

RE: 64 Vaughn St
Meeting: HDC 06/14.23

Dear Historic District Commission,

June 13, 2023

It is amazing that this group is *still* trying to have their cake and eat it too. They removed the originally proposed community space and added more building, instead of a park, which employees and the community could have enjoyed. Their employees will have the City of Portsmouth with all its wonderful indoor and outdoor amenities to enjoy everyday!

PLEASE take the time to review the minutes from the May 17, 2022 Board of Adjustments meeting (pg 3 to 7) where this proposal was **denied by the BOA, which appears to be what they are asking this board to help them circumvent**. PLEASE review the March 3, 2021 and the April 14, 2021 Historic District Commission workshop and meeting minutes as a reminder of what was proposed, discussed and what is being shown today.

<https://files.cityofportsmouth.com/agendas/2022/boa/5-17-2022+BOA+Minutes.pdf>

https://files.cityofportsmouth.com/agendas/2021/hdc/03-03-21_HDC_minutes.pdf

https://files.cityofportsmouth.com/files/planning/apps/VaughanSt_64/VaughanSt_64_HDC_WS_041421.pdf

A presentation was made to the HDC on April 14, 2021 and a 54.05' building height was proposed where 42' with a penthouse is allowed. The entire Vaughn Mall heights are: 2 to 3 story 40' and 42' with a penthouse. Reviewing the previous meeting notes and proposal it is very odd that after being denied, what is being proposed looks similar or bigger than the original.

Ordinance 10.5A21.21 defines building height regarding the HDC:

*10.5A21.21 Assignments for specific building heights require a building to have no more than the designated maximum number of stories or the maximum height in feet (whichever is lower) and no less than the designated minimum number of stories. Subject to Section 10.635.70 – Review Criteria, within the Historic District, the approved building height **may be lower than** the maximum designated number of stories or the maximum height in feet provided in Section 10.5A43.30 but shall not be lower than the minimum designated number of stories or the minimum height in feet provided.*

Article 15 clearly defines a Penthouse as a **habitable space** with very specific criteria: building height for penthouse in this district 42', 20' from ALL edges, 50% of the floor below, 10' for a flat roof. This proposal was denied in 2022 and looks pretty much the same as it did then.

9000 sf of building were added instead of the originally proposed 2480 sf park. This addition of building could have included employee open space on each floor or one large room within the building. *Please do not even review this proposal. This was denied for many reasons all relating to existing ordinances. You can color the same picture any way you want to but it is still the same picture.*

Respectfully,

Elizabeth Bratter
159 McDonough St
Property Owner