was some concern of that view.

Mr. Barrett asked how high the fences would be that would be in the back and the side.

Atty. Jean said that they would be the same height as the neighbors have presently, and didn't measure them, but they appeared to be six feet.

Mr. Slivinski said he'd like to see it walled in on three sides, rather than the fence on two sides. He said if you're going to protect the cars from the trees and snow, it'll do a better job of protecting the cars. He said that he'd like to see it walled in on three sides.

Atty. Jean said that one thing is to find an economical manner by which the vehicles upon the property can be protected, while also offsetting the alternative, which is not the preferred method, which would be to remove the black walnut trees from the property. He said that from the owners perspective, a manner by which any increase in the value of the property increases the tax base, which increases the rent of the tenants in the property. He said that they want to have the benefit of what the property has to offer.

Mr. Slivinski said he doesn't see that much of an added expense, but if the walls were put on the other two sides, it would certainly do a much better job protecting the cars in there. He said if some item besides a car is in the carport, it will be protected from most of the angles from doing it. He said it's a carport, and a carport doesn't belong in the historic district. He said he understands the reason why it's wanted, and realizes that the district is somewhat newer, but we have to do something when improvements are requested that we stay with the historic flavor and consideration of the neighborhood. He said he'd like to see it closed in on the other two sides.

Mr. Vorbach said that as an architect, he doesn't object to the carport necessarily. He said that the concern in the Historic District is always aesthetic architecture. He said that he doesn't agree with the two fence types, it isn't necessary, and looks at two gable ends with a screen wall, i.e. fence on the back of the carport. He said that he sees the drawings as schematic, and realizes that design work costs, but the drawings are very schematic. He said that he wishes that they had 3D elevations. He said that the basics for him are that the shakes are fine, two gable ends would suite him, and the screen fence acting as the back wall. He said that a carport doesn't necessarily bother him, but this is a precedent with this form of structure in the historic district, and doesn't know of any others. He said that the drawings count, and doesn't know who is designing this. He said two gable ends with a screen wall at the back would be ok.

Mrs. MacKay asked Mr. Vorbach if what is presenting meets with his expectations of what is acceptable for the Historic District.

Mr. Vorbach said that there is enough there to tell the story. He said he's used to better drawings, over the submitted schematic drawings. He said that the explanation of what is intended is clear, and understands what they're trying to do.

Mr. Barrett said he'd like to see it walled on three sides, it would look nice and consistent, and the idea of the fencing makes it look unprofessional, and not so easy on the eyes, and agrees with Mr. Slivinski.

Mr. Slivinski asked Mr. Clegg if the cedar shakes, or wood shakes, will be painted white to match the house, or will it be stained.

Mr. Robert Clegg said he plans on painting it the same color as the house.

Mr. Sampson said in his tenure on the Commission, this is his first time he's heard of walnuts in walnut trees become a topic of discussion. He said he's in favor of the modified proposal shown this evening.

Mr. Vorbach said that in the presentation, the fence types were based upon existing fences, and if the back wall is not solid, perhaps doing something a little more appropriate to the property, perhaps not a fence but more of a trellis-type screen that encloses that back wall as it's all about design details and elements, it's about architecture, so, aesthetically, it could be better.

Atty. Jean asked if lattice type would work on the back side instead of the fence.

Mr. Vorbach said that the lattice would be appropriate, yes.

SPEAKING IN FAVOR:

Brian & Lisa Law, 78 Concord Street, Nashua, NH. Mr. Law said that they're supportive of the carport, and the lattice work sounds like a good compromise, and from their perspective, they're fine if the trees come down.

SPEAKING IN OPPOSITION OR WITH QUESTIONS OR CONCERNS:

No one.

END OF PUBLIC HEARING, BEGINNING OF PUBLIC MEETING:

Mr. Barrett said that he prefers three sides, as he's said before. He said that Robert mentioned trellising or some kind of screening around the other two sides, and that seems acceptable, so that would work for him. He asked what kind of trellising, plastic crisscross trellising that we see under porches, and wants more detail on what it could be.

Mr. Slivinski said that he believes the Commission is being very accommodating to the applicant by allowing a carport to be built in the Historic District. He said that to ask them to enclose the three sides of it to make it look more like a permanent structure, and more like a garage, given the added expense to do that, but it's not an overwhelming expense to do it. He said he wouldn't approve the project unless it's enclosed like that with the shakes on three sides.

Mr. Vorbach said he'd be ok with two gable ends, shake, and does not like the diamond lattice, it's all over porches, the horizontal and vertical trellis or lattice would be a better element on the back. He said that we're discussing issues relative to design and here is where design presentation to the Commission is key. He said that the presentation like this, 3D, and get what they're intending, but plans and elevations, plans for a carport are not complicated, but elevations showing the architecture are important. He said that if we are to maintain the integrity of design in the Historic District, we just need to see better presentations. He said in summary, two gable ends, with an architectural trellis on the back would be ok. He said he feels like we're designing at the meeting, and this should be discussed moving forward.

Mr. Slivinski said that it won't convince him, but there are other members who can override that.

Mrs. MacKay said that now she will ask for a motion to be made.

Mr. Falk said that whomever makes the motion should be very specific, such as per the submitted plans, a lot of elements were discussed in detail.

MOTION by Mr. Sampson to approve the request, with the changes that have been suggested such as a fence. He asked for other details that should be in the motion.

Mr. Falk said that details were such as what the sides are, the back, the lattice.

Mrs. MacKay asked if the motion can be made to stipulate the discussion that we've had around the lattice architecturally correct in the back, the shakes on the two sides, and the gables per Mr. Vorbach's concerns and Mr. Barrett's concerns, and asked if that can be incorporated in there, we've had these discussions, we can take that as the motion, the application itself was pretty clear, but we've expanded upon that, we've broadened its horizons as it were, and we've spoken with Mr. Hurd and Mr. Clegg Around what we would like to see added to it and if that can be incorporated within the motion, that's probably the most correct, and if there is any kind of confusion, maybe Mr. Hurd could put something in writing in an email to Mr. Falk that details your understanding of what the Commission is looking for, because we did expand upon the application. He said that lattice was concurred with by him, and didn't hear Mr. Clegg say no, and the abutter was in agreement, and the Board keeps asking for that, and if we could tie it into the three sides, the gables, and the fence, and they also agreed to putting up a fence on the other side, and plastic fencing, if it was required. She said that the applicant and the attorney and the abutter have really come together and the Commission should respect the wishes that they're all presenting to us, and go forward with that.

Mr. Falk said that Staff can do that.

Mr. Sampson said that he would conclude that in his motion.

SECONDED by Mr. Vorbach.

Roll call for the vote:

Mr. Sampson said yes.

Mr. Vorbach said yes.

Mrs. MacKay said yes.

Mr. Barrett said no.

Mr. Falk said that it says in the Ordinance that the members vote, but we know what Mr. Slivinski said, that he wants it walled in on three sides.

Mr. Falk said that the **MOTION CARRIES 3-1** (Mr. Barrett) for approval.

2. **Susan L. McNamee (Owner) Dylan Knowles, Summit Landscaping Construction (Applicant) 94 Concord Street (Sheet 57 Lot 14) requesting approval to construct a pergola attached to existing carriage house, with brick patio**

underneath and walkway with fire pit, along with associated landscaping and accent lighting. RA Zone, Ward 3.

Voting on this case:

Mariellen MacKay, Chair
Robert Vorbach, Vice Chair
Chris Barrett
Robert Sampson

Dylan Knowles, Summit Landscaping Construction, Nashua, NH. Mr. Knowles said that he sent a full package to the City, explaining what they want to do in the project. He said that the owner came to him with a picture of a project done elsewhere, and they want to do something similar. He said that the pergola, the stepping stones, the fire pit, are incorporated, and they took great care in incorporating the architecture of the house, and they will use re-claimed bricks and rounded columns in the carport for the house, and rounded white columns for the extension, so it will essentially be an extension of the carriage house, and will use various non-invasive plant species that will be appropriate, it will not be over the top for the area.

Mr. Knowles that that there will be some lighting added, in looking at the pergola photo, there are four post lights, they will be bronze or brass lighting fixture, and any pathway lights along the way would be similar materials.

Mr. Falk said that the proposed landscaping looks very nice, but there is no building permit required for plants and shrubs, so while it is nice to show the finished product with the landscaping, it looks great, but there is no Commission approval for the landscaping.

Mr. Falk said it is anything that requires a building permit would fall under Commission review, such as the pergola. He said that the submitted materials to the Commission made for a great presentation.

Mr. Barrett asked what the makeup of the trellis would be, either plastic or wood, or a composite.

Mr. Knowles said that they're hoping to go with a composite material, but can also use painted wood if the Commission feels that it would be more appropriate. He said that the plastic would last longer than outdoor painted materials.

Mr. Barrett said that the composite is good.

Mr. Vorbach said that he doesn't object to the composite at all, and it is a complete package, with clarity regarding the detail of the project, and said that it belongs, and it's not something that lacks design intent or thought. He said he appreciates the presentation.

Mr. Knowles said it's been an honor to work on this project.

Mr. Slivinski said that the house is a very historical house, and the owner did a great job in designing the project with the architect, and it's done very well.

SPEAKING IN FAVOR:

Stephanie Ballentine, 9 Bartlett Avenue, Nashua, NH. Mrs. Ballentine said that she is in support, she said that it looks like a beautiful project and plan.

SPEAKING IN OPPOSITION OR WITH QUESTIONS OR CONCERNS:

No one.

Commission members all expressed support for the application.

MOTION by Mr. Barrett to approve the request as presented.

SECONDED by Mr. Vorbach.

MOTION CARRIED UNANIMOUSLY IN SUPPORT BY VERBAL ROLL CALL OF THE VOTING MEMBERS.

3. **Segundo Cruz (Owner) Denise Bartholi (Applicant) 15 Orange Street (Sheet 43 Lot 90) requesting the following: 1) approval to construct a small roof platform to allow for required service for exhaust fans and hood towards back of building; and, 2) approval to re-face existing projecting sign on front of building. D-1/MU Zone, Ward 3.**

Voting on this case:

Mariellen MacKay
Robert Vorbach
Chris Barrett
Robert Sampson

Denise Bartholi, 15 Orange Street, Nashua, NH. Mrs. Bartholi said that this place used to be the market, it won't be big because it has a small kitchen, and the sign, it will be the same size, it will be just a change of the logo. She said that the little platform will be used for the mechanical equipment.

Mr. Barrett asked if the sign will be an internally illuminated sign.

Mrs. Bartholi said yes.

Mr. Slivinski said that the sign has been a part of that Orange Street neighborhood for such a long time.

Mr. Barrett asked what the size of the roof platform will be.

Mr. Falk said it's pretty small, approximately 3'x3'.

Mrs. Bartholi said that she did submit a drawing of the size, it's small.

Ms. Poirier said it may have been submitted to the Building Department, it was submitted to bring the ventilation system up to Code.

Mrs. Bartholi said it is for the make-up air.

Mr. Barrett asked if she will be doing anything else for the outside of the building.

Mrs. Bartholi said she'll keep it painted yellow and red.

Mr. Vorbach said it is a small building, with character, the colors are what they are, the components of this presentation are pretty simple, and understands the mechanical deck on the roof, and doing the sign re-face in the same frame. He said that the application has clarity and understands the need for this.

Mrs. Bartholi said that it is a small business, and there will not be any alcohol served.

SPEAKING IN FAVOR:

Caroline Bartholi, 13 Cheshire Street, Nashua, NH. Ms. Bartholi said that she is in favor, and said that her mother owns another business and bringing this food business to the City will be nice. She said it will be great for the area, and will help out the area.

SPEAKING IN OPPOSITION OR WITH QUESTIONS OR CONCERNS:

No one.

END OF PUBLIC HEARING, BEGINNING OF PUBLIC MEETING:

Commission members all expressed support for the application.

MOTION by Mr. Barrett to approve the request as presented.

SECONDED by Mr. Sampson.

MOTION CARRIED UNANIMOUSLY IN SUPPORT BY VERBAL ROLL CALL OF THE VOTING MEMBERS.

4. **William & Jennifer Quinn (Owners) 85 Concord Street (Sheet 47 Lot 31) requesting to replace two windows on the Beasom Street side of carriage house with two new garage doors, and replace existing garage door with new door so that opening will be symmetrically repositioned. RA Zone, Ward 3.**

Voting on this case:

Mariellen MacKay
Robert Vorbach
Chris Barrett
Robert Sampson

William Quinn, 85 Concord Street, Nashua, NH. Mr. Quinn said that they purchased the house about 5 months ago, and want to bring it up to the standards of the Historic District Commission. He said that they'd like to utilize the house in a more functional ability, and in doing that, it would include opening up the garage up as shown.

Mr. Quinn said that they were the old stables for the house, and the door on the left is the original stable door, it is just over a 7 foot door, and it's quite difficult to get into with a car. He said that the entire floor inside is poured concrete, a full garage. He said that they'd like to add a second door right next to it, and a third lawnmower door over to the back section. He said all the doors would be in keeping with the period of the building, there are carriage doors. He said that they'd like to mimic the existing carriage doors that are on Concord Street. He said that the windows shown on the drawing will not be arched, they will be square, and the doors will be a wood overlay. He said that the doors will be painted black to match the carriage doors that are on Concord Street and the hayloft doors on Concord Street.

Mr. Barrett asked if they will be overhead doors, or open on hinges.

Mr. Quinn said that they will be overhead doors. He said that they are a wood insulated door with a wood overlay.

Mr. Vorbach said that re-claiming that house on Concord Street was a plus. He said that the work that was done, the need for functionality is understood. He said that architecturally, there is clarity in the presentation, and the doors belong. He said he is glad that they would be painted black. He said that the design is clear, and does not see any issues with it.

Mr. Quinn said that they intend to keep the house as intact as it is, and improve upon it. He said that they bought the house knowing its character and what it stands for and the history behind it.

Mr. Sampson said that Mr. Shaw would approve of what is proposed.

SPEAKING IN FAVOR:

Mr. Falk read letters in favor, submitted by the applicant, by Wayne Spence, at 87 Concord Street, who has seen the plans and acknowledges the work and approves it as proposed. He said that the second letter is from Marilyn Spence, at 87 Concord Street. He said the next letter is from Cliff Simonds, at 81 Concord Street, and the last letter is from 50 Berkeley Street, from Mary & Michael Mazara.

SPEAKING IN OPPOSITION OR WITH QUESTIONS OR CONCERNS:

No one.

END OF PUBLIC HEARING, BEGINNING OF PUBLIC MEETING:

MOTION by Mr. Sampson to recommend approval of the request as presented.

SECONDED by Mr. Barrett.

MOTION CARRIED UNANIMOUSLY BY VERBAL ROLL CALL OF ALL VOTING MEMBERS TO APPROVE THE REQUEST AS SUBMITTED.

OTHER BUSINESS:

Mr. Falk introduced Matt Sullivan, the Planning Department's new Planning Manager.

MEMBERS COMMENTS:

Mr. Slivinski said that he is an Alternate, and if one of the Members is not there, the Alternate steps in to take the place, and has full voting rights as a Member.

Mr. Sampson said that is his understanding, and should have been able to vote.

Mr. Barrett agreed, and said that it wouldn't have changed the outcome.

Mrs. MacKay said that Mr. Slivinski's name was mentioned in the first case in the voting, and Bill clearly stated his position in the other three cases. She said that she marked his comments and marked whether he was or was not in favor. She said that her understanding of an Alternate was clearly stated by Mr. Slivinski and Mr. Sampson. She said she offers an apology if Mr. Slivinski should have voted.

Mr. Sullivan said that the By-Laws are silent on the role of an Alternate. He said that the ordinance does say that alternates may participate in the absence of a regular member, so moving forward, we'll defer to the RSA's and they do permit alternates to vote as regular members in absence. He said that different Board and Commissions set different rules with alternates and voting. He said that perhaps the By-Laws could be amended to clarify this.

Mrs. MacKay said that it could be put in as New Business for the Commission to discuss.

Mr. Barrett said we should clarify if an alternate can or cannot vote.

Mrs. MacKay said that discussion by everybody present is absolutely pertinent and important. She said that the By-Laws should reflect this.

Mr. Sampson stated that this topic should be on the Agenda at our next meeting.

Mr. Falk said that there is a meeting in March.

Ms. Poirier said it is on March 22, 2021.

MOTION TO ADJOURN by Mr. Vorbach.

SECONDED by Mr. Barrett.

MOTION CARRIED UNANIMOUSLY VIA VERBAL ROLL CALL OF THE MEMBERS AT 7:26 P.M.

CF/cf