

**DRAFT**



# OBTAINING REAL PROPERTY FOR HISTORIC MONUMENT PURPOSES

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## APPLICATION & INSTRUCTIONS

Title 40 U.S.C. 550(h)

National Park Service  
U.S. Department of the Interior





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## INTRODUCTION

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**The following information is designed to assist your completion of the *Application for Obtaining Real Property for Historic Monument Purposes*, under Title 40 U.S.C. 550(h).**

The Historic Monument or Historic Surplus Property Program is administered by the National Park Service (NPS), on behalf of the Secretary of the Interior, and the General Services Administration (GSA), the agency that identifies Federal historic properties to be transferred under this program. The program allows state, county, and local governments to obtain Federal historic properties at no cost. To apply for such a property, an eligible governmental entity must complete the *Application for Obtaining Real Property for Historic Monument Purposes* (Application). The Application is reviewed and approved by the NPS, and sets forth terms and conditions that will be made a part of the deed conveying title to the property. As part of the approval, the NPS formally recommends to the GSA that the subject property be transferred. If it agrees with the recommendation, the GSA executes the transfer. A property conveyed under this program must be used in accordance with the terms of the transfer in perpetuity, and the NPS is responsible for monitoring the property to ensure that it is maintained and protected.

### **Application Highlights**

#### **Section I—Request for Property:**

- Person having legal responsibility and/or authority to submit the Application and carry out the conditions of a deed must sign in the space following the conditions.
- “Approved by the Secretary of the Interior” statement will be completed by the NPS once it has reviewed and approved the Application; “Accepted by the Administrator of General Services” statement will be completed by the GSA, signifying concurrence with the NPS’s approval and recommendation for historic monument conveyance.
- Includes terms and conditions for conveyance of the property.

#### **Section II—Program of Preservation and Utilization:**

- Includes three sections: “Preservation Plan” (Item #8), “Use Plan” (Item #9), and “Financial Plan” (Item #10).
- All proposed changes to properties being transferred under this program must be described in the “Preservation Plan” and must be in conformance with the *Secretary of the Interior’s Standards for the Treatment of Historic Properties* (typically, the *Standards for Rehabilitation* would be the most applicable).
- Included at the end is the format for a resolution or certificate of authority identifying and certifying that the officials and Applicant are legally authorized to make an Application for the property.

#### **General tips on preparing and submitting the Application:**

- Consult with the appropriate regional office of the NPS early in the process. Contact information for the NPS regional offices is available online at: <https://www.nps.gov/tps/historic-surplus.htm>
- The Application should not be bound, put in a binder, or otherwise elaborately packaged.
- Use of the electronic form requires software compatible with AdobeReader. Attach additional sheets if necessary.
- Photographs must be high quality digital or 35mm prints and adequately labeled
- Submit **one (1) original and three (3) copies** of this completed Application to the appropriate NPS regional office as noted on page three - do NOT submit any application materials directly to GSA (NPS will retain the one original Application and a copy of the deed in its files, and forward the three copies of the Application to GSA.)



6. As of the date of assumption of possession of the property, or the date of conveyance, whichever occurs first, the Applicant shall assume responsibility for care and handling and all risks of loss or damage to the property and have all obligations and liabilities of ownership.
7. In support of eligibility to acquire the property for historic monument purposes, the undersigned submits a proposal entitled "Program of Preservation and Utilization" attached hereto. All proposed changes to the property must be described in the "Program of Preservation and Utilization" and must be in conformance with the *Secretary of the Interior's Standards for the Treatment of Historic Properties* (typically, the *Standards for Rehabilitation*). The "Program of Preservation and Utilization" may be amended from time to time at the request of either the Applicant or the Secretary, with the written concurrence of the other party. Such amendments will be added to, and become a part of, the original "Program of Preservation and Utilization." The National Park Service, as part of reviewing any amendments on behalf of the Secretary, is required to comply with Section 106 of the National Historic Preservation Act and the National Environmental Policy Act. The Applicant agrees that it will furnish such data, maps, reports, and information as may be requested by the Secretary to comply with these laws, and any other laws, as required.
8. Conveyance of the Property shall be accomplished by an instrument, or instruments, in form satisfactory to the Administrator, without warranty, express or implied, and shall contain covenants, reservations, restrictions, and conditions substantially as follows:
  - a. That the Grantee shall forever use the property in accordance with its Application and the approved program attached thereto entitled "Program of Preservation and Utilization."
  - b. Other than as provided for in the approved "Program of Preservation and Utilization" (a) above, the property shall not be sold, leased, assigned, or otherwise disposed of, except to another eligible government agency that the Secretary is satisfied can assure the continued use and maintenance of the property for historic monument purposes. The Grantee may, however, enter into lease agreements with any individual or entity if the lease agreement is compatible with the approved program (a) above, and provided the prior concurrence of the Secretary, or his/her designee, is obtained in writing prior to the execution of such agreements. Any lessee who develops or rehabilitates the property on behalf of the Grantee shall also be required to provide the same information for the Biennial Reports as the Grantee (see 8.c below).
  - c. The Grantee shall prepare Biennial Reports setting forth the use made of the property during the preceding two-year period, and submit them to the Secretary at:

Historic Surplus Property Program, National Park Service, Northeast Regional Office, 200 Chestnut Street, Philadelphia, PA 19106

*(Guidelines for Biennial Reports are available from the National Park Service regional office)*

- 1) If the Administrator has authorized revenue-producing activities, based on the recommendation of the Secretary, then the Grantee shall file with the Secretary at the same address every two years a Financial Report, which shall include the following:
  - a) Statement of income from all sources during the reporting period.
  - b) Statement of expenses classified according to the following categories:
    - i. repair, rehabilitation, and restoration costs;
    - ii. recurring maintenance requirements costs; and
    - iii. administration and operations costs.
  - c) Statement of disposition of excess income.

The Financial Report will cover two accounting years, whether fiscal or calendar, as mutually agreed by the Grantee and the Secretary and will be submitted within 90 days after the close of the accounting year.



SECTION I – REQUEST FOR PROPERTY

To: General Services Administration  
Address: Thomas P. O'Neill Federal Building  
10 Causeway Street  
City: Boston  
State: MA Zip: 02222

Through: National Park Service  
Name: Bonnie J. Halda  
Address: Program Manager, Preservation Assistance  
200 Chestnut Street  
City: Philadelphia  
State: PA Zip: 19106

GSA Control Number: NH0036ZZ

The undersigned, City of Portsmouth, hereinafter referred to as the Applicant or Grantee, acting by and through John P. Bohenko at 1 Junkins Avenue, Portsmouth, NH 03801 of the City of Portsmouth, hereby applies for the conveyance, without monetary consideration, for use for historic monument purposes, from the United States of America pursuant to 40 U.S.C. 550(h), and in accordance with the rules and regulations of the General Services Administration, the following described property:

Thomas J. McIntyre Federal Property, a 2.1 acre parcel located at 80 Daniel Street

This property is more fully described in the "Program of Preservation and Utilization," attached hereto and made a part hereof. Enclosed herewith is a resolution or certification as to the authority of the undersigned to execute this Application and to do all other acts necessary to consummate the transaction.

**The undersigned agrees that this Application is made subject to the following terms and conditions:**

1. This Application, as approved by the Secretary of the Interior (Secretary) and as accepted by the Administrator of the General Services (Administrator), shall constitute the entire agreement among the Applicant, the Secretary, and the Administrator, unless modified in writing by the three parties.
2. The descriptions of the property set forth above are believed to be correct, but any error or omission shall not constitute ground or reason for nonperformance of the agreement resulting from the acceptance of this Application.
3. It is understood that the property is to be conveyed "As Is" and "Where Is" without representation, warranty, or guaranty as to quantity, quality, character, condition, size or kind, or that the same is in condition or fit to be used for the purpose intended, and no claim for any adjustments upon such grounds will be considered after this Application has been accepted.
4. The Applicant agrees to assume possession of the property within 15 days of any written request given by the Administrator after acceptance of this Application. Should the Applicant fail to take actual possession within such period, it shall nonetheless be charged with constructive possession commencing at 12:01 a.m., local time, of the 16th day after such request by the Administrator. The word "possession" shall mean either actual physical possession or constructive possession.
5. As of the date of assumption of possession of the property, or the date of conveyance, whichever occurs first, the Applicant shall assume responsibility for any general and special real and personal property taxes which may have been or may be assessed on the property, and shall pay its part of the pro-ration of any sums paid, or due to be paid by the Federal Government in lieu of taxes.



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**SIGNED BY APPLICANT**

Signed in acceptance of the foregoing conditions this \_\_\_\_ day of \_\_\_\_\_, 20<sup>19</sup>.

By:

\_\_\_\_\_  
Authorized Official's Signature

John P. Bohenko

\_\_\_\_\_  
Name – printed

City Manager  
\_\_\_\_\_

Title  
\_\_\_\_\_

1 Junkins Avenue  
\_\_\_\_\_

Address of Applicant  
\_\_\_\_\_

Portsmouth, NH 03801  
\_\_\_\_\_

City, State, Zip  
\_\_\_\_\_



- 2) Audit Report. The Audit Report will consist of a report produced by an independent audit firm summarizing the results of the biennial audit. The Secretary shall have the right, at his/her discretion, to audit such financial records, to examine such other records, and to inspect such portions of the granted property as may, in his/her judgment, be necessary to safeguard the interests of the U.S.
  - d. Title to the property transferred shall revert to the United States at its option in the event of noncompliance with any of the terms and conditions of disposal.
9. Any title evidence which may be desired by the Applicant shall be procured by the Applicant at its sole cost and expense. The Federal Government shall, however, cooperate with the Applicant or its authorized agent in this connection, and shall permit examination and inspection of such deeds, abstracts, affidavits of title, judgments in condemnation proceedings, or other documents relating to the title of the premises and property involved, as it may have available. It is understood that the Federal Government shall not be obligated to pay for any expense incurred in connection with title matters or survey of the property.
10. The Applicant shall pay all taxes imposed on this transaction and shall obtain at its own expense and affix to all instruments of conveyance and security documents such revenue and documentary stamps as may be required by Federal and local law. All instruments of conveyance and security documents shall be placed on record in the manner prescribed by local recording statutes at the Applicant's expense.
11. The approved Applicant covenants and agrees for itself, its successors and assigns, to be subject in all respects to all Federal laws and regulations relating to nondiscrimination in connection with any use, operation, program, or activity on or related to the property requested in this Application.
12. The Grantee shall, within a period of six months from the date of the signing of the Deed of Conveyance, erect, and maintain a sign of compatible scale and materials near the principal access to the property stating that: "The (name of building/property) was acquired by (local government entity) from the Federal Government through the General Services Administration as Historic Surplus Property on (date). This public benefit program is administered by the National Park Service, U.S. Department of the Interior." Additional information may also be included, such as names of local officials, etc. This sign shall be maintained in perpetuity. A temporary sign may be erected during any rehabilitation work. The final design and text of the sign must be included in the "Program of Preservation and Utilization."



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**APPROVED BY THE SECRETARY OF THE INTERIOR**

Application approved and property recommended for historic monument conveyance by and on behalf of the Secretary of the Interior this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

**NATIONAL PARK SERVICE**

By: \_\_\_\_\_  
Signature  
\_\_\_\_\_  
Name – printed  
\_\_\_\_\_  
Title

**ACCEPTED BY THE ADMINISTRATOR OF GENERAL SERVICES**

Recommendation of the Secretary of the Interior accepted by and on behalf of the Administrator of General Services this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

**GENERAL SERVICES ADMINISTRATION**

By: \_\_\_\_\_  
Signature  
\_\_\_\_\_  
Name – printed  
\_\_\_\_\_  
Title

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**SECTION II - PROGRAM OF PRESERVATION & UTILIZATION**

**1) APPLICANT:**

1a. Name of Agency: City of Portsmouth  
 1b. Agency Representative: John P. Bohenko  
 1c. Agency Street Address: 1 Junkins Avenue  
 1d. City: Portsmouth      1e. State: NH      1f. Zip Code: 03801      1g. Day telephone: (603) 610-4500

**2) PROPERTY:**

2a. Name of Property: Thomas J. McIntyre Federal Property  
 2b. Street address: 80 Daniel Street  
 2c. City: Portsmouth      2d. County: Rockingham      2e. State: NH      2f. Zip Code: 03801  
 2g. Name of historic district, if applicable: Portsmouth Downtown Historic District

2h. Include as part of the Application a copy of the National Register nomination form or Determination of Eligibility, obtainable from the State Historic Preservation Officer or at [www.nps.gov/nr](http://www.nps.gov/nr)

**Check all applicable designations:**

Local listing       Certified Local Government       State listing

National Register Listed       National Register Eligible

Project Seeking the Federal Historic Rehabilitation Tax Credit  
*(Note: Checking this box directs the NPS Regional Office reviewing this Historic Monument Application to coordinate the review with that of the NPS Washington, D.C. office which administers the Federal Historic Rehabilitation Tax Credit Program.)*

**Number of Resources within Property**  
*(in accordance with the National Register classification system)*

	Contributing	Non-contributing
Buildings	1	
Sites		
Structures		
Objects		
<b>TOTAL</b>	<b>1</b>	<b>0</b>

*(Note: Although the applicable National Register Nomination or Determination of Eligibility may provide this kind of information, always consult with NPS to ensure that the classifications and the counts are current.)*





**3) DESCRIPTION OF PROPERTY:**

3a. Acreage:

2.1 acres

3b. Legal Description:

*This can be in metes and bounds, rectangular, or cadastral survey. If the information is not available from the granting Federal agency, you must survey the property when the National Park Service is assured that you will be the recipient. In such event, the legal description and plot may be submitted subsequent to the Application.*

Please see attached Appendix A.

3c. Map:

*Attach a plot map showing the property boundary, contributing and noncontributing resources (buildings, sites, structures, objects—refer to 2h above), street plan, and other features (topographic features, vegetation, landscaping, water features, etc.) important in understanding the property.*

**4) NARRATIVE DESCRIPTION:**

*Provide a written description of all important historic resources and natural features identified in the plot map, above. This includes contributing resources (buildings, sites, structures, objects—refer to 2h above) vegetation, landscape features, etc. Include building number, designations such as "Barracks," "Water tower," etc, and give dimensions and floor area.*

Please see attached Appendix B.



**5) UTILITIES:**

The Federal building is serviced by municipal water and sewer systems, and by electrical (Eversource), natural gas, telephone and internet services.

**6) RELATED PERSONAL PROPERTY:**

**7) SIGNIFICANCE**

*Describe the significance of the property in American history, archeology, architecture, or culture, referencing the National Register nomination, or the Determination of Eligibility.*

Please see attached Appendix B.



**8) PRESERVATION PLAN:**

**All work must be done in accordance with the Secretary of the Interior’s *Standards for the Treatment of Historic Properties* (typically, the *Standards for Rehabilitation* would be the most applicable set of treatment standards).**

*Using the outline format below, describe the proposed work on a feature-by-feature or work-item basis (examples of architectural/landscape features or work items include: formal garden, new landscaping, new parking area, roof, windows, porch, exterior siding, foundation, interior trim, interior plaster, floor plan/interior partitions, HVAC system, etc.). Begin by describing site work, including new construction and parking, followed by work on the exterior and finally work on the interior. A separate outline description should be used to detail each work item and its effect on architectural/landscape features or interior spaces. Under item “8D,” explain in detail the work to be undertaken and describe the effect (visual, structural, or other) on the existing feature. This should include the impact of any modern modifications or utilities on the existing feature. For archeological areas, describe necessary security and maintenance to stabilize the site, control vegetal growth, or avoid damage.*

*Numbered photographs and drawings are essential components of the Preservation Plan. Applicable photograph and drawing numbers should be referenced under “8E” and “8F” of each outline description or work item. The submitted photographs must be high quality digital or 35 mm prints and they must document the existing/ pre-project condition of the site, the exterior elevations of the building(s), and the interior. Interior elements to be documented include major spaces and detailing, such as decorative plasterwork and wainscoting.*

*Existing conditions may be shown by original construction drawings that include subsequent modifications, by current record drawings, or by newly prepared measured drawings. Major planned alterations or new construction must be shown on appropriate drawings (e.g., site plans, elevations, floor plans, sections). While detailed plans and specifications may not be necessary if the project is simple in scope, it must be clear from the submitted documentation that the Applicant has fully recognized areas of historic significance and will plan proposed work to minimize the impact on these significant areas.*

**ARCHITECTURAL/LANDSCAPE FEATURES**

***For each architectural or landscape feature where work is proposed, use the following format to describe the existing condition and the proposed work. Attach additional sheets/pages as necessary continuing the alphabetical format until every feature slated for work is described.***

Feature A: Please see attached Appendix C.

8a. Approximate date of construction:

8b. Approximate date(s) of alterations:

8c. Description and condition:

8d. Proposed work and impact on the feature:

8e. Photo number(s):

8f. Drawing number(s):



Feature B: Please see attached Appendix C.

8a. Approximate date of construction:

8b. Approximate date(s) of alterations:

8c. Description and condition of Feature B:

8d. Proposed work and impact on the feature:

8e. Photo number(s):

8f. Drawing number(s):

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Feature C: Please see attached Appendix C.

8a. Approximate date of construction:

8b. Approximate date(s) of alterations:

8c. Description and condition of Feature C:

8d. Proposed work and impact on the feature:

8e. Photo number(s):

8f. Drawing number(s):



**9) USE PLAN:**

*Describe in detail the planned utilization and exhibition of the historic site. Differentiate between public-use activities and revenue-producing activities. Identify any portions of the property to which public access will be denied or restricted. Establish the suitability of the property for the proposed uses and the compatibility of the proposed revenue producing activities with the historical and/or architectural character of the property.*

Please see attached Appendix D.

**10) FINANCIAL PLAN:**

10a. Analysis of projected income from all sources:

Please see attached Appendix E.

10b. Analysis of projected expenses for:

**i) Repair, rehabilitation and restoration** (if work will be phased, briefly describe each phase, indicate the corresponding time schedule, and group projected expenses by phase):

Please see attached Appendix E.

**ii) Recurring maintenance requirements:**

Please see attached Appendix E.

**iii) Administration and operation:**

Please see attached Appendix E.



10c. Provisions for disposition of excess income:

*The law requires that all income in excess of costs for repair, rehabilitation, restoration, and maintenance shall be used by the Grantee only for public historic preservation, or park or recreational purposes (when all preservation needs have been adequately addressed). A reasonable amount of any excess proceeds may be carried forward from year to year to meet such costs. Any lessee who develops or rehabilitates the property on behalf of the Grantee shall be held to the same requirements for excess income.*

Please see attached Appendix E.

10d. Description of accounting and financial procedures:

*These must include provision for an independent audit every two years, the cost to be borne by the Grantee, and for an Audit Report based thereon to be submitted every two years, together with a Financial Report, to the Secretary of the Interior.*

Please see attached Appendix E.

11) CAPABILITY:

*Give a full statement of legal authority and ability to finance, operate, and maintain the property. Furnish complete information about the adequacy of staff to be made available to develop and operate the project and the Applicant's qualifications for the development and operation of historic property.*

Incorporated in 1849, the City of Portsmouth is a municipality operating under a Council-Manager form of government. At the close of fiscal 2017, the City's independent auditor, Melanson Health, reported the City's total net position at over \$485 million. Its fiscal 2019 general fund budget is just over \$113 million, and its taxable valuation with utilities is roughly \$5.468 billion. The City enjoys a AAA bond rating. As a municipal corporation, the City is eligible to receive surplus property.

The City will enter into a partnership with SoBow Square LLC (formed by principals of Redgate Holdings LLC and the Kane Company) to redevelop and operate the property. SoBow Square-related personnel have significant real estate development and management experience, and have provided evidence of adequate financial capacity to successfully carry forth this project. The City will enter into a ground lease with SoBow Square to redevelop, operate, and maintain the property. SoBow is advised by MacRostie Historic Advisors and Bruner Cott Associates regarding compliance with the Secretary of the Interior Standards for the Treatment of Historic Properties.



**12) RESOLUTION:**

*The resolution form on the following page has been provided for your use.  
If you do not use this form, you must ensure that, at a minimum, the resolution contains the following:*

- 12a. Identification of the name, location, GSA control number and acreage of the property for which you are applying;
- 12b. An authorization of the Application for and acquisition of the specified property for historic monument purposes;
- 12c. A designation by title of a specific official to act as the authorized representative in all matters pertaining to the transfer of the property;
- 12d. A statement that the Application is being made for acquisition of the property under the provisions of 40 U.S.C. 550(h), and regulations and procedures promulgated thereunder;
- 12e. Where applicable, certification that the Applicant is authorized, willing, and able to conduct compatible revenue-producing activities, and that regardless of any revenues derived from such activities, the Applicant is financially able to utilize said property for historic monument purposes as set forth in its "Program of Preservation and Utilization" and in accordance with the requirements of 40 U.S.C. 550(h) and regulations and procedures promulgated thereunder;
- 12f. Where applicable, certification that any income in excess of costs of repair, rehabilitation, restoration, and maintenance shall be used by the Applicant only for public historic preservation, park, or recreational purposes as enunciated in the "Program of Preservation and Utilization";
- 12g. Certification that the Applicant is willing and authorized to pay the administrative expenses incident to the transfer; and
- 12h. Certification that the Applicant is authorized, willing, and in a position to assume immediate care and maintenance of the property.

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**RESOLUTION/CERTIFICATE OF AUTHORITY (SAMPLE FORMAT)**

Whereas, certain real property owned by the United States, located in the County of Rockingham, State of NH has been declared surplus and at the discretion of the Administrator of General Services (Administrator), may be conveyed for historic monument purposes to a State, political subdivision, instrumentalities thereof, or municipality, under the provisions of 40 U.S.C. 550(h), and rules and regulations promulgated pursuant thereto, more particularly described as follows:  
Thomas J. McIntyre Federal Property

80 Daniel Street Portsmouth, 2.1 acres

GSA control number NH0036ZZ

Whereas, City of Portsmouth needs and will utilize said property in perpetuity for historic monument purposes as set forth in its Application and in accordance with the requirements of 40 U.S.C. 550(h) and the rules and regulations promulgated thereunder; and

Whereas, the Applicant is authorized, willing, and able to conduct compatible revenue-producing activities, and that regardless of any revenues derived from such activities, Applicant is financially able to utilize said property for historic monument purposes as set forth in its "Program of Preservation and Utilization" and in accordance with the requirements of 40 U.S.C. 550(h) and regulations and procedures promulgated thereunder; and

Whereas, the Applicant agrees that any income in excess of costs of repair, rehabilitation, restoration, and maintenance shall be used by the Applicant only for public historic preservation, park, or recreational purposes as enunciated in its "Program of Preservation and Utilization";

Now, Therefore, Be It Resolved, that City of Portsmouth shall make Application to the Administrator for and secure the transfer to it of the above-mentioned property for said use upon and subject to such exceptions, reservation, terms, covenants, agreements, conditions, and restrictions as the Secretary of the Interior, and the Administrator, or their authorized representatives, may require in connection with the disposal of said property under 40 U.S.C. 550(h) and the rules and regulations issued pursuant thereto; and Be It Further Resolved that City of Portsmouth

has legal authority, is willing, and is in a position to assume immediate care and maintenance of the property, and that John P. Bohenko, City Manager be and he/she is hereby authorized, for and on behalf of the City of Portsmouth to do and perform any and all acts and things which may be necessary to carry out the foregoing resolution, including the preparing, making, and filing of plans, Applications, reports, and other documents; the execution, acceptance, delivery, and recordation of reports, and other documents; the execution, acceptance, delivery, and recordation of agreements, deeds, and other instruments pertaining to the transfer of said property, including the filing of copies of the Application and the conveyance documents in the records of the governing body, and the payment of any and all sums necessary on account of the purchase price thereof or fees or costs incurred in connection with the transfer of said property for survey, title searches, recordation of instruments, or other costs identified with the Federal surplus property acquisition.

City Council  
legal title of governing body of Applicant  
1 Junkins Avenue, Portsmouth, NH 03801  
address

I, John P. Bohenko, hereby certify that I am the City Manager of the City Council and that the foregoing resolution is a true and correct copy of the resolution adopted by the vote of a majority of the members of said City Council present at a meeting of said body on the Nth day of [month], 20 19, at which a quorum was present.

John P. Bohenko



*Application: Obtaining Real Property for Historic Monument Purposes*  
*Thomas J. McIntyre Federal Building*  
*80 Daniel Street, Portsmouth, NH*  
*November 2018*

## **APPENDIX A**

### **Legal Description and Map**

**Application: Obtaining Real Property for Historic Monument Purposes**

Thomas J. McIntyre Federal Building

80 Daniel Street, Portsmouth, NH

November 2018

**3b. Legal Description**

Per the deed dated May 12, 1965 and recorded with the Rockingham County Register of Deeds in Book 1767, Page 127, the parcel is legally bound and described as follows:

*Beginning at a point on the Northerly line of Daniels Street; said point being the southerly corner of land now or formerly owned by the City of Portsmouth thence North thirteen degrees thirty-eight minutes twenty-five seconds West ( $N 13^{\circ} 38' 25'' W$ ) along the land of said City of Portsmouth five and five hundredths (5.05) feet to a point, said point establishes by this deed the new Northerly line of Daniels Street; thence South eighty-four degrees thirteen minutes and no seconds West ( $S 84^{\circ} 13' 00'' W$ ) along the new Northerly line of Daniels Street two hundred thirty-nine and seventy-three hundredths (239.73) feet to the point of tangency of a circle whose radius is ten and no hundredths (10.00) feet; thence along the arc of the circle whose radius is ten and no hundredths (10.00) feet a distance of thirteen and fifty-two hundredths (13.52) feet to the point of tangency with the new Easterly line of Penhallow Street; thence North eighteen degrees twenty minutes and fifty-six seconds west ( $N 18^{\circ} 20' 56'' W$ ) along the new Easterly line of Penhallow Street three hundred sixty-seven and forty hundredths (367.40) feet to the intersection of the Southerly line of Bow Street and Easterly line of Penhallow Street as established by this deed; thence South sixty-two degrees ten minutes and twenty-one seconds West ( $S 62^{\circ} 10' 21'' W$ ) a distance of five and seven hundredths (5.07) feet to the former Northerly line of Penhallow Street; thence South eighteen degrees twenty minutes fifty-six seconds East ( $S 18^{\circ} 20' 56'' E$ ) along the former line of Penhallow Street two hundred eighty-two and seventy-eight hundredths (282.78) feet to a point; thence south nine degrees fourteen minutes sixteen seconds East ( $S 9^{\circ} 14' 16'' E$ ) along the former line of Penhallow Street ninety-three and sixty-eight hundredths (93.68) feet to the formerly Northerly line of Daniels Street; thence North eighty-four degrees forty-two minutes fifty-eight seconds East ( $N 84^{\circ} 42' 58'' E$ ) along the former line of Daniels Street fifty-seven and twenty-one hundredths (57.21) feet to a point; thence South thirty-six degrees twenty-five minutes twenty-eight seconds East ( $S 36^{\circ} 25' 28'' E$ ) along the former line of Daniels Street ten and twenty-five hundredths (10.25) feet to a point; thence North eighty-two degrees twenty-two minutes fifty seconds East ( $N 82^{\circ} 22' 50'' E$ ) along the former line of Daniels Street fifty-two and forty-nine hundredths (52.49) feet to a point; thence North eight degrees thirty-seven minutes forty seconds West ( $N 8^{\circ} 37' 40'' W$ ) along the former line of Daniels Street two and forty-three hundredths (2.43) feet to a point; thence North eighty-two degrees sixteen minutes thirty-three seconds East ( $N 82^{\circ} 16' 33'' E$ ) along the former line of Daniels Street one hundred fifty-two and ninety-five hundredths (152.95) feet to the point of beginning. Said parcel contains four thousand seven hundred forty and seventy-six hundredths (4,740.76) square feet.*

**3c. Map**

Attached hereto on following page.

*Application: Obtaining Real Property for Historic Monument Purposes*  
*Thomas J. McIntyre Federal Building*  
*80 Daniel Street, Portsmouth, NH*  
*November 2018*

## **APPENDIX B**

### **Narrative Description**

***Application: Obtaining Real Property for Historic Monument Purposes***

*Thomas J. McIntyre Federal Building*

*80 Daniel Street, Portsmouth, NH*

*November 2018*

#### **4. Narrative Description**

##### Site & Setting

The Thomas J. McIntyre Federal Building and Post Office, henceforth referred to as the McIntyre Building, at 80 Daniel Street comprises approximately 2.1 acres of land, with 245 feet of frontage on the northwest side of Daniel Street, 378 feet on the northeast side of Penhallow Street, and 186 feet on the southeast side of Bow Street. The property includes the McIntyre Building - a four-story (plus basement level) steel-frame masonry building containing approximately 107,000 square feet (sf) of gross building area with forty-four (44) indoor parking spaces, and a two-tier outdoor parking lot with ninety-one (91) spaces. The property is bounded on the south by Daniel Street, on the west by Penhallow Street, on the north by Bow Street, and by the three-story Old City Hall and Chapel Street on the east. The property drops in elevation thirteen feet from Daniel Street to Bow Street, a grade change of 4%. The area surrounding the McIntyre Building is Portsmouth's historic harbor and waterfront commercial areas and is made up of densely developed blocks of one-to-three story commercial buildings.

##### Exterior

The McIntyre Building is a four-story, masonry, New Formalist-style building with an asymmetrical southeast (facade) elevation. The building is made up of three distinguishable design components: the main four-story building, the one-story section on Penhallow Street, and the one-story wing on Daniel Street (the location of the current Post Office). It has a ballasted membrane on flat-roof with a deep concrete overhang supported by concrete brackets. Walls are brick and rest on concrete foundations. The primary Daniel Street facade has a recessed first story with a groin vaulted ceiling supported by paneled, concrete columns and segmental arches with paired, off-center fully glazed, aluminum-framed entrance doors. One-story wings at the southwest and northeast sides have secondary entrances and house additional office space and a post office. Most street-level windows are full-height, multi-light, fixed, aluminum sash and upper stories have recessed window openings with wide concrete surrounds. The first floor of the north elevation contains eighteen loading dock bays, one of which has been infilled and contains a single personnel door, that are protected by a cantilevered concrete roof.

On Penhallow and Bow Streets, brick walls capped with concrete (approximately five feet in height) surround and shield the view of the parking; these walls are original to the construction of the building. There are free-standing planters presumed to be placed after September 11, 2001 – six at the Daniel Street entrance and one at the entrance on Penhallow Street. The property has two flag poles: one at the corner of Daniel and Penhallow Streets (original) and a second pole erected in 1997 in front of the current Post Office entrance.

##### *Main Building*

The Main Building is a rectangular four-story plus basement, steel framed, red brick and concrete building with a flat roof. It has two primary elevations on Daniel and Penhallow Streets, a secondary elevation on Bow Street, and a tertiary elevation facing Chapel Street.

Above the first floor the building is red brick with a flat concrete fascia and cast concrete brackets with attached precast decorative panels that create parallel raised edges. The brackets on the south and east

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elevations have been encased in a wire mesh netting since 2008 to capture any falling pieces of failed concrete (first in a temporary black netting and currently in a heavy-duty beige netting). The single-pane, aluminum frame pivoting windows are equally spaced and are aligned both vertically and horizontally within each elevation; they are recessed one foot from the exterior plane of the building and are set within exposed-aggregate, unadorned white cast concrete window surrounds.

The main entrance to the building on Daniel Street is recessed two bays behind three flat segmental arches supported by four concrete columns currently encased in stainless steel (to protect against spalling sometime after September 2015); each column is surmounted by a single concrete bracket in the same design as those at the roof line. This covered entryway has a cast concrete groin vaulted ceiling the springing of which rests on single fluted concrete pilasters opposite the columns. There are three full-height glass walls aligned with each arch and vault of the entry surmounted by opaque demi-lune transoms above a concrete lintel; the center glass wall contains the main entry doors. These full-height glass walls are divided into three vertical components which is the common pattern found in all of the full-height glass elements in the McIntyre Building: squares at the top and base with a single pane of glass in between that rises approximately three times the height of the squares; they are either five or six bays wide. At the entry on Daniel Street, a pair of glass and aluminum doors have been inserted to the right and a single glass door (access to a stairwell) is to the left; the original configuration was a pair of doors in both of these openings. In front of the windows to either side of the entrance are balustrades, originally aluminum panels with oval openings, now replaced with simple square wrought iron balusters and railing.

The first floor of the north elevation of the building contains nine of eighteen loading dock bays, which are protected by a cantilevered concrete roof. There are solar panels on top of the mechanical room on the roof.

*One-story section along Penhallow Street*

This one-story section of the building is set back one bay from the Daniel Street façade and extends northward the entire length of the Main Building. It is red brick with a flat concrete parapet. On the small portion of this section facing Daniel Street is mounted both sides of the Great Seal of the United States, the name of the building (1981), and the corner stone. Nearly centered in the west elevation is a second entrance to the Main Building, originally the 24-hour entrance to the Box Lobby. To the north of this entrance is a flat brick wall, and to the south are three bays of full-height windows alternating with recessed brick wall panels. These full-height windows have the standard pane configuration, although some have been modified to provide for operable casements for natural ventilation.

There is a recessed entrance on the Penhallow Street elevation that is topped with a skylight covered pergola. The standard full-height window wall has been modified to accept a pair of glass and aluminum entry doors to the right and a single glass and aluminum entry door to the left (access to a stairwell). North and south brick walls each has a single-width full-height window. The inclined concrete pavement linking sidewalk to doors is without a level landing at the doors.

*One-story wing east of the Main Building, current Post Office*

Constructed of red brick with concrete details, this one-story wing is recessed one bay deep from the facade of the Main Building after its three-bay arcade and extends northward its entire length. As originally constructed, the Daniel Street elevation consists of three sections:

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- 1) The western-most section abutting the Main Building, which was the location of the Service Lobby. This section contains a full-height window of the standard design.
- 2) The center section projecting from the two side sections. This section was originally punctuated by three single-pane, pivoting, deeply recessed windows with concrete window frames alternating with two slightly bowed, full-height windows of the standard design. The center single-paned window was removed, and a new entryway installed in 1997.
- 3) The eastern-most section was a flat blank brick wall. A new full-height window replicating the original first floor full-height windows was installed in this wall in 1997.

There are currently four full height windows on the east elevation of this wing. The two center windows are original and helped to provide light to the large Workroom. The two flanking windows are new openings from the 1997 renovation, replacing narrow slit windows providing light into the locker rooms.

There is a flat concrete cornice atop this wing with the exception of the section abutting the Main Building; this section is capped by a taller parapet. The first floor of the north elevation of the building contains nine of eighteen loading dock bays, one of which has been infilled and currently contains a single door, which are protected by a cantilevered concrete roof.

Interior

*Main Building*

Half of the basement floor area is dedicated to underground parking; the remainder contains spaces and uses typical of a basement: boiler room, trash collection, and storage areas. The parking garage is concrete with concrete encased steel columns. The finishes in the interior spaces are composition floor tile, dropped ceilings, boxed fluorescent light fixtures, and a mixture of fiberboard and concrete block walls.

The entrance vestibule on the ground floor from Daniel Street is accessed through a pair of glass and aluminum doors. The east wall of the vestibule is a full-height, opaque-glass wall with a pair of doors in the center which once led to the Service Lobby in the one-story wing that currently houses the Post Office. The west wall is covered with a veneer of polished white marble panels; a building directory (aluminum case with two locking glass doors, not original) is attached to the wall and a single solid metal door to the left (south) of the directory leads to a full-height stairwell. The north wall of the vestibule is a full-height glass partition wall. Immediately beyond this partition is the Elevator Lobby: to the west is the hallway to the offices in the one-story section on Penhallow Street and two elevators.

On the wall to the left of the elevators is a bronze plaque commemorating the rededication and naming of the building in 1981 (this is likely the location of the original Building Directory). On the west wall opposite the elevators is an original built-in, tripartite aluminum and glass document case. In the early 1960s, document cases began to be added to public lobbies of federal buildings. These cases were designed to hold replicas of the Constitution, the Declaration of Independence, and the Bill of Rights. In the upper corners of the center section of the case are both sides of the Great Seal of the United States in brass, surmounted by a brass American eagle with its wings unfurled. All of the non-box walls are covered with a veneer of polished white marble panels in a pattern that replicates those of the full-height windows: squares at the top and base with a single piece of marble in between approximately three times the height of the squares.

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Beyond the Elevator Lobby area is the former Box Lobby; the boxes were located on the east wall and two bulletin boards and Lobby Desks were located on the west wall; there are no extant original fixtures to indicate the use of this space. [The boxes measured 5'6" above the baseboard with plaster wall above to the ceiling.] All of the walls are covered with a veneer of polished white marble panels, as are the walls to the vestibule to the Penhallow Street entrance; the marble on the east wall dates from the 1997 renovation. Inside the Penhallow Street entrance, on the north wall, is a bronze plaque commemorating the construction of the building in 1967. On the east wall are doors to the loading dock area, former storage areas for envelopes and mail bags, and modern office spaces (inserted into the former Workroom). All visible floors in the vestibule, lobbies and hallway area are terrazzo; the cornice and ceilings are plaster.

The upper floors of the Main Building were dedicated as office space. Each of these floors contains a north-south hallway immediately adjacent to the elevators. The fiberboard walls are punctuated by doors; there are no windows or transoms in the hallways. On the second floor, directly opposite the elevators is a pair of wood and glass doors providing public access to the Social Security Offices. Restrooms and service closets are clustered near the elevator core and stairwells. Full-height stairwells are located in the northwest and southwest corners of the Main Building; the northwest stairwell provides access to the roof. The floors throughout are carpeted. Each window has a deep window sill; there is no trim.

*One-story section along Penhallow Street*

Offices and a conference room line the exterior walls of this section. There is a dedicated hallway accessed from near the main entrance on Daniel Street as well as near the entrance on Penhallow Street. The hallway to these spaces is behind the elevators. On the opposite side of the hallway, directly behind the elevators are restrooms and storage rooms; originally an office for a secretary was located here, the only dedicated office in this area on the original drawings. The conference room is paneled in wood and the offices have dropped ceilings with boxed fluorescent lighting features and modern partition walls. There is no conference room identified on the original drawings, so it is presumed that the wood paneling is from a later date. The hallway floor is terrazzo.

*One-story wing east of the Main Building, current Post Office*

The Service Lobby was located in this wing with six service windows. Past the Service Lobby, along Daniel Street from west to east, there was a reception area; the Post Master's Office; an area with a hall, storage and a toilet; the Assistant Post Master's Office; an office for the Superintendent of Mail; and, behind the blank brick wall, the Women's Swing and Locker Room and Toilet. At the north end of the wing were the Men's Swing Room, Locker Room and Toilets. The center of this wing, and the majority of the floor space, was given over to a Workroom. There were two vaults near the Service Lobby.

In 1997, the public Post Office functions moved to this wing and a separate entrance directly from Daniel Street into this space was created by converting a window opening to a doorway. As far as is visible, all historic finishes were removed with the exception of some of the polished marble wall veneer at the area that was the entrance to the Service Lobby from the vestibule.

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## **APPENDIX C**

### **Preservation Plan**



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**8. Preservation Plan**

**Feature A:** Overall Rehabilitation

**8a. Approximate Date of Construction:** 1967

**8b. Approximate date(s) of Alterations:** 1997

**8c. Description and Condition:**

The Thomas J. McIntyre Federal Building, henceforth referred to as the McIntyre Building, is a four-story (plus basement) New Formalist style steel frame building clad in red brick and concrete located at 80 Daniel Street in Portsmouth, NH. It was constructed in 1967. The McIntyre Building was designed by the architectural firm of Koehler and Isaak for the U.S. government. In 1981, the building was rededicated and named for New Hampshire's U.S. Senator from 1962 to 1979, Thomas J. McIntyre.

The first-floor level of the McIntyre Building extends beyond the rectangular footprint of the upper floors (the Main Building), with one-story wings along Daniel Street (henceforth referred to as the east wing) and Penhallow Street (henceforth referred to as the west wing). The building features an asymmetrical south (main) elevation. Walls are brick and rest on a concrete foundation. The south elevation of the Main Building has a recessed first story (recessed one bay) with a cast-concrete groin-vaulted ceiling supported by paneled, concrete columns and segmental arches with paired off-center fully glazed, aluminum entrance doors. The entrance doors are set within full-height glass walls divided into three vertical components all surmounted by demi-lune transoms. The east and west one-story wings have secondary entrances and house additional office space (west) and a post office (east). Most of the first-floor level windows are full-height, multi-light, fixed, aluminum sash, while upper stories have recessed window openings with protruding concrete surrounds containing single pane pivoting windows. The building is topped with a ballasted membrane flat-roof, with a deep concrete overhang supported by concrete brackets.

The building occupies approximately 107,000 square feet of gross building area, with forty-four indoor parking spaces and a two-tier outdoor parking lot with an additional ninety-one spaces. The interior of the Main Building is subdivided for use as office space and has remained in continuous use by the Federal government since the building's completion in 1967. The interior of the building is laid out around a central core of elevators, stairs and bathrooms. When constructed, all of the upper floors were open space and noted on the drawings as "General Office Space." These floors have been altered over time to suit the changing needs of the organizations using the space. The finishes on the interior of the first floor are different from those of the upper floors, with most of the significant features concentrated on the first floor.

**8d. Proposed work and impact on the feature:**

The McIntyre Building will be rehabilitated for a mix of uses. The upper three floors of the Main Building will remain in office use, with commercial and retail uses on the ground level including in the one-story east wing and the loading dock area.

The parking area to the rear (north) of the site will receive a mix of open space and new construction that will be compatible in scale, massing and materials with the McIntyre Building and the adjacent neighborhood which is a National Register-listed Historic District. A new road between the existing building and the new

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construction will provide separation between the two, will preserve the view of the Main Building from Penhallow and Daniels Streets, and the view of St. John's Episcopal Church designed by Alexander Parris and an important visual landmark in the City.

The project has undergone an extensive public process review involving several public hearings and two formal meetings with the Historic District Commission. The original drawings were made available to the City and the architect but cannot yet be released by the GSA for inclusion in the application due to security concerns of the tenants. Copies of these drawings will be added to the application after the tenants vacate the building. It is because of these same security concerns that very few photos are included of the interior upper floors. More photos will be taken to document these spaces upon the tenants vacating the building and, these too, will be added to the application.

**8e. Photo number(s):** All

**8f. Drawing number(s):** All

**Feature B:** Site (including parking and new construction)

**8a. Approximate Date of Construction:** 1967

**8b. Approximate date(s) of Alterations:** 1997

**8c. Description and Condition:**

The McIntyre Building occupies the southern half of a 2.1-acre parcel in downtown Portsmouth. The site is bounded by Daniel Street to the south, Penhallow Street to the west, Bow Street to north, and the rears of structures on the west side of Chapel Street to the east. With the construction of the McIntyre Building and clearance of land for its associated parking, the site has been significantly altered over time, specifically with regards to the overall reduction of public outdoor space. The site is bounded on three sides by city-owned, concrete sidewalks. The grade of the site drops thirteen feet in elevation from Daniel Street to Bow Street, a change of 4%.

A new brick portico was constructed in 1997 when the Post Office moved to the one-story wing and created a new entrance by enlarging a former window. It is four red brick piers supporting a pyramidal Plexiglas skylight.

There is a small outdoor area with shrubs, grass, a brick path, and a picnic table along the east elevation of the east wing. The path ends at the wall of the loading docks.

Concrete planters are located along the perimeter of the building and the site. The original architectural planters were cast-concrete and crudely integrated into McIntyre's expressed foundation wall design at street level. Two other locations were surrounded by granite curbs that were not integrated with the foundation walls architecturally but were laid to follow the slope of the adjacent pavements. Half of the raised concrete beds in the Box Lobby entrance have been removed- presumably as obstructions to public access.

The north half of the property is occupied by parking, with a two-tiered indoor parking facility as well as surface parking. Five-foot tall brick walls capped with concrete along Penhallow and Bow Streets surround

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and shield the view of the parking area. There are three points of egress to/from the parking: one on Penhallow Street and two on Bow Street.

The city blocks immediately surrounding the McIntyre Building are densely developed, with most buildings built to the property lines and generally three stories tall.

The site is in good condition.

**8d. Proposed work and impact on the feature:**

The existing plaza in front of the building will remain, be regraded to be made code compliant and, where necessary, repaved to match existing.

The informal, granite-curbed planting bed (1967) on Daniel Street will be retained if it can be integrated into the revised ADA-compliant plaza.

The concrete mechanical areaway surrounds and sidewalk planters along Penhallow Street will be retained, while the granite-curbed planting bed flanking the original mailing platform, and the remnants of the original concrete planters at the recessed entrance to the former Box Lobby, will be removed to allow for access.

The flag pole located at the corner of Daniel & Penhallow streets will be retained, while the ca.1997 flag pole located at the East Wing will be removed.

The 1997 freestanding entry portico at the entrance to the east wing will be demolished.

A new road, Linden Way, will be constructed immediately north of the McIntyre Building's loading docks and will separate the new construction from the historic structure.

In order to construct Linden Way and to allow a proper parking grid in the garage, the existing parking deck and supporting columns below will be demolished and a new slab structure will be built. Due to the amount of ground disturbance at this location, it is unlikely that any archeological resources will be identified, but a 36CFR61 Qualified Archaeologist will be on site during any excavation to address any potential resource identification.

The site north of the McIntyre Building, currently the parking lot, will be redeveloped to hold three new buildings, with several plazas and market areas. These buildings will be mixed use, with some ground floor retail/commercial spaces and residences above. They will be constructed on the various parking areas, with wide plazas and walkways separating the buildings.

The new buildings will be compatible with both the McIntyre Building and with the existing building fabric in downtown Portsmouth in general, especially in terms of scale, massing, material, and features, such as fenestration grids. The buildings along the streets will be three stories plus an occupied fourth floor with roof dormers are generally found on historic buildings in the district. Roofs will be a combination of pitched and hipped and be covered in standing seam metal. The base of the buildings will be cast stone at the first-floor storefronts to reflect the historic character of the surrounding building and red brick above with brick sills and lintels.

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The new construction will be set at the sidewalk along Penhallow and the northeast corner of the site on Bow Street. The northwest corner of the site at Bow and Penhallow Streets will be a hardscaped open plaza with some plantings that will be connected to the new Linden Way by a passage that runs north to south through the center of the site. Linden Way will also feature a plaza that will provided a physical and visual connection between the historic buildings and new construction while clearly separating new from old.

In order to provide firetruck access to the site, the north east corner of the one-story east wing will be demolished to allow circulation from Linden Way to Daniel Street. The outdoor area to the east of the east wing will also be converted to an egress lane for emergency vehicles and will connect to Linden Way. The original Post Office parking lot on the southeast corner of the site will be removed to support the new fire lane and new walkways will be established for building access.

**8e. Photo number(s):** 1, 3-5, 7-11, 13-17, 19-23, 26-27

**8f. Drawing number(s):** Bruner/Cott & Associates, Inc., *McIntyre Project*, 9/13/18, Sheets: D-100

**Feature C:** Exterior Elevations

**8a. Approximate Date of Construction:** 1967

**8b. Approximate date(s) of Alterations:** 1997

**8c. Description and Condition:**

The McIntyre Building is a four-story, New Formalist-style building. The asymmetrical main elevation faces south onto Daniel Street, with secondary elevations facing west onto Penhallow Street and north onto Bow Street. The tertiary elevation faces east. The building is made up of three distinguishable design components: the main four-story building, the one-story section on Penhallow Street (the “west wing”), and the one-story wing on Daniel Street (the “east wing”). The steel-framed building is clad in red brick set in running bond, and sits upon concrete foundations. The primary elevation of the Main Building, which faces south onto Daniel Street, has a recessed first story (recessed two bays) with a cast concrete groin vaulted ceiling supported by paneled, concrete columns and segmental arches with paired, off-center fully glazed, aluminum-framed entrance doors. One-story wings on the west and east sides have secondary entrances and house additional office space (west wing) and a post office (east wing). On the small portion of this section facing Daniel Street is mounted both sides of the Great Seal of the United States, the name of the building (1981), and the corner stone. Note: when the building is transferred out of federal ownership, these signs must be removed. Eighteen loading dock bays are located on the north elevation, extending across the Main Building and the east wing. All are protected by a cantilevered roof. One of the bays has been infilled and now contains a single personnel door.

Above the first floor, the Main Building is red brick with a flat concrete fascia and cast concrete brackets with attached precast decorative panels that form two parallel raised edges. The brackets on the south and east elevations have been encased in a wire mesh netting since 2008 to capture any falling pieces of failed concrete (first in a temporary black netting and currently in a heavy-duty beige netting).

The exterior elevations are in good condition.

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**8d. Proposed work and impact on the feature:**

Any damaged or deteriorating brick and stone masonry will be repointed to match the original mortar in strength, composition, color, texture, joint width and joint profile. Masonry repairs will be undertaken per guidance in *Preservation Brief 2: Repointing Mortar Joints in Historic Masonry Buildings*. Any cleaning will use the gentlest means possible utilizing PROSOCO Sure Klean or equivalent in accordance with *Preservation Brief 1: Assessing Cleaning and Water-repellent Treatments for Historic Masonry Buildings*. Specifications, cleaning samples and repointing samples will be reviewed and approved by the National Park Service before proceeding with this work. Approved samples will be maintained on site until this work is completed.

Any broken or cracked bricks will be replaced in-kind or repaired to match the original in size, color, finish, strength, and texture.

Concrete ornamentation and detail will be retained, or replaced in-kind as needed, utilizing guidance in *Preservation Brief 15: Preservation of Historic Concrete*. Additionally, the non-historic stainless-steel wraps around the main columns on the south façade will be removed and the columns repaired in the same manner as the other concrete elements.

Bruner/Cott proposes removal of attached metal lettering and embedded Great Seal faces with repair of red brick facade to match adjacent areas of masonry. The cornerstone is to remain in place. The GSA can direct the City about retrieval and return of removed items.

Cut out and replace to match bricks at vertical fracture on northwest corner of west elevation and remove all wall mounted conduits, brackets and extraneous material.

Where a new opening is cut in the brickwork, the opening will be finished utilizing salvaged brick toothed-in to create a return.

The plastic skylights will be removed from the beams over the entryway on the one-story portion along Penhallow Street.

In order to provide required adequate turning radius for passage of emergency vehicles along the new roadway along the east elevation of the East Wing, approximately 1,300 square feet of the northeast corner must be removed (approx. 50'-0" on the north elevation and 26'-0" on the east elevation). This corner of the building is virtually not visible from any public right of way with the exception of from the rear of a parking lot on Chapel Street. Originally this area was the Men's Swing Room, Locker Room and Toilets. All of these original areas and features were removed in the 1997 renovation.

**8e. Photo number(s):** 1-24, 26-28

**8f. Drawing number(s):** Bruner/Cott & Associates, Inc., *McIntyre Project*, June 6, 2018, Sheets: A-300, A-301, A-302

Bruner/Cott & Associates, Inc., *McIntyre Project*, 9/13/18, Sheets: D-300, D-301, D-302, D-303

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**Feature D:** Roof

**8a. Approximate Date of Construction:** 1967

**8b. Approximate date(s) of Alterations:** 1997

**8c. Description and Condition:**

The Main Building is topped with a recent ballasted membrane flat-roof. There is a large mechanical room centered on the roof, which is topped with solar panels.

The roof of the one-story east wing is an EPDM roof; the roof on the West Wing is a ballasted membrane roof.

Describe cantilevered roof over loading docks.

The roofs are in good condition.

**8d. Proposed work and impact on the feature:**

There currently are no plans for the roof on the Main Building with the exception of removing the solar panels on top of the mechanical room. In the future, minimal access may be provided for tenants of the third floor. Any safety rails or items on the roof will not be permanent and will be set back as not to be visible from a public way. This work would be an amendment to the City's original Application and, as such, will be reviewed and approved by the National Park Service prior to any construction.

In the future as roofs fail and need to be repaired or replaced, the work will be in kind to the existing.

The majority of the roofs on the east and west wings as well as the roof over the loading dock will remain and be repaired in kind. A narrow skylight, 6'8" wide by 60' long, will be installed in the East Wing, near the north elevation at the center of the loading dock. The skylight will be low profile and not visible from a public way

**8e. Photo number(s):** 13-15, 66

**8f. Drawing number(s):** Bruner/Cott & Associates, Inc., *McIntyre Project*, June 6, 2018, Sheets: A-106

Bruner/Cott & Associates, Inc., *McIntyre Project*, 9/13/18, Sheets: D-105

**Feature E:** Entrances and Windows

**8a. Approximate Date of Construction:** 1967

**8b. Approximate date(s) of Alterations:** 1997

**8c. Description and Condition:**

***West Wing***

There are street-level windows in the West Wing along Daniel Street (6, 7 & 8 from north to south) that are full-height, multi-light, fixed, aluminum sash storefronts systems that are slightly bowed, with later operators added to each and multi-light transoms. To the north of window 6 is a deeply recessed entryway (3) set with paired aluminum and glass doors.

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***Main Building***

The main entrance (11), located on the south elevation of the Main Building, features a set of paired, fully glazed aluminum-framed doors. A single leaf, fully glazed, aluminum-framed door (6) is located to the west of the main entrance. The main entrance and single entrance are set within a full-height, multi-light, fixed, aluminum storefront system. The main entrance (11) is flanked by full-height, multi-light, fixed, aluminum storefront systems to the east (9) and west (12).

The upper floors of the Main Building are characterized by a regular fenestration grid, providing visual interest along the otherwise simple exterior. Upper stories have recessed window openings with wide concrete surrounds; the windows are single panes of glass.

***East Wing***

The south elevation of the east wing has a central entrance (17) with a free-standing brick portico that was added in 1997. The entrance is flanked by two full-height, multi-light, fixed, aluminum sash storefront systems that are slightly bowed (windows 16 and 18) to the east and west. To the west of window 16 is an original narrow slit window with a concrete surround (15) and to the east of window 14 is an original narrow slit window with a concrete surround (19). The last bays to the east and west also feature full-height, multi-light, fixed, aluminum sash storefront systems, one in each bay (windows 13 and 21). The center portion of the elevation projects out one-bay and on each side of the projecting section, one east and one west, there is a single full height window with a bottom panel of black plastic and a transom of the same (windows 10 and 16).

There are currently four full height windows on the east elevation of this wing. The two center windows (18 and 19) are original. The two flanking windows (21 and 24) are new openings from the 1997 renovation, replacing narrow slit windows. The north end of the east wing projects one bay and has a full height window that was added in 1997 (window 25).

***Loading Dock***

The first floor of the north elevation contains eighteen loading dock bays, one of which has been infilled and contains a single personnel door. The docks span from east to west across the north elevation of the main building and east and west wings.

Entrances and windows are in good to fair condition.

**8d. Proposed work and impact on the feature:**

***West Wing***

The existing recessed entryway along Penhallow Street will be retained and the full-height aluminum window wall will be repaired and receive new code compliant doors to match the appearance of the historic doors at this location. New storefront openings will be cut into the existing brick walls that face north and south on both sides of the recessed entryway and will include entry doors and sidelights.

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Windows 6, 7 and 8 will be retained. Clear safety film will be added to the glass.

***Main Building***

The main entrance (11) will be retained and the full-height aluminum window wall will be repaired and receive new code compliant doors to match existing. Windows 9 and 12 will be retained. Clear safety film will be added to the glass.

***East Wing***

The south elevation will remain to the depth of its first structural bay, with removal of the 1997 Post Office's brick entrance vestibule and introduction of accessible entrance doors. Window 13 will be removed to provide a new entry to the public spaces in this wing. The new opening will be full-height, aluminum-frame, with a pair of double doors and a two-pane transom above each door.

The remaining windows, 14-16, 18-21 and 22-24 will be retained and repaired. Window 25 will be demolished as this wing will be removed for firetruck access.

***Loading Docks***

The first five existing loading dock, bays 5-9, from the west of the main building will be removed and receive a combination of new storefront system to simulate the historic loading dock doors and a new retail entrance.

The remainder of the loading dock wall to the east of the brick pier next to loading bay door 9 will be removed and a new glass storefront system installed in the same plane as the removed wall. The 1967 cantilevered canopy will be retained from Penhallow Street to the western edge of the East Wing.

A new opening will be cut in the west elevation of enclosed loading docks. The opening will be infilled with a new storefront system that includes entry doors and sidelights.

Aluminum storefront will be used throughout the loading dock area, from infilling the garage door opening to the new enclosed area at the northeast area of the loading bay, as well as new opening.

***Upper-Story Windows***

Existing upper-story aluminum pivot windows will be abated, retained and repaired where necessary, though they will not be operable. New aluminum single pane low-e glass storm windows will be installed on the interior. Windows fit the opening and be removable and reversible

**8e. Photo number(s):** 1, 3-24, 26-27

**8f. Drawing number(s):** Bruner/Cott & Associates, Inc., *McIntyre Project*, June 6, 2018, Sheets: A-300, A-301, A-302

Bruner/Cott & Associates, Inc., *McIntyre Project*, 9/13/18, Sheets: D-300, D-301, D-302, D-303



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**Feature F:** Stairs and Elevators

**8a. Approximate Date of Construction:** 1967

**8b. Approximate date(s) of Alterations:**

**8c. Description and Condition:**

Full-height stairwells are located in the northwest and southwest corners of the Main Building; the northwest stairwell provides access to the roof.

The elevator lobby is located at the interior of the main entry vestibule along the Daniel Street entrance, in the Main Building. The elevators provide access to all floor levels.

The stairs and elevators are in good condition.

**8d. Proposed work and impact on the feature:**

All existing stairs and elevators will be retained and will remain in use. Elevator cabs will be refurbished.

**8e. Photo number(s):** 55, 65

**8f. Drawing number(s):** Bruner/Cott & Associates, Inc., *McIntyre Project*, June 6, 2018, Sheets: A-100, A-101, A-102, A-103, A-104, A-105

Bruner/Cott & Associates, Inc., *McIntyre Project*, 9/13/18, Sheets: D-101, D-102, D-103, D-104, D-105

**Feature G:** First Floor

**8a. Approximate Date of Construction:** 1967

**8b. Approximate date(s) of Alterations:** 1997

**8c. Description and Condition:**

The first floor of the McIntyre Building holds the primary publicly accessible spaces of the building, as well as the most significant remaining historic finishes.

***Main Building***

The main entrance to the building is at the southern end of the first floor of the Main Building, at the interior of the Daniel Street entrance. The entrance is set within a vestibule, enclosed by a pair of glass and aluminum doors. The east wall of the vestibule is a full-height glass wall with a pair of doors in the center, which lead to the Post Office located in the East Wing. The doors are blocked by a publication rack as a new separate public entrance to the Post Office was created in 1997. The west wall is covered with a veneer of polished white marble panels; a non-original aluminum case holding a building directory is attached to the wall. A single solid metal door to the left (south) of the directory leads to a full-height stairwell. The north wall of the vestibule is a full-height glass partition wall.

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Immediately beyond the full-height glass partition wall is the Elevator Lobby: to the west is the hallway to the offices in the West Wing and the two elevators. On the wall to the left of the elevators is a bronze plaque commemorating the rededication and naming of the building in 1981. On the west wall opposite the elevators is an original built-in, tripartite aluminum and glass document case. In the upper corners of the center section of the case are both sides of the Great Seal of the United States in brass, surmounted by a brass American eagle with its wings unfurled. All of the walls are covered with a veneer of polished white marble panels in a pattern that replicates those of the full-height windows, with squares at the top and base with a single piece of marble in between approximately three times the height of the squares.

Beyond the Elevator Lobby area is the former Box Lobby. All of the original walls, along the west side lobby are original and are covered with a veneer of polished white marble panels, as are the walls to the vestibule to the Penhallow Street entrance. The marble on the southeast corner of the lobby dates from the 1997 renovation. The remaining walls in the northeast corner of the lobby are later GWB from 1997 when the mailboxes were moved into the east wing. On the east wall are doors to the loading dock area, former storage areas for envelopes and mail bags, and modern office spaces, which were inserted into the former Workroom.

All visible floors in the vestibule, lobbies and hallway area are of terrazzo. The cornice and ceilings are plaster.

***West Wing***

Offices and a conference room are located along the perimeter of the West Wing. There is a dedicated hallway to these offices accessed from near the main entrance on Daniel Street as well as near the entrance on Penhallow Street. The hallway to these spaces is behind the elevators. On the opposite side of this hallway, directly behind the elevators, are restrooms and storage rooms. The walls of the conference room are covered with later wood panels, and the offices have dropped ceilings with boxed fluorescent lighting features and modern partition walls. The hallway floor is terrazzo.

***East Wing***

The East Wing serves as the current location of the Post Office. The original Service Lobby was located in this wing with six service windows. Past the Service Lobby, along Daniel Street from west to east, there was a reception area; the Post Master's Office; an area with a hall, storage and a toilet; the Assistant Post Master's Office; an office for the Superintendent of Mail; and, behind the blank brick wall, the Women's Swing and Locker Room and Toilet. At the north end of the wing were the Men's Swing Room, Locker Room and Toilets. The center of this wing, and the majority of the floor space, was given over to a Workroom. There were two vaults near the Service Lobby. (see copies of original drawings)

In 1997, the public Post Office functions moved to this wing and a separate entrance from the exterior directly into this space was created by converting a window opening to a doorway. All historic finishes were removed at that time, with the exception of some of the polished marble wall veneer at the area that was the entrance to the Service Lobby from the vestibule.

The first floor is in good condition.

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**8d. Proposed work and impact on the feature:**

Break into West Wing, Main Building and East Wing. The first floor of the McIntyre Building will be rehabilitated as the lobby for the upper floor office space and new retail uses along Penhallow Street. The vestibule will be retained in its entirety. The GSA will direct the City about removal and return of brass faces of the Great Seal and brass American eagle. All interior walls, except those that bound the main entrance lobby and elevator core, will be demolished. All new partitions will be of metals studs and GWB. Ceilings in historically finished spaces will remain finished at original heights while ceilings in former industrial spaces will remain exposed. Restrooms will remain and be updated to meet current building codes. The retail spaces will not be fully defined until tenants are identified. Tenants will be required to adhere to tenant fit out guidelines that meet the Secretary of the Interior's *Standards for Rehabilitation*.

***West Wing***

All terrazzo floors in the main entrance lobbies will be retained and repaired in kind where necessary.

The bronze plaque on the north wall at the Penhallow Street entrance commemorating the construction of the building in 1967 shall remain visible although remounted in the same general area to accommodate alterations to interior layout.

Interior plaques related to 1981 re-dedication are to be relocated to wall areas adjacent to the elevator lobby.

***Main Building***

All existing marble in the main lobby will be retained and repaired in kind where necessary.

All terrazzo floors in the main entrance lobbies will be retained and repaired in kind where necessary.

The plaster vaulted ceiling and soffit in the main lobby will be retained and repaired in kind where necessary.

A large opening will be cut in the east wall of the main lobby, constructed in 1997, to allow for access from the West Wing/Penhallow Street lobby to the East Wing.

The original aluminum and glass documents case (1967) on the east wall of the elevator lobby is to be retained.

Interior plaques related to 1981 re-dedication are to be relocated to wall areas adjacent to the elevator lobby.

***East Wing***

All mechanicals will be in the walls or above ceilings except in the former mail sorting areas, which are more industrial in character, where mechanicals will be exposed.

**8e. Photo number(s):** 33-54

**8f. Drawing number(s):** Bruner/Cott & Associates, Inc., *McIntyre Project*, June 6, 2018, Sheets: A-101  
Bruner/Cott & Associates, Inc., *McIntyre Project*, 9/13/18, Sheets: D-102

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**Feature H:** Second through Fourth Floors

**8a. Approximate Date of Construction:** 1967

**8b. Approximate date(s) of Alterations:** 1997

**8c. Description and Condition:**

The second through fourth floors are subdivided for use as office space.

As was typical of most mid-century federal office buildings, the upper floors are simple in design, with few architectural flourishes. Each floor is bisected by a hallway running north-to-south immediately adjacent to the center core which includes the elevators, stairs and bathrooms. Simple doors are located off the hallway and provide access to the offices. On the second floor, a pair of wood and glass doors located directly across from the elevators provides public access to the Social Security Offices. Restrooms and service closets are clustered near the elevator core and stairwells on each floor. The floors throughout the second through fourth floors are covered with later carpeting. Along the perimeter walls, each window has a deep window sill, with no trim. The upper floors have been remodeled several times over the course of the twentieth century, with updates to both the floor plans and the finishes. Ceilings are dropped. Walls are constructed of a wall system that is not permanent.

The second through fourth floors are in good condition.

**8d. Proposed work and impact on the feature:**

The second through fourth floors will be rehabilitated for continued use as office spaces. The center core will remain. The tenant spaces will not be fully defined until tenants are identified. Tenants will be required to adhere to tenant fit out guidelines that meet the Secretary of the Interior's *Standards for Rehabilitation*. Tenant guidelines will be developed for inclusion in all leases. These guidelines will be reviewed and approved by the National Park Service prior to the execution of any lease. At a minimum, they will include the requirements (as applicable to each tenant) that all perimeter walls remain covered, that any new ceilings must remain above the window heads, all mechanical systems will be in the walls or above the ceilings, all new partitions will be of metal studs and GWB, and all floors will be covered in carpet; windows will not allowed to be blocked in any manner.

All existing partitions will be removed to create an open and flexible floor plan around the center core.

All mechanicals will be in the walls or above ceilings.

All new partitions will be of metals studs and GWB.

Floors will be covered in carpet

**8e. Photo number(s):** 55-65

**8f. Drawing number(s):** Bruner/Cott & Associates, Inc., *McIntyre Project*, June 6, 2018, Sheets: A-102, A-103, A-104

Bruner/Cott & Associates, Inc., *McIntyre Project*, 9/13/18, Sheets: D-103, D-104



1. West and south elevations, facing northeast



2. South elevation, facing north



3. South elevation, facing north



4. South elevation, facing east



5. South elevation, facing northeast



6. East elevation, facing west



7. East and south elevations, facing west



8. East and south elevations, facing northwest





9. South and east elevations, facing northwest



10. Site and south elevation, facing northwest



11. East and south elevations, facing north



12. East and north elevations, facing southwest



13. East and north elevations, facing southwest



14. East elevation, facing southwest



15. East and north elevations, facing southwest



16. North elevation, facing south



17. North elevation, facing southeast



18. North elevation, facing southeast



19. North elevation, facing southeast



20. North and west elevations, facing southeast



21. West elevation, facing southeast



22. West elevation, facing southeast



23. West elevation, facing east



24. West elevation, facing east





25. West elevation entrance covering



26. West elevation, facing northeast



27. West elevation, facing east



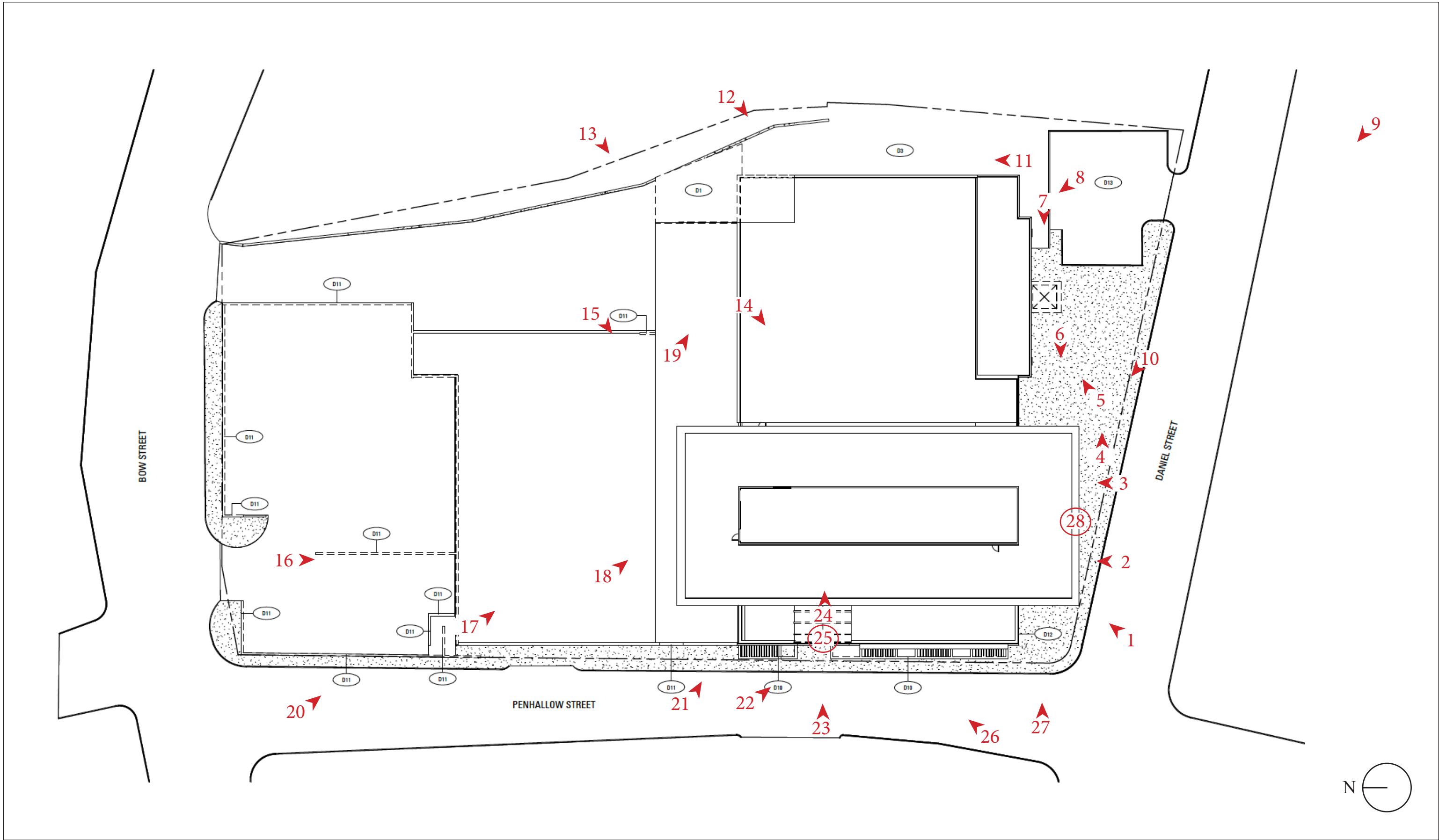
28. South elevation column detail



53. Ground floor, facing northwest



54. Ground floor, facing north













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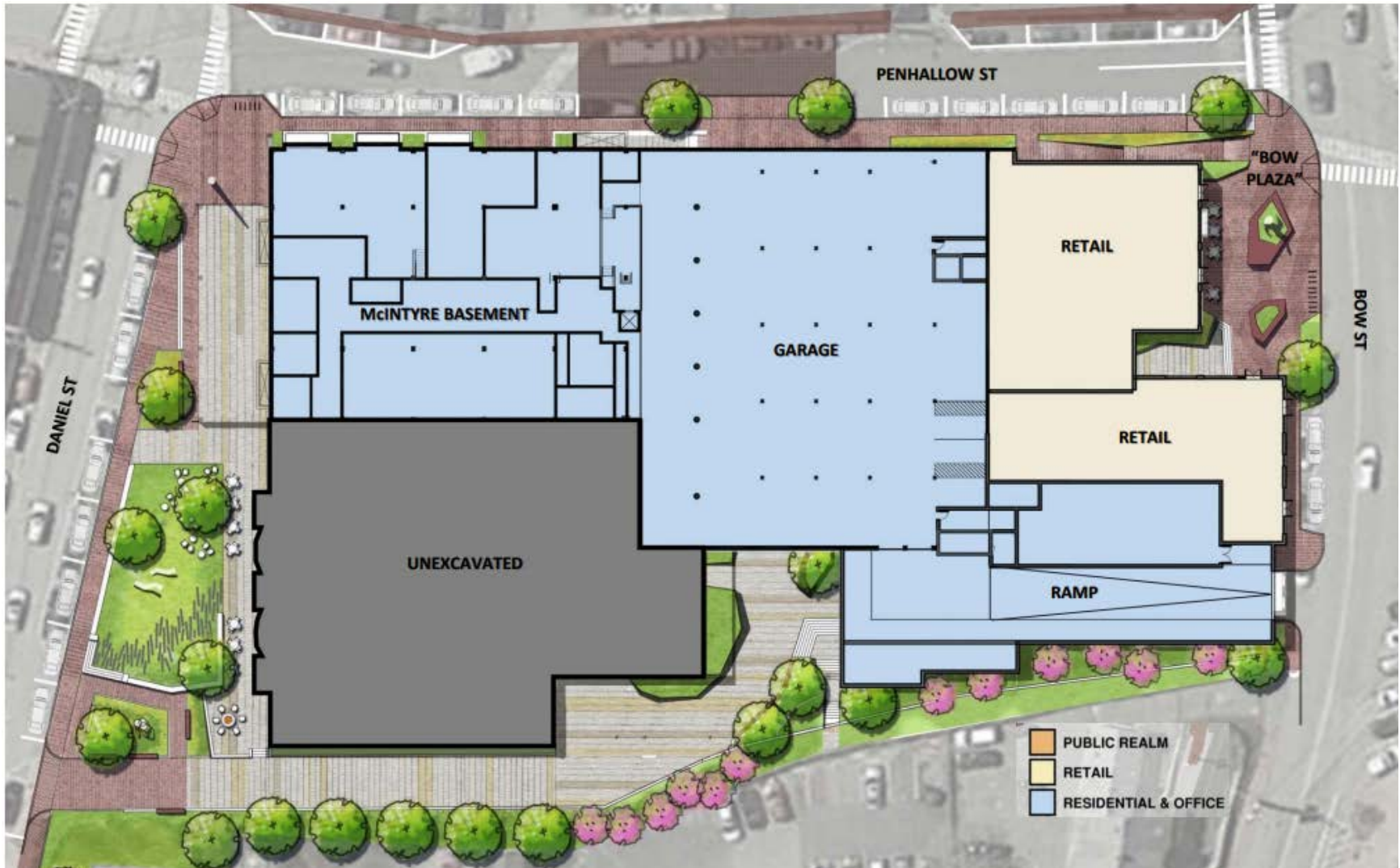
## **APPENDIX D**

### **Use Plan**



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Site Plan – Elevation 20 (Bow Street)



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Site Plan Elevation 31 (Daniel Street)



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Site Plan – Proposed Ground Floor Uses:



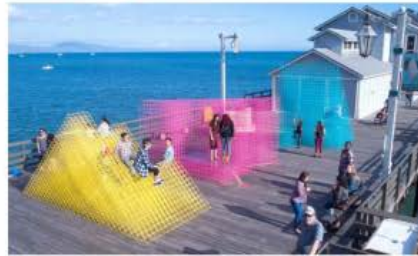
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Daniel Plaza Perspective:



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## DANIEL PLAZA



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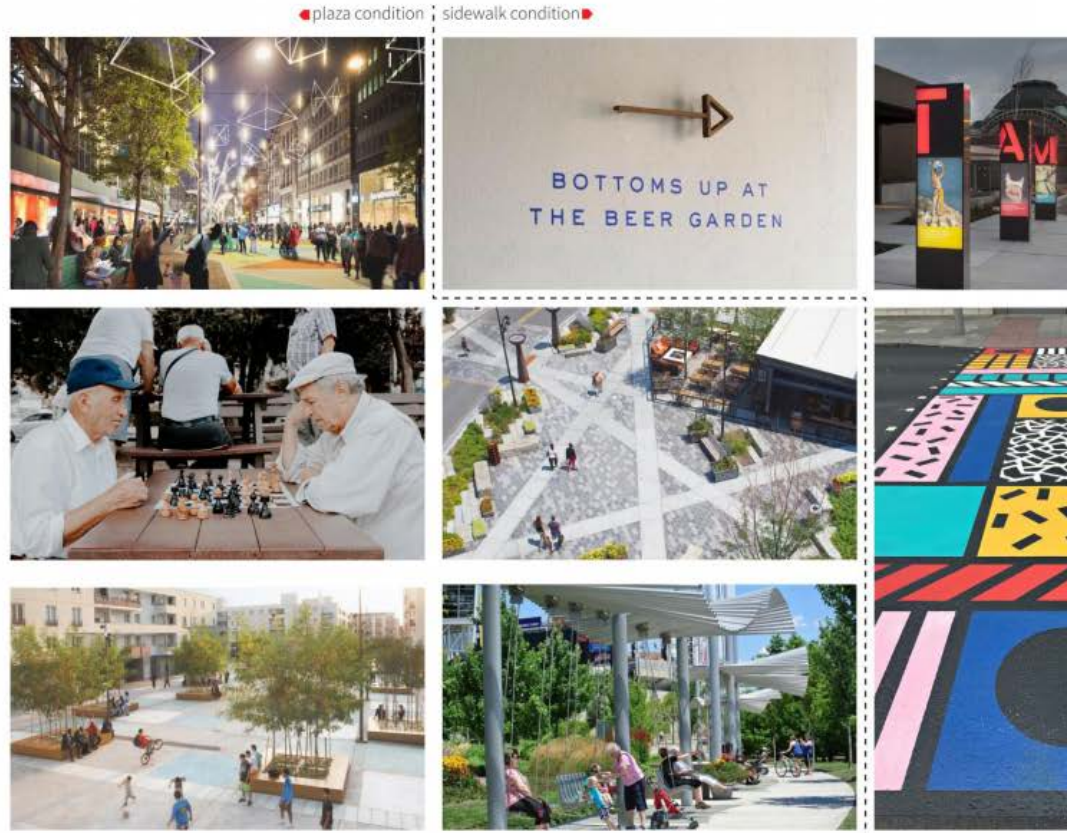
Bow Plaza Perspective:





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## BOW PLAZA



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Bow Plaza:



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Plaza Perspective:



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# THE PLAZA



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# COMMUNITY SPACE



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The Plaza & Indoor Community Space:





## **McIntyre Project Public Input Process - ESSENTIAL FRAMEWORK -**

### **A. PUBLIC REALM**

- Include easily adaptable public realm spaces that accommodate modestly-sized indoor and outdoor gathering space and a variety of activities and programming options for all ages. The public realm of the McIntyre should complement existing and planned Portsmouth assets (e.g. Market Square, Prescott Park, Vaughn-Bridge-Worth, etc.).
- Establish a highly walkable project buildout that creates interesting and varied pedestrian experiences (including public art and views) along all property edges and throughout/within the property. Make edges active and inviting.
- Offer an opportunity for the public to access to the expansive elevated views of the downtown and waterfront. Preserve critical viewsheds from the street level experience.

### **B. DESIGN**

- New architecture should reflect current design and sustainable construction technologies while respecting the historic characteristics and integrity of the site's varying surroundings. Do not overshadow the McIntyre building.
- Provide multiple points of access along all sides of the parcel to ensure permeability through the site (especially at/through the existing McIntyre Building).
- Design the site for maximum adaptability to future changes in markets and public benefit needs. For example, ground-floors of existing and proposed buildings shall be designed to ensure adaptability and evolution of use such that street life in and around the McIntyre site continues to be vibrant and brimming with activity.
- Advocate for interpretation of the Secretary of the Interior's Standards that will allow for appropriate modification to character-defining features to invite public use and connect the building and site with its surroundings.

## **C. TRANSPORTATION & PARKING**

- Reduce the need for on-site parking. Provide transportation and parking options, both external and internal to the site, designed to reduce reliance on personal cars.
- Define the types of on-site, practical accommodations for arrival/departure integrated into the site development in support of alternative modes of transportation and new consumption and distribution patterns, planning for future trends in transportation.
- Minimize/eliminate surface (vs. covered) parking.
- Minimize vehicular traffic into the site – limit to deliveries, public safety, and very slow travel.
- Consider important nearby transportation connections when designing public walk and path alignments through the property.

## **D. PUBLIC/PRIVATE PARTNERSHIP**

- Establish and maintain a market-based mix of uses/activities of interest to Portsmouth residents. Consider existing and planned amenities and uses located within walking distance.
- The City's ability to achieve desired public amenities and benefits (including ground rent and surplus income) depends on its private partners also achieving financial goals. Fairly balance this relationship to result in long-term success. For example, consider design options that create increased density if increased public benefit results.
- Explore tax credit programs and other financing tools (e.g. tax increment financing), to leverage private and public capital and enhance project viability.
- Establish the proper scale, mass, density and building configuration to allow economic viability for public benefits and quality development.
- Establish a public/private oversight entities to document and monitor the project and to ensure that public benefits are being met and that the project is proceeding in accordance with partnership terms. Revisit the framework when changes are proposed.



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The Plaza:



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## **APPENDIX E**

### **Financial Plan**

DRAFT

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## Financial Plan

The City intends that the rehabilitation and reuse of the McIntyre property will be carried out via a public-private partnership with SoBow Square, LLC (formed by principals of Redgate Holdings LLC and the Kane Company, hereinafter “the Developer”). The City will enter into a 75-year ground lease with SoBow Square to redevelop, operate, and maintain the property. SoBow is advised by MacRostie Historic Advisors and Bruner Cott Associates regarding compliance with the Secretary of the Interior Standards for the Treatment of Historic Properties.

In advance of submission of this application, the City and the Developer will execute a Development Agreement that will form the basis of the partnership arrangement. The City engaged the law firm of Hinckley Allen to develop the terms of this agreement, which includes:

- Assurance of compliance with all regulations pursuant to the Historic Surplus Property Program
- Assignment of all costs associated with the redevelopment and reuse of the property
- Environmental due diligence and remediation responsibility
- Insurance requirements
- Restrictions on use
- Real estate taxes
- Permits and approvals
- Performance guaranty and completion bonds
- Evidence of project financing commitments
- Project schedule
- Indemnification and release of liability
- City and developer contingencies
- Default and Remedies

Upon acceptance of the transfer from the GSA, the City expects to simultaneously execute a ground lease with the Developer. A draft of the Development Agreement and Ground Lease is provided in Attachment xx<sup>1</sup>. The lease, also drafted by Hinkley Allen, addresses typical items seen in a commercial ground lease, adds all conditions (including deed restrictions) pertaining to the Historic Surplus Property Program (HSPP), and is written with the perspective of a municipal landlord.

### 10a. Analysis of projected income from all sources

The City will receive income from the Developer in the form of ground rent. Per the ground lease agreement, the Developer will pay the City of Portsmouth a ground rent payment of \$xxx,000<sup>2</sup> per year, beginning at stabilization, which is anticipated to occur xx months after certificate of occupancy is achieved; the Developer anticipates ground rent to commence in quarter xx of year 20xx.

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<sup>1</sup> “xx” indicated on-going negotiation of this term/agreement, to be included in a completed application which will be considered at a future meeting of the City Council.

<sup>2</sup> The Developer has proposed a ground lease of rent of \$100,000 annually, with 1.5% increases post-stabilization in years 1-5 and 2% annually thereafter.

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The ground rent period will escalate post-stabilization by xx% annually in years 1-5 and xx% annually in year xx-xx, at which time it will be reevaluated using a fair market appraisal for years xx-xx. The Developer determined the proposed ground rent amount using residual land value methodology: target return thresholds required for financing (described above) were established; holding this target return constant, after income, costs and operating expenses were factored into the underwriting, it was calculated that the project can sustain a \$100,000 annual ground rent payment.

Additional, project excess income beyond a reasonable return<sup>3</sup> will be paid to the City as participating ground rent. This will be calculated as xx.

Other, non-cash benefits the City will accrue through this project include a brand-new gathering destination for downtown Portsmouth that includes:

- Fully designed and constructed outdoor public realm space that includes three distinct gathering spaces;
- Approx. 3,500 s.f. of indoor public gathering space, which is open to community-based programming and maintained by SoBow Square;
- Off-site utility upgrades (a new 8" water main loop on Chapel Road between Daniel St and Bow Street as well as a new 8" sewer main on Bow Street and Penhallow Street)

The estimated value of these items is summarized below:

<b>Community Benefits</b>	<b>Amount</b>
Public Realm	\$ 6,150,000
Community Space	\$ 625,000
Offsite Utility Upgrades	\$ 400,000
<b>TOTAL</b>	<b>\$ 7,175,000</b>

<b>Ongoing Benefits (annual)</b>	<b>Amount</b>
Proposed Ground Lease Payment*	\$ 100,000
Community Space Free Rent	\$ 105,000
Community Space Operations	\$ 37,000
<b>TOTAL</b>	<b>\$ 242,000</b>

\* proposed, initial year

The mixed use redevelopment is expected to generate income from office, retail and residential tenants. Following is a description of each market, with anticipated income from each tenant type.

**Office Market:**

The outlook on the Portsmouth office market remains very positive, as growing demand for office space in the supply constrained urban setting of Downtown Portsmouth continues to drive rents.

<sup>3</sup> Allowable pursuant to HSPP regulation; subject to NPS review.

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The New Hampshire Seacoast submarket continues to be one of the highest performing office markets in the region. It contains a total supply of 8.4 million square feet, with only 7.7% vacancy in 2017. This is the lowest vacancy rate experienced in the last seven years and the 7<sup>th</sup> consecutive year of decreasing vacancy. Of the market's 8.4 million square feet, 2.1 and 2.0 million square feet are in Portsmouth and Pease respectively, of which just 2.8% and 4.6% of the respective submarket supply is currently vacant, according to CBRE. The developer's research pulled from local brokers identified an even lower 1.7% vacancy rate in the downtown Portsmouth office market. This supply-stricken market has caused significant pent up demand for office space in the region, and with limited new construction available to lease, it appears that this shortage in available space will remain well beyond the short term.

This high demand and limited availability is especially evident in downtown Portsmouth, where companies are realizing the benefits associated with locating in an urban setting, yet the 2.8% vacancy has left many tenants no option but to unwillingly relocate to areas like Pease and beyond. Quality Class A office space (defined as buildings greater than 10,000 SF built after 1995) is even scarcer in downtown Portsmouth, with the only three Class A buildings being fully leased (Portwalk Place, 100 Market Street, and 99 Bow Street). Due to the lack of supply available to accommodate tenants, there have been very limited transactions in the past 24 months. However, as new supply is coming to market, asking rates are beginning in the low \$30's range for Downtown space, which is comparable to what many tenants in Class A buildings are currently paying in their current in-place leases.

**Residential Market:**

The Seacoast Multifamily Rental submarket continues to show strong fundamentals as households continue to choose to rent out of preference and necessity both locally and nationally. The submarket, which contains approximately 3,000 units among 21 properties, is 98.3% occupied, a full 130 basis points above its 5-year average of 97%. Average asking rents have also been growing at a notable rate, averaging a 4.7% increase per year since 2010. Of the approximate 300 units that were built after 2005 (Portwalk Place, Veridian Residences, Longview Place and Frank Jones Brewery), occupancy is currently at 99.3%.

The outlook on the Portsmouth multifamily market remains positive, as the demand for lifestyle rental units in an urban setting remains high and limited new product in the urban setting is planned or proposed in the near term.

**Retail Market:**

Office and Residential demand indicators are strong and clear. Retail demand is more variable and unpredictable, particularly given recent trends in rapidly changing consumer behavior. To assess this risk, the Developer worked with Graffito SP (GSP), one of the region's preeminent retail brokers and advisors to study the proposed retail program in context with the market and existing urban fabric and in relation to proposed public realm spaces (plazas and community space). As is the case for all urban retail projects, rental rates vary significantly based on premises (i) location within the asset (corner, in-line, visibility, etc.), (ii) size, (iii) use, and (iv) landlord delivery conditions. This research has resulted in a merchandizing and public realm / plaza strategy which recommends specific uses in specific locations to

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optimize exposure and vibrancy in different zones throughout the Project. Based on local market research, GSP asserts that Project rents will be in the \$30s and \$40s PSF.

GSP's believes there are certain other factors that have the potential to increase rents at the Project more than the anticipated ranges noted above, which are as follows:

1. Additional residential and office density added to the downtown area over the next 2 – 4 years;
2. Additional best-in-class restaurateurs locating in (and being recruited to) Downtown, further validating revenue projections that support higher rents;
3. World-class public realm design and programming that differentiates the Project from other near-by developments (current or planned), promote a unique brand for the Project, and generally aid in leasing efforts.
4. Targeted recruitment of best-in-class regional and national soft goods operators;
5. Willingness of Developer to execute percentage rent leases for food & beverage operators that may result in significant additional rent income once retail sales exceed an agreed upon breakpoint.

However, the large amount of retail space in the project is on the higher end of the spectrum of what the Developer believes is feasible to lease up within 12 months of Project delivery. To account for the retail risk, we have applied a ROC at the higher end of the previously noted range.

Proposed Rents by Use:

Proposed Uses	Office	Retail	Residential	Community Space
Rent Range PSF/Year	\$30-\$35 NNN	\$25-\$45 NNN	\$2,974/mo/unit avg	\$0

Based on our comparable market rent research, we believe the residential and office markets are clearly strong and the Project's residential and office space will be in high demand. We also believe that the retail market has the potential to be strong, but retail is the least stable of the three product types this Project will be delivering, and we will be creating a new destination for downtown Portsmouth; this involves a higher level of risk. The rental rates noted above we believe are achievable, though they are at the high end of the market's acceptance range and will require strong execution to be achieved.

**10B Analysis of projected expenses for:**

- i. **Repair, rehabilitation and restoration** (if work will be phased, briefly describe each phase, indicate the corresponding time schedule, and group projected expenses by phase):

The Developer has worked extensively with several of the region's top construction management firms and consultants to estimate the hard and soft costs for the Project. Currently, the development costs are estimated per the following:

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Development Costs	Amount
Hard Costs	\$49,038,594
Soft Costs (Inc. Closing & Taxes)	\$10,133,685
<b>Total Project Cost</b>	<b>\$59,172,279</b>

Approximately 35% of the hard costs are attributed to the commercial space (office and retail). The McIntyre building portion of this work is estimated at \$xx. A summary construction budget is as follows:

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Construction Estimate  
 McIntyre Project - Commercial and Residential Combined

Cost Estimate Breakdown		10/12/2018
DIVISION	TRADE / DESCRIPTION	PRICE
Division 01	General Requirements	\$ 422,630
Division 02	HazMat	\$ 1,908,740
Division 02	Demolition	\$ 659,158
Division 02	Selective Demolition	\$ 36,720
Division 02	Earthwork	\$ 2,507,190
Division 02	Fencing	\$ 152,500
Division 02	Landscape & Site Furnishings	\$ 2,717,799
Division 02	CIP Concrete	\$ 705,319
Division 03	Cementitious Underlayment	\$ 128,215
Division 04	Masonry & Restoration	\$ 1,691,905
Division 05	Structural Steel	\$ 1,581,375
Division 05	Misc. Metals	\$ 172,600
Division 06	Rough Carpentry	\$ 1,904,130
Division 06	Finish Carpentry	\$ 446,600
Division 07	Waterproofing	\$ 810,889
Division 07	Insulation	\$ 125,471
Division 07	Roofing	\$ 435,245
Division 07	Siding	\$ 163,520
Division 07	Fireproofing	\$ 305,265
Division 07	Joints & Sealants	\$ 92,060
Division 08	Doors, Frames and Hardware	\$ 377,300
Division 08	Overhead Doors	\$ 36,000
Division 08	Entrances, Storefronts & Glazing	\$ 598,865
Division 08	Windows	\$ 622,350
Division 09	Gypsum Wall Board	\$ 1,150,695
Division 09	Acoustical Ceiling Tiles	\$ 55,200
Division 09	Flooring	\$ 510,466
Division 09	Painting	\$ 226,800
Division 10	Specialties	\$ 410,150
Division 11	Parking Equipment	\$ 845,000
Division 11	Appliances	\$ 269,500
Division 11	Trash Chutes & Compactors	\$ 54,000
Division 12	Cabinets	\$ 273,200
Division 12	Stone and Solid Surface Counters	\$ 139,500
Division 12	Window Treatments	\$ 23,100
Division 14	Elevators	\$ 1,290,000
Division 15	Fire Protection	\$ 645,850
Division 15	Plumbing	\$ 2,128,798
Division 15	HVAC	\$ 1,684,620
Division 16	Electrical	\$ 2,615,542
	<b>Trade Subtotal: +</b>	<b>\$ 30,924,266</b>
	General Conditions	\$ 2,286,991
	Climate control	\$ 150,000
	Design Contingency	712,136
	Construction Contingency	\$ 3,669,738
	General Liability Insurance	\$ 488,914
	<b>General Conditions/Insurance/Bonds/Permits Subtotal: +</b>	<b>\$ 7,307,780</b>
	<b>CM Overhead and Fees: +</b>	<b>\$ 1,767,954</b>
	<b>TOTAL CONSTRUCTION COST: =</b>	<b>\$ 40,000,000</b>

The project will address deferred maintenance issues on the McIntyre exterior that have resulted in deteriorated facades that have a negative visual impact and threaten the historic resource. The estimated cost of this repair is \$300,000.

The project is planned to occur in a single phase, with \_\_\_ months of construction, with a scheduled occupancy date of \_\_\_\_.



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**ii. Recurring maintenance requirements:**

The construction project is planned to result in high-quality, fully restored space in the McIntyre building, and new space for the additional commercial and residential structures on the site. A maintenance reserve will be established over the course of the first ten years to plan for future capital maintenance items.

**iii. Administration and operation:**

Operating costs will be approximately \$10.58 per rentable square foot for commercial space, including real estate taxes. The operating expenses for the multifamily component will be roughly \$8,911 per unit, including real estate taxes. The Developer will retain a best-in-class third party leasing and property management firm to manage the residential and commercial assets. Residential leasing will be handled through the property manager. Third party brokerage companies will be engaged for commercial leasing. See the below summary of all operational costs.

Residential/Retail		
	Per Unit/Year	Total
Personnel	\$1,773	\$ 136,521
Contract Services	\$800	\$ 61,600
Utilities	\$500	\$ 38,500
Make-Ready	\$250	\$ 19,250
Maintenance & Repairs	\$250	\$ 19,250
Marketing	\$300	\$ 23,100
Administrative	\$250	\$ 19,250
Management Fee	\$1,288	\$ 99,196
Insurance	\$300	\$ 23,100
Real Estate Taxes	\$3,200	\$ 246,400
<b>Totals</b>	<b>\$8,911</b>	<b>\$ 686,167</b>

Office/Retail		
	Per RSF/Year	Total Current
Utilities	\$2.00	\$126,550
R&M	\$1.00	\$63,275
Janitorial	\$0.50	\$31,638
Security	\$0.50	\$31,638
G&A	\$0.50	\$31,638
Insurance	\$1.50	\$94,913
Management Fee	\$1.08	\$68,259
RE Taxes	\$3.50	\$221,463
<b>Totals</b>	<b>\$10.58</b>	<b>\$669,371</b>

\*Note that the above operating expenses are anticipated to inflate annually.

The Developer will be responsible for managing the pre-construction, construction, marketing, leasing, stabilization and operation of the property. The budget includes industry standard development fees and Project supervision fees totaling 4.0% of hard and soft costs (excluding land costs). These fees pay for a staff of 4-8 development professionals for 4+ years of work, managing the development process from local permitting to stabilization of the property. Once stabilized, the Developer will also provide asset management services for a customary asset management fee of 1.0% of revenues, which will be covered by operational cash flows.

The City will establish a Steering Committee to oversee progress on the construction of the development, and to ensure all commitments are being met, with City Council receiving regular updates. Once a certificate of occupancy is issued, the City will receive and review regular reports on the project's performance as required by the ground lease.

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**10c. Provisions for disposition of excess income**

The City will work with NPS to develop a plan for the use of excess income. A Special Revenue account will be established in the City's budget to receive excess proceeds, and a separate line item in the budget will be established to appropriate and expend any revenues collected on public historic preservation or park or recreational purposes, in accordance with program regulations.

**10d. Description of accounting and financial procedures**

Through its ground lease (Appendix xx), the City will require its private partner provide regular unaudited financial statements in accordance with GAAP and with generally accepted auditing standards. All income and expenses, including calculation of excess income, shall be provided. An interest-bearing Capital Expenditures Maintenance Reserve Fund will be held in escrow, to which the private partner will contribute \$xx,000/year for the first 10 years of the lease, until a \$xxx,000 cap has been accrued. This amount shall be maintained, until a capital improvement/repair requires the fund be drawn upon - this fund shall be replenished and maintained at the original cap level.

In addition, the ground lease requires the private partner to deliver audited financial statements, annually, prepared by an independent certified public accountant. The financial report will detail the income the City received from the project during the previous fiscal year, the expenditures, if any, made by for purposes of repair, rehabilitation and restoration of the building and recurring maintenance requirements.

At the close of each fiscal year, the City commissions an audit of its financial accounts (which would include the Special Revenue account that accepts any excess income). These audits, with a financial report, would be submitted every two years to NPS.