

APPROVED: JANUARY 7, 2016

Durham Historic District Commission

Thursday December 3, 2015

7:00 pm

Members Present: Vice President Andrea Bodo, Town Council Representative James Lawson, Heidi Ely, Chip Noon

Members Not Present: Chair Peter Stanhope, Planning Board Representative Bill McGowan, Catherine Meeking

Others Present: Michael Behrendt, Mark Henderson, Reverend Bradley

I. Call to Order

Vice Chair Bodo called the December 3, 2015 meeting of the Durham Historic District Commission to order at 7:10 pm.

II. Opening remarks from the Chair

There were no opening remarks made at this meeting.

III. Approval of Agenda

Chair Bodo MOVED to amend the agenda by removing item six (the applicant asked for a deferral of the issue); this was SECONED by Chip Noon and APPROVED unanimously.

Chip Noon MOVED to approved the amended agenda; this was SECONDED by Heidi Ely and APPROVED unanimously.

IV. Public Comments

There were no public comments made at this meeting.

- V. 30 Main Street- Signage. Application to add four business signs to 30 Main Street – wall signs in front of the building for The Juicery and The Soupery, a wall sign on the side of the building for The Juicery, and a projecting sign for The Juicery. Mark Henderson, property owner. Signs by Portsmouth Sign Company. Map 4, Lot 1-0.

Mark Henderson explained to the members that he will need a variance for the size of the signs at 30 Main Street. He noted that he originally receiving Planning Board approval of the generic signs with the condition that he come before the HDC when there was a tenant in the building and final designs for the signs were in place. Mr. Henderson noted that the signs

The members and Mr. Henderson discussed the constraints of the ordinance with regard to size (“shall be six square feet or less”). It was determined that the HDC would review the design of the signs and if appropriate approve the signs contingent on a variance being obtained from the ZBA. If the HDC moves forward in this fashion they will provide the ZBA comments noting their approval of the design.

Vice Chair Bodo suggested reviewing the design of each sign individually. The members and Mr. Henderson discussed the fact that the area painted black on the building is much larger than the area that will be utilized for the signs. He noted that the signs will have raised lettering.

Mr. Henderson informed the members that The Juicery uses their sign as their brand and logo; but are willing to make some aesthetic changes to it to have it fit better with the District and the Historic District.

Mr. Lawson noted the Commission's appreciation that they are willing to make accommodations to their branding in order to have it remain attractive on the building.

The members agreed that a six square foot sign would be lost on the building and said they wish to be sensitive to signage for a retailer. They agreed that the proposed signage is done well, is not obtrusive, is appropriate for a commercial building and blends with the rest of the downtown.

Juicery Sign:

Jim Lawson MOVED that the HDC approve the Juicery sign on the front of the 30 Main Street building contingent on the approval of a variance from the ZBA with the condition that the sign design and dimensions do not change from the application as presented this evening; this was SECONDED by Chip Noon and APPROVED unanimously.

Soupery Sign:

Jim Lawson MOVED that the HDC approve the Soupery sign on the front of the 30 Main Street building contingent on the approval of a variance from the ZBA with the condition that the sign design and dimensions do not change from the application as presented this evening; this was SECONDED by Chip Noon and APPROVED unanimously.

Alley Sign:

Mr. Henderson noted that the alley sign for The Juicery is very important to the owner because of the positioning of the building. He noted that the sign is within the six square feet required by the ordinance.

Jim Lawson MOVED to approve The Juicery sign on the alley as presented; this was SECONDED by Chip Noon and APPROVED unanimously.

Projecting Sign:

Chip Noon noted that the Main Street Program recommends a hanging sign like this for any business. He noted that even in the 1770s businesses had the same type of signs. He said it is bad for business not to have hanging signs.

Mr. Henderson displayed a mockup of the sign and showed the size of a sign currently allowed downtown (20 square feet - not in the Historic District) for a projecting sign. He then showed the size of the sign being proposed for the projecting sign (12.5 square feet) and what is allowed under the HDC ordinance (6 square feet). He said the hanging signs cannot stick out further than six feet from the building (from the glass front) and cannot be less than 8 feet from the sidewalk. He noted that when they raised the sign it became hidden behind the black canopy on the building and he suggested deferring the placement of the sign to the sign company (since they will know best where it should be placed to be seen and not hidden behind the black canopy).

Chair Bodo asked if the size of the projecting sign being proposed is 12.5 square feet.

Mr. Henderson said that the sign company proposed using a sign 12.5 square feet in dimension. He noted that this sign is the only sign that will be visible from the position of Young's on Main Street (due to the orientation of the building)

Mr. Lawson said because the building is in the Central Business District on Main Street the six square feet sign would get lost. He said his preference would be a larger sign contingent on an approval by the ZBA.

The members agreed.

Chair Bodo suggested recommending the 12.5 square feet sign as presented in order to provide guidance to the ZBA. She said she thinks it is a great sign and a great building and congratulated Mr. Henderson on finding a tenant for the commercial building.

Jim Lawson MOVED that the Historic District Commission approve the 12.5 square foot projecting sign for the building at 30 Main Street contingent on an approved variance from the ZBA for the sign design and size as presented and conditionally approved this evening; this was SECONDED by Chip Noon and APPROVED unanimously.

Mr. Henderson noted that he will also require approval of illumination of the projecting sign.

Vice Chair Bodo remarked that the only conditions for illumination are that the illumination only illuminates the sign.

Chip Noon MOVED that the Historic District Commission approve the illumination of the projecting sign with the condition that the illumination only illuminate the sign; this was SECONDED by Jim Lawson and APPROVED unanimously.

The members directed Mr. Behrendt to write a letter of support from the HDC to the ZBA for the signs as noted this evening.

The members discussed the issue of approving sign designs that are greater than the size noted in the ordinance. Mr. Lawson noted that if an applicant were to go before the ZBA they would consider the request for a variance based on five criteria. He said he is confident that Mr. Henderson's request will meet the five criteria; but if the building was in a different part of the Historic District it would be more challenging to meet the criteria; therefore he is not concerned about setting a precedent with this case.

Chip Noon MOVED to amend the agenda to include considering amending Saint Georges Church application; this was SECONDED by Jim Lawson and APPROVED unanimously.

VI. Saint George's Church request to amend the application that was approved last month.

Reverend Bradley explained that the sign maker, Ron Reedy has had a difficult time finding the approved 4 inch by 4 inch granite posts approved for the sign. He requested that the application be amended to

allow them to use 4 inch by 4 inch wooden posts with copper tops painted a grayish green to complement the stone on the façade of the church. Reverend Bradley distributed a sample of the paint color for the members to review.

The members discussed possible means to acquire the desired granite (such as discussing the issue with Public Works director Mike Lynch and seeing if Swenson's would cut granite to the desired size).

The members agreed that they had no issue with the wooden posts painted the requested color.

Reverend Bradley noted that they will continue their search for the appropriate granite and if found will use that.

Jim Lawson MOVED to approve the sign at Saint George's Episcopal Church with the option to use granite for posts as originally approved or to use wood painted in the color presented this evening; this was SECONDED by Chip Noon and APPROVED unanimously.

*This item was removed from the December 3, 2015 agenda as the applicant requested that the item be postponed until the January 7, 2016 meeting. (Applied Geosolutions – 15 Newmarket Road. Application for renovation of the old Town Hall building at 15 Newmarket Road. The project involves renovating the building and constructing a new second floor addition over the former Town Council Chambers in the rear. William and Carrie Salas/THMB, LLD, business and property owners. Cowan and Goudreau, architect. Faylor Construction, c/o Tim Faylor, contractor. Map 5, Lot 4-10.)

VII. Historic District Ordinance – Amendments. Discussion of numerous proposed amendments to Article XII – Durham Historic District Overlay District.

Vice Chair Bodo expressed her concern that there are no restrictions written into the ordinance on the number of signs allowed on buildings within the Historic District.

Mr. Behrendt noted that while there is not specific limit for the number of signs written into the ordinance; if the HDC determines that the number of signs is not harmonious with the character of the Historic District the application can be denied on that basis.

Mr. Lawson suggested using the regulations of the Central Business District as a guide for the Historic District signage for commercial buildings. He said that would allow a single business 48 square feet of signage, while maintaining that the HDC has the right to provide reasonable judgment in approvals. Mr. Lawson alternately suggested allowing for the Churchill and Court House District a maximum of one sign per business (not building).

Vice Chair Bodo said she understands that businesses need some leeway with regard to signage; but she is concerned about the student housing developments downtown having multiple signs.

Mr. Lawson said if one sign were allowed per business, the student housing developments would only be able to have one sign. He said if neither of the suggestions are taken up, the HDC could still determine approval of an application based on their judgment.

Vice Chair Bodo said she is concerned that an application will come before the Commission that asks for multiple signs. She said there are situations; such as the Old Town Hall building; which is two houses put together where there could be more than one sign and not be overpowering. Vice Chair Bodo said that if the houses on Churchill have a conventional sign and a projecting sign it would be too much. She noted that the issue does not need to be addressed this evening, but it occurred to her after the discussion with Mr. Henderson.

Mr. Lawson discussed the process that the changes to the ordinance would need to move through. He noted that once the HDC is satisfied with the changes, he would bring them to the Town Council and recommend the ordinance change. Mr. Lawson said if the Town Council wishes to proceed they would refer them to the Planning Board who would analyze the changes and make recommendations after a Public Hearing. He explained that the recommendations would go back to the Town Council, who would then have the choice of implementing all of the recommendations, some of the recommendations or none at all. Mr. Lawson said once the Town Council is satisfied they will hold a Public Hearing and a First Reading on the amendments. He said he can begin the process once the HDC is comfortable with all the changes. Mr. Lawson noted that Mr. Behrendt has spent a lot of time and effort on these changes. He noted that they have been thought through carefully and provide clarity on the HDC versus the Heritage Commission, boundary definitions, clarify and streamline the maintenance issues and improve the process. Mr. Lawson said that ultimately the members of the HDC need to review the changes and decide if they are consistent with what they want and if they are comfortable going forward to the Town Council with the changes. He said the Town Council may make changes before sending them to the Planning Board; but once they go to the Planning Board if the HDC wishes to make changes the process would need to begin over.

Vice Chair Bodo thanked Mr. Behrendt for his hard work and time on the changes. She said she sees no reason not to go forward with them to the Town Council

Chip Noon MOVED that the Historic District Commission endorse the proposed changes to the HDC ordinance and have them moved forward to the Town Council; this was SECONDED by Jim Lawson and APPROVED unanimously.

VIII. Certificates of Appreciation. Discussion of proposed certificate of appreciation for owners of historic properties.

Vice Chair Bodo reminded the members that they had previously discussed this issue at past meetings. She suggested nominating a few properties to begin the program in January 2016. Suggestions included the General Sullivan House, 56 Newmarket Road, the Marie Polk House (on Broth Hill) and the Kouregis buildings. Vice Chair Bodo will compile a list together of suggestions for certificates of appreciation to be presented at the January 2016 meeting. Mr. Behrendt will research plaques for this program. It is planned that the recipients of the certificates will be extended an invitation to attend the February 2016 meeting to receive the certificate of appreciation.

IX. Other Business

There was no Other Business discussed at this meeting.

X. Approval of Minutes – October 2015, November 2015

October 2015 minutes:

*Jim Lawson MOVED to approve the October 2015 Durham Historic District Commission minutes as written; this was SECONDED by Heidi Ely and APPROVED unanimously. * Vice Chair Bodo abstained as she was not present at the October 2015 meeting.*

November 2015:

Jim Lawson moved to approve the November 2015 Durham Historic District Commission minutes as amended; this was SECONDED by Chip Noon and APPROVED unanimously.

XI. Adjournment

Andrea Bodo MOVED to adjourn the December 3, 2015 Durham Historic District Commission meeting at 8:45 pm; this was SECONDED by Jim Lawson and APPROVED unanimously.

Respectfully submitted by,

Sue Lucius, Secretary to the Durham Historic District Commission