

Exeter Historic District Commission

March 15, 2018

Final Minutes

Call Meeting to Order: Curtis Bolvin, Vice Chair, called meeting to order at 7:00 pm in the Novak Room of the Exeter Town Office Building.

Members present: Curtis Boivin, Vice Chair, Pam Gjettum, Clerk, Valerie Ouellette, Gregory Colling, Nicholas Gray

New Business: Public Hearing: Curtis stated that the commission was going to take things out of order and start with the application of Keith Ripel for change to an existing structure for window replacement. The subject property is located at 23 Pleasant Street, in the R-3 Single Family Residential zoning district. Keith Ripel stood up and stated that he recently purchased 23 Pleasant Street and he is in the process of renovating the property. When he was going through it, he noticed that five windows needed to be replaced. The front floor two bay windows are rotting and no longer work and the glass is separating from the structure. The building will be used as a rental and it does not have tempered glass and it is required by the insurance company. He is looking for permission to replace these windows with as close as he can get to what is there now. He stated that there is nothing that would look different from what is currently there. The three windows upstairs will be matched also to what is currently in the building. The building has vinyl siding on it that was grandfathered in. Mr. Ripel just wants to renovate the building, make it look the same and have it safe for tenants. Curtis then asked the board if they had any questions. Valerie asked what the siding was on the property. Mr. Ripel stated that the whole property has vinyl siding. He then stated that the only section that was not, was the exterior on the driveway side in the back. Mr. Ripel is not a big fan of the vinyl siding, but it was already there. Curtis then asked if Mr. Ripel had a chance to read the boards design guide for windows. He stated that he had seen the designs and the board recommend wood. He then stated it would not be cost effective for him to replace with wood. Mr. Ripel told the board that he would leave the existing storms up if that was something the board would like. He is willing to do whatever it takes to meet the requirements. Nicholas asked with the difference would be price wise, and Mr. Ripel stated that it is more than double per window.

Curtis then had a question for the board as to whether the application is complete enough to accept it. Pam stated that she feels it is very complete. Mr. Ripel told the board that when he purchased this property, it was very much in disrepair for some time. He also owns the property adjunct to it and has put a lot of money into preserving it and doing everything according to the requirements. Mr. Ripel stated that all he is trying to do is make the downtown look better. Pam then made a motion to accept the application. Nicholas seconded. All were in favor and application accepted. Curtis once again asked for comments from the board. Pam stated that she is leery of vinyl, but like Mr. Ripel stated, it was grandfathered in. Curtis stated that the board does not typically approve a vinyl window in a historic district. They would like some sort of historic profile to the window. He stated then that he understands the economic concerns of it. Mr. Ripel stated that he is just trying to make the windows look right. Mr. Ripel stated again that if the board is concerned about the exterior, he is willing to leave the existing storm windows in. Mr. Ripel told the board that all properties adjunct to his property, all have vinyl windows. Nicholas stated he feels an exception is warranted at this point. Curtis then opened up the meeting to any comments from the public, either for or against. No comments. Pam

then made a motion to approve. Nicholas seconded. All were in favor except for Gregory who abstained.

Next Business: The application of Excel Construction Management (on behalf of Freedman Realty Inc.) for change to the existing structure located at 173 Water Street. The applicant is requesting review of modifications to the existing building to construct a covered parking lot, a second and third story addition to the structure and associated site improvements. The subject property is located in the WC-Waterfront Commercial zoning district. Mike Todd spoke stating he is from Excel Construction Management. Mr. Todd stated they submitted a package back at submission time and stated that this has been moving at a very aggressive pace. He stated that the boards input from last meeting was taken and they have worked with that. Mr. Todd passed out a new package to the members of the board. He stated what is different is the elevations. He stated that in the first package, there was a parking plan and it showed 18 spaces. He stated they are now up to 27 on site. Mr. Todd then proceeded to go through page by page and explain the changes.

A1.1 – it is relative unchanged except the lower level shows parking spaces and it does not show outside the building parking spaces. He stated there are six outside of the building spaces. The total onsite parking now is 27. The last time they were here, it was 18. Pam then asked how they were able to squeeze in extra parking. Mr. Todd stated they were doing additional interior demolition. They are demolishing more into the building. They gained this space by going deeper into the building. Gregory then stated that the board was not there for parking issues. That is the Planning Board.

A1.2 – the floor plan – they are relatively the same.

A1.3 – the roof plan – since first submitted, they have downsized and scaled back the height. They are not planning anything for the roof top area. It may be revisited at a future time. They downsized the size of the glass for the windows and added some sashes. Curtis asked if the windows would be double hung and Mr. Todd stated that the residential ones would be. The retail level windows will not be double hung. They will be leaving that for more of a commercial look. Mr. Todd then stated that the final sheet still applies. The lighting will be the same. Curtis asked the board members if anyone had a record of the items that were requested. Mr. Todd stated that he has the list of items. He then stated that the board's comments were very good and well taken. He stated that they have downscaled the entire project. Mr. Todd then read what the board had previously requested. The site plan included, which they have not done yet. What colors would be used. Details of the trim, siding, brick. Last page of the package details these items. Also, windows and doors, roof edge and railings. He is not sure what the railings will be because they are not that far along. He stated that he thinks they will go with a dark contrasting railing. The last sheet of the package also includes lighting. It shows where the lighting will be. They do not have a detail on awnings or color yet. They would like to use the "Sunbrella" fabric. Mr. Todd then stated that what they were looking for tonight is a conditional approval based on the condition of getting the board the final color of the hardwood. They are not that far yet. They would like the conditional approval on terms of concept. The intent and how it looks. He stated that they know they have to come back and they will bring a package of samples for the board to see and touch. Curtis then asked if the board had anymore questions. There were none. Curtis then stated that there were a couple of ways the board could proceed tonight. They could treat this as a review session or accept the application and then conditionally approve. Mr. Todd stated that the last meeting was a review session so he is hoping to get a conditional approval. Curtis then asked the board if they will accept the application as complete and asked for motions. Valerie made a motion to accept the application. Pam seconded. All were in favor except Gregory who stated that he will accept the application pending additional information. Curtis stated that the motion passes because they had enough votes. Curtis asked Mr. Todd about the roof top equipment. Mr. Todd stated that the equipment placement would not change. Curtis stated that the rooftop could be a visual impact. He

also stated that the board would like to see where something might be screened or not screened. He stated that it is not the deciding factor. Pam stated that you will be able to see it because it will be huge. Mr. Todd stated that the sightline will not pick up a lot of it. Gregory also stated that there is going to be stuff on the roof that will be visible. Mr. Todd stated that if they needed to do roof screening, they will. Gregory then asked if there was an exit down from the rooftop yet and Mr. Todd stated that there is not yet. There will be sometime, perhaps a hatch. No elevator or stairs being shown going up. Maybe in the future. Curtis stated that he likes the way the building has gone with the sizing of the massing. It has become more appealing. Curtis then opened it up for questions from the board. Nichols asked about the windows and whether they would match the existing windows as it currently exists. Mr. Todd stated that they will do their best to match. Nicholas then asked what they plan to do about the concerns of the abutters. Mr. Todd stated that they would like to get together with them and talk and see what they can do to help their concerns. Curtis then asked if there were anymore comments from the board. There were none, so Curtis then opened it up to the public to speak for or against this application.

Dan Hopeful spoke stating that he is a lawyer in Portsmouth, NH with Hopeful Associates. He stated that he represents the Travers, Julie and Charlie who are there and are direct abutters as you know. They own the property and Julie runs The Willow. He stated that his clients are confused because they went to the Building Department today and there was no evidence of these plans being submitted. They feel somewhat surprised. This is the third time the plans have been submitted and they have been waiting to talk to the developer. Mr. Hopeful was addressing the photos from the package and stated that what you could see was an architect's shot of the massing of the building from across the river. He then asked Mr. Todd if he had copies for himself and his clients and Mr. Todd stated that he would bring them tomorrow. Mr. Hopeful stated that they have a letter for the board suggesting that the size, materials, massing are simply too much. They understand this is a process and it will be long. Mr. Hopeful then stated that the HDC Guidelines state that this be constructed stylistically to the existing building. He then stated that this plan is not. Section 7 of the HDC Guidelines states that it is to be proportional to the existing buildings. This is a significantly increase in size. It will dwarf the Willow building. He then stated that the concerns seem to be that no notice was given of these changes. The scope is too large and the additional parking is huge. While there is no restaurant proposed tonight, there was in earlier versions. He also stated that the parking conflicts in each submission. They will lose light and space for privacy. They look forward to speaking with developer but requests that this application be continued and with notice given as fairness. Curtis then stated that he will have to check on whether or not the mail was sent out. It is sent out to the abutters by certified mail and this is something that can be reviewed. This goes out with the initial application. He then stated that with Mr. Hopeful's comments about restaurant and parking, it is not the this board to review that. Mr. Hopeful stated that in fairness to the abutters, when they go to the Building Department, the day of the hearing, and these plans are not submitted, you wonder about the reason behind that. In fairness, he feels this hearing should be continued at best to give the abutters the opportunity to study the most recent revision of these plans.

Next to speak was Hans Wridtt. He has owned unit A-5 in the Merrill Block Building. When he first purchased his unit in 1991, Woolworth's occupied the Smith Building. He stated that now Mr. Freedman owns the building and has filed an application asking for permission to double its size and to change it dramatically. As for size, the building would stick out like a sore thumb and dwarf surrounding buildings. As the the external appearance, the building which Mr. Freedman has proposed is better suited for 21<sup>st</sup> century, Las Vegas strip, rather than 19<sup>th</sup> century Exeter waterfront. For these reasons, he seconds with Mr. Hopeful. The way the application has been presented is sort of in a piece meal way and it is difficult to see what exactly is being proposed. He then stated that if the board approves Mr. Freedman's basic application, there will be two negative consequences. First, is the parking. There will be no place to

park. Second is an infrastructure. All of the buildings on Water Street from the bandstand to the Academy Boathouse, are served by a private sewer line that runs the length of the buildings. If Mr. Freeman is allowed to put in the magnitude of a building that he is proposing to put in, you run the risk of overburdening that private sewer. If that happens, there will be a question of who is going to repair this private sewer. Until it is repaired, what are going to be all the health consequences for all the buildings on Water Street. Mr. Wridett then stated that for all these reasons, he would submit that he thinks what is proposed is not in keeping with the Historic District. He also stated that he feels the presentation is incomplete and sloppy. Curtis thanked Mr. Wridtt and stated that parking and sewer issues have nothing to do with this board.

Mr. Wendell Ring spoke. He stated that he is also an owner of a condo in the Merrill Block, 1B, which is right on the corner, facing the building in question. He stated that he is very scared. If the building is built next to his condo, he has five windows and it will close in the air, the light and make his life hell. He has lived there 18 years and it is driving him crazy. He has trouble sleeping at night thinking about this huge building coming next to him. He is not sure what he can do. Should he sell, leave? He then stated that it is not fair to the people living downtown. A monstrous building that is proposed, should not be allowed to be put in here. He feels it would destroy the historical nature of this small town. He also disagrees that the view from the water and parkway are not important. It is an iconic view of Exeter. You see Exeter from any artist's point of view because they draw it from the river, back into the town. To allow the overlarge burden of a building to be built, it will ruin the whole view and landscape of a beautiful, historic Exeter. Curtis then thanked Mr. Ring.

Elliott Birkowitz spoke next and stated that he is not an abutter, but lives downtown. He has some prepared information which he will save for the Planning Board and the ZBA. He is a developer and stated that sitting here tonight, he got the sense the it was like the Soupy Shuffle. He then stated that he does not understand what the rush is for this to get up so fast. He thinks they should go back to the drawing board and get a complete package. He feels they should slow down, take their time and do it properly. He stated that he loves developing, loves Water Street and thinks it should be done right and do a whole package and come in with a piece meal. Curtis then asked if there was anyone else from the public who would like to speak, and there were none.

Mr. Todd spoke again stating that they are trying to be efficient with the construction drawing process. He also stated that it does not make sense to spend thousands of dollars on drawings and then come and have revisions made. The HDC deals with what they deal with. The last minute changes and the rush, it is an aggressive schedule. However, they took the information, revisions were made and have downscaled it. They want to take a conditional approval so they can come back with all the final changes. It really has nothing to do with Mr. Freedman's right to build on his property within height limitations. He stated that they are looking for direction from the board so that when they come back with drawings, they are right. He stated that they had some good response tonight and will be changing the details. He then stated that this board is looking at the architectural details and how it fits. Pam stated that the board doesn't just deal with deals, but does it look good. Mr. Todd stated that he is confident that it does. Pam stated they went from five to four, which is good. Is it good enough, is where the board is now. Curtis then asked what is the requirement for how far in advance a drawing for an application should be submitted. Mr. Todd stated that it is about 20 days. Curtis then stated that there have been a couple of concerns that have come up as to whether or not the drawings have been available for the public to review. Curtis then stated that he wants to make sure that the public was appropriately notified. Mr. Todd stated that the public was notified, but the plans did change on the elevation sheet. Curtis then asked if there were any more questions or comments from the board. Gregory stated his understanding is that the board received this package of drawings and were suppose to review them this evening. Now there are new drawings and they need to be submitted properly and everyone needs to get notice before they can be voted on. He then stated that the board can approve

the application, but they cannot approve the project, based on what they have. Curtis then stated, looking at what they have tonight, how the board wants to proceed. They have the option to provide any other comments and let the public review and take it up again next month. The clock is now ticking on this. The application has been accepted and there is a time limit to approving. The other option is whether or not they do a conditional approval of the project and he is not sure the board is ready to do that. Pam stated that the board really does not like to do that. Nicholas stated that he thinks the abutters should have plans well in advance of a meeting and the board should not vote on plans that they have not had time to reflect on and review. Curtis agreed. Gregory stated that he thinks the board can request additional information. Curtis then asked for a motion to table the application until next month's meeting.

Mr. Todd stated that he wanted to be clear that they needed to submit to the board window material. Curtis stated window type materials, manufacturer for storefront and residential windows. They also need roof edge detail and roof top. Gregory stated that if this is built, it sticks out further than any other building on the waterfront and it will be larger than all the buildings, other than the Merrill Building. It requires careful consideration about the form and the details so that it is the right fit and everyone is comfortable. Pam made a motion to table the application until next month's meeting. Valerie seconded. All were in favor and application tabled.

Other Business: Approval of the February 15, 2018 minutes. Curtis asked the board if they had any changes. There were a couple of changes. Pam made a motion to approve the minutes as amended. Nicholas seconded. All were in favor and minutes approved.

With no further business, Curtis made a motion to adjourn. Pam seconded. All were in favor and meeting adjourned at 8:30 pm.

Respectfully submitted,

Elizabeth Herrick  
Recording Secretary