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October 28, 2020

David Rheaume, Chair
Zoning Board of Adjustment
City of Portsmouth
1 Junkins Avenue
Portsmouth, NH 03801

RE: 145 Maplewood Avenue (a/k/a portion of 111 Maplewood Avenue
Tax Map 124, Lot 8)

Dear Chair Rheaume and Board Members:

Enclosed please find supporting materials to accompany the information submitted via the City's on-line permitting system for variance relief regarding the proposed signage scheme at the above referenced property.

We respectfully request that this matter be placed on the Board's November 17, 2020 agenda. In the meantime, if you have any questions or require additional information do not hesitate to contact me.

Very truly yours,
DONAHUE, TUCKER & CIANDELLA, PLLC

Justin L. Pasay
JLP/sac
Enclosures

cc: 111 Maplewood Avenue, LLC
Christopher Lizotte, ProCon, Inc.

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83 Clinton Street, Concord, NH 03301

VARIANCE APPLICATION FOR
111 MAPLEWOOD AVENUE, LLC (the “Applicant”)

The Applicant requests variances from Sections 10.1251.20, 10.1242 (two variances requested) and 10.1144.63, as detailed below, to accomplish its signage proposal for the property located at 145 Maplewood Avenue (shown as a portion of 111 Maplewood Avenue on the City assessing cards), further identified as City Assessor Map 124, Lot 8 (the “Property”), as depicted in **Enclosures 1 and 2**, which include detailed signage plans and renderings.

A. Introduction

The Property is situated in the City’s North End within Character District 5 (“CD5”), the Downtown Overlay District, the North End Incentive Overlay District, the Historic District, and Sign District 3. The Property consists of .98 acres of lot area and, uniquely, it is both a through and corner lot under the City’s Zoning Ordinance, as it has frontage along Maplewood Avenue, Raynes Avenue and Vaughn Street. The eastern side of the building is the only side with no frontage, yet it provides primary access to the 4-story office building currently under construction on the Property (the “Building”) via a driveway off Vaughn Street and a Pedestrian Alley. The Property is bound to the southeast by the office building at 111 Maplewood Avenue, to the northeast by the AC Hotel by Marriot, 3S Artspace and Barrio Restaurant, to the northwest by the Vanguard Key Club and office building at 31 Raynes Avenue, and to the southwest by various commercial and residential uses.

In May of 2019, the Property received Site Plan Approval from the City’s Planning Board to construct the Building and related paving, lighting, utilities, landscaping, drainage and associated site improvements. That same month the Building received a Certificate of Approval from the City’s Historic District Commission (the “HDC”). In September of 2019, the Property received amended Site Plan Approval from the City of Portsmouth to permit minor changes to the parking layout and building footprint. In May of 2020, the HDC provided administrative approval for changes to the previously approved design of the Building to include the lighting discussed in this application. *See Enclosure 3*. We note that the HDC has not reviewed the rest of the Applicant’s signage proposal for the Property so the Applicant would anticipate, as a condition of approval, the requirement to obtain additional review and approval of the proposed signage from the HDC pursuant to Section 10.1221.30 of the Zoning Ordinance.

The Building will be predominately office use but there will be some commercial/retail use as well, and several tenants are anticipated throughout the Building. In light of the anticipated occupation of the Building, the Applicant has produced the enclosed Signage Plans and reviewed the same with City Staff. *See Enclosure 2*. Complementing **Enclosure 2** is **Enclosure 3**, which comprises additional renderings of the proposed sign locations and Building lighting.

As depicted in these Enclosures, the Applicant’s signage proposal reflects the size and scale of the building, its location in the North End, its orientation towards downtown and its anticipated occupation. Moreover, effort was taken to ensure a proposal that is well within the parameters for permitted aggregate signage square footage per building side and permitted mean

lumens per net acre. However, upon review by the City, it was determined that the following variances are needed to accommodate the Applicant's signage plan.

- 1) **Variance from §10.1251.20 to permit a freestanding sign with 56.97 s.f. of sign area where 20 s.f. is the maximum in Sign District 3:** §10.1251.20 of the Zoning Ordinance provides a maximum sign area for individual freestanding signs in Sign District 3 of 20 s.f. The Applicant proposes to construct a freestanding sign depicting "145", the Property's address along Maplewood Avenue, on the eastern side of the building facing the office building at 111 Maplewood Avenue and downtown (the "Freestanding Sign"). The Freestanding Sign, labeled "FS-1" in **Enclosures 2 and 3**, will be viewable by foot and vehicular traffic along Maplewood Avenue and is proposed to be 56.97 s.f. A similar sign complying with the 20 s.f. maximum sign area requirement in §10.1251.20 is depicted in **Enclosure 2** for comparison purposes.
- 2) **Variance from §10.1242 to permit wall signs above the ground floor on all Building sides:** §10.1242 of the Zoning Ordinance states that "[e]ach side of a building facing a street may have one parapet sign . . . or one wall sign above the ground floor." §10.1252.80 of the Zoning Ordinance states that "decorative lighting on a building or structure, including neon and other accent lighting, and any illuminated building panel, shall be considered a wall sign for the purposes of [the Zoning Ordinance], and shall be counted as part of the aggregate sign area allowed." "Ground floor or story" is defined by the Zoning Ordinance as "[a]ny floor or story of a building in which the floor is less than six feet above or below the finished grade at any street entrance of the building." Zoning Ordinance, §10.1530.

As depicted in **Enclosure 2**, the Applicant proposes 31 decorative lights (labeled "W1" and "WP2") above the ground floor across the four Building sides. The Applicant also proposes five (5) wall mounted signs above the ground floor across the four Building sides to include R-1, E-5, E-6, V-1, and M-1.

- 3) **Variance from §10.1242 to permit wall signs above the ground floor on a side of a building not facing a street (east elevation):** §10.1242 of the Zoning Ordinance states that "[e]ach side of a building *facing a street* may have one parapet sign . . . or one wall sign above the ground floor." The Applicant proposes nine (9) decorative lights above the ground floor and two (2) wall signs, depicted as Signs E-5 and E-6, on the eastern elevation of the Building facing 111 Maplewood Avenue and downtown. *See Enclosure 2.*
- 4) **Variance from §10.1144.63 to permit illuminated signs above 25' from grade:** In discussions with the City it was maintained that if "wall signs are illuminated above 25' from grade, [the Applicant] will need a variance from Section 10.1144.61." Section 10.1144.61 states that the maximum mounting height of a luminaire is 20' above grade, except that flood or spot luminaires rated at 900 lumens or less, and other luminaires rated at 1800 lumens or less, may be used without restriction to mounting height. Section 10.1144.63, however, states that "[luminaires] used

primarily for sign illumination may be mounted at any height to a maximum of 25 feet, regardless of lumen rating.”

The Applicant anticipates that all of its wall mounted signs will be illuminated including the five signs above 25’ from grade depicted in **Enclosures 2 and 3** (Signs R-1, E-5, E-6, M-1 and V-1). That said, the luminaires illuminating all wall mounted signs will comply with the lumen requirements of §10.1144.61, thus begging the question of whether variance relief from §10.1144.63 is required in the first instance.

Because the Applicant’s signage proposal would not be inconsistent with the essential character of the surrounding area, will not compromise the public health in any way, will provide substantial justice, will not compromise the property values of surrounding properties, and because there is no rational connection between the intent of the City’s Sign Ordinance and its application to the Property under the unique circumstances of this case, as outlined below, we respectfully request that these variances be granted.

B. Variance Criteria

Pursuant to Article 2, Section 10.233 of the Zoning Ordinance, and RSA 674:33, to obtain a variance in New Hampshire, an applicant must show that: (1) the variance will not be contrary to the public interest; (2) the spirit of the ordinance is observed; (3) substantial justice is done; (4) the values of surrounding properties are not diminished; and (5) literal enforcement of the provisions of the ordinance would result in an unnecessary hardship, where said term means that, owing to special conditions of the property that distinguish it from other properties in the area: no fair and substantial relationship exists between the general public purposes of the ordinance provision and the specific application of that provision to the property; and the Proposed use is a reasonable one; or if, and only if, owing to special conditions of the property that distinguish it from other properties in the area, the property cannot be reasonably used in strict conformance with the ordinance, and a variance is therefore necessary to enable a reasonable use of it. *See* RSA 674:33, I (b).

While four (4) individual variances are sought, we address the statutory criteria together as they are a part of a comprehensive signage proposal for the Property.

1. The variances will not be contrary to the public interest.

The New Hampshire Supreme Court has indicated that the requirement that a variance not be “contrary to the public interest” is coextensive and related to the requirement that a variance be consistent with the spirit of the ordinance. *See* Chester Rod & Gun Club v. Town of Chester, 152 N.H. 577, 580 (2005); Malachy Glen Associates, Inc. v. Town of Chichester, 155 N.H. 102, 105-06 (2007); and Farrar v. City of Keene, 158 N.H. 684, 691 (2009). A variance is contrary to the public interest only if it “unduly, and in a marked degree conflicts with the ordinance such that it violates the ordinance’s basic zoning objectives.” Chester Rod & Gun Club, 152 N.H. at 581; Farrar, 158 N.H. at 691. *See also* Harborside Associates, L.P. v. Parade Residence Hotel, LLC, 162 N.H. 508, 514 (2011) (“[m]ere conflict with the terms of the ordinance is insufficient.”) Moreover, these cases instruct boards of adjustment to make the

determination as to whether a variance application “unduly” conflicts with the zoning objectives of the ordinance “to a marked degree” by analyzing whether granting the variance would “alter the essential character of the neighborhood” or “threaten the public health, safety or welfare” and to make that determination by examining, where possible, the language of the Zoning Ordinance.

The purpose of the City’s Sign Ordinance is to “maintain and enhance the character of the City’s commercial districts and residential neighborhoods and to protect the public from hazardous and distracting displays.” Zoning Ordinance, §10.1211. This express purpose of the Sign Ordinance is substantially similar to the standard of review, outlined above, that the Board of Adjustment must use in determining whether the requested variance will be contrary to the public interest and whether the spirit of the Ordinance is observed, which is whether the proposed signage will alter the essential character of the neighborhood or threaten the public health, safety or welfare. The Applicant’s signage proposal for the Property will do neither.

First, as depicted in **Enclosure 2**, the size of the Freestanding Sign complements the scale of the Building and will be located between the Building and the office building to the east at 111 Maplewood Avenue. As proposed, this sign will not constitute a hazardous or distracting display and it will be consistent with the ongoing development in the North End. Certainly, the Freestanding Sign will not alter the essential character of the neighborhood or threaten the public health, safety or welfare. On the contrary, the sign will preserve the same, be consistent with the neighborhood, and be more suited for the Building than a 20 s.f. version of the same, thus fulfilling its purpose of orienting vehicular and pedestrian traffic to the Building and its access from Vaughn Street. *See Enclosure 2.*

Similarly, the requested variances from §10.1242 of the Zoning Ordinance, relating to the number of wall signs above the ground floor on all sides of the Building, will not constitute a hazardous or distracting display, and will not alter the essential character of the neighborhood or compromise public health or safety. Important to note here is that all of the Building sides with the exception of the eastern elevation facing 111 Maplewood Avenue, only have one true wall mounted sign above the ground floor identified as R-1 (Raynes Avenue elevation), V-1 (Vaughn Street elevation), and M-1 (Maplewood Avenue elevation), which is consistent with the Zoning Ordinance. The eastern elevation, facing 111 Maplewood Avenue and downtown, has two (2) true wall-mounted signs identified as E-5 and E-6. The rest of the “signs” are decorative lighting, as depicted in **Enclosures 2 and 3**, which lighting has been reviewed and approved by the HDC. Regardless, the Building side with the most signs is the eastern elevation which provides one of the primary entrances and faces the Building’s parking lot and downtown. Moreover, the size of the proposed signage on each of the Building sides is conservative, and well within the aggregate total square footage permitted by the Zoning Ordinance. *See Enclosure 2.* Similarly, despite their designation as “signs”, the decorative lighting is well within the permitted lumens allowed for the Property. *Id.* More specifically, incorporating the square footage of the actual wall mounted signs proposed and the decorative lighting, 98.65 s.f. of signage remains available for the Vaughn Street elevation, 314.9 s.f. of signage remains available for Raynes Avenue elevation, and 7.3 s.f. remains available for Maplewood Avenue elevation.¹

¹ We note that the calculation for the Building’s Maplewood Avenue elevation incorporates all of the signage for the Building’s eastern elevation and there is still a surplus.

Finally, the five (5) illuminated wall mounted signs (R-1, E-5, E-6, M-1 and V-1) above 25' from grade will not constitute hazardous or distracting displays, and will not alter the essential character of the neighborhood or compromise public health or safety. As noted above, all of the illuminated wall mounted signs will comply with the lumen requirements of §10.1144.61 of the Zoning Ordinance and thus appear similar to other luminaires that would be permitted by right at the underlying heights. Additionally, two (2) of the five (5) signs will face the downtown and the illumination and appearance of all of these signs will be consistent with and complement the decorative lighting that was reviewed and approved by the HDC. Finally, despite the aggregate square footage of the wall mounted signs and decorative lighting, there is still a surplus of available sign square footage for each of the Building sides.

The Applicant's sign proposal promotes the public health by incorporating a thoughtful design that promotes vehicular and pedestrian traffic whilst preserving meaningful signage for anticipated tenants.

As the Applicant's signage proposal will uphold the City's Sign Ordinance by maintaining the character of the City's commercial districts and residential neighborhoods and not creating hazardous and distracting displays, and as the proposal will not alter the essential character of the neighborhood or threaten the public health or safety, the Applicant respectfully submits that it would be reasonable and appropriate for the Board of Adjustment to conclude that granting the variances will not be contrary to the public interest.

2. The spirit of the Ordinance is observed.

As referenced in Section 1, above, the requested variances observe the spirit of the Sign Ordinance and New Hampshire jurisprudence regarding the "public interest" prong of the variance criteria because the Applicant's signage proposal will not compromise the character of the City's commercial or residential neighborhoods and will not alter the essential character of the neighborhood or threaten the public health, safety, or welfare. As the New Hampshire Supreme Court has indicated in both Chester Rod & Gun Club and in Malachy Glen, the requirement that the variance not be "contrary to the public interest" is coextensive and is related to the requirement that the variance be consistent with the spirit of the ordinance. *See Chester Rod & Gun Club*, 152 N.H. at 580. A variance is contrary to the spirit of the ordinance only if it "unduly, and in a marked degree conflicts with the ordinance such that it violates the ordinance's basic zoning objectives." *Chester Rod & Gun Club*, 152 N.H. at 581; *Farrar*, 158 N.H. at 691. As discussed above, the requested variances are consistent with the spirit of the Sign Ordinance because of the reasons stated in Section 1. As a result, for the reasons stated above, the Applicant respectfully asserts that it would be reasonable and appropriate for the Board of Adjustment to conclude that the requested variances will observe the spirit of the Zoning Ordinance.

3. Substantial justice is done.

As noted in Malachy Glen, *supra*, "perhaps the only guiding rule [on this factor] is that any loss to the individual that is not outweighed by a gain to the general public is an injustice." Malachy Glen, *supra*, citing 15 P. Loughlin, New Hampshire Practice, Land Use Planning and

Zoning § 24.11, at 308 (2000) (quoting New Hampshire Office of State Planning, *The Board of Adjustment in New Hampshire, A Handbook for Local Officials* (1997)). In short, there must be some gain to the general public from denying the variance that outweighs the loss to the Applicant from its denial.

In this case, the public does not stand to gain anything from denying the variances requested. Despite the scale of the Building, the Applicant's signage proposal is below the maximum parameters for total aggregate sign square footage permitted per building side and permitted lumens under the Zoning Ordinance. *See Enclosure 2*. In other words, more signage and more light is permitted by right under the Zoning Ordinance. Rather than maxing these parameters out, however, the Applicant is pursuing signage that will complement and beautify the Building and the area. Further, the lighting scheme has been reviewed and approved by the HDC and the signage proposal is tastefully designed to orient people to the Building and its future tenants, which will benefit the public. The signage will complement the Building and not be contrary to the essential character of the City's North End.

On the other hand, the Applicant's proposed signage will be of great benefit to the Applicant, which endeavors to complete conservative and complementary signage to further beautify the Building and accommodate the tenants it anticipates will eventually occupy the same.

As there is no gain to the general public from denying the variance that outweighs the loss to the Applicant from its denial, granting the requested variance will accomplish substantial justice.

4. The proposal will not diminish surrounding property values.

Given the nature of the neighborhood, the size and scale of the Building on the Property, and the fact that the Applicant could achieve more lumens and sign square footage along the Raynes Avenue, Vaughn Street and Maplewood Avenue Building sides by right, none of the surrounding properties will suffer any diminution in value as a result of granting these variances. Certainly, the Applicant is aware of no evidence to the contrary. Accordingly, the Applicant respectfully requests that the Board of Adjustment find that the requested variance will not diminish surrounding property values.

5. Literal enforcement of the provisions of the ordinance would result in an unnecessary hardship.

As set forth in the provisions of RSA 674:33, I, there are two options by which the Board of Adjustment can find that an unnecessary hardship exists:

- (A) For purposes of this subparagraph, "unnecessary hardship" means that, owing to special conditions of the property that distinguish it from other properties in the area:
 - (i) No fair and substantial relationship exists between the general public purposes of the ordinance provision and the specific application of that provision to the property; and
 - (ii) The Proposed use is a reasonable one.

or,

(B) If the criteria in subparagraph (A) are not established, an unnecessary hardship will be deemed to exist if, and only if, owing to special conditions of the property that distinguish it from other properties in the area, the property cannot be reasonably used in strict conformance with the ordinance, and a variance is therefore necessary to enable a reasonable use of it.

The “special conditions” of the Property for purposes of this variance criterion include the size and scale of the Building vis-à-vis the size of the Property, the Property’s nature as both a through and corner lot, the complicated and undulating nature of the Building’s facades, and the fact that the Building’s eastern elevation provides one of the primary accesses to the Building and faces the Building’s parking lot and downtown.

In Harborside Assocs. v. Parade Residence Hotel, the New Hampshire Supreme Court upheld the Portsmouth Board of Adjustment’s finding that the physical improvements on a property, in that case the size of a building when compared to other buildings in the area within the context of sign variance request, could be considered “special circumstances.” Affirming the analysis of the Board of Adjustment, the Supreme Court stated:

The [Respondent] is not attempting to meet the ‘special conditions’ test by showing that its *signs* would be unique in their settings, but that its *property* – the hotel and conference center – has unique characteristics that make the signs themselves a reasonable use of the property.

Harborside, 162 N.H. at 518 (emphasis added). Cf Farrar, 158, N.H. 689 (where variance sought to convert large, historical single use residence to mixed use of two residence and office space, size of residence was relevant to determining whether property was unique in its environment).

Here, like the size of the building in Harborside, and the size of the residence in Farrar, the Property’s physical characteristics and improvements make the proposed signage reasonable under the circumstances. To start, with more than 20,000 s.f. of building footprint, the Building occupies a significant portion of the Property and is in very close proximity to Raynes Avenue, Vaughn Street, and Maplewood Avenue. As a through and corner lot, vehicular and foot traffic will be able to navigate around the entirety of the Building but will gain primary access to the same via the driveway and Pedestrian Alley off Vaughn Street. Further, the complicated design of the Building and its undulating and varying facades, though beautiful, require a thoughtful approach to signage to accommodate future tenants.

Due to these special conditions of the Property, there is no fair and substantial relationship between the public purposes of the underlying ordinances and their specific application to the Property. On the contrary, despite its lack of conformity, the Applicant’s proposed signage scheme is consistent with the public purposes of the relevant Zoning Ordinances because to effectively activate the streetscape, promote public health and traffic safety, promote the purpose of the City’s Sign Ordinance, and provide meaningful signage for

the Building's anticipated tenants, a thoughtful and deliberate approach must be advanced. In that context, rather than proposing bigger, brighter or more obvious signage, the Applicant is proposing more thoughtful and complementary signage and is proposing *less* sign square footage than would be permitted by right under the Ordinance.

Specifically, the Freestanding Sign is large enough to be discernible from Maplewood Avenue considering the size of the Building, but not too big, and will alert vehicular and pedestrian traffic to the address of the Building, which will in turn orient people down Vaughn Street or Raynes Avenue to gain access. Similarly, of the "signs" proposed above the ground floor on any of the Building sides, only one Building side, the eastern elevation, actually has more than one wall mounted sign above the ground floor. The rest of the "signs" are decorative lighting which has been reviewed and approved by the HDC. Where this is more than one wall mounted sign above the ground floor, on the eastern elevation of the Building, their placement is logical in light of the Building's parking lot on that side and that Building side's service as a primary access point, and they face downtown where they have the smallest impact to surrounding property. All of the signage, illuminated wall mounted signs or decorative lighting alike, will emit lumens that are consistent with the Zoning Ordinance. Moreover, the aggregate sign square footage proposed is less than that which could be obtained by right under the Ordinance. Accordingly, the Applicant's signage proposal is consistent with the Ordinance's purposes because it will maintain the character of the City's commercial districts and residential neighborhoods and protect the public from hazardous and distracting displays, and will encourage public safety while providing meaningful signage.

Put another way, strictly enforcing the underlying Zoning Ordinances will not advance the public purposes of the Sign Ordinance, but granting the requested variances will.

The Applicant respectfully reminds the Board of Adjustment that the mere fact that the Applicant is seeking a variance from the express provisions of the Zoning Ordinance is not a valid reason for denying the variance. *See Malachy Glen Associates, Inc. v. Town of Chichester*, 155 N.H. 102, 107 (2007); *see also Harborside Associates*, 162 N.H. at 2011 ("mere conflict with the terms of the ordinance is insufficient").

Finally, because the Applicant's proposed signage will be conservatively and tastefully sited on the Building, and will be within the size and lumen parameters established by the Zoning Ordinance, it is reasonable under the circumstances. *See Vigeant v. Town of Hudson*, 151 N.H. 747, 752 - 53 (2005); and *Malachy Glen*, 155 N.H. at 107; *see also Harborside* at 518-519 (applicant did not need to show signs were "necessary" rather only had to show signs were a "reasonable use").

Accordingly, the Applicant respectfully asserts that its application complies with the standard for Option A of the unnecessary hardship criterion and the Board of Adjustment should so find.

C. Conclusion

The Applicant respectfully submits that all five criteria for the variance as requested have been met such that its Variance Application should be granted.

SIGNAGE ELEVATION TABLE

ELEVATION	SIGNAGE	SIZE	SIGN SF	AGGREGATE TOTAL ALLOWED PER STREET	SIGN SF REMAINING	DECORATIVE LIGHTING SF PER SECTION 10.1252.80	SIGN SF REMAINING
FREESTANDING SIGN	FS-1	6'-4" x 9'-0"	56.97 SF				
EAST	E-1	1'-2" x 3'-10"	4.5 SF				
EAST	E-2	1'-2" x 5'-2"	6 SF			WI = 9.0 x 9 = 81.0 SF	
EAST	E-3	1'-2" x 5'-2"	6 SF			WP2 = 2.8 x 5 = 14.0 SF	
EAST	E-4	1'-5" x 5'-2"	8 SF				
EAST	E-5	1'-5" x 11'-4"	12.3 SF				
EAST	E-6	1'-1" x 11'-4"	8.2 SF				
EAST	E-7	1'-2" x 7'-0"	8.2 SF				
			TOTAL = 62.1 SF				
VAUGHN STREET	V-1	1'-10" x 19'-6"	35.75 SF	79 x 2 = 158 SF	158 - 35.75 = 122.25 SF	WI = 9.0 x 2 = 18.0 SF WP2 = 2.8 x 2 = 5.6 SF	122.25 - 18.0 - 5.6 = 98.69 SF
RAYNES AVE	R-1	1'-1" x 14'-6"	15.7 SF	187.5 x 2 = 375 SF	375 - 15.7 = 359.3 SF	WI = 9.0 x 4 = 36.0 SF WP2 = 2.8 x 3 = 8.4 SF	359.3 - 36 - 8.4 = 314.9 SF
MAPLEWOOD	M-1	1'-10" x 19'-8"	36 SF			WI = 9.0 x 6 = 54.0 SF WP2 = 2.8 x 5 = 14.0 SF	170.3 - 54 - 14.0 = 81.0 - 14.0 = 7.3 SF
MAPLEWOOD	M-2	2'-8" x 5'-10"	15.6 SF	142 x 2 = 284 SF	284 - 51.6 - 62.1 = 170.3 SF		
			TOTAL = 51.6 SF				

ZONING DISTRICT:
 CHARACTER DISTRICT 5 (CD5)
 DOWNTOWN OVERLAY DISTRICT
 NORTH END INCENTIVE OVERLAY DISTRICT
 HISTORIC DISTRICT
 SIGN DISTRICT 3

10.1252 MEASUREMENT OF SIGN AREA
 10.1252.10 SIGN AREA SHALL BE MEASURED IN ONE OF THE FOLLOWING WAYS, AT THE APPLICANT'S DISCRETION:

(a) THE AREA THAT CAN BE ENCLOSED BY ONE POLYGON WITH NO MORE THAN EIGHT SIDES; OR

(b) THE AREA THAT CAN BE ENCLOSED BY A CIRCLE, OVAL, TRIANGLE OR RECTANGLE, OR ANY TWO SUCH SHAPES, INCLUDING NEON AND OTHER ACCENT LIGHTING, AND ANY ILLUMINATED BUILDING PANEL, SHALL BE CONSIDERED A WALL SIGN FOR THE PURPOSES OF THIS SECTION, AND SHALL BE COUNTED AS PART OF THE AGGREGATE SIGN AREA ALLOWED.

10.1252.80

DECORATIVE LIGHTING ON A BUILDING OR STRUCTURE INCLUDING NEON AND OTHER ACCENT LIGHTING, AND ANY ILLUMINATED BUILDING PANEL, SHALL BE CONSIDERED A WALL SIGN FOR THE PURPOSES OF THIS SECTION, AND SHALL BE COUNTED AS PART OF THE AGGREGATE SIGN AREA ALLOWED.

ZONING DISTRICT'S	MAXIMUM MEAN LUMENS PER NET ACRE
AIRPORT DISTRICT (AIR)	EXEMPT
ALL BUSINESS DISTRICTS, EXCEPT WITHIN THE HISTORIC DISTRICT	300,000
ALL INDUSTRIAL DISTRICTS	
AIRPORT INDUSTRIAL REUSE INDUSTRIAL, AIRPORT BUSINESS COMMERCIAL	
ALL RESIDENTIAL DISTRICTS	65,000
ALL MIXED RESIDENTIAL DISTRICTS	
ALL CONSERVATION DISTRICTS	
HISTORIC DISTRICT	

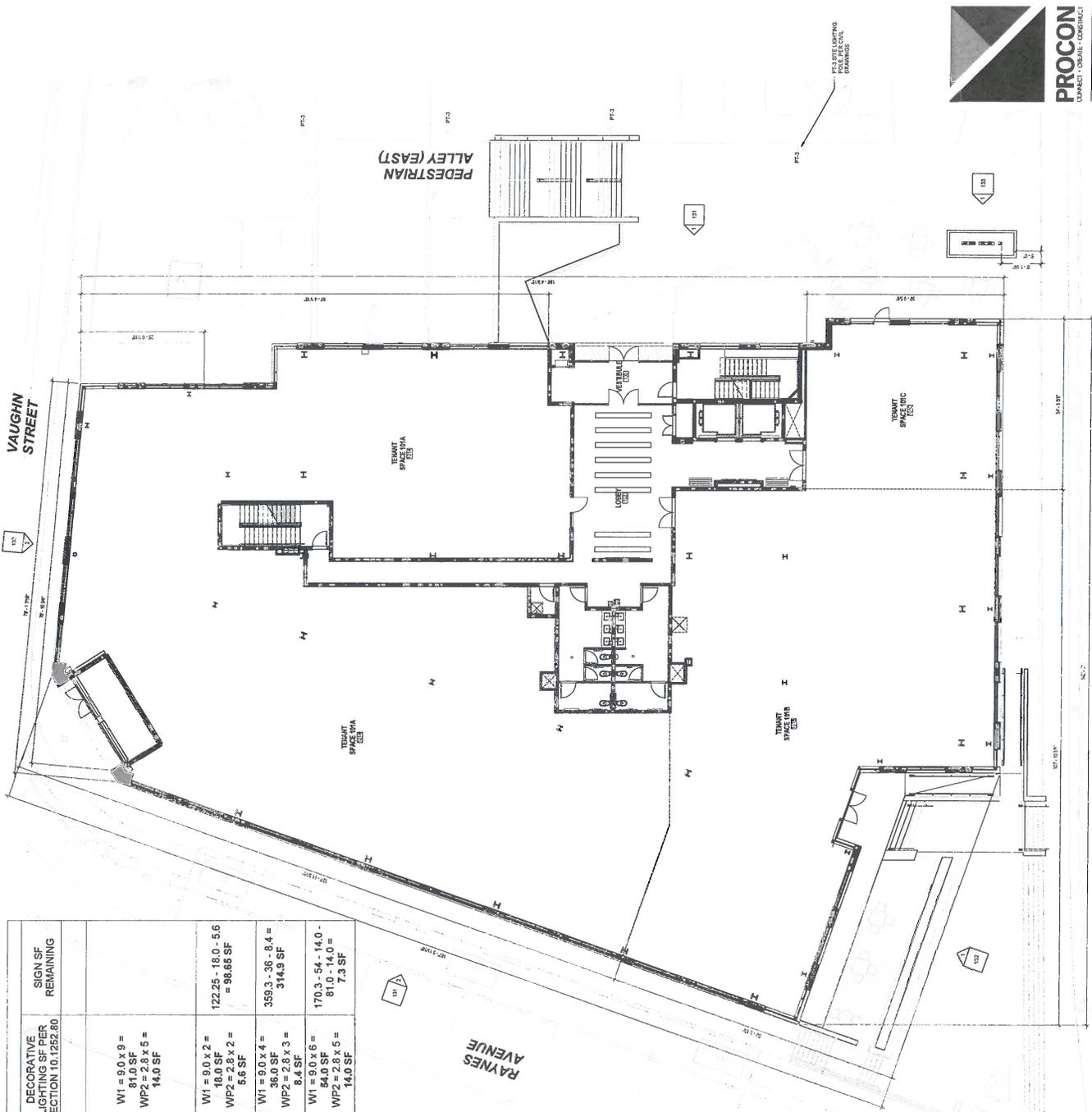
SITE SIZE = 0.98 ACRES
 0.98 x 55,000 = 53,900 TOTAL LUMENS ALLOWED

LUMEN TABLE

SITE POLES
 PT-3 - 800 EACH: 4 x 800 = 3,200 TOTAL

BUILDING MOUNTED
 WI - 130 EACH: 21 x 130 = 2,730 TOTAL
 WP2 - 1720 EACH: 15 x 1720 = 10,800 TOTAL

OVERALL TOTAL: 2,730 + 3,200 + 10,800 = 16,730 LUMENS
 TOTAL LUMENS REMAINING = 53,900 - 16,730 = 37,170 LUMENS REMAINING

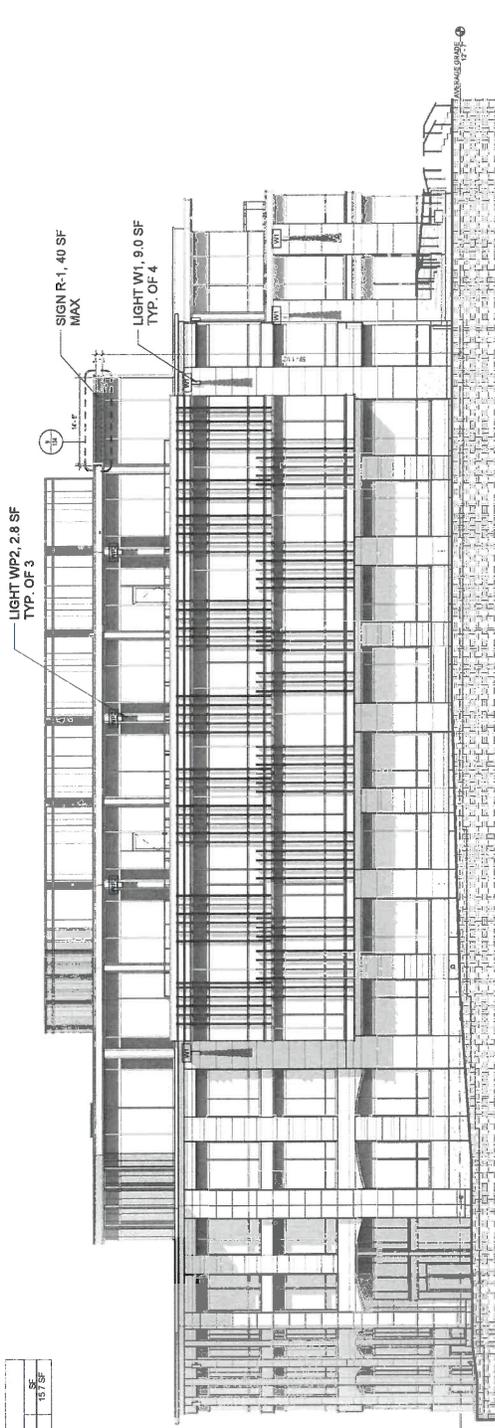


09.15.2020

SIGNAGE FRONTAGE PLAN

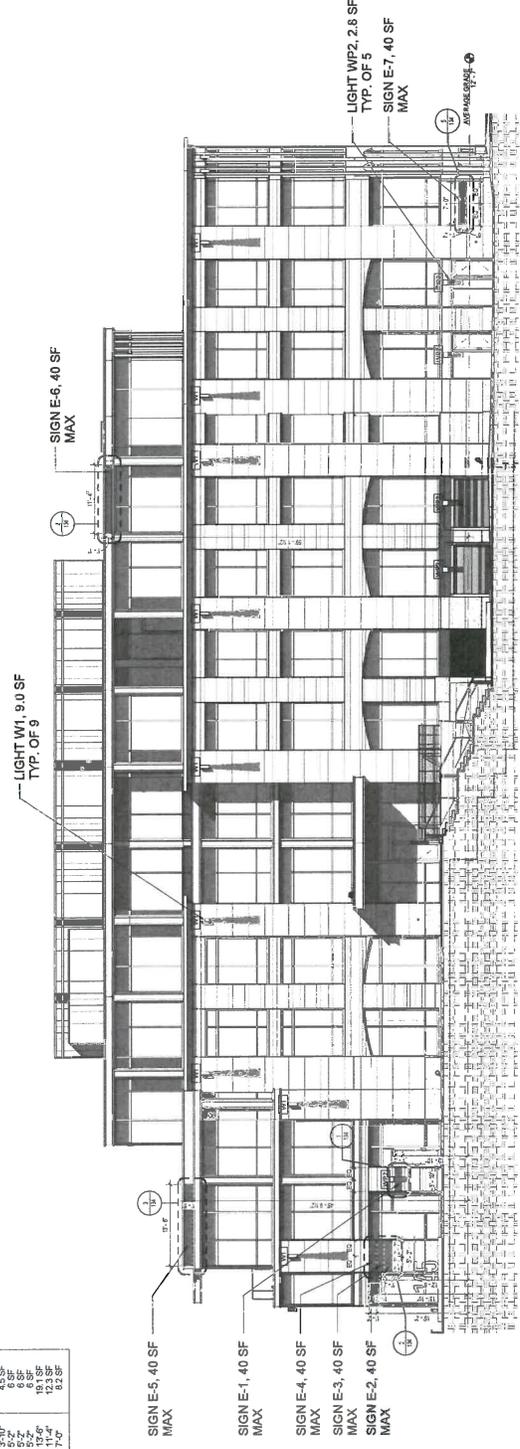
145 MAPLEWOOD OFFICE BUILDING

SIGNAGE ELEVATION TABLE	
SIGNAGE ELEVATION	SIGNAGE AREA
RAYNES AVENUE	137.5 SF
ENTRY PASSAGE	137.5 SF



2 SIGNAGE ELEVATION - RAYNES AVENUE
1/8" = 1'-0"

SIGNAGE ELEVATION TABLE	
SIGNAGE ELEVATION	SIGNAGE AREA
E-1	137.5 SF
E-2	137.5 SF
E-3	137.5 SF
E-4	137.5 SF
E-5	137.5 SF
E-6	137.5 SF
E-7	137.5 SF

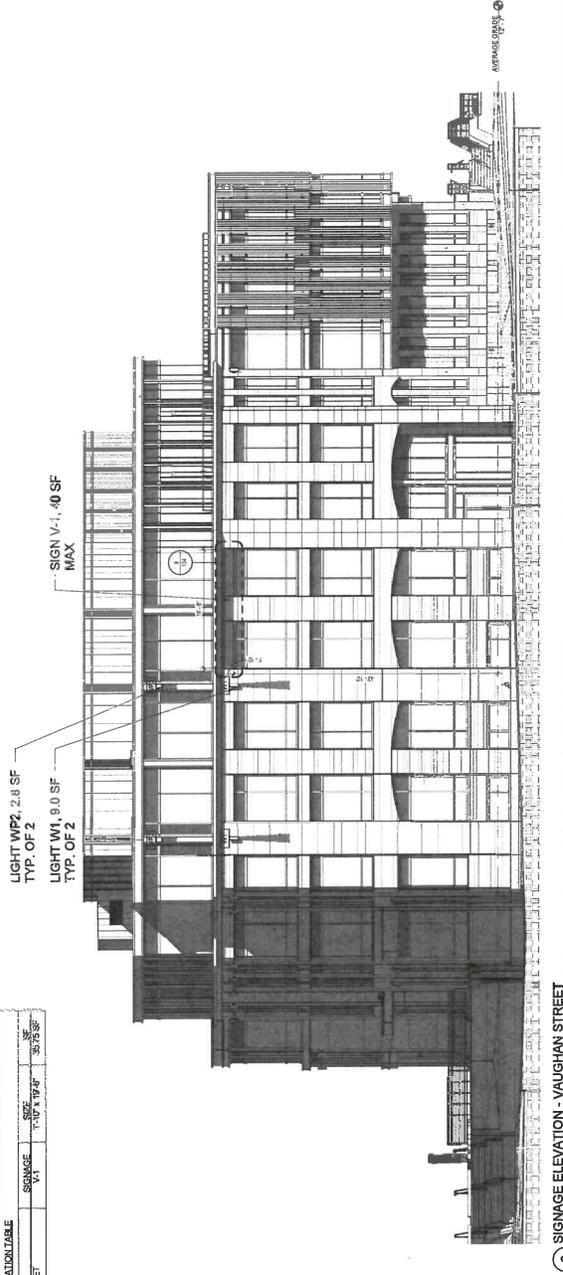


1 SIGNAGE ELEVATION - ENTRY PASSAGE
1/8" = 1'-0"



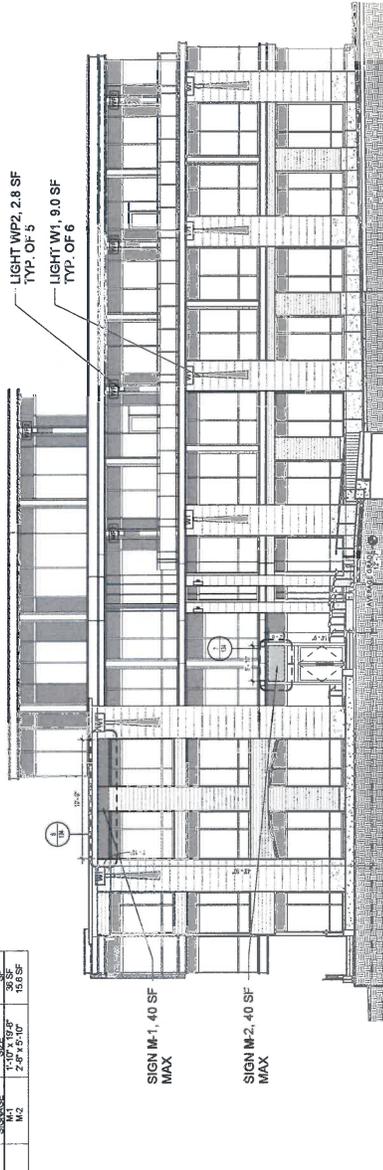
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COMMERCIAL SIGNAGE CONTRACTORS
PO BOX 4430
MANCHESTER NH 03108
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SIGNAGE ELEVATION TABLE		
ELEVATION	SIZE	SF
V-1	10'0" x 19'0"	36.75 SF



② SIGNAGE ELEVATION - VAUGHAN STREET
1/8" = 1'-0"

SIGNAGE ELEVATION TABLE		
ELEVATION	SIZE	SF
M-1	1'-5" x 2'-0"	10.65 SF
M-2	2'-0" x 5'-11"	16.65 SF



① SIGNAGE ELEVATION - MAPLEWOOD AVE
1/8" = 1'-0"



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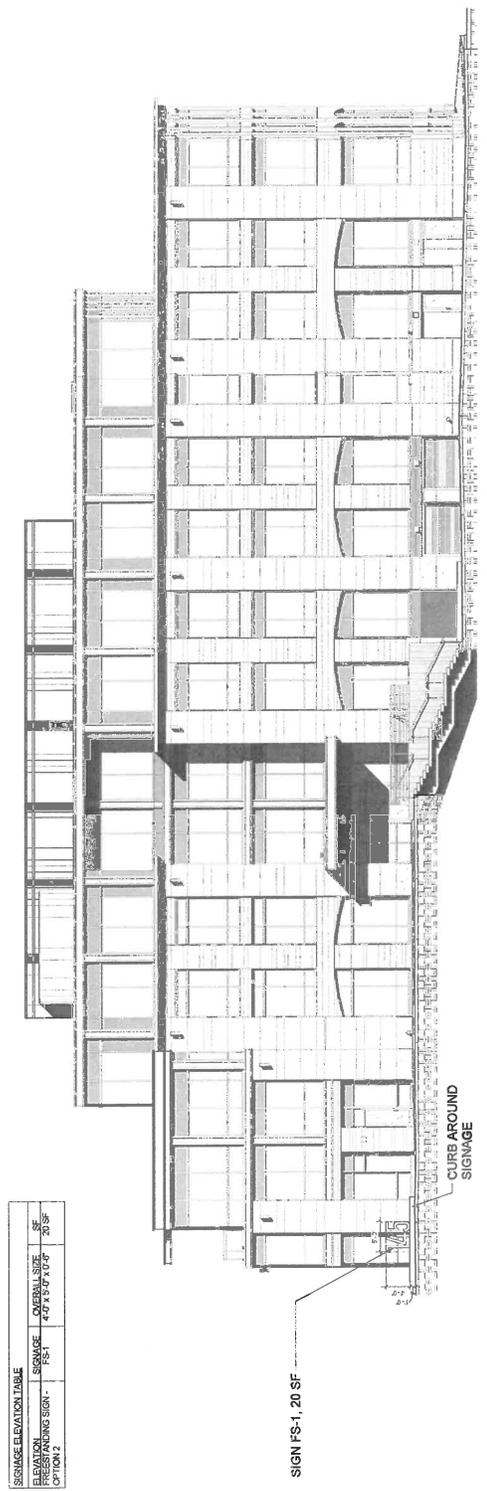
09.15.2020

SIGNAGE ELEVATIONS

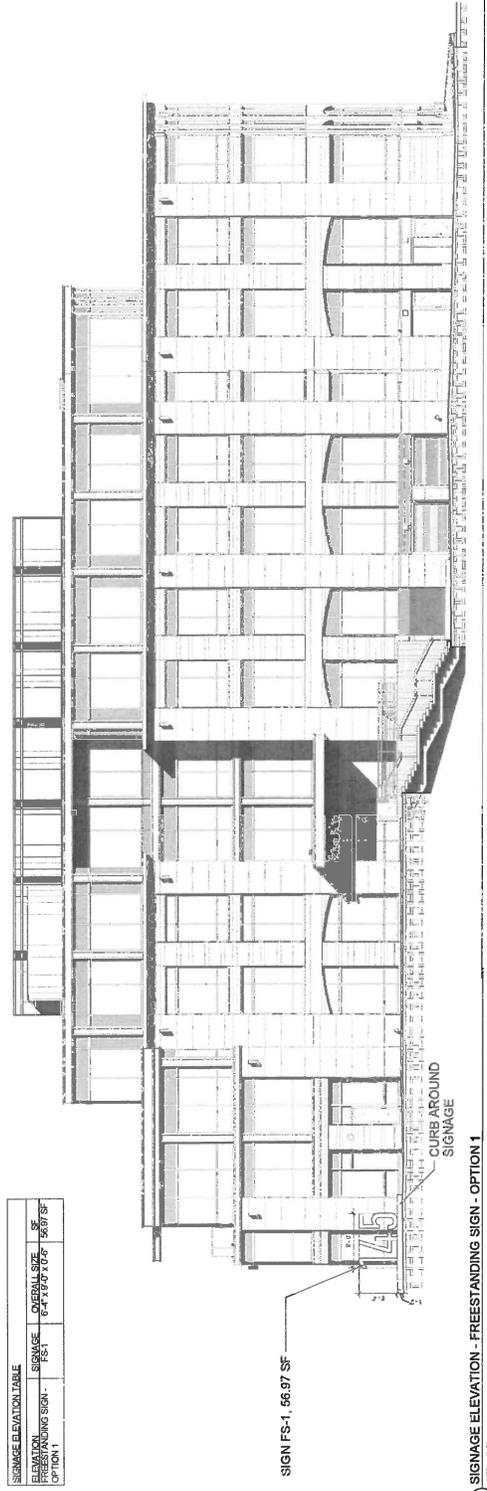


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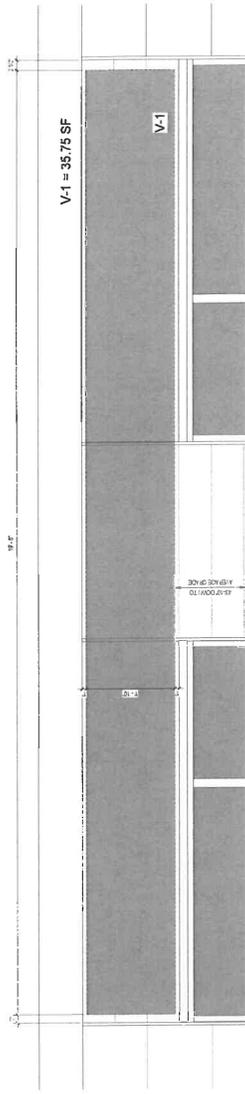


2 SIGNAGE ELEVATION - FREESTANDING SIGN - OPTION 2
 18" = 1'-0"

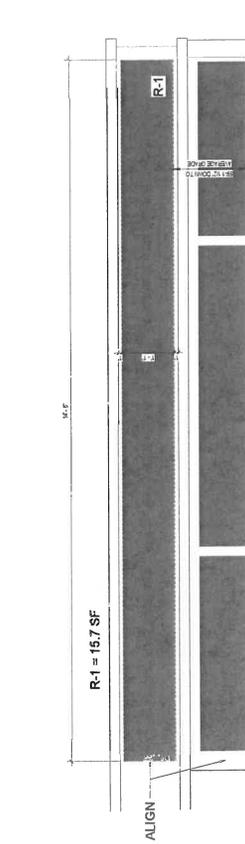


1 SIGNAGE ELEVATION - FREESTANDING SIGN - OPTION 1
 3/8" = 1'-0"

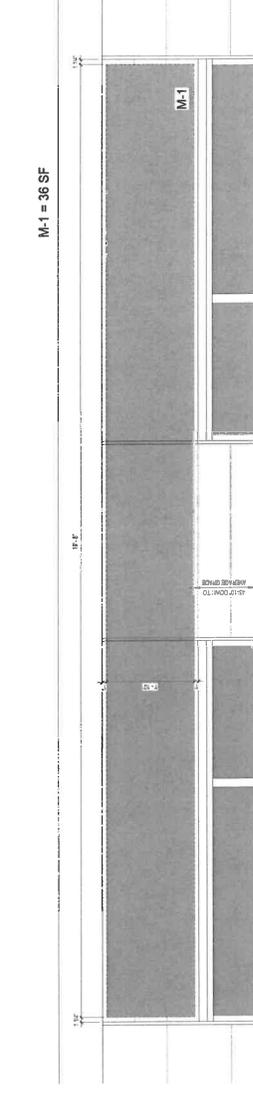
SIGNAGE ELEVATIONS



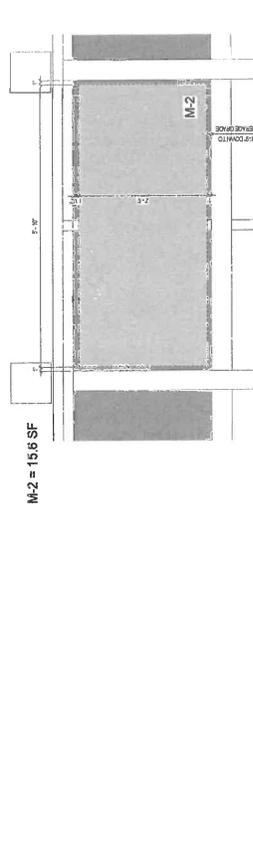
8 ENLARGED SIGNAGE ELEVATION - V-1
1" = 1'-0"



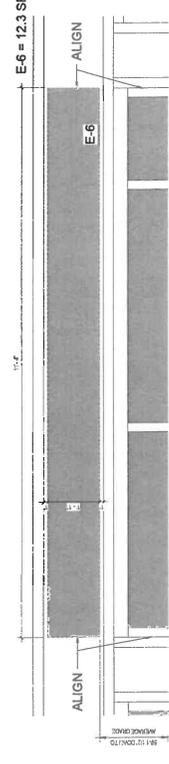
9 ENLARGED SIGNAGE ELEVATION - R-1
1" = 1'-0"



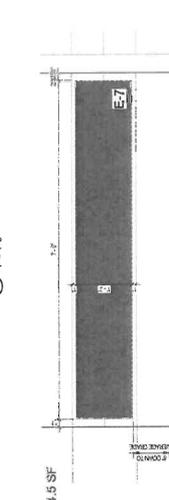
6 ENLARGED SIGNAGE ELEVATION - M-1
1" = 1'-0"



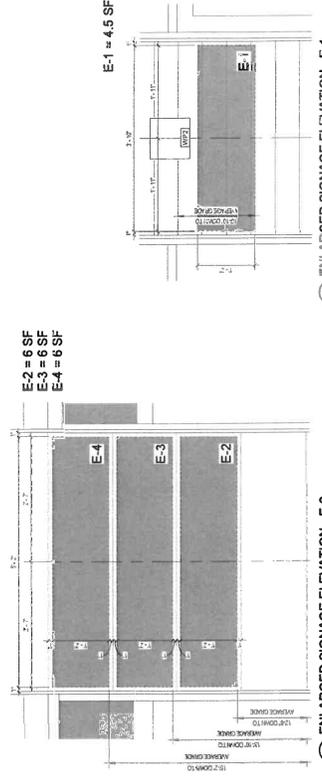
7 ENLARGED SIGNAGE ELEVATION - M-2
1" = 1'-0"



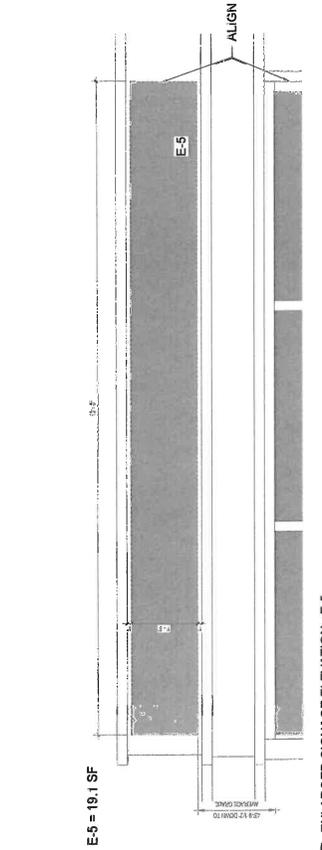
4 ENLARGED SIGNAGE ELEVATION - E-6
1" = 1'-0"



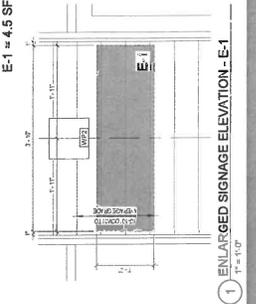
5 ENLARGED SIGNAGE ELEVATION - E-7
1" = 1'-0"



2 ENLARGED SIGNAGE ELEVATION - E-2
1" = 1'-0"



3 ENLARGED SIGNAGE ELEVATION - E-5
1" = 1'-0"



1 ENLARGED SIGNAGE ELEVATION - E-1
1" = 1'-0"

E-2 = 6 SF
E-3 = 6 SF
E-4 = 6 SF





SOUTHEAST STREET VIEW



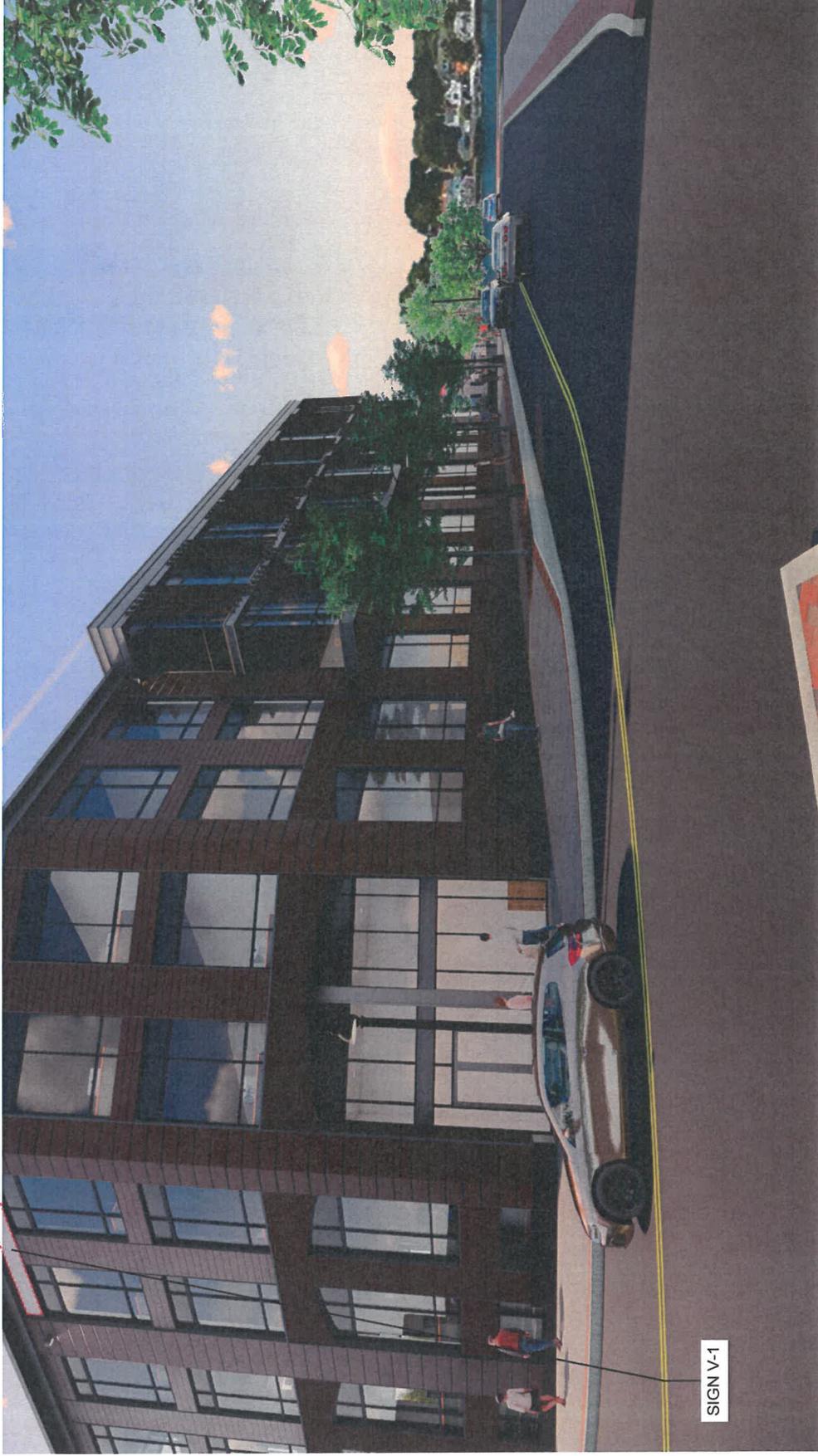
SOUTHEAST STREET VIEW 2



SOUTHWEST AERIAL VIEW



SOUTHWEST STREET VIEW



NORTHWEST STREET VIEW



NORTHEAST STREET VIEW 1



NORTHEAST STREET VIEW 2



NORTHEAST STREET VIEW 3

5/27/2020



CITY OF PORTSMOUTH

Planning Department
1 Junkins Avenue
Portsmouth, New
Hampshire 03801

(603) 610-7216

HISTORIC DISTRICT COMMISSION

May 27, 2020

RJF Maplewood, LLC
30 Temple Street , Suite 400
Nashua, NH 03060

RE: 111 Maplewood Avenue (LUHD-143)

Dear Owner:

The Historic District Commission, at its regularly scheduled meeting of **Wednesday May 20, 2020**, considered your request for administrative approval for changes to a previously approved design. Miscellaneous changes were proposed including:(the penthouse screen, railing location, curtain-wall fin system, terracotta arches, doors, windows, mechanical termination louvers and lighting). As a result of said consideration, the Commission voted to **grant** the Administrative Approval as presented.

The minutes and audio recording of this meeting are available by contacting the Planning Department.

Very truly yours,

Nicholas J. Cracknell, AICP, Principal Planner
for Vincent Lombardi, Chairman of the Historic District Commission

cc:

Eric Nelson, RW Norfolk Holdings, LLC

East Side of Building from Vaughan Street



View from Vaughan at AC Hotel



View from Raynes Avenue



View from Maplewood Avenue



View from Maplewood Avenue





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