

# HOEFLE, PHOENIX, GORMLEY & ROBERTS, P.A.

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ATTORNEYS AT LAW

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March 27, 2019

**HAND DELIVERED**

Peter Stith, Planner  
Mary Koepenick, Administrative Clerk  
Portsmouth Zoning Board of Adjustment  
City Hall  
1 Junkins Avenue  
Portsmouth, NH 03801

Re: Zoning Relief  
Stephen M. Foster, Applicant  
Wentworth-Gardner & Tobias Lear Historic Houses Association, Owner  
Property: 49 Hunking Street  
Tax Map 103, Lot 39  
General Residence B (GRB District/Historic District)

Dear Mr. Stith, Ms. Koepenick & Zoning Board Members:

On behalf of applicant, Stephen M. Foster, enclosed please find the following in support of requested zoning relief:

- Portsmouth Land Use application (submitted 3/27/19).
- Owner's Authorization.
- 3/27/19 Memorandum and Exhibits in Support of Zoning Relief. (original and eleven (11) copies).

Also enclosed is our check for the filing fee in the amount of \$3,000.00, for estimate of construction costs of \$800,000.00.

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SAMUEL HARKINSON  
sharkinson@hpgrlaw.com

OF COUNSEL:  
SAMUEL R. REID

We look forward to presenting this application to the Zoning Board of Adjustment at its April 16, 2019 meeting.

Very truly yours,



R. Timothy Phoenix

RTP/msw

Encl.

cc: Stephen Foster  
Karen Bouffard  
Brendan McNamara  
Jo Keefe  
Ambit Engineering



WENTWORTH LEAR  
*Historic Houses*

March 26, 2019

To Whom It May Concern:

This letter will provide authorization for Stephen M. Foster and his legal, technical and other representatives, to appear and present before any and all City of Portsmouth staff, boards and commissions with respect to Mr. Foster's efforts to restore and rehabilitate the Tobias Lear House.

Respectfully submitted

Richard Adams  
Board President,  
Wentworth Lear Historic Houses

## MEMORANDUM

TO: Portsmouth Zoning Board of Adjustment (“ZBA”)

FROM: R. Timothy Phoenix, Esquire

RE: Stephen M. Foster, Applicant  
Wentworth-Gardner & Tobias Lear Historic Houses Association  
Property Location: 49 Hunking Street  
Tax Map 103/Lot 39  
General Residence B (GRB District/Historic District)

DATE: March 27, 2019

Dear Zoning Board Members:

On behalf of Stephen M. Foster (“Foster”), an individual with a keen interest in historic preservation, and with the grateful support of the Directors of the Wentworth-Gardner & Tobias Lear Historic Houses Association (“Wentworth” or the “Association”), we are pleased to present the following in support of Foster’s request for variances to preserve and rehabilitate the historic Tobias Lear House and to subsequently operate it as an Inn. The proposed Inn will be managed by Foster in cooperation with the Association as part of a broader plan to keep the Tobias Lear House open to the public under the auspices of the Association. Both Foster and the Association believe that this plan is an innovative way of financing the rehabilitation and future maintenance of this historic property, all the while making the house accessible to the general public.

### **I. Exhibits**

- 1) Plan Set by Ambit Engineering, Inc.
  - 6/11/18 Standard Boundary Survey (Existing Conditions)
  - 3/25/19 Variance Plan
- 2) 8/28/16 Tobias Lear House Historic Building Assessment by Bedard Preservation & Restoration, LLC
- 3) 5/31/18 Deaccession Future Use Proposal by Stephen M. Foster.
- 4) 11/11/18 Deaccession/Request for Bids by Wentworth Lear Historic Houses.
- 5) 2/19/ Historic District Work Session Application/Exhibits including photographs by Brendan McNamara.
- 6) 11/30/18 Excerpts-Response to Request for Bids by Stephen M. Foster.
- 7) Satellite Area Photograph.
- 8) Tax Map 103.
- 9) 3/27/19 Proposed Floor Plans by Brendan McNamara.

## **II. Property/Project**

49 Hunking Street is the home of the Tobias Lear House, one of two historic houses currently owned by the Association. The Wentworth-Gardner house is located directly behind the Tobias Lear House, and faces Mechanic Street. As set forth in greater detail in the Historic District Commission Work Session submission (**Exhibit 5**), the Tobias Lear House was built in or about 1740 by ship captain Tobias Lear III. Several subsequent generations of the Lear family occupied the home including Tobias Lear V, who was personal secretary to president George Washington. Washington himself visited the home during his 1789 New England tour.

The house remained the property of the Lear family until 1860, thereafter falling into a period of decline as a tenement. Modest preservation efforts were undertaken in the early 1900's after the house was acquired by noted Colonial Revivalist Wallace Nutting in 1917. The house was later sold in 1940 to the newly formed Wentworth-Gardner Tobias Lear Houses Association (the "Association"). In 1979, the Tobias Lear House was added to the National Historic Register as part of a newly created Wentworth-Gardner and Tobias Lear Houses Historic District. As the National Register nomination concluded, "Together these two structures represent two traditions of Georgian architecture in America: one a high-style aspiration after British precedents and the other a more simple, vernacular rendering. Their close proximity to one another underscores this contrast and contributes to the spectrum of Portsmouth's built environment." Foster and the Association intend that the present plan for the Tobias Lear House will enable future visitors to appreciate this dramatic contrast in architectural traditions as never before.

As the photographs depict (**Exhibits 2,4,5**), the Tobias Lear House has long remained in a state of disrepair. Despite its good intentions, the Association has been unable to raise the funds needed to preserve and revive this historic home and to adequately secure its future as a protected historic property. In late 2017, therefore, the Association reluctantly decided to deaccession the house. It initially envisioned setting up a bidding process to sell the house to a private buyer for likely use as a personal residence. In a May, 2018 letter to the Association (**Exhibit 3**), however, Foster outlined an alternative proposal. He expressed interest in purchasing the house not to use as a personal residence, but to operate as a lodging establishment as a means of making the house self-supporting financially, all the while preserving its historic character and permitting future general public access to this important historic property.

In November, 2018, after receiving approval from the 10<sup>th</sup> Circuit Court-Probate Division, the Association issued a Notice of Intent to deaccession and opened a bidding process in order to sell the Tobias Lear House. The association's bid requirements included the following stipulation:

Any exterior renovations will be required to retain design, form, and architectural detail of the House as it currently stands. There must be harmony within the historic neighborhood and it is especially important that the adjacent Wentworth-Gardner house (C.1760), which is widely regarded as one of the most perfect examples of Georgian architecture in the country, be protected within its current environment. More flexibility will be permitted for interior renovation but these two will be limited as described in the attached Preservation Restriction Agreement.

In his bid for the Tobias Lear House, Foster presented to the Association extensive evidence of his previous experience in preserving and rehabilitating Wilton, a 1763 plantation house, in Middlesex County Virginia, an effort that has received praise from many quarters (see **Exhibit 6**, Excerpts Re: Preservation of the Wilton House in Virginia), and he pledged to bring the same level of effort and commitment of resources to the Tobias Lear House. In December 2018, the Association accepted Foster's bid as the one best suited to ensure proper preservation and rehabilitation of this historic home.

Foster is eager to proceed with the preservation and rehabilitation of the Tobias Lear House, to make it a proud companion of the Wentworth-Gardner House and a worthy neighbor in the City's South End. His preliminary plans have been submitted to the Historic District Commission ("HDC") for a Work Session (**Exhibit 5**). In that submission, Foster reiterated his pledge "to undertake a preservation and rehabilitation of the Tobias Lear House that meets the highest standards for such work." But just as importantly, Foster noted, "before closing on the transaction, the Association will place detailed historic preservation easements on the entire house, inside and out, to be held and enforced by Historic New England, thus ensuring that the historic and material integrity of the Tobias Lear House will be protected in perpetuity."

The lynchpin for Foster's plan, wholeheartedly backed by the Association, is the ability to operate the Tobias Lear House as an Inn. The proposed Inn will be very modest in terms of accommodations, with only two bedrooms, but it will be a grand lodging for its guests. Indeed, based on his previous experience at Wilton House, Foster expects that guests are likely to be

historic preservation enthusiasts themselves, including families with children who will want to book both rooms and have the run of the house while exploring historic Portsmouth. Foster believes this will generate sufficient income to justify the expense of preserving and rehabilitating this historic home and to ensure its ability to be self-supporting in the future.

Historic preservation and rehabilitation of a house such as the Tobias Lear House means preserving as much as possible of the historic fabric of the home all the while rehabilitating it for modern use. In the case of the Tobias Lear House, rehabilitating the house for use as an Inn is essentially the same as it would be to rehabilitate it as a residence. Part of the attraction of the Inn, of course, is that it will be lodging in an historic residence, and the rehabilitation will reflect that. Looking long-term, moreover, it makes sense to rehabilitate the house as an attractive modern residence to ensure that this always remains a viable alternative for the house. The Tobias Lear House is already 280 years old. It makes sense for the house to be prepared to be used as a residence again at some future date, even if, as both the Association and Foster hope, the Tobias Lear House has a long successful run as an Historic Inn.

The current plan for the house should prepare it for the future, and it does that. That means modern bathrooms, a kitchen with modern appliances, and, of course, modern heating/cooling, plumbing and electric facilities, none of which exist at present. The plan is to have two guest bedrooms upstairs. One will be a two-room suite, encompassing the two eastern bed chambers currently joined by an interior passageway. Across the central hallway, the Southwest chamber will be the other bedroom, and the Northwest chamber to its rear will be used to create two full bathrooms, one *en suite* to the adjacent Southwest chamber and the other bath to be accessed from the hallway.

On the first floor, in the small northwest parlor, a much smaller bath will be created from an existing passageway to serve as a downstairs powder room and auxiliary bath. The other major element in the downstairs will be a modern kitchen. The house contains a kitchen room, to be sure, but this room is one of the gems of the house and should be preserved as an historic feature. Accordingly, it is planned to place the modern kitchen in the back shed which sits adjacent to the historic kitchen. (See **Variance Plan Exhibit 1, Photographs, Exhibit 5**). The existing attached shed is too small to house a fully modern kitchen, so a modest expansion of the shed footprint is proposed. As the Site Plans (**Exhibit 1**) depict, the L shaped lot leaves the rear of the main home and shed at approximately 5.7 feet from the right-side lot line. The shed will be

expanded from 7 ft. x 12 ft. to 10ft. x 16ft 3 inches, still at 5.7ft. from right-side lot line, thus requiring a variance for expansion and the additional three feet of rearward extension along the lot line.

Because the Tobias Lear House is located in the GRB Zoning District, its use as an Inn requires a variance. Before submitting this application and the HDC request for Work Session, Foster and his team met with members of the Planning Department staff. Consideration of the Tobias Lear House operation as a Bed and Breakfast and an Inn was reviewed and discussed. It was agreed that the most appropriate use under the Portsmouth Zoning Ordinance is as a two-bedroom Inn:

A building offering lodging for transient boarders with up to 15 sleeping rooms. An Inn may have a caretaker residence but does not have to be occupied by the Owner, and shall not serve food to the public.

The Inn requires three parking spaces (PZO Sec. 10. 1112.321-10.30-10.40-1.25 per guest room x 2 rooms equals 2.5 equals 3).<sup>1</sup> Foster intends to preserve and maintain not only the building, but also the grounds of the Tobias Lear House, and both Foster and the Association agree that it would detract from both the Tobias Lear House and the Wentworth-Gardner House. to place parking on the lot. As Foster noted in his bid submission "... I would not want to devote what little space there is on this small lot to create [parking]. That space should be reserved for making every effort to show the house to best historical advantage." (**Exhibit 6, p.8**) Accordingly, Foster will enter into a formal agreement with the Association to lease three of the 13 lined parking spaces owned by the Association along Mechanic street directly in front of the Wentworth-Gardner house. In addition, the two parties intend to coordinate the development of their respective landscaping plans, and they anticipate that the Inn will be managed by the resident caretaker of the Wentworth-Gardner House.

Foster appears before the ZBA with preliminary informal favorable response to the project by the Historic District Commission, support of the Association and, upon information and belief, many of the nearby neighbors. In addition to ZBA and HDC review and approval, the project will require site review approval by the Planning Board including the TAC process.

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<sup>1</sup> Parking relief is via a Conditional Use Permit from the Planning Board, PZO§10.1112.14 filed at near or even date herewith.

### III. Relief Required

1. PZO§10.321-Expansion of nonconforming structure to permit rear shed expansion.
2. PZO§10.440, Table of Uses-10.30- to permit an Inn in a GRB District.
3. PZO§10. 521, Table of Dimensional Standards-to permit a 5.7 ft. right side setback where 5.7 ft. exists and 10 ft. is required.

### IV. Variance Requirements

1. The variances will not be contrary to the public interest.
2. The spirit of the ordinance is observed.

These two requirements are considered together pursuant to Malachy Glen Associates, Inc. v. Town of Chichester, 155 N.H. 102 (2007) and its progeny. The issue is whether granting a variance “would unduly and to a marked degree conflict with the ordinance such that it violates the ordinance’s basic zoning objectives”. *Id.* “Mere conflict with the zoning ordinance is not enough”. *Id.*

Initially, we look at the general purpose and intent of the ordinance pursuant to Section 10.121: “To promote the health, safety and the general welfare of Portsmouth and its region in accordance with the City of Portsmouth Master Plan...by regulating:”

1. The use of land, buildings and structures for business, industrial, residential and other purposes-This significantly historic structure and grounds will be preserved and rehabilitated in order to allow its use by the public and overnight visitors. Although in a residential zone, mixed uses in the area currently include historic structures open to the public, (Wentworth-Gardner), commercial (Geno’s, Brewster’s Bait and Tackle), and private clubs (SYC Yacht Club). Indeed, as an Inn, the actual “use” of the property will be very similar to, but less active than a private residence. Approval of the variances will allow this special historic home to remain in keeping with the historic nature of the area in which it is located.

2. The intensity of land use, including lot sizes, building coverage, building height and bulk, yards and open space-The only change will be the modest enlargement of the rear attached “shed”.

3. The design of facilities for vehicular access, circulation, parking and loading-No change. Required parking pursuant to a Planning Board Conditional Use Permit will be met via a

lease of 3 parking spaces from the Association just around the corner from the Tobias Lear House on Mechanic Street, directly in front of the adjacent Wentworth-Gardner house.

4. The impact on properties on of outdoor lighting, noise, vibration, stormwater runoff and flooding-Subject to internal historic preservation requirements/agreements, review and approval of the Historic District Commission and the Planning Board, these purposes will be fully met.

5. The preservation and enhancement of the visual environment-Certainly the visual environment will be greatly enhanced by Foster's project.

6. The preservation of historic districts and building and structures of historic architectural interest-The project with its required variances does just that.

7. The protection of natural resources, including groundwater, surface water, wetlands, wild life habitat and air quality-No change.

In considering the public interest and spirit of the ordinance tests for determination of whether granting the variances violates basic zoning objectives, The Malachy Glen court further held:

One way to ascertain whether granting the variance would violate basic zoning objectives is to examine whether it would alter the essential character of the locality... . Another approach to [determine] whether granting the variance violates basic zoning objectives is to examine whether granting the variance would threaten the public health, safety or welfare. (emphasis added)

Granting the variances will allow the significantly historic but badly in need of preservation and rehabilitation Tobias Lear House to once again fit in with the character of the south end. That character includes historic private homes, historic preservation buildings, commercial and private/club uses. Managed by Foster, with the cooperation of the Association and its caretaker, the public will have the opportunity to tour or enjoy short term occupancy supported by leased parking in the same location that visitors to the Wentworth-Gardner/Tobias Lear houses utilize today. The relatively minor variances required in order to allow the Tobias Lear House to be reasonably and thoughtfully rehabilitated, managed, and enjoyed by both the nearby residents and members of the public will neither change the essential character of the locality nor threaten the public health, safety or welfare.

**3. Granting the variance will not diminish surrounding property values.**

A historically significant home will be transformed from a state of unsightliness and disrepair to past glory via complete interior and exterior rehabilitation. Improving the quality and aesthetics of the building and grounds will do nothing but enhance the area, perhaps increasing, but certainly not decreasing the value of surrounding properties. Supported by many of its nearest neighbors, in an area where other non-residential uses exist (Wentworth-Gardner House, Brewster's Bait and Tackle shop, Geno's, SYC Yacht Club) The use of the building as a small two-bedroom Inn with a very minor setback variance will in no way diminish surrounding property values.

**4. Denial of the variances results in an unnecessary hardship.**

- a. Special conditions distinguish the property/project from others in the area.

With respect to the side line setback variance, the lot is an irregular "L" shape. The existing building is 5.7ft. from the lot line. Accordingly, any expansion of the rear attached "shed" requires a variance. This constitutes a special condition.

Attempts by the Association over many years to raise funds to rehabilitate the Tobias Lear House have been unsuccessful. Accordingly, it is clear that in order for this historically significant home to be once again enjoyed by the public, an income stream is required. The proposed modest two-bedroom room Inn with off-street parking around the corner on Mechanic Street will permit not only the building but the grounds to be appropriately maintained into the future. These circumstances combine to create special conditions.

- b. No fair and substantial relationship exists between the general public purposes of the ordinance and its specific application in this instance.

Side line setbacks are intended to preserve air, light, space, separation between neighbors and stormwater treatment. The requested side line setback matches the existing condition. It is located in the rear and its abutting neighbor is the supportive Wentworth-Gardner House. Under these circumstances, there is simply no reason to apply the strict requirements of the 10 ft. setback.

Use restrictions are intended to provide similar uses in each zone. Clearly, however, there are circumstances, such as transition zones, where alternative, otherwise technically unpermitted

uses are reasonable. Here, the modest use as a two-bedroom room Inn will permit the interior and exterior of the building as well as the grounds to be restored. The modest Inn use in an area of residences, commercial establishments and clubs is in keeping with the somewhat eclectic uses in the area. Indeed, use as an Inn will be a less intensive use than but substantially similar to a single-family residence, except that those “residing” will be guests interested in historic properties rather than full time occupants. There is likely to be no noticeable change to the neighborhood, thus, there is no reason to apply the strict use requirements of the GRB District.

c. The proposed use is reasonable.

For all of the foregoing reasons, the proposed use and variances required to establish it are reasonable.

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

If “there is no benefit to the public that would outweigh the hardship to the applicant” this factor is satisfied. Harborside Associates, L.P. v. Parade Residence Hotel, L.L.C., 162 N.H. 508 (2011). That is, “any loss to the [applicant] that is not outweighed by a gain to the general public is an injustice”. Malachy Glen, *supra* at 109.

There is no benefit to the public from denying variances which will allow the building and grounds of this historically significant but ailing property to be revived and made a vibrant member of the community. Use of the premises as a very small two-bedroom Inn<sup>2</sup> with a slight sideline setback variance in order to support the cost of its restoration, preservation and continued care and maintenance, will in no way harm the general public. Indeed, the general public will benefit from these variances. Conversely, the loss to Foster as applicant, the Association as present owner, and the general public from denying these variances would be to prohibit the restoration and renovation of the home and grounds causing a significant historic structure to remain in its existing deteriorating state. Thus, the loss to the applicant and the general public from denial clearly outweighs any gain to the general public, and would clearly be an injustice. Malachy Glen, *supra* at 109.

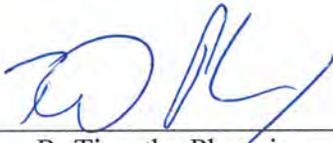
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<sup>2</sup> By definition the PZO allows an Inn to have up to 15 bedrooms.

V. **Conclusion**

For all of the reasons stated, Foster respectfully requests that the Portsmouth Zoning Board of Adjustment grant the submitted variance requests.

Respectfully submitted,  
Stephen M. Foster

By:   
\_\_\_\_\_  
R. Timothy Phoenix

RTP/msw  
Encl.



AMBIT ENGINEERING, INC.

Civil Engineers & Land Surveyors

300 Griffin Road - Unit 3  
Portsmouth, N.H. 03801-7114  
Tel (603) 430-9282  
Fax (603) 436-2315

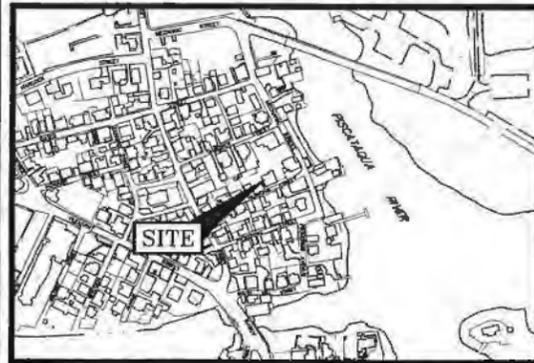
NOTES:

- 1) PARCEL IS SHOWN ON THE CITY OF PORTSMOUTH ASSESSOR'S MAP 103 AS LOT 39.
- 2) OWNER OF RECORD:  
THE WENTWORTH-GARDNER AND  
TOBIAS LEAR HOUSES ASSOCIATION  
PO BOX 563  
PORTSMOUTH, NH 03802  
972/67
- 3) PARCEL IS NOT IN A SPECIAL FLOOD HAZARD AREA AS SHOWN ON FIRM PANEL J3015C0259E. EFFECTIVE DATE MAY 17, 2005.
- 4) EXISTING LOT AREA:  
5,612 S.F.  
0.1288 ACRES
- 5) PARCEL IS LOCATED IN THE GENERAL RESIDENCE B (GRB) ZONING DISTRICT AND IS WITHIN THE HISTORIC DISTRICT.
- 6) DIMENSIONAL REQUIREMENTS:  
MIN. LOT AREA: 5,000 S.F.  
FRONTAGE: 80 FEET  
SETBACKS: FRONT 5 FEET  
SIDE 10 FEET  
REAR 25 FEET  
MAXIMUM STRUCTURE HEIGHT: 35 FEET  
MAXIMUM BUILDING COVERAGE: 30%  
MINIMUM OPEN SPACE: 25%
- 7) THE PURPOSE OF THIS PLAN IS TO SHOW THE RESULT OF A STANDARD BOUNDARY SURVEY OF TAX MAP 103 LOT 39 IN THE CITY OF PORTSMOUTH.



NO.	DESCRIPTION	DATE
1	ADD MONUMENTS AS SET	6/11/18
0	ISSUED FOR COMMENT	5/29/18

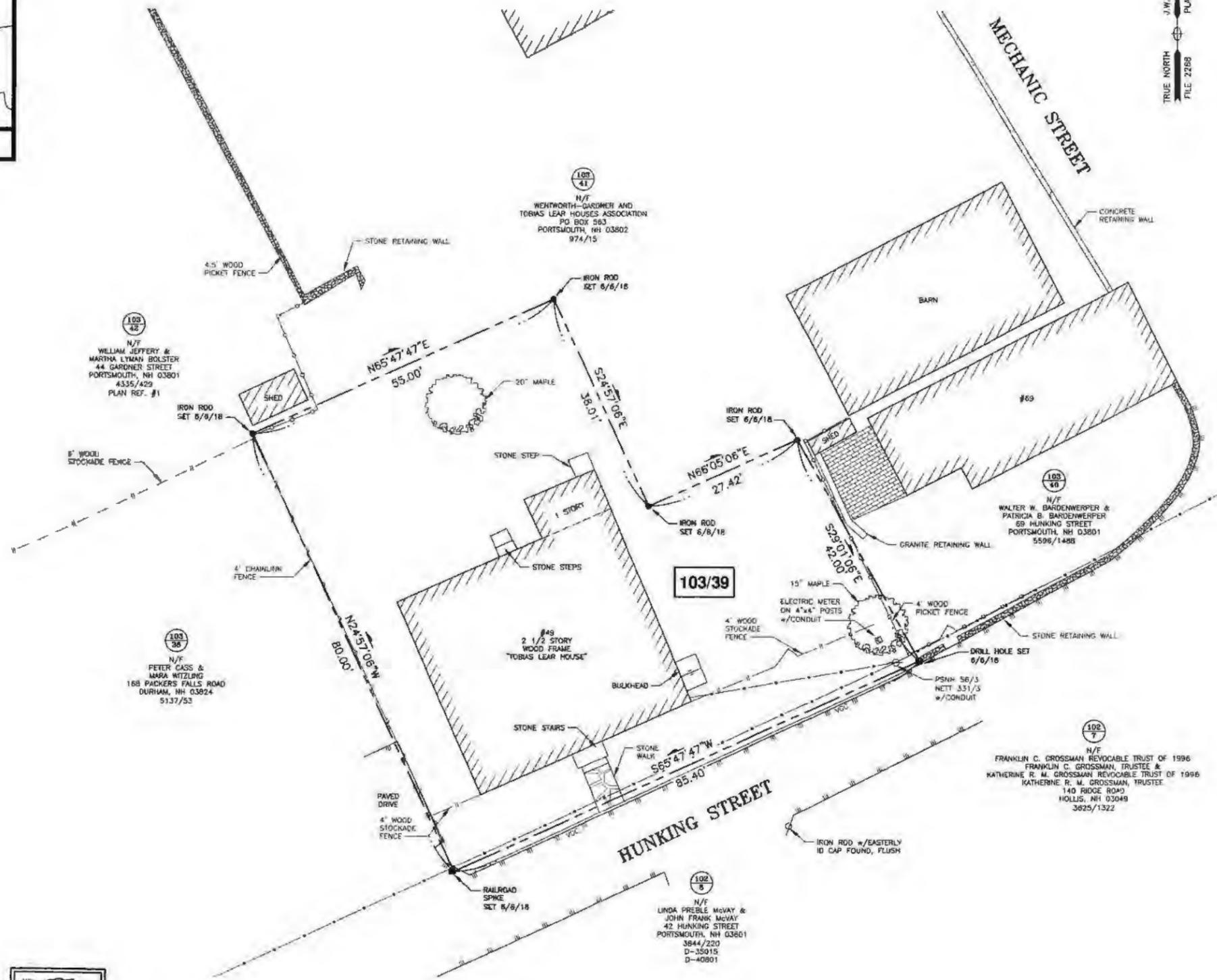
STANDARD BOUNDARY SURVEY  
TAX MAP 103 - LOT 39  
THE TOBIAS LEAR HOUSE  
OWNER  
THE WENTWORTH-GARDNER  
AND TOBIAS LEAR HOUSES  
ASSOCIATION  
49 HUNKING STREET  
CITY OF PORTSMOUTH  
COUNTY OF ROCKINGHAM  
STATE OF NEW HAMPSHIRE



LOCATION MAP SCALE 1"=300'

- LEGEND:**
- N/F NOW OR FORMERLY
  - RP RECORD OF PROBATE
  - RCRD ROCKINGHAM COUNTY
  - REGISTRY OF DEEDS
  - RR SPK RAILROAD SPIKE
  - MAP 11/LOT 21
  - IR FND IRON ROD FOUND
  - IP FND IRON PIPE FOUND
  - IR SET IRON ROD SET
  - DH FND DRILL HOLE FOUND
  - DH SET DRILL HOLE SET
  - NHNB NHDOT BOUND FOUND
  - TOWN BOUND TOWN BOUND
  - BOUND w/DH BOUND WITH DRILL HOLE
  - ST BND w/DH STONE BOUND WITH DRILL HOLE

- PLAN REFERENCES:**
- 1) PLAN OF LAND FOR JOHN WACKMAN & SUSAN SINNOTT 44 GARDNER STREET PORTSMOUTH, N.H. COUNTY OF ROCKINGHAM. PREPARED BY AMBIT SURVEY. DATED APRIL 1996. NOT RECORDED.
  - 2) STANDARD PROPERTY SURVEY FOR PROPERTY AT 25 HUNKING STREET PORTSMOUTH, ROCKINGHAM COUNTY, MAINE, OWNED BY THE DENNETT M. PAGE REVOCABLE TRUST OF 2005 DENNETT M. PAGE, TRUSTEE THE HUGH E. JENCKS REVOCABLE TRUST OF 2005 HUGH E. JENCKS, TRUSTEE 42 HUNKING STREET PORTSMOUTH, NH 03801. PREPARED BY EASTERLY SURVEYING, INC. DATED SEPTEMBER 13, 2007. R.C.R.D. PLAN D-35016.
  - 3) STANDARD PROPERTY SURVEY FOR PROPERTY AT 16 HUNKING STREET PORTSMOUTH, ROCKINGHAM COUNTY, NEW HAMPSHIRE OWNED BY HELEN C. BREWSTER 16 HUNKING STREET PORTSMOUTH, NH 03801. PREPARED BY EASTERLY SURVEYING, INC. DATED SEPTEMBER 13, 2007. R.C.R.D. PLAN D-35072.

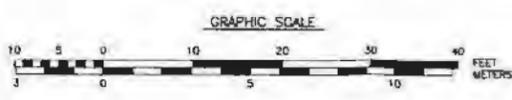


I CERTIFY THAT THIS PLAN WAS PREPARED UNDER MY DIRECT SUPERVISION, THAT IT IS THE RESULT OF A FIELD SURVEY BY THIS OFFICE AND HAS AN ACCURACY OF THE CLOSED TRAVERSE THAT EXCEEDS THE PRECISION OF 1:15,000.

I CERTIFY THAT THIS SURVEY PLAN IS NOT A SUBMISSION PURSUANT TO THIS TITLE AND THAT 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.

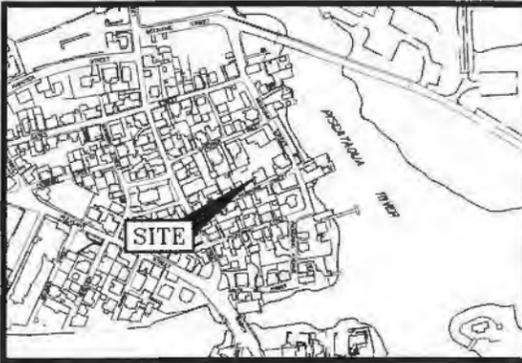


PAUL A. DOBBERSTEIN, LLS #1000 DATE 6/11/2018



J.W. DURGIN  
TRUE NORTH  
FILE 2258  
PLAN 3287

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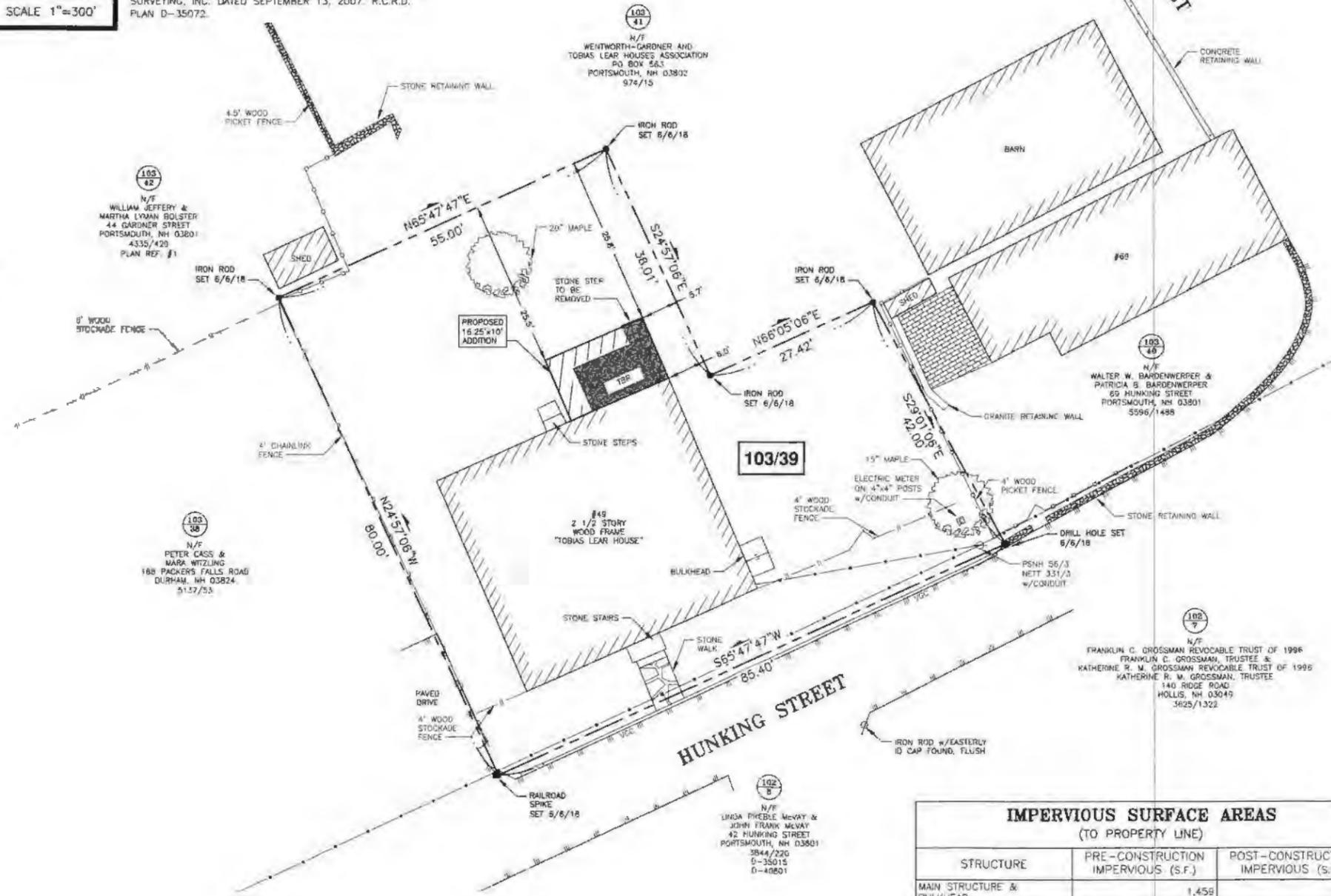
LOCATION MAP SCALE 1"=300'

LEGEND:

- N/F NOW OR FORMERLY
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- BND w/DH BOUND WITH DRILL HOLE
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J.W. DUBOIS  
TRUE NORTH  
FILE 2286  
PLAN 3387

**AMBIT ENGINEERING, INC.**  
Civil Engineers & Land Surveyors  
290 Griffin Road - Unit 3  
Portsmouth, N.H. 03801-2111  
Tel (603) 430-8282  
Fax (603) 436-2316

NOTES:

- 1) PARCEL IS SHOWN ON THE CITY OF PORTSMOUTH ASSESSOR'S MAP 103 AS LOT 39.
- 2) OWNER OF RECORD:  
THE WENTWORTH-GARDNER AND  
TOBIAS LEAR HOUSES ASSOCIATION  
PO BOX 563  
PORTSMOUTH, NH 03802  
972/67  
  
APPLICANT:  
STEPHEN FOSTER  
1924 47TH STREET, NW  
WASHINGTON, D.C. 20007
- 3) PARCEL IS NOT IN A SPECIAL FLOOD HAZARD AREA AS SHOWN ON FIRM PANEL 33015C0259E. EFFECTIVE DATE MAY 17, 2005.
- 4) EXISTING LOT AREA:  
5,612 S.F.  
0.1288 ACRES
- 5) PARCEL IS LOCATED IN THE GENERAL RESIDENCE B (GRB) ZONING DISTRICT AND IS WITHIN THE HISTORIC DISTRICT.
- 6) DIMENSIONAL REQUIREMENTS:  
MIN. LOT AREA: 5,000 S.F.  
FRONTAGE: 80 FEET  
SETBACKS: FRONT 5 FEET  
SIDE 10 FEET  
REAR 25 FEET  
MAXIMUM STRUCTURE HEIGHT: 35 FEET  
MAXIMUM BUILDING COVERAGE: 30%  
MINIMUM OPEN SPACE: 25%
- 7) THE PURPOSE OF THIS PLAN IS TO SHOW THE ADDITION OF A SHED/KITCHEN ON TAX MAP 103 LOT 39 IN THE CITY OF PORTSMOUTH.

**TOBIAS LEAR HOUSE  
CHANGE OF USE  
49 HUNKING STREET  
PORTSMOUTH, N.H.**

ISSUED FOR COMMENT	3/25/19	
NO.	DESCRIPTION	DATE
REVISIONS		

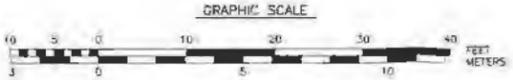
STRUCTURE	PRE-CONSTRUCTION IMPERVIOUS (S.F.)	POST-CONSTRUCTION IMPERVIOUS (S.F.)
MAIN STRUCTURE & BULKHEAD	1,459	1,531
PAVEMENT (APPURTENANT TO TAX MAP 103 LOT 38)	8	8
WALKWAY	27	27
STAIRS AND STEPS	42	31
TOTAL	1,536	1,597
LOT SIZE	5,612	5,612
% LOT COVERAGE	27.4%	28.5%

"I CERTIFY THAT THIS PLAN WAS PREPARED UNDER MY DIRECT SUPERVISION, THAT IT IS THE RESULT OF A FIELD SURVEY BY THIS OFFICE AND HAS AN ACCURACY OF THE CLOSED TRAVERSE THAT EXCEEDS THE PRECISION OF 1:15,000."



PAUL A. DOBBERSTEIN, L.L.S.

DATE 3/25/2019



SCALE: 1"=10' MARCH 2019

VARIANCE PLAN **C1**

**Tobias Lear House**  
49 Hunking Street  
Portsmouth, New Hampshire

Historic Building Assessment  
& Forensic Report  
August 28, 2016



Bedard Preservation & Restoration LLC  
PO Box 430  
Gilmanton, NH 03237

12/14/16

**Scope of this Historic Building Assessment,  
Forensic Report and Short, Middle and Long Term Strategies**

The scope of work for the Historic Building Assessment shall include exterior existing conditions, interior existing conditions and estimates for the appropriate repairs/restoration based upon the Secretary of the Interior's Guidelines for the Treatment of Historic Properties.

The Forensic Report will identify as many specific parts of the building, exterior and interior as to their likely date of construction and/or approximate inclusion in the timeline during the evolution of the building.

Short, Middle and Long Term Strategies, their costs as well as their implications will also be explored.

The actual History of the Tobias Lear House, which will entail deed, inventory and other documental research, will be accomplished by Sandra Rux. The sharing of her information with me has proven to be important to help verify the approximate time periods based upon the materials that form the current exterior/interior finishes of the house. We hope that some of our discoveries have clarified/validated some of her research.

Once again, as he typically does, James Garvin has produced a wonderful description of the architecture of Tobias Lear House "Notes on the Tobias Lear House" dated January 12, 2016. His detailed work has allowed me to focus my attention on other parts of this assessment and actually go beyond my original work perimeters. We are all thankful for Jim's expertise, knowledge and his time given to this project.

This report, along with the information by Sandra Rux and James Garvin, should provide the current board members with a clear set of potential options pertaining to the continued stewardship of the Historic Tobias Lear House. I thank the board and ad hoc committee for their inclusion of us in helping them with their decision.

## Existing Exterior Conditions

### Grade around Building

The general grade around the Tobias Lear House (TLH) is fair with the exception of the westerly and northerly sides of the building. Given the raised area of the westerly next door property, water from this area follows the grade towards the foundation of the TLH. Water coming off of this area, the raised area behind the house and water being discharged from the roof collects in the low area to the left of the back door/kitchen addition and then enters into the basement.





### Main Foundation

The foundation of the original 1740's house is in good condition and is comprised of rubble and impact-split stones that have the spaces between them "slam-pointed" with various mortars over the year.



The rest of the basement walls are a mixture of some stone and a majority of concrete. It would appear that the concrete work may have been done in the 1940's/1950's. The basement floor is also made of concrete poured in sections. The method of forming the concrete walls as well as the concrete abutments was to stack up 1" rough sawn boards and in-fill the cavity with concrete and sometimes with rubble stone and concrete.

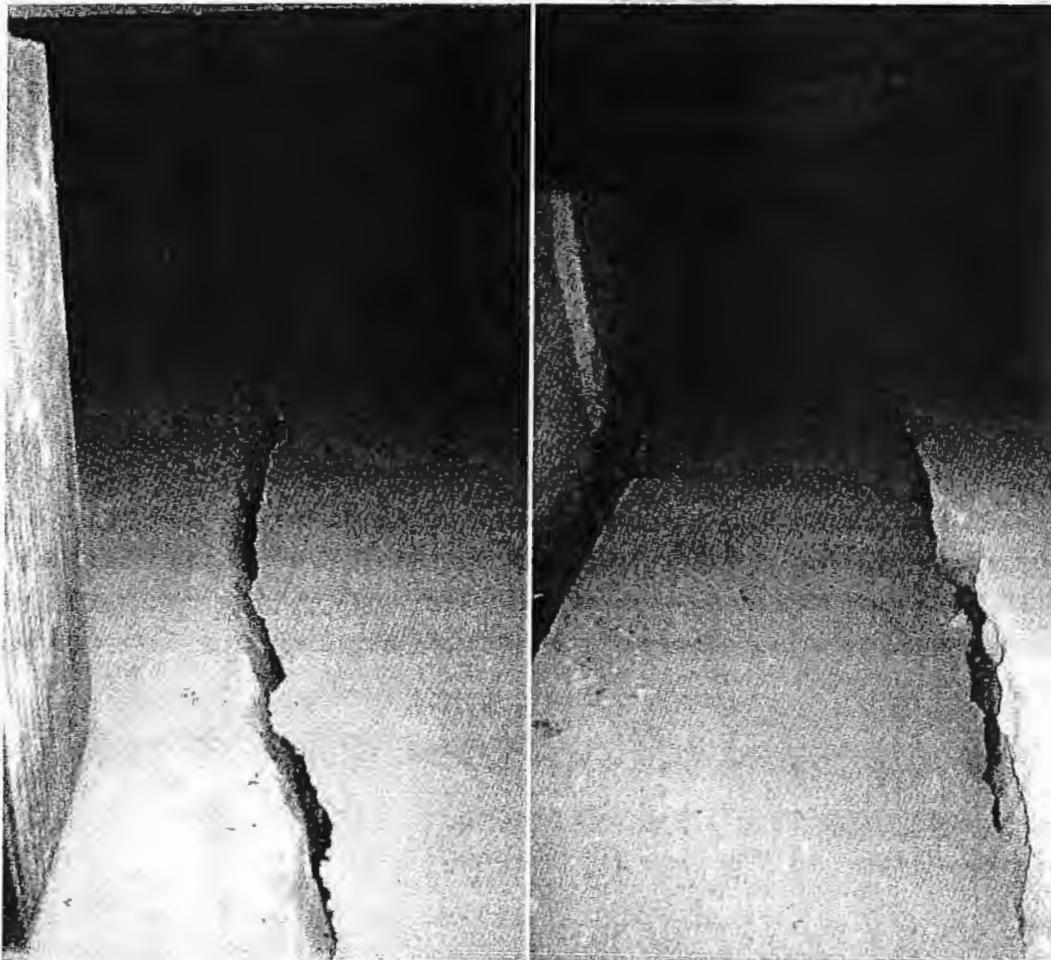


The photo above is the interior wall in the basement facing the back of the easterly chimney base. The horizontal lines represent the forming boards being stacked upon each other. The vertical line is a crack that has formed due to movement from water/freezing/thawing in the basement over the years as well as the fact that rebar/steel to strengthen the concrete was not typically used during this construction time period. The photo below shows a similar crack in the interior westerly chimney abutment.



Apparently a decision was made to install concrete abutments around the back side of the easterly chimney base and three quarters of the way around the westerly chimney base. Sand was then in-filled between these concrete walls and the chimney bases. A thin layer of concrete was then poured on top.

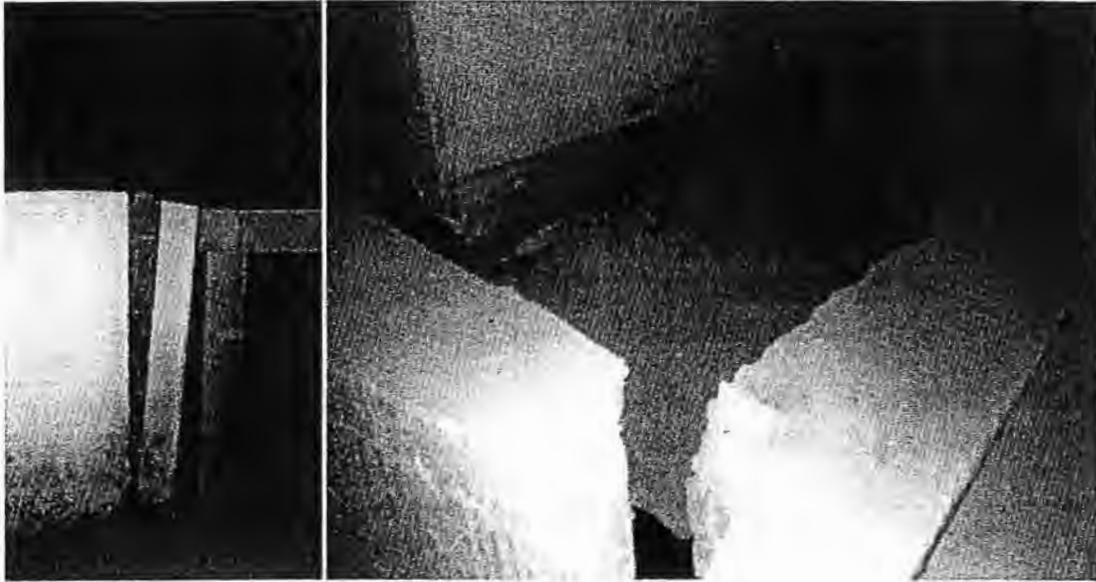
Without the use of rebar/steel to hold the walls/caps together and with the water/freezing/thawing cycle in play, many of the walls have cracked and the poured caps have cracked and become misplaced.



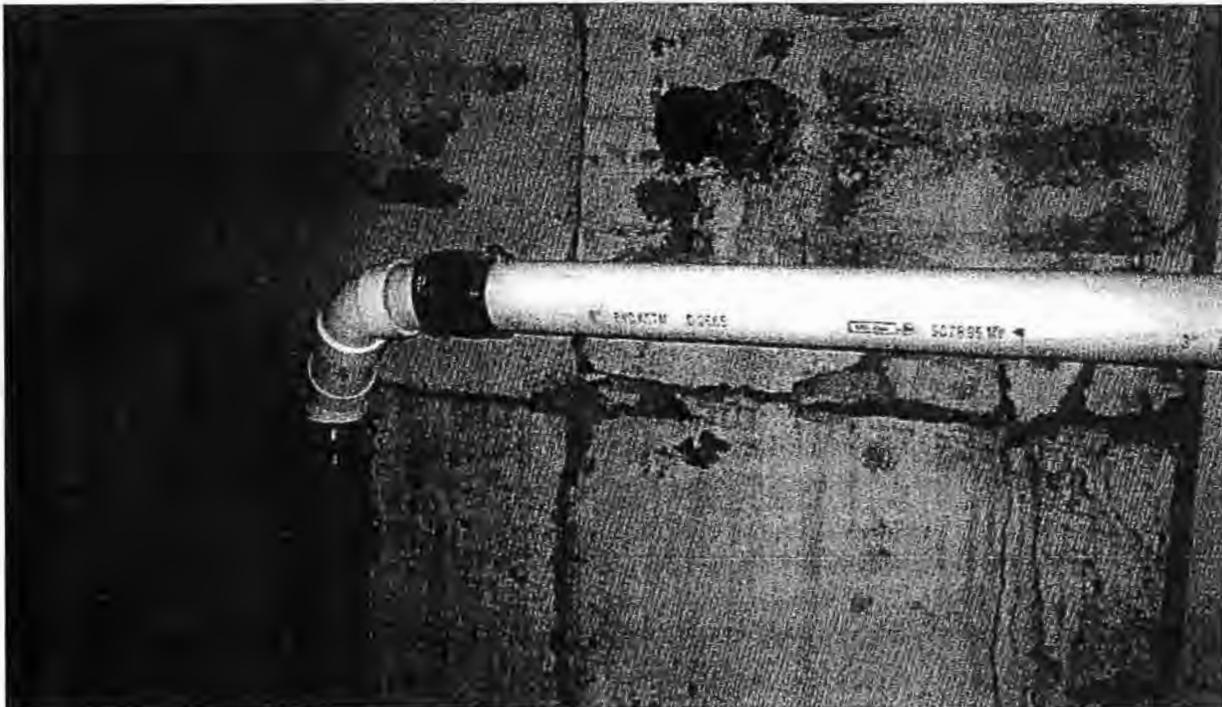
East chimney base area

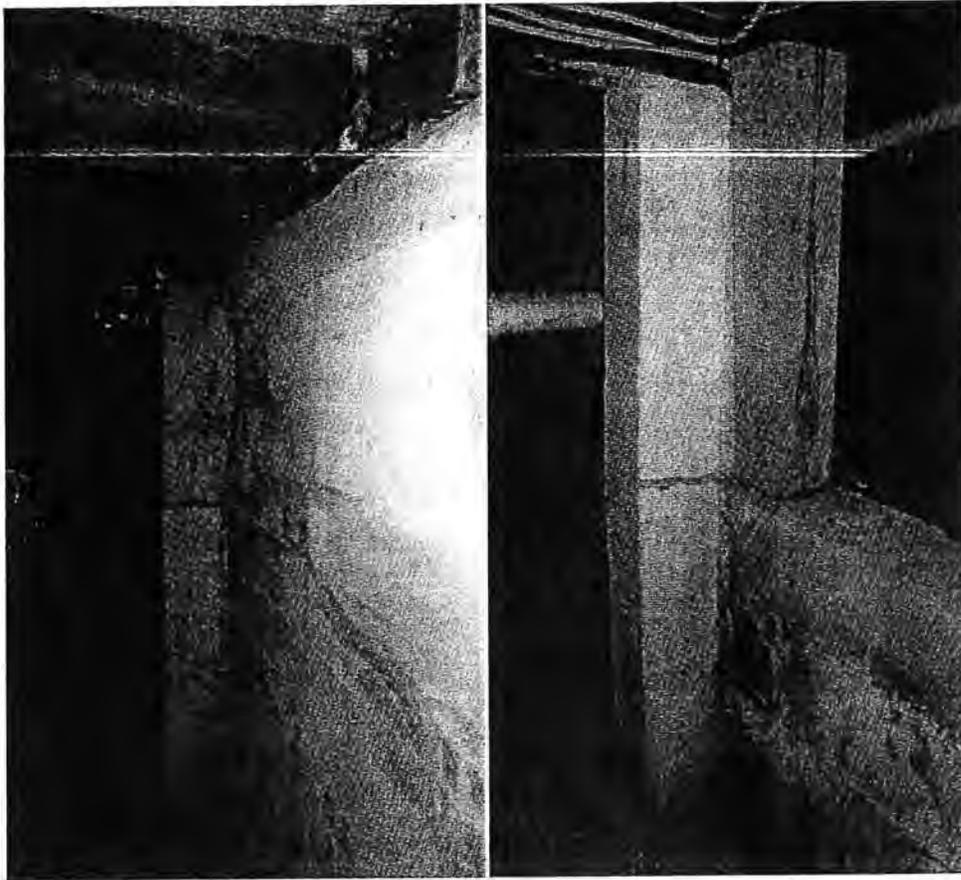
West chimney base area

The poured wall behind the west chimney has broken away and is leaning towards the back side of the house. In the photograph below, a wooden bracing frame was built to stop the wall from collapsing onto the concrete floor.



The back foundation wall has a long horizontal crack that runs along the length of the wall as well as several vertical cracks. These cracks are in the same line as the cracks in a few of the concrete piers as seen below.





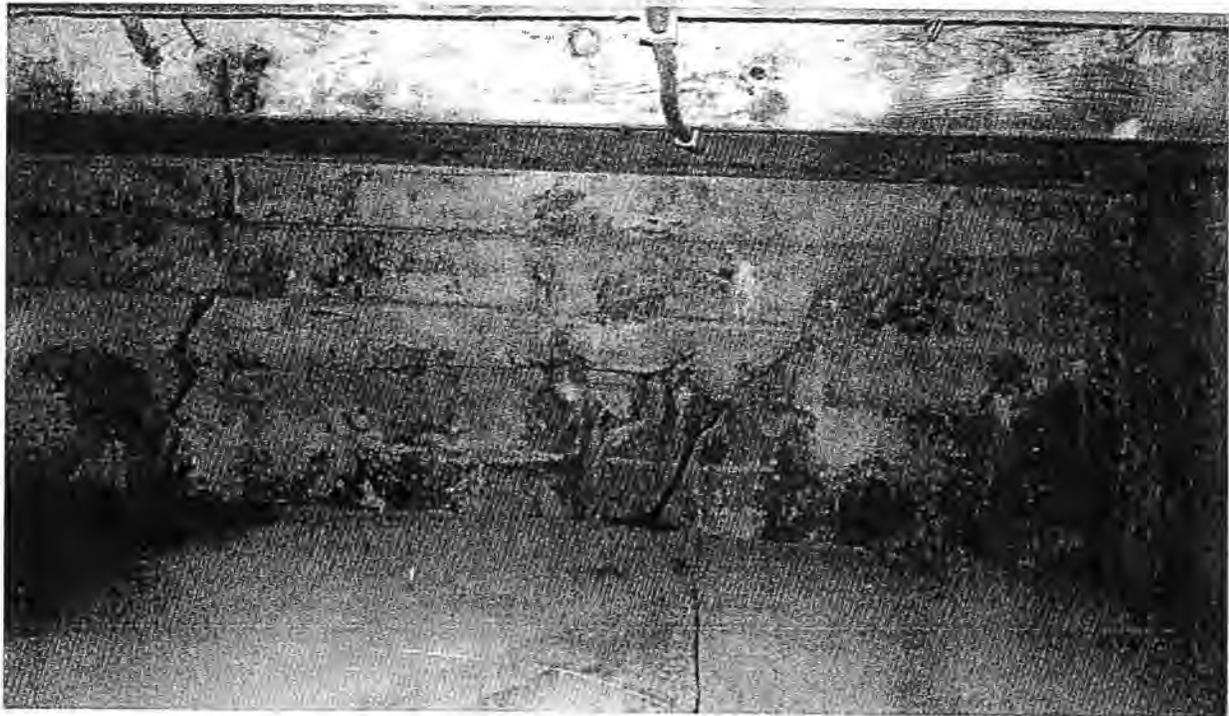
All of these stress cracks in the foundation on the back side of TLH are most likely from the construction method utilized for the exterior walls. The method used was to stack up boards, leaving a space for concrete between the inside of these boards and the inside of the foundation wall. This space was filled with concrete and rubble stones etc. The thought was that the new concrete would bond with the stone work of the original concrete wall.

Unfortunately, it would appear that the walls did not bond together and it is unknown if any steel ties were entered into the process.

### **Small Shed Foundation**

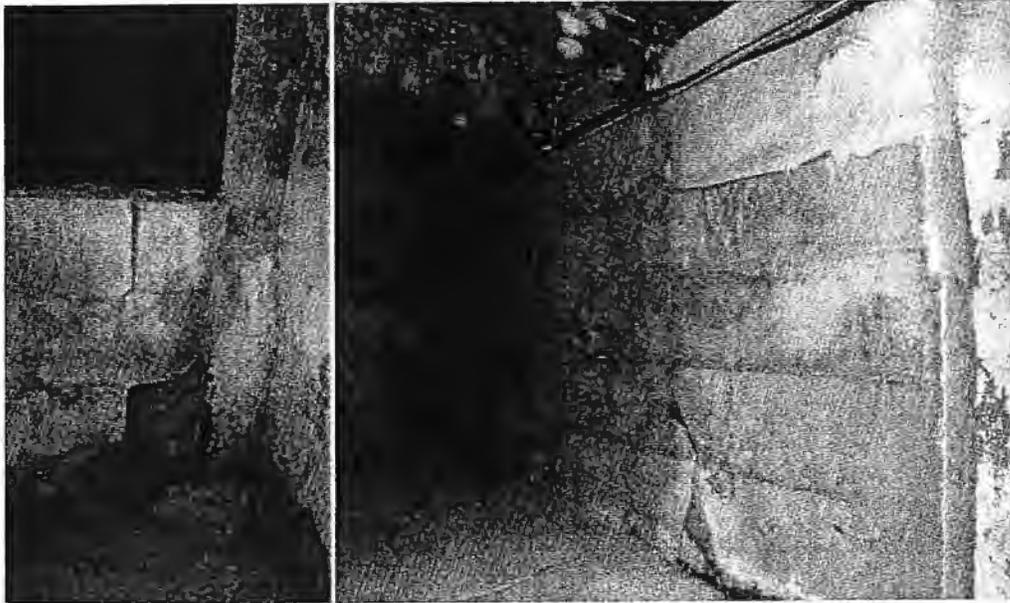
The poured concrete walls in the small shed foundation reveals the probable method/process used in the main house foundation. The photographs below show the foundation under the shed and what occurs when the new concrete walls are built in front of the existing wall, the walls are not built below

frost and there is a negative grade carrying the water from the surrounding higher areas (along with the roof water) towards the foundation. The floor joists are rotted in various areas.



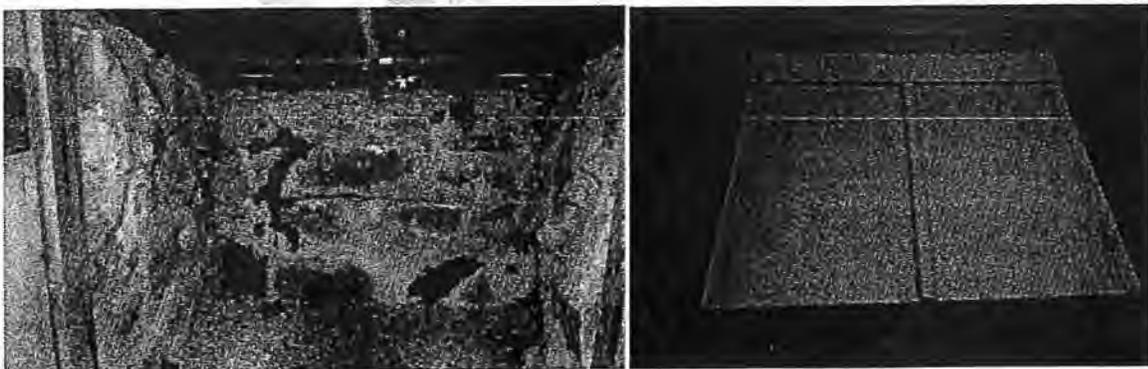
As the water comes into this area between the old stone foundation wall and the newer poured wall it saturates this area continually. When below freezing temperatures occur, the area between the walls will freeze and in the spring subsequently thaw (which occurs each year). This freeze/thaw cycle will continually increase the space between the walls and then gradually push the concrete wall into the basement. The poured west shed foundation wall is now in that condition.

As water from the outside works its way past the inner foundation wall and across the pour floor, it will head towards the lowest spot. As can be seen in the photograph below, more water/concrete damage has occurred.



### Bulkhead

The bulkhead stone work is in good condition with a relatively new top shedding water appropriately.

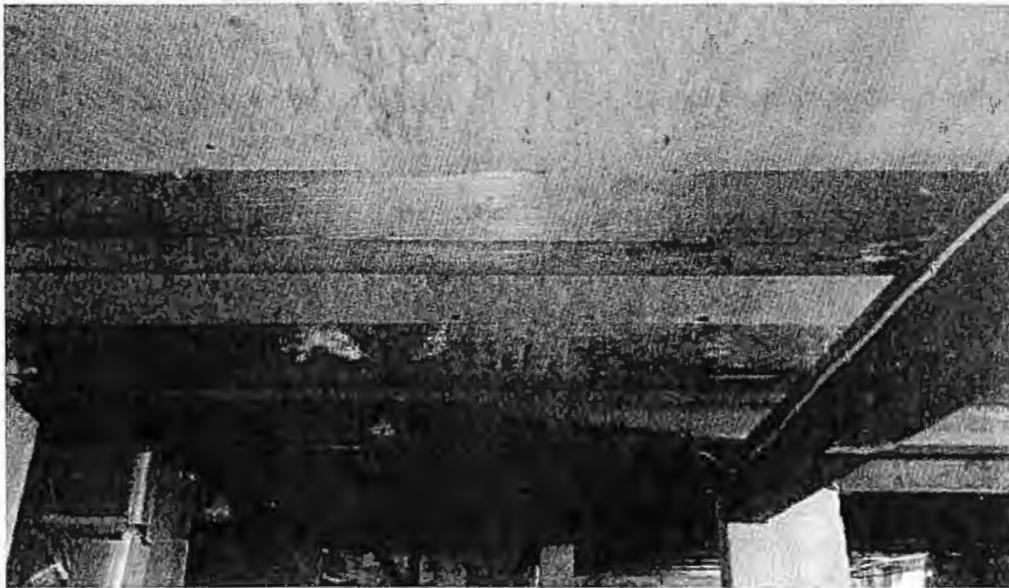


### Sills and floor framing

The vast majority of the sills of the TLH have been replaced as well as the original and second generation floor carriers, girts and joists. This work was said to have been accomplished sometime in the middle and/or late 20<sup>th</sup> century. The only apparent original sill from the 1740's section is a small section approximately 5 ft. long on the southerly façade towards the west gable end.



It is extremely unfortunate that a record (drawings, photographs etc.) of all of this work cannot be located or was never done as this information would have been helpful in determining the location of the original one room deep central chimney base as well as the location of the original basement stairs.



It would appear the original board sub floor in the hall and parlor was replaced with a new plywood sub floor as well as a new finish floor for both rooms.

## Roof

The asphalt roof of TLH is in reasonable condition given its age. While it currently does not appear to be leaking, it is headed towards the end of its life expectancy. The photographs below show a darker area of the shingles on the south side. This area is where the granular material on the shingle is actually now missing and the fiberglass/asphalt material is left exposed.

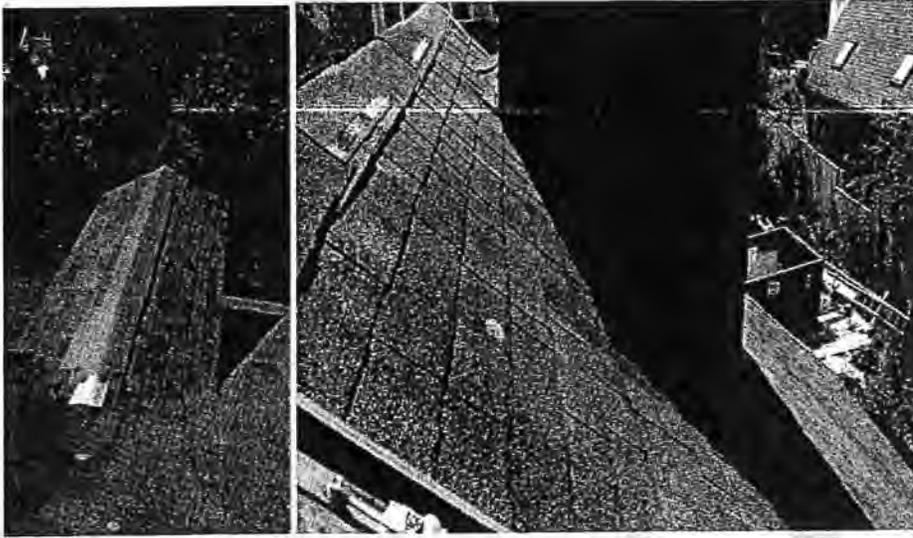




The roofs on the front dormers show some damage as can be seen on the right hand side dormer in the photograph below. The area of the green patches is not damage or repair but a venting mechanism for the dormers. Also, repairs have been made where the dormer roof meet the main roof. It would appear that the asphalt shingles split over this connection and a piece of lead flashing was added to stop leaks.



The dormer on the north side of the roof shows signs of repairs as well as shingles that are missing towards the edges.

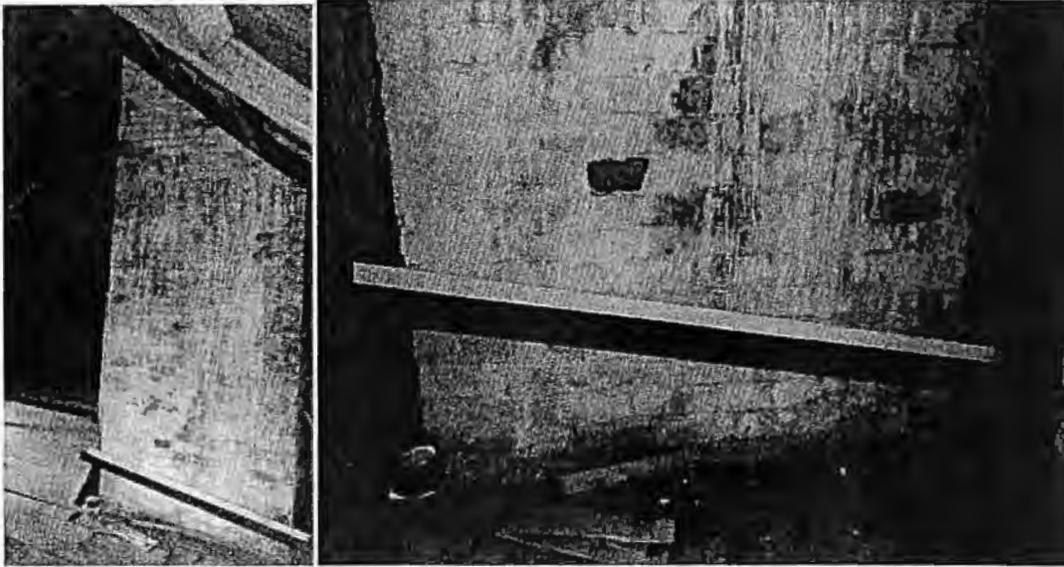


The roof framing as well as the roof sheathing boards are exposed in the attic with the exception of the finished room in the south east corner. The rafters, purlins and roof boards are in reasonable condition with some signs of deflection. The asphalt roofing appears to be nailed directly onto the exterior surface of the roof sheathing boards.



## Chimneys

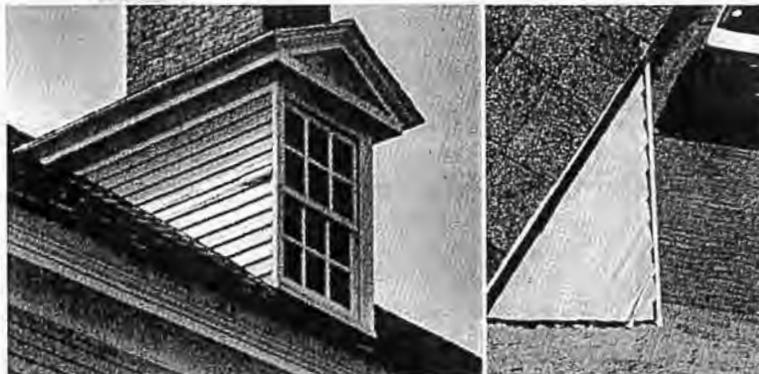
Chimneys and chimney flashing while appearing to be in reasonable condition, especially along the west chimney, is the source of leaking. In an effort to protect TLH from water damage a "make-do" arrangement has been made to collect water from the front and side of the chimney as can be seen in the photo below. Please notice the water marks on the chimney where water has gotten past the flashing and washed down the chimney.



It is my understanding that several years ago (actual year needed) both chimneys were rebuilt just below the roof line. Below this area the chimney flues were parged and top dampers were added to each fireplace. The work above the roof line was built with restoration brick and parged. Chimney flue liners were not installed.

## Dormers

The dormers are located on the south side and the north side of TLH. There are three dormers on the south side and one located on the north side. Structurally, all the dormers appear to be in reasonable condition. However, all are in need of clapboard repair and/or replacement, flashing repair and/or replacement and sheathing repair and/or replacement.

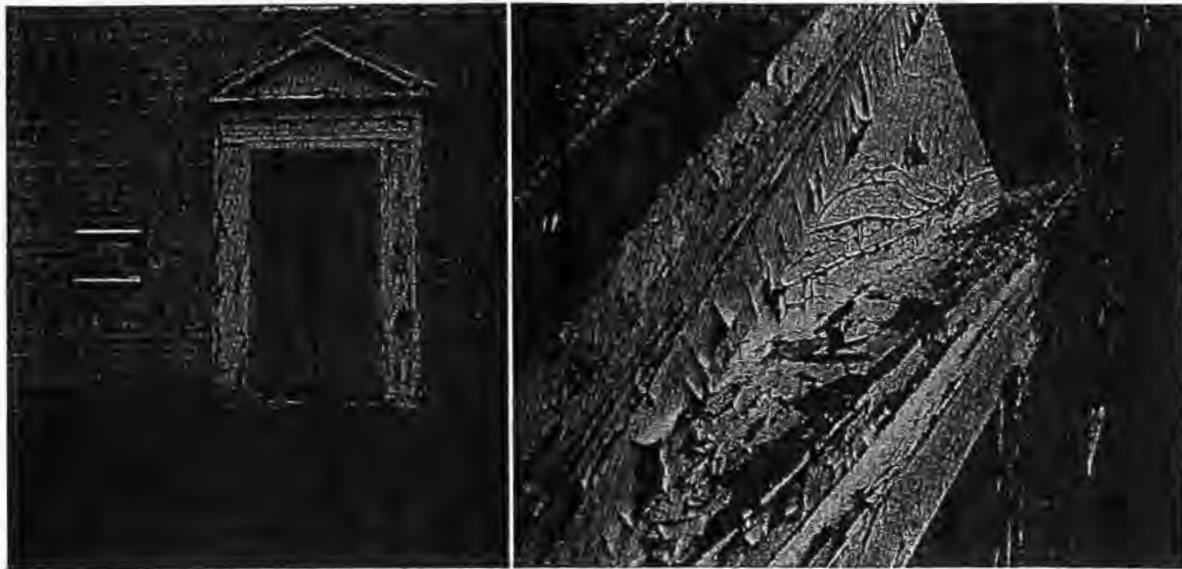


## Trim, Clapboards and Paint

The overall condition of the trim (includes window frame/trim) and clapboards is fair to good , while the paint on the TLH is poor to fair.

**Front Façade.** The south side of the TLH is in reasonable condition concerning trim/clapboards. The paint is in poor condition. The area around the front entrance and along the sill line is in need of considerable repair.



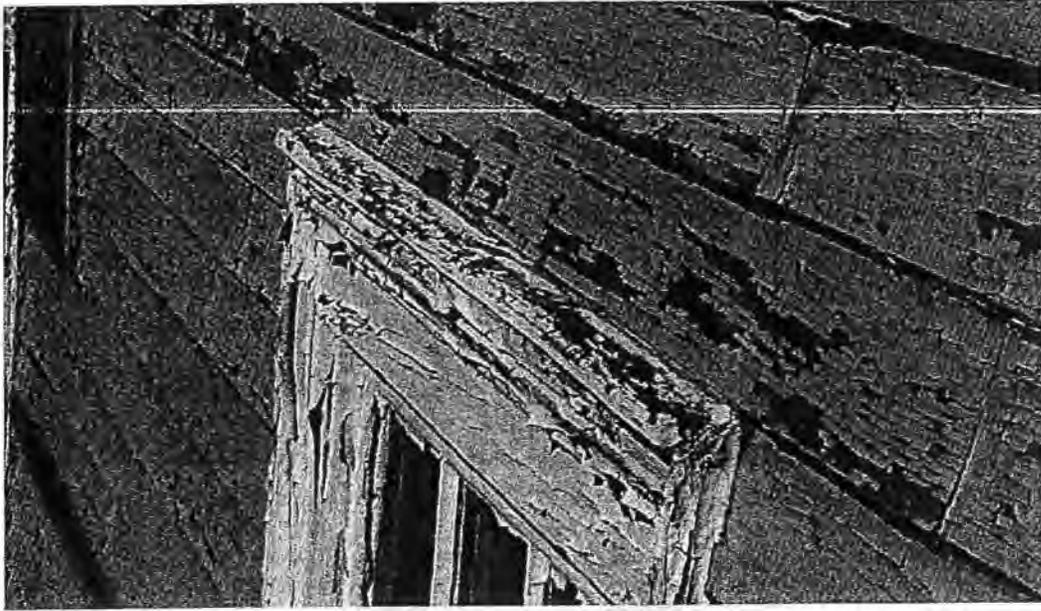


The pilaster blocks, pilaster backer boards, pilaster bottoms, threshold and kick board as well as the shelf board of the pediment are all in need of repair and/or replacement. Approximately, 8 to 10 rows of 20<sup>th</sup> century clapboards along the entire sill area of this side are in need of replacement. A small amount of board sheathing will also have to be replaced.



While there are other areas of this façade that need clapboard repair/replacement, these areas are a small percentage of the overall number of clapboards.

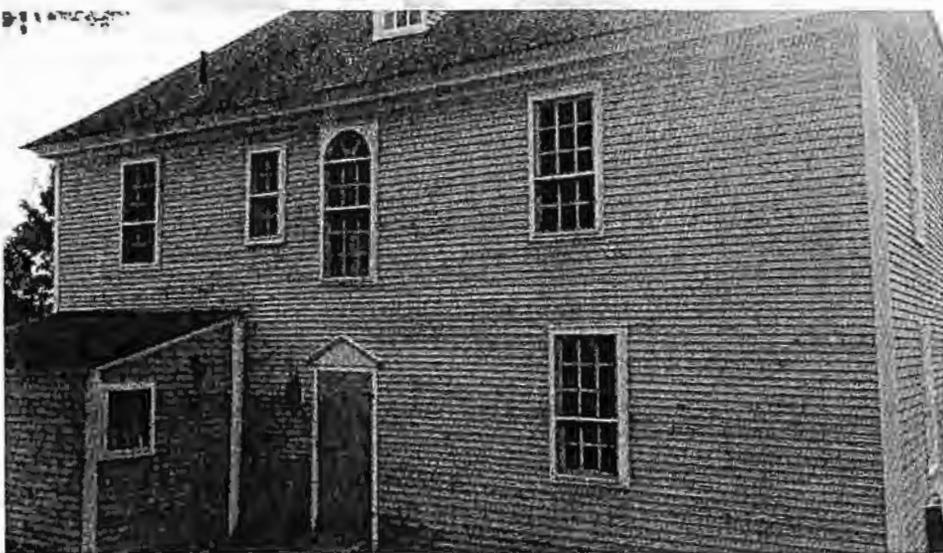
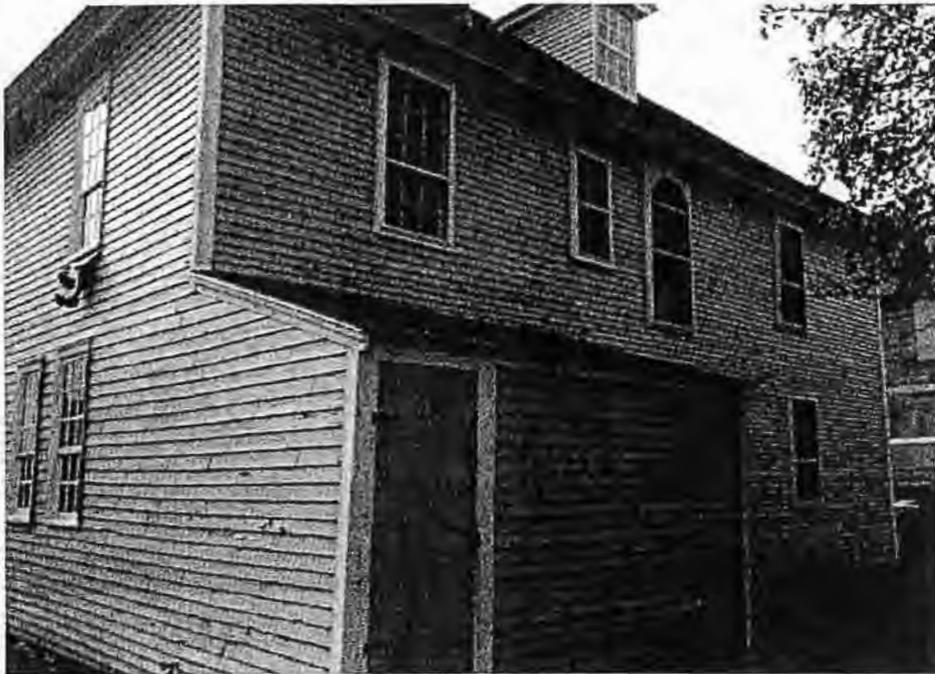
The small window caps on the lower windows are rotted and need to be replaced as well as the deteriorated lead flashing. See the photo below.



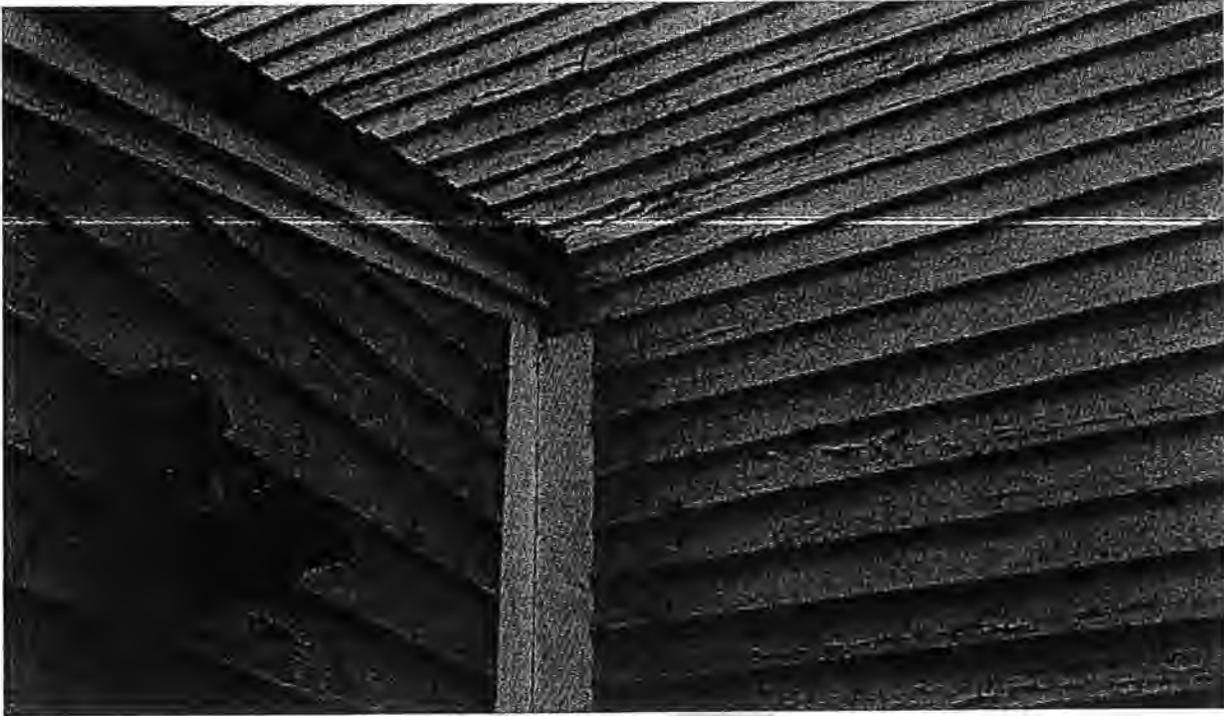
**East Façade.** The east façade is in reasonable condition concerning trim/clapboards and the paint is in fair condition. While some clapboards need to be repaired and/or replaced, the majority are still in serviceable condition.



**North Façade.** The north façade is in fair condition concerning trim/clapboards and the paint is in fair condition.



The clapboards above the small ell addition, the clapboards to the left of the door and the area along the sill line to the right of the door to the west gable end will need to be repaired and/or replaced. The photo below shows a close up of the area the corner and above the small shed addition that is need of clapboard repair and/or replacement. The trim in this area is also suspect.

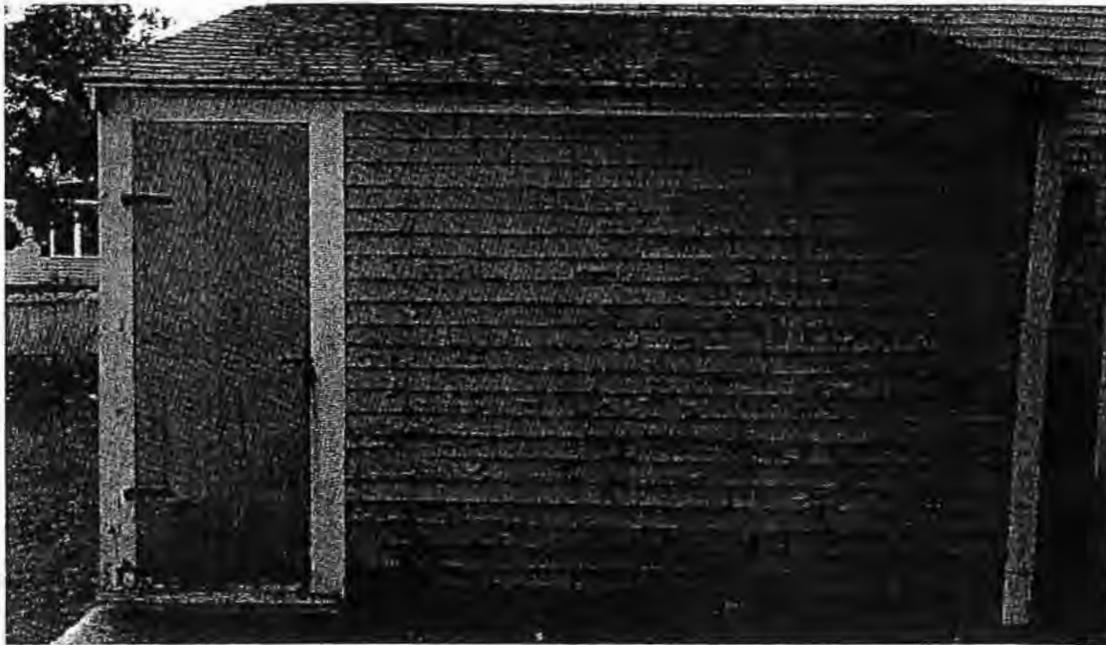


The crown molding return that helps form the pediment as well as the backer board for the pediment above the door are in need of repair. See below.

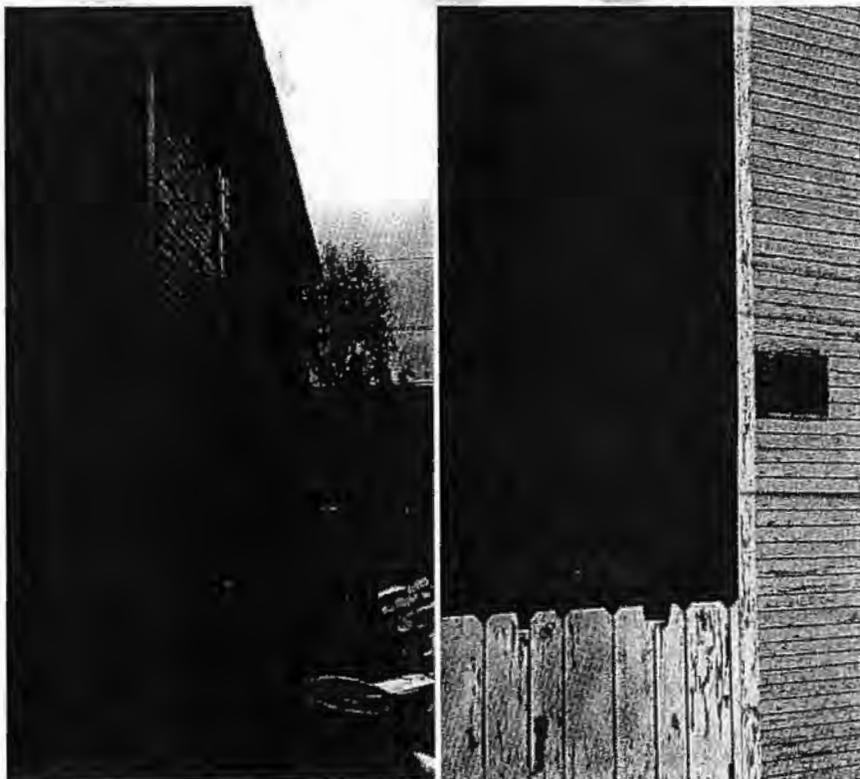


The bottom of the trim on either side of the door also needs repaired.

The small shed addition is in need of clapboard repair, especially along the sill line. This would also include replacing the sheathing in that area. The bottom of the exterior door trim needs to be repaired and the threshold and kick board also need to be repaired and/or replaced.



**West Façade.** The west façade is in fair to good condition with the smallest amount of trim and clapboard repair and/or replacement needed. The paint is in fair condition.



### **Windows, Sash and Doors.**

Overall the window sash and doors of the THL are in reasonable condition. All of the window sash need work with putty loss and some repair. Also, they are all in need of painting.

Of the three storm doors, only the back door appears to be in good condition. The front storm door and the small shed storm doors are in need of repair and currently are not operable.

The main house back door is in good condition while the front door is currently non-functioning. The door of the small shed cannot be opened due to the fact that the refrigerator is currently placed in front of the door.

## Appropriate Repairs with Estimated Costs

The appropriate repairs of TLH exterior shall be based upon good preservation/restoration/rehabilitation practices as well as guided by The Secretary of the Interior's Guidelines.

The costs for each of these components as listed below shall all include labor, materials and debris removal. Each component does **NOT** include a suggested 10% contingency fee and a 10% supervision/profit/overhead fee. These fees should be added to each component if a phased-in approach to the work at TLH is considered. If the work is done as a complete exterior and/or as a complete interior project, then an overall 10% contingency fee and an overall 10% supervision/profit/overhead fee will be added to the total. At the end of this section of the report, this method will be utilized.

### Grade around building

The west and north sides of TLH should be re-graded so that water will pitch naturally away from the building. A swale can be created on west side even with the limited space available. More aggressive work could be accomplished on the north side and have everything pitched towards the lawn on the east side. This work should then be re-seeded.

Cost \$3,000

### Main Foundation

The south, east and west foundations will require some minor re-pointing. The interior poured concrete walls that are up against the two chimneys should be taken down and removed. This will then entail the proper repair and bracing of the existing damaged chimney bases. Also, the northerly foundation with its long horizontal crack will require repair. At least two of the masonry columns will also need repair.

Cost \$ 16,000

### Small Shed Foundation

The small shed foundation needs to be completely replaced. This will require jacking up the building slightly to remove the existing foundation, excavation below frost (4') and then pouring a new footing with rebar. A new steel reinforced concrete wall would be built to slightly below grade and then salvaged stones from the excavation would be installed on top of the poured wall at the appropriate elevation.

Cost \$ 6,200

## **Roof**

The roof on TLH needs to be replaced within the next couple of years. This work will include the removal of the existing asphalt shingles, the repair/replacement of any rotted roof sheathing, the installation of ½" cdx plywood on top of the sheathing, installation of ice and water shield at least two rows up from the eaves (approximately 6') as well as 3' on either side of the valleys and the covered with at least a 30 year architectural asphalt shingle. This work also includes roof work on the 4 dormers and the roof on the small ell addition.

**Cost \$ 37,500**

## **Chimneys**

The chimneys are in need of repairs including replacement of lead flashing in various areas. Some bricks may have to be removed between the attic floor and the roof line due to spalling. After the repairs are made those areas should be parged again and blended-in with the existing parging. A small cricket should be installed on the front side (southerly side) of the western chimney.

**Cost \$ 5,000**

## **Dormers**

The roof portions of the 4 dormers are covered under the main roofing project. The trim, clapboards, windows and possibly some of the sheathing will need repairs. It is typically better to make these repairs in conjunction with the roofing project. This includes scraping, priming and painting of each of the 4 dormers. This also includes the 4 pairs of window sash.

**Cost \$ 7,500**

## **Trim, Clapboards and Paint**

The appropriate trim and clapboard repairs are proposed on a façade by facade basis as well as scraping, priming and finish painting.

All clapboard replacements should be made with extra clear, quarter-sawn spruce clapboards (Cedar clapboards would be an alternative choice). The length of the clapboards should not exceed 4'. The clapboards will be feathered as are the earlier clapboards on the TLH. All new clapboards should be

back-primed before installation. All cut ends that go against trim etc. shall be spot primed before installation. All clapboards should be installed with new hand-headed galvanized nails.

All trim repairs should also be back-primed before installation.

All window sash will also be repaired as needed. This work would include structural repairs to the sash frames, scraping, re-glazing as needed, priming and painting.

Concerning painting, all components shall be carefully scraped. Power washing should not be utilized. All surfaces should be primed and then a high quality paint such as Sherwin Williams Duration should be applied as a finish coat.

Debris removal on a per façade basis is also included.

**Front Façade:** The front façade is the side that needs the most work. Approximately 350 lineal ft. of clapboards need to be replaced as well as approximately 20 lineal ft of sheathing.

The small window caps on the two lower windows shall be replaced in kind and shall receive new lead flashing. Window frames and sills will be repaired as needed.

The front door surround shall be repaired as needed. All replacement parts shall be back/face primed before installation. The shelf on the pediment will be repaired as needed. The threshold will be repaired and or replaced as needed. The front exterior storm door shall be repaired and made usable again. The exterior door would also be repaired and made operational again.

This includes the five pairs of window sash.

Appropriate painting prep, priming and final coat of paint is included.

**Cost \$ 17,250**

**East Façade:** The east façade requires approximately 250 lineal ft. of clapboard replacement.

Trim, window frames and sills shall be repaired as needed.

The five pairs of window sash are included.

Appropriate painting prep, priming and final coat of paint is included.

**Cost \$ 14,600**

**North Façade.** This façade also includes the north and west sides of the small shed addition. The side requires approximately 300 lineal ft. of clapboard replacement.

The bottom of the trim, threshold etc of the small addition storm door shall be repaired as well as the bottom of the exterior door.

The area to the left and right of the back door of TLH will be repaired as needed.

Trim, window frames and sills shall be repaired as needed.

The five pairs of window sash and the single sash in the small addition are included.

Appropriate painting prep, priming and final coat of paint is included.

**Cost \$ 16,650**

**West Façade.** This façade is in the best condition of all of the façades on TLH. This side requires approximately 100 lineal ft. of clapboard replacement.

Trim, window frames and sills shall be repaired as needed.

The six pairs of window sash are included.

Appropriate painting prep, priming and final coat of paint is included.

**Cost \$ 12,550**

## Exterior Project with Estimated Costs

<u>Project</u>	<u>Cost</u>
Grade around Building	3,000
Main Foundation	16,000
Small Shed Foundation	6,200
Roof	37,500
Chimneys	5,000
Dormers	7,500
Front Façade	17,200
East Façade	14,600
North Façade	16,650
<u>West Façade</u>	<u>12,550</u>
Subtotal	\$ 136,200
Contingency @ 10%	13,620
<u>Supervision/overhead/profit @ 10%</u>	<u>13,620</u>
TOTAL	\$ 163,440

## Interior Existing Conditions.

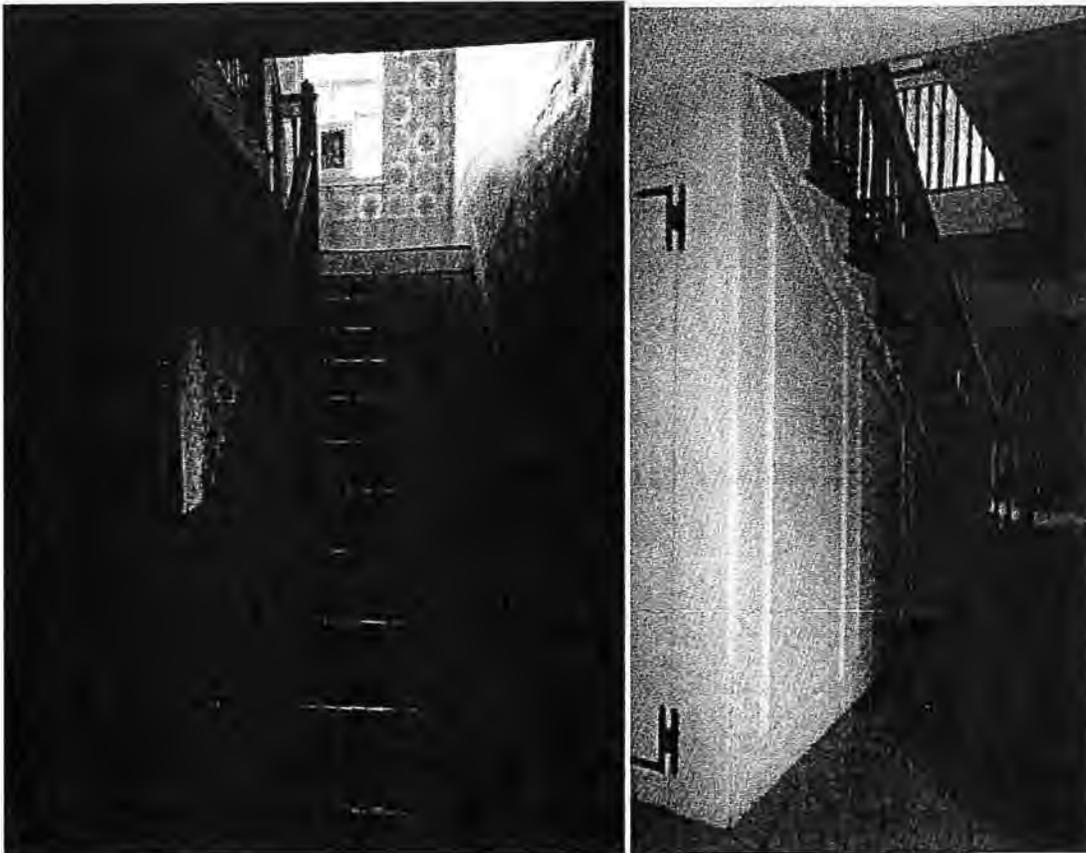
The existing conditions of the interior of TLH are very similar when they are examined room by room. Each room has peeling paint issues and problems concerning wooden wall surfaces. Each room has plaster issues pertaining to various cracks, peeling paint and layers of paint that were not properly prepared before repainting. However, the plaster, with a few exceptions, seems to still be adhered well to the lath. The floors of TLH are in reasonable condition with several floors being in good condition.

Doors are generally in operable condition with the exception of a few areas which will be addressed in the room by room breakdown.

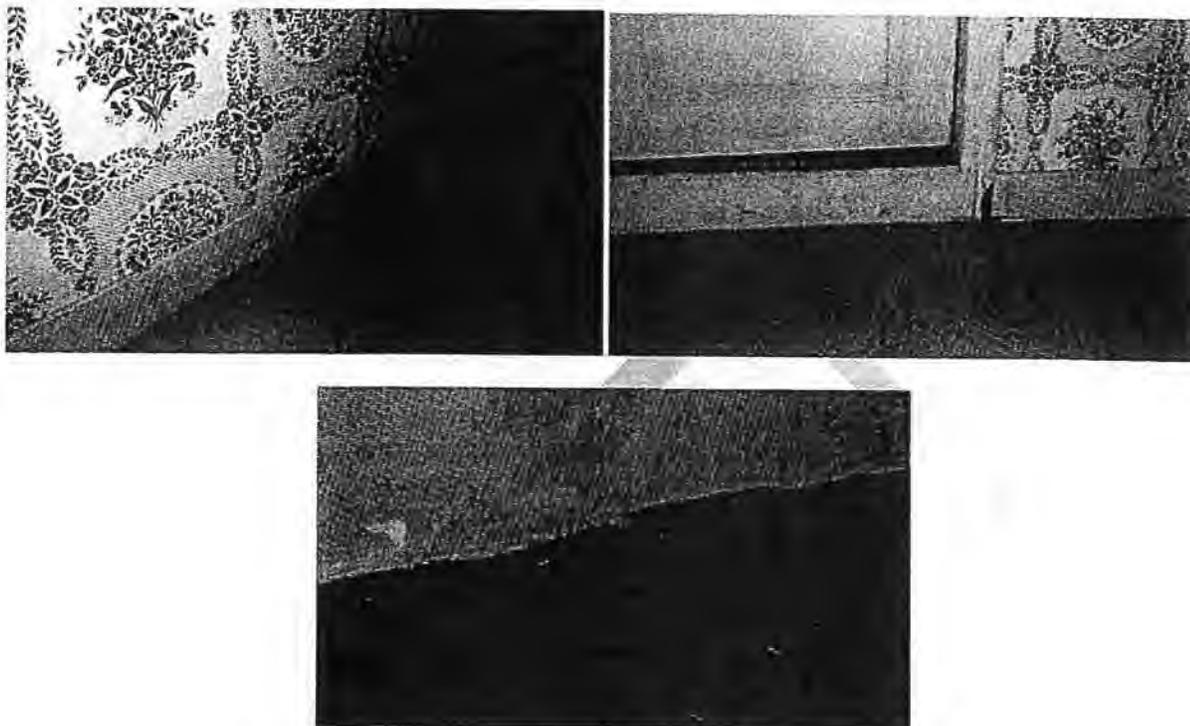
With the exclusion of the flooring, overall the interior surfaces of TLH are in poor condition.

### First Floor

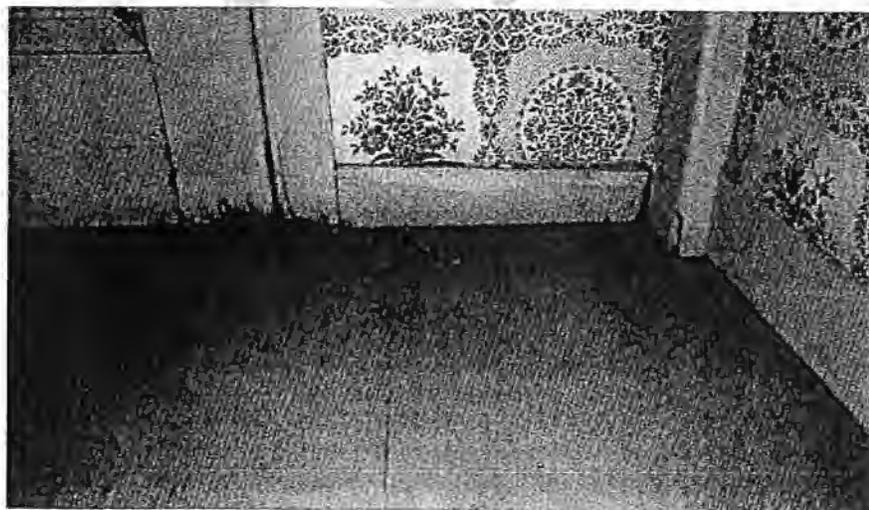
**Lower Entry/Stairhall.** This area is in good condition with the exception of a couple of issues.



As can be seen in the photos below, the baseboard along the wall that is common with the northwest room is rotted where it meets the floor. This rot is most likely from moisture from the basement migrating up into the wall cavity. The third photo shows the damage to the baseboard on the other side of the wall in the Northwest room.



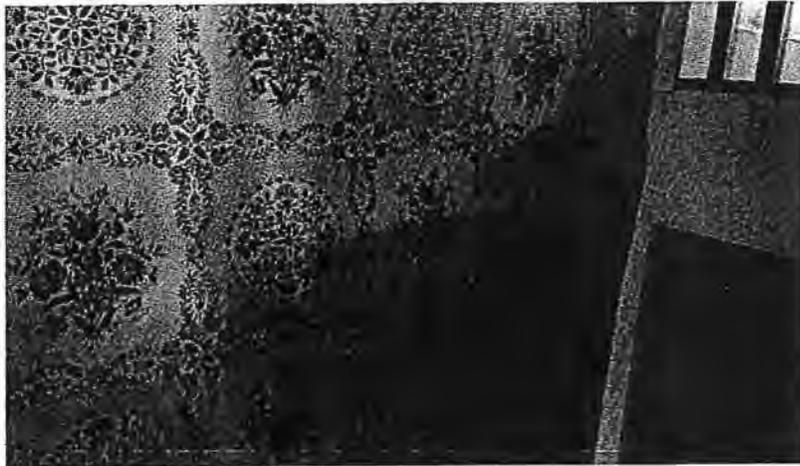
The area to the right of the front door along the baseboard also needs work



The floors were replaced when the timber frame deck was rebuilt years ago. This work also removed the subfloor.



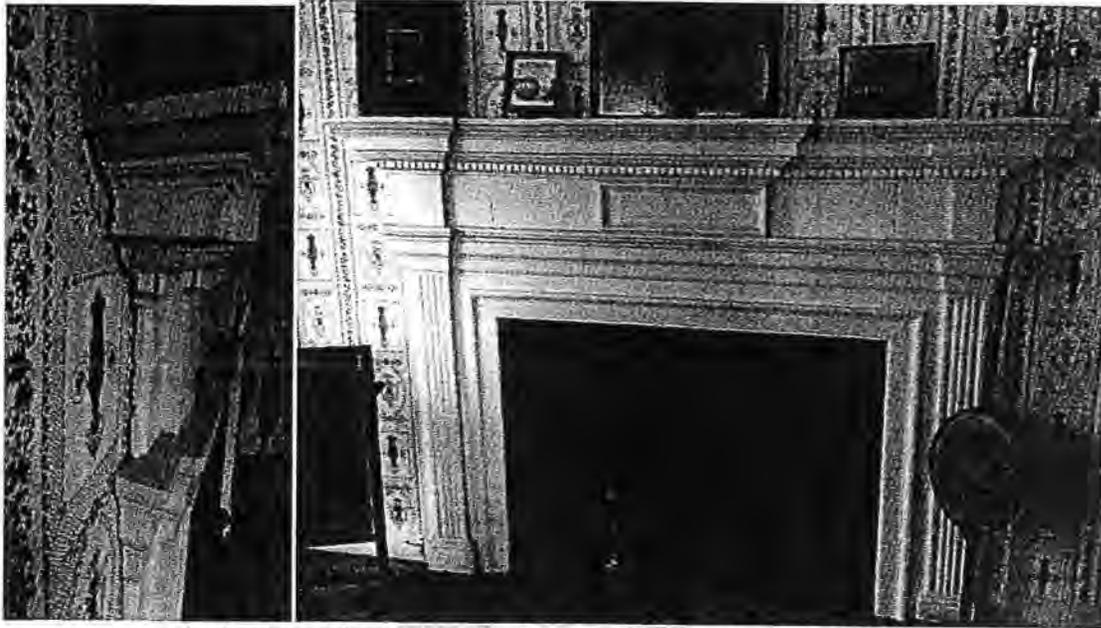
At the second floor framing plaster wall on the easterly side of the stairs there is a large bulge in the plaster wall.



This could be caused from a settling of the plaster/lath during the reconstruction of the first floor framing, a separation of the plaster from the lath and/or some other unknown cause.

The wallpaper is in good condition. The ceiling is also in good condition.

Parlor. The parlor room is in reasonable condition. The left hand side of the fireplace surround has pulled away slightly from the wall.



The bricks on the back of the fireplace have some minor damage.

The wall paper is in good condition. The ceiling is also in good condition.

The top floor was replaced along with the subfloor during the floor reframing.



**Northwest Room.** The northwest room in fair condition. The fireplace surround and actual fireplace itself are in good condition.



The fireplace surround is flanked by a door on the left and two doors on the right. The left hand door is the entry for a large closet. Behind this door is a large closet with shelving.

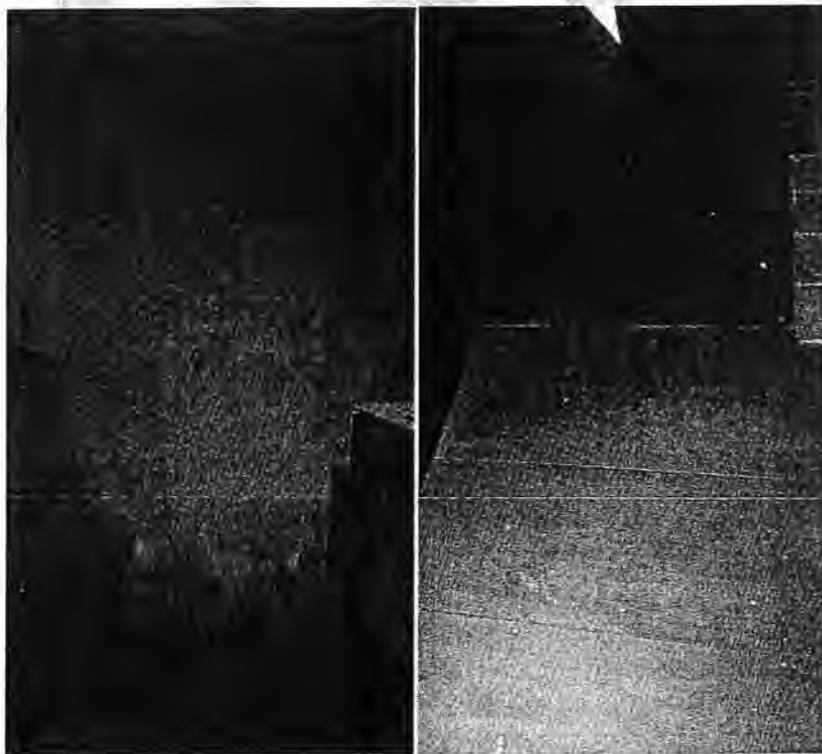
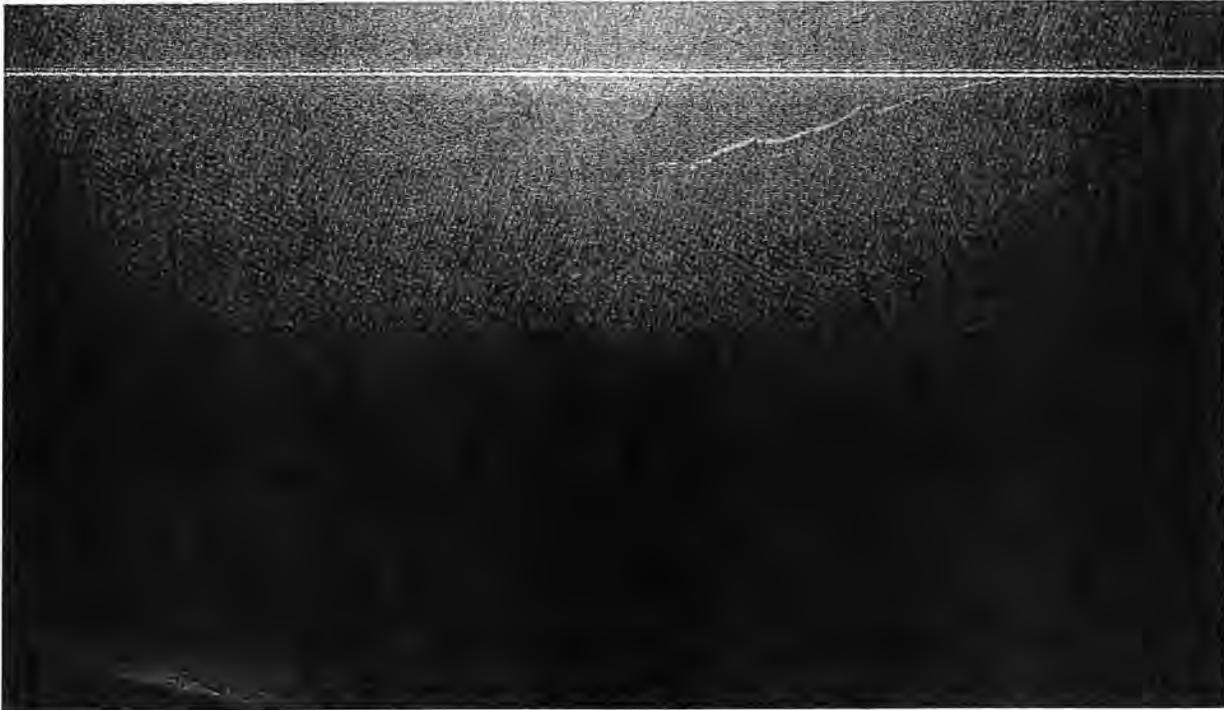




Concerning the two doors to the right of the fireplace, the door on the left opens into a closet and the door on the right opens up to a passageway from this room to the parlor. The floors are of old painted pine.



The ceiling and walls of the northwest room are in fair condition and the floor is of painted newer pine and is in good condition.



**Front Sitting Room.**

The front sitting room is in reasonable condition. The paneled wall and fireplace surround are in good condition.



The bricks on the back of the fireplace are in poor condition

The wall paper is in good condition. The ceiling is in fair condition.

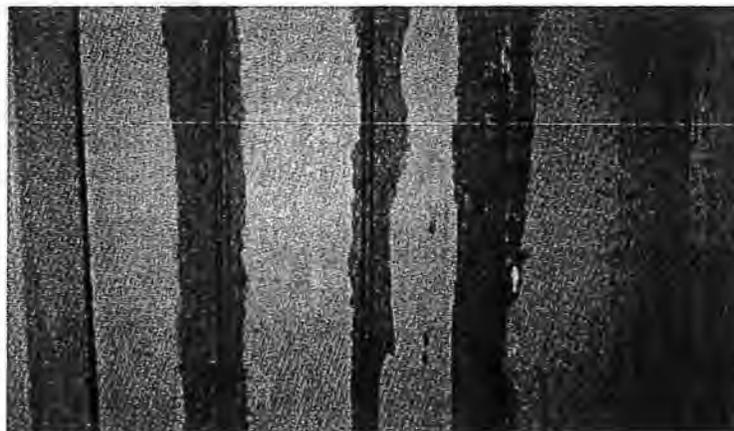
The floors are painted pine in reasonable condition.



**Passage room.** This passage room allows access from the front sitting room to the kitchen located in the first floor east back room.



The exterior wall space in this area is in poor condition. At one point bead board sheathing was added to the wall surface in this space. This surface was then wallpapered.



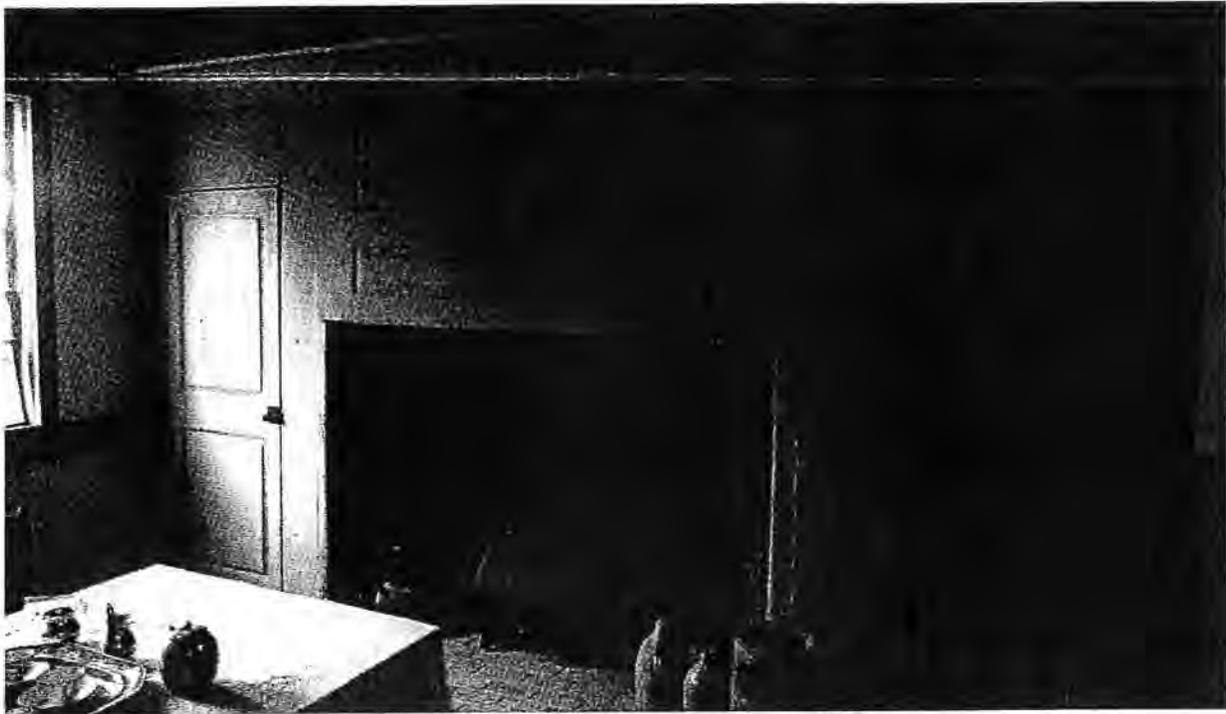
The chimney side of this space is set up for shelves/cupboards.



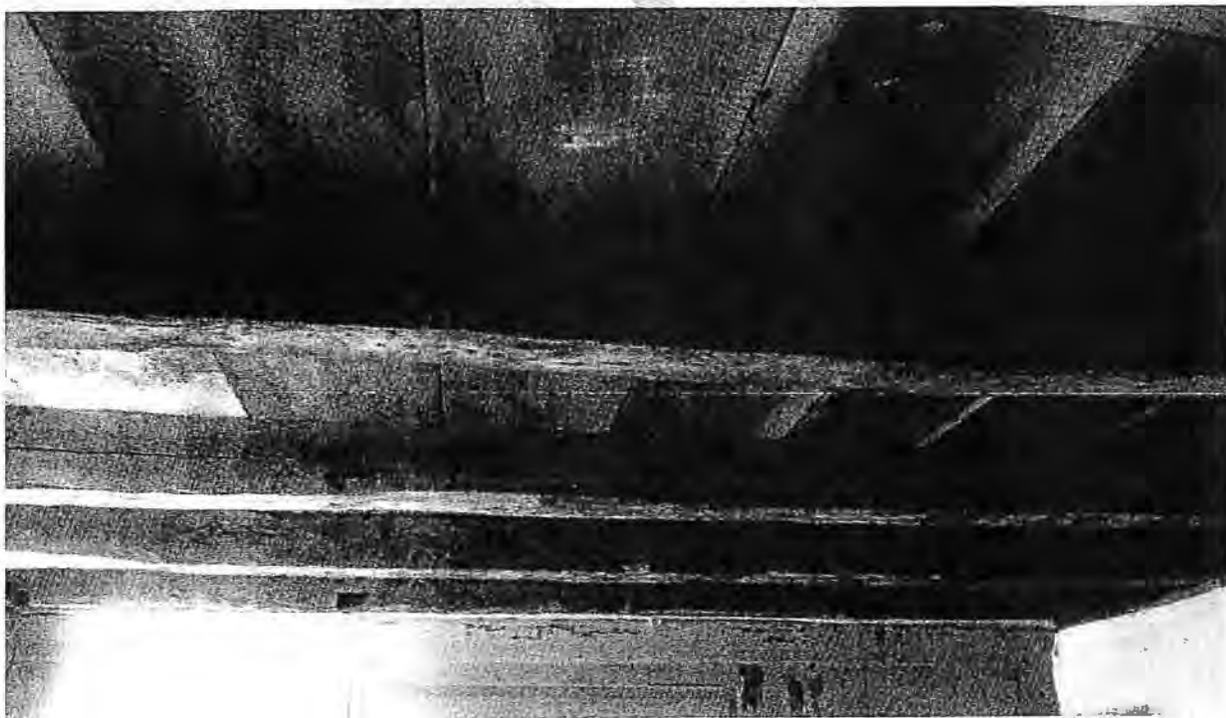
The flooring is of new pine that has been left unpainted



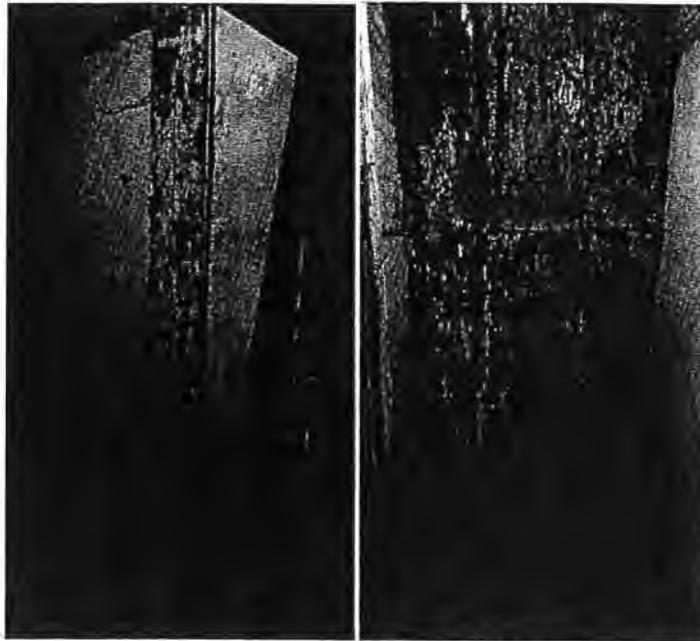
**Kitchen.** The kitchen was originally located in this east back room. The kitchen fireplace (with beehive oven) is located between the passage door to the left (going to the front sitting room) and the door to the right that goes to the cellar. The wooden wall, doors and actual fireplace itself are in fair condition.



The plaster and lath on the ceiling has been removed and the ceiling joists have been exposed along with the bottom of the subfloor of the kitchen chamber floor.



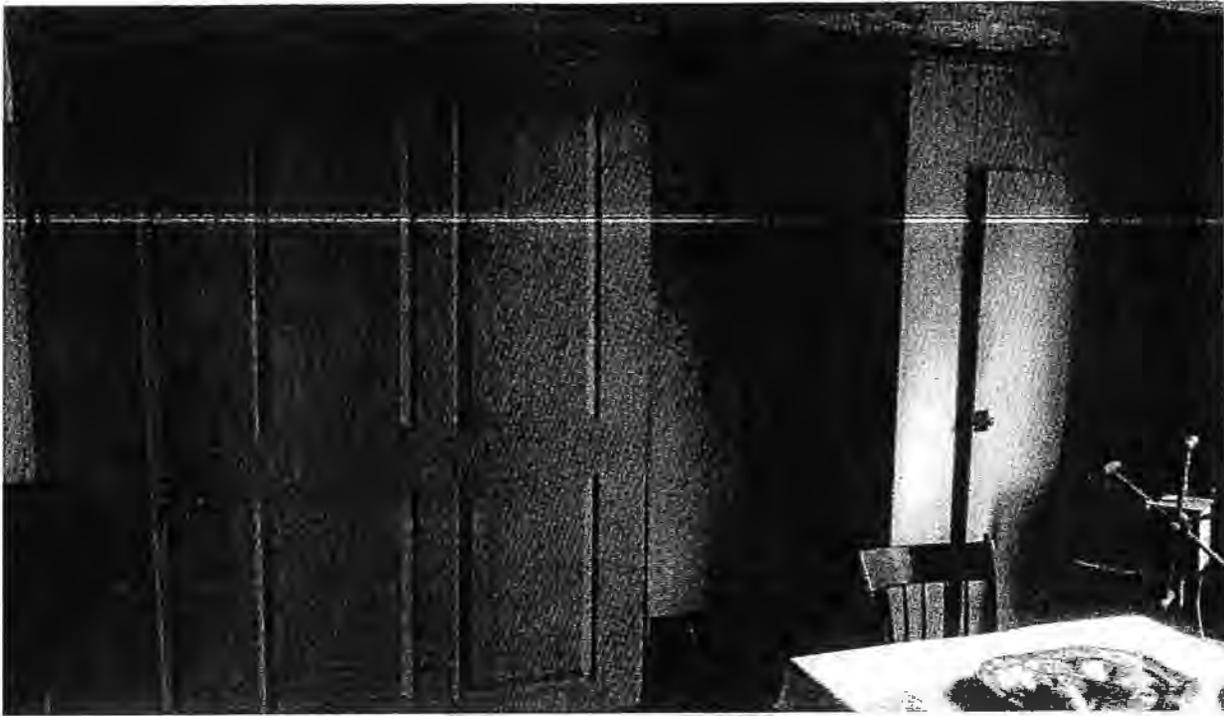
**Cellar access from kitchen.** The cellar access is from the door to the right of the fireplace. This door leads to a brief landing and then a set of steep stairs.



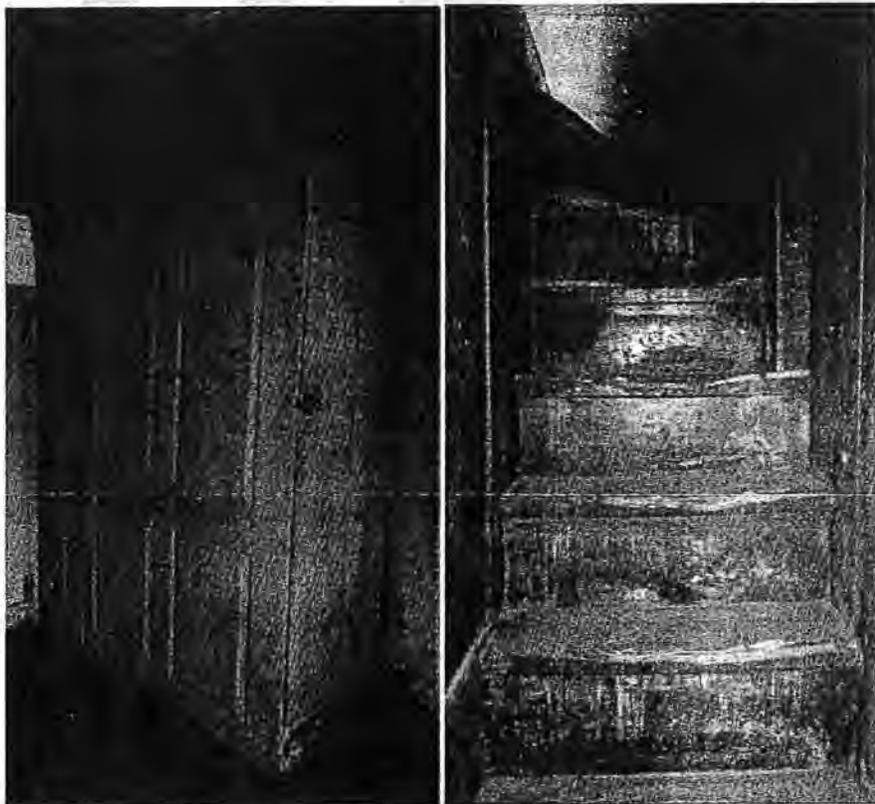
The area over the stairs is covered by the slanted backer boards that form the back of the cupboard to the left of the fireplace in the front sitting room. This area is in poor condition.

The north side of the east wall of the kitchen is sheathed with horizontal feather edge sheathing up to the left hand side of the most northerly window on the east side. To the left of this sheathing is a built-in cupboard.

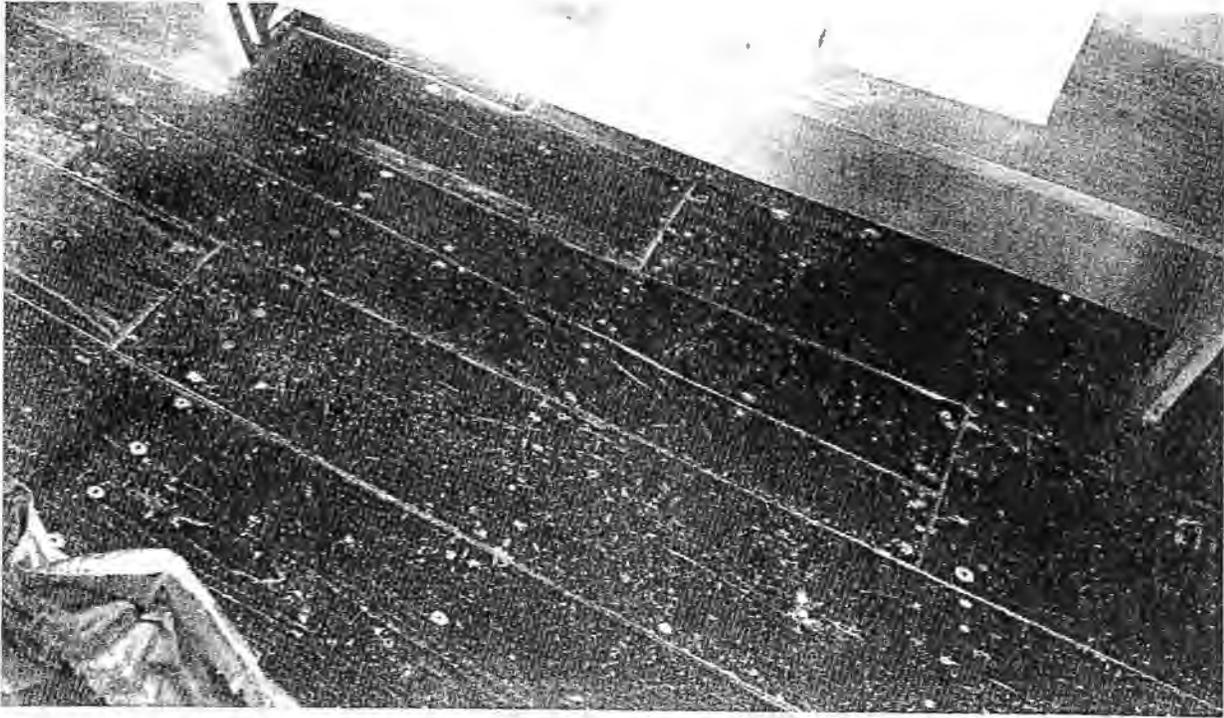




Behind the paneled wall to the far left on the north wall of the kitchen is the back stairway leading to the attic stairway. The right side of the lower hinge on the door has pulled away from the trim making the door non-functional.



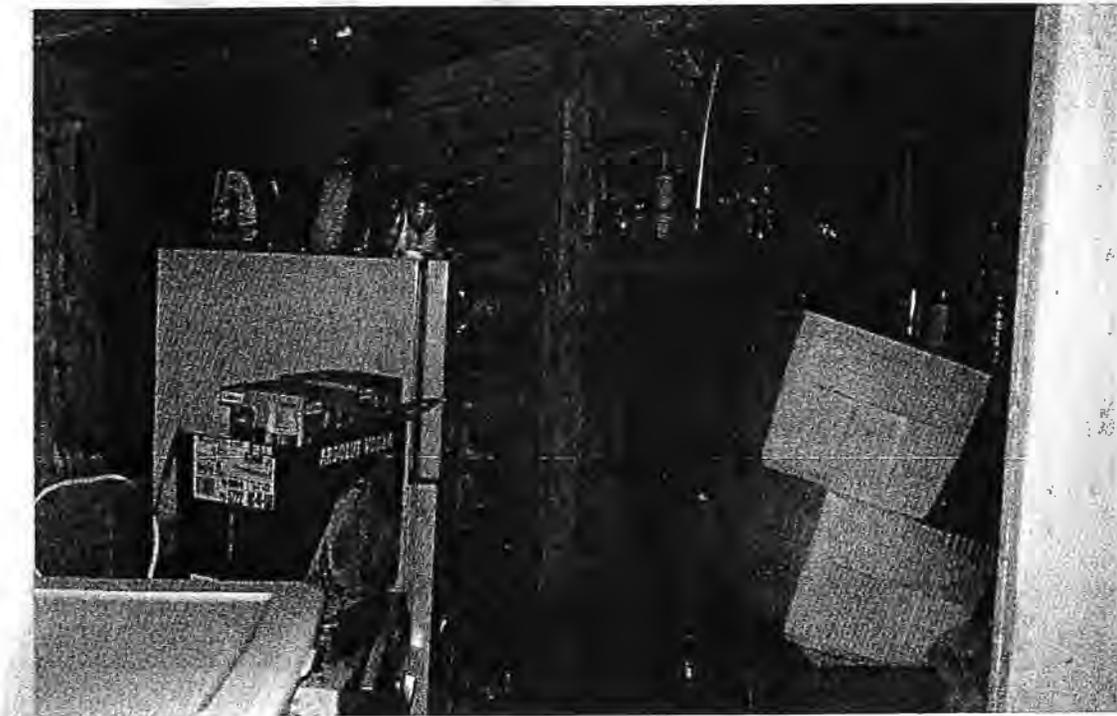
The floor in the old kitchen is painted wide pine with staggered joints and is in fair condition.



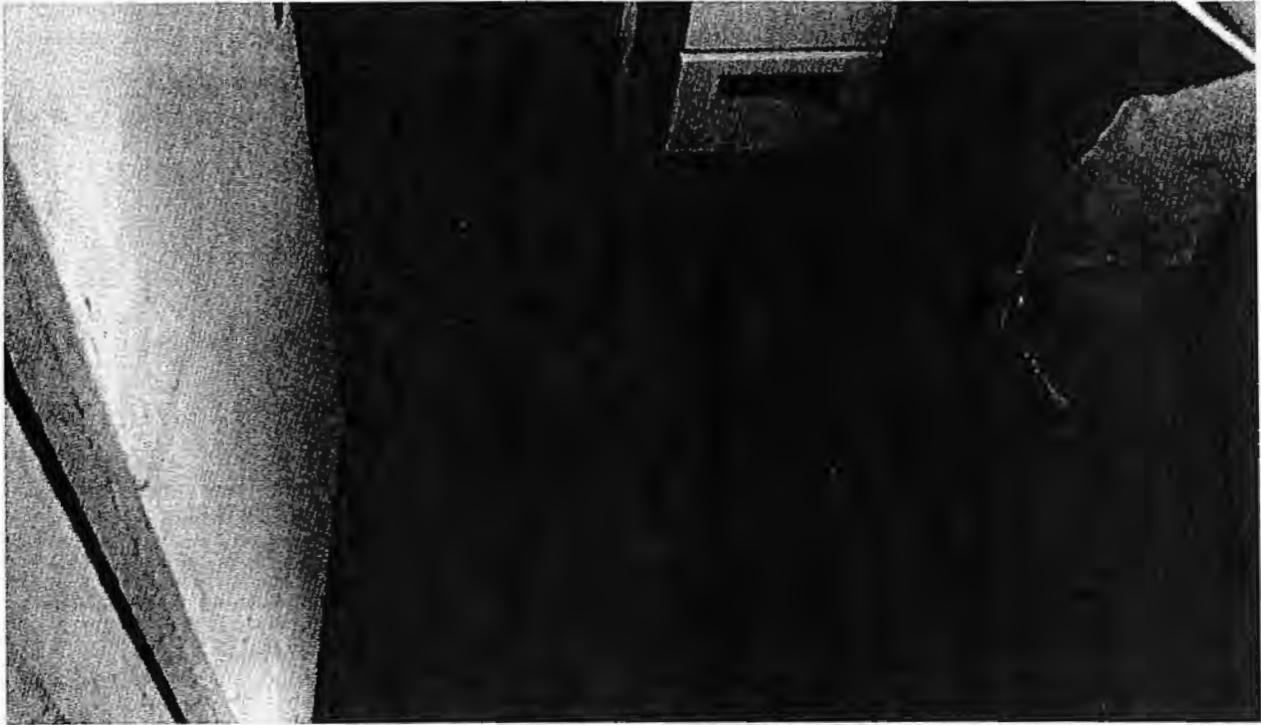
**Small shed addition.** Access to the small shed addition is gained from the door on the back (north) wall of the kitchen through a door that is located between a built in cupboard door to the right and the back stairway to the kitchen chamber to the left.



The small shed addition houses a sink, stove, refrigerator, work space and a separate half bathroom. The condition of the space that contains the sink, stove, refrigerator and workspace is in very poor condition.



The floor of the shed addition is of pine and in fair condition.



Entrance into the bathroom is gained through a door in the work space area. The bathroom is in poor condition and does not meet ADA requirement for access (existing door widths) and also dimensions of the actual room itself.

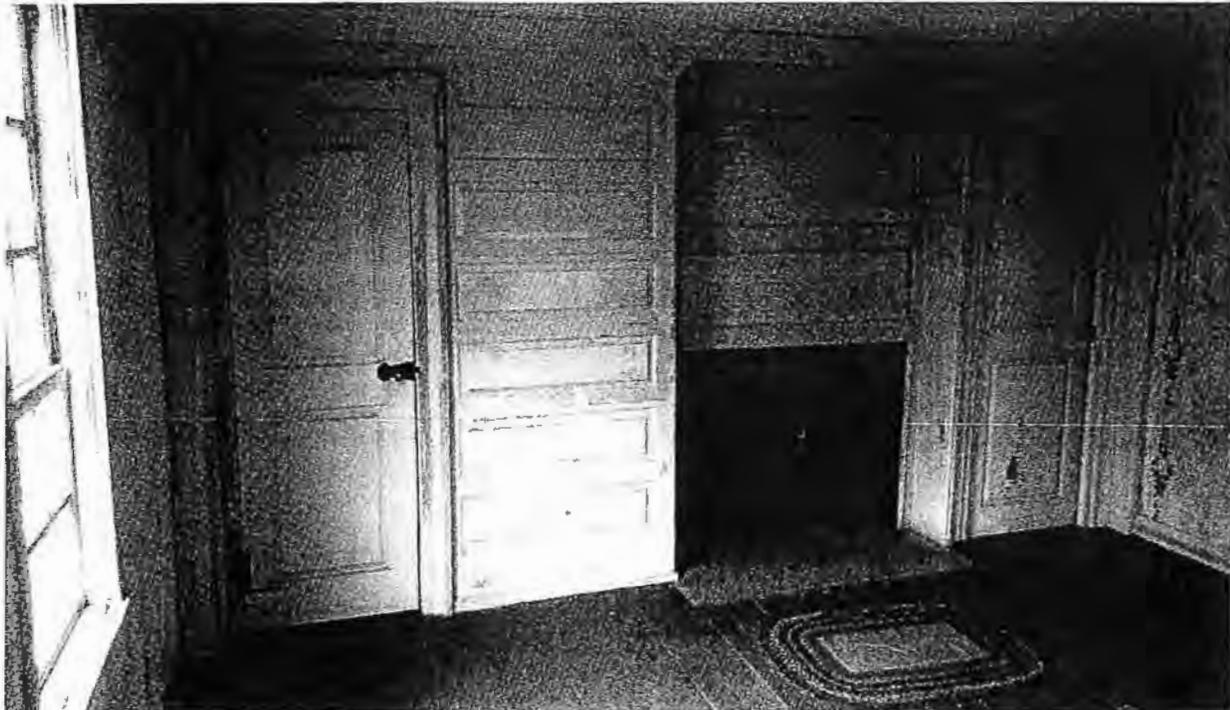


## Second Floor

**Upper stairhall.** The upper stairhall is in overall good condition with minor ceiling plaster issues. The floors are old painted pine in good condition. The wall paper is in good condition.



**Parlor Chamber.** The parlor chamber is in overall fair condition. The fireplace is flanked by a door on the left that opens into the northwest chamber and a door on the right for a closet.



The plaster ceiling and walls of the parlor chamber are in poor condition. In the photograph below, the paint on the sash and window trim is peeling badly and water stains and cracking plaster can be seen below the window.



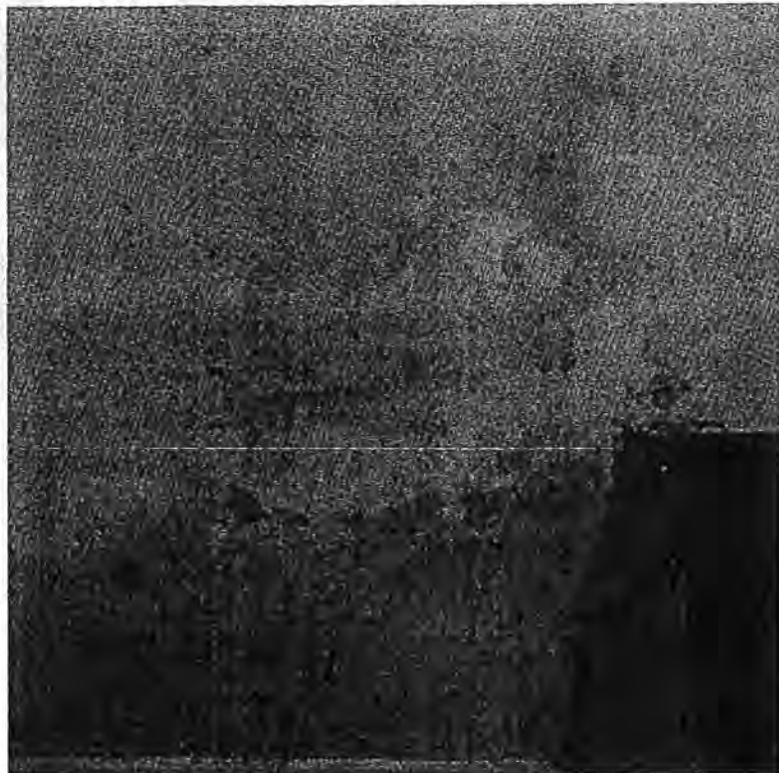
The floors are of painted pine and are in good condition.



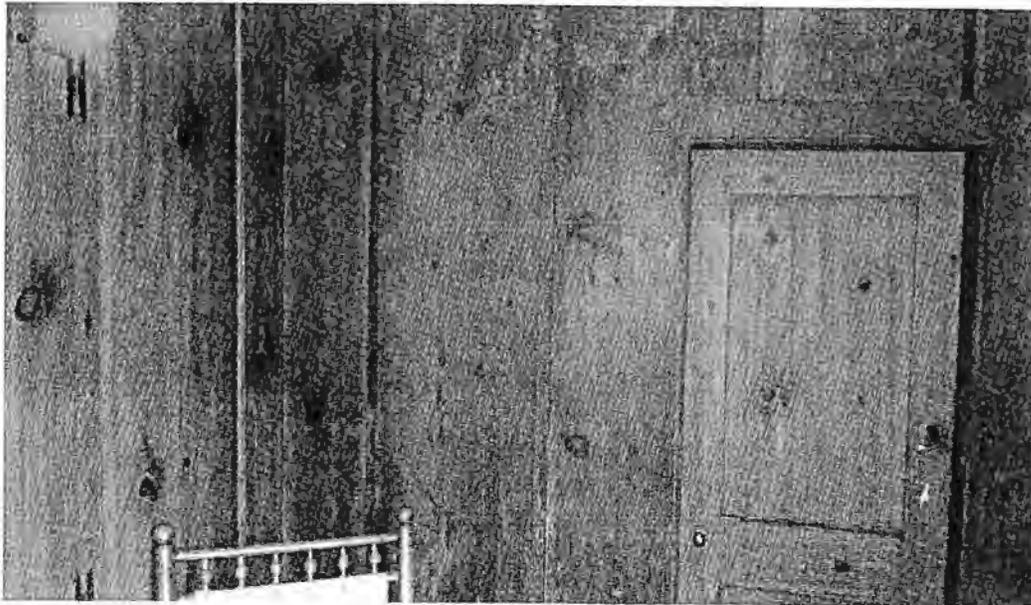
**Northwest Chamber.** The northwest chamber is in fair condition. The fireplace and fireplace surround are in reasonable condition.



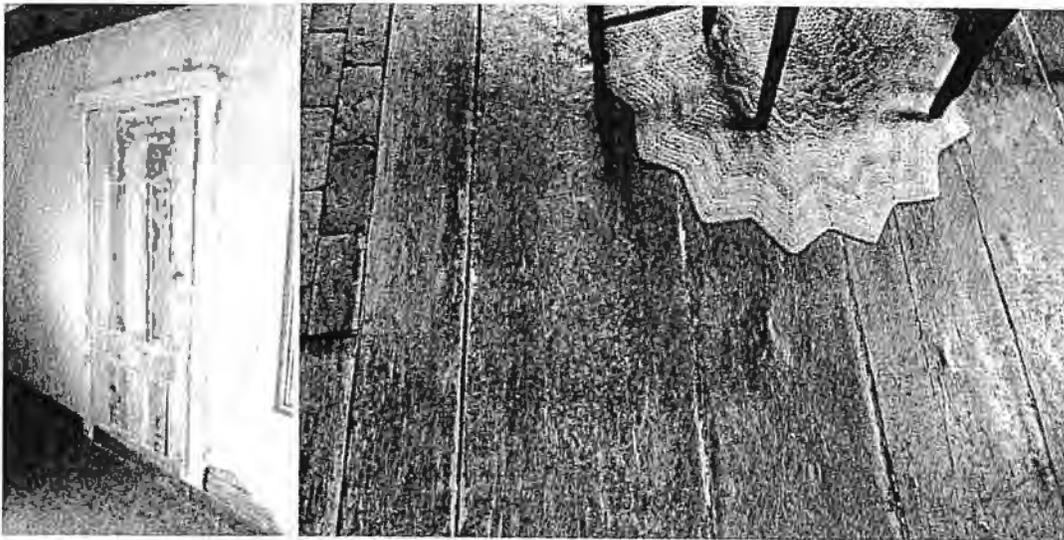
To the left of the fireplace, a wallpapered plaster wall is heavily damaged/stained from the leak above in the ceiling which was caused by the leak in the roof flashing around the west chimney years ago. The ceiling plaster is in poor condition.



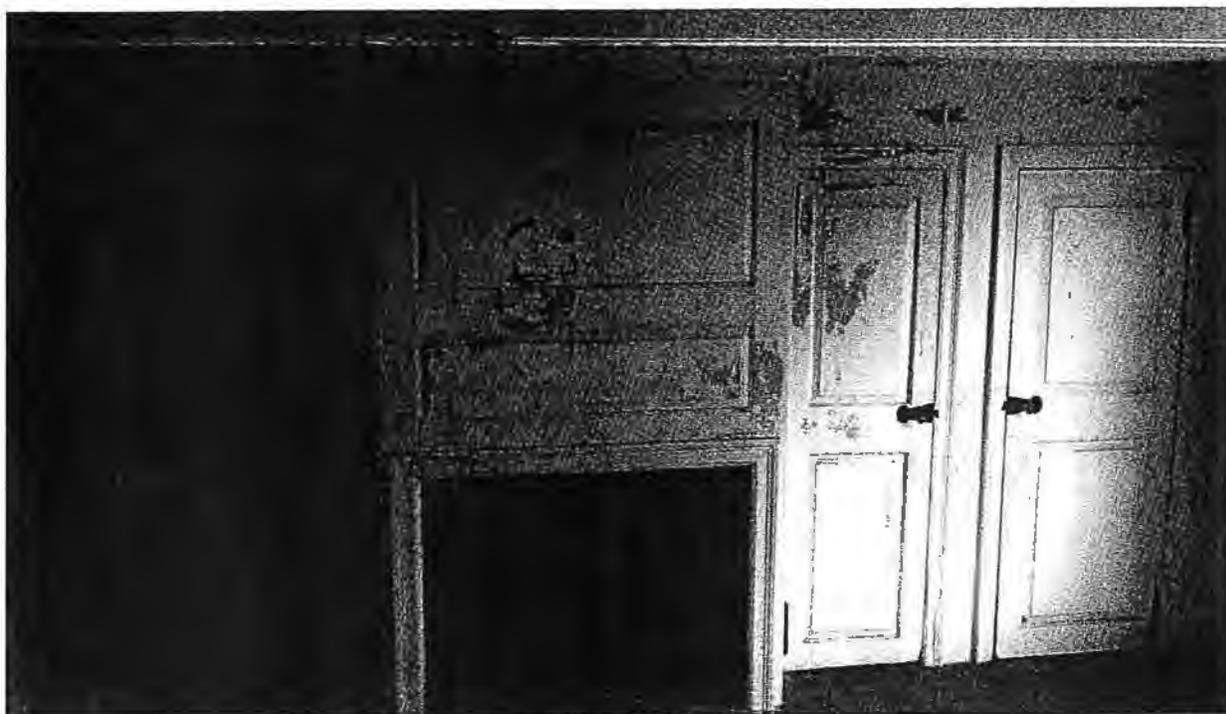
The space to the right of the fireplace goes back towards the common door with the parlor chamber.



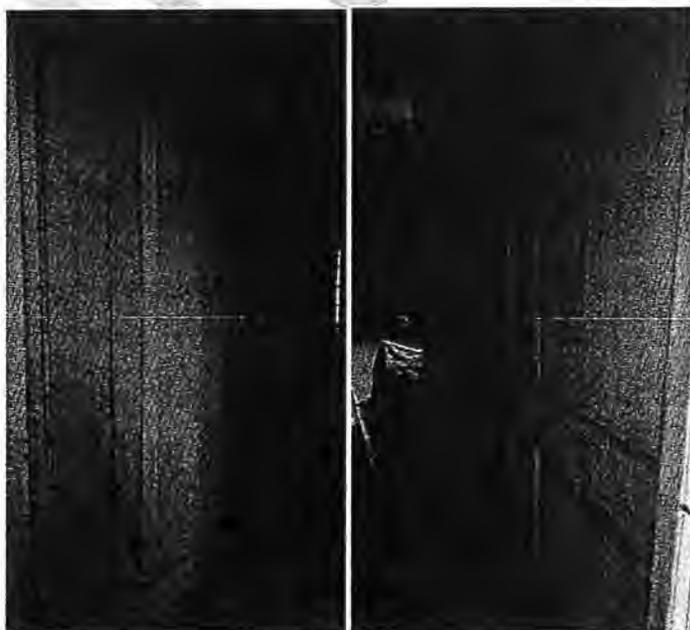
On the north wall of the northwest chamber, a door can be seen which lead to the second floor or attic of an early ell addition. The door was recently uncovered after some plaster was removed. This area is in rough condition. The floors are of old painted pine and worn heavily but are in good condition.



**Sitting Room Chamber.** The sitting room chamber is in overall fair condition. The door to the left of the fireplace surround opens into a closet, the door just to the right of the fireplace surround opens into the passageway leading from the sitting room chamber to the kitchen chamber and the door to the far right of the fireplace surround opens into a large storage closet.



The passageway door to the kitchen chamber, when open, reveals the chimney cupboard along the chimney on the left and the paneled wall on right.



As mentioned earlier, the door to the far right hand side of the fireplace wall opens to a large well-finished storage closet.



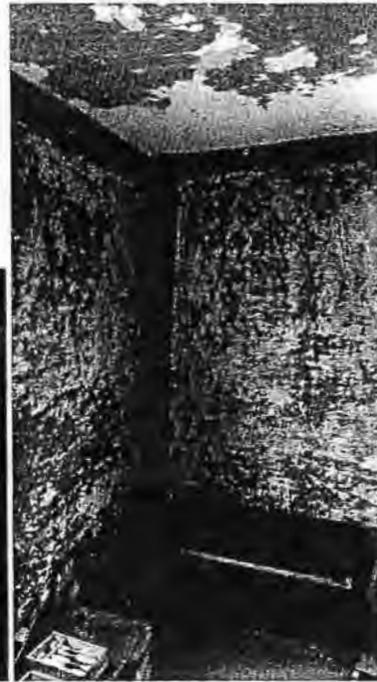
The plaster ceiling and walls of the sitting room chamber are in poor condition. The floors are of old painted pine and are in good condition.



**Kitchen Chamber.** The kitchen chamber is in overall poor condition. The fireplace is to the right of the passageway from the sitting room chamber and the fireplace back is in need of repair. The area to the right of the fireplace is a closet that is located underneath the stairway to the attic.



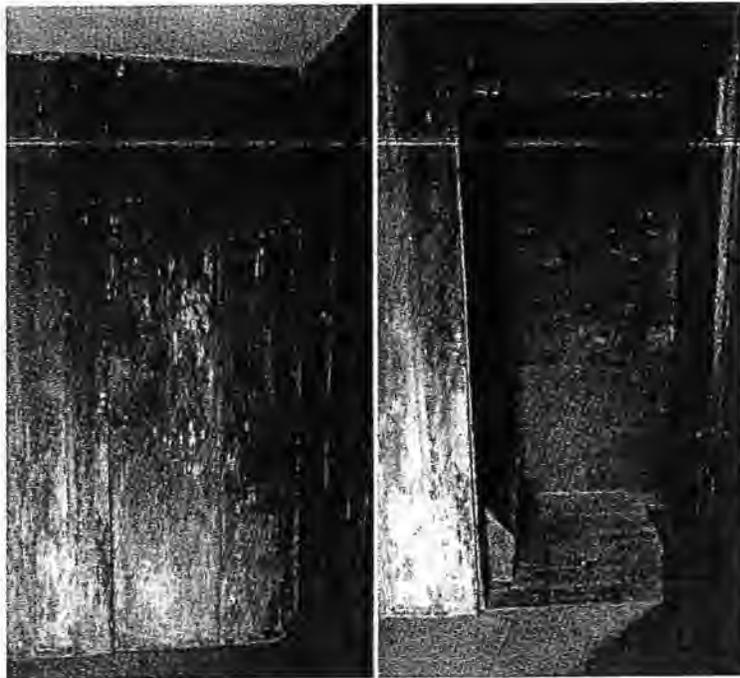
The plaster ceiling and walls of the kitchen chamber are in poor condition.



The floors are old painted pine with repairs that have been made with new floor boards left unpainted that extend into the passageway leading to the sitting room chamber.



The door along the westerly wall opens onto the back stairs landing.



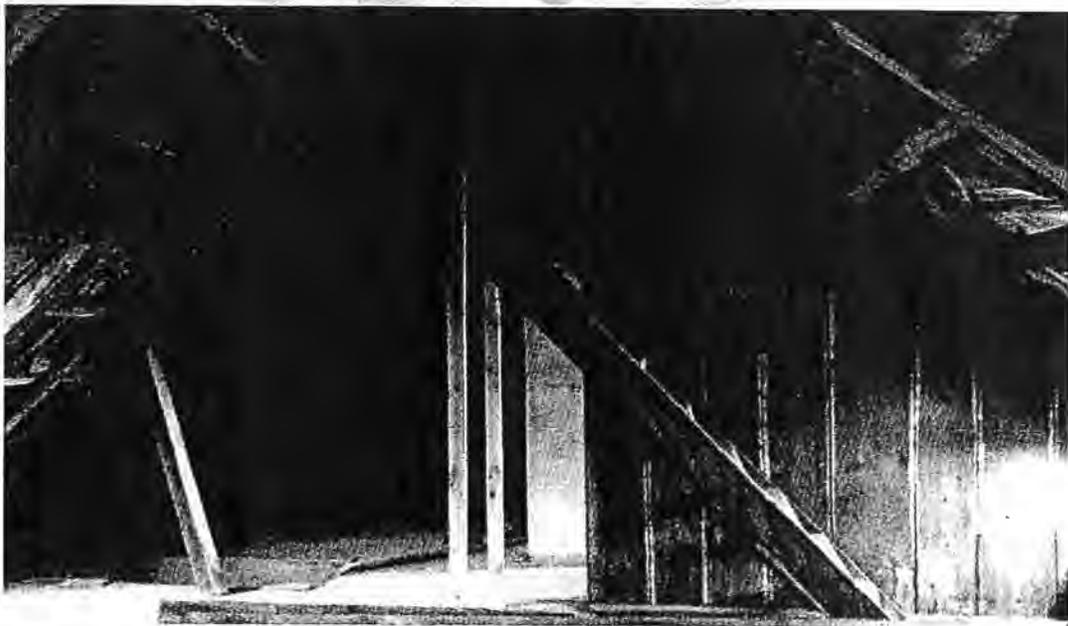
Once onto the landing, one can go to your right and go downstairs to the old kitchen. If you go to the left, one can go up the stairs to the attic.



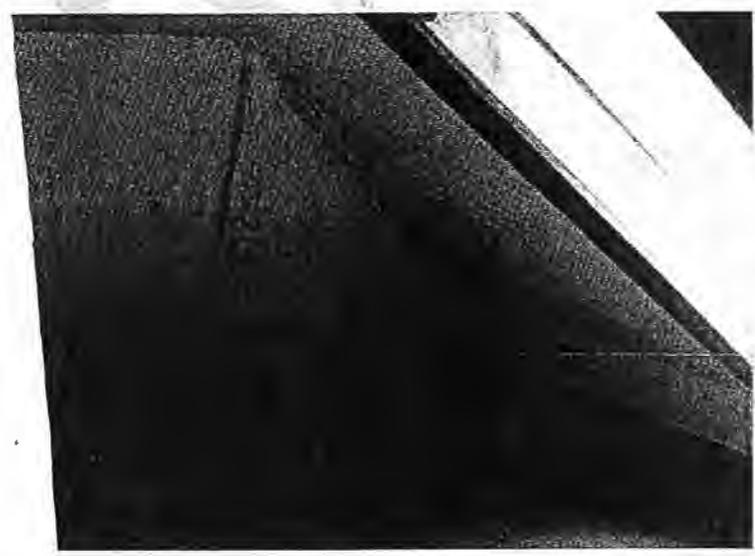
Attic and Attic Finished Room. The attic is in good condition overall.



There is a stairway in the attic that leads to the roof hatch. This stairway at some point was deemed "too weak" and some 2 x 4's were added alongside for support.



A plastered finished room is located in the southeasterly corner of the attic. The overall all condition of the room is fair, with needed plaster repairs to the ceiling and walls.





May 31, 2018

Ms. Karen Bouffard and  
Members of the Board of Trustees  
Wentworth Lear Historic Houses  
50 Mechanic Street  
Portsmouth, NH 03801

By Email

Re: Deaccession and Sale of the Tobias Lear House

Dear Karen and Members of the Board,

Please accept my thanks for allowing me to become acquainted with the Tobias Lear House over the past months in connection with its planned deaccession by Wentworth Lear Historic Houses ("WLHH"). I have visited the house on two occasions, both times with my sister, Jo-Anwyl Foster Keefe, a Portsmouth resident, including one nearly day-long visit during which we were accompanied, and duly enlightened, by old house expert Bill Finch. Special thanks to you, Karen, for being so accommodating and welcoming of our interest in the Tobias Lear House ("TLH").

I understand that WLHH is planning a formal bidding process for the deaccession and sale of the Tobias Lear House. If that process does go forward, I could well be a participant in it. At the same time, however, I would like to propose an alternative plan for the WLHH and the Tobias Lear House that may not dovetail with the bid and sale process the board has in mind. I believe that this alternative (i) can meet some, perhaps all, of the board's financial goals for the sale of TLH (cash proceeds to secure the future of the Wentworth-Gardner House), (ii) may well exceed other expectations regarding the preservation and rehabilitation of the TLH, and (iii) may include a continuing, beneficial role for WLHH in the new life of the TLH.

A Proposal for a Rehabilitated Tobias Lear House

The gist of my proposal is to purchase the TLH, to preserve and rehabilitate it, to subsequently operate it as a short-term rental or bed and breakfast for a minimum of

five years, potentially with the participation of WLHH, and eventually to leave behind, to the property's next steward, a rehabilitated TLH whose integrity is assured for the next generation and beyond. More specifically, my objectives would be:

- (1) to preserve and rehabilitate the TLH – its interior, exterior, and surroundings -- to the highest standard, in a manner that maximizes its historical character and authenticity, and with appropriate historic preservation easements, both inside and out, to assure the permanence of these enhancements;
- (2) to create, at the same time, an inviting residence with modern amenities that will be income-producing, either as a short-term rental, bed and breakfast, or similar facility, the goal being a financially self-supporting historic property that is available for both use and viewing by the general public;
- (3) to invite WLHH to partner in this endeavor, by participating in the operation of the bed and breakfast operation and/or by incorporating the rehabilitated TLH into other activities of WLHH, to the mutual benefit of both the new TLH and the Wentworth-Gardner House.

What I envision, in other words, is a TLH that would be rehabilitated to museum standards but would not be a museum house in the traditional sense. Rather, it would be an historically authentic property that is invitingly livable, permitting members of the general public the opportunity to experience history first hand by living in the house, for a weekend, a week, or longer, all the while making the TLH available for public viewing when not so occupied. The rehabilitation would combine the preservation of original and early materials, finishes, footprint and layout with the insertion of (i) modern utilities (heating, plumbing, electricity) with minimal disturbance of the historic fabric and (ii) new bathrooms and a new kitchen that, though anachronisms in an 18th century Georgian house, would not unduly detract from the historical ambience. I would expect to furnish the new TLH principally with late 18th and early 19th century antiques that would complement its historical character.

The lynchpin of this plan is to make the TLH self-supporting financially. That would likely mean seeking a zoning variance to operate it as a bed and breakfast. At present, this looks to be the only way to insure the project's commercial viability, given the absence of a clear, dependable policy in Portsmouth on short-term rentals of residential property. I believe that such a zoning application, especially if made with the cooperation of WLHH, can garner important neighborhood support and would be viewed favorably by the zoning board.

#### Finances and Costs

I am sure I need not explain that achieving such a result for the TLH would not come cheaply. As you all must know from personal experience, properly executed work

on historical properties -- be it preservation, conservation, rehabilitation, restoration, or simple repair and maintenance -- comes at a premium. I would expect to finance this project personally, with my own resources. Moreover, when all is said and done, I would do what I would have to do, and spend what I would have to spend, to get the right result; half-way measures on a property like the TLH would, in my view, be almost worse than none. That said, my financial goal in undertaking this project would be to accomplish all of the above work, excluding furnishings, on a budget that would not exceed what the end product -- a beautiful, eminently livable, historically authentic residence of character -- would bring on the open market. As you know, the real estate market does not typically attach a premium to qualities such as historic authenticity and integrity. Bankers, appraisers, and virtually all buyers in their wake look to a property's square footage, condition, location, etc. and rarely attach even a nickel's worth to its historical qualities. Using a market value for the finished project as an investment and budget guideline, therefore, my back-of-the-envelope estimate is that the costs of preserving and rehabilitating the TLH would exceed the cost of its acquisition, i.e. the amount paid in cash to WLHH on its sale, by a factor of approximately three to one.

This estimate takes into account some economies that can be achieved using historic preservation tax credits. I would expect to qualify, for example, for the 20 percent federal tax credit on allowed rehabilitation costs, a requirement for which, not incidentally, is that the project be operated commercially for a minimum of five years. Similarly, I would anticipate placing an historical easement on the interior of the house (I assume one already exists on the exterior by town ordinance) both to insure its integrity for the future and for the potential tax benefits such an additional easement might bring. Both these tax benefits are a way of stretching the dollars available for this project while staying within the budget parameters noted above. They also, of course, provide legally enforceable assurances that the TLH's historical character, inside and out, will be preserved not only by the next owner, but by all future owners.

#### The Ongoing Participation of WLHH

As noted above, my proposal envisions some form of continued participation of WLHH in the new life of the TLH, but what form that participation might take -- and the formality or informality of it -- would obviously be a matter for discussion, no doubt considerable discussion. But the basic proposition is this: having the high-style Wentworth-Gardner House sitting side by side with the more vernacular but still impressive Tobias Lear House, both in admirably well preserved condition and both available to the general public for a variety of activities, can be a boost for both properties. At the very least, I expect we would be good neighbors, with a shared boundary line, a shared history, and a common mission. That might easily be a sufficient basis for cooperating on basic activities that would benefit both properties, such as visits

and special events. The other end of the spectrum might see WLHH participation in the operation of the TLH rental activities, with a view to increasing revenues and achieving economies for both properties. Other possibilities may come to mind as discussion proceeds.

#### Looking Further Ahead

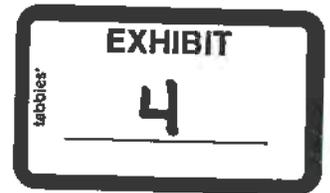
My proposal looks out only seven or eight years, two to three years to do the rehabilitation and five years of commercial operation. The possibilities for the TLH thereafter are many. They include: (i) continued operation as a bed & breakfast, either independently or in cooperation with WLHH; (ii) sale to a third party for use as a personal residence, or to continue the commercial operation; (iii) longer term rental as a residence, perhaps still keeping the door open for periodic public viewing; (iv) a personal residence for the aging Mr. Foster, who by then might have to be barred from the use of the back stairway; or, (v) -- might I suggest an even longer shot? -- WLHH's purchase of the TLH and re-integration into WLHH on the strength of the revenues TLH will have been able to generate, making it now a bankable enterprise. All these possibilities, and others that may emerge over time, would have one very important common element: the owner, whoever it may be, would be bound to maintain the historical integrity of the Tobias Lear House, inside and out.

Thank you all for your attention. If this proposal is of interest, I look forward to discussing it further with you at your early convenience.

Yours truly,

Stephen M. Foster  
1924 47th Street, NW  
Washington, DC 20007

cc. Jo-Anwyl Foster Keefe  
Bill Finch



Wentworth Gardner Tobias Lear Historic Houses Association  
P. O. Box 563  
Portsmouth NH 03802-0563

November 11, 2018

Re: Tobias Lear House

Ladies and Gentlemen:

This letter is a formal solicitation of Bidders interested in acquiring the Tobias Lear House.

The Wentworth Gardner Tobias Lear Historic Houses Association's Board conducted a thorough and detailed analysis of the options available to the Association and concluded that the Association's interests, as well as the interests of the Tobias Lear House itself, would be best served if the House were deaccessioned.

On September 18, 2017, the Board of Directors of the Wentworth Gardner Tobias Lear Houses Association voted to initiate the process of deaccessioning the historic Tobias Lear House (c. 1740), which is located at 49 Hunking Street in Portsmouth, New Hampshire. Since the Association is a charitable corporation under the laws of the State of New Hampshire, the deaccession required approval from the 10<sup>th</sup> Circuit Court – Probate Division. A "cy pres" Petition was brought before that Court and a favorable Order was issued.

The sale of the Tobias Lear House requires a process quite different from that of a conventional real estate transaction. A prospective Buyer will be approved by the Association and its Directors only if that Buyer is found to be willing and able to abide by certain historic preservation terms and other conditions outlined in this packet.

While the Association and its Directors understand that a Buyer will likely want to create a functional, usable structure, any external renovations will be required to retain design, form, and architectural detail of the House as it currently stands. There must be harmony within the historic neighborhood and it is especially important that the adjacent Wentworth Gardner House, (c. 1760), which is widely regarded as one of the most perfect examples of Georgian architecture in the country, be protected within its current environment. More flexibility will be permitted for interior renovations, but these too will be limited as described in the attached Preservation Restriction Agreement.

READ AND ACCEPTED: \_\_\_\_\_



Bid Letter (Pg. 2, cont.)

At a minimum, the attached Preservation Restriction Agreement (PRA) will be signed by a Buyer and incorporated in the deed to any Buyer. Based on the plans of an acceptable Bidder, some minor adjustments might be necessary.

The successful Bidder must demonstrate the ability to deal appropriately with an historic property in need of significant maintenance and upgrading. Before any Bid will be accepted, detailed plans, along with credentials of proposed contractors and proof of the financial capability of the Bidder to complete the necessary work, will be required.

The Association, through its Directors, will choose the successful Bidder after reviewing the above criteria presented in a sealed Bid. There will be no auction, nor will the choice necessarily be based on the highest offered purchase price. The Association reserves the right to reject any and all Bids submitted without explanation.

The deadline for submitting a Bid is December 4, 2018.  
A decision on the successful Bidder will be rendered by December 18, 2018.

Any Bid should be forwarded to:

Wentworth Gardner Tobias Lear Historic Houses Association  
PO Box 563  
Portsmouth, NH 03802-0563  
re: Tobias Lear House

Any Bid shall include the following:

1. Contact information. (No limited liability entity will be considered unless the principals guarantee all obligations.)
2. Offered price.
3. Deposit. (See Purchase and Sale Agreement.)
4. Proposed closing date. (Once the parties agree upon a closing date, time will be of the essence.)
5. The Bidder's, or Bidders' experience with historic preservation and with references, including past projects, photographs of work completed, and third-party evaluations.
6. Proof of financial ability to complete the project satisfactory to the Directors.
7. A statement of plans for use of the building.
8. A statement of exterior and interior renovation plans, including work related to major systems, such as HVAC, plumbing, roofing, and the like.
9. A sketch and description of Bidder's landscape and parking plans.
10. A timeline outlining planned work.

READ AND ACCEPTED: \_\_\_\_\_



Bid Letter (Pg. 3, cont.)

Neither the Wentworth Gardner Tobias Lear Historic Houses Association, nor its Directors, make any representation or warranty whatsoever. Bidders are advised that they are left to their own due diligence and their own evaluation of any material provided in this packet.

With this disclaimer, the following items are provided with this packet:

- A. An Existing Conditions report prepared by Bedard Preservation & Restoration, LLC. This report is provided solely as an aid. No representations whatsoever are made by the Association as to the accuracy of this report and any Bidder is urged to perform independent due diligence.
- B. Preservation Restriction Agreement document. (The terms of this document will be monitored by Historic New England.)
- C. A copy of a proposed Purchase and Sale Agreement.
- D. Property Disclosures.

Further attached solely as an aid, is a plot plan completed by Ambit Engineering, Inc., revised through 6/11/18.

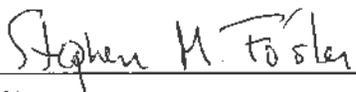
Each Bidder is receiving two copies of this Bid Letter. One signed copy of this Bid Letter must be returned with your offer. The copy returned must be signed on the third page of the Bid Letter acknowledging that you accept all the terms of the Bid Letter. The Bid Letter should also be initialed on the first two pages where indicated.

Sincerely,

Richard G. Adams  
President, Board of Directors

enclosures.

The Bidder acknowledges that he/she/they has fully reviewed and accepts the terms of this Bid Letter.



Bidder

WentworthLear/BidLetter 11.11.2018

READ AND ACCEPTED: 

*Request for a Work Session*

**Historic District Commission**



Owner: THE WENTWORTH GARDNER  
TOBIAS LEAR HISTORIC HOUSES  
ASSOCIATION

Applicant: STEPHEN FOSTER (HAS P&S)  
*(If different)*

Address: PO. BOX 563  
*(Street)*  
PORTSMOUTH, NH 03802  
*(City, State, Zip)*

Address: 1924 47<sup>th</sup> STREET, NW  
*(Street)*  
WASHINGTON, DC 20007  
*(City, State, Zip)*

Phone: \_\_\_\_\_

Phone: 202 392 0202

Signature: \_\_\_\_\_

Signature: *[Signature]*  
B. McNAMARA on behalf of S. FOSTER.

**LOCATION OF STRUCTURE**

Address: 49 HUNKING ST

Map: 103 Lot: 39 Zoning District: GRB

Brief Description of Work: NEW REAR SHED ADDITION + GENERAL  
PRESERVATION + RESTORATION WORK

Name of Presenter for HDC Work Session: BRENDAN MCNAMARA  
RESIDENTIAL DESIGNER  
207 4393521 brenmcnamara@comcast.net

	Meeting (01)	Meeting (02)	Meeting (03)	Meeting (04)	Meeting (05)
Date					
Fee Paid					
Payment Type					

**CONTENTS, HDC WORK SESSION APPLICATION FOR PROPOSED RESTORATION, ADDITION AND CHANGES TO THE TOBIAS LEAR HOUSE, 49 HUNKING ST., PORTSMOUTH, NH.**

**\*2-Narrative**

**\*3-Photographs, Existing Conditions.**

**\*4-Tax Map, locating the property.**

**\*5-Site Plan, Existing Conditions, at 1"=10' scale, portion to fit 11x17.**

**\*6-Proposed Site Plan, at 1"=10' scale, portion to fit 11x17.**

**\*7-Over sketch to photograph showing changes to rear shed with notes on exterior restoration.**

## NARRATIVE

### HDC WORK SESSION

#### The Tobias Lear House

#### 49 Hunking Street

History. The Tobias Lear House is thought to have been built circa 1740 by ship captain Tobias Lear III, (1706 – 1751), as a modest two-over-two Georgian home with a single central chimney. It was expanded approximately a generation later, presumably by Tobias Lear IV, (1736 – 1781), in a second building campaign which essentially doubled the size of the house to the rear, replaced the central chimney with two interior chimneys, and installed the impressively steep hipped roof and dormers still seen today. In 1788, Tobias Lear V, (1762 – 1816), who was born and raised in this Portsmouth house, became the personal secretary to President-elect George Washington, a position he held throughout Washington's presidency and beyond. President Washington himself famously visited Tobias Lear's mother in the front parlor of the house during his 1789 New England tour.

The house remained in the Lear family until 1860, thereafter falling into a period of decline as a tenement. Modest preservation efforts were undertaken after the house was acquired by noted Colonial Revivalist Wallace Nutting in 1917. The house was later sold to William Sumner Appleton of the Society for the Preservation of New England Antiquities before being transferred in 1940 to the newly formed Wentworth-Gardner Tobias Lear Houses Association (the "Association").

It made sense to put these two houses into a single museum entity in 1940. The high-style Wentworth-Gardener House and the more vernacular Tobias Lear House had been abutting neighbors for nearly two hundred years and had drawn historic preservation interest from the same quarters in the first part of the 20<sup>th</sup> century. (Wallace Nutting, for a time, also owned the Wentworth-Gardner House.) In 1979, the Tobias Lear House was added to the National Historic Register as part of a newly created Wentworth-Gardner and Tobias Lear Houses Historic District. As the National Register nomination concluded, "Together these two structures represent two traditions of Georgian architecture in America: one a high-style aspiration after British precedents and the other a more simple, vernacular rendering. Their close proximity to one another underscores this contrast and contributes to the spectrum of Portsmouth's built environment."

A Historic Building Assessment and Forensic Report, by Bedard Preservation and Restoration LLC, was undertaken in August of 2016.

Context for Current HDC Approval. Despite its history and its legacy of preservation-minded owners from the early 20<sup>th</sup> century to date, funds have been perennially lacking to provide much support to the Tobias Lear House beyond that needed to keep the property intact, and in late 2017, after extensive deliberation, the Association reluctantly decided to put the house up for sale. Although the Association had originally envisioned an outright sale of the property, after lengthy discussions over the course of nearly a year, the Association and Stephen Foster worked toward a proposal that envisioned a high-level, historically sensitive rehabilitation of the Tobias Lear House that would allow the Association to work with Stephen to continue to make the house accessible to the public. In late January 2019, the Association and Foster signed a purchase and sale agreement for the Tobias Lear House to accomplish those goals. A key condition to completion of the transaction is City approval of

a variance to the Zoning Ordinance to operate the house, once fully preserved and rehabilitated, as a two-bedroom Historic Inn. The purpose of the Inn is twofold: to provide continued public access to this historic property, albeit on a very intimate level to a small, select paying clientele, and to generate sufficient funds to properly maintain the house on an ongoing basis. In addition, the Association and Stephen Foster intend to make the house available, from time to time, for viewing by the general public under the auspices of the Association, particularly in conjunction with companion visits to the Wentworth-Gardner House. The Association will also assist Stephen Foster in the operation of the Inn, and the two have other areas of cooperation in mind as well.

Stephen has pledged to undertake a preservation and rehabilitation of the Tobias Lear House that meets the highest standards for such work, as demonstrated to the Association by a similar project he undertook at Wilton House in Middlesex County, Virginia in 2011. But more importantly, before closing on the transaction, the Association will place detailed historic preservation easements on the entire house, inside and out, to be held and enforced by Historic New England, thus ensuring that the historic and material integrity of the Tobias Lear House will be protected in perpetuity. The "Preservation Restriction Agreement," currently in draft form, can be made available to the HDC and the Planning Department.

The arrangement between Stephen Foster and the Association provides an avenue for the Tobias Lear House to be preserved and rehabilitated in much the way the Association might wish to do, had it the necessary funds. In addition, the Association will be relieved of the financial burden of maintaining the Tobias Lear House and will get a boost of resources from the sale of the Tobias Lear House that it can devote solely to the Wentworth-Gardner property. The agreement also gives the Association the opportunity to enhance its own museum activities and enrich its visitors' experience by showing the high-style Wentworth-Gardner House side by side with its vernacular, but nonetheless impressive Georgian peer. For his part, Stephen gets to do something he loves, bringing old houses back to life, he gets the Association's assistance and collaboration in running the house as an Inn and in showing it to the public; and he gets full ownership of the property to protect his investment.

#### **Topics for the Historic District Commission**

Shed Expansion. Condition reports prepared by the Association indicate that the shed is the one area of the house that likely needs to be rebuilt from the foundation up. BOA approval will be requested for a setback variance to accommodate a modest expansion of the shed footprint at the rear, northeast corner of the house. The house and shed (12'3"x7') currently sit six feet from the property line to the east, and the proposed shed expansion would extend that proximity by 3' feet to the north. The abutting property owner is the Association, which has no objection to the proposed shed expansion. The re-building of a shed with an expanded footprint (16'3"x10') will make it possible to house a complete modern kitchen work area (kitchen sink, dishwasher, refrigerator, freezer, microwave, stove-oven, cabinet/storage) and thus relieve the need to use another, more historically sensitive part of the house for this purpose.

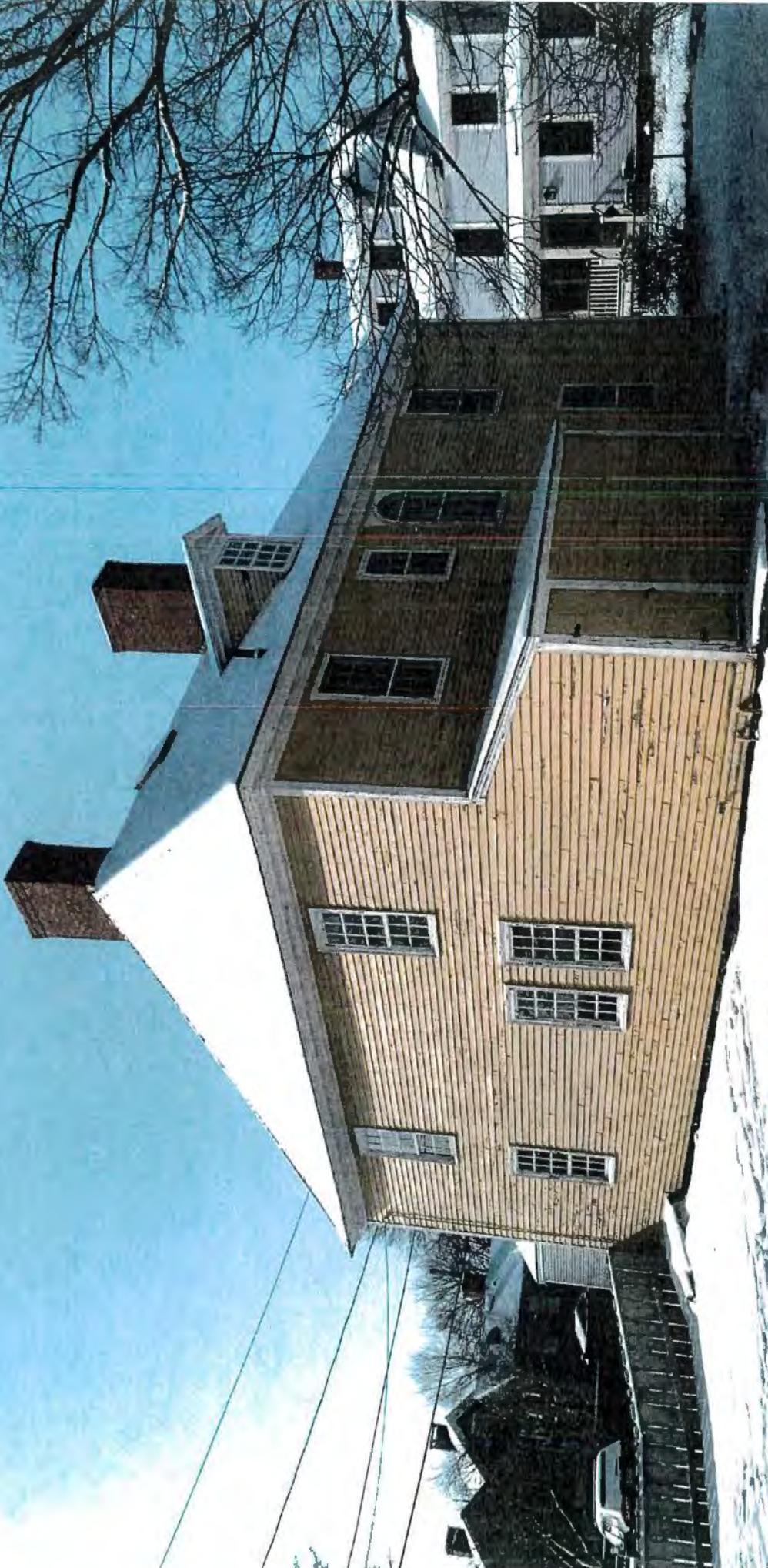
Roofing. Approval will be requested to replace the current asphalt shingle roof with period-appropriate Western Red Cedar wood shingles.

Siding, Clapboard, Painting. Approval will be requested for extensive repairs and replacement that are required to clapboard siding.

Exterior windows. Current windows, with the exception of the window over the stair landing at the rear of the house, are 20<sup>th</sup> century replacements whose profile is not a correct reproduction of the appropriate 18<sup>th</sup> century originals. Although the current intention is to restore these windows, the applicant would like to review possible replacement to a more original appearance.

Drainage, Stone Wall, to West side. An effort needs to be made to address poor drainage to the North West corner of the house. A drainage swale is suggested, but this necessitates a low stone wall to maintain the existing grade at the property line.

Landscaping and Parking. In order to leave the maximum amount of property available for landscaping and gardening on the grounds of the Tobias Lear House, the Association has agreed to a long-term lease to the Tobias Lear House of three (3) parking spaces it owns around the corner on Mechanic Street to meet the parking requirements for the Inn. An appropriate variance will be requested for the use of these parking spaces for the proposed Inn, rather than spaces created directly on site. It should be noted also that the Association intends to use a portion of the proceeds from the sale of the Tobias Lear House to install gardens surrounding the Wentworth-Gardner House, and Stephen Foster and the Association have agreed to coordinate their respective landscape and garden plans. Stephen anticipates providing a detailed, historically appropriate landscape and garden plan for the Tobias Lear House, but under the circumstances this will necessarily be forthcoming at a later date.

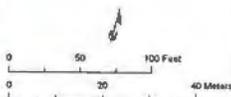


EXISTING CONDITIONS (EAST)

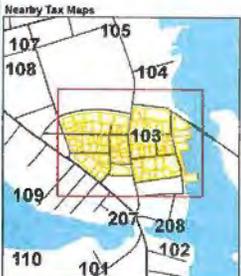
5.



- Partial Legend**
- See the cover sheet for the complete legend
  - 1-56** Lot or block number
  - 2-56 or** Parcel area in acres (sq ft square feet (sq ft))
  - 3-** Address number
  - 115-118** Parcel number from a neighboring map or Parcel line abbreviation
  - SHAW AVENUE** Street name
  - Parcel level boundary
  - Parish/OW boundary
  - Wedge boundary
  - Exempt (1981 data)
  - Parcel covered by this map
  - Parcel from a neighboring map (see other map for system status)



*This map is for assessment purposes only. It is not intended for legal description or conveyance. Parcels are mapped as of April 1. Building footprints are 2006 data and may not represent current structures. Streets appearing on this map may be paper (unbuilt) streets. Lot numbers take precedence over address numbers. Address numbers shown on this map may not represent posted or legal addresses.*



Portsmouth, New Hampshire  
2018  
**Tax Map 103**

WORK FOR  
T. LEAR  
PO  
PORTSMOUTH  
97

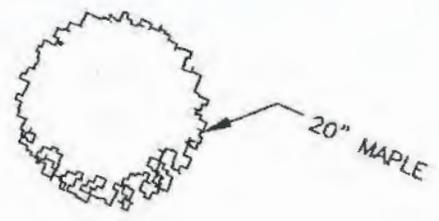
IRON ROD  
SET 6/6/18



N65°47'47"E

55.00'

IRON  
SET 6



20" MAPLE

38.01'

S24°57'06"E

4' CHAINLINK  
FENCE

STONE STEP

80.00'

N24°57'06"W

1 STORY

STONE STEPS

IRON ROD  
SET 6/6/

103/39

#49  
2 1/2 STORY  
WOOD FRAME  
"TOBIAS LEAR HOUSE"

4' WOOD  
STOCKADE  
FENCE

PAVED  
DRIVE

4' WOOD  
STOCKADE  
FENCE

STONE STAIRS

BULKHEAD

STONE  
WALK

S65°47'47"W

85.40'

RAILROAD  
SPIKE  
SET 6/6/18

HUNKING STREET



WORK  
TOBIAS LEAR  
PO  
PORTSMOUTH  
97A

#1  
IRON ROD  
SET 6/6/18

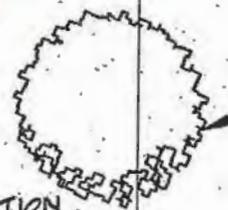


N65°47'47"E

55.00'

NEW STONE WALL (MAX HT. 24")  
TO MAINTAIN NEIGHBORING  
PROPERTY GRADE

CREATE SURFACE  
DRAINAGE SWAYLE AT  
BOTTOM OF STONE WALL.  
REGRADE AT HOUSE TO BE  
MIN. 8" FROM TOP OF FOUNDATION  
WITH 5% PITCH TO SWAYLE



20" MAPLE

NEW  
ADD  
FOUR

S24°57'06"E

38.01'

NEW 8" DEEP x 24" WIDE WITH  
4" PERFORATED PIPE WASHED  
CRUSHED STONE DRIP EDGE  
WITH PITCH TO SOUTH EAST  
CORNER OF EXISTING HOUSE

4' CHAINLINK  
FENCE

DEMOLISHED  
SHED ST

80.00'

IRON ROD  
SET 6/6/18

NEW AIRSOURCE HEAT  
PUMP UNIT FOR A/C  
PARTIAL HEATING

STONE STEPS

103/39

2 1/2 #49  
STORY  
WOOD FRAME  
"TOBIAS LEAR HOUSE"

4' WOOD  
STOCKADE  
FENCE

PAVED  
DRIVE

4' WOOD  
STOCKADE  
FENCE

STONE STAIRS

BULKHEAD

STONE  
WALK

S65°47'47"W

85.40'

RAILROAD  
SPIKE  
SET 6/6/18

HUNKING STREET

VGC

- REPLACE EXISTING ASPHALT ROOF SHINGLES WITH NEW V.P.C. WOOD SHINGLE ROOF SYSTEM.

- NEW STONE WALL 24" MAX. HT. TO ACCOMMODATE DRAINAGE SWAYLE TO WEST SIDE OF PROPERTY.

- RESTORE/REPLACE IN KIND EXISTING TRIM SIDING

- RESTORE/RENOVATE EXISTING WINDOWS. IF SCREENS OR STORMS ARE DEEMED NECESSARY, INSTALL TO INTERIOR

- REGRADE AROUND HOUSE TO ACCOMMODATE PROPER (5% MIN PITCH) SURFACE DRAINAGE SYSTEM.

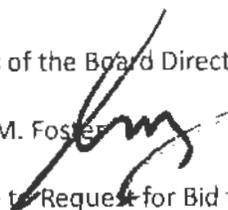
- NEW REAR SHED ADDITION (16'3" X 10'0") TO NEW FOUNDATION NEW GREEN MOUNTAIN "MILESTONE" WINDOWS. MATCH TRIM SIDING. NEW V.P.C. WOOD ROOF SHINGLE SYSTEM. 4" THICK STONE VENER (TO MATCH) TO SHELF IN NEW CONCRETE FOUNDATION (12" HIGH).

# PROPOSED VIEW (EAST) (OVER SKETCH)





**MEMORANDUM**

**To:** Members of the Board Directors, Wentworth Lear Historic Houses  
**From:** Stephen M. Foster   
**Re:** Response to Request for Bid to Purchase the Tobias Lear House  
**Date:** November 30, 2018

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The following responds to the information requests in the November 11, 2018 letter soliciting bids for the purchase of the Tobias Lear House.

**Bidder Information:**

Stephen M. Foster, 1924 47<sup>th</sup> Street, NW, Washington, DC 20007. 202 302 0202; [sfoster@orbispub.com](mailto:sfoster@orbispub.com); [stephenmfoster1@gmail.com](mailto:stephenmfoster1@gmail.com).

**Offer Price:** 

**Deposit:** \$40,000.00 (A check is enclosed in the amount of \$40,000.00, payable to Flynn & McGee PA, together with a signed escrow agreement and a signed purchase and sale agreement.)

**Proposed Closing Date.**

The later of April 7, 2019, or 5 days after a final, non-appealable decision by the Zoning Board of Adjustment ("ZBA") granting permission to operate a bed and breakfast at the Tobias Lear House.

**Previous Historic Preservation Experience.**

Although I have worked on several historic properties, including a mid-nineteenth century country gentleman's farm house in Virginia and an 1898 Parisian apartment, the most directly relevant historical preservation project I have undertaken is the rehabilitation/preservation of Wilton, a 4,000 square-foot Georgian brick plantation house completed in 1763 and located in Hartfield, Middlesex County, Virginia. I purchased this house and 25 surrounding acres in November 2011 from Preservation Virginia (formerly, the Association for the Preservation of Virginia Antiquities), which had purchased the property through its revolving fund in 2002 and placed historic preservation easements on the house, inside and out, and surrounding acreage before re-offering it for sale. Working closely with the Virginia

Department of Historic Resources (VDHR), which held the easements on Wilton, I completed work on the preservation project in late 2013 and shortly thereafter received certification of that work from the VDHR and the U.S. Department of the Interior, entitling me to state and federal tax credits for the work performed. Since that time I have operated Wilton as a commercial property, renting it out short-term to interested parties, most of whom have been attracted by the opportunity to experience life first-hand in an historic home.

Wilton House and the Tobias Lear House have a number of features in common in addition to their age. At the time I purchased Wilton, it retained its original footprint from 1763 as well as an astonishing amount of original, or early period features, including the exterior brickwork, wood framing, wood floors, woodwork and trim, plaster, and, most astonishing of all, extensive early period and original paint surfaces. In this sense, Wilton was very close to 100 percent a work of preservation – taking measures to preserve and protect all the original and early features -- and rehabilitation -- making this house useful for the 21<sup>st</sup> century by installing modern heating, plumbing, and electrical systems with minimum disturbance of the historic fabric. Looked at another way, there was little in the way of restoration, i.e. rebuilding to restore what had been lost or destroyed, to be done at Wilton, as the house was essentially historically intact. Nevertheless, beyond the major, visible aspects of the project, such as installing modern systems, a kitchen and three and a half bathrooms, and a new roof, there was an enormous amount of skilled labor involved in this project, repairing and re-pointing the exterior brickwork, cleaning and preserving old paint surfaces, harmonizing new paint areas with the old, shoring up old woodwork trim, and framing, repairing and replacing plaster on walls and ceilings. Despite their commonalties, the Tobias Lear House will no doubt present its own, unique set of historic preservation issues to be confronted and resolved, but my previous experience at Wilton should give me a leg up on addressing them.

Additional information on the Wilton project can be found at [www.wiltonhousevirginia.org](http://www.wiltonhousevirginia.org) and at [www.vrbo.com/506509](http://www.vrbo.com/506509). The former site includes copies of detailed reports on paint analysis, paint conservation, archaeology, and dendrochronology. These sites also contain a link to a 15-minute video explaining preservation work at Wilton with testimonials from various participants in the process, including Julie Langan, current head Virginia Department of Historical Resources, conservator Chris Mills, archaeologist Thane Harpole, Gordon Lohr, former head of the of the Preservation Virginia revolving fund, and others.

For further reference the following are attached:

1. A Guide to Wilton House, prepared for guests and visitors, which provides further detail on the preservation and rehabilitation work at Wilton.
2. A selection of photos showing work completed at Wilton.
3. A selection of “before and after” photos at Wilton.

4. Copy of an article in the Washington Post, dated September 28, 2014, describing the Wilton project.
5. Certifications by the Virginia Department of Historical Resources of work successfully completed at Wilton in accordance with the preservation and rehabilitation Standards of the Secretary of the Interior.
6. Letter from Elizabeth Kostelny, President, Preservation Virginia, on the Wilton project. (Preservation Virginia, formerly known as the Association for the Preservation of Virginia Antiquities, was founded in 1889 and was the nation's first statewide historic preservation organization.)
7. Letter from Chris Mills, who did the paint conservation work at Wilton.
8. Selected guest reviews of Wilton. (All reviews can be seen at [www.vrbo.com/506509](http://www.vrbo.com/506509).)

**Proof of financial ability to complete the project.**

See the following letter from Fidelity Investments.

## **A statement of plans for use of the building**

The grand arc of my proposal is to purchase the Tobias Lear House (TLH), to preserve and rehabilitate it, to subsequently operate it as a short-term rental or bed and breakfast for a minimum of five years, hopefully with the cooperation, assistance or participation of Wentworth Gardner Historic Houses (W-G), and to leave behind me at some unspecified future date, a rehabilitated TLH whose integrity is assured for the next generation. More specifically, my objectives would be: (i) to preserve and rehabilitate the TLH – its interior, exterior, and surroundings -- to the highest standard, in a manner that maximizes its historical character and authenticity; (ii) to create, at the same time, an inviting residence with modern amenities that will be income-producing as a bed and breakfast and hospitality property, the goal being a financially self-supporting property that is available for use and viewing by the general public; (iii) to invite W-G to participate in this endeavor, by cooperating in the operation of the short-term facilities rental/bed & breakfast and by incorporating the rehabilitated TLH into other activities of W-G, to the mutual benefit of both properties.

TLH, in other words, would be rehabilitated to museum standards, but it would not in the end be a museum house in the traditional sense. Rather, it would be an historically authentic property that (i) is eminently livable, permitting members of the general public the opportunity to experience history first hand by living in the house for a weekend, a week, or longer, and (ii) is also available for public viewing when not so occupied. The rehabilitation of TLH that I envision would combine the preservation of original and early materials, finishes, footprint and layout with (i) the installation of modern utilities (heating, plumbing, electricity) that occasion minimal disturbance of the historic fabric and (ii) the creation of new bathrooms and a new kitchen that, though anachronisms in an 18th century Georgian house, would strive to enhance, rather than detract from, the historical experience. I would expect to furnish the property in a fashion that complements its historical character while not being slavishly tied to its early building periods. Before long, the house will be 300 years old and its history already spans four centuries. I believe there is room to include elements from each century in its furnishings and decor in a way that both enhances its historical character and testifies to its continuity to the present as a vital, living structure.

The TLH will require a zoning waiver to operate as a bed and breakfast and permission to operate a bed and breakfast will be a condition precedent to my purchase of the property. I believe that a zoning application to operate a bed and breakfast, especially if made with the cooperation of W-G, will garner neighborhood support and would be viewed favorably by the Portsmouth Zoning Board of Adjustment (ZBA).

My proposal looks out only 7 or 8 years, two to three years to do the rehabilitation and preservation work, and five years of subsequent commercial operation. The possibilities for the TLH thereafter are many, including: (i) continued operation as a bed & breakfast, either independently by me or in cooperation with W-G; (ii) sale to a third party for continued use as a bed & breakfast; (iv) sale to a third party as a personal residence; or (v) re-purchase by, and re-integration into, W-G on the strength

of the revenues TLH is able to generate operating as a bed & breakfast (a long shot perhaps, but not outside the realm of possibility). All these possibilities, and others than may emerge over time, would have one very important common element, which is that they would be bound to maintain the historical integrity of the Tobias Lear House.

### **Statement of exterior and interior renovation plans**

It is too early in the preservation-rehabilitation process for me to be able to state in any detail the work that will be done at Tobias Lear. I last visited the interior house nearly ten months ago, and that nearly day-long visit was aimed at gaining an initial understanding of what features of the house are first period, or early, what changes have, or might have been made to the early historic fabric, and the like. We more than scratched the surface that day, but there is still much for me to learn about the house, its problems and possibilities before a well thought out plan can be fashioned. Obviously, a new roof and other measures to ensure a water tight property would come early in the list of major projects to tackle. A new roof would seem a relatively easy decision, but what of the moisture issues in the basement, and the conundrum of those failing blocks of cement poured some 50 to 70 years ago. Repair, re-work, remove, or look the other way? That is a big question with a potentially expensive answer but not a question I could confidently answer now. Obviously, as well, the house will require the installation of completely new plumbing, heating/cooling, and electrical systems, but it would be premature, in my view, to make a decision now on the specifics of these systems. The time for this will be once the path to ownership is clear and there is time to consider options based on the advice and proposals of prospective sub-contractors in the light of a broader detailed plan regarding the house as a whole. If the past is any guide, there will be conflicting views about how best to proceed and which contractors are best equipped to do their respective jobs. My view is that these issues can best be resolved only after becoming intimately familiar with the house and the prospects and problems it poses. For example, the attic is a logical place to house heating and cooling elements (air handlers, ductwork, insulation, etc.), but what if, as is the case in the Tobias Lear House, the attic is also one of the most beguiling and pristine of historical features in the house? What are the alternatives available to keep it that way when installing a heating/cooling system? In my view, many, many issues of this type, both large and small, can only be best dealt with after there has been extensive hands-on experience and the give and take of ideas with experienced trade people and old house experts.

That said, I can describe in broad strokes my current big picture working plan: it is to wind up with an impeccably preserved historical house that has two formal bedrooms in the existing two front (south) upstairs chambers, with perhaps auxiliary sleeping areas in the kitchen chamber and/or perhaps in an alcove in the upstairs hallway. These would be served by the creation of two full bathrooms in the northwest (rear) chamber, one of which would be en suite to the southwest front chamber, while the other would be accessed from the upstairs hallway. This is not to say that the northwest rear chamber must be sacrificed entirely to the demands of a modern bathroom. There is a plethora of historical mysteries and unusual features in this chamber that will need to be sorted out first and then perhaps

highlighted as appropriate in the layout and design of the bathrooms. (The door to the no longer existing rear addition, for example, might be highlighted to remind of the house's late 19<sup>th</sup> century life.) The idea is to make the bathrooms not an evil necessity that detracts from the historical house but rather a creative statement that the historical fabric can make a kind of peace with these modern conveniences, and vice versa. I would put a half bath/powder room on the first floor in the shed, which, by the way, looks as though it will need to be completely rebuilt, starting with a new foundation. The house will need a washer and dryer, but I'm not sure yet where these will go.

The old kitchen strikes me as potentially one of the most attractive and historically evocative rooms in the house. It is a room that promises to respond well to a lot of tender loving care and a gentle teasing back to life of the ample historic fabric there, including, possibly, the restitution of the deep closet that was eliminated some time ago to make a passage- and stairway from the kitchen to the basement. The old kitchen might ultimately best serve as a great spot to gather and soak in the past, but it is not where I would put the new kitchen. For that, I would propose the back room across the hall; it's a smaller room and less precious from an historical standpoint. From this room, there would be easy access via the west passageway to the southwest front parlor for formal meals, while less formal meals could be taken in the old kitchen across the hall. I should add that the old kitchen, the back stairway, the kitchen chamber and the attic make for an intriguing, contiguous, interior, service-oriented part of the house that stands in stark contrast to the rest of the house. Dealing with that contrast might be one of the guiding themes highlighting the history of the house.

In sum, a couple of pre-bid visits to the house can jump start the planning process, but it will take time to get further acquainted with the house in minute detail for all the problems to surface – from potentially big structural issues to how to treat a plethora of surfaces from paint to plaster to wood trim and floors – and from there to find the solutions and fixes that will advance a developing vision of what the end result should be. As the larger issues are resolved, attention will naturally be turned to the smaller details regarding paint, plaster, wallpaper, floors and lighting.

I should add here that I do not intend to hire a general contractor for the project. That would be a little bit like hiring someone to play tennis for me! Even assuming I could find someone with all the necessary qualifications, by hiring a general contractor I would be necessarily ceding to him or her a large measure of the dynamic that goes into finding the right technical choices needed to reach both the desired aesthetic and the historically authentic result I am aiming for. I will seek out qualified trades people and experts as needed and I will look, as I did at Wilton, for a hands-on chief of works and defender of the historic fabric (particularly against assault by the subcontractors installing modern systems) but not, most likely, a general contractor.

## A Sketch and Description of Bidder's Landscape and Parking Plan

As noted above with respect to detailed plans for the house, it would be premature to propose a detailed landscaping plan for the TLH. But I do have some general principles in mind on the subject. First and foremost, I would not want to devote what little space there is on this small lot to create a parking space for two cars, or even one. That space should be reserved for making every effort to show off the house to best historical advantage. I suspect the neighbors would also favor this approach. So cars parked on the property would be out; I propose, instead, that two of the W-G parking spaces on Mechanic Street be included in the conveyance of the TLH to the new owner. Second, the TLH has four abutting neighbors, with three boundary line fences and its own fence extending east and west from the house to their respective abutting property lines. Some neighborly consultation would be in order, therefore, before coming up with a fencing plan. Third, there is the question of what form the boundary line between the TLH and the W-G should take and how landscaping plans for the two properties might be harmonized to the best advantage of each? Extensive consultation would be in order on this last point before settling on a detailed landscaping plan for TLH.

## Timelines

Bid Acceptance to Closing. To operate the TLH as a bed and breakfast will require the approval of a zoning variance by the Portsmouth ZBA, a process which might take three months. This would necessarily extend the closing on the TLH by a like period of time. A timeline to closing and a subsequent work timeline follow.

### Timeline to Closing

#### 2018

December 18: Acceptance of Bid

December 21: Signing of Purchase and Sale Contract, Earnest money Deposit goes into Escrow.

#### 2019

January 21: Signing of Agreement in Principle between W-G and prospective TLH owner on the operation of TLH as a bed and breakfast and other areas of coordination and cooperation.

January 31: Application to be made to the ZBA for a zoning variance/special exception, permits to operate a bed and breakfast at the TLH.

- February 21: ZBA approval
- March 1: ZBA minutes posted publicly, commencing 30-day appeal period
- April 1: Appeal Period ended.
- April 7: Closing on TLH

Estimated – and Optimistic – Project Work Timeline

- Jan 1 – April 1 planning, interview potential chief of works, sub-contractors, other trades people, kitchen and bathroom design,
- May 1 initiate social media vehicle (Facebook and/or Instagram) to share publicly details of the preservation project as it proceeds
- May/June: Paint analysis, dendrochronology, draft plans and initial specifications for systems installation, placement of bathrooms, kitchen, etc. address any structural issues.
- June 1: Begin installation of new roof, work on replacing clapboards, and other exterior repairs
- June 15 Decision on basement cement and moisture issues; decision on windows, repair or replace
- June 15 new shed foundation; repair, replace, restore shed
- July 1: Sub-contract systems installation (plumbing, electricity, heating/cooling) out for bid
- August 15 Begin exterior painting
- Sept. 15 Begin systems installation

2020

- Jan. 1 intensify work on floors, plaster, interior paint surfaces, Dutchman work, doors and windows, hardware, etc.
- April 1 install kitchen and bathroom fixtures, continued work on interior surfaces
- June 1 landscape, fencing, continued interior work
- August 1 Install furnishings
- Sept. 1 Tobias Lear House Opening Party for South End neighbors and others

## Supporting Materials RE: The Wilton House Virginia Project

1. A Guide to Wilton House, prepared for guests and visitors, which provides further detail on the preservation and rehabilitation work at Wilton.
2. A selection of photos showing work completed at Wilton.
3. A selection of “before and after” photos at Wilton.
4. Copy of an article in the Washington Post, dated September 28, 2014, describing the Wilton project.
5. Certifications by Virginia Department of Historical Resources of work successfully completed at Wilton in accordance with the preservation and rehabilitation Standards of the Secretary of the Interior.
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7. Letter from Chris Mills, who did the paint conservation work at Wilton.
8. Selected guest reviews of Wilton. (All reviews can be seen at [www.vrbo.com/506509](http://www.vrbo.com/506509).)

## Welcome to Wilton Plantation House

Wilton Plantation House  
1425 Twiggs Ferry Road  
Hartfield, VA 23071  
[www.wiltonplantationhouse.org](http://www.wiltonplantationhouse.org)  
[www.wiltonhousevirginia.org](http://www.wiltonhousevirginia.org)  
[www.vrbo.com/506509](http://www.vrbo.com/506509)

### A Working Guide

Overview-----	1
Interior Changes and Room by Room Guide-----	3
More on Preservation-----	6
History: How Old is Wilton, Anyway?-----	8
Wilton and The Churchills-----	9
Architecture: Five More Ways of Looking at Wilton-----	

10

### Overview

Wilton is an 18<sup>th</sup> century plantation house that was the seat of the Churchill family from the early 1760's through the first quarter of the 19<sup>th</sup> century. During that period, Wilton was the center of an estimated 6,000 acres of the Churchill family's landholdings in lower Middlesex County. Many 18<sup>th</sup> century Virginia plantation houses were products of inherited wealth, built by the sons and grandsons of an elite group of ambitious merchants, planters, and officeholders who rose to prominence in the last quarter of the 17<sup>th</sup> and the first half of the 18<sup>th</sup> century, and Wilton was no exception. This small group of perhaps two or three dozen families, of which the Churchills were an integral part, wielded great political influence in Virginia, largely for their own economic advantage, and they continually cemented their political, economic and social positions through marriage amongst themselves. The Churchills, for example, wed promiscuously with the richest of these families, the dynasty of Robert "King" Carter. Indeed, Carter money may well have contributed significantly to the building of Wilton.

Just as the Churchill family, wealthy and prominent in its day, has left few traces of note in the historical record beyond matters of largely local interest, Wilton, more modest in scale than many of its prodigy house peers, has rarely appeared at all, let alone prominently, in the many coffee-table compendiums of Virginia's grand houses. Even its name must play second fiddle in Virginia to the grander Wilton House built in 1753 for William Randolph and now sited in Richmond. Still, the present day Tidewater Wilton has its bragging rights. If not among the grandest 18<sup>th</sup> century Virginia plantation

houses, it is a study in elegance and simplicity. And while the minimal adornments to the structure's exterior may reflect the relatively modest -- and perhaps already declining -- wealth of its builder, they also advance the credentials of the house as quintessentially Georgian, that is to say: simple, elegant and, though built to impress, understated.

Moreover, what Wilton may have lacked in physical stature, it has made up over the years in perseverance. Not only does the house have the very same elegant profile it did 250 years ago, but its interior is still made up of the same materials and wears many of the same finishes that were applied in the 1760's. Few, if any, of Wilton's peers from the 18<sup>th</sup> century can make a similar claim. Many of these plantation homes, for example, underwent a remodeling in the early 19<sup>th</sup> century to reflect the Greek revival fashion of the day. Economic decline, both before and after the Civil War, took a heavy, sometimes fatal, toll on others. Still other grand houses were ravaged by Union troops. Of those that survived intact into the 20<sup>th</sup> century, many were frequently reworked -- wings added, roofs raised or lowered, interiors re-jigged, re-modelled, re-freshened and re-invented -- often in the fever of the 20<sup>th</sup> century colonial revival movement. This is not to disparage in any way these other grand homes, whose stately characters often derive as much from these vicissitudes as from their origins. But Wilton stands out as a survivor. Over two hundred and fifty years after its completion, it is essentially unchanged -- in its external footprint, in its interior layout, and in its materials, from the masonry that defines the brick exterior to its heart pine floors. Even some of the paint on the woodwork likely dates to the 1760's and is the first and only coat of paint that woodwork has ever seen.

After being purchased from Preservation Virginia in 2011, Wilton underwent extensive rehabilitation, that is to say, a combination of modernization and preservation work. Chuck Rackley, an experienced hand from neighboring Essex County who has worked on dozens of historical homes, carefully shepherded Wilton and a bevy of local tradesmen and artisans through this process over a period of three years. Modernization has meant installing heating, cooling, plumbing and electrical systems as well as a modern kitchen and bathrooms in a house which -- even until very recently -- had none, or very few, of these features. Preservation has meant installing those systems ever so gently all the while doing what was required to retain and preserve the existing materials in their original state. Where original materials were missing or failing, compatible materials -- sometime new, sometimes old -- were used to replace them. Consistent with this approach, and unlike at other historical homes, which often seek to re-create the look of a specific earlier period in time, the effort at Wilton has been to show the house and its original materials as they have aged over the years -- from the wear marks on old floors to the patina of two-hundred-year-old paint.

Similarly, the house has been furnished in a manner that is sympathetic to the period in which it was built, but there has not been any effort to duplicate the furnishings that might have been here in say, 1775, or to create a museum-like atmosphere. That said, with minor exceptions, the furniture is from the 18<sup>th</sup> and 19<sup>th</sup> century, all purchased through Brian Penniston, a highly knowledgeable dealer in nearby Tappahannock. As was the case in a typical Tidewater plantation house of the day, the 18<sup>th</sup> century pieces are a mix of American and English antiques. The 19<sup>th</sup> century pieces are almost exclusively American. Although "Turkiye rugs" were not unheard of in grand 18<sup>th</sup> century American homes, they were on the rare side and not always on the floor. Thus, while there is historical precedent for displaying them here, their current proliferation throughout the house is a reflection of the taste of the current owner and a statement as to how well they show on Wilton's time-worn floor boards. The paintings are from the

owner's collection. They are a mix of American and European works, mostly from the late 19<sup>th</sup> and early 20<sup>th</sup> centuries.

### **Interior Changes and Room by Room Guide**

With difficulty, modern systems – electricity, heating, plumbing – can be threaded into an old house almost sight unseen and without dramatic disturbance to the historic fabric. This is not the case with modern bathrooms, which require substantial interior floor space. Not surprisingly, therefore, the major change to the interior floor plan during the recent rehabilitation work was the sacrifice of interior space to bathrooms. Of most note, the upstairs center hallway in the front wing of the house now accommodates two new bathrooms, serving the two adjacent bedchambers. A third bathroom was installed *en suite* to the bedchamber in the rear wing, but without changing the profile of that room. In the room just below, a modern kitchen has been installed, but this, too, did not disturb the room's profile. Finally, the powder room off the dining room replaces an earlier 20<sup>th</sup> century bathroom in what was, in all likelihood, originally a closet. But for these few instances and one change to the center hallway from early in the 1800's, the interior floor plan remains unchanged from 1763.

What follows is a brief description of the interior of the house, room by room, with reference to notable features and furnishings.

Center Hall. A set of eight works (one painting and seven prints) by Eastern Shore artist Richard Toft ([www.toftstudio.com](http://www.toftstudio.com)) adorns the walls of the center hallway and relieve what would otherwise be a stark demonstration of the basic finishes in the house: white plaster walls, early painted woodwork, and heart-pine floors. The paint here was probably applied at the same time as the "new" paint in the adjacent Red Room, or about 1825. The floorboards in this central passage, all original, are in particularly good condition.

Paneled Room. This room, immediately to the left on entering the center hall through the front door, would have been the showpiece room in the house. The wood paneling is all original, with the exception of minor Dutchman repairs. According to microscopic paint analysis, the paint surface here is only the second coat of paint these walls have ever seen, probably applied sometime in the late 18<sup>th</sup> century. (The first coat was a cream color.) The insides of the two closet doors on either side of the fireplace were grain painted, probably at a somewhat later date, during the first quarter of the 19<sup>th</sup> century. The window sash, replaced in the 1970's throughout the house, has been freshly painted a sympathetic blue-gray to complement the old paint on the paneling. The interior shutters are all original as are most of the shutters throughout the house. This room would have featured the best furniture for the highest-level entertaining and for receiving the most important guests. After the paint conservation work was completed, however, it was thought best to furnish this room simply in order to highlight its extraordinary, early paint surfaces. Accordingly, the only furnishings here are a walnut Queen Anne table, American ca. 1760, and four period English Queen Anne chairs all of which have been placed in the center of the room. The modern painting over the mantle is ca. 1955 by Belle Cramer (American. 1883 – 1978).

The Red Room. This room, directly across the center hall from the Paneled Room, might have originally served as the master bedchamber. It is now a sitting room. The beautiful red paint you see here is the fifth coat, probably applied around 1825. Furnishings include an early 19<sup>th</sup> century Sheraton sofa,

two ca. 1790 lolling chairs, a ca. 1800 Pembroke table, a small, English, 1760 Queen Anne drop leaf table and two late 18<sup>th</sup> century American side chairs. The imposing corner cabinet is ca. 1800-1820 and may be from the Hagerstown, Maryland area. It contains a fine collection of English creamware, ca. 1800, possibly by Elijah Mayer. The secretary-bookcase, from Virginia, ca. 1780, is in exceptionally fine condition and bears on its underside markings that may relate to the "WHW" cabinet maker, whom some believe to be William Seay. The accompanying armchair is ca. 1770 from a maker in the Rappahannock River area. The painting over the mantle is by French artist Gustave Colin (1828 - 1910), ca. 1890. Over the Sheraton sofa hangs a moonrise scene that could be Virginia but is probably New York, by American painter Birge Harrison (1854 - 1929), likely executed in the first decade of the 20<sup>th</sup> century. A painting by his older brother, Alexander Harrison (1853 - 1930), hangs on the west wall.

Stair Hall. The highlight here, of course, is the stairway, all original down to the last walnut baluster. For comparison purposes and because it was in relatively good shape, the plaster on the south wall above the chair rail was not disturbed during the preservation work. The handsome, small mahogany chest of drawers is from Philadelphia, ca. 1770. The Chippendale mirror, of notable size, ca. 1770, is English and/or American. The modern painting on the south wall is by Provincetown MA painter Remo Farrugio (1904 - 1981). The paintings, as you mount the stairs, are by Swedish painter Axel Sjoberg (1866 - 1950), Alexander Harrison, and George W. Picknell (American, 1864-1943).

Dining Room. This, the front room in the rear wing, now serves as the dining room, though it is anyone's guess how this room was used in the 18<sup>th</sup> century. Although this room has no chair rail, the window seats, shutters, and trim on the two windows as well as the crown molding suggest a formal room. Quite likely, it was a multi-purpose room, used for dining, entertaining, and other family activities. The redecoration that went on in the house in the first part of the 19<sup>th</sup> century apparently came to an abrupt stop midway through painting the trim on the west facing window in this room; it is only partly painted in the color that matches the "new" paint in the center and stairway halls. That leaves the rest of the room in an earlier coat of dark brown paint which dominates the room and therefore was the color choice for the extensive faux painting - in this case, fresh painting that replicates the look of the old paint surfaces -- that was required here. The doors to the powder room and the kitchen, for example, are newly made, and replace doors installed in the early 20<sup>th</sup> century. The base molding is also new and has been faux painted. The plaster was finished with two coats of lime wash. The floor here and in the kitchen is new to the house, but from antique, reclaimed heart pine flooring. The mantle is not early. Most of the furniture is American, from the Federal period, including the wide-board mahogany Hepplewhite dining table. The small sideboard, a "brandy board," is from Baltimore, ca. 1800; the chairs, possibly New York ca. 1810; the D-shaped Walnut side table, Virginia, ca. 1790; and the clock, Pennsylvania (works) and possibly Virginia (cabinet) ca. 1790. The mahogany Queen Anne card table is English, ca. 1760. The dining service is French *porcelain de Paris*, from the early to mid-19<sup>th</sup> century. There are two paintings in this room by Alexander Harrison, the small one to the left as you enter the room and the larger moonlight scene over the mantle. Over the D-shaped side table hangs an 1869 upstate New York scene by Hudson River School artist James Renwick Brevoort (American, 1832 - 1918). The large painting over the sideboard is by French artist Auguste Bonheur (1824 - 1884), brother to the more famous Rosa Bonheur, dated 1865. A small preparatory sketch for the larger work hangs immediately to its left.

Kitchen. This room, by far the plainest on the first floor, was certainly a service area of some sort, and perhaps at one time even the main kitchen. It is the one room in the house whose windows have

neither a wooden window seat nor decorative wood trim. Antique pieces here include the cherry setback cupboard, ca. 1820 from the Shenandoah Valley, the 1780 hutch table and six, late 18<sup>th</sup> century, comb-back Windsor chairs, probably from Pennsylvania, and an early 19<sup>th</sup> century bucket bench.

Southwest Bedchamber. The entrance to this bedchamber, the larger of the two in the front part of the house, was originally from the center hall, which is now, as previously noted, occupied by two bathrooms. The new entrance to this room, now entered directly from the stairway hall, was created by breaking through a hall closet; the original hall closet door has been retained. As in the adjacent bedroom, there is clear evidence of early closets on each side of the hearth, but the decision was made not to re-build them in this room. Instead, the ca. 1830-1840 red-painted Virginia armoire to the left of the hearth serves as a clothes closet. To the right, the elegant mahogany slant-front desk is Philadelphia, ca. 1770. The slender-legged Queen Anne cherry high chest is from the Delaware Valley, ca. 1770. The California King bed has been configured around 19<sup>th</sup> century Southern black walnut bed posts. The modern table and floor lighting here, and in much of the rest of the house, is ca. 2013, from *Restoration Hardware*. According to the microscopic paint analysis, the old paint on the woodwork in all three of the bedrooms is the original coat of paint from the 1760's.

Southeast Bedchamber. This is the smallest of the three bedrooms, accessed from the narrow hallway immediately to left at the top of the stairs. New closets were added on each side of the hearth, based on evidence that closets had previously been installed here in an early period. (The closet to the left holds the washer and dryer.) The door with the old paint was the original entry door to this room from the center hall. It now serves as part of the wall between this room and the newly created bathroom. (Do not try to open, please!) The ca. 1820 mahogany dressing table, the ca. 1800 shield back chair, and the ca. 1820 bed are from the North Shore of Massachusetts, possibly Salem. The bed is likely from the shop or school of Salem's noted furniture maker and carver, Samuel McIntyre.

Rear Bedroom Suite. The mantle in this bedroom is old, perhaps 19<sup>th</sup> century, but not original to the house. The bed posts are from the first half of the 19<sup>th</sup> century, of birch, configured to fit a modern queen-size bed. The painting over the 1790 bow front chest of drawers is dated 1872 by Alfred Cornelius Howland (American, 1838 - 1909). The painting over the mantle is by Guillaume Seraphim van Strydonck (Belgian, 1861 - 1937) and was painted in 1896 in India, not far from the Bay of Bengal. The adjoining room, now a bathroom, was likely a sleeping room and a service room. There is evidence in the floorboards of a simple staircase to the kitchen-service room immediately below. The red painted linen press is mid-19<sup>th</sup> century, from the Shenandoah Valley. The mahogany Queen Anne drop leaf table with the unusual carved "hoof" feet is ca. 1760 and possibly Irish. The yellow-painted metal contraption in the fireplace is a 19<sup>th</sup> century Tidewater-region bilge pump. The woodwork in this room, unlike the three bedrooms was initially painted grey. As it had faded almost completely, it was decided in 2013 to freshly re-paint the woodwork.

The Basement. There is a full basement under the front part of the house, accessed via bulkhead doors on the east side. A part of the basement was sacrificed to a newly built utility room housing electrical panels, a gas furnace, heat exchangers for the geothermal system, a hot water heater and a water storage tank. For 250 years, the floor here was made of dirt, and was often muddy, or worse, in wet weather. After installing a perimeter drain and a sump pump, a new brick floor was laid in soft mortar.

Despite the recent modern intrusions and “improvements,” it is still possible to see much of this remarkable space in its original condition.

The Ground and the Dependencies. Wilton now sits on a 25-acre lot, a far cry from the several thousand Churchill acres that once surrounded it but enough for the old house to stand graciously in its rural setting. The large boxwoods around the front of the house are English and were planted by the Ballantyne family in the middle of the 20<sup>th</sup> century. The circular driveway in front of the house is new, as is the long driveway to the house, which was sited largely to take maximum advantage of the odd-shaped lot Wilton now occupies.

The cabin to the east of the house was likely a combination slave and kitchen/laundry quarter. It is original to the property but was built later than the house, probably in the 1840’s or 1850’s. The cabin served as a car garage in the early part of the 20<sup>th</sup> century, but for the most part, the original structure remains intact. The two exterior chimneys were rebuilt in 2013-2014. The cabin is furnished with antique country furniture and other “hand-me-downs” from the 18<sup>th</sup> and 19<sup>th</sup> centuries that might have found their way to this dwelling space from the main house.

The outbuilding to the west of the house is a 19<sup>th</sup> century log cabin, with 20<sup>th</sup> century enhancements. It is not original to the property but was moved here in the 1970’s from within the county.

Several walking paths have been cleared along the perimeter of the property, which give it the feel of an estate somewhat larger than its 25 acres. A path to the east of the slave cabin leads to a tunnel under Twiggs Ferry Road (Rt. 3), built to allow dairy cattle to cross safely to the other side of the road at a time when the Wilton property still extended as far east as Wilton Creek.

### **More on Preservation**

With the exception of the work related to the installation of modern heating, plumbing and electrical systems, it is perhaps best to characterize much of the what has gone on at Wilton over the past three years as preservation, rather than restoration work. The reason is simple; there was a lot here to preserve and very little to restore. What follows is a brief description of the major categories of such work.

Masonry. Wilton’s exterior footprint has remained intact and so has most of its exterior masonry. Repairs were made to the brickwork on an estimated 15 percent of the surface area, from myriad modest repairs to more substantial replacement of damaged bricks and failing mortar, particularly where several major cracks had developed on the east, west and northeast walls of the front portion of the house. Inside the house, substantial repairs were made to the fireboxes, most notably in the kitchen.

Roofing. Wilton has a new roof, of cedar shingles with a “fish-scale” or rounded edge. This replaces a roof of straight-edge cedar shingles that no doubt replaced a similar roof before it. The fish-scale shingle was chosen because it is a little more elegant than the straight edge and because there was (and still is) an early fish-scale shingle, made of cypress, nailed (with early nails) to the side of a closet in the Paneled Room, providing reasonable, though not conclusive, evidence that the original roof was made of cypress shingles of this shape.

Floors. When the preservation work began, the flooring in the house was entirely original, except in what are now the dining room and the kitchen. As previously noted, the flooring in these two rooms had been replaced in the early 20th century with narrow-plank pine flooring which, a hundred years later, had severely deteriorated. This was removed, and heart-pine flooring reclaimed from a late 18th century Tidewater home was beat into shape -- old nails, varnish, paint and grime removed, then planed on the underside to lie flat -- and installed in its place. The rest of the flooring throughout the house is all original heart pine. In their time, these floors were not finished with a varnish or stain, and even though fashion has since changed dramatically, they successfully managed to evade such treatment over the years. To remove accumulated dirt and grime, they were lightly scrubbed with a cleaning agent and water.

Plaster. The plaster in the house was problematic. Much of it had deteriorated due to dampness and water damage and had to be removed along with some of the supporting lathe. Where the old lathe was retained, new plaster was applied using historically appropriate materials and techniques. Elsewhere, and on all the ceilings, blue board (a drywall treated to accept plaster) was used and a skim coat of plaster was applied. For comparison purposes, one small area, the south wall in the stairway hall above the chair rail, was kept as found in 2011. Lime wash was applied to the plaster walls in the dining room and, to minimize glare, on some of the ceilings. As plaster and lime wash were freshly applied at Wilton periodically over its lifetime, the overall result of this treatment has been to give the interior walls the look that likely obtained throughout much of Wilton's history.

Paint. Microscopic analysis of the painted surfaces was performed by Susan Buck, a leading expert in the field. Her work confirmed what many had long thought to be the case: that the paint surfaces at Wilton were remarkably early. As previously noted, the Paneled Room revealed two coats of paint. The first was a cream color, and the second, the one you see today, a Williamsburg blue. The educated guess is that the second coat was applied around 1790. The woodwork in the Red Room, the two hallways and a small part of the dining room has four or five coats of paint the last of which, it is estimated, was applied around 1825. Upstairs, the analysis revealed only a single coat of paint, applied most likely in the 18th century and probably in the 1760's. (Susan Buck's report can be seen at [http://wiltonhousevirginia.org/the-preservation-project/.](http://wiltonhousevirginia.org/the-preservation-project/))

Treatment of Paint Surfaces. The rarity of such old paint surfaces demanded special attention, which was duly provided by conservator Chris Mills. Chris's initial strategy was to test the surfaces, stabilize them, and clean them. Areas where there were paint losses were then in-painted to match the surrounding old paint surfaces. The next question was how to harmonize the old paint surfaces with the new woodwork, which included all the windows and exterior doors, replaced in the 1970's, more recent Dutchman repairs, and several new interior doors and small areas of new trim. It was decided that all the window sash would be newly painted in a color that was sympathetic to the old paint surfaces in each room. This seemed a straightforward way to signal that the neither the woodwork nor the paint surface was old. In most other instances, however, where there was new wood and Dutchman repairs, the new wood was faux painted to match the old paint surface. Chris Mills' talented assistant, Nicole Seguin, was responsible for most of the faux painting. How much faux painting was required? In the Paneled Room and the Red Room across the hall, only about five percent of the wood surfaces have been faux painted. In the dining room and in the stairway hall, with their many new wood doors, it's closer to 50 percent because these rooms contain newly fabricated interior doors and exterior doors which were replaced in the 1970's. Upstairs, two of the three bedrooms required only very modest amounts of faux painting. In

the third bedroom, the Southeast bedchamber, however, the amount of new woodwork -- replaced trim and five new doors -- overwhelmed the old and it seemed to make more sense not to faux paint this newer wood but to give it a fresh looking coat of paint in a sympathetic color. Finally, the paint on the wood work in the rear-most room of the second floor was almost entirely faded (you can see traces of the original grey paint in the window seats, which were left untouched), and the decision was made to faux paint all the trim in the original color. Chris Mills' extensive conservation report can be seen at <http://wiltonhousevirginia.org/the-preservation-project/>

### **History: How Old Is Wilton, Anyway?**

While the exact age of Wilton has long been a matter of debate, the year 1763 has often been the focal point of discussion. Etched into a brick niche on the back wall of the rear of the house (facing the wall, it is on the left side about two thirds of the way up) is the inscription "E WC 1763." The "WC" refers to William Churchill, the first born male of the third generation of Churchills to make their mark in Middlesex County. The "E" likely refers to Elizabeth Carter Churchill, his wife. The "1763" refers, all seem to agree, to the year this last wall on the family residence was completed. There, however, the agreement ends. Some knowledgeable observers contend this inscription merely marks the completion of the rear wing of Wilton, which, they assert, was added to the front wing of the house after Bushy Park, the longstanding seat of the Churchill family several miles to the northeast, burned to the ground in 1760. In this view, the front wing of the house was built much earlier, perhaps as early as the first quarter of the 1700's. Evidence of this, they say, can be found in the brickwork at the two ends, east and west, of the front part of the house, which suggests that this part of the house may have initially had a gable roof. That gable roof, the theory goes, was converted to the present gambrel roof at the time the rear wing of the house was added in the early 1760's. Look at the brickwork there today and you can clearly see the evidence supporting this argument.

Those with a contrary view take a look at the house as a whole, and ask, does this look like a house built in two stages a generation or more apart? They point to the uniformity of appearance and harmony of design of the entire structure, and find it hard to conceptualize the rear wing as an afterthought or addition. Take a look, for example, at the house from about 50 to 75 feet to the back of the rear wing. The symmetry of the three chimneys and the two "wings" of the front of the house, the consistent roofline, and the compatible brick work all speak, according to this contingent, of design and construction that was of a piece, done in one fell swoop. As for the brickwork on in the front part of the house which appears to suggest the earlier existence of a gable roof, these observers suggest that a gable roof might have been originally intended in the 1760 building plan, then changed mid-works to accommodate the more fashionable and roomier gambrel roof.

As a result of the recent preservation work, there are now new facts to consider in this debate. Removal of the plaster on some of the second story walls allowed close observation of the wood framing on the second floor. More than one architectural historian found little in this wood framing to bolster the "two-stage" construction theory. The exposed wood framing also allowed access to enough wood surfaces throughout the house to do a thorough study of the age of the wood through the science of dendrochronology, the dating of wood by analysis of tree rings and their comparison to a companion database. Just such an analysis, which drew on 12 wood samples from basement joists and beams to second-story framing in both wings, concluded that the timber used in the construction of Wilton was

made entirely from trees felled between 1760 and 1763. (The dendrochronology report can be viewed in its entirety at <http://wiltonhousevirginia.org/the-preservation-project/>)

Even in the face of this important new evidence, the issue of Wilton's age and the order and timing of its construction is not necessarily closed, nor should it be. During the recent work on the house work, for example, what looked to be part of an earlier brick foundation wall was discovered along the base of the fireplace in what is now the dining room. Is this evidence, perhaps, of an earlier building or residence? On this as well as other matters, the door remains open to tell the full story of Wilton as more facts come to light about the house, its occupants, and their histories.

### **Wilton and the Churchills**

Putting Wilton as a structure in context one might call it important, but not grand. That characterization might also describe the family that built it. The Churchills were an influential, socially prominent family of Virginia planters, merchants and officeholders. On the basis of their wealth, office holdings, political influence and marital relations, they might be ranked in the top 25 or so families in Virginia in the middle of the 18<sup>th</sup> century. Wilton, as a structure, is likely an accurate reflection of that position.

The real mover and shaker in the family, however, was not the William Churchill who built Wilton in the 1760's, but his eponymous grandfather. Although William Churchill the First died in 1710 and never lived at the Wilton House we know today, it was he who generated the wealth and patrimony that made the construction of Wilton House possible some 50 years after his death.

William Churchill came to Virginia in the 1670's, most likely as an agent for English merchants. He would later become a merchant in his own right, a lawyer, a landowner and a planter as well as a prolific public office holder (and the profitable collector of the "rents" which often came with these public positions). William's son Armistead, born in 1705, followed in his father's footsteps in terms of holding local public office. For a time at least, he may have also increased the family patrimony through the extensive marital relations of the Churchills with other prominent Virginia families, most notably the Carters, and through his landholdings and other income generating activities. (Armistead was the Naval Officer for the Rappahannock District for nearly 30 years, an office that, despite its military title, was basically a rent collecting post.) But Armistead did not cut the same high voltage profile as the elder William Churchill, he appears not to have engaged in any of the latter's merchant and trading activities, and his fortunes also seemed to have flagged later in life.

Armistead Churchill died in 1763, curiously, the very year Wilton was completed by his son William. Like his grandfather William and his father Armistead, William Churchill the Second was much involved in local county office, but this third-generation Churchill, it appears at first blush anyway, was content to live the good life of the landed gentry, a planter who managed – and we know not how well or poorly — what he had inherited but did not pursue the more wide-ranging commercial and entrepreneurial activities of his grandfather. Recent research by local historian and writer Larry Chowning reveals William Churchill to have been a genuine American patriot, unlike many others of the old guard Middlesex County gentry. No doubt more facts about the Churchill family await discovery.

## Architecture: Five More Ways of Looking at Wilton

The conventional characterization of Wilton as an architectural artifact can be found in the opening paragraph of the 1978 document nominating the property for inclusion in the National Register of Historic Places, which reads as follows:

*“Wilton, built in 1763 by William Churchill, is a story-and-a-half, T-shaped brick house, five bays long on the front, with a four-bay ell of equal length on the rear. Built of brick laid in Flemish bond above the beveled water table and in English bond below it, the corners, window jambs, chimney corners, and gauged jack arches of the house are constructed of rubbed brick. Nine-over-nine sash, recently replaced, light the first-floor windows, and 6/6 sash are used in the gabled dormers. The front portion of the house is covered with a gambrel roof and the rear with a hip-on-hip roof. Box cornices embellish the eaves. Interior end chimneys crown the main block, while a single square interior chimney of massive proportions serves the ell.”*

This description, entirely accurate as far as it goes, is just the beginning of the discussion.

Although Wilton has not been written about extensively, or in great depth, neither has it been entirely ignored by writers and historians of old homes. Some of the fleeting commentary, however, reminds one of the story of the three blind men who described the very same elephant in widely differing ways. An early 20th century description of Wilton, for example, describes the house as being “massive” in its structure, perhaps drawing from the above description of the structure’s rear interior chimney. That adjective seems to have stuck over the years. But while one’s perspective can explain a lot, Wilton hardly seems massive. The footprints of each of its two wings measure 20’ by 50’. That makes for about 3,750 square feet of living space in all, after adjusting for the width of the masonry walls and the slope of the gambrel roof. In other words, Wilton is about the size of your average modern day McMansion, and is certainly not massive, whether the standard is 1760, 1950 or 2015.

Yet another, more recent commentator took an opposite tack, seeing in Wilton a “middling” plantation house. The “middling” comment likely derives from historians, who used the word to characterize those planters ranking just below Virginia’s grandees. Wilton’s size, it is plain to see, is not that Wilton of, say, Carter’s Grove, or Westover or a dozen other grander Virginia plantation houses of the period. But “middling” seems an inappropriate characterization of this gracious home, just as the Churchills themselves would not have been characterized as “middling” planters.

The disparate nature of these two characterizations might have something to do with the fact that Wilton is a plantation house (ah, so it must be massive) with a gambrel roof (ah, so it must be a middling one). The gambrel roof is, indeed, a distinctive feature of Wilton. Though by no means unprecedented in Virginia at the time, such a roof was more common in the Middle Atlantic colonies to the north, and today, a gambrel roof is typically associated with a “Dutch” colonial (think tidy, small and efficient). This “Dutch” element, thus, makes for an unusual pairing with a mid-18th century Virginia plantation house, one of whose principal purposes was social ostentation. Matters are not helped by the architectural historians, with their practice of describing a house with a gambrel roof as having only one-and-half stories, rather than two, because the second story is so often tightly tucked under the roof.

The one-and-a-half stories convention notwithstanding, you can see for yourself that Wilton does, in fact, have two full stories, though the ceilings are only seven feet high in the second story, versus a stately ten feet on the main floor. This low ceiling height was thought to be inappropriate for Virginia, according to yet another historian of old Virginia houses, who must have been focusing on Virginia's hot summers. But as anyone living in Virginia today can attest, Virginia winters can be cold, and at such times a low bedroom ceiling has its distinct advantages. As for the summertime, every room in the house, upstairs and down, has cooling cross-ventilation. In addition, on the first floor, the ten foot ceilings and masonry walls serve to mitigate the effects of the summer heat. Moreover, sit at the junction of the stairway hall and the center hall, open all three exterior doors leading to them, and, even on the hottest day of the summer, you will feel a cooling breeze that beats modern air-conditioning for soothing comfort. In sum, Wilton seems well built for the climate it sits in.

As the foregoing ruminations suggest, the definitive history of Wilton is perhaps yet to be told. In the meantime, we might propose the following as a good layman's working description and counterpoint to the professional one at the top of this section:

*"With its second story tightly tucked under a gambrel roof, Wilton is, at once, an unusual example of an 18th century Virginia plantation house and a simple and elegant expression of the Georgian style. Well built in 1763 to accommodate the Virginia climate, it is neither massive nor middling in size but of sufficient stature to place it within the ranks of Virginia's leading prodigy houses of the time. Wilton is significantly more important today than it was in 1763 because, quite remarkably, it has survived into the 21st century completely intact – unfazed by war, pestilence, and economic decline and unsullied by changing tastes, spirited decorative revivals, overly aggressive historical restorations and other manifestations of human folly."*

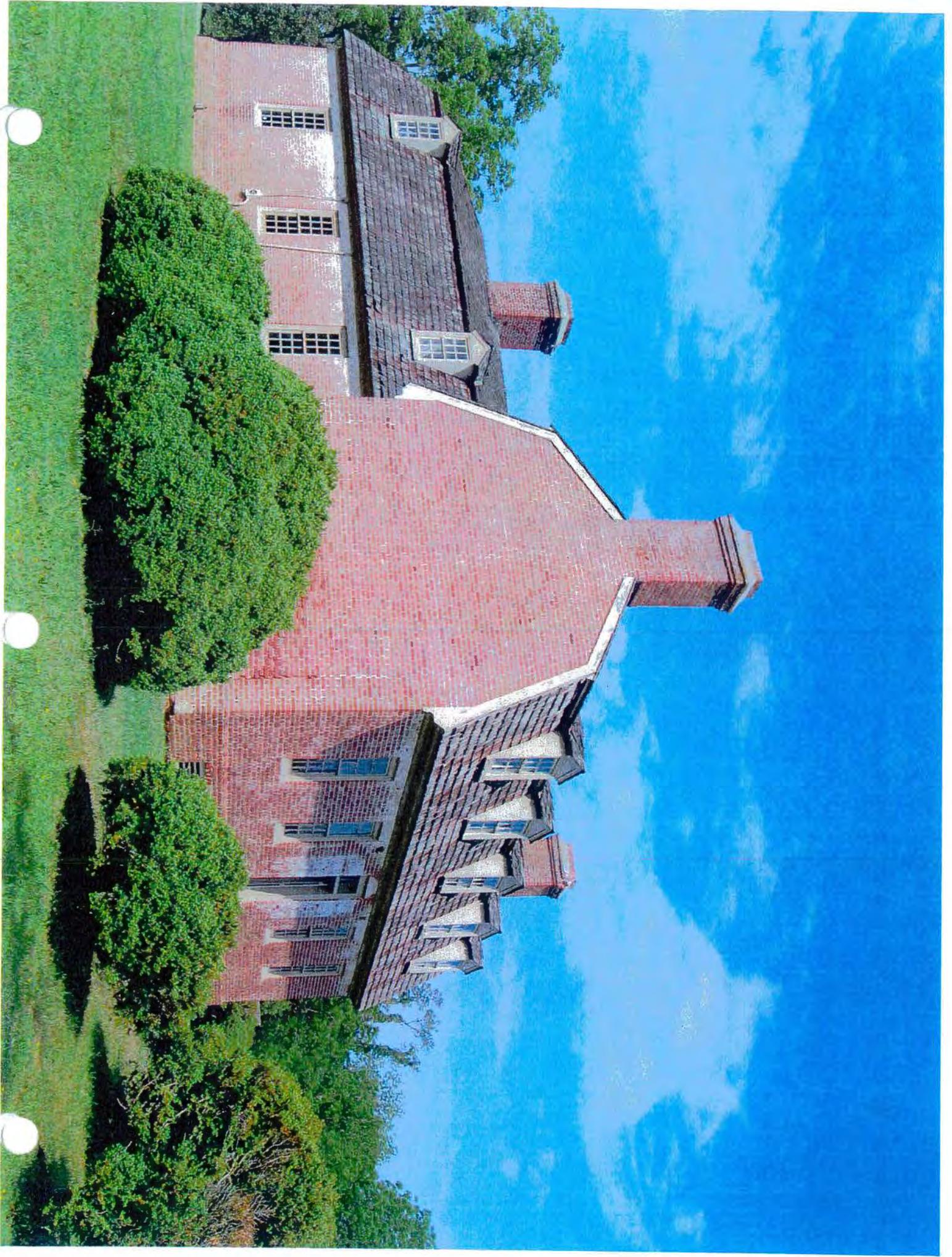
*Stephen M. Foster  
March 2016*

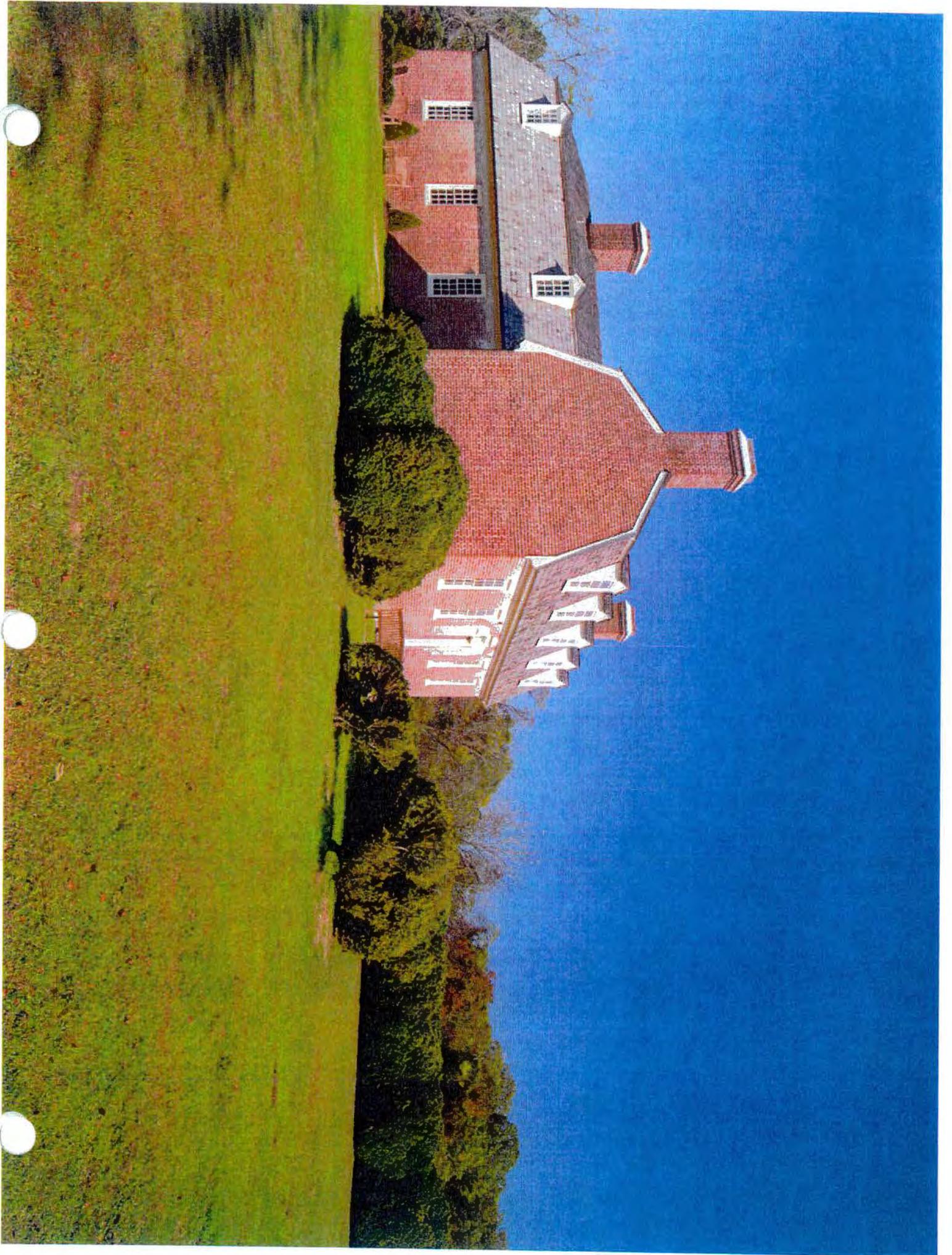
## Before and After Pictures

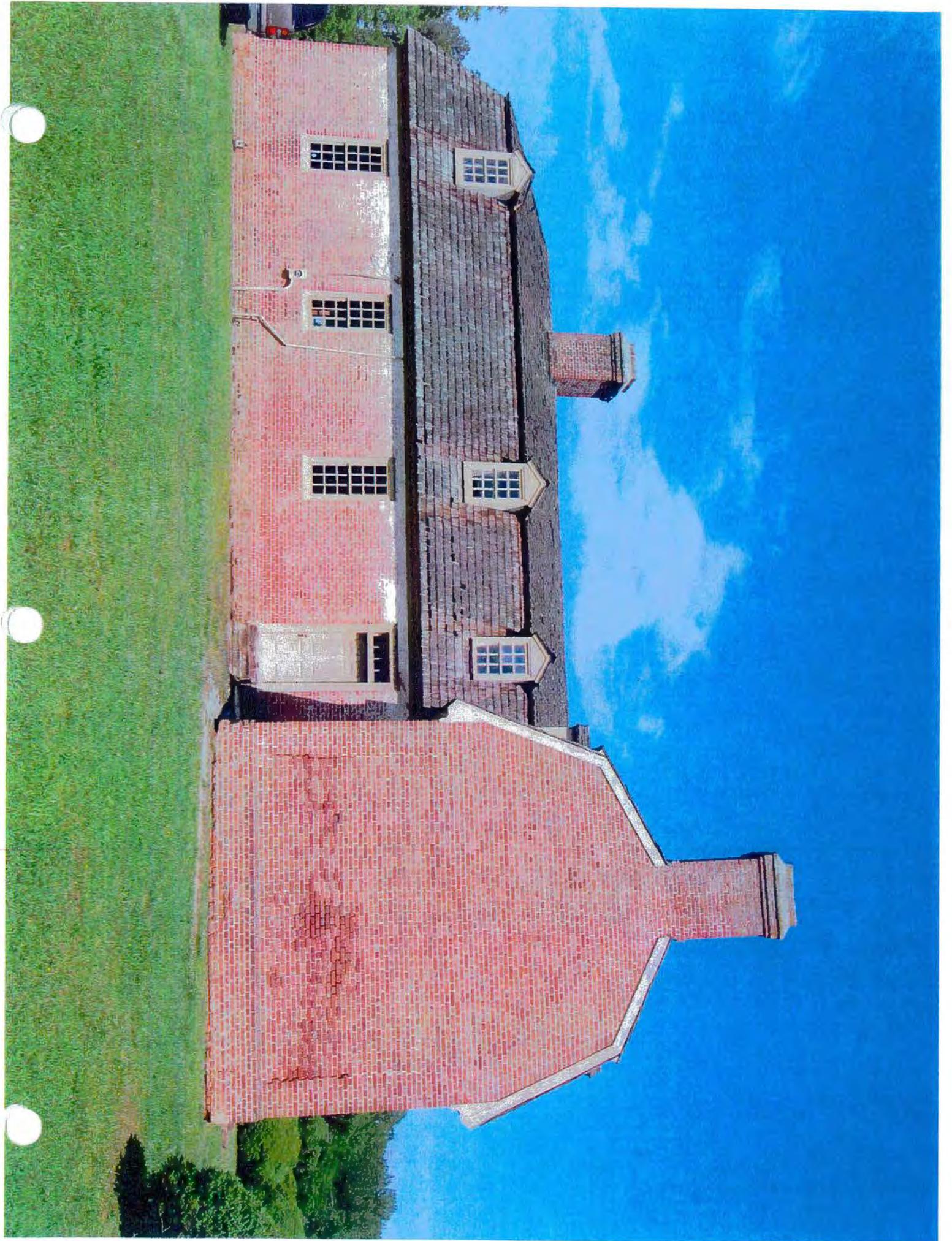
What follows is a selection of before and after pictures focusing on fifteen interior and exterior features at Wilton. In most “before” and “after” pictures, especially when it comes to real estate, there is supposed to be a huge contrast between the two. And in the photos that follow, there is some of that, particularly where the “after” pictures show a room with a lot of furnishings. But there are many pictures below where the contrast between before and after is not so great, and that’s exactly the point. Before the preservation and modernization work at Wilton, most of what was there, in and outside of the house, was original, or early, and largely intact and just in need of some tender loving care, albeit at times very elaborate, and not inexpensive, tender loving care. (The major exception to this rule was the plaster, a hefty percentage of which was severely deteriorated or on the borderline between patching up and replacing.) In the case of Wilton, therefore, we view the “after” pictures which show relatively modest changes as evidence of, at the very least, equally successful preservation efforts as those photos which show more dramatic changes.

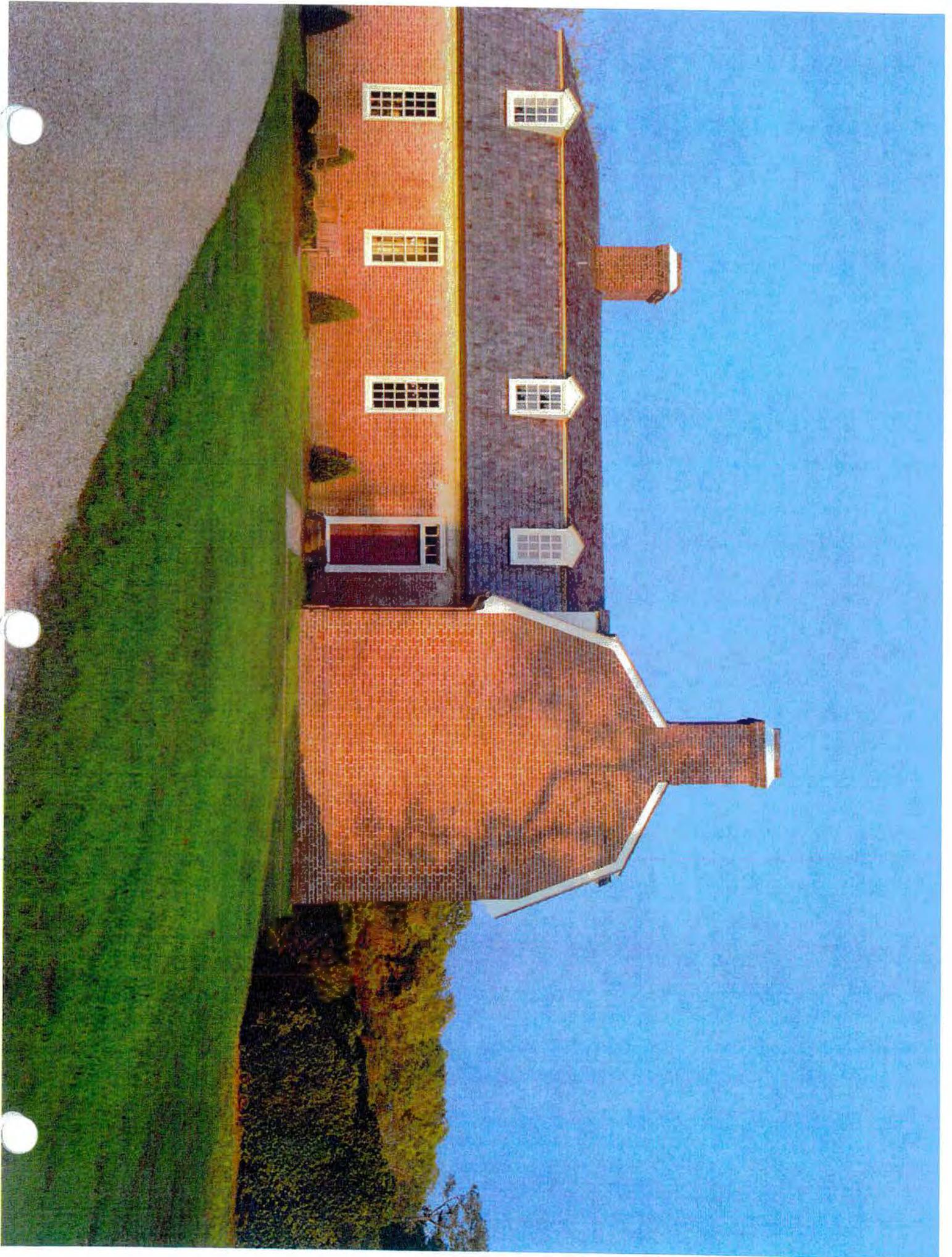
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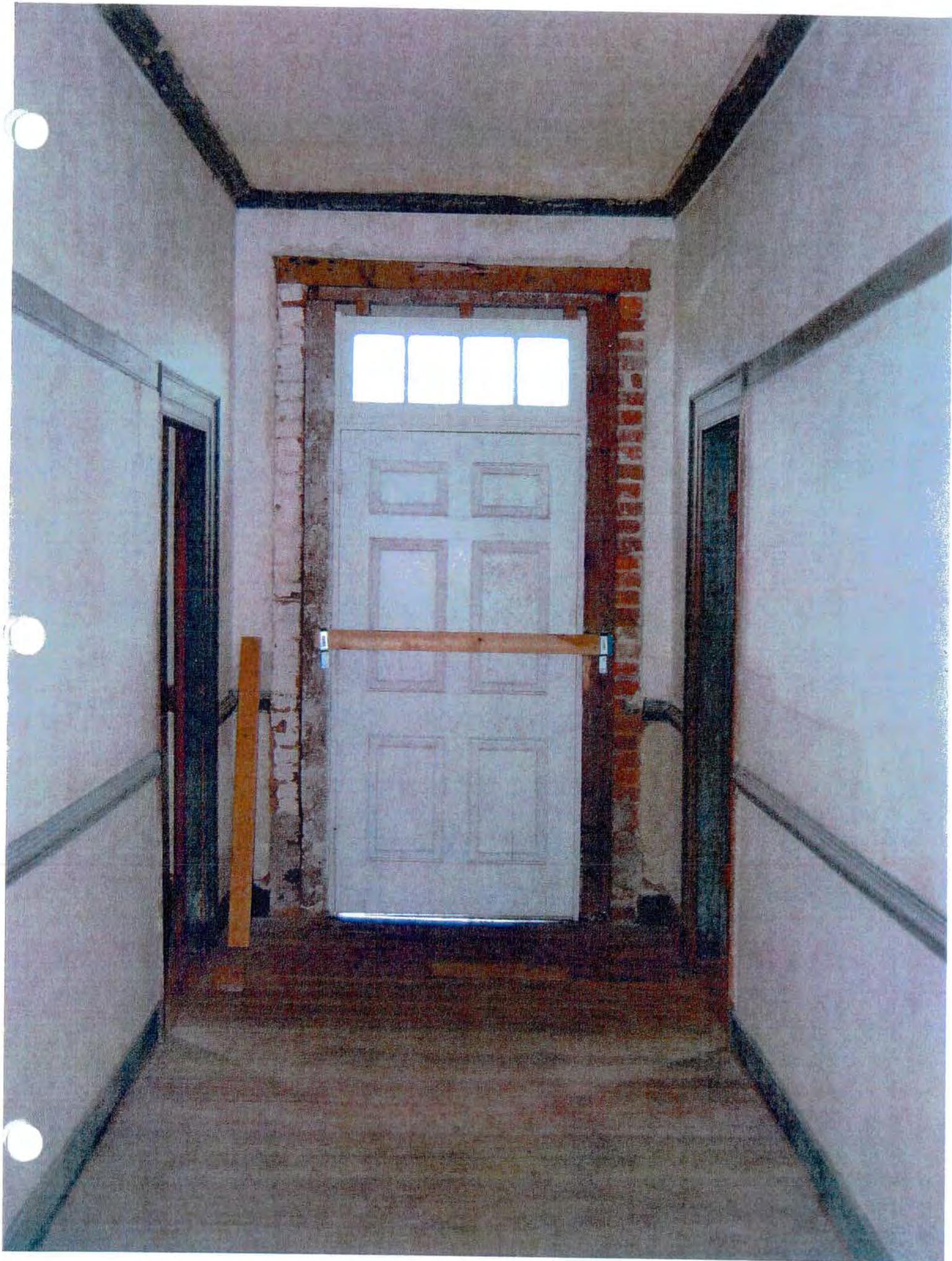




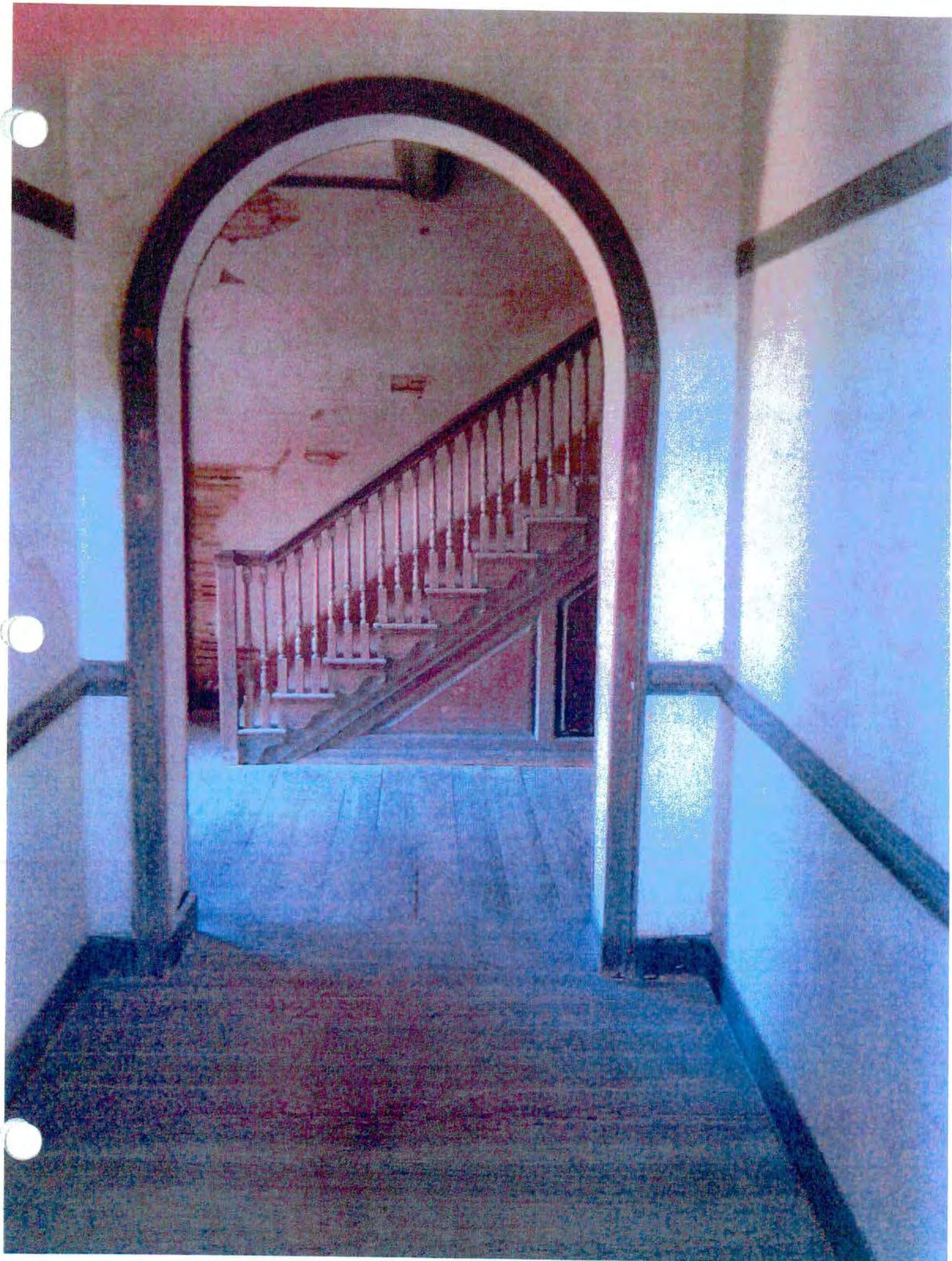


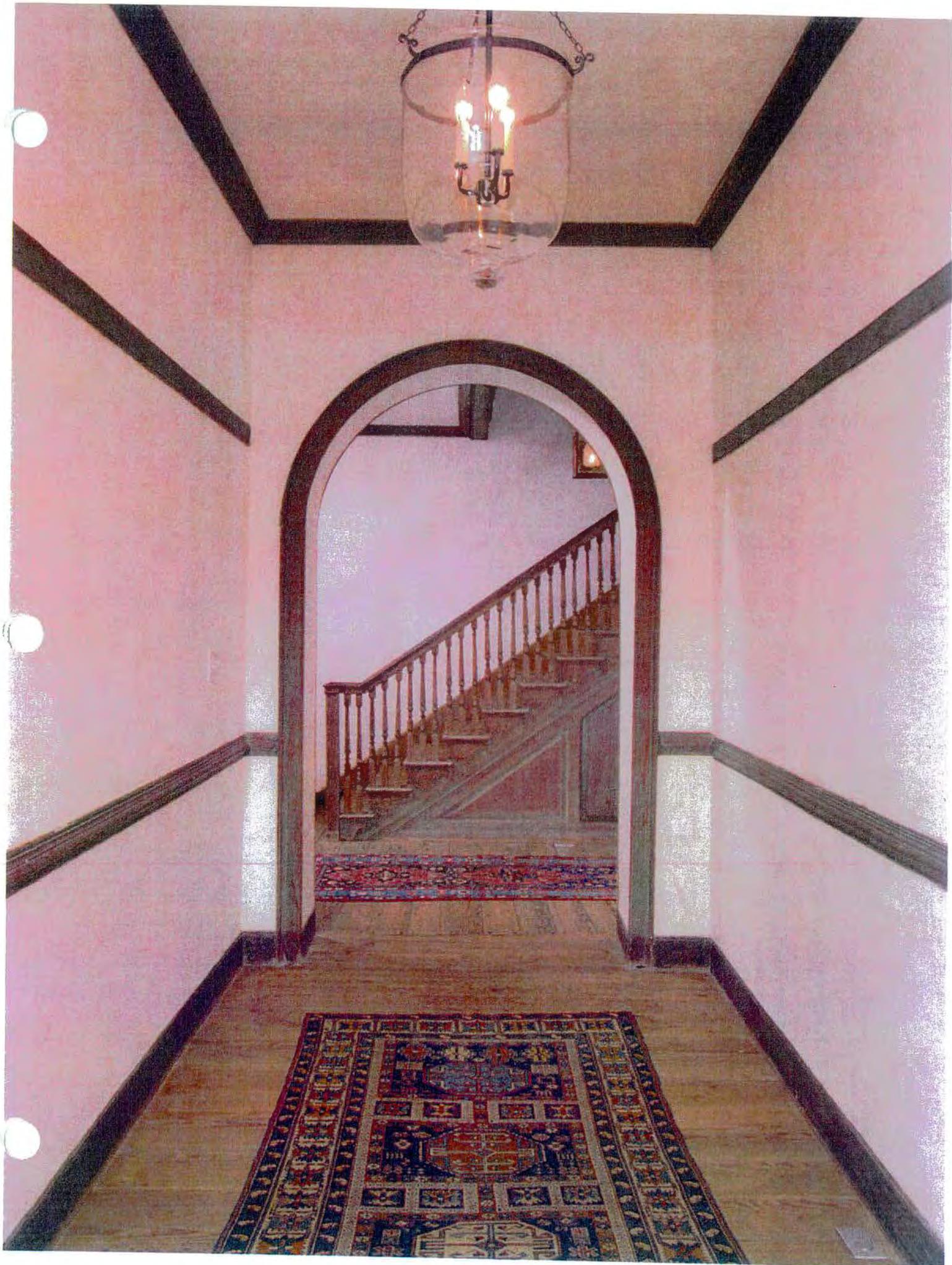


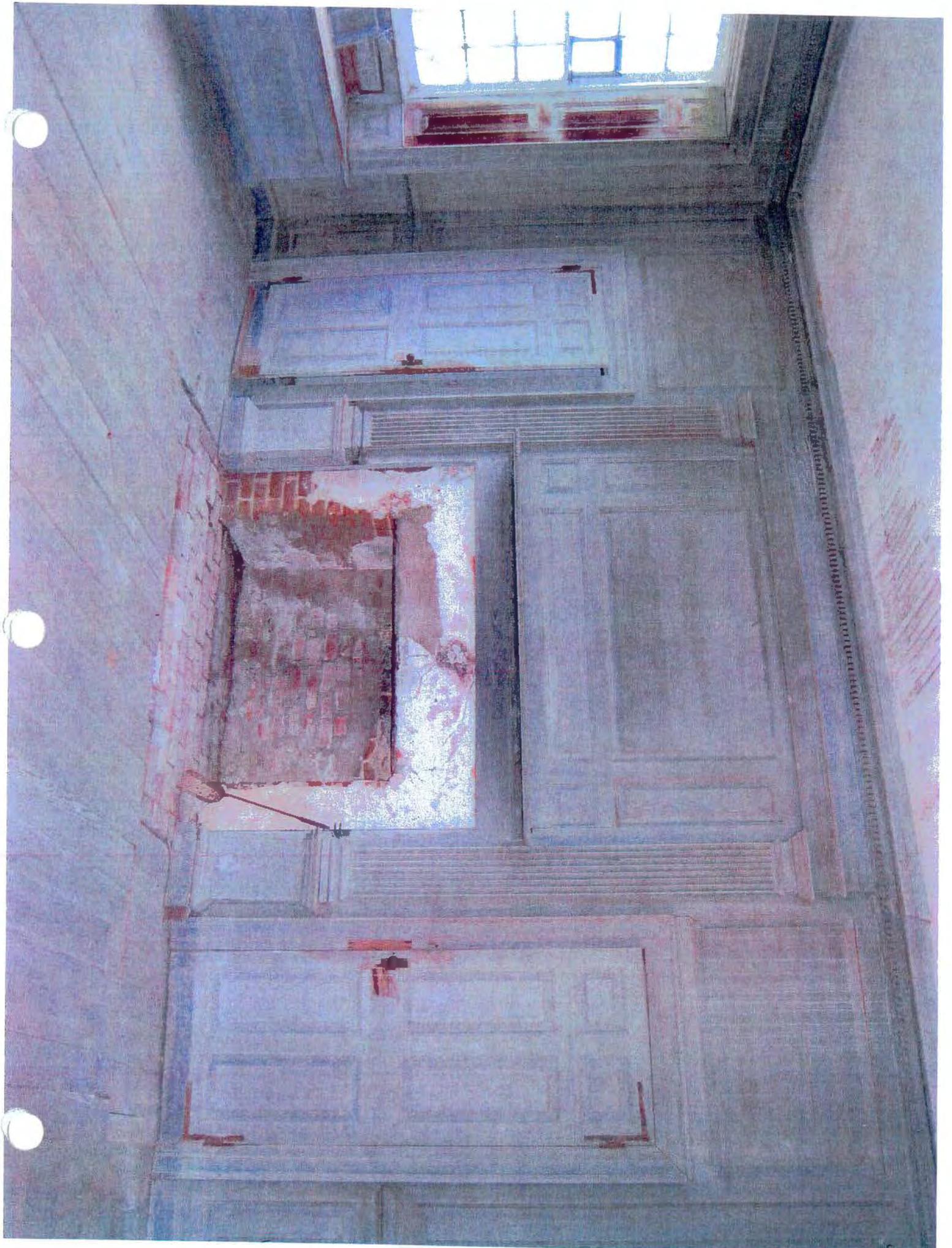






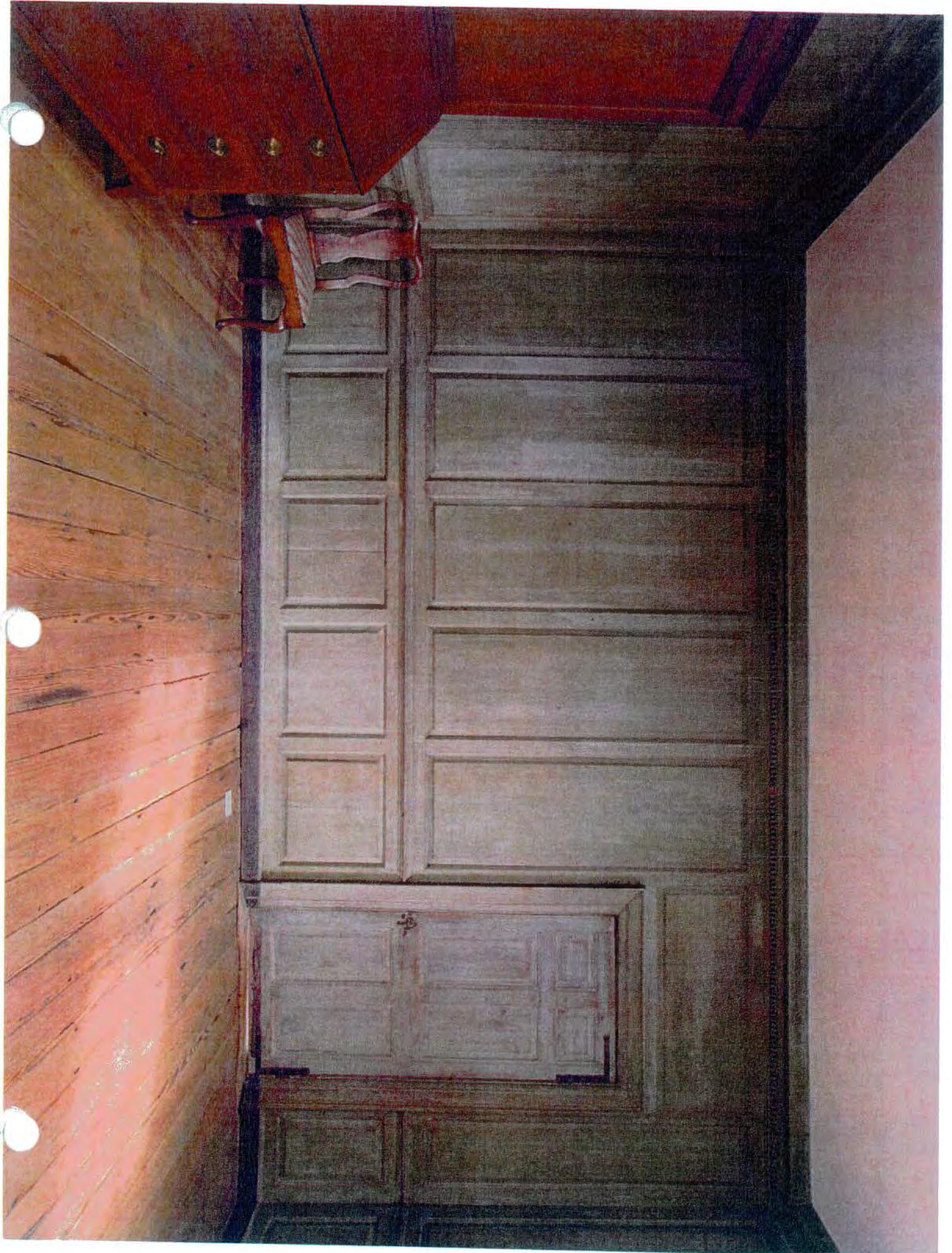






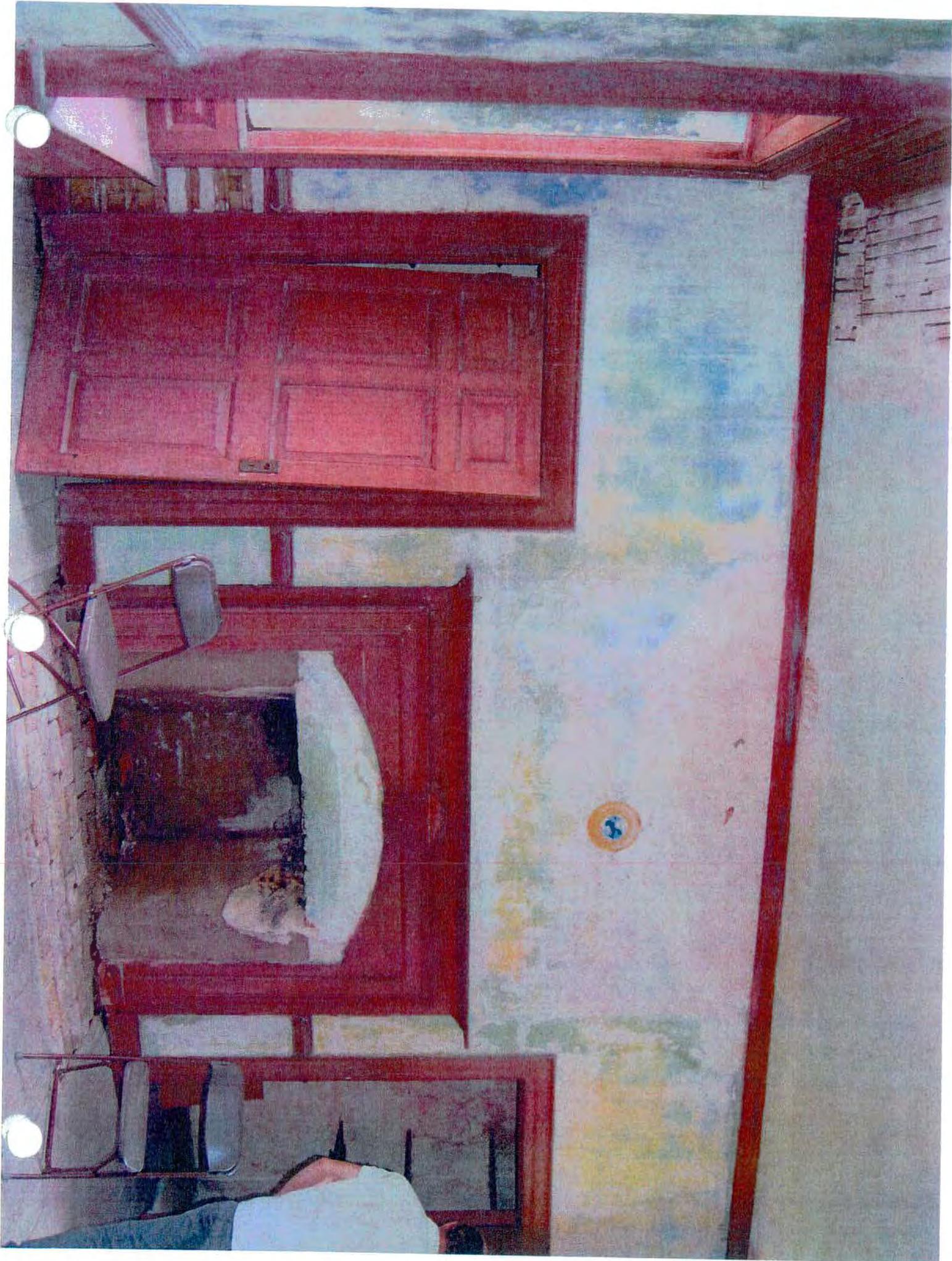




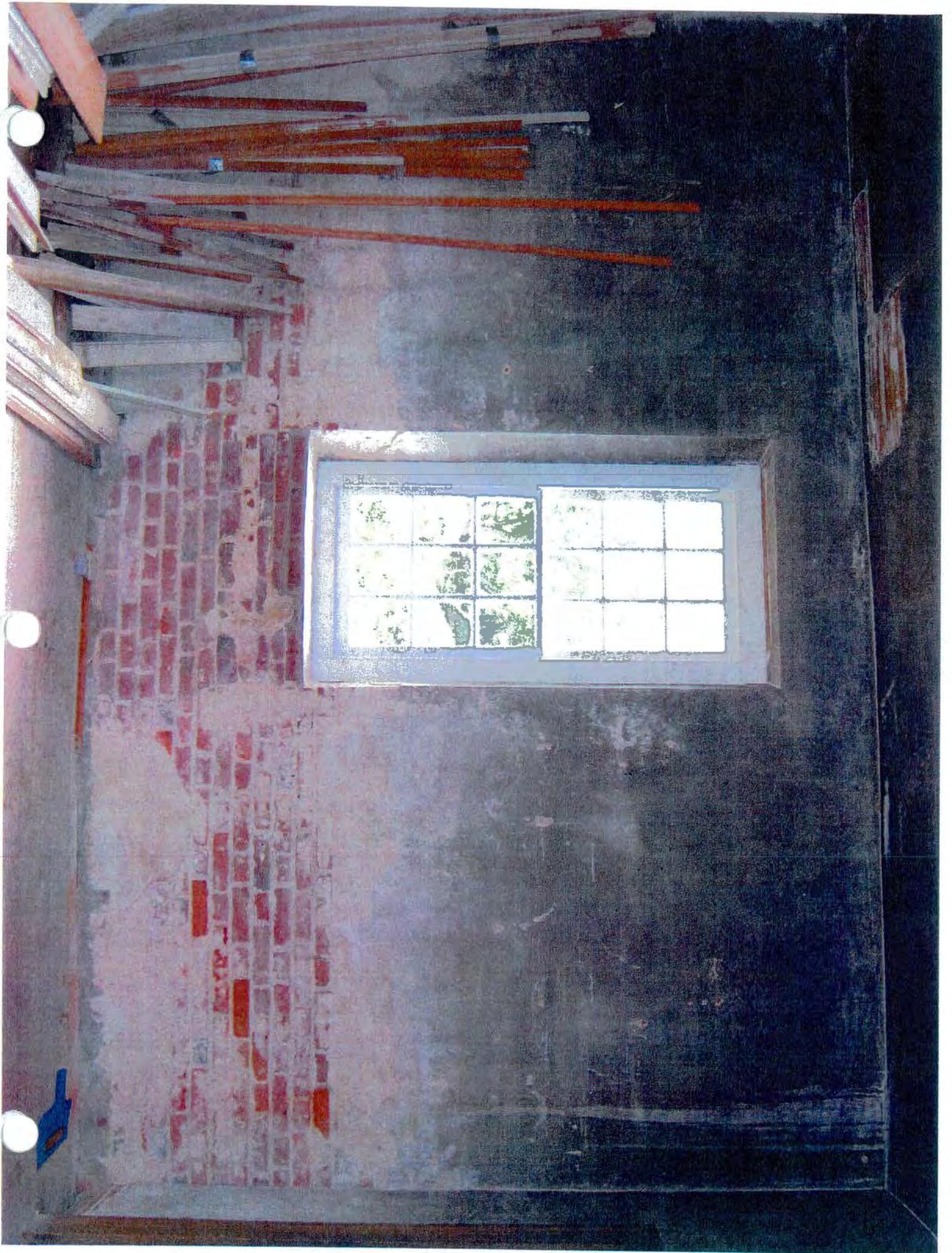


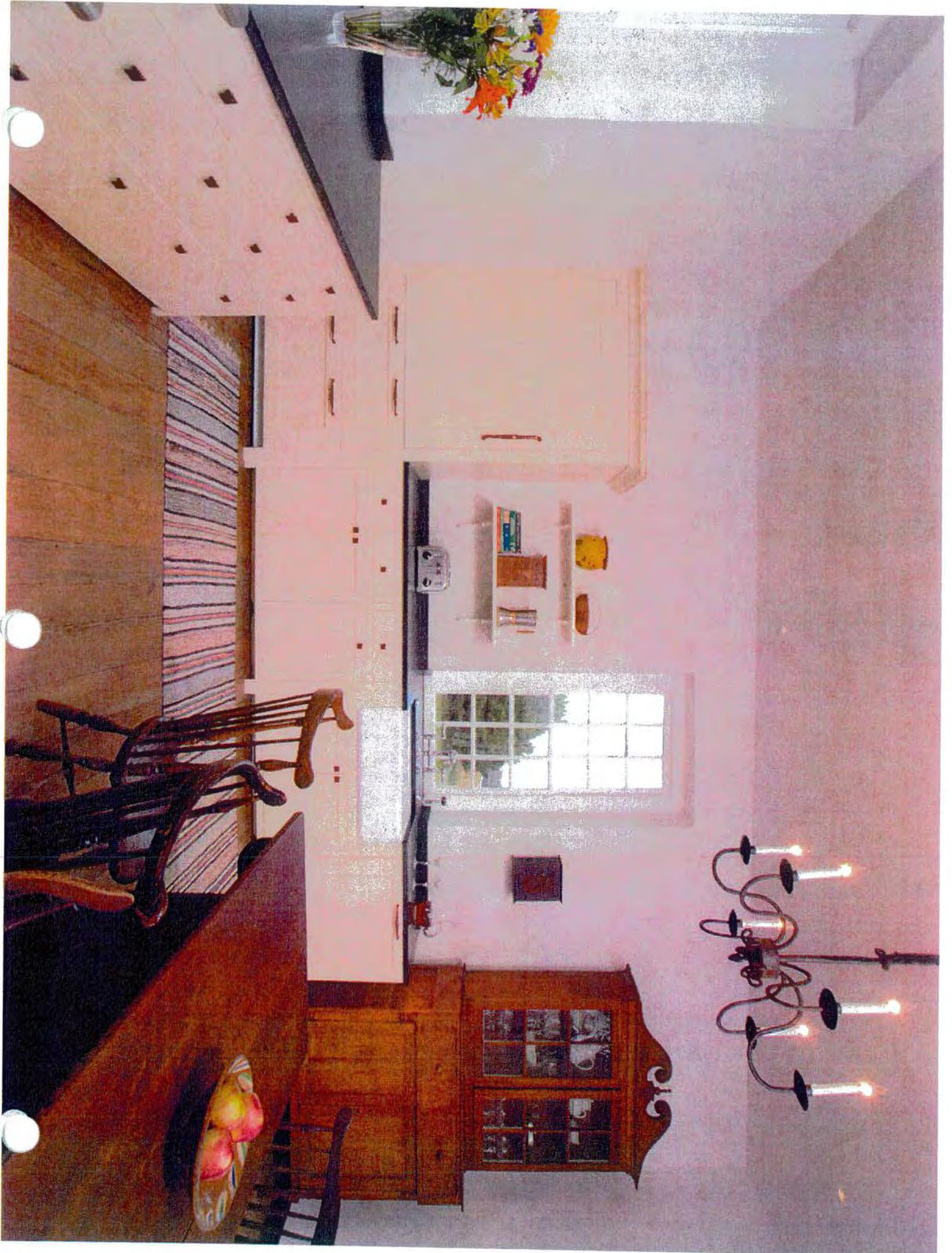


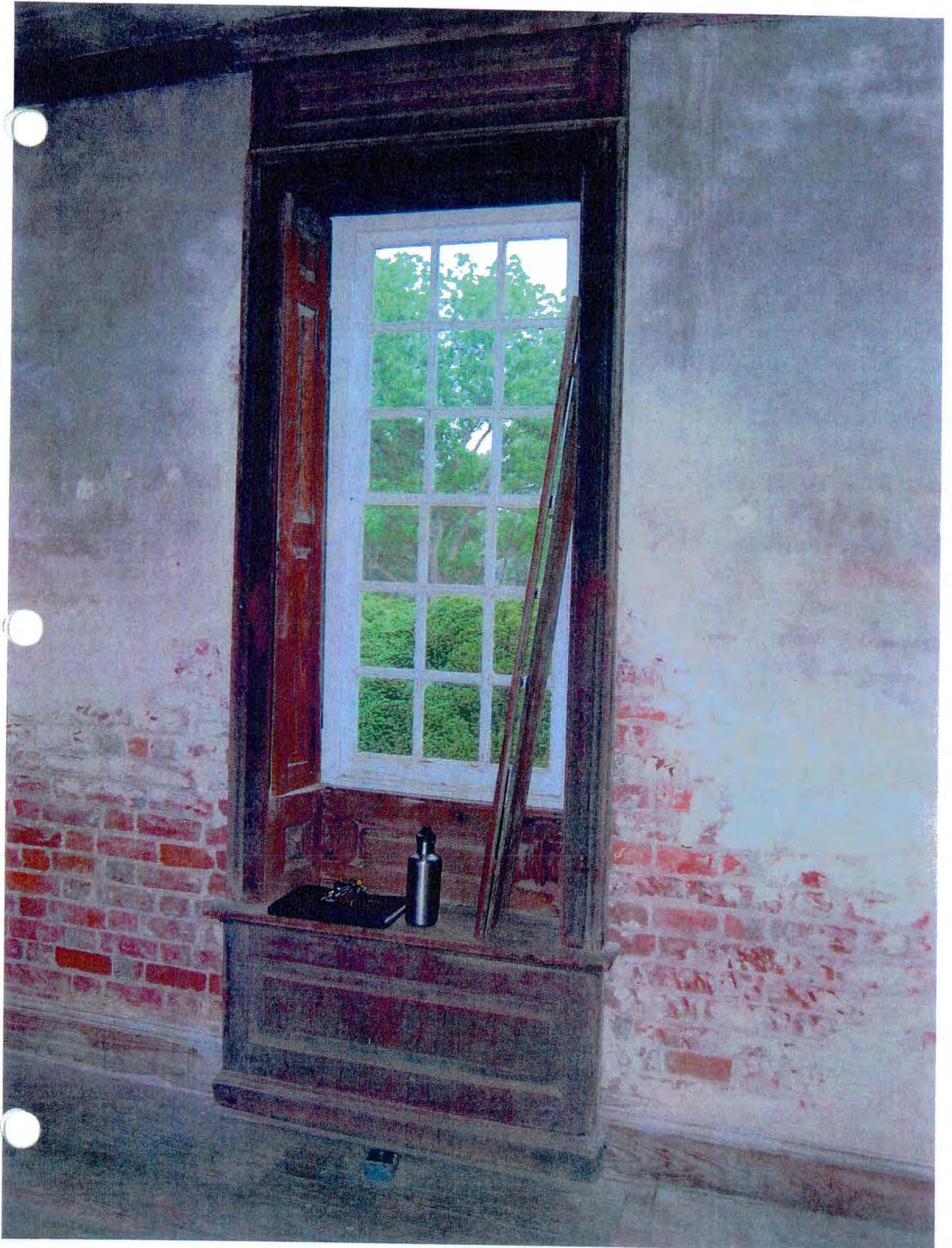




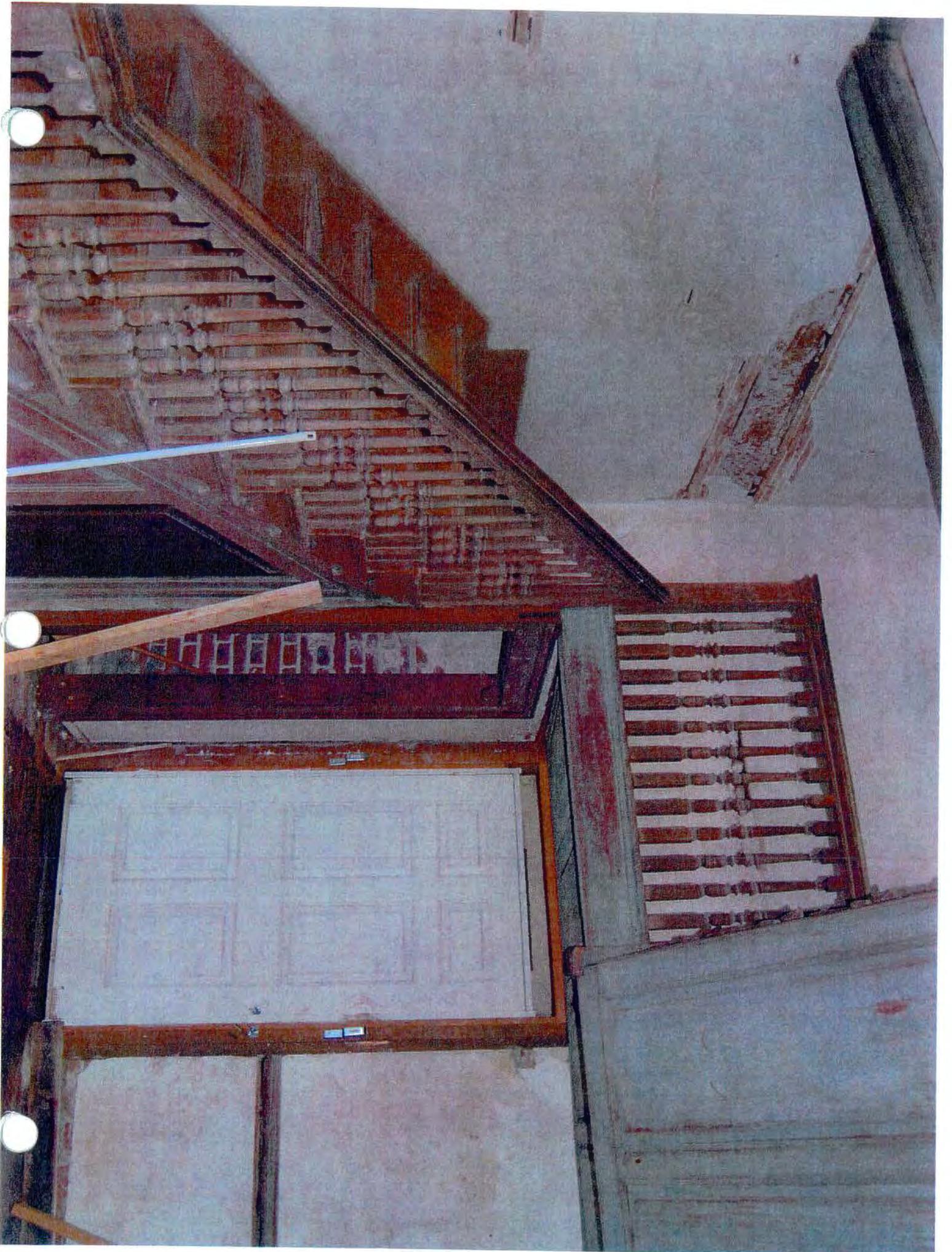


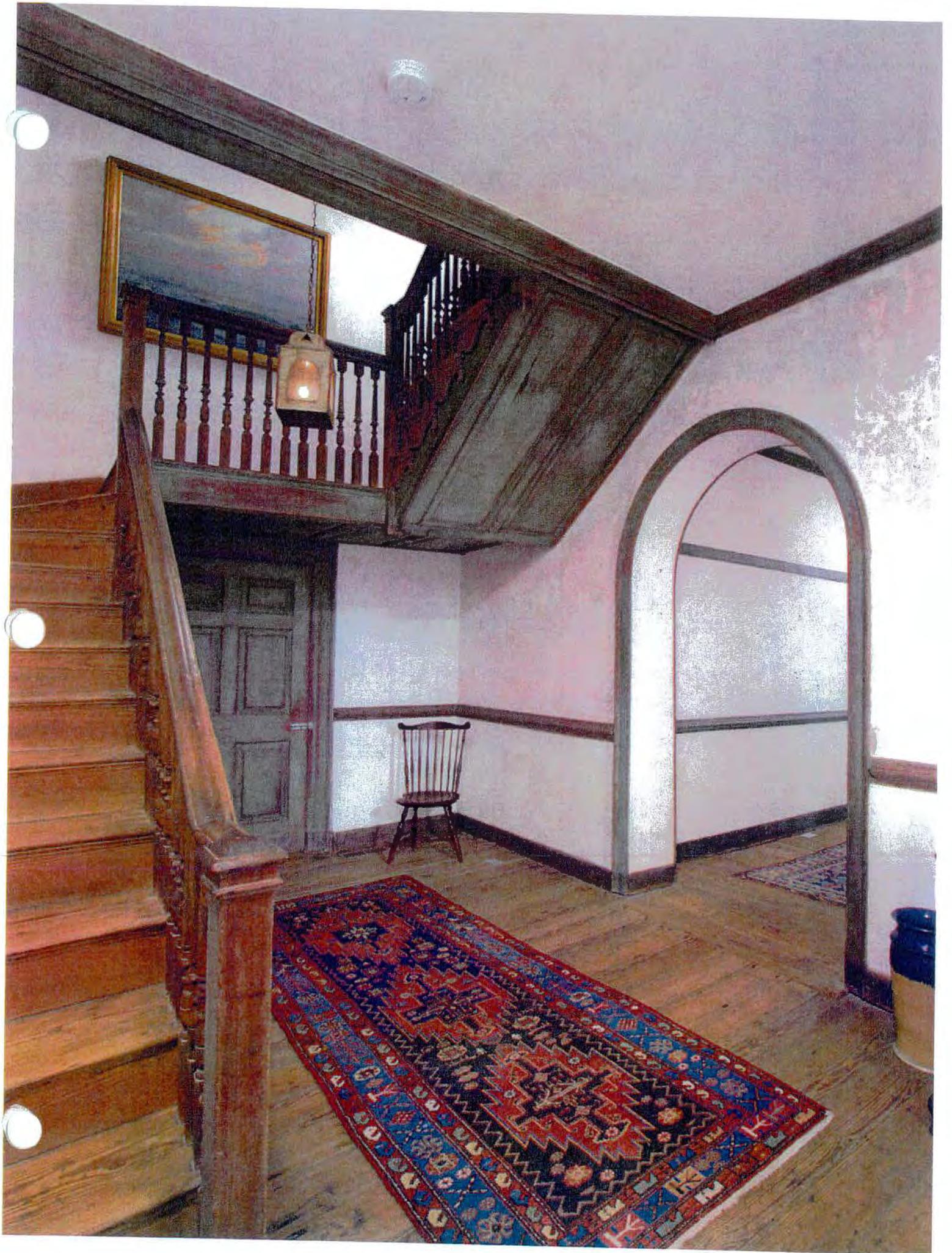


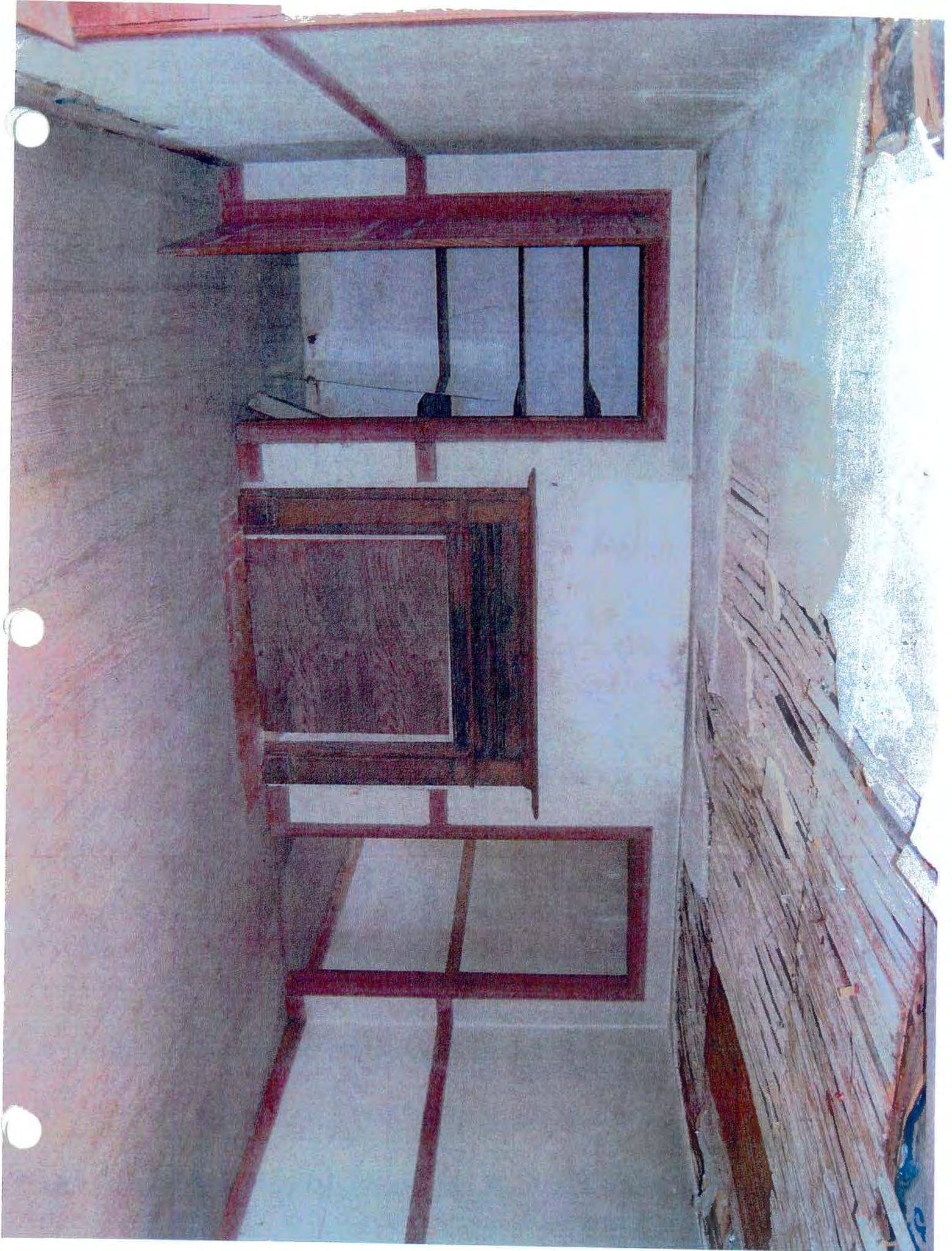




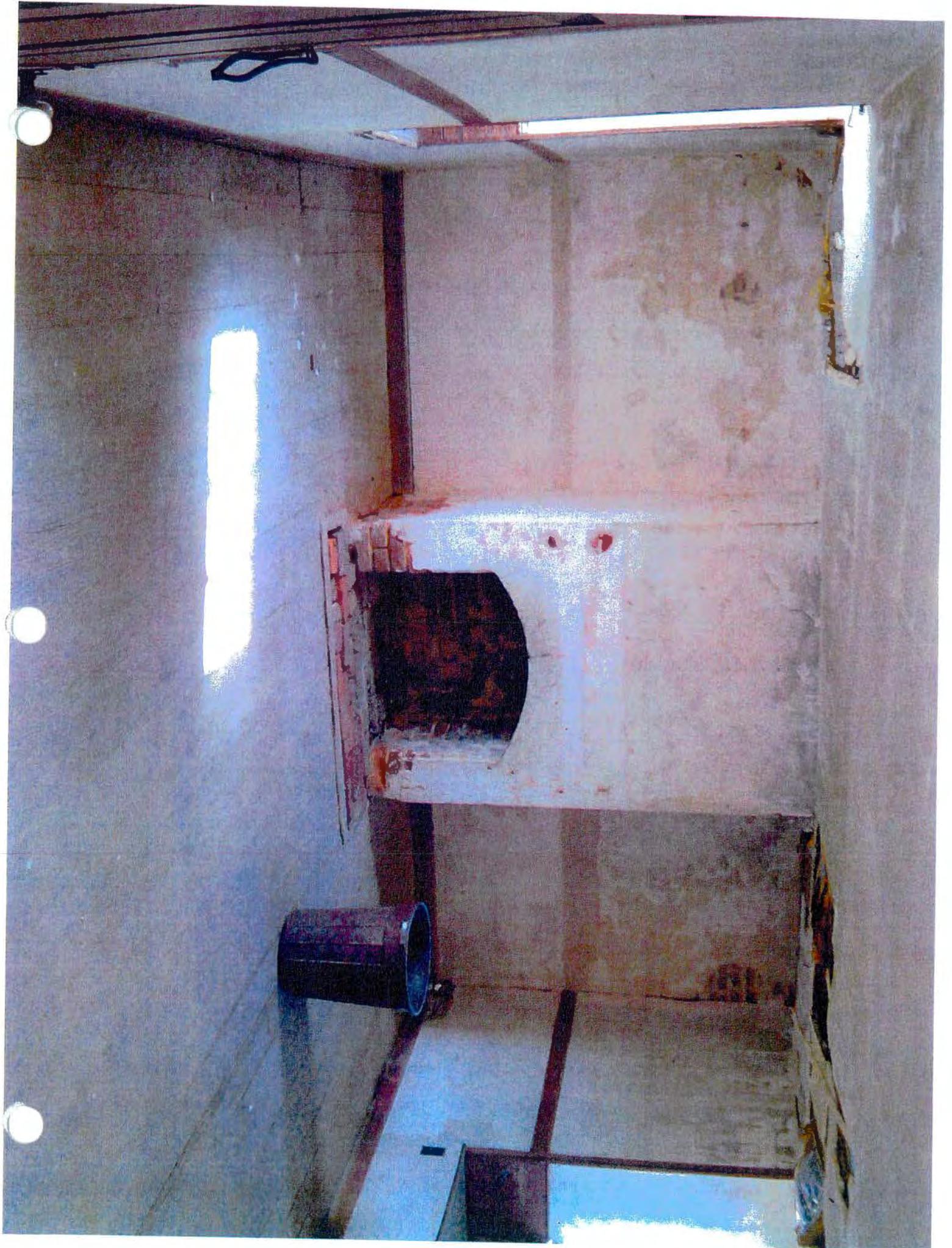


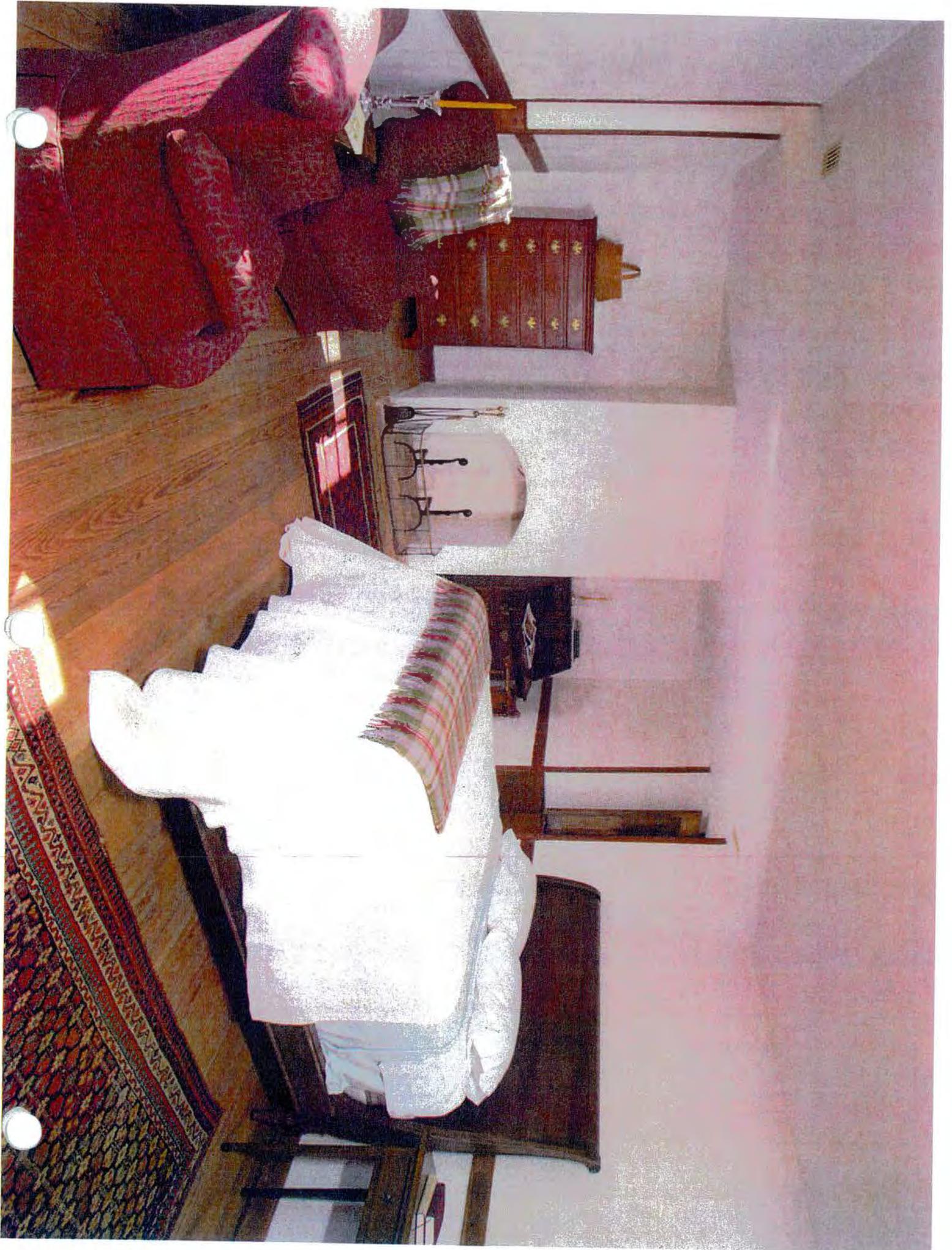






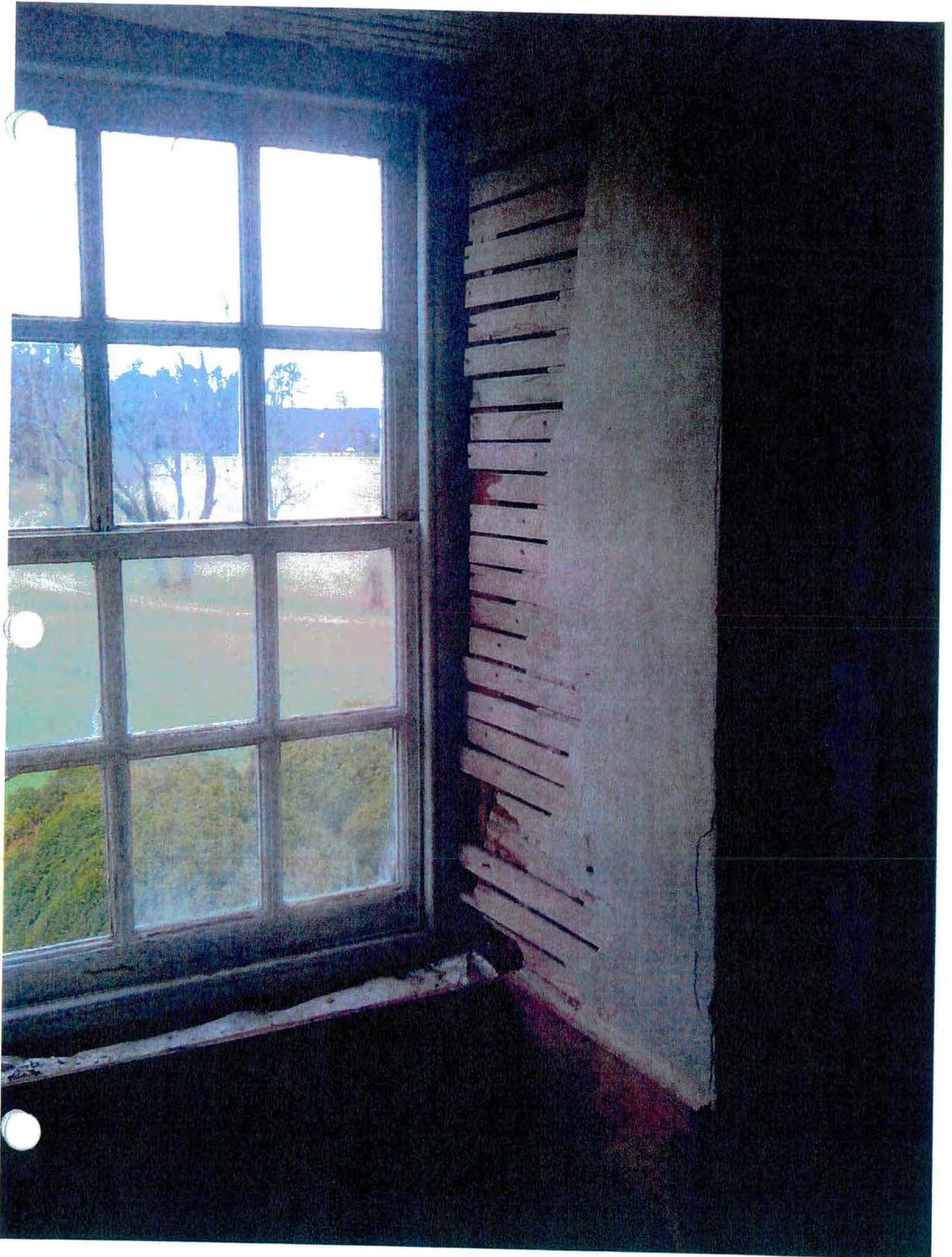
















## PRESERVATION VIRGINIA

29 November 2018

Wentworth Gardner Tobias Lear Historic Houses  
Portsmouth, NH 03802-0563

To Whom It May Concern:

On behalf of Preservation Virginia, I am writing to support Stephen Foster's proposal for the Tobias Lear House. We met Mr. Foster through his acquisition of Wilton from our Revolving Fund.

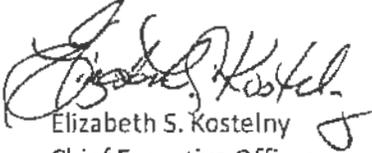
Founded in 1889 as the Association for the Preservation of Virginia Antiquities, Preservation Virginia has saved more than 500 historic places in our 129 year history. In 1999, we began to administer Virginia's The Revolving Fund Program. This fund, held in trust for the Commonwealth, is used solely to save threatened historic properties. The properties are sold to private buyers willing to undertake the restoration and rehabilitation of these properties.

Located in Middlesex County, Wilton was likely built by Armistead Churchill around 1763. The house had been virtually unchanged since the mid-18<sup>th</sup> century. Few modernizations or alterations were introduced over the years—leaving Wilton's original finishes, fine woodwork and unsurpassed detail remarkably intact. Vacant for two decades and suffering from years of deferred maintenance, the Revolving Fund acquired Wilton in 2002. We held the property for nine years before finding a buyer who possessed the necessary vision, skills and capacity to undertake the extensive and thoughtful restoration. That person was Stephen Foster.

From his first visit, Mr. Foster approached the preservation of Wilton, its 26 acres and associated buildings with an exacting vision. He recognized the long-term commitment to the rehabilitation process and to stewardship responsibilities in purchasing the property. He worked diligently with the Department of Historic Resources to uphold the requirements of the protective perpetual easement. Mr. Foster engaged archaeologists, architectural historians and landscape architects to consider the house, its context and history. He enlisted the foremost craftspeople, masons, paint experts and others to implement a sensitive plan to preserve the original fabric while introducing modern systems and conveniences into the building.

Mr. Foster transformed Wilton for 21<sup>st</sup> occupancy by carefully preserving its history. In doing so, he acknowledged his role as steward in a long line of occupants of this historic home. I offer my whole-hearted and unequivocal support for Mr. Foster in this new endeavor. I have no doubt that he will apply the same discerning approach to the Tobias Lear House. I am happy to respond to your questions.

Sincerely,

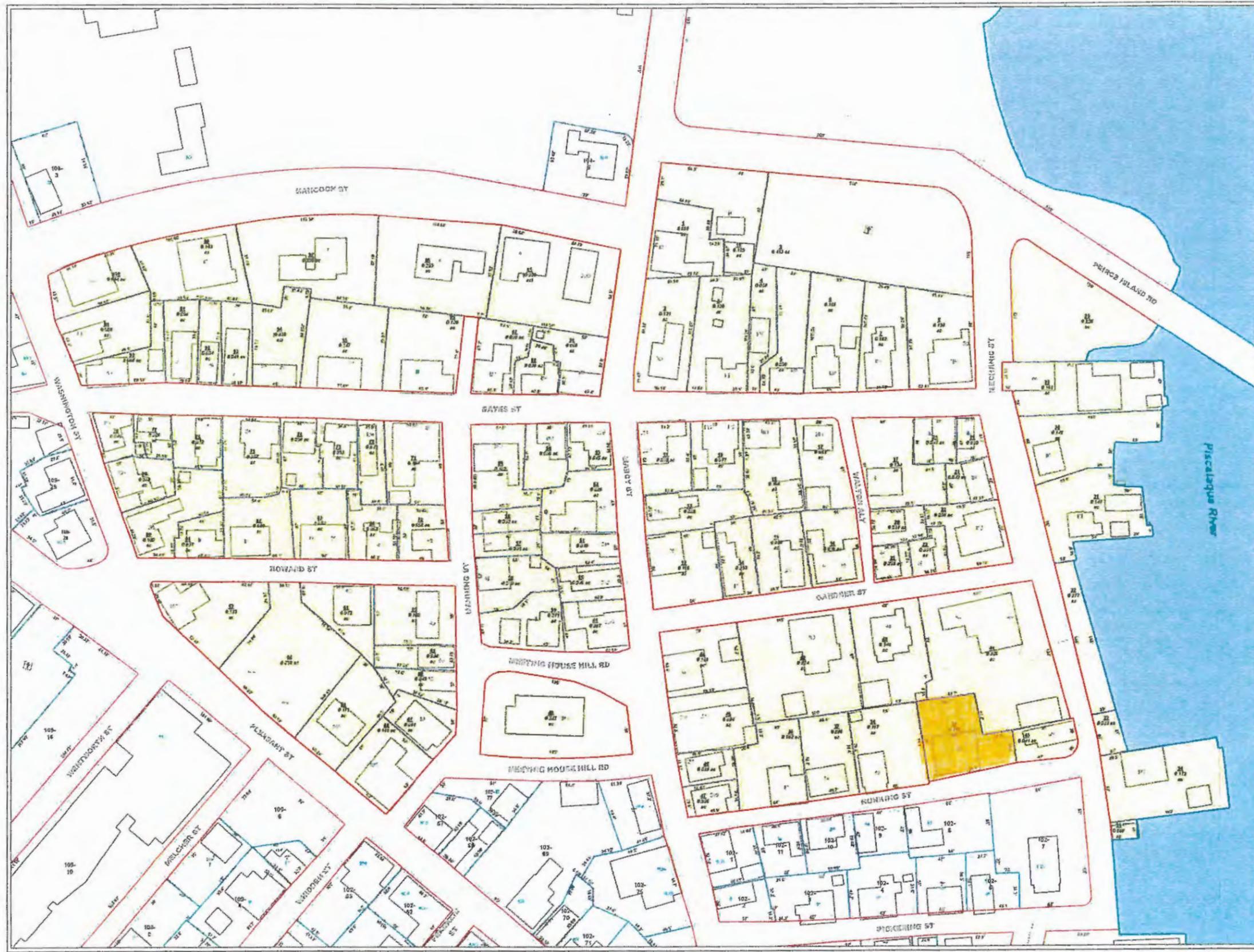


Elizabeth S. Kostelny  
Chief Executive Officer

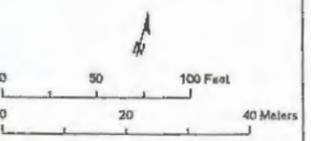
PRESERVATION VIRGINIA



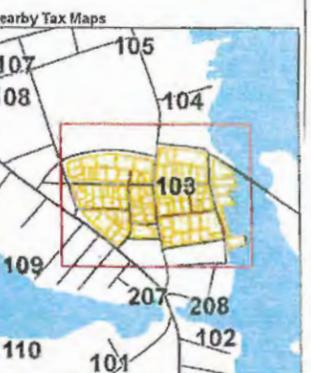


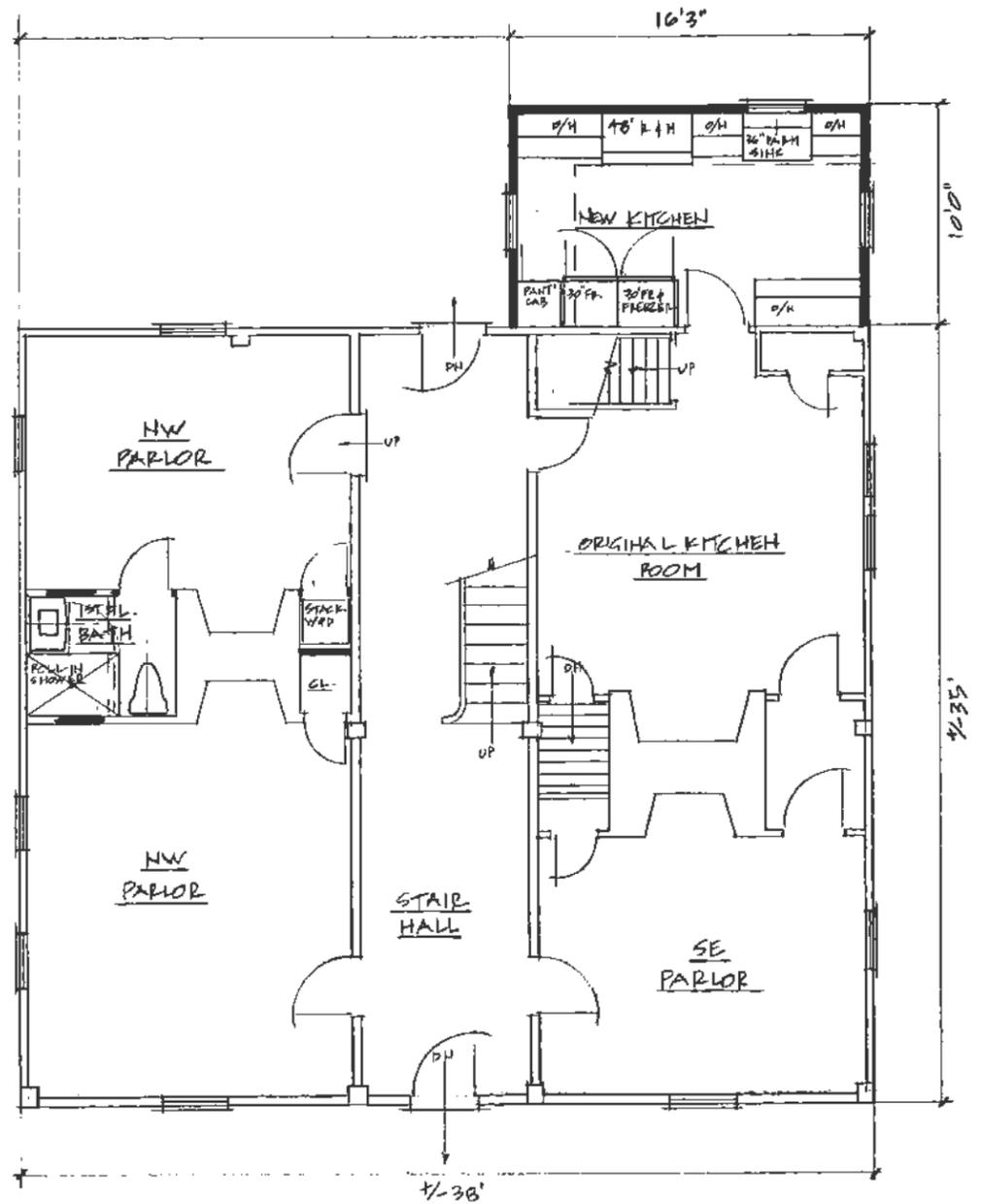


- Partial Legend**  
See the cover sheet for the complete legend.
- 7-5A Lot or lot-unit number
  - 2.56 ac Parcel area in acres (ac) or square feet (sf)
  - 123 Address number
  - 255-127 Parcel number from a neighboring map or Parcel line dimensions
  - 5106 JLVZ Street name
  - Parcel boundary
  - Parcel/ROW boundary
  - Water boundary
  - Structure (1994 data)
  - Parcel covered by this map
  - Parcel from a neighboring map (see other map for current status)

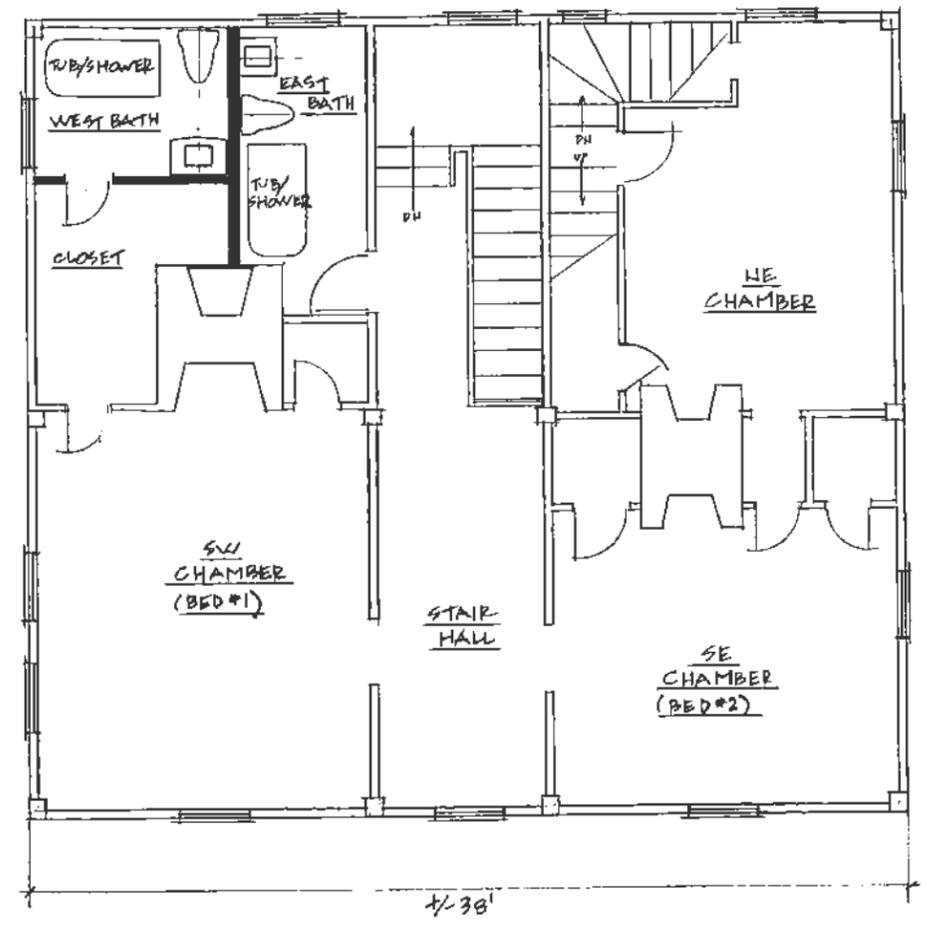


*This map is for assessment purposes only. It is not intended for legal description or conveyance. Parcels are mapped as of April 1. Building footprints are 2006 data and may not represent current structures. Streets appearing on this map may be paper (unbuilt) streets. Lot numbers take precedence over address numbers. Address numbers shown on this map may not represent posted or legal addresses.*





PROPOSED FIRST FLOOR PLAN



PROPOSED SECOND FLOOR PLAN

1/8" = 1'0"

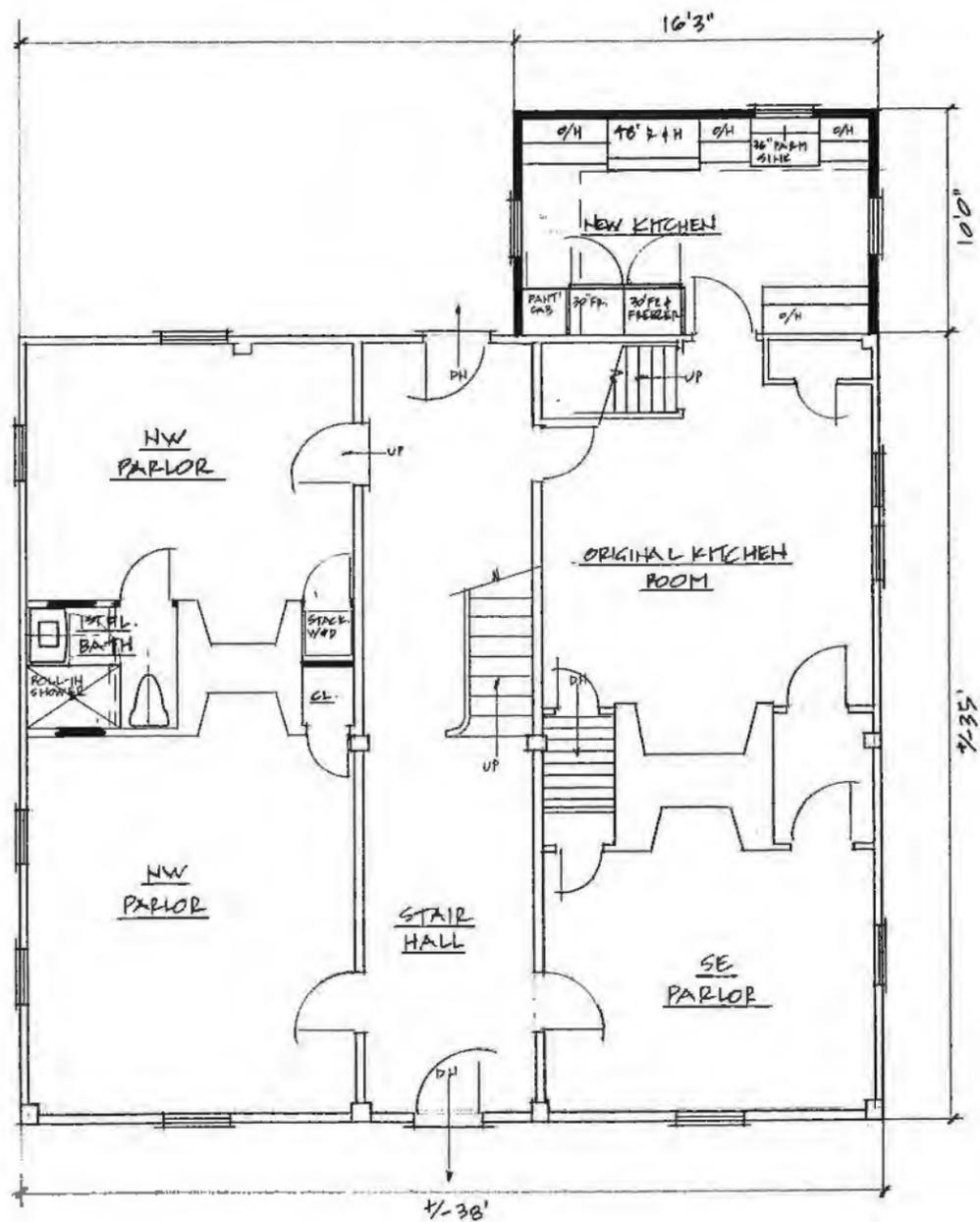
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SCALE: 1/8" = 1'0"

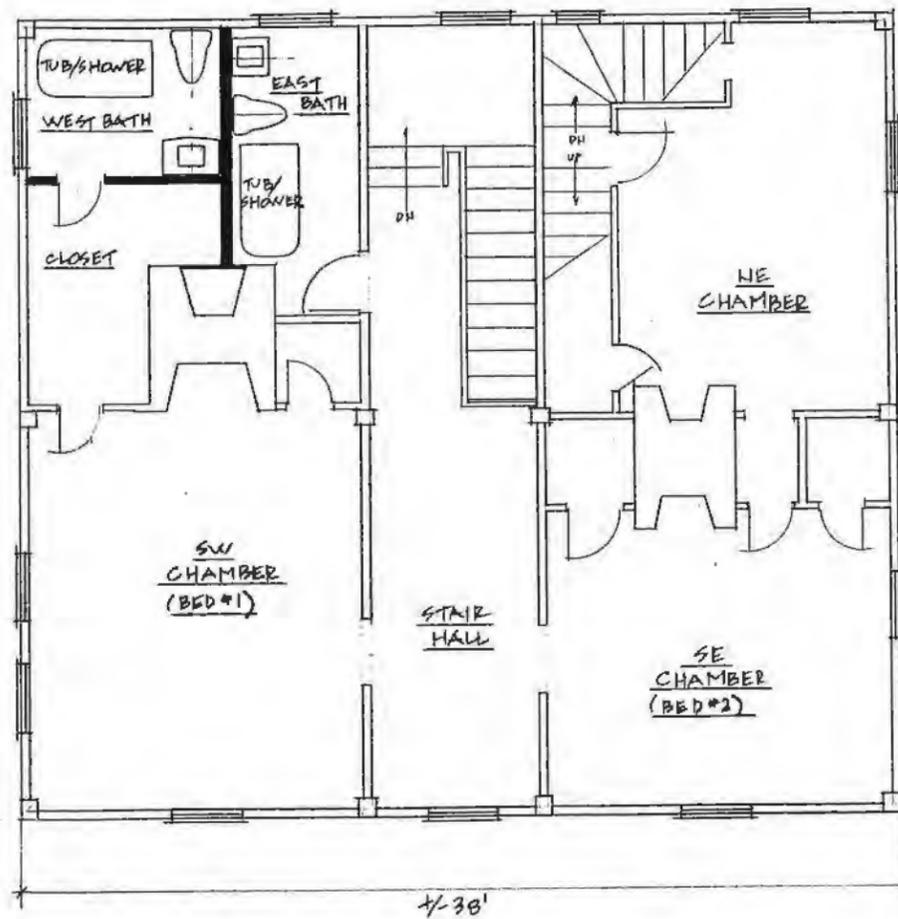
DATE: 3.27.2014

REVISIONS:

TOBIAS LEAR HOUSE  
49 HUNTING STREET  
PORTSMOUTH, NH



PROPOSED FIRST FLOOR PLAN



PROPOSED SECOND FLOOR PLAN

1/8"=1'0"

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