

DAN SMITH MANAGEMENT GROUP, LLC

**In Re: Application for Variance  
407 The Hill #6-16  
Map/Lot 0118-0026-0004  
Portsmouth, New Hampshire**

**STATEMENT OF FACTS AND LAW**

This Statement of Facts and Law is submitted on behalf of Dan Smith Management Group, LLC (the “Applicant”) with respect to the real property located at 407 The Hill (identified at Map-Lot 0118-0026-0004, the “Property”) in connection with an Application for a variance to permit residential use on the ground floor of the Property pursuant to Section 10.642 of the Portsmouth Zoning Ordinance (the “Ordinance”).

All testimony, statements, representations, evidence, plans, reports, studies, exhibits and other information submitted to or to be submitted by or on behalf of the Applicant in connection with the Application at or prior to the public hearing on the Application (including but not limited to the plans, reports, studies and other material attached hereto) are incorporated by reference hereto.

The Applicant requests that the Zoning Board of Adjustment (the “ZBA”) approve this Statement of Facts and Law as the specific findings required pursuant to RSA 676:3, I.

**A. Background and Description.**

1. The Property consists of a 2-1/2 story house, with a side gable roof and clapboard exterior, built on Deer Street in 1761 and known as the “Samuel Beck House” and also as the “Hart-Treat House.” It was relocated, along with the surrounding houses, as part of the City’s urban renewal activities of the 1960’s and 1970’s.

2. As a well-preserved example of late-colonial architecture with an early Federal period door surround, the house was added to the National Registry of Historic Places in 1973. According to the National Registry of Historic Places, the historic function of the house was “domestic,” and the historic sub-function was “single-family dwelling.”

3. Since 2001, the Property has been part of The Hill of Portsmouth Condominium.

4. The Applicant owns and operates the Property. The ground floor is currently utilized for offices with the upper floor being utilized for residential use by the Applicant’s principal, Jeffrey Deuink.

5. The highest and best use of the Property is as a residential dwelling, with the ground floor converted from office use to residential use.

6. For zoning purposes, the Property is located in Character District 4 – Limited (CD4-L1), as well as the Historic District and the Downtown Overlay District.

7. Although single family dwellings are generally permitted in the CD4-L1 district (see Zoning Ordinance, §§10.440(1.10), 10.5A41(Fig. 10.5A41.10A), Section 10.642 of the Zoning Ordinance prohibits residential principal uses on the ground floor in the Downtown Overlay District.

**B. Details of Request**

8. The Applicant requests a variance from Section 10.642 of the Zoning Ordinance to allow the residential use of the ground floor of the Property.

**C. Variance Standards**

*1. The variance will not be contrary to the public interest.*

9. A variance is contrary to the public interest when it unduly, and to a marked degree, conflicts with the Zoning Ordinance such that it violates the Zoning Ordinance’s basic zoning objectives. Malachy Glen Assocs., Inc. v. Town of Chichester, 155 N.H. 102, 105 (2007). There are two methods for determining whether a variance will violate the Zoning Ordinance’s basic zoning objectives: (1) “whether granting the variance would alter the essential character of the neighborhood” or (2) “whether granting the variance would threaten the public health, safety, or welfare.” Harborside Assocs., L.P. v. Parade Residence Hotel, LLC, 162 N.H. 508, 514 (2011).

10. The variance requested here will not alter the essential character of the neighborhood. The Property is located in the Historic District, and the purpose of the district is to preserve the architectural and historical resources of the City of Portsmouth and conserve property values. The purpose of the district is also to strengthen the local economy and promote use of the district for education, pleasure and welfare of residents and visitors. See Zoning Ordinance, §10.630. Allowing residential use on the ground floor will promote these goals consistent with the Property’s historic use and its highest and best use and without any material impact on the neighbors or public at large.

11. Furthermore, the variance will not alter the essential character of the neighborhood because this Board recently granted a variance for 411 The Hill to be used entirely as a single-family dwelling.

12. The variance will not threaten the public health, safety, or welfare of the City. Allowing residential use on the ground floor of the Property does not inherently create a health, safety or welfare concern, and there is no reason to suspect that granting the variance in this case will. To the contrary, conversion of the entire property to residential use will likely reduce vehicular and pedestrian traffic, which will improve the overall safety and welfare of the area.

2. *The spirit of the Zoning Ordinance is observed by granting the variance.*

13. The requirement that the variance not be “contrary to the public interest” is “related to the requirement that the variance be consistent with the spirit of the Zoning Ordinance.” Malachy Glen Assocs., Inc. v. Town of Chichester, 155 N.H. at 105. For the reasons discussed above, allowing residential use on the ground floor of the Property will observe the spirit of the Ordinance and allow the Property to be used in a way that is consistent with its historic use and its highest and best use.

14. Furthermore, allowing residential use on the ground floor will complement and enhance the City’s architectural and historic character and contribute to its sense of place, which is the overall intent and purpose of the ordinance.

3. *Substantial justice will be done by granting the variance.*

15. The “substantial justice” element of a variance is guided by two rules: (1) that any loss to the individual that is not outweighed by a gain to the general public is an injustice, and (2) whether the proposed development is consistent with the area’s present use. Malachy Glen Assocs., Inc. v. Town of Chichester, 155 N.H. at 109. As noted above, the variance will promote the Property’s use in a manner which is consistent with the use of the neighborhood, its historic residential use, the purpose of the Historic District, and its highest and best use.

16. Denying the variance will be detrimental to the Applicant. It will needlessly harm the Applicant by denying residential use of the ground floor, where residential use is already permitted on the upper floor. The proposed use is consistent with the area’s present use because residential use is already permitted on the upper floor and a variance allowing a single-family dwelling was previously granted with respect to 411 The Hill. Denying the variance will also cause harm to the Applicant by limiting the economically viable use of the Property.

17. On the other hand, there will be no benefit to the public in denying the Application. The granting of a variance to allow residential use on the ground floor will not result in any of the harm the Ordinance seeks to prevent. The harm to the Applicant of strict enforcement of the Ordinance will outweigh the nonexistent benefit to the public. Granting the variance will therefore result in substantial justice.

4. *The values of surrounding properties will not be diminished.*

18. As set forth above, allowing residential use on the ground floor of the Property will benefit the City as a whole and the neighborhood in particular. Furthermore, conversion of the ground floor to residential use will not require any alterations to the exterior of the Property and will improve its historical integrity. The similar conversion of 411 The Hill has not created any problems or concerns for any of the neighbors of the surrounding properties. Granting the variance therefore will not diminish the value of the surrounding properties.

5. *Literal enforcement of the provisions of the Zoning Ordinance would result in an unnecessary hardship.*

19. A landowner need not establish that a variance is “necessary for a property’s use, only that the proposed use is reasonable given the particular conditions of the property. See Harborside Assocs., 162 N.H. at 519. “This factor, however, does *not* require the landowner to show that he or she has been deprived of *all* beneficial use of the land.” Harrington v. Town of Warner, 152 N.H. 74, 80-81 (2005) (emphasis added). The question of whether the property can possibly be used differently from what the applicant has proposed is not a material consideration. Malachy Glen, 155 N.H. at 108.

*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 because:*

20. Restricting the Applicant’s ability to utilize the ground floor for residential use would reduce the utility of the Property for its historical use. Exclusively allowing residential use on the second floor while restricting residential use on the ground floor is not the highest and best use of the Property and does not support the City as much as it could. As discussed above and as evidenced by the historical record, including the records from the National Registry of Historic Places, the Property has a history of being used for domestic and residential purposes. None of the harms that the Zoning Ordinance is intended to prevent, such as diminishing the surrounding historic properties or failing to preserve the historical significance of the Property, will occur by strictly applying the Zoning Ordinance in this case.

*ii. The proposed use is a reasonable one because:*

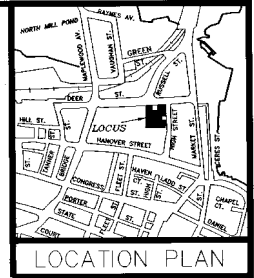
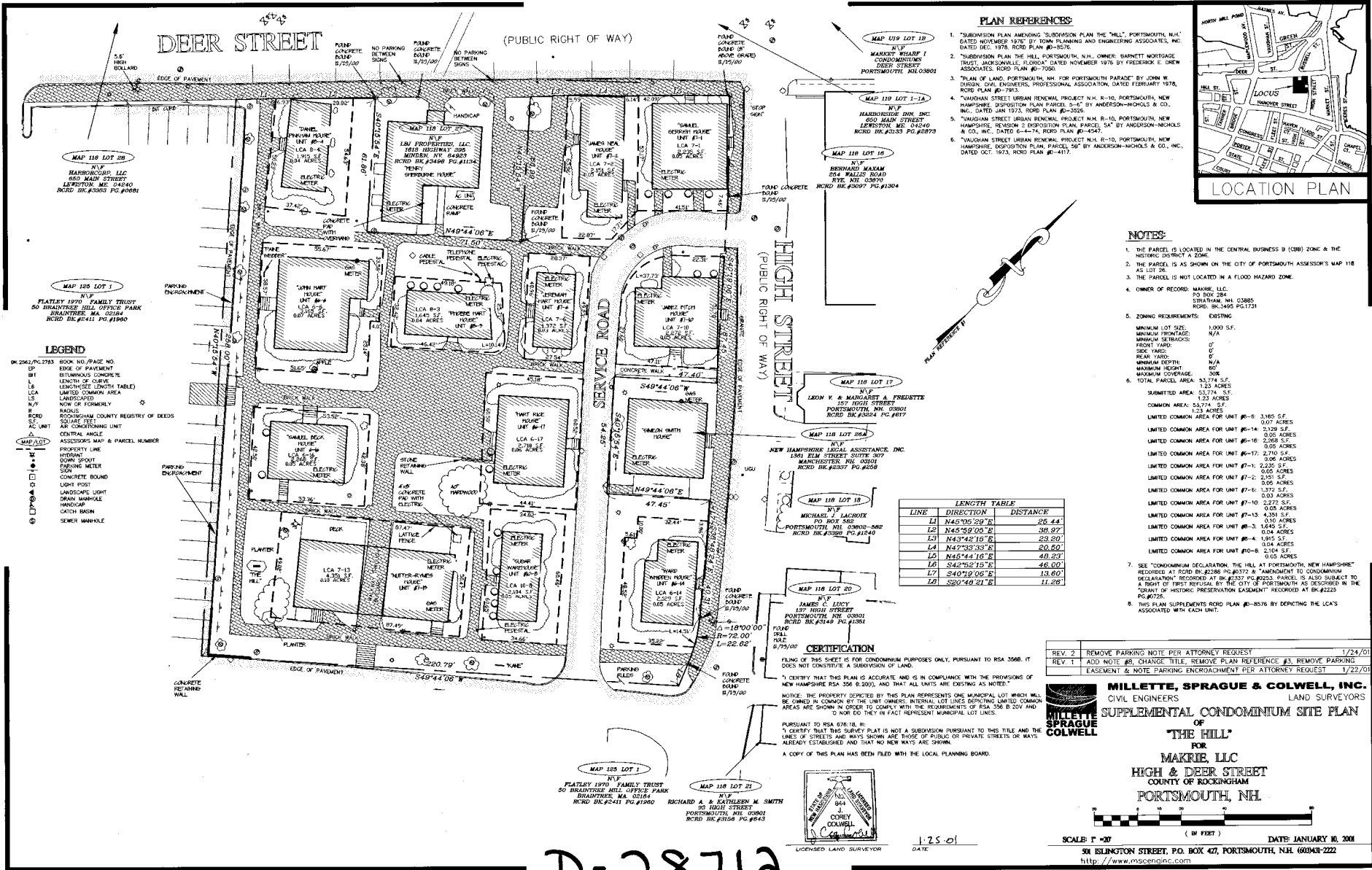
21. On the other hand, the Property is well suited for residential use on the ground floor. As residential use is already permitted on the floor above, allowing residential use on the ground floor would simply expand the already reasonable use of the floor above. Moreover, as previously stated, because 411 The Hill has been permitted to utilize its property for single-family dwelling, it would be reasonable to allow the Property in the same neighborhood to do the same. Finally, the prior historical use of the Property entirely for residential purposes is indicative of its reasonableness.

22. Although residential use is already permitted on the second floor, granting the variance will strengthen the economic vitality that the residential use brings to the City while increasing the pleasure of the residents of the Property by providing more living space for residents. Allowing residential use on the ground floor therefore will not impact the existing character of the neighborhood or the surrounding properties which also enjoy residential uses. Likewise, granting the variance will not burden the area, as it would enhance the character of the area by allowing additional space for residential use and will likely increase the safety of the area from a pedestrian and vehicular standpoint.

23. In these circumstances, a denial of this variance would result in unnecessary hardship.

The Applicant reserves the right to amend, modify, and/or supplement this application on or before the hearing thereon.

4916-5068-0737, v. 2



- PLAN REFERENCES**
- "SUBDIVISION PLAN AMENDING 'SUBDIVISION PLAN THE HILL', PORTSMOUTH, N.H.' DATED NOVEMBER 1976 BY TOWN PLANNING AND ENGINEERING ASSOCIATES, INC. DATED DEC. 1978, ROAD PLAN #0-8576.
  - "SUBDIVISION PLAN THE HILL, PORTSMOUTH, N.H. OWNER: BARNETT MORTGAGE TRUST, WASHINGTON, D.C. DATED NOVEMBER 1976 BY FREDERICK C. CREW ASSOCIATES, ROAD PLAN #0-7050.
  - "PLAN OF LAND, PORTSMOUTH, NH FOR PORTSMOUTH PARADE BY JOHN W. DUDON, CIVIL ENGINEER, PROFESSIONAL ASSOCIATION, DATED FEBRUARY 1976, ROAD PLAN #0-7913.
  - "VAUGHAN STREET URBAN RENOVATION PROJECT N.H. R-10, PORTSMOUTH, NEW HAMPSHIRE, DISPOSITION PLAN, PARCEL 3-4" BY ANDERSON-NICHOLS & CO., INC. DATED JAN 1974, ROAD PLAN #0-5256.
  - "VAUGHAN STREET URBAN RENOVATION PROJECT N.H. R-10, PORTSMOUTH, NEW HAMPSHIRE, REVISION 2 DISPOSITION PLAN, PARCEL 5A" BY ANDERSON-NICHOLS & CO., INC. DATED 6-14-79, ROAD PLAN #0-4547.
  - "VAUGHAN STREET URBAN RENOVATION PROJECT N.H. R-10, PORTSMOUTH, NEW HAMPSHIRE, DISPOSITION PLAN, PARCEL 5B" BY ANDERSON-NICHOLS & CO., INC. DATED OCT. 1973, ROAD PLAN #0-4117.

- NOTES**
- THE PARCEL IS LOCATED IN THE CENTRAL BUSINESS B (CBB) ZONE & THE HISTORIC DISTRICT A ZONE.
  - THE PARCEL IS AS SHOWN ON THE CITY OF PORTSMOUTH ASSESSOR'S MAP 118 AS LOT 26.
  - THE PARCEL IS NOT LOCATED IN A FLOOD HAZARD ZONE.
  - OWNER OF RECORD: MAKRIE, LLC STRATHAM, NH 03865 ROAD BK #2385 PG #131
  - ZONING REQUIREMENTS: EXISTING
 

|                   |            |
|-------------------|------------|
| MINIMUM LOT SIZE: | 1,000 S.F. |
| MINIMUM FRONTAGE: | N/A        |
| MINIMUM SETBACKS: | N/A        |
| FRONT YARD:       | 0'         |
| SIDE YARD:        | 0'         |
| REAR YARD:        | 0'         |
| MINIMUM DEPTH:    | N/A        |
| MINIMUM HEIGHT:   | N/A        |
| MINIMUM COVERAGE: | 30%        |
  - TOTAL PARCEL AREA: 53,774 S.F. 1.23 ACRES  
 SUBMITTED AREA: 53,774 S.F. 1.23 ACRES  
 COMMON AREA: 53,774 S.F. 1.23 ACRES  
 LIMITED COMMON AREA FOR UNIT #0-5: 3,165 S.F.  
 LIMITED COMMON AREA FOR UNIT #0-14: 2,129 S.F.  
 LIMITED COMMON AREA FOR UNIT #0-15: 2,508 S.F.  
 LIMITED COMMON AREA FOR UNIT #0-17: 2,710 S.F.  
 LIMITED COMMON AREA FOR UNIT #0-18: 2,151 S.F.  
 LIMITED COMMON AREA FOR UNIT #0-19: 2,009 S.F.  
 LIMITED COMMON AREA FOR UNIT #0-20: 1,372 S.F.  
 LIMITED COMMON AREA FOR UNIT #0-21: 2,272 S.F.  
 LIMITED COMMON AREA FOR UNIT #0-22: 1,055 S.F.  
 LIMITED COMMON AREA FOR UNIT #0-23: 4,351 S.F.  
 LIMITED COMMON AREA FOR UNIT #0-3: 1,649 S.F.  
 LIMITED COMMON AREA FOR UNIT #0-4: 1,054 S.F.  
 LIMITED COMMON AREA FOR UNIT #0-8: 2,104 S.F.  
 LIMITED COMMON AREA FOR UNIT #0-9: 1,015 S.F.
  - SEE "CONDOMINIUM DECLARATION, THE HILL AT PORTSMOUTH, NEW HAMPSHIRE" RECORDED AT ROAD BK #2386 PG #0372 & "AMENDMENT TO CONDOMINIUM DECLARATION" RECORDED AT BK #2337 PG #0223. PARCEL IS ALSO SUBJECT TO A RIGHT OF HISTORIC PRESERVATION EASEMENT RECORDED AT BK #2225 PG #0726.
  - THIS PLAN SUPERSEDES ROAD PLAN #0-8576 BY DEPICTING THE LCA'S ASSOCIATED WITH EACH UNIT.

**LENGTH TABLE**

| LINE | DIRECTION    | DISTANCE |
|------|--------------|----------|
| L1   | N45°06'29" E | 26.44'   |
| L2   | N45°58'05" E | 28.97'   |
| L3   | N43°42'15" E | 29.20'   |
| L4   | N47°33'33" E | 20.50'   |
| L5   | N45°44'18" E | 49.23'   |
| L6   | S42°52'15" E | 46.00'   |
| L7   | S40°12'06" E | 19.60'   |
| L8   | S20°48'21" E | 11.26'   |

- LEGEND**
- DK 2562/PC 2783 BOOK NO./PAGE NO.
  - DP EDGE OF PAVEMENT
  - BT BITUMINOUS CONCRETE
  - L LENGTH OF CURVE
  - LCA LIMITED COMMON AREA
  - LS LANDSCAPED
  - N/W NOW OR FORMERLY
  - R RADIUS
  - RCD RECORD
  - SEAL SEAL
  - SEAL UNIT
  - AC AIR CONDITIONING UNIT
  - AS ASSESSORS MAP & PARCEL NUMBER
  - PL PROPERTY LINE
  - HYDRON HYDRON
  - DS DOWN SPOUT
  - EM ELECTRIC METER
  - DN DRAIN
  - CONCRETE BOUND
  - LI LIGHT FIXTURE
  - LA LANDSCAPE LIGHT
  - DR DRAIN MANHOLE
  - HA HANDICAP
  - CA CATCH BASIN
  - SM SEWER MANHOLE

**CERTIFICATION**

PLANS OF THIS SHEET IS FOR CONDOMINIUM PURPOSES ONLY, PURSUANT TO RSA 366B. IT DOES NOT CONSTITUTE A SUBDIVISION OF LAND.

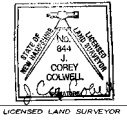
I, CERTIFY THAT THIS PLAN IS ACCURATE AND IS IN COMPLIANCE WITH THE PROVISIONS OF NEW HAMPSHIRE RSA 356 B:2001, AND THAT ALL UNITS ARE EXISTING AS NOTED.

NOTICE: THE PROPERTY DEPICTED BY THIS PLAN REPRESENTS ONE MANORIAL LOT WHICH MAY BE OWNED IN COMMON BY THE UNIT OWNERS. INTERNAL LOT LINES DEFINING LIMITED COMMON AREAS ARE SHOWN IN ORDER TO COMPLY WITH THE REQUIREMENTS OF RSA 356 B:20 AND TO SHOW THE CITY OF PORTSMOUTH MUNICIPAL LOT LINES.

PURSUANT TO RSA 676:18, I:

1) CERTIFY THAT THIS SURVEY PLAN IS NOT A SUBDIVISION PURSUANT TO THIS TITLE AND THE LINES OF STREETS AND WAYS SHOWN ARE THOSE OF PUBLIC OR PRIVATE STREETS OR WAYS ALREADY ESTABLISHED AND THAT NO NEW WAYS ARE SHOWN.

A COPY OF THIS PLAN HAS BEEN FILED WITH THE LOCAL PLANNING BOARD.



|        |   |         |
|--------|---|---------|
| REV. 2 | REMOVE PARKING NOTE PER ATTORNEY REQUEST  | 1/24/01 |
| REV. 1 | ADD NOTE #8, CHANGE TITLE, REMOVE PLAN REFERENCE #3, REMOVE PARKING EASEMENT & NOTE PARKING ENCROACHMENT PER ATTORNEY REQUEST | 1/22/01 |

**MILLETTE, SPRAGUE & COLWELL, INC.**  
 CIVIL ENGINEERS LAND SURVEYORS  
**SUPPLEMENTAL CONDOMINIUM SITE PLAN**  
 OF  
**"THE HILL"**  
 FOR  
**MAKRIE, LLC**  
**HIGH & DEER STREET**  
 COUNTY OF ROCKINGHAM  
**PORTSMOUTH, NH**

SCALE: 1" = 20' (IN FEET) DATE: JANUARY 10, 2001  
 501 ISLINGTON STREET, P.O. BOX 427, PORTSMOUTH, NH 03803-2222  
<http://www.msceinc.com>

D-28712



PORTSMOUTH  
ATHENÆUM



Catalog Number P0007\_52\_02a

Collection Arthur I. Harriman Photograph

Title Hart-Treat House

Date 1938-1939

Year Range from 1935

Year Range to 1945

Description The Hart-Treat House on its original location, 107 Deer Street, Portsmouth, NH.  
  
See P07\_52\_02 for image.

Photographer Harriman, Arthur I. (Portsmouth)

Object Name Negative, Film

Print size 5" x 4"

Search Terms Hart-Treat House (The Hill, aka Beck, Samuel House)  
Deer Street  
Old State House  
Vaughan Street Urban Renewal Project Hill, The (Portsmouth)

Subjects Historic buildings  
Steps  
Balconies  
Building relocation  
Urban renewal  
State houses

People Hart, Samuel, 1741-1813  
Ham, George, c1767-1832  
Treat, Samuel, 1788-1862  
Harriman family  
Harriman, Arthur Ilsley, 1875-1947

|                    |                     |                       |                           |
|--------------------|---------------------|-----------------------|---------------------------|
| <b>Other#</b>      |                     | <b>Category</b>       | 8: Communication Artifact |
| <b>Refer code</b>  |                     | <b>Subcategory</b>    | Documentary Artifact      |
| <b>Accession#</b>  | 2006.0249           | <b>Container</b>      |                           |
| <b>Received as</b> | Found in Collection | <b>Accession date</b> | 10/19/2006                |
| <b>Source</b>      | Unknown             |                       |                           |
| <b>Creditline</b>  |                     |                       |                           |
| <b>Home loc</b>    | Vault               |                       |                           |

Allen treat - p. 153

**Identity Statement:**

Title: Unidentified Account Books  
 Dates of creation: 1856-1858

samuel treat - p. 53

**Scope & Content / Abstract:**

Two account books kept by an unidentified Portsmouth merchant. Names in expenses include Irah Rugg (carpenter), Toby and Littlefield, Alexander Ladd, the Portsmouth Steam Factory, and the Portsmouth Steam Planing Mill. Many other local names included. Indexed - see multimedia files for pdf.

**Context:****Structure:****Disposition:****Disposition date:****Conditions of Access & Use:****Allied Materials:**

**Collection** Unidentified Account Books  
**Event**  
**Medium**

|                      |                        |                    |                        |
|----------------------|------------------------|--------------------|------------------------|
| <b>Catdate</b>       | 10/19/2006             | <b>Status date</b> | 10/19/2006             |
| <b>Catby</b>         | Kindstedt, Susan Stowe | <b>Status by</b>   | Kindstedt, Susan Stowe |
| <b>Display value</b> |                        | <b>Status</b>      | OK                     |

|                     |                        |                   |            |
|---------------------|------------------------|-------------------|------------|
| <b>Condition</b>    | Good                   | <b>Cond date</b>  | 10/19/2006 |
| <b>Condition by</b> | Kindstedt, Susan Stowe | <b>Cond notes</b> |            |

|                  |  |                   |  |                          |
|------------------|--|-------------------|--|--------------------------|
| <b>Appraisor</b> |  | <b>Acq value</b>  |  | <b>Current value min</b> |
| <b>App notes</b> |  | <b>Value date</b> |  | <b>Current value max</b> |

|                    |  |                    |                        |
|--------------------|--|--------------------|------------------------|
| <b>Ins policy#</b> |  | <b>Ins phone#</b>  |                        |
| <b>Ins company</b> |  | <b>Ins premium</b> |                        |
| <b>Ins rep</b>     |  | <b>Ins value</b>   | <b>Policy exp date</b> |

**Temp loc**

|                  |  |                 |  |
|------------------|--|-----------------|--|
| <b>Date</b>      |  | <b>By/Until</b> |  |
| <b>Invn date</b> |  | <b>Invn by</b>  |  |

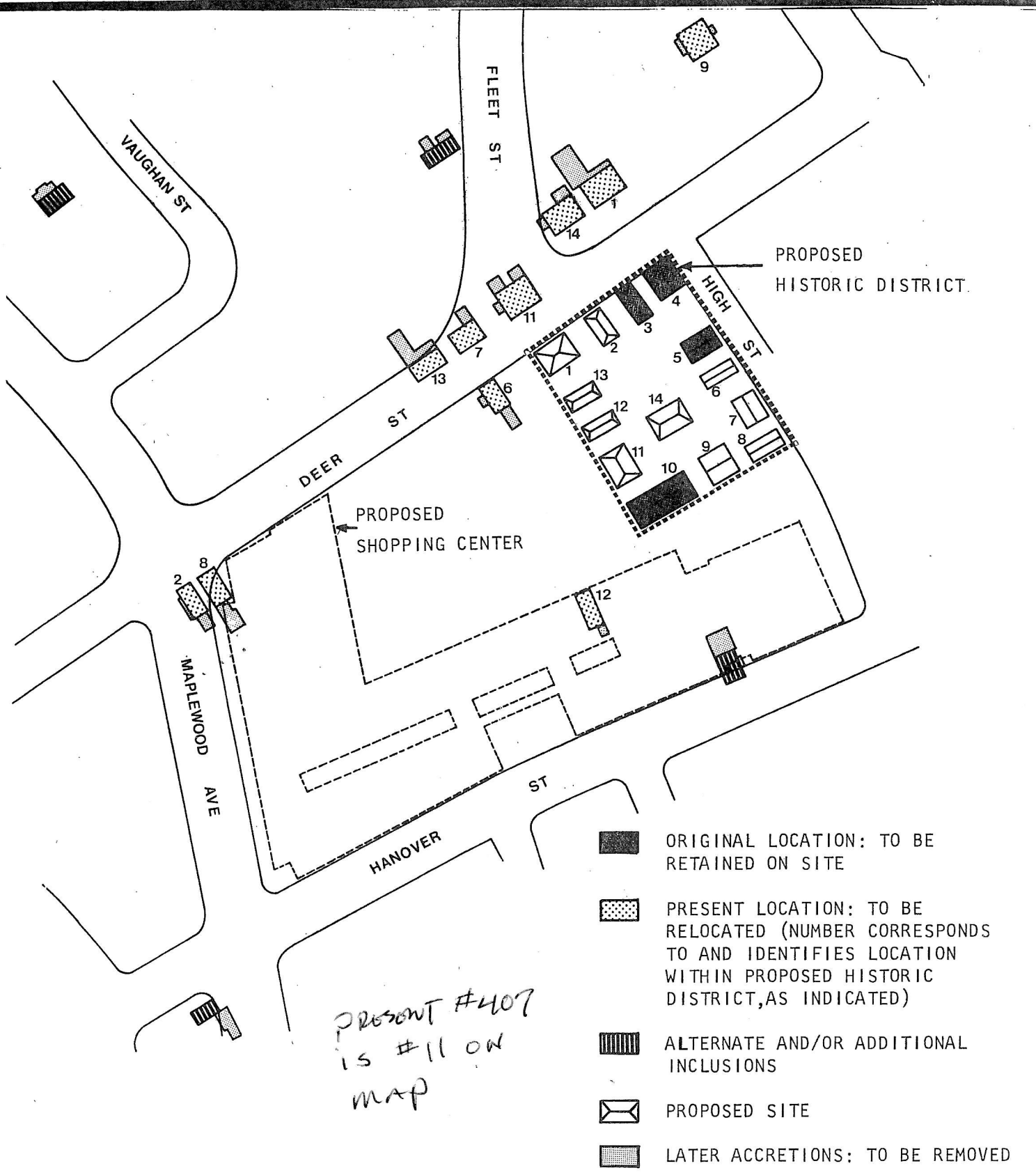
|                 |                                |                       |  |
|-----------------|--------------------------------|-----------------------|--|
| <b>Subjects</b> | Portsmouth (N.H.)<br>Merchants | <b>Classification</b> |  |
|-----------------|--------------------------------|-----------------------|--|

|                     |  |               |   |
|---------------------|--|---------------|---|
| <b>Search terms</b> | Barker & Adams<br>Concord & Portsmouth Railroad<br>Eastern Railroad Company<br>Eliot (Me.)<br>Fisher and Eldredge<br>George Raynes' shipyard<br>Gilbert and Head<br>Grant and Lewis<br>Greenland (N.H.)<br>Hastings and Pierce<br>John Yeaton & Son<br>Jones and Chesley | <b>People</b> | Abbott, George Plaisted, 1821-1910<br>Adams, Joseph B., 1818-1874<br>Adams, Samuel E., 1810-1892<br>Akerman, Joseph Day, 1810-1883<br>Akerman, Leonard, c1798-1876<br>Allen, Frank, dfl. 1857<br>Badger, Samuel Augustus, 1794-1857<br>Ball, Trueworthy Muchmore, c1815-1890<br>Barker, Jonathan, 1792-1866<br>Barnes, John E. H., 1810-1858<br>Bartlett, James Pierrepont, 1820-1896<br>Beck, Andrew Jackson (Col.), 1811-1892 |
|---------------------|--|---------------|---|

# PROPOSED HISTORIC DISTRICT






VAUGHAN STREET URBAN RENEWAL PROJECT (N.H.-10) PORTSMOUTH, N.H.

0 150 FT



PROPOSED HISTORIC DISTRICT.

PROPOSED SHOPPING CENTER

-  ORIGINAL LOCATION: TO BE RETAINED ON SITE
-  PRESENT LOCATION: TO BE RELOCATED (NUMBER CORRESPONDS TO AND IDENTIFIES LOCATION WITHIN PROPOSED HISTORIC DISTRICT, AS INDICATED)
-  ALTERNATE AND/OR ADDITIONAL INCLUSIONS
-  PROPOSED SITE
-  LATER ACCRETIONS: TO BE REMOVED

PRESENT #407  
IS #11 ON  
MAP



DOWN TO 4 1/2"

UNITED STATES DEPARTMENT OF THE INTERIOR  
NATIONAL PARK SERVICE

NATIONAL REGISTER OF HISTORIC PLACES  
PROPERTY PHOTOGRAPH FORM

(Type all entries - attach to or enclose with photograph)

|                        |            |
|------------------------|------------|
| STATE<br>New Hampshire |            |
| COUNTY<br>Rockingham   |            |
| FOR NPS USE ONLY       |            |
| ENTRY NUMBER           | DATE       |
|                        | APR 5 1972 |



SEE INSTRUCTIONS

|   |  |            |                       |
|---|--|------------|-----------------------|
| 1. NAME   |  |            |                       |
| COMMON: Samuel Beck House   |  |            |                       |
| AND/OR HISTORIC:  |  |            |                       |
| 2. LOCATION   |  |            |                       |
| STREET AND NUMBER:<br>107 Deer Street   |  |            |                       |
| CITY OR TOWN:<br>Portsmouth,  |  |            |                       |
| STATE:<br>New Hampshire   |  | CODE<br>33 | COUNTY:<br>Rockingham |
|   |  |            | CODE<br>015           |
| 3. PHOTO REFERENCE  |  |            |                       |
| PHOTO CREDIT: Portsmouth Preservation, Inc.   |  |            |                       |
| DATE OF PHOTO: 1970   |  |            |                       |
| NEGATIVE FILED AT:<br>Portsmouth Preservation, Inc., 111 Bow St., Portsmouth, N.H.  |  |            |                       |
| 4. IDENTIFICATION   |  |            |                       |
| DESCRIBE VIEW, DIRECTION, ETC.<br>Showing location on westerly side of Deer St. with front facade facing easterly towards downtown business district. |  |            |                       |

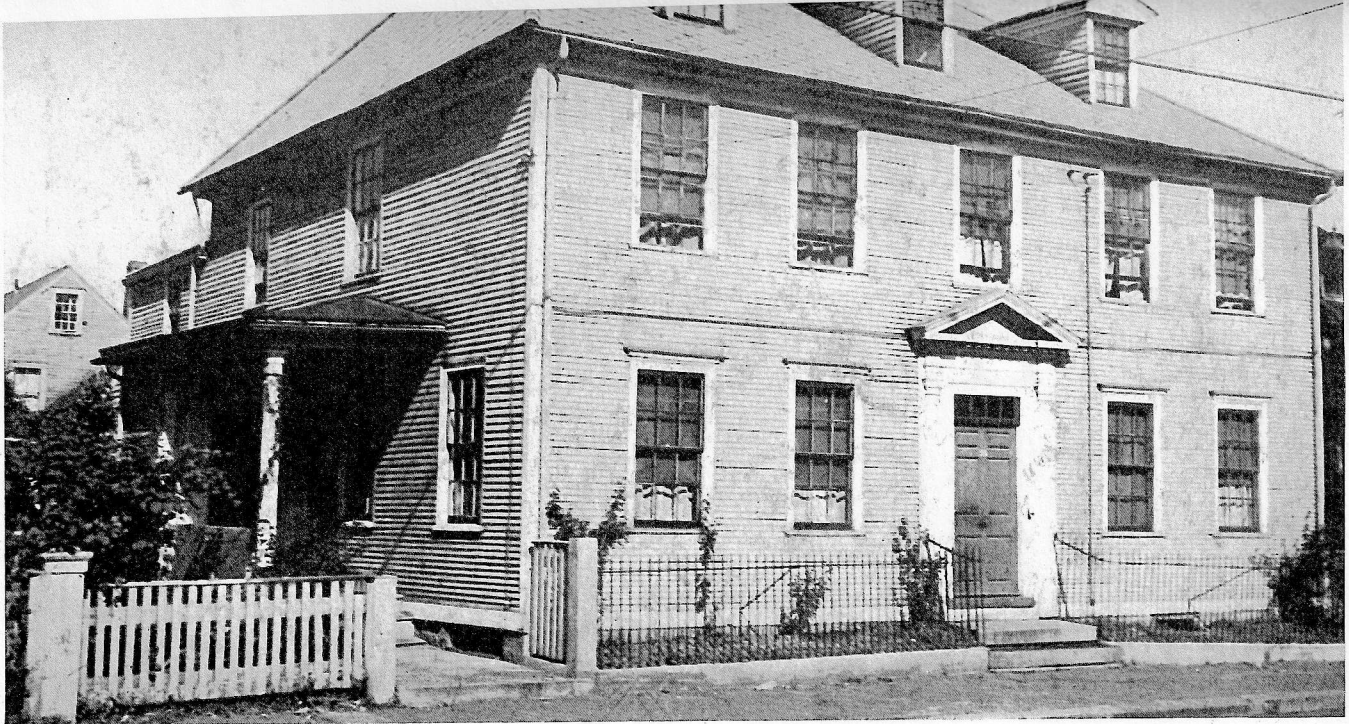


Fig. 218

CAPTAIN WILLIAM RICE HOUSE, 93 DEER STREET, PORTSMOUTH

As early as 1741 this house was owned by John Newmarch. Capt. Rice, who later lived here, was a noted sea captain and privateersman of the war of 1812. In 1814 a "Calico Party" was held at his house, and the ladies were invited to cut the dress patterns they desired from the bales of calico which one of Capt. Rice's ships had captured from the British.

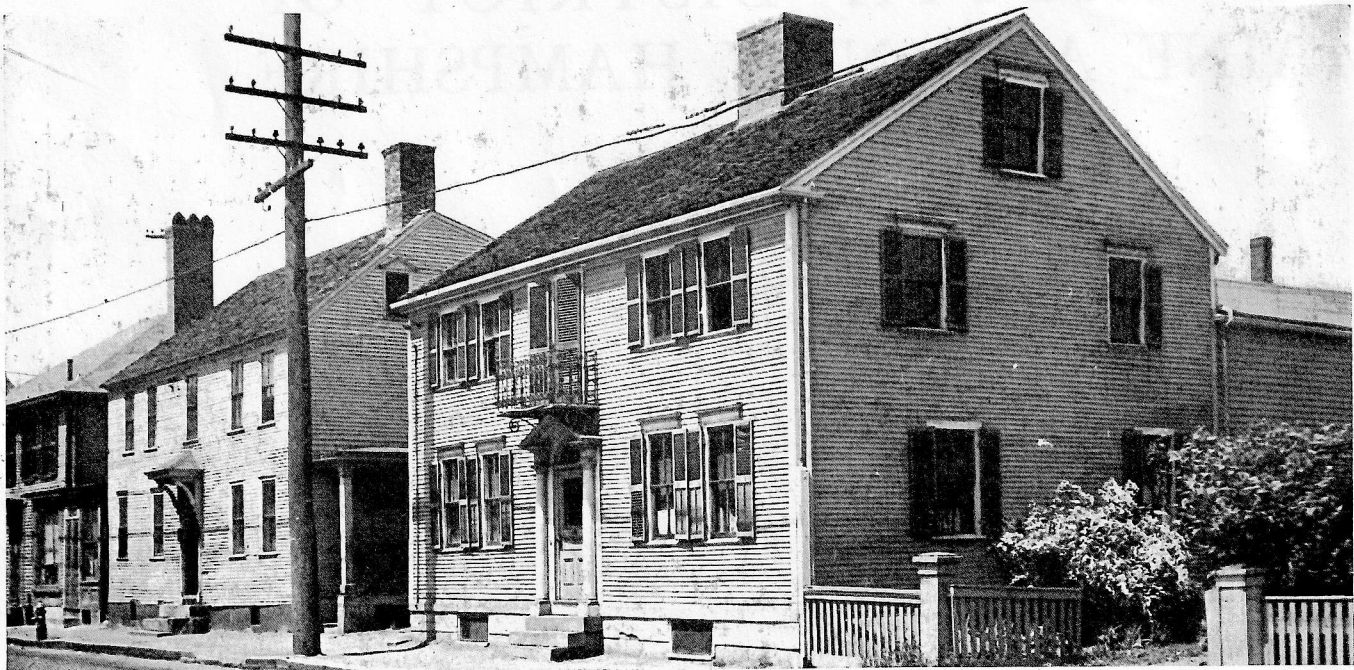


Fig. 219

HART-TREAT HOUSE, DEER STREET, PORTSMOUTH

Daniel Hart who owned much property in this vicinity is said to have built this house. It was listed in the inventory of his estate in 1740. The stone steps and the small iron balcony which adorn the house were from the Old State House.



Portsmouth, N.H.  
From: "The Role of the Provincial Capital in the Development."

by Howard T. Oedel (B.U. dissertation) 1960

PART X

COLONIAL PORTSMOUTH'S ARCHITECTURAL HERITAGE

1370  
20-22-1000 A  
P7-52C  
Built prior to 1761

Sept. 11, 1761 Samuel & Bridget Hart,  
conveyed property to Samuel Beck.

March 31, 1825 George Ham Wakeham  
sold to Samuel Treat.

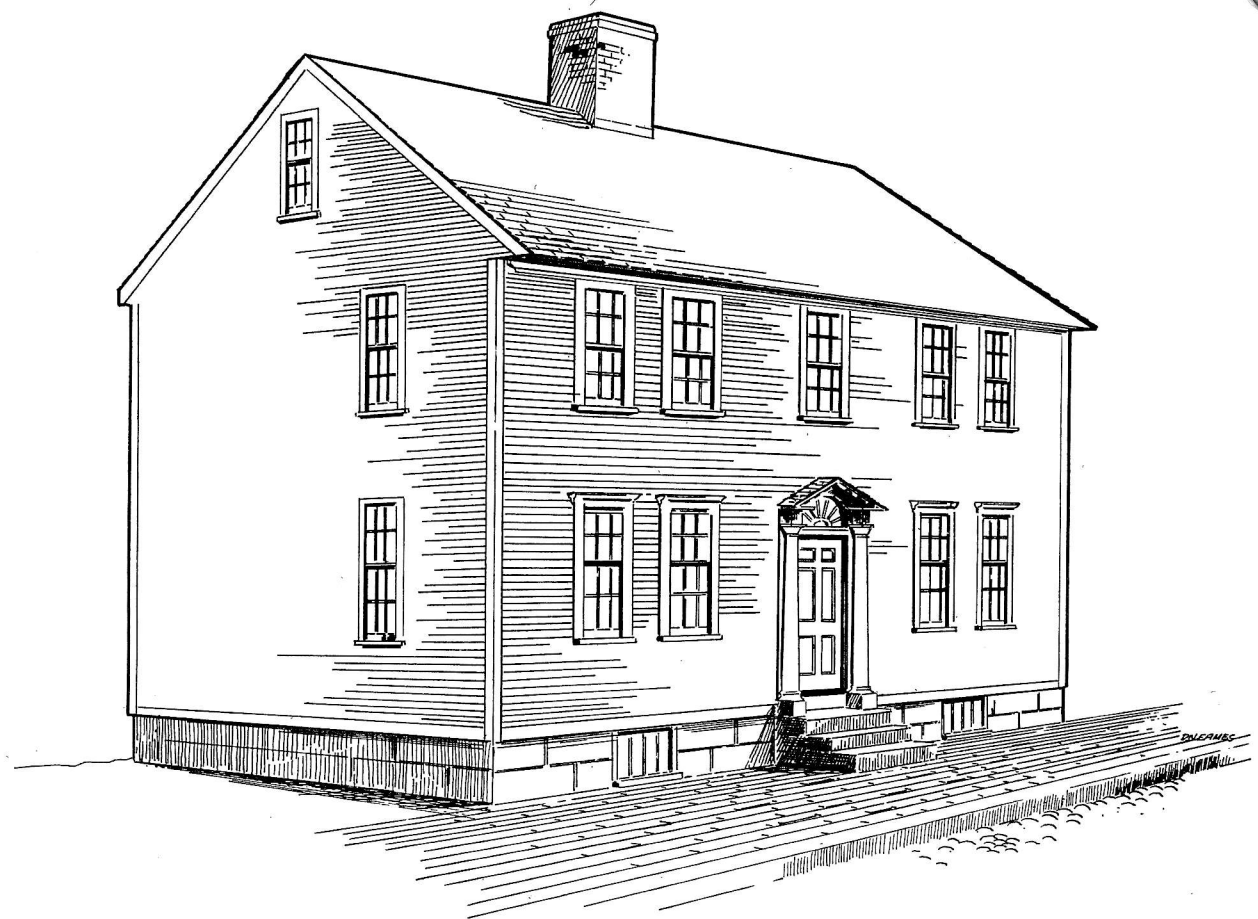
Balcony from The Old State House  
placed there in 1836 by S. Treat

Steps from West End of Court House  
at Mason Wablin House August 1822  
East Steps to be seen in photo

P 0007.52-03

over →



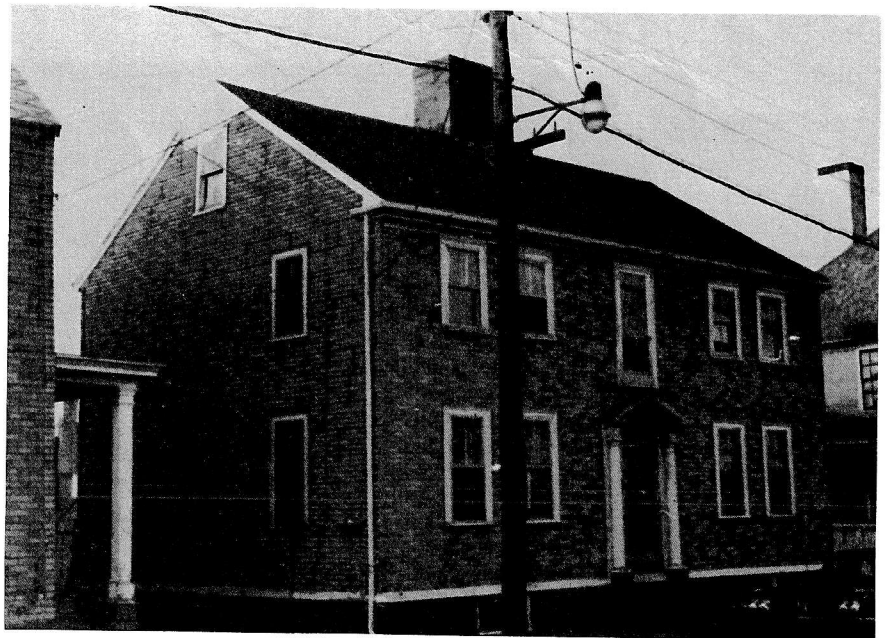


**T**HE Samuel Beck House (c. 1770-1800) on Deer Street reflects a late 18th century central-chimney house common to all parts of New England. The handsome columned doorway is of a type which came to New England after the Revolution and gained in popularity at the turn of the 19th century.

As it stands today (right), the house has been covered with modern exterior siding, which may have protected the earlier clapboards. During the last century, a doorway was cut through on the upper story to a small wrought iron balcony which has since been removed.

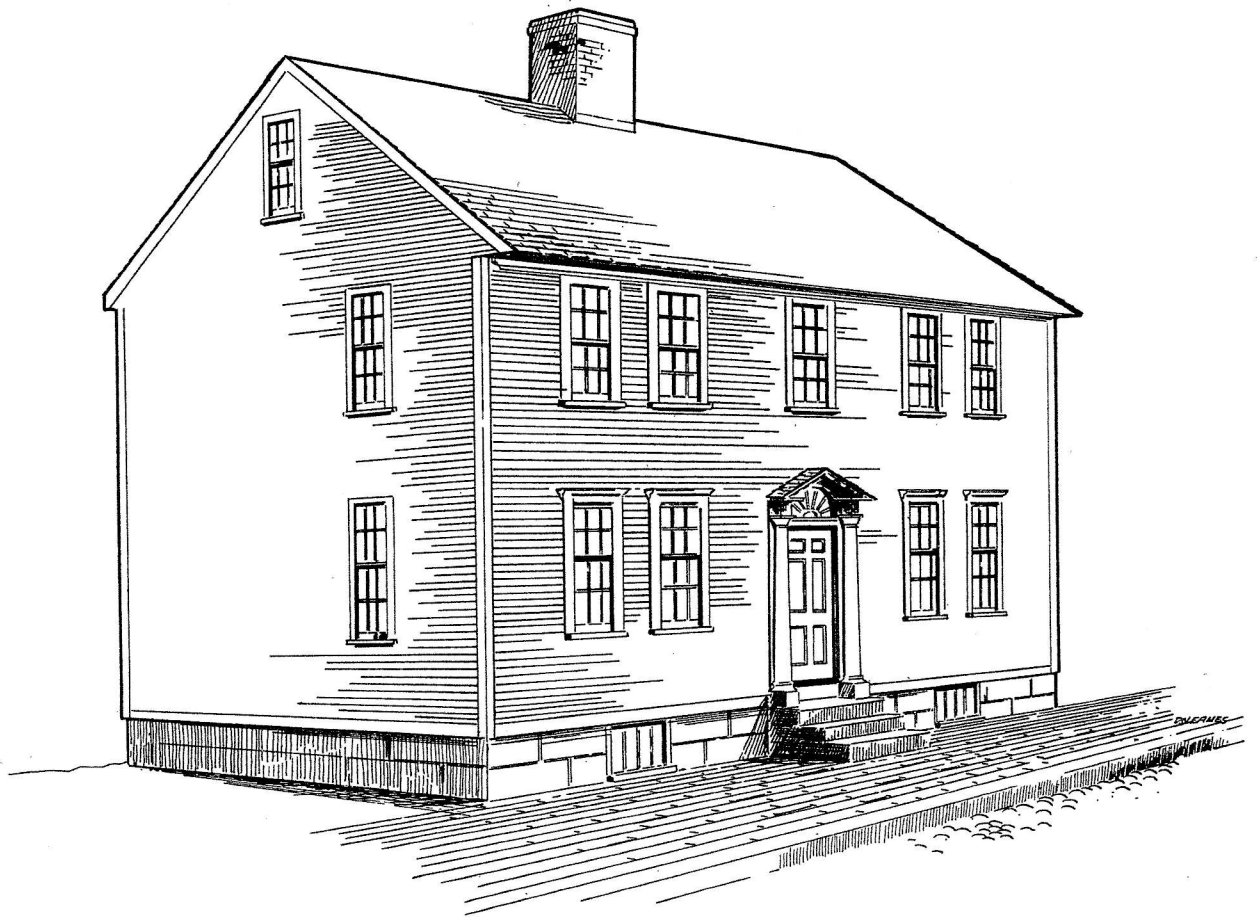
Old photographs show window caps above the first story windows on the front, as restored in the drawing (above). The later balcony door has been replaced by a matching window above the front door, and all windows contain new six over six sash lights.

Although the finely detailed Federal style door enframement has remained essentially intact, the semi-circular window light and door have been replaced. Another house



on Deer Street has a nearly identical doorway, and its original fan-light and 6-paneled door have been copied to show how the Beck house facade may have once appeared.

This home is further enhanced by a unique red sandstone foundation and front steps. Blocks of this sandstone also form the base of the wooden columns on either side of the door. Urban Renewal plans for a road through this and adjacent properties requires the relocation of the house. As an integral part of the house, these attractive foundation blocks would be removed and replaced on a new site as part of the restoration of this structure.



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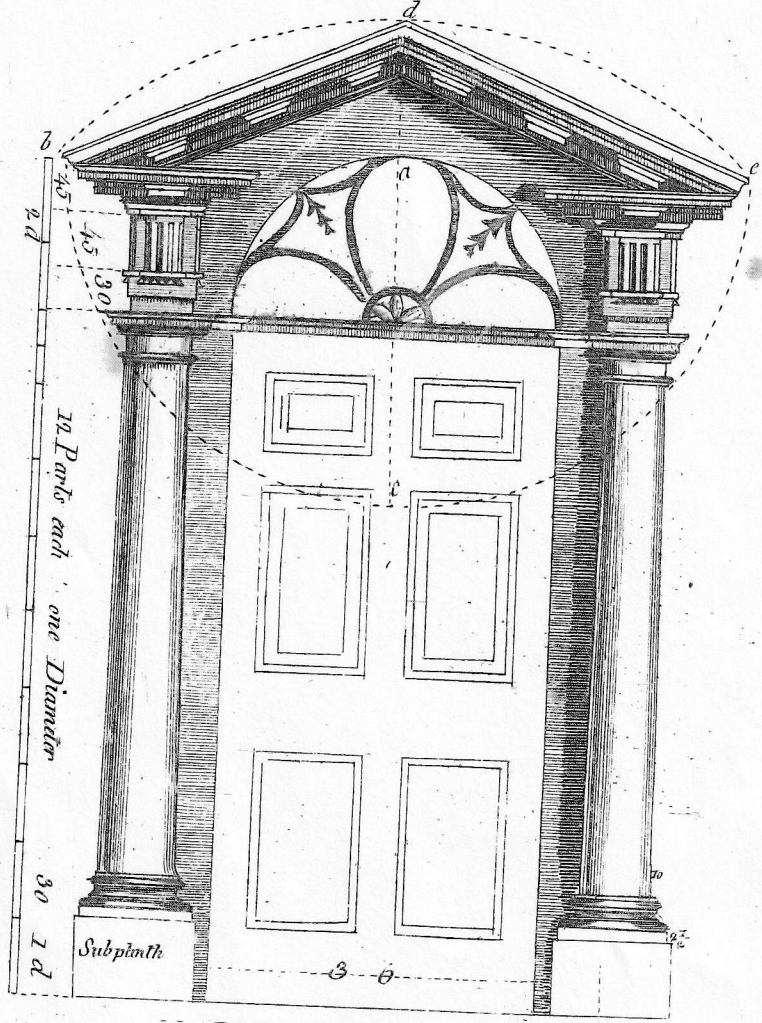
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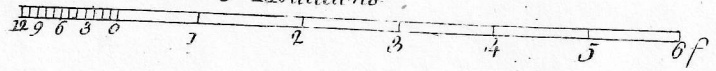
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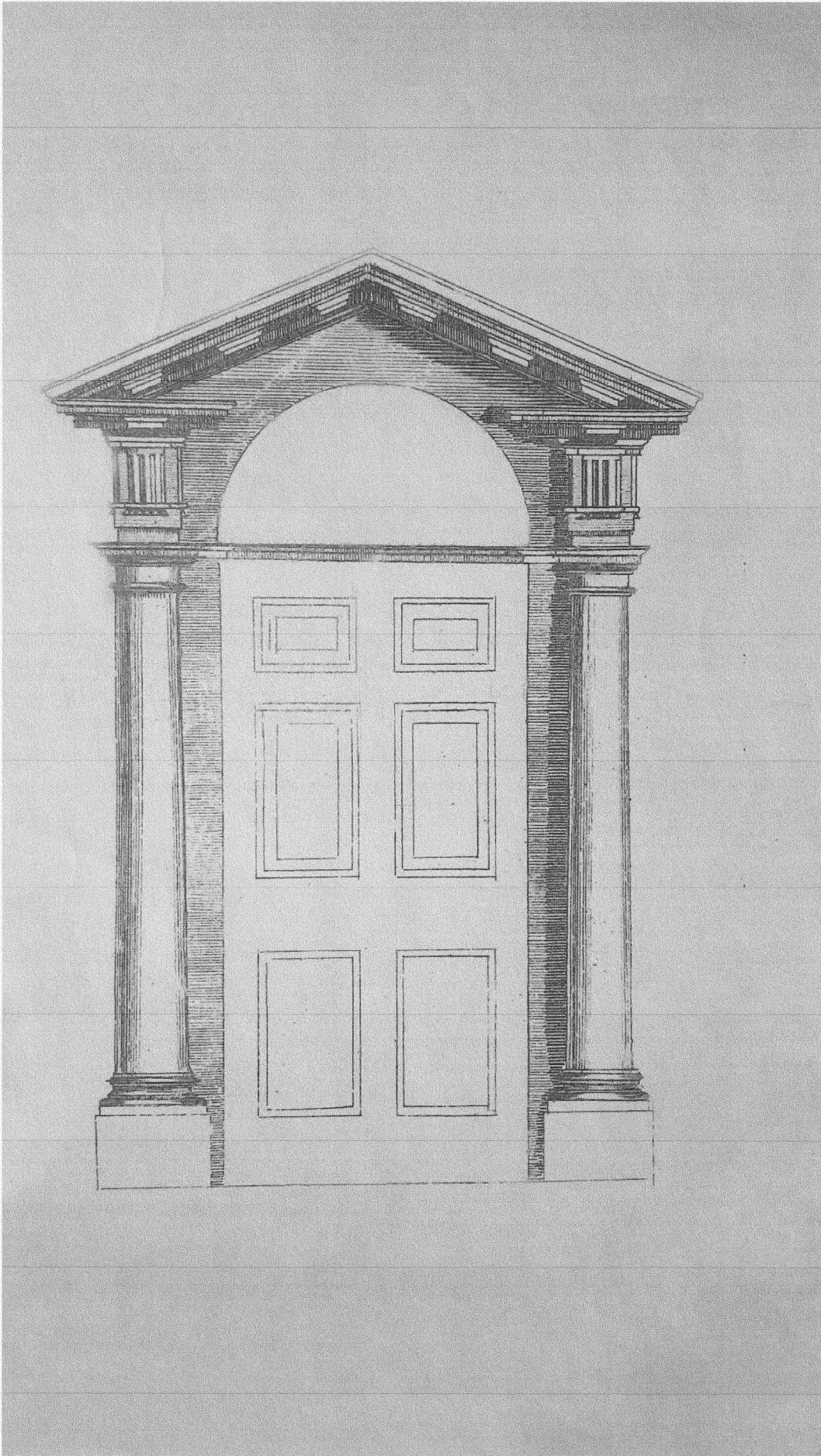
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Plate 38



ØD 15 m  
5 Modillions





New tax map(1979)U18 lot26L size  
Old tax map 16 lot 5 size

Owner SHAINES, R.A.&S.N. & FISHBEIN A. Trustees  
Address Hill Realty Trust  
25 Maplewood 03801

Location of legal description:  
Rockingham County Registry of Deeds  
Hampton Road; Exeter, New Hampshire  
03833

Representation in existing surveys:  
HABS \_\_\_ NRx \_\_\_ NHL \_\_\_  
HAER \_\_\_ Other \_\_\_

Date c. 1760 & 1790  
Sources: Estimate x Other: between 1761 and 1807

Historic name Samuel Beck house  
Common name (formerly "Hart-Treat")  
Original owner Samuel Beck  
Architect/bldr.

Functional type house  
Present use, if different offices

Moved x Originally Date 1972  
Altered 107 Deer Street Date  
From Deer St. (urban renewal)

Effect: Focal \_\_\_ Contributing \_\_\_  
non-contributing x Intrusion \_\_\_

Photo roll 20 no. 33  
Negative with: Portsmouth Advocates  
Description Samuel Beck House - 1760  
Date taken \_\_\_ by \_\_\_

1. Style early Federal No. of stories 2 1/2 No. of bays 5 x 3  
late Georgian

2. Overall plan: Rectangular.

3. Foundation: Brick x Stone \_\_\_ Poured concrete \_\_\_ Concrete block \_\_\_  
Artificial stone \_\_\_ Other \_\_\_

4. Wall structure: Wood frame x Brick \_\_\_ Stone \_\_\_ Other \_\_\_  
If wood: Post and beam \_\_\_ Balloon frame \_\_\_

5. Wall covering: Clapboard x Wood shingle \_\_\_ Flushboard \_\_\_ Imitation ashlar \_\_\_  
Brick \_\_\_ Stone \_\_\_ Stucco \_\_\_ Composition board \_\_\_ Aluminum \_\_\_ Vinyl \_\_\_  
Sheet metal \_\_\_ Asphalt shingles \_\_\_ Other \_\_\_

6. Roof: Gable x Hip \_\_\_ Shed \_\_\_ Mansard \_\_\_ Flat \_\_\_ Gambrel \_\_\_ Other \_\_\_

7. Specific features (location, no., appearance of porches, windows, doors, chimnies, dormers, ells/wings--see also description), decorative elements:  
Modern wood front steps, paine type doorway c. 1800, restored 6/6 sash throughout

8. Outbuildings:

(over.....

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ADVOCATES, INC.

P.O. BOX 4066 • PORTSMOUTH, NEW HAMPSHIRE 03801  
603-431-2499



cription:

5 x 3 bay central chimney house, remodded c. 1800-1810 with William Paine type fan light doorway (fan gone, plain glass). Two windows on each side of door and one above front door; only one window present N side each floor, two on S side and four across rear with new rear door 5-bay without window above. Short return of molded cornice on ends. Wood shingle restored roof.

ificance:

The Beck House is significant for its exterior Federal woodwork dating from the early nineteenth century. The pedimented and fan-lighted door enframement of applied columns is one of a very few examples of this early Adamesque style in the city. These additions as well as the unusual Connecticut sandstone foundation facing stone and steps illustrate improvements to an earlier streetscape in Portsmouth's greatest period of rebuilding (NR form).

ibliography:

Howells, fig. 219.

NH Profiles, Feb. 1969, March 1970.

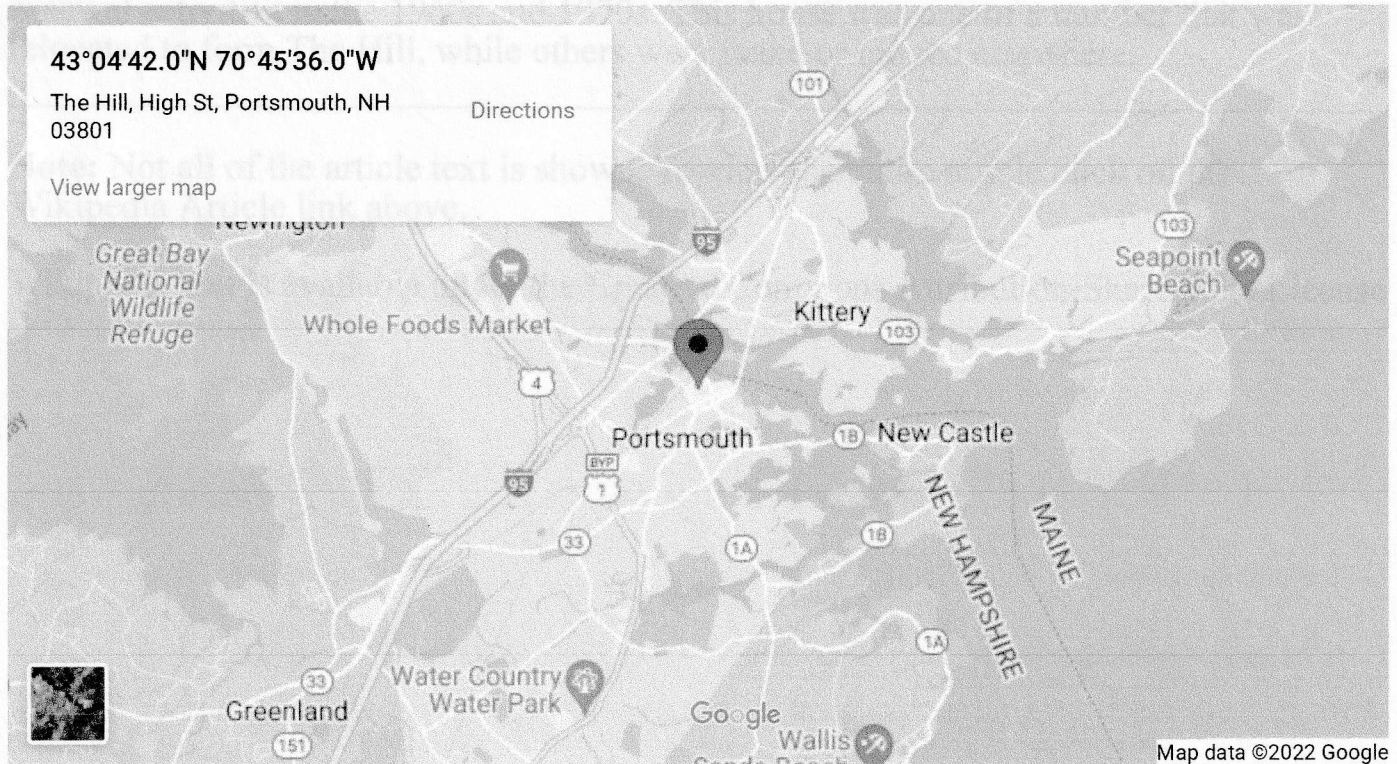
Deeds 65:155 (1761).

Tax Records 1807-1820

Probate # 2089 (1756; no house here).

fireplace surrounds, and a three-run winding staircase in the front entry vestibule.

The land where this house originally stood on Deer Street was platted in 1710 and subdivided in 1756. It was purchased by Samuel Beck in 1761. The neighborhood, populated in the early 20th century by Italian immigrants, was subjected to urban



## Other Places of Interest around Samuel Beck House

### Samuel Beck House

Lat/Long: 43.078333,-70.760000

Category: National Registry of Historic Places

Wikipedia Article: Samuel Beck House

Updated: 2021-03-28

The Samuel Beck House is a historic house at 410 The Hill in Portsmouth, New Hampshire. Built about 1761, it is a well-preserved example of late colonial architecture with an early Federal period door surround. The building was moved to its present location as part of a project to widen nearby Deer Street. The house was listed on the National Register of Historic Places in 1973.

## Description and history

The Samuel Beck House stands near the southwestern corner of The Hill, a cluster of historic houses southwest of the junction of Deer and High Streets. These houses were relocated to this area as part of a road widening project. The Beck House is 2-1/2 stories in height, with a side gable roof and clapboarded exterior. It is five bays wide and two deep, with a large central chimney, and an early Federal-period front door surround with an arched fanlight. The interior retains original 18th-century features, including paneled

fireplace surrounds, and a three-run winding staircase in the front entry vestibule.

The land where this house originally stood on Deer Street was platted in 1710 and subdivided in 1756. It was purchased by Samuel Beck in 1761. The neighborhood, populated in the early 20th century by Italian immigrants, was subjected to urban renewal activities in the 1960s and 1970s. This house was one of a number that was relocated to form The Hill, while others were razed or moved elsewhere.

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**Note:** Not all of the article text is shown. To view the entire article click on the Wikipedia Article link above.

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National Register of Historic Places

**Historic Significance:**

Architecture/Engineering

**Architect, builder, or engineer:**

Kilham & Hopkins

**Architectural Style:**

Colonial Revival

**Area of Significance:**

Community Planning And Development, Architecture

**Period of Significance:**

1900-1924

**Owner:**

State,Local,Private

**Historic Function:**

Commerce/Trade,Domestic,Education

**Historic Sub-function:**

Multiple Dwelling, School, Single Dwelling, Specialty Store

**Current Function:**

Commerce/Trade, Domestic, Landscape

**Current Sub-function:**

Multiple Dwelling, Park, Single Dwelling, Specialty Store

R

Bartlett, Josiah, House (added 1971 -- #71000050)

Main St. , Kingston

**Historic Significance:**

Person

**Historic Person:**

Bartlett,Josiah

**Significant Year:**

1795, 1774

**Area of Significance:**

Politics/Government

**Period of Significance:**

1750-1799

**Owner:**

Private

**Historic Function:**

Domestic

**Historic Sub-function:**

Single Dwelling

**Current Function:**

Domestic

**Current Sub-function:**

Single Dwelling

R

Beck, Samuel, House (added 1973 -- #73000167)

The Hill , Portsmouth

ADDED 4-3-73

**Historic Significance:**

Architecture/Engineering

**Architect, builder, or engineer:**

Unknown

**Architectural Style:**

Other, Federal

**Area of Significance:**

Architecture

**Period of Significance:**

1750-1799

**Owner:**

Local

**Historic Function:**

Domestic

Historic sub function: Single Dwelling

Current Function: Domestic

Current sub functions: Single Dwelling

Portsmouth ATHENAEUM 603-431-2538 research Lib.

Samuel Beck House 1760 ±

original address: 107 Deer Street

Relocated in the 1970's (1)

- Federal Style - Adamesque
- noted for its pedimented entrance with columns on each side and fan lighted transom
- Historic Function: Domestic

aka Hart-Terrat House

Dorothy Vaughn - ?

Brentwood (Rockingham County)

Portsmouth College

Harvard 1850 Harvard Map Collection City of Portsmouth, CW Braister

1813 City of Portsmouth NH maps Library of Congress

1816 Leventhal map center Portsmouth Public Library

Beck's Map

Early 1870's  
"Northwood" Barney

## Exterior Photos of 407 The Hill



## Exterior Photos of 407 The Hill Cont.



Interior Photos of Dwelling Unit on Second Floor



Interior Photos of Dwelling Unit on Second Floor Cont.



Interior Photos of Dwelling Unit on Second Floor Cont.



Interior Photos of Dwelling Unit on Second Floor Cont.



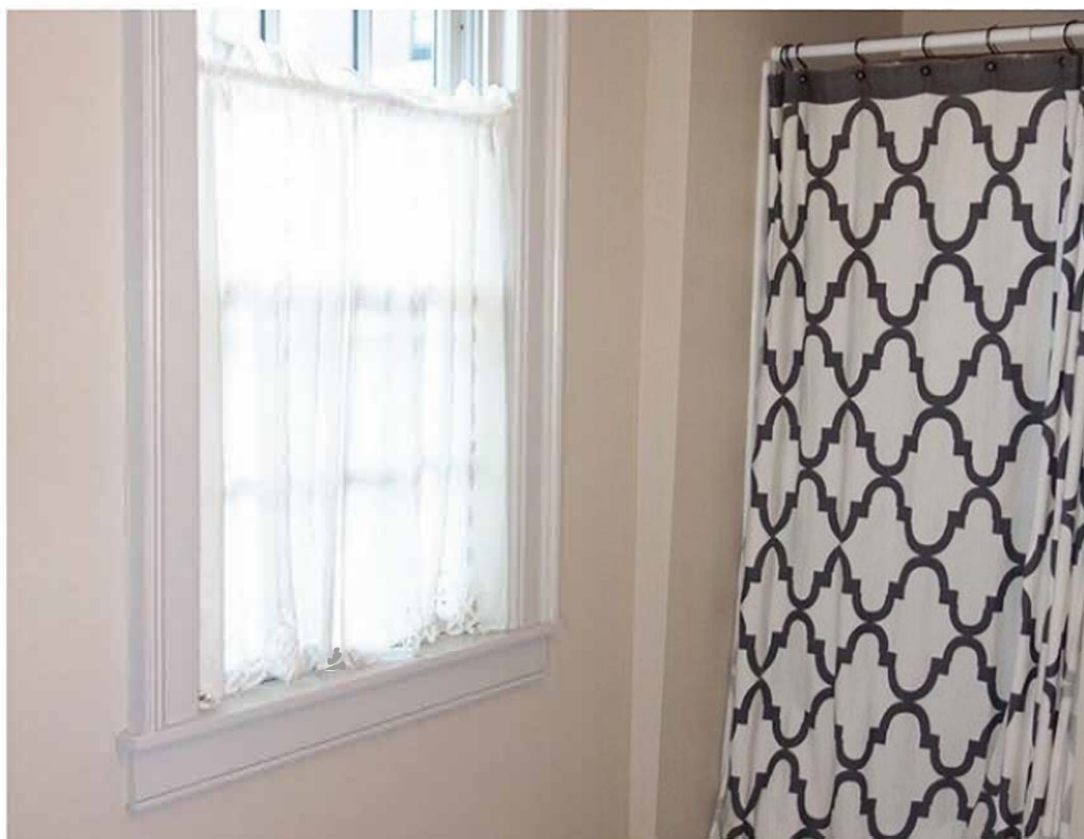
Interior Photos of Dwelling Unit on Second Floor Cont.



Interior Photos of Dwelling Unit on Second Floor Cont.



**Interior Photos of Dwelling Unit on Second Floor Cont.**

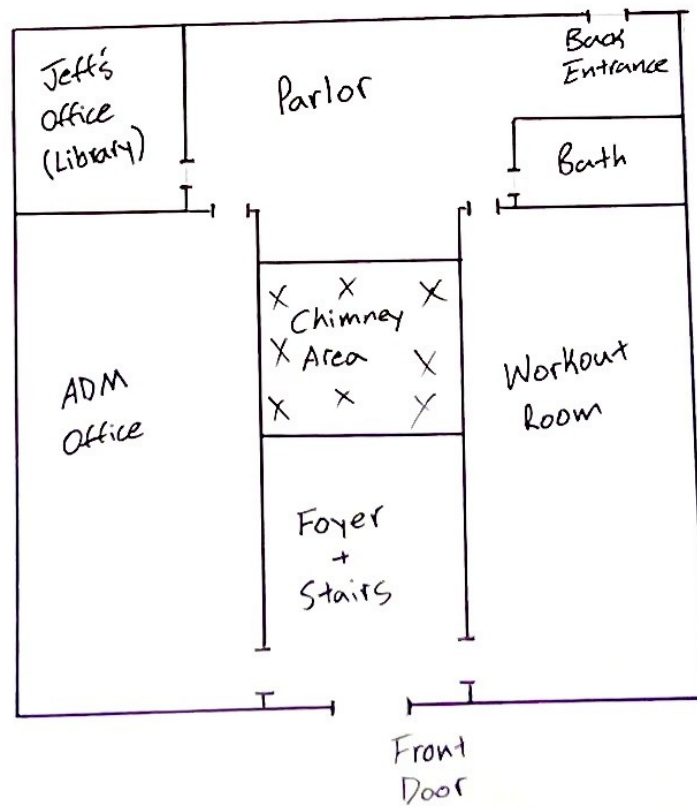


Interior Photos of Dwelling Unit on Second Floor Cont.



# Sketch of Interior on Ground Floor

Not to scale Ref. Only



## Interior Photos of Ground Floor



## Interior Photos of Ground Floor Cont.



## Interior Photos of Ground Floor Cont.



**Interior Photos of Ground Floor Cont.**



**Interior Photo of Door on Ground Floor**

