

Historic District Commission

July 16, 2020

Final Minutes

Call Meeting To Order: Patrick Gordon, Chairman, called meeting to order at 7:00 pm via ZOOM.

Members Present: Patrick Gordon, Chairman, Julie Gilman, Select Board Rep, Douglas McCallum, Pam Gjettum, Curtis Boivin, Vice Chair, Gwen English, Planning Board Rep, Jay Caswell, Developer, Sharon Somers, Legal Counsel, Christina O'Brien, Architect, Adam Wagner, Architect, Dave Cowie, Developer

New Business: Public Hearing: Continued discussion on the application of IOKA Properties, LLC for change in appearance, including window replacement to the existing structure located at 53 Water Street. Case #20-3.

Patrick stated that the commission did ask the applicant to return to this meeting with additional details that have been provided. With this and also the rest of the project as a whole because the commission is hoping to come to a decision tonight. Sharon Somers, Legal Counsel, stated that they are here tonight calling on two work sessions. The latest one occurred on June 18th and they felt it was a very constructive work session. She said the commission found the overall design and concept to be favorable. The next step required was for them to come back and provide the additional information that was requested by the commission. In general terms, there was no need for them to go back to the drawing board with any major design issues. She said they are here tonight to request a certificate of appropriateness for the design as presented. She then turned it over to Adam Wagner who will be presenting the information. Adam had Christina O'Brien present the powerpoint and he will be presenting it based on that. She shared her screen and all were able to see the slides. Adam said they want to focus on the eight items that were highlighted at the last presentation for more detail. The first slide showed details of the railing details that would be used at both the roof deck and the balconies on the backside of the building. They are proposing to use black metal. The next one is the rooftop pergola. There were a couple of drawings showing what it will look like at the top of the roof. It is a very traditional open air pergola. It will be made out of wood or composite material and that has not been determined at this point. Next, Adam said the commission had asked for more information on the sliding glass doors. This was an area that opposed trying to replicate something that was not original to the building, they are presenting something that is a little bit more contemporary. They would propose they match the color of the windows that are being proposed. The fourth item pertains to the wooden bump out that you can see at the rear of the building. The rear of the building is a blank, brick canvas with a wooden bump out that was built at some point. He is not sure if it is original to the building. They are proposing to remove it

from the building and install a storefront glass system. It would not be an operable window system. Anyone on the inside of the building would get to experience the river through this picture window. Adam stated that when they met with the commission last, they talked a lot about the entry canopy. They had a large canopy over the three center doors and then smaller canopies over the two outside doors. Next, Adam said where they left off last was to take off one set of the IOKA letters off the marquee and put them on the building as a signage. One of the questions the board asked them was what was their intent for lighting that signage. What they are proposing is a gooseneck light fixture that would be located over the letters on the wall. This light pertains to the board's comment about signage for the building. They are looking to have both commercial and/or retail uses on the first floor of the building. They would also like some sort of hospitality function on the lowest level. He said those businesses will want to advertise. Once they get to the point of really understanding the signage, they will be going back for signage permits, but they want to give the commission what they had in mind. Adam showed this on the slide. The next slide pertains to a topic that they spent a good amount of time discussing. It is the SDL vs true divided light. Adam said they have continued to do their homework on this and balance what they think is appropriate for the building with what is appropriate for efficiency of what is a reasonable cost. They kept coming back to the solution of the SDL, but they did hear the board's interest in using the internal spacer bar. The spacer bar really makes the window appear as if it is individual divided lights. You still get the performance of the SDL window. The next is the last detail slide. Adam stated that the board had requested they provide details regarding the windows and doors. How they would be set into the facade. The slide showed some details they did. They then showed a slide of the before and after line drawings of the elevations. They also had a slide that showed the side elevation. He wanted to point out the gooseneck light fixture that sits right over the top of the IOKA letters, really highlighting that component of the elevation. You can also see the articulation in the canopies. It looks like it has a jagged edge to it but it is the bird protection. The next slide is again the rear elevation of the building. It is showing some of the changes they are proposing. Adam then turned it back to Patrick, Chairman because they will be happy to answer any questions. He then called on the commission members to give their comments or questions of the applicants. First he called Curtis. He said his concern really is what has been done to preserving the marquee. It feels very weak to take the free standing letters that are on the front of the marquee, replace the marquee with a square marquee and to mount the letters on the side of the building. He said it feels inappropriate in a preservation sense. If there is something that has a shape to it, a form, something that comes off at an angle and not squared off, he is not paying respect to what was there. He is not promoting preserving the sign board. He is promoting the free standing letters. He mentioned this at the last meeting, he feels there has been no response to it. It feels very weak to him. His other concern is the contrast and he knows the commission does not have purview over color, but taking this high contrast black awning and matching it with a window and he is not sure if they are trying to match the existing trim or brick details. It just does not stand out at all. He feels the windows are appropriate, the railings are appropriate and the terrace at the top. He stated that they did not address what the mechanical equipment would be. Adam started with the mechanical equipment. He said they have not completed a full engineering design for the building yet. At some point, they will have

a better understanding of what the rooftop equipment is going to be. Their desire would be to screen it anyway they can so you do not see it from a public way. As for the marquee, they anticipate there will be further discussion on this. They have come around this in a couple of directions. They started out with a proposal which was actually more historic to the original IOKA Building than the current marquee is. This was built at a time that most people on this ZOOM meeting will have recollection of because of the date the marquee predates to. The soul purpose of the marquee is obsolete at this point. This building is no longer going to be a theatre building and for many reasons, it no longer warrants having a marquee sign. They want to be sensitive to the letters and create the presence of what this building is when people come to town. The current proposed solution is not a replication of what is there. It is a little bit of a hybrid. Patrick stated that Curtis's original comments were that they were not looking to replicate a sign that already does not exist. That was a historical element that was there, but they were not trying to recreate the old sign. It is more about preservation of what is existing. Pam spoke next. She said they had answered all of her questions. She was worried about the AC up on the top, but that was just answered. She wanted to know if this was a good time to mention that the Historical Society would love to have a set of the letters. Gwen said that she was under the impression that the proposed IOKA letters on the building were the original and asked if they were. If they are, she has a question about the composition of the letters. She said that looking at pictures that have been taken of them, it is not clear if the bottom of the letters actually have a solid base. She then stated that she shares Curtis's concerns and she will not repeat them. The railing on the back of the building, she is assuming they are using the same treatment for the rooftop and balconies. Adam said the railing details used to support the decks coming off the back of the building, they are proposing to do the same for the railings so all of that would be consistent. As for the letters, they do have two sets and when those are removed from the marquee, they will have to take a close look at which letters are in the best condition to be reused and they may require some minor repairs. He said he could not say whether a set of these letters could go to the Historical Society because he is not the owner. Dave Cowie, the owner, spoke and said they would gladly give a set to the Historical Society. Patrick then opened it up to Doug. He said with the SDL windows, he is convinced that this is a good solution. He is a little disappointed because he started to like the black sash. He then said it is a setting judgement and it is just his personal opinion. He said there are a lot of issues with the signage and he does not think there is any answer. There is a conflict between the use of the building and the design of the sign. He agrees that it is an important landmark function in the town. On the other hand, the use has changed. When the commission members walked through the building during the week, it became clear to him that the back of those signs is pretty ugly and it is not something he would want to look out from his living room. He also thinks it might have an effect on the value of the property. It does not seem like a solvable problem. He is happy to hear that there is interest in preserving at least the letters as a historic relic. He said it means a lot to people who have grown up with it. It is a very strong landmark coming into town. Speaking as an architect, it would be nice if they could create a landmark element that was a little stronger and really caught the eye. Next was Julie and she said she agrees with many of the things that have been stated. She agrees with Curtis about the color of the awning and she would rather see black as well because it fades into the building more. She

appreciates the depths of figuring out the windows and is good. Everyone has covered her rooftop concerns. She said they have to have a talk about the marquee because she has received input and now it may be more important to her than before. She is leaning towards can they figure out a way to keep it. She appreciates their thoughts towards keeping some aspect of the marquee. She said that she agrees with Curtis and Doug that it is lacking something. She does not find keeping the marquee as a difficulty for what someone sees looking out their window. She then asked about the signage on the front on either side of the main door that is where the sign frames are or has it moved. Christina answered and said they are in the same location. When they were out at the site the other day, there are still fasteners in the brick where the original signs were. They are not sure of the size, but they will be in the same location of where they were originally. Patrick gave his comments. On the roof railings, he does not see any issues. For the pergola, the commission would love to see natural wood up there as preferred, but they would like more information on what this material would be to make a decision on it. Patrick then asked if they had decided on what material would be used on the sliding doors. He likes the SDL with space bars and he thanked them for that. Adam said they have not identified a manufacturer yet. They are looking at options. He then said that if it pleased the board to have a wood structure for the pergola, they would be very receptive to be pointed in that direction. The windows and sliders right now, they are looking at a fiberglass option. He is not sure they can do the picture window in the back in that sort of material. It might need to be more of a commercial storefront. They would match the color, but the material might be different. You will see that material from the inside when you are up close, anyone looking at it from the outside is going to be on the other side of the river and it would be difficult to identify what that material was. Patrick said it is more about consistency of the material and color. The materials and manufacturer is specific to accepting the application knowing that what the commission is approving is what is going to be built. Adam said if there is a preference from the board as to what they use, they would like to hear that. If the board is leaning in a certain direction, they would like to know what that direction is. Patrick stated that there is no particular direction they would lean. He would reference their guidelines. Adam said as they stand there today, they are proposing a composite fiberglass window and sliding glass door. Patrick stated at this time of the public hearing, they are going to open it up to the public for comments. He said they have attendees that are part of this call right now and to ask for the ability to speak in front of the board in favor or against the application and he asked them to hit the raise hand button. He asked everyone to state their name and location. If you are an Exeter resident, there would be no issue for you to speak. If you are not an Exeter resident, we as a board will have to decide and accept with a motion to accept for you to be heard. Sharon Somers stated she submitted a letter today concerning a petition that has been submitted and it contains a number of signatures and many are not Exeter residents. She said she had asked specifically that the board issue some sort of a ruling of how the petition would be addressed. Also the materials that were attached to the petition, some were media printouts. She understands from the comments made just now, in terms of the public hearing, you are going to ask that the people identify themselves as being Exeter residents or not. If they are Exeter residents, they will be allowed to speak. If they are not, the board will make a person determination apparently as to whether or not they will be speaking. Is she to assume as well

the same treatment for purposes of the record will take place with the read materials from the petition. Patrick stated that with 2,000 people on a petition - no. As a commission we do not necessarily respond to a petition. If something like this is offered as evidence for or against an application, they take it in as evidence, but it is not something the commission has to respond to in any manner. Sharon said she understands that, but what she is asking is for a ruling that they will not consider the signatures of people who are not from Exeter. Patrick stated that he does not think the commission can do that. He understands there are people who signed the petition that are probably not in the interest as she stated that are from Bosnia or Alaska, but he does believe that people who are in and around the State of NH and certainly the close immediate towns and cities that are in Massachusetts and Maine do have influence in terms of the preservation of a historic item in New England. He said that he cannot say that the commission can not hear from people who are not specifically in Exeter. Sharon then said that she would like her objection noted for the record. Julie said if you read the letter from the NH Preservation Alliance, they make a statement of the importance of the building and its features that are regional. It was not built just for Exeter and it has not just been used by Exeter residents for events. Some of the people from other states, may have been Exeter residents. She does have a question about using social media. Julie said they don't really know who wrote them, so she would consider accepting the petition as it was signed and recorded with the addresses. The add on copies of the social media statements, not be regarded. Patrick said he thinks this is fair. If someone is putting their name and address to a petition, then they have a strong belief one way or the other. There is a lot more influence and interest about a certain preservation that he thinks they cannot limit it to just specifically the Exeter residents. Sharon then asked about the letter from the Preservation Alliance but does not say how it came to the HDC. Was this requested by the HDC? Patrick stated that it was not. Sharon asked if they know how it came to be. Patrick said that he personally did not request a letter from anyone pertaining to the Preservation Alliance or the Department of Historic Resources. Sharon once again just wants it on the record her objection to this. She said this goes back to the discussion they had back in June, in which other land use boards use a standard of what is a direct impact to people in terms of being the standard in which people are allowed to speak or not to speak. She finds it very perplexing to say the least that documents which include signatures from another country for example are going to be submitted to this board as part of the decision. Patrick is going to call on a member from the public,

Laurie Couture from Newmarket and she is requesting the right to speak because she submitted the petition and the intervention, as well as some of the documents mentioned. Patrick then called for a motion from the members to either allow or deny Laurie to speak. Pam made the motion and Gwen seconded it. All were in favor through role call except for Doug. Laurie stated that she is a former Exeter resident and lived there for twenty years. Her family has lived in Exeter since 1938 and still do. She worked at the IOKA Theatre at age 15. She is requesting that the board consider keeping, restoring and saving the marquee for the ten reasons she submitted in her letter. Next to speak is Marae Carr who is an Exeter resident. She has lived here all her life and she cannot express how important the IOKA means to her. She finds it an iconic part of downtown Exeter just as much as the bandstand. She would like to

urge the commission to please preserve the marquee and have it remain on the building. She said that if she had an apartment in the building, she would love to have the view of the marquee because she feels it is an asset. The entire IOKA Building means a lot to her. She cannot describe the emotional impact it would have if the marquee was to go.

Next is Linda Wade and she was born in Exeter, NH in 1950. She lived in Exeter the majority of her life with the exception of the last few years and she now lives in North Hampton and she would like to talk about preserving the marquee. Patrick did a role call to allow Linda to speak. Everyone was in agreement to let her speak. She said she does not remember a time when the IOKA marquee was there. She said when she drives into town and sees the marquee, it feels so welcoming and she cannot imagine having the marquee missing. She is not sure if the people of Exeter can comprehend what losing the marquee would do to the character of this lovely town. She believes the marquee can be restored on both sides of the sign.

Michael J. Meslow spoke next. He lived in Exeter until 1990 and now lives in Florida and he would like to speak about saving the marquee. Julie made the motion for Michael to speak. Curtis seconded. All were in favor for Michael to speak after roll call. His mother lived on High Street and Franklin Street her whole life. His family is in the Exeter Cemetery. Michael asked if anyone remembered the Courthouse downtown that is no longer there. He then mentioned the Pleasant Street Buildings where he lived first. He said the Historical Society does a great job of keeping memories. He thinks the marquee is just as important a memory of Exeter to reinforce all the people that have come and gone. He thinks it is important to keep the character of the town together. If this cannot be done, he begs to have the sign removed carefully and placed in a prominent place downtown where everyone can still see it. His number one concern is to keep it right where it is and don't lose this history.

John Sculmonaro is next and he is a resident of Exeter. He grew up here in Exeter. He moved away for several years and then returned. He would like to discuss keeping the marquee. After college, he found himself working in Oklahoma. In 2012, a large tornado destroyed a large part of a town called Moore, Oklahoma. The tornado went through and destroyed the Warren Theatre. It was the most popular theatre in that town. He liked going to this theatre because it was like growing up in Exeter and going to the IOKA. During the tornado, his friend fled an Indian Restaurant and could not see and the only way he knew where to go was by the marquee that was glowing in the distance. He ran to the theatre and took shelter. John said that the marquee should be preserved for historical and emotional reasons as a part of the character that makes Exeter.

Karen Weeks was next to speak and she is a resident of Exeter. She is speaking today about keeping the IOKA marquee. She said everyone before her gave wonderful statements about the marquee. She said she thinks it is the HDC's job to see that the marquee stays. She said the owners have done a great job and she is grateful for them saving the building. She said her father lived in Exeter during the 40s and 50s and he remembers the marquee. The marquee is what makes downtown special.

Elizabeth Rollins was born in Exeter. Presently, she lives in Farmington and she has been very much involved in saving the marquee petition. Julie made a motion to allow Elizabeth to speak. Gwen seconded. All were in favor after roll call. Elizabeth said that many who have spoken before her have made some beautiful remarks. The marquee is symbolic of the Mayor Building itself. People do not look at it without seeing the marquee. To remove this would be an injustice to the history and heritage of Exeter. Touch upon the statement that they might have difficulty renting it. Exeter is steeped with the arts. It is musical, theatrical. There are performing arts. In regards to the attorney's objection of someone from Bosnia who signed the petition, she personally knows people who grew up in Exeter, who now live elsewhere. This is just an example of how far the reach goes for those who support this icon and love the marquee. It just would not be Exeter without it.

Karen Dicey and she is a former Exeter resident and currently lives in Kensington and would like to speak about preserving the IOKA marquee. Julie made a motion to allow Karen to speak. Gwen seconded. All were in favor after roll to allow Karen to speak. Karen said she lived in Exeter for at least 25 years. Her parents lived there for the longest time. Her dad, Doug Dicey was Parks and Recreations Director for many years and her step mom was the Assistant Director. They loved Exeter and they would also approve of preserving the IOKA marquee. She said if it goes away, in hien sight, we will regret it. She would urge the commission to preserve the IOKA marquee and to restore and leave it right where it belongs on the front of the Mayor Building downtown.

Dawn Jelly is an Exeter resident and she would like to speak about preserving the IOKA marquee. She said that people were very excited that someone had bought the building and would be renovating it. They were shocked to hear that the marquee might be leaving us. It was heartwarming to hear stories from residents. She spoke with snowbirds as well, who live here in Exeter half the time. She comes from England and history is so very important. She said it would be a beautiful place to leave and look out and see the marquee and the letters. If you do not want to see it, then rent a different apartment. She said it would be fabulous for advertising for the IOKA Building and the town as well. She said the loss of the marquee would be felt very deeply to Exeter residents and those concerned.

Patrick said there were no more hands raised at the moment, so he is giving it back to the applicants for any of the questions or comments. Sharon will be making some comments initially for the methodology for analysis that the commission is going to have to make. Also, she suspects the owners, David and Jay will want to jump in and talk about some of the materials that they have direct knowledge about. She wants to say that she neglected to mention at the beginning of the presentation and it was touched upon during one of the public's comments, once the marquee is removed, they will be storing it off site for six months. Anyone who is interested in taking the marquee can and do whatever they wish to. In terms of context of this discussion, she thinks it is important to remember that as applicants, they have worked in very good faith with this commission. They have been before the commission since May and

have been through two work sessions, both of which were very productive. During the second work session, she wants to note that not a single member from the public spoke, not one. There was some public comment in May and there was not anything at that time. They left and at the end of the June meeting with the express understanding that the commission on a concessional level, the design they were proposing was appropriate. There was no need to go back to the drawing board and do a design again. She is perplexed by some of the comments that have been made tonight because they seem to be quite different from what they were led to believe the last time they were here. Sharon said from a legal perspective, how the analysis needs to play out in terms of making a decision. The commission is governed by Article 8, section 8.9 of the Zoning Ordinance which deals with the HDC and that in turn references the guiding points going to be the Exeter downtown master plan, as well as the Secretary of Interior guidelines for the rehabilitation of historic structures. She also wanted to mention that the commission has design guidelines as well. She would like to walk through briefly each of these and the elements of these things that she thinks they need to bear in mind as they are going through the analysis. With regards to the downtown master plan, she reviewed this and there are a couple of points that she feels is important for the commission to note and she read them. The masterplan notes on page 23, that Exeter's historic setting is fundamental to the community and accordingly, the town needs to understand all of Exeter's historic resources in the long term visibility of a local economy. Further in the master plan, it goes on to state and this is on page 31 that with regard to the downtown it states, from an economic perspective, the town needs to continually examine ways to remove barriers to the occupation of empty spaces and any other conditions that would make the area somehow less attractive for investment. One notable example discussed at length in the masterplan process is the IOKA Theatre Building which closed in 2008 and has been unable to reopen since then. She thinks this is an important point for the commission to remember. This has been closed since 2008. Her clients are the first people to step forward since 2008 and be willing to invest in this property. It is questionable whether this deal does not work out for them, if there is going to be anybody else stepping up to the plate to do this. She thinks the commission's job is to, in addition taking into account all the various elements they have heard tonight and also take into account the need to adhere to the masterplan to honor the economic vitality of downtown. Turning to the Secretary of Interior's Guidelines, this is an interesting document and it references the Preservation Historic Signs. She spent some time looking at this and it really is broken down into several pieces. She wants to walk through how this document goes through the analysis. It indicates that signs may be icons because they are valued in and of themselves. If there is an iconic value to the sign, then what do you do. The objective of this is to preserve the sign. However, before you can get to that point, you need to examine how the preservation can go forward. One of the things noted today is that there are a number of people who feel this sign does have iconic value. She also thinks there has been evidence presented by them previously that there are other members of the community who do not feel it has any iconic value. She is not sure they will be able to get to the bottom of that. She thinks for the purpose of the commission's analysis that it can be assumed for the sake of argument, there may be some iconic value. Moving on to the next step of the analysis, assuming there is such value, then they have to talk about the preservation of the sign itself in accordance with the Secretary of Interior's Guidelines. Once you start talking

about that preservation, the challenges it notes are not for the most part technical and it talks about the fact there are several community goals and all of them appear to conflict. If they get to the point of talking about preservation, then what needs to happen is you talk in accordance with procedure and the outline in the brief. You talk about maintaining and repairing the sign. Also, reusing the historic sign if the building changes hands and if that is possible. She would argue here that in terms of any repairs to the sign that the sign and the rest of the building is in visible disrepair. Sharon stated she thinks that was evident on the site walk the other day. Your own master plan indicates that since 2008, the building has fallen into visible disrepair. There is no question that this is in disrepair. In terms of maintaining it and she will let Dave and Jay discuss this because they are the experts on it. Repairing the sign contrary to what was indicated earlier, would be very extensive and very costly. It would also be very costly to support the portions of the building that would be required to hold that sign in place. It is simply not accurate to slup off the cost of the repair of both the sign and the supporting structure. The cost simply of that element of the construction is considerable in relationship to the entire cost of the project itself. These things have to be born in line by the commission in the same way they are bearing in mind the comments that were heard about the iconic value. One cannot be considered without the other. Moving on to the second element which is the reuse of a sign if there is a change in ownership and reuse if that is possible. She wants to point out a couple of things that indicates the reuse of a sign is not possible. Even if it is repaired, it will interfere with their proposal of the second floor. She understands and appreciates some of the comments that were made earlier, but she respectfully disagrees with them. It is going to block the view of the second floor and that could interfere with their ability to create residential condominiums up there. They don't know at this point who our residential market is going to be. They do not know who the retail market is going to be. She thinks it is premature to start talking about the fact that the sign could be repaired and reused seamlessly in terms of any kind of a marketing scheme that they have. Frankly, they do not have one at this point. They do not know who the tenants are going to be and they want to have flexibility in order to be able to maximize the development of this property and make it viable for them. Another point that is referenced is that if it is not possible to keep the sign outside, bring it inside. It is too big for the lobby. The final suggestion the guidelines offer when all those other options are not possible, is to donate it. This is what they are proposing to do. Sharon then asked David and Jay if they wanted to make any comments at this point. David said that he would like to echo what Sharon had said. He said the commission gave them their marching orders at the last meeting and you all but approved all of the changes they had proposed to the marquee with a new canopy so they pretty much took that off the table and focused on the other items the commission had requested. The cost of restoring or repairing the marquee would be in excess of \$200,000 and he thinks that is a tremendous amount of money they could spend elsewhere on a high list project. The marquee as it is is going to block for two condo units at least. The viability of this project is in the sale of those units. It needs to be open to the widest market and he thinks by blocking those views. Patrick stated that he wanted to speak about something that legal counsel for the applicant about in regards to the second work session thinking you had some sort of pre approval to go ahead with removing the marquee. The question was raised can we proceed without going back to the drawing board on the concept of the design. Patrick said he

was very specific and you can go back to the notes and please read them to say that they are not using any binding language and they were not accepting or approving the application at that time. The fact that they are here now as a third public hearing and this is one where the commission is hoping to come to a decision. This is really the meat of where the decision will be made and there was absolutely no binding decisions that were made in previous meetings. Sharon said that she does not disagree with Patrick. All she was trying to draw attention to and it is very clear from the minutes is that it seemed that we did get confirmation of the conceptual design seemed to be appropriate to the board. Patrick stated they did not have to go back to the drawing board and they did not say specifically that we are past the issue of the marquee. He said he raised questions and concerns at work session #2. They were raised in the first work session #1 and that was still a topic being debated and expressly written about. The things that were asked of you to come back with were for a completion of the application so the commission could make a motion to accept the application as complete so they had the information to vote on an approval or denial of the appropriateness. That as the clarification just needed to be stated. Patrick then went back to allowing attendees to speak.

Richard Carr lives in Exeter and has been a resident for 34 years and he would like to speak about the IOKA. He said one of the comments made was why residents were speaking up tonight and there has been a little bit going on around us these last few months. Back in May we were certainly in thick of it. Maybe everyone should have been more up to date on what was going on in the town. He thinks that what is going to happen to the marquee has just become more well known the last month or two and that is when you see people step up. Back in May, he had no idea that was even being thought of. He is excited about the developer coming in and much of what is being proposed, but he did not know about the marquee and it is becoming clear that it was going to be affected and everyone is speaking for that. The marquee has touched people for a long time and it has become part of everyone. It becomes a part of you and where you live. He said he thinks \$200,000 sounds a little excessive but he is not a builder. Maybe there could be a fundraiser to help if that is your main concern. The reason everyone is stepping up now is because they could lose something precious to everyone. No one wants to lose it easily.

Marae Carr spoke again. All of this has been going on when the shut down and quarantine has been happening. She said she thinks if the town meetings had been held in person and not by ZOOM, you would see more people. She said she was not aware there was a second meeting about this. This is very important to our town and to the people who live here and she also thinks \$200,000 is excessive. She said this is very upsetting that this is happening and you can't speak in person about this and it has to be done remotely. There are so many people that care and it has been so remote really speaks to what the marquee means to the residents of this town and former residents. She hopes the commission will remember this when they vote.

Laurie Couture spoke again. She said the biggest reason she did not attend the second meeting was her mother had a medical emergency. She was unable to attend it and when she watched it, she nearly shot through the roof. She echoes what the Carr's said about being a

little preoccupied right now with COVID-19. She wants to speak very strongly about the fact that there are limitless possibilities for fundraising. She severely questions the \$200,000. She would like to see an independent person may be hired by the HDC. Someone who has an interest in vintage signs to be able to go out and assess the marquee and decide what really needs to be done. She is the last civilian who is not connected to an owner who was up at the marquee and the letters are not wobbly. She was up there last in 2013. She wanted to make a point about nobody stepping up since 2008. The building was closed at the end of December of that year. Her son and herself were involved in three incarnations of passionate efforts to restore the IOKA Theatre. There was a man from Hollywood, Mark Mirri who now lives in Bedford. He had an amazing plan and he had focus groups all over town who tried to restore it. The Exeter Theatre Company also fought hard. Please do not say that nobody stepped up. There was an overwhelming community response and it went all over the country.

Patrick wants to talk about one piece as it pertains to specifically the commission's guidelines. On page 01-4 are the guidelines for the HDCs decision for alterations to existing buildings and he read this to everyone. What he believes he is getting on this is that the IOKA sign and the marquee is the character defining element of Exeter as a community. He did state this and talk about preservation of this sign, sign board and marquee and the letters all together in one at the last meeting in work session #2. He does not believe that this building turning into commercial space or residential space with apartments is deterred in any way by having the marquee remain. He does not believe it prevents that use of the building at all. Furthermore, removing the marquee off the building is a demolition of a historic element. A demolition of a historic resource is called out in our guidelines in 07-10, which Patrick read to everyone. He said that Doug was getting to this earlier when he was talking about coming into the town and the sign being a welcoming into the town. He 100% agrees that the removal of the marquee off the building will radically alter the streetscape. Continuing to read in the commission's guidelines, this could represent a loss of an educational resource for the community whether it is a building as an example of a past construction technique or has associations with significant individuals or events in the town's history. He thinks they just heard evidence of the people who spoke in favor of keeping this preservation of the marquee definitely resonates with the people in this community with significant events of individuals of themselves, but also with the town's history. Continuing to read, as a result demolition of historically or architectural buildings or structures is rarely considered to be an appropriate option. It is strongly discouraged by the HDC. Patrick said that is directly from their guidelines. During the site walk they did look at the building. They looked at the marquee and its current connection to the building. He did look down the face of the building of the brick itself and its separation off the building and it does not appear to be hanging off the building in any way, other than the large chain that is keeping it in place right now. What they did see was that the drain that drains any rain water is still in place. He does not think that it causes an immediate danger to public safety and therefore he believes that if the commission moves to accept the demolition of the marquee or the letters, that they are in conflict with their HDC Guidelines. That is reading from their materials and that is the conclusion that he has come to. He is only one voice on the commission and he does not have the power to move anything. With that, Patrick then opened it back up to the commission

members. Sharon asked if the public hearing was closed and Patrick said that it was not yet closed. He said they would do that after they have accepted the application. He then asked the commission members if they had any comments or additional questions to be able to accept the application. Julie said she had a couple of things and this is for her fellow commission members as well as the public and the applicant. She said they make their decisions based on the appropriateness of the treatment, not on how much they like something. Somebody talked about an independent review of the marquee structure and she believes the Zoning Ordinance for the HDC is not provided with that authority, but the Demolition Review Committee is. She thinks this committee should have had an opportunity to weigh in because a lot of the discussion may have been shortened. They look at buildings and large elements that are proposed to be demolished. It is not a regulatory board, they just give advice. She said somewhere in the process, the demolition committee often gets left out. She said there are a couple of different tax incentives that can be taken advantage of on this project. One is the RSA 79E which you apply to the Select Board and the value of your property remains the same for a period of time and the select board approves this and after all the work is done and those years go by, it comes back to the new value of the improved building. Another is a federal tax incentive, but what comes with this one is sticking with the Secretary of Interior's Guidelines. Julie said they have gone through a lot of process and she appreciates the work that has gone back and forth. She thinks a lot of the treatment is appropriate for the building. She is struggling with the appropriateness of removing the marquee. Since the first meeting, they have gotten a lot more public testimony and she does not think that she was committed to saying yes, take the marquee off. The letter from The Historical Resources and from the NH Preservation Alliance made her think deeply about the choice of removing or maintaining. Curtis referred back to the June Minutes where he stated the form of the awnings and about the placement of the free standing letters. He feels this is something that provides concession to the historical form and we can move forward. He thinks the side sign is not relevant to a residential building, but they need to pay respect to historic forms that are there. Gwen said that she does not have a lot to add to what already has been said. She totally agrees with Julie about the letters and combined with the testimony that has been delivered tonight has really made her stop and think. She thinks this is a talented group of architects and she thinks with some creativity, if it came to keeping the marquee, she feels they would be able to do it justice. They could create a building that is stunning and it is already a focal point of the town. She loves that the community is willing to step up and help in this process and make it a community effort. Doug stated that he is really torn on this because it is a tough decision. He thinks that Patrick and Curtis convinced him. He thinks the marquee is worth keeping. He thinks the sign board itself is pretty big and it is a burden for the owners of the building to maintain that. He said he could live without the message board. He is leaning towards keeping the sign. In terms of the cost, he is comparing it to friends who collect old cars and they can restore them. It just takes money. Curtis said for clarity he wanted to say that when he referred to the side board, he was referring to the back piece that has removal letters. Pam said she is terrified that they will scare away the developers. This building has been empty for a very long time. Other people have made gestures about buying it and have been turned down. She said they have done an incredible amount of work. She doesn't like being pressured to vote one way or the other. This is clearly

very heartfelt and there is a lot of sentiment. She has read and reread the guidelines and she agrees with Julie that it can go one way or the other. She does not want to tell these people that yes, you must keep the marquee. Clearly if they could and afford to, it would make everybody happy. Patrick then said that this was asking all the commission members if they needed any additional information to move forward with a motion to accept the application as having enough information and then moving towards a decision. It did not sound like anyone needed anything else.

At this point, Patrick will let the applicants speak because he would like to call for a motion to accept the application as complete. Sharon said that they do not have anything else to add. Patrick then asked for a motion to accept the application as complete. Pam made the motion to accept. Gwen seconded. After roll call, all were in favor and application accepted. Patrick said at this point, the public hearing is closed. He asked if there was any other discussion that needed to happen to move towards deciding about making a motion for the approval or denial of the application. Patrick asked each member if they had any further discussion. Julie said they have the application before them with the design aspect presented to them. She was wondering if the commission could put a conditional in if they go to approve. Patrick said they certainly have done that before. It is on their certificate of appropriateness to be approved with conditions. Julie said she thinks it would be appropriate to try the Demolition Review just to feel it out a little more, a different set of eyes and it is part of the process the commission should have heard about. Doug said that he would like to isolate the issue of the marquee. He would like to set the developers loose and continue and have the marquee as a separate project and see if there is any community interest in subsidising it. He knows it is not just an issue of money, it is also an issue of function. He hates to hold this up for this one issue. Curtis stated that he agrees with Doug's comments and he would like this to move forward, but he is not in favor of the design of the current awnings over the doors and the current placement of the IOKA sign on the building with a barn light on it. He finds it inappropriate. Patrick asked if he was then asking for a motion that had a condition of removing the signage of the marquee from the current application. Curtis said that was difficult because he is asking for a redesign condition and that would mean they would be coming back here next month for another review and that is where he finds the conditional approval difficult. Gwen said she likes the option of removing that component from the rest of the building so they could keep moving forward. She doesn't know how to work it and she does not have any ideas. She thinks having the Demolition Review would be helpful, but she doesn't know how this fits in with this process either. Patrick said that he thinks the commission is going to get themselves in trouble by trying to split things one way or the other. He thinks the applicants have been patient in terms of working with us. The indication was from the last work session that the commission was going to work towards a decision tonight if possible to let them keep moving. He does not know at this point if separating that out as a specific element away from the rest of the application would work. Julie agrees with what Patrick said. Pam does not think there is any way they can make a conditional motion tonight without getting them in more trouble down the line. Patrick then said that there are three options on the table. One is calling for a motion that is conditional that approves the application accepted now allowing the marquee being removed. The second would be a motion for the project as shown. He thinks those are the commission's two options for tonight. Curtis said that

this would be to accept certain things and postpone. Patrick said it is not a postponement. Julie said that the two choices that Patrick has suggested are just to find the treatment of the building appropriate and go ahead. The other one is to find the appropriate treatment but conditionally the marquee remains. Patrick said the third option is to find that the application itself is not appropriate. Julie made a motion to approve the project as appropriate treatment of the building with the condition that the marquee remain. Doug seconded. After roll call, the commission comes back three to two and the motion passes. Patrick said the conditional motion is for the marquee remain and the rest of the application is approved. This would conclude the public hearing and this application. Sharon thanked Patrick. Dave Cowie asked what their options were going forward. Patrick said their options are to accept what the commission has decided tonight as a binding condition to keep the marquee and proceed with the rest of the development of the property. They can appeal the decision and that would go to the Zoning Board.

Other Business: Patrick said he received a letter from PEA and it refers to the installation of temporary housing that would be used as quarantine quarters for any COVID-19 patients or residents, teachers or students. These are going to be temporary housing and they are going to be located in the parking lot behind St. Anthony's. They are requesting not to come in for an application. Because they are in the historic district, they are asking for a waiver and Patrick asked them to submit this letter as a document he could sign if the board so chooses. This would allow them a waiver for a formal application. Given the situation that we are in and given the request and they are going to be temporary, he does not think it is reasonable for the commission to ask them to make some temporary housing that looks like job site trailers. He would like to ask for a motion to allow him to sign this letter and return it to them so they can put these in order. Gwen made the motion to allow Patrick to sign the letter. Julie seconded. After roll call, all were in favor and motion approved.

Next was the approval of the June minutes. Patrick would like to postpone them until the next meeting because it was getting late.. Julie said she is not sure about that and they should approve the minutes tonight. After members reviewed, Gwen had a correction and the only other issue was spelling corrections. Julie made a motion to approve the minutes as amended. Pam seconded. After roll call, all were in favor and minutes approved,

With no further business, Patrick thanked the commission for a difficult last three meetings and a very difficult decision tonight. He thinks they performed very professionally and he thinks they protected themselves and the town most appropriately with their arguments, questions and comments and ultimately the decision. He then called for a motion to adjourn. Julie made the motion and the meeting was adjourned at 10:00 pm.

Respectfully submitted,

Elizabeth Herrick
Recording Secretary