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5 **In Re: October-22 Application of Mr. and Mrs. Les Helmers, 28**  
6 **Ann Street, Plat 27, Lot 155 for permission to raise ridge**  
7 **line 4' while maintaining the traditional eave profiles and**  
8 **returns. Extend the chimney to match as per code. Add**  
9 **shed dormer on back side of house. Replace later era**  
10 **windows with the more historically appropriate 12 over**  
11 **12 windows. Repair and install an interior energy panel**  
12 **to preserve original fenestration. Demarcate the original**  
13 **from latter era building with applied corner boards to**  
14 **better visually delineate the evolutionary history of the**  
15 **structure.**

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18 **DECISION**  
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20 This matter came before the Newport Historic District Commission on October  
21 15, 2019; November 19, 2019; and January 21, 2020. Mr. Ross Cann, architect,  
22 was present to represent application at each of these three hearings.  
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24 The following testimony was heard on the matter:  
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- 26 1. On October 15, 2019 Mr. Ross Cann presented the application to the  
27 Commission.  
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- 29 2. The commission voiced concerns about changing the existing building from  
30 2.5 stories to 3 stories and the massing a scale of the proposed addition citing that  
31 the proposed changes were too much for a contributing structure. A suggestion  
32 was made to create less space between window and roofline or change pitch of  
33 proposed roof.  
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- 35 3. The commission requested that the application be continued to the November  
36 19, 2019 Historic District Commission meeting. Mr. Cann agreed to the  
37 continuance.  
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- 39 4. Mr. Cann submitted updated drawings based on the Commission's comments  
40 and returned to represent the application at the November 19, 2019 Historic  
41 District Commission meeting.  
42
- 43 5. The commission still had concerns about the proposed change in roofline and  
44 voiced additional concerns about the proposed change to the historic chimney.  
45 Commission member O'Brien specifically cited standard 17.80.060.A.7 and  
46 stated that the historic nature of the building must be preserved.

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2 6. The commission requested that the application be continued to the December  
3 17, 2019 Historic District Commission meeting. Mr. Cann agreed to the  
4 continuance.

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6 7. The application was continued to the January 21, 2020 Historic District  
7 Commission meeting at the request of the applicant.

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9 8. Mr. Cann submitted updated drawings based on the Commission's comments  
10 and returned to represent the application at the January 21, 2020 Historic District  
11 Commission meeting.

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13 After consideration of testimony and evidence introduced at hearing, the  
14 Commission considered the following as findings of fact:

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16 1. 28 Ann Street is located in the Newport National Historic Landmark  
17 District and the Newport Local Historic District.

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19 2. 28 Ann Street was constructed circa 1810 and is listed as a contributing  
20 building.

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22 3. The applicable Newport Standards for Treatment of Historic Properties are:

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24 **17.80.060.A.1. Retain Historic Character** - Retain and preserve the historic  
25 character of a Contributing Structure. The removal of historic materials or  
26 alteration of features and spaces that characterize a Contributing Structure should  
27 not be undertaken.

28 **17.80.060.A.2. Avoid Conjecture** - The buildings of Newport are a physical  
29 record of their time, place and use. Avoid changes that create a false sense of  
30 historical development, such as adding a conjectural feature or architectural  
31 elements from other buildings.

32 **17.80.060.A.3. Maintain Significant Alterations** - Retain and preserve changes  
33 to a Contributing Structure that have acquired historic significance in their own  
34 right.

35 **17.80.060.A.4. Preserve Character - Defining Features and Workmanship** -  
36 Preserve distinctive features, finishes and construction techniques or examples of  
37 craftsmanship that characterize a Contributing Structure.

38 **17.80.060.A.5. Repair before Replacement** – The historic materials out of  
39 which Contributing Structures buildings are constructed are significant and once  
40 lost, they cannot be recovered. Every effort should be made to repair rather than  
41 replace deteriorated historic fabric and features. When the severity of  
42 deterioration requires replacement of features or fabric, the replacement should  
43 match the old in materials, dimensions, design, configuration, texture and visual  
44 appearance.

45 **17.80.060.A.6. Avoid Damaging Treatments** – Do not use chemical or physical  
46 treatments, such as sandblasting, that cause damage to historic materials.

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**17.80.060.A.7. Minimize Harm from Alterations** – Undertake exterior alterations, including new additions, in such a manner that minimizes harm to historic materials and that if removed will not change the essential form and integrity of a Contributing Structure. Make proposed additions or exterior alterations to a Contributing Structure compatible with the existing materials, features, size, visual relationships and massing to protect the integrity and scale of the original historic structure or site. Make new alterations or additions clearly discernible from the old. The differentiations may or may not be stylistic, and may be as subtle as a change in footprint or material.

Upon a motion duly made and seconded, the Commission adopted the staff report’s finding of facts as their own.

Upon a motion duly made and seconded, the Commission found that the proposed changes being in conflict with the aforementioned Newport Standards for Treatment of Historic Properties; therefore the request for a Certificate of Appropriateness was denied on a 5-2 vote. Diana Sylvaria, Howard Elliott, Joanna Salvo, Rosemary O’Brien, and Nancy Stafford voted nay. Karl Bjork and Jeffrey Moniz voted in favor.

The application failed to receive four or a majority of affirmative votes from the seven members voting, therefore pursuant to Section 17.88.040(C)(3)(f) of the code, the application was denied.

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Karl Bjork, Chair

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Diana Sylvaria, Vice Chair

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Nancy Stafford, Secretary