

These minutes were approved at the August 5, 2014 meeting.

DURHAM HISTORIC DISTRICT COMMISSION
Thursday, July 10, 2014, 7:00 p.m.
Conference Room, Durham Police Department
Minutes

Members Present: Kitty Marple, Town Council Representative, Peter Stanhope, Chair, Heidi Ely, Catherine Meeking, Chip Noon, Andrea Bodo (attending by phone), Bill McGowan, Planning Board Representative

Members Absent:

Others Present: Michael Behrendt, Planner, Karen Edwards, Minute Taker

I. Call to Order: The meeting was called to order by Chair Stanhope at 7:00 p.m.

II. Approval of the Agenda

Chair Stanhope suggests removing Item VII “**Demolition by Neglect**. Status of properties in the Historic District” and placing it on the August agenda. Councilor Marple makes a motion to do so, Mr. Noon seconds the motion. All members vote to approve.

III. Public Comments

Beth Olshansky, Packers Falls Road, reads a letter from Nancy Sandberg who cannot attend. This letter will be part of the record.

Julian Smith, Packers Falls Road, is not speaking as a member of the Planning Board. As a Councilor, he voted against the sale of the bank to the Town for the new Town Hall. Wants to encourage the HDC to develop the best possible design for the Town Hall site as they did with the Orion property. He grew up working in his grandfather’s hardware store down in Louisiana. When he came to Durham there were two hardware stores and Newmarket had three hardware stores and a lumber yard. Now Durham and Newmarket share one hardware store. He would like to get something back in addition to the pharmacy proposed. What Mr. Mitchell is proposing has been called a pharmacy. It is not. It is a big box retail store. The pharmacy will take up only 5-15% of the building. He also says that he hates to see the Village Garage go. That is an historic building.

Chair Stanhope reminds Julian that the HDC’s authority doesn’t extend to the use of a building and the HDC doesn’t have authority over the Durham Village garage site.

Walter Rous, Adams Point Road, reads a letter regarding the Town Hall site. This letter will be part of the record.

Chuck Cressy, Durham Marketplace Owner, states that what he sees going on in Durham is great for the long term. As the owner of the largest retail establishment in Durham with the most employees, he is concerned about Rite Aid's history of "going dark" when they leave a location. They will pay the landlord rent and leave a space empty. He is concerned about the plaza becoming a parking lot for all of the other retail establishments in Town. He's afraid that in the short term if Rite Aid leaves after they have extended their lease, there will be nothing in their space. He states that "you think you're getting two drugstores. You're not getting two drugstores, you're getting one." His business will suffer if that happens.

Nancy Webb, Woodridge Road, re-reads the letter from Nancy Sandberg because DCAT did not get it on tape when Beth Olshansky read it the first time.

Chrisann Borner, Newmarket Road, states that there has always been meticulous care by the HDC to make sure that the renovation of historic buildings is done well. She is upset that the Town is planning to tear down the Town Hall. She thinks the Town is selling our Historic District. She asks if there will be another opportunity to address the Board on this matter.

Chair Stanhope mentions that there will be a public hearing on the Town Hall property once they have a complete application.

Julian Smith speaks again. The Town Hall site will probably be the most difficult application the HDC will ever see.

IV. 1 Madbury Road. Application for amendment to certificate of approval for mixed use development on Main Street and Madbury Road. The HDC approval was granted April 3, 2008. The applicant seeks to make a number of adjustments to the approved design. Mark Henderson, applicant. Nick Isaak, architect. Map 4, Lot 1-0.

Mark Henderson speaks. Planner Behrendt found in his file a set of renderings approved by the HDC which were not the same as was finally approved by the Planning Board. About a month ago, he and Planner Behrendt, Nick Isaak, and Town Administrator Todd Selig got together to make some changes. The renderings he is bringing forth tonight are from that meeting and from a list of 25 things that Planner Behrendt has suggested. What the HDC approved back in 2008 was the worst of the plans. What was approved by the Planning Board was an improvement, but what Planner Behrendt and he agreed on is even better.

Nick Isaak shows the HDC the renderings. This is what they would like approved tonight. It is a combination of the old design, the new design and input from himself and Planner Behrendt. Mr. Henderson shows a rendering of the old design approved by the HDC in 2008.

Ms. Bodo likes the classic elegance of the Ballard house. She is against the diamond structure and she is definitely against the cupola. The main attraction is the Ballard building so having a cupola is not necessary.

Mr. Henderson speaks, diamond thing Ms. Bodo refers to is no longer there. The cupola was on the original HDC approval and was Planner Behrendt and Town Administrator Selig's

suggestion. The contractor is using it for ventilation. He needs something to ventilate but doesn't need the cupola.

Councilor Marple feels that the chimney is lovely.

Mr. Henderson asks, what is the feeling about the cedar shakes versus the clapboard?

Ms. Meeking asks what color the rest of the building is. Mr. Isaak says it would be grey.

Chair Stanhope would like a consensus on the cupola. Mr. Noon doesn't care. Ms. Meeking likes just the chimney. Ms. Ely likes the chimney. Mr. McGowan likes the cupola but doesn't care.

Chair Stanhope says that based on the consensus that they would like to go with the chimney.

Ms. Bodo thanks Mr. Henderson for his efforts. The building is looking beautiful. She feels he is the reason the Historic District is getting a facelift.

Mr. Henderson says the colors have not been finalized.

Planner Behrendt would like to suggest to the HDC that Mr. Henderson meet with some citizens who got together to work out design issues for another Planning Board project. Mr. Henderson has agreed to meet with them to discuss colors and then bring it back to the HDC.

Mr. McGowan says there were concerns that were brought up at the Planning Board meeting regarding how this committee was formed. He says this committee was brought together for a specific project. He is concerned about going forward; how involved should we be with all these committees?

Chair Stanhope says that in fairness it is the right of Mr. Henderson to say "These are the colors I'm presenting to you." Chair Stanhope feels that Mr. Henderson may find a favorable vote tonight on color and the process will not have to be extended. Chair Stanhope is not aware that anyone on the HDC has raised any issues over color.

Mr. Henderson says that part of his original approval was to come back to the HDC with color selections. He doesn't want the brown color shown in the plan approved tonight. He thinks that there needs to be a discussion about it.

Planner Behrendt says that another approach if the HDC doesn't want to have outside people involved, they could pick one or two people from the HDC to form a sub-committee to look over colors.

Mr. McGowan asks for the reason why there are two different surfaces on the building. Mr. Isaak says they are looking for a way to differentiate the end of the building from the rest. Mr. Henderson says that now that the cupola is gone, would the HDC want all clapboards or two different materials? Mr. Isaak says that many times they bring in color samples to have people

look at. Chair Stanhope says Mr. Henderson can come back with color palettes for them to approve color at the next meeting.

Mr. Henderson points out the differences between this design and the originally approved design.

Ms. Meeking feels that the design here is much better than the original design.

Chair Stanhope wants to see what the consensus is on shingles versus clapboards. There is a consensus on shingles for the barn structure. The alley would be clapboard all the way to the corner.

Planner Behrendt confirms that just three sides would be cedar shakes.

Ms. Meeking moves to approve the renovations as presented. Mr. Noon seconds. Ms. Meeking asks about the posts. She would like Mr. Isaak to bring in a sample of what they will be made of. Mr. Isaak says he can do that and bring in a sample of the roofing as well. All members vote to approve. Planner Behrendt clarifies that they will need to come back to the HDC for the color.

V. 15 Newmarket Road. Discussion with Scott Mitchell, developer, about prospective demolition of current Town Hall site and construction of new drug store. Map 5, Lot 4-0.

Scott Mitchell speaks. He owns the Irving Station. His son and his daughter are with him. He is working on buying the Town Hall property. He didn't want to bring any designs or landscaping right now. Just looking for some ideas and guidance.

He could not use the current building in any way. He owns many pharmacies. He just finished the Yoken's property in Portsmouth. He understands how time consuming it is to go through this process. It is not an option to use the current building.

Pharmacy business has really changed a lot. Moms need to go through the drive through. Their floor plans are hard to understand. The smallest building he has is around 13/12,000 square feet. Parking needs - 60-70 spaces is common. The pharmacies are now getting out of selling cigarettes. He is here for guidance on architectural design. If he had had his way, Irving would have been all brick. He is unhappy with Irving's landscaping and how they have maintained the property. So now he maintains his own properties. He saved the old Yoken's sign. But that sign is an icon. He's not here to discuss saving the building. Landscaping will not be an issue.

Ms. Bodo speaks asks if there is an elevation plan?

Mr. Mitchell said he didn't do any elevations at this time. He didn't want to tell them what he wanted, he wanted to hear what they wanted.

Ms. Bodo says people in the Town are attached to the old Town Hall. She has an out of the box idea. She has seen glass buildings that reflect the environment. So she wants to entertain a glass building. Something unique that could still be a Rite Aid. She doesn't know how the HDC are going to approve a box Rite Aid.

Mr. Mitchell thought about using brick to tie it in with the courthouse and the new Town Hall.

Chair Stanhope says that one of his concerns is the shape of the building.

Mr. Mitchell wants to go on record as saying that he doesn't have a deal with Rite Aid. It could be any pharmacy. His intention is to own the property for a long time and maintain it. Amesbury wanted hardiboard – a more colonial type look. They wanted a lot of dormers. Same thing in Salisbury. He is not a fan of streetscape. Parking out back is not convenient for people in New England. But he knows it is important to Town Administrator Selig and others he has talked to. And his preference is brick.

Chair Stanhope asks if he was to set the building back, could he create green architectural landscaping?

Mr. Mitchell says it is difficult to do streetscape with this lot because it is a narrow lot.

Ms. Meeking says that Councilor Marple has a few pictures that they found on-line. But is Mr. Mitchell asking them to bring him ideas?

Mr. Mitchell has never really worked within a Historic District. He only was 75 feet into the Historic District with the Irving. Here the whole lot is in the District.

Chair Stanhope has heard about the need for Mr. Mitchell to elevate the site to be consistent with the Irving site.

Mr. Mitchell says that is not the “end of the world” for him. He shows them an early rendering. If someone wants to take the old Town Hall building to locate elsewhere, he would let them do that.

Ms. Meeking thinks that the design is too pharmacy-ish. In the Historic District you have to be careful.

Ms. Ely asks if he has any pictures of other buildings that they have done in other towns.

Chair Stanhope recognizes that Mr. Mitchell doesn't want to spend a lot of money on a design only to have them turn it down.

Mr. Mitchell says he is buying the Cumberland Farms building. He is talking with Mr. York about moving his business. He says he knows he can never please everyone.

Mr. Mitchell shows a picture of Amesbury's store. Ms. Meeking likes that much better.

Chair Stanhope says there is concern with the elevation. There is a concern that the HDC is going to approve some “mass.” He would like to have Mr. Mitchell bring pictures.

Planner Behrendt has heard comments about the lack of landscaping and thinks that might be an issue with the Planning Board. He hopes it is possible to move the building back and add more landscaping.

Mr. Mitchell is not sure it is possible with this lot. He has to accumulate 3 properties to make this work. His tenants need at least 60 parking spaces. The smallest lot he has currently is 1 ½ acres. Mr. York will want a parking easement on his side even if they move him across the street. There isn't much landscaping there now.

Planner Behrendt is also concerned about having a driveway in front of the building on Newmarket Road. Can he configure the drive up lane to not to have this driveway? Mr. Mitchell doesn't think he can. You have to be able to circulate the building.

Ms. Ely has a question about the entrance. There is going to be a lot of foot traffic from the University. It needs a statement of a doorway to distinguish the front of the building.

Ms. Meeking asks if he could do the Amesbury building along Newmarket Road – the entry there.

Mr. Mitchell says it is not realistic to have people park in the back and walk around to the front. He is asking for two doors which the tenants hate for security purposes.

Chair Stanhope says that the HDC could use Michael as the focal point. They cannot conduct meetings outside of a public notice. Then once Mr. Mitchell has something, he can bring to them preliminary ideas, then a formal application and public hearing will be held.

5-minute break is taken at 8:35 p.m.

VI. Historic Resources Master Plan. Review of first draft of chapter with Nicole Benjamin-Ma and Rita Walsh of Vanasse Hangen Brustlin, Inc., Master Plan Consultants

Nicole Benjamin-Ma introduces herself. She doesn't have a formal presentation planned. She is here to gather comments. The State Department of Historical Resources has requested a copy of the comments.

Ms. Bodo's comments that this document seems a bit unwieldy. This is the first time the Durham Master Plan has included a Historic Resources section and she would like that mentioned. We need to deal with the growth of the Town around the Historic District. She likes less, and she likes clarity with bullet points. We need clarity of what the goals are. We need a paragraph which describes what is in the Historic District. She wants it noted how much support the Historic District has in Durham.

She would like much more focus on the Oyster River ship building in the 1820's, the vibrant downtown. She didn't find much detail about the heart of the Town at that time. There are also

some outstanding citizens – the heroes of the town. She'd like to see a paragraph on each person.

Ms. Benjamin-Ma asks if Ms. Bodo's suggestions are extra to what is in the document now?

Ms. Bodo would like to see a paragraph on Valentine Hill. There are references to him but no paragraph. On page 2 there is a reference that says Valentine Hill may have dug a canal. If we don't know, we should leave it out. She like to see a big paragraph on General Sullivan and his role in the Revolutionary War. She mentions the painting of George Washington crossing the Delaware on display in the MFA. General Sullivan is behind George Washington in that painting.

Ms. Benjamin-Ma comments that she has to be careful about copyrights when it comes to using pictures.

Ms. Bodo mentions that on page 3 she doesn't care about the paragraph on the bell boy's room. She doesn't care for that information. The reference to "Durham's Resources" she isn't sure what is being referred to. It should be "Durham's Historic Resources." The two Historic Districts need to be clarified. The one on Main Street is the National Register Historic District. The one on Wiswall is a private entity that they have listed on the Register.

Ms. Bodo is concerned that people reading this chapter are going to get lost in this. It is a lot to take in.

Ms. Benjamin-Ma comments that they tried to take into consideration the scope of services laid out in the RFP which included agriculture landscapes, archeology etc.

Ms. Bodo thinks it needs some separation. This Historic District Commission is concerned with buildings. The Heritage Commission is concerned with Historic neighborhoods. They don't have any purview over archeology and agriculture. In addition, she thinks the Mill Pond Dam is more important historically than the other dams. It is in the National Register. She would also like to highlight the important buildings we have downtown.

Planner Behrendt suggests making the Historic District a separate section rather than under Durham's Resources.

Ms. Bodo agrees and thinks it would be easier for the reader to have bullet points rather than a narrative. It is too much of a narrative to her.

Ms. Benjamin-Ma thinks it may be a formatting issue. She is in favor of separating out of the Historic District and making it its own section. There are two contexts running in this chapter. One is the summary history- a timeline - and then you have general categories of resources. We need to tie the history to the resources. These are normally told in a narrative fashion. If they make a separate Historic District section, she could take a list of all of the contributing resources that are in the District and then put those in an appendix.

Ms. Bodo thinks that sounds fine. But she wants the Town to take credit for creating their own Historic Resources Chapter.

Ms. Ely asked if we should call Highland House that name since it is not called that?

Ms. Benjamin-Ma states that it called that in the inventory at DHR.

Ms. Meeking thinks that the more context you have the more you will get out of it. Knowing the significance of the Historic District should be first and foremost. And it is hard to understand where the document is going.

Ms. Benjamin-Ma suggests having an Executive Summary.

Ms. Meeking feels that would help.

Chair Stanhope didn't feel an order to this document. There needs to be some discipline. What is the history? What is the plan historically for the community? They've talked about expanding the district. How do you do business in the District? What are the variables in terms of expectations? What is the Heritage Commission? He thinks it is too general.

Ms. Meeking wants points to make it clear. Someone coming into Durham wants to know how the HDC works. She didn't get it when she first came to Durham.

Ms. Benjamin-Ma would like the Commission to send her the bullet points they want to see.

Ms. Bodo asks Planner Behrendt if they should have the tax credits listed when they are never used. Also with the demolition delay.

Planner Behrendt doesn't think the Master Plan chapter wouldn't be complete without the tax credits listed. There is always the potential they could be used.

Ms. Benjamin-Ma spoke to Peter Michaud about the tax credits. She agrees with Planner Behrendt that it needs to be in there. Developers are using them. But it is very difficult.

Councilor Marple says the document is very rich. However, on page 6 under Faculty neighborhood picture should be Garden Lane not Garden Road. Page 7, 3rd paragraph, people coming to Wagon Hill are usually not coming from Dover but Portsmouth or Newington. Then under Absentee Landlords there is a mention of inspections for landlords. Those are bi-annual, not annual.

Mr. Noon wants to convey the hoops that have to be jumped through because of the Historic District. People still don't have any idea about Historic Districts or the teeth of what they can do. He doesn't mind the narrative.

Planner Behrendt asks if there is a general consensus that the document is unwieldy? There are formatting issues.

Ms. Benjamin-Ma says some clarity might come through once it matches Strafford Regional Planning's formats on other chapters. And pulling out the Historic District as its own section should help.

Planner Behrendt says this is the last HDC meeting with Ms. Benjamin-Ma. Is it ok for her to just revise the document and then bring it back to the Board? He would like an endorsement from the HDC.

Chair Stanhope suggests putting on the August agenda.

Ms. Benjamin-Ma says that DHR may have some input as well since it is part of the grant.

Planner Behrendt mentions that the HDC could form a subcommittee to work on the document.

Chair Stanhope says it would be good to have it back to the HDC before the August meeting, they will be prepared to comment.

Planner Behrendt encourages them to read through the document and e-mail him comments.

Ms. Benjamin-Ma asks that if there are any documents they want to see in the reference section, to let her know.

VIII. Other Business

Mr. Noon spoke to the owner of 10 Newmarket Road. It's been 60 days since the letter was sent to them. Are they going to refer the issues to the code enforcement officer? Or should the owner's speak at the next meeting?

Chair Stanhope recommends that if they take no action to refer and just put it on the next agenda since the owners have responded. Everyone agrees with that.

IX. Minutes:

June 5, 2014: Mr. Noon motions to approve the minutes as is, Ms. Meeking seconds the motion, all members vote in favor except for Ms. Ely, Ms. Bodo and Mr. McGowan who abstain from voting because they were not at the meeting.

Mr. McGowan makes a motion to adjourn, Ms. Meeking seconds the motion. All members vote in favor.

The meeting was adjourned at 9:30 p.m.