

420 PLEASANT STREET – PETITION FOR RELIEF

Date: 09/21/2021

To: The City of Portsmouth Planning Department –
Zoning Board of Adjustment

Subject: 420 Pleasant Street – Petition for Relief

Building History

James Hill built the house located on the corner of Pleasant Street and Cotter's Lane (Franklin Street) at 420 Pleasant Street a mere two years before his early and untimely death in 1814. At that time the house was split into multiple units and the rear ell to the south was added for his widow, Mary Hill, to live in as her dower. After that it was purchased by Thomas Shaw (*Shaw's Wharf at Prescott Park*) and has been an active multi-family building for over 200 years since then. Today this owner-occupied building houses five modest sized apartments.

Project Purpose

There are three main purposes driving the proposed project at 420 Pleasant Street.

1. The owner, Mr. Charles Neal, would like to decrease the unit count in the building from five units down to three so that he can increase the overall square footage of his own unit. When the project is complete he will occupy the entire first floor and half of the second floor. There will be a rental unit in the other half of the second floor and a third unit on the top floor. The top floor unit will be the only one with access to the roof deck.
2. The rear ell of the building is structurally deficient, with no proper foundation, and a severely rotten wooden sill that sits directly on the ground. This condition has been deteriorating for a while and is in desperate need of replacement. When the project is complete there will a reconstructed ell built in its place that is 6" narrower than the existing ell to be located 1'-0" away from the adjacent property line.



Middle photo shows the rear ell visibly leaning to the south. Outer photos show the area where the most significant sill rotting has occurred.

3. A *Fire and Life Safety Inspection* was performed on the building by the Portsmouth Fire Department in 2015. There were some deficiencies detected during this inspection that were identified as needing to be brought into compliance with current building and life safety codes. A code compliant and fire rated stair enclosure was identified as being required. The existing interior stair was determined to be too complex and costly to properly fire rate, and space did not allow for modern day tread depths and riser heights. A new infill stair enclosure was designed to meet all codes and provide access to the remaining three units.

Project Scope

The following items are the major priorities for the project:

- Convert a five unit multi-family apartment building to a three unit building
- Remove existing rear entry vestibule and bathroom
- Replace southeast ell addition – Footprint will be reduced by 6" width to the southeast to locate edge of building 12" from the side yard property line where 6" currently exists. Reconstructed ell will sit atop a proper frost wall.
- Add three story code compliant and fire rated egress stair enclosure
- Add rear entry porch

Variance Criteria

1. The variance is not contrary to the public interest.
2. The spirit of the ordinance is observed.
 - o Rear ell addition is similar in use and size to the existing ell that has existed on site for 200+ years
 - o Infill egress stair is modestly sized with appropriate aesthetics as evidenced by July 2021 HDC
 - o Similar size and siting as other additions in the immediate neighborhood
 - o New construction is close together with other adjacent properties, but that is an existing long-term condition that is being slightly improved with this reconstructed addition
 - o Project support has been exhibited by multiple rear yard neighbors
3. Substantial justice is done.
 - o The applicant, and the most effected side yard neighbor, will end up with a much safer building condition than what currently exists
 - o Reconstructing an existing building is a very reasonable request and putting it on a proper foundation located an additional 6" from the property line that what currently exists is a benefit for everyone
 - o The proposed ell reconstruction and egress stair infill greatly benefit the applicant while at the same time great no perceived harm to the public. The proposed construction is well off the public way and only creates a safer condition for all that surround it
4. The values of surrounding properties are not diminished.
 - o This project proposes to decrease the intensity of use of the property while at the same time it creates a better looking and more structurally sound building – this will certainly increase the value of surrounding properties rather than diminish
5. Literal enforcement of the ordinance would result in unnecessary hardship. Unnecessary hardship means:

Because of special conditions of the property that distinguish it from other properties in the area:

 - a. There is no fair and substantial relationship between the general public purpose of the ordinance provision and the specific application of that provision to the property; and
 - b. The proposed use is a reasonable one.

Alternatively, unnecessary hardship means that, owing to special conditions of the property that distinguish it from other properties in the area, the property cannot be reasonably used in strict conformance with the ordinance.

- o Corner lot with a 200+ year old building sited very far forward and to the southeast (6" away from side yard property line)
- o Existing building ell was constructed without any proper foundation therefore exposing its wooden sill to significant deterioration due to its direct contact with the ground
- o Existing building's extreme close proximity to adjacent neighboring building makes for difficult maintenance and upkeep and further exacerbates aforementioned rot and deterioration
- o Existing interior stairs are not able to easily be modified to meet current fire and building codes to satisfy the fire departments upgrade requirements

420 PLEASANT STREET - ADDITION AND RENOVATIONS

ZONING BOARD OF ADJUSTMENT - SEPTEMBER 2021, PORTSMOUTH, NEW HAMPSHIRE

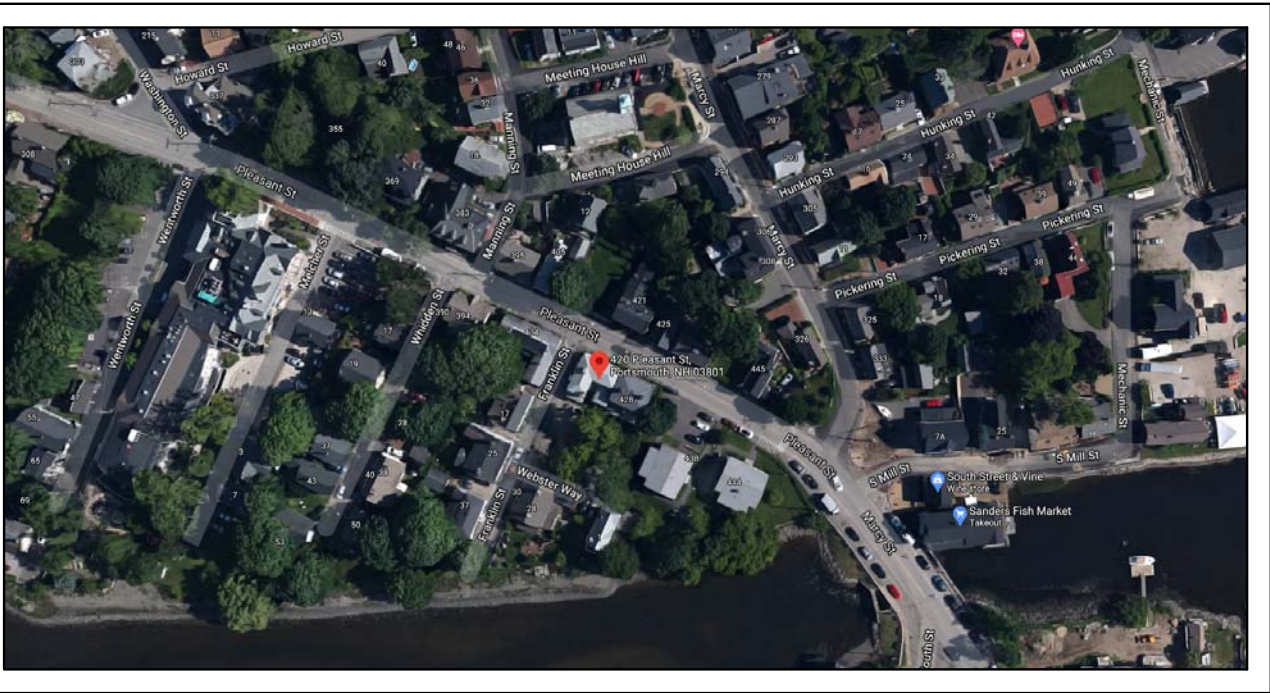
GENERAL PROJECT DESCRIPTION (GENERAL RESIDENCE DISTRICT B (GRB)):

PROPOSED WORK:

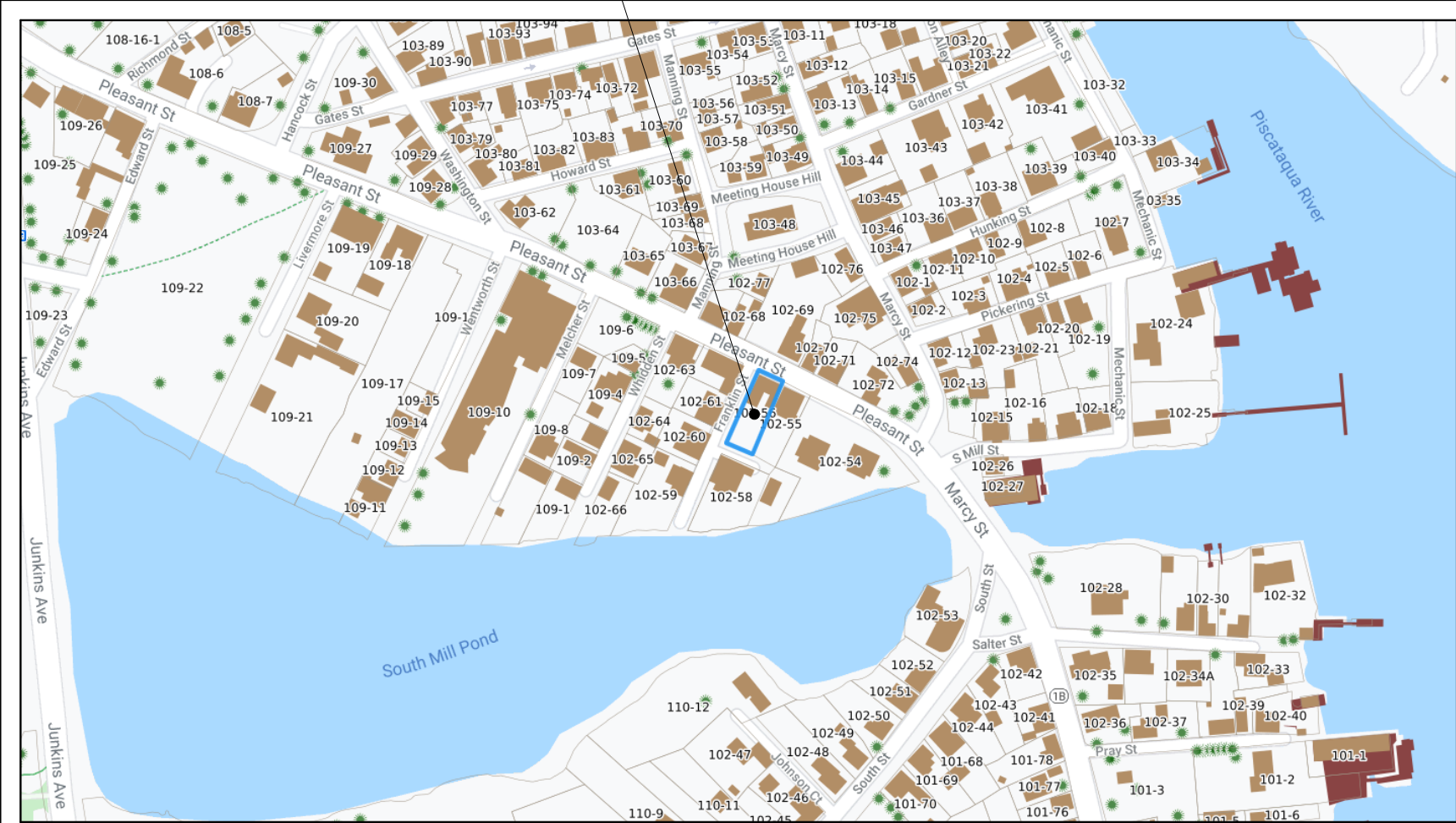
- HDC APPROVAL: JULY 2021
- CONVERT FROM A FIVE (5) UNIT RESIDENTIAL BUILDING TO A THREE (3) UNIT RESIDENTIAL BUILDING
- REMOVAL OF EXISTING REAR ENTRY VESTIBULE AND BATHROOM
- REPLACEMENT OF SOUTHEAST ADDITION INCORPORATING A THIRD FLOOR ROOF DECK,
- REPLACEMENT TO MAINTAIN A SLIGHTLY SMALLER FOOTPRINT COMPARED TO THE EXISTING BUILDING
- ADDITION OF A THREE STORY CODE COMPLIANT EGRESS STAIR ENCLOSURE AT REAR OF BUILDING
- ADDITION OF REAR ENTRY PORCH

SHEET LIST	
Sheet Number	Sheet Name

PFR	PETITION FOR RELIEF
C	COVER
C1	SITE PLAN FOR 428 PLEASANT STREET
A1	SITE PLAN AND CRITERIA
A2	EXISTING PHOTOS
A3	CONTEXT PHOTOS
A4	CONTEXT PHOTOS
A5	EXISTING FLOOR PLANS
A6	PROPOSED FLOOR PLANS
A7	PERSPECTIVES



420 PLEASANT STREET PORTSMOUTH, NH 03801



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420 PLEASANT ST. RENOVATIONS

420 PLEASANT STREET
PORTSMOUTH, NH 03801



ZONING BOARD OF ADJUSTMENT - SEPTEMBER 2021

COVER

McHENRY ARCHITECTURE

4 Market Street

Portsmouth, New Hampshire

C

09/21/2021

McHA: RD / JJ

NOT TO SCALE

DRILL HOLE FOUND
FRONT CENTER FACE
OF 12"x12" GRANITE POST
45" HIGH

Granite Curb (Typ.)

PLEASANT STREET

DRILL HOLE
SET IN GRANITE
CURBING

PROPOSED
STAIRS

8"x9" GRANITE POST
FOUND 46" HIGH

S48°48'11"E 40.00'

EXISTING (4) DWELLING UNITS
TO BE REDUCED TO (3), (ONE PER
FLOOR), STORAGE IN BASEMENT
(950 SQ. FT.)

Zoning Setback (Typ.)

(3) STORY ADDITION AFTER
DEMOLITION OF 'REAR' STRUCTURE
(600 SQ. FT.)

(3), 2' x 2' A/C CONDENSER UNITS

0.3' Existing
2.9' Proposed

3.2' Existing
8.2' Proposed

(Dead ~ 120'±)

S42°19'14"W 110.05'

N/F
KARL M. & GALE A. BELLAH, TRUSTEES
THE KARL M. BELLAH REV. TRUST (50%)
THE DALE A. BELLAH REV. TRUST (50%)
TAX MAP 102 LOT 55
R.C.R.D. BOOK 4883 PAGE 93

TAX MAP 102
LOT 55
4,180 Sq. Ft.
0.10 Ac.

PROPOSED 3' WIDE
WALKWAYS (310 Sq. Ft.)

PROPOSED GRASS GRID SYSTEM
25.5' x 40.0', (6) C/S PARKING SPACES
(1,020 SQ. FT.)

Chainlink Fence (Typical)

5/8" IRON ROD
W/ CAP #829
SET 4" HIGH

IRON ROD W/ CAP
FOUND 1" HIGH

IRON ROD W/CAP
FOUND 1" HIGH

Approximate Abutter's Boundary
(SEE NOTE #4)

N/F
NATALIE L. WEBSTER, TRUSTEE
NATALIE L. WEBSTER TRUST
TAX MAP 102 LOT 57
R.C.R.D. BOOK 3343 PAGE 154

Stone Wall (Typ.)
Gravel Drive
WEBSTER WAY
FORMERLY "FRANKLIN AVENUE"
(SEE NOTE #5)

Existing Building
#28 #30
N/F
WILLIAM D. & BARBARA REINER
TAX MAP 102 LOT 58
R.C.R.D. BOOK 2470 PAGE 1940

Existing Building
#1

GRAPHIC SCALE

(IN FEET)
1 inch = 10 ft.

ZONE DATA PER CITY OF PORTSMOUTH, NEW HAMPSHIRE,
ZONING ORDINANCE, AMENDED THROUGH JANUARY 22, 2013:

BASE ZONE: GENERAL RESIDENCE B (GRB)
OVERLAY DISTRICT: HISTORIC DISTRICT A

MINIMUM LOT DIMENSIONS:
LOT SIZE: 5,000 Sq. Ft.
LOT AREA PER DWELLING: 5,000 Sq. Ft.
STREET FRONTAGE: 80 Feet

MINIMUM YARD DIMENSIONS:
FRONT: 5 Feet
SIDE: 10 Feet
REAR: 25 Feet

MAXIMUM STRUCTURE DIMENSIONS:
STRUCTURE HEIGHT: 35 Feet
ROOF APPURTENANCE HEIGHT: 8 Feet
BUILDING COVERAGE: 30%
MINIMUM OPEN SPACE: 25%

NOTE: LOT APPEARS TO BE NON-CONFORMING UNDER
CURRENT DIMENSIONAL REQUIREMENTS. OTHER DIMENSIONAL
REQUIREMENTS MAY APPLY. CONTACT THE CITY OF
PORTSMOUTH FOR CURRENT DIMENSIONAL REQUIREMENTS PRIOR
TO DESIGN OR CONSTRUCTION.



NOTES:

1. OWNERS OF RECORD:
TAX MAP 102 LOT 55
ARTHUR ARGEREW
R.C.R.D. BOOK 1053 PAGE 480
DATED MAY 27, 1946

CURRENT OWNER PER ASSESSMENT
RECORD IS CLYDE P. ARGEREOW
PER PROBATE

2. TOTAL EXISTING PARCEL AREA:
TAX MAP 102 LOT 55
4,180 Sq. Ft.

3. BASIS OF BEARING IS PER PLAN REFERENCE #1.

4. APPROXIMATE ABUTTER'S LINES SHOWN HEREON ARE FOR REFERENCE PURPOSES ONLY AND SHALL NOT BE RELIED
UPON AS BOUNDARY INFORMATION.

5. DEED AT BOOK 1053 PAGE 480 DESCRIBES THE SOUTHWESTERLY BOUNDARY AS "...BY A PASSAGE WAY OR ALLEY
FORMERLY KNOWN AS FRANKLIN AVENUE." THE EXISTING ROAD IS NOW KNOWN AS WEBSTER WAY. FURTHERMORE,
CURRENT DEEDS DO NOT DESCRIBE A WIDTH OF SAID WAY. HOWEVER, ANCIENT DEEDS DESCRIBE A LANE BEING 18
FEET WIDE. SEE R.C.R.D. BOOK 222 PAGE 421. BASED ON THIS INFORMATION A WIDTH OF 18 FEET WAS HELD AS
SHOWN HEREON.

6. THE RIGHT OF WAY FOR PLEASANT STREET WAS DETERMINED FROM PHYSICAL EVIDENCE FOUND, THE EXISTING
TRAVELED WAY AND PRIOR SURVEYS OF RECORD.

7. EASEMENTS OR OTHER UNWRITTEN RIGHTS MAY EXIST THAT ENCUMBER OR BENEFIT THE PROPERTY NOT SHOWN
HEREON.

PLAN REFERENCES:

1. "BOUNDARY PLAN, PORTSMOUTH HOUSING AUTHORITY, TAX MAP U-2 / LOT 54, 444 PLEASANT STREET,
PORTSMOUTH, NEW HAMPSHIRE", PREPARED BY CLD CONSULTING ENGINEERS, DATED FEBRUARY 2000.

2. "PROPERTY LINE MAP, SITE 'b', PORTSMOUTH HOUSING AUTHORITY, PORTSMOUTH, ROCKINGHAM COUNTY, NEW
HAMPSHIRE", PREPARED BY WRIGHT & PIERCE, DATED DEC. 8, 1961 AND RECORDED AT THE R.C.R.D. AS PLAN No.
03310.

3. "STATE OF NEW HAMPSHIRE, DEPARTMENT OF PUBLIC WORKS AND HIGHWAYS, PROJECT No. BRW-M-5379(009),
N.H. PROJECT No. C-2441, MARCY STREET", RECORDED AT THE R.C.R.D. AS PLAN SHEET 2 OF 2 D-12904.

4. "STANDARD PROPERTY SURVEY FOR PROPERTY AT 428 PLEASANT STREET, PORTSMOUTH, ROCKINGHAM COUNTY,
NEW HAMPSHIRE, OWNED BY ESTATE OF ARTHUR A. ARGEREOW", PREPARED BY NORTH EASTERLY SURVEYING INC.,
DATED 1/22/13, PROJECT No. 12775.

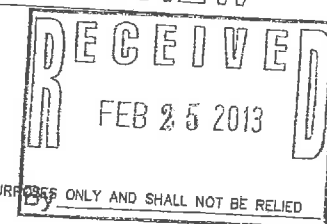
COVERAGE CALCULATION:

EXISTING LOT AREA:	4,180 Sq. Ft.
EXISTING BUILDING COVERAGE:	1,560 Sq. Ft. (37.3% Coverage)
PROPOSED BUILDING COVERAGE:	1,560 Sq. Ft. (37.3% Coverage)

OPEN SPACE CALCULATION:

EXISTING LOT AREA:	4,180 Sq. Ft.
PROPOSED BUILDING:	1,560 Sq. Ft.
PROPOSED PARKING:	1,020 Sq. Ft. (Proposed Grass Grid System)
PROPOSED WALKWAYS:	310 Sq. Ft.
TOTAL NON-OPEN SPACE:	2,890 Sq. Ft.
TOTAL OPEN SPACE:	1,290 Sq. Ft. = 30.9%

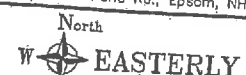
FOR REVIEW



PROPOSED SITE PLAN

FOR PROPERTY AT
428 Pleasant Street
Portsmouth, Rockingham County, New Hampshire

OWNED BY
Estate of Arthur A. Argereow
c/o Clyde P. Argereow & Kimberly Argereow
54 Chestnut Pond Rd., Epsom, NH 03234

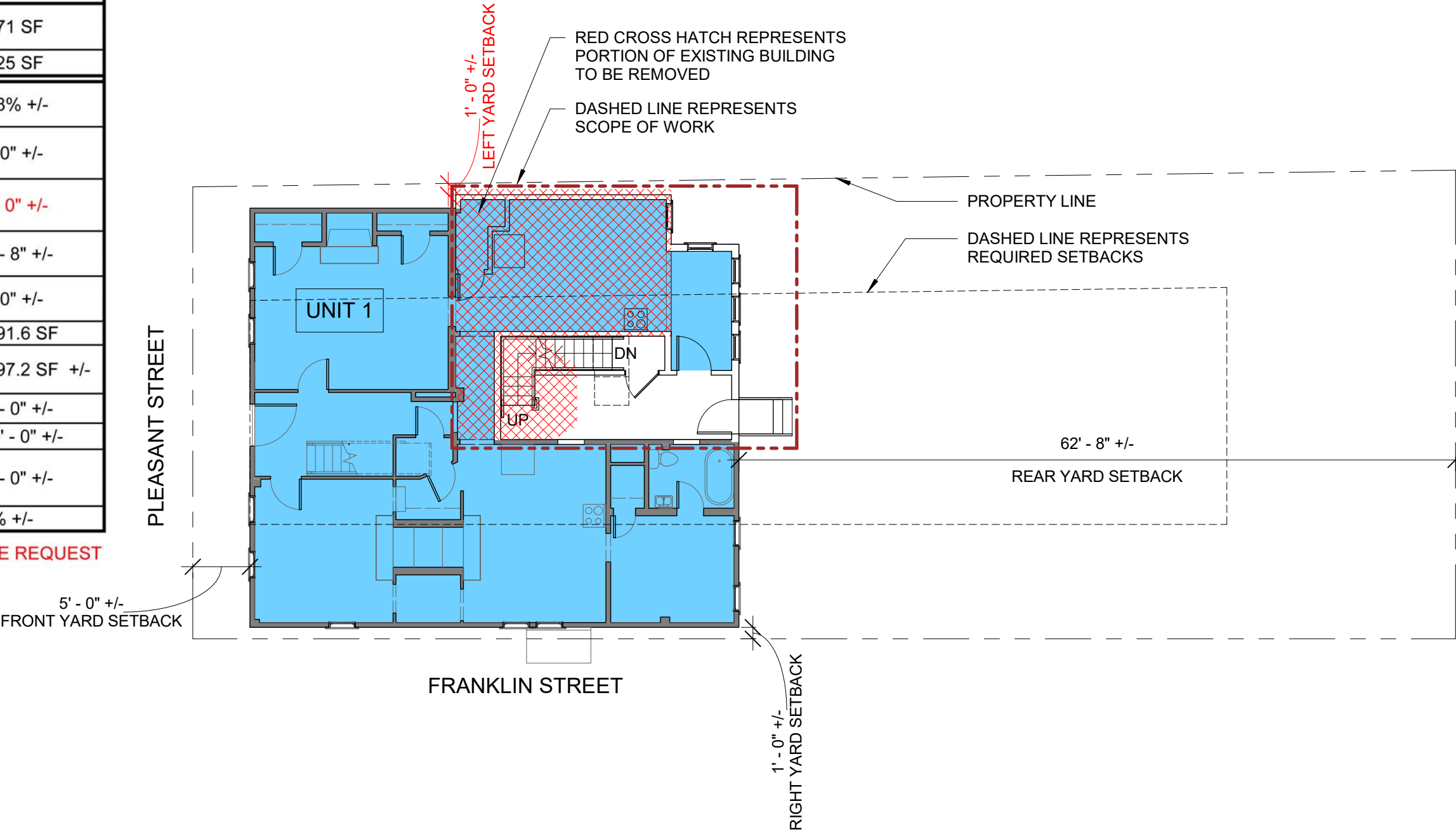


EASTERLY
SURVEYING, Inc.

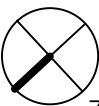
SURVEYORS IN N.H. & MAINE
(207) 439-8383
191 STATE ROAD, SUITE #1
KITTERY, MAINE 03904

DIMENSIONAL CRITERIA			
GENERAL RESIDENCE DISTRICT B			
	REQUIRED	EXISTING	PROPOSED
BUILDING FOOTPRINT		1,400 SF	1,571 SF
GROSS BUILDING		3,609 SF	4,025 SF
BUILDING COVERAGE	35%	29.2% +/-	32.8% +/-
RIGHT SIDE YARD SETBACK	10' - 0"	1' - 0" +/-	1' - 0" +/-
LEFT SIDE YARD SETBACK	10' - 0"	0' - 6" +/-	1' - 0" +/-
REAR YARD SETBACK	20' - 0"	62' - 8" +/-	62' - 8" +/-
FRONT YARD SETBACK	5' - 0"	5' - 0" +/-	5' - 0" +/-
LOT SIZE	5,000 SF	4,791.6 SF	4,791.6 SF
LOT AREA PER DWELLING UNIT	5,000 SF	958.3 SF +/-	1,597.2 SF +/-
LOT FRONTAGE	80' - 0"	38' - 0" +/-	38' - 0" +/-
LOT DEPTH	60' - 0"	110' - 0" +/-	110' - 0" +/-
BUILDING HEIGHT (SLOPED)	35' - 0"	29' - 0" +/-	29' - 0" +/-
OPEN SPACE	25%	61% +/-	52% +/-

RED INDICATES VARIANCE REQUEST



1 ARCHITECTURAL SITE PLAN
3/32" = 1'-0"





VIEW DOWN FRANKLIN STREET



VIEW FROM 420 PLEASANT STREET PARKING LOT



VIEW OF EXISTING SOUTHEAST ADDITION



ENTRY ON PLEASANT STREET



REAR OF BUILDING FROM FRANKLIN STREET



EXISTING REAR ENTRY

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420 PLEASANT ST. RENOVATIONS

420 PLEASANT STREET
PORTSMOUTH, NH 03801

EXISTING PHOTOS

ZONING BOARD OF ADJUSTMENT - SEPTEMBER 2021

McHENRY ARCHITECTURE

4 Market Street

Portsmouth, New Hampshire

A2

09/21/2021

McHA: RD / JJ

NOT TO SCALE



APPROACH ON PLEASANT STREET FROM DOWNTOWN (1)



APPROACH ON PLEASANT STREET FROM DOWNTOWN (2)



APPROACH ON PLEASANT STREET FROM DOWNTOWN (3)



APPROACH ON PLEASANT STREET FROM SANDERS FISH MARKET (1)



APPROACH ON PLEASANT STREET FROM SANDERS FISH MARKET (2)



APPROACH ON PLEASANT STREET FROM SANDERS FISH MARKET (3)

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CONTEXT PHOTOS

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McHENRY ARCHITECTURE

4 Market Street

Portsmouth, New Hampshire

A3

09/21/2021
McHA: RD / JJ
NOT TO SCALE



APPROACH FROM FRANKLIN STREET (1)



APPROACH FROM FRANKLIN STREET (2)



APPROACH FROM SANDERS FISH MARKET (PLEASANT STREET)



FRANKLIN STREET



APPROACH ON PLEASANT STREET FROM DOWNTOWN (1)



APPROACH ON PLEASANT STREET FROM DOWNTOWN (2)

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CONTEXT PHOTOS

ZONING BOARD OF ADJUSTMENT - SEPTEMBER 2021

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4 Market Street

Portsmouth, New Hampshire

A4

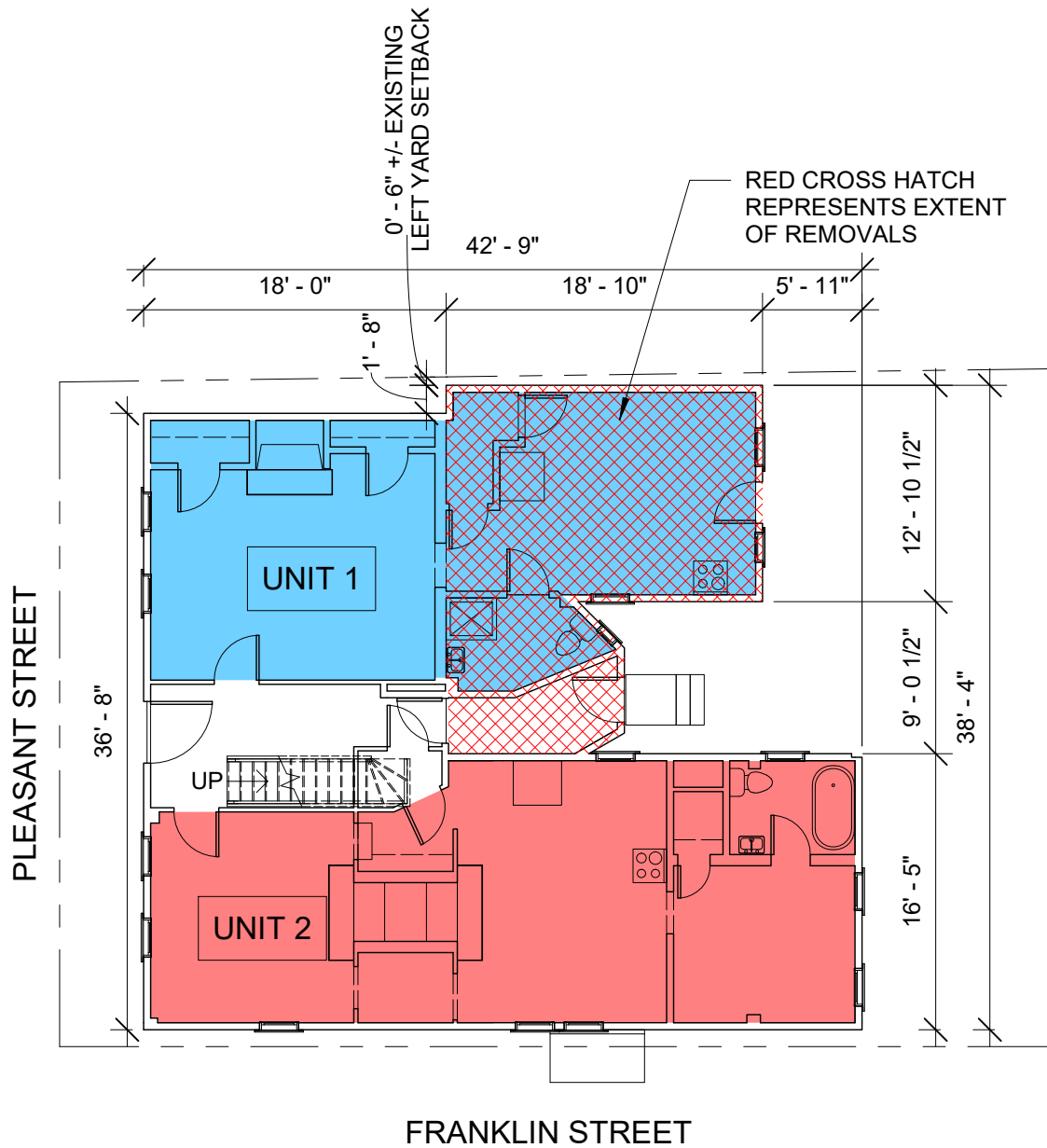
09/21/2021
McHA: RD / JJ
NOT TO SCALE

GRAPHIC KEY

: EXISTING

: TO BE REMOVED

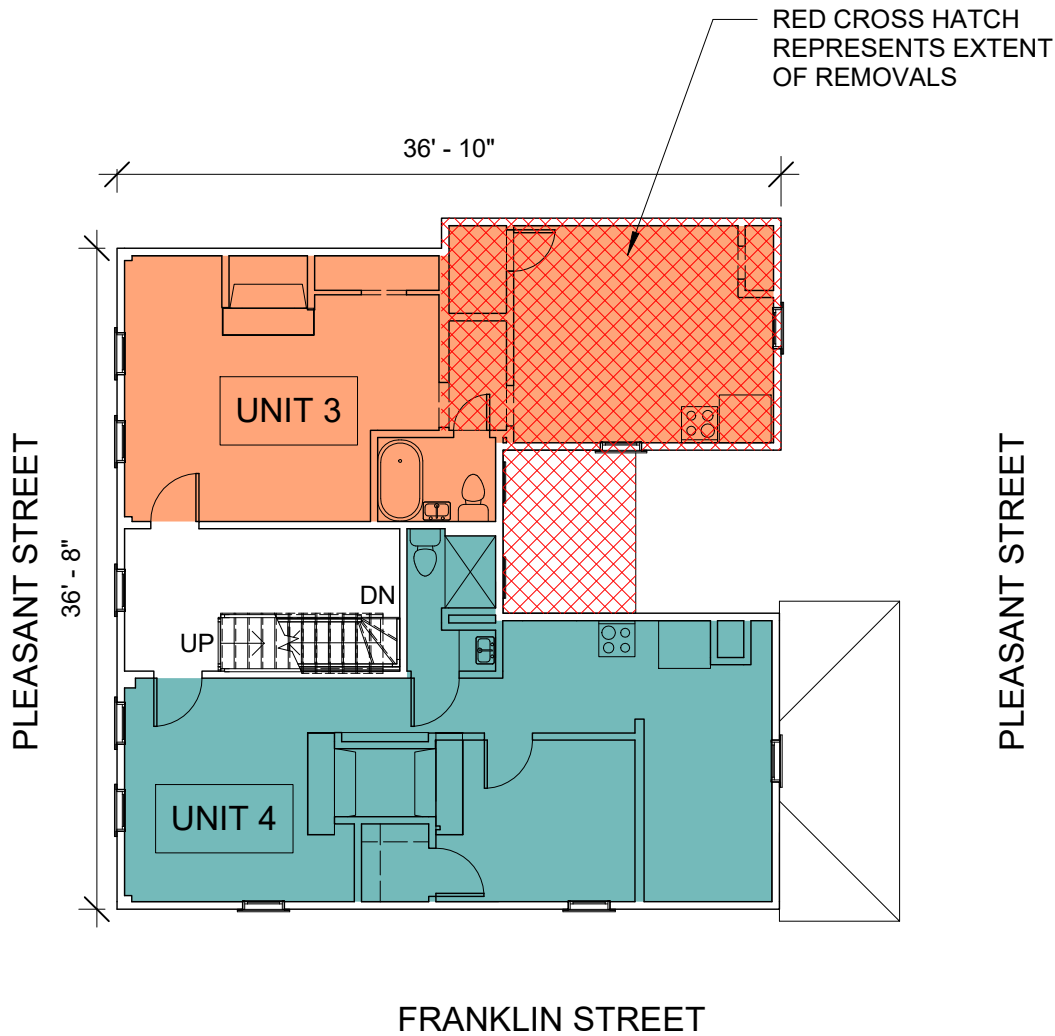
: PROPOSED



1

EXISTING FIRST FLOOR

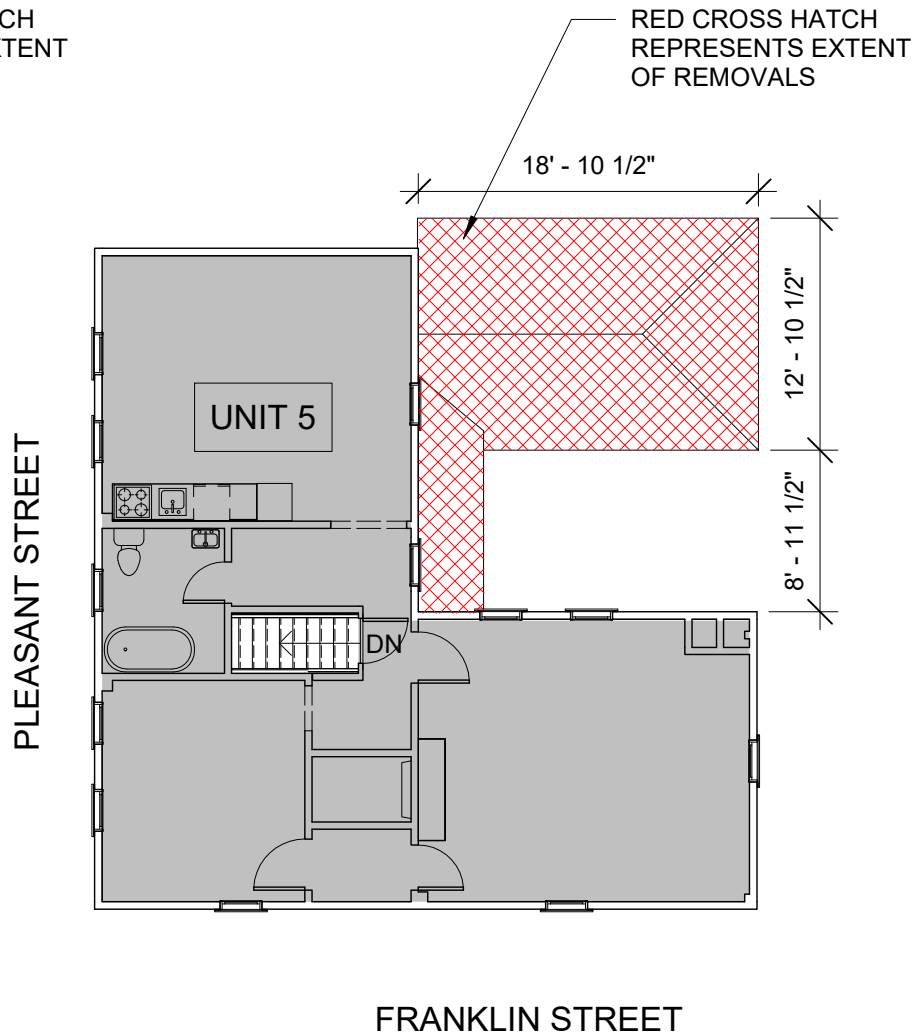
3/32" = 1'-0"



2

EXISTING SECOND FLOOR

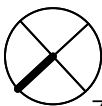
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3

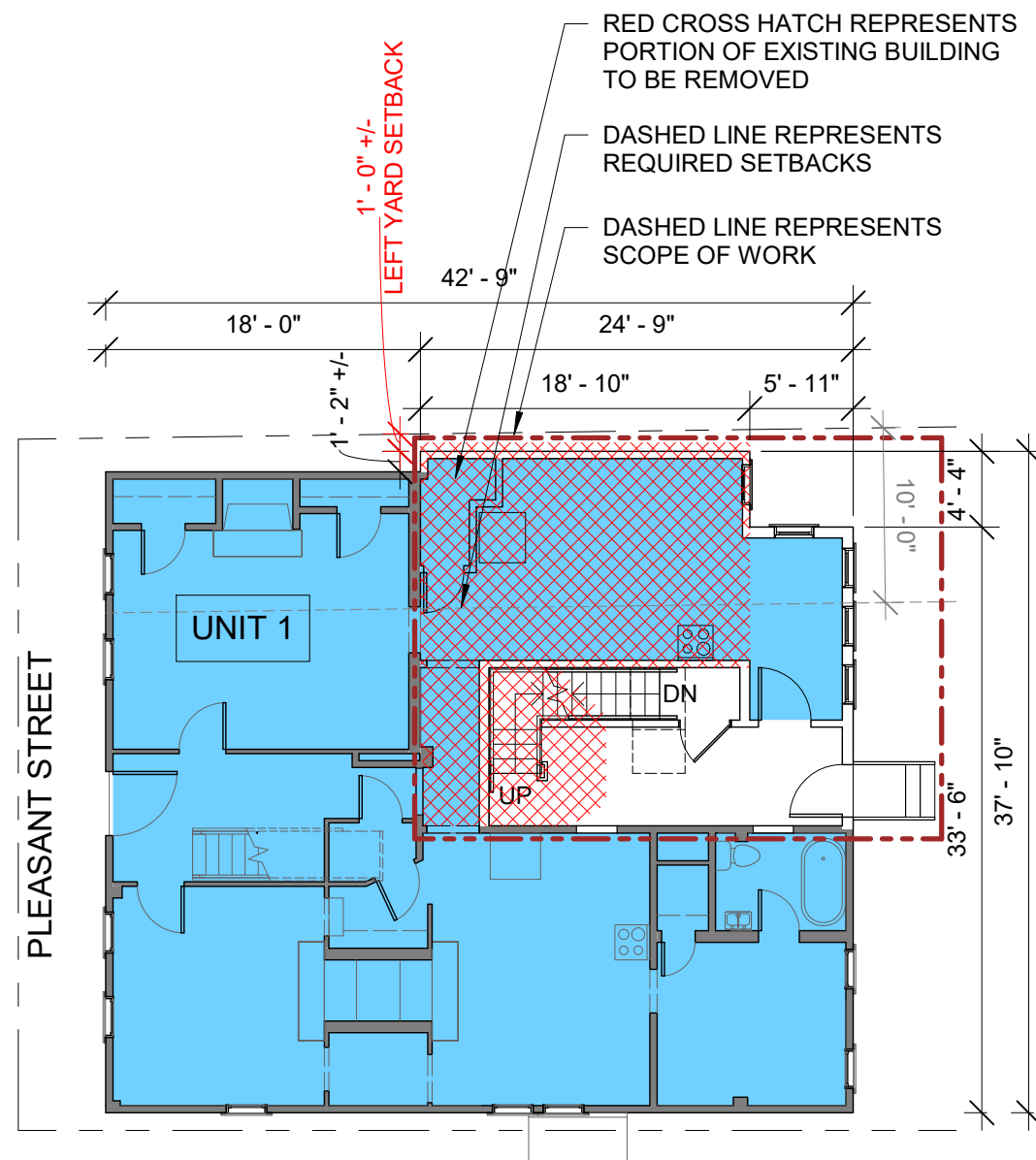
EXISTING THIRD FLOOR

3/32" = 1'-0"

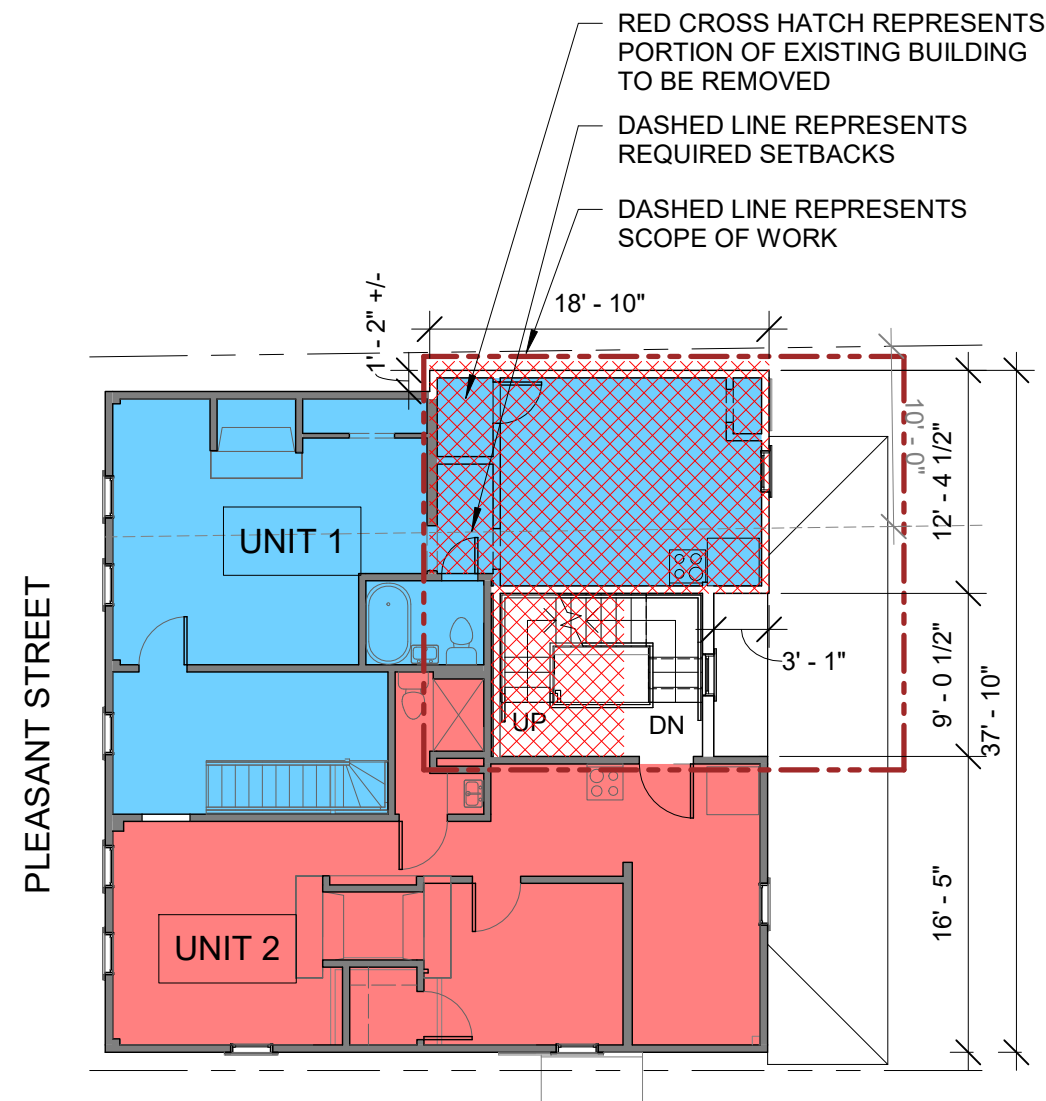


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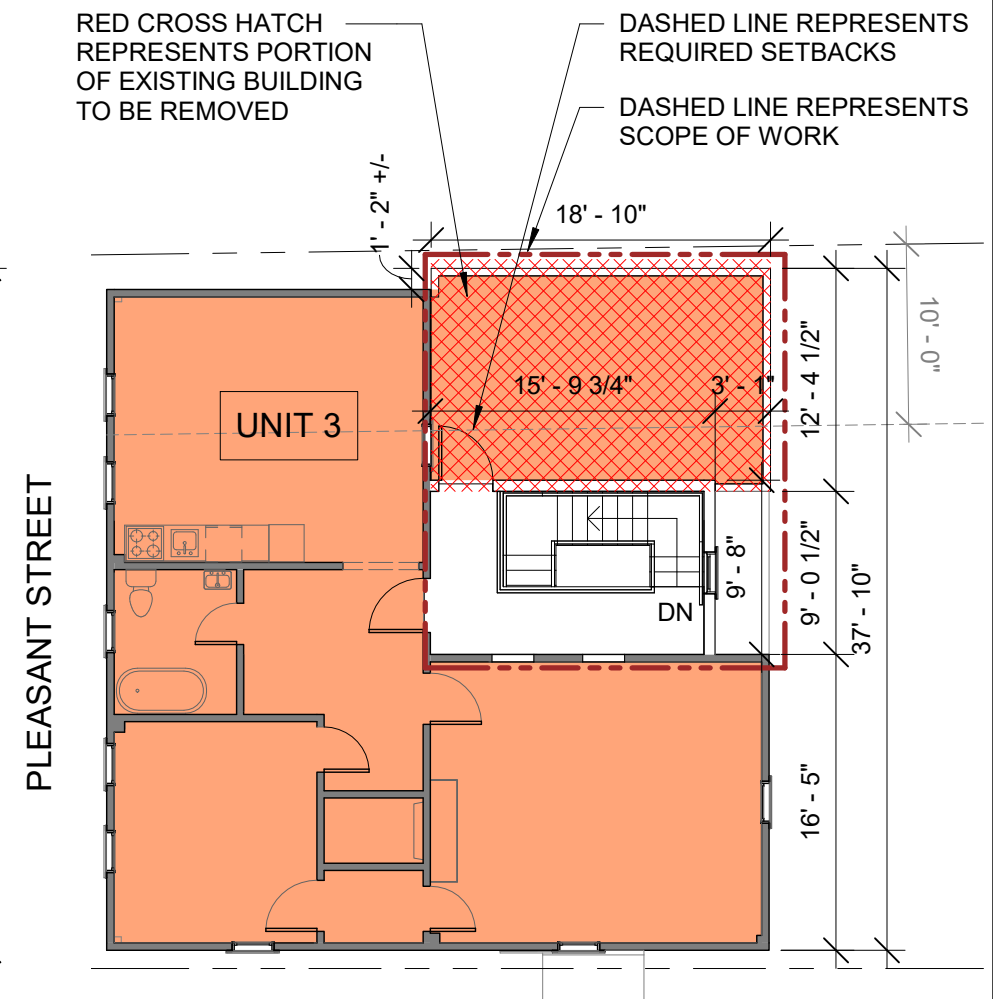
- [Solid Line] : EXISTING
- [Dashed Line] : TO BE REMOVED
- [Red Cross Hatch] : PROPOSED



1 FIRST FLOOR
3/32" = 1'-0"



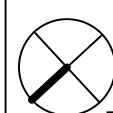
2 SECOND FLOOR
3/32" = 1'-0"



3 THIRD FLOOR
3/32" = 1'-0"

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PORTSMOUTH, NH 03801

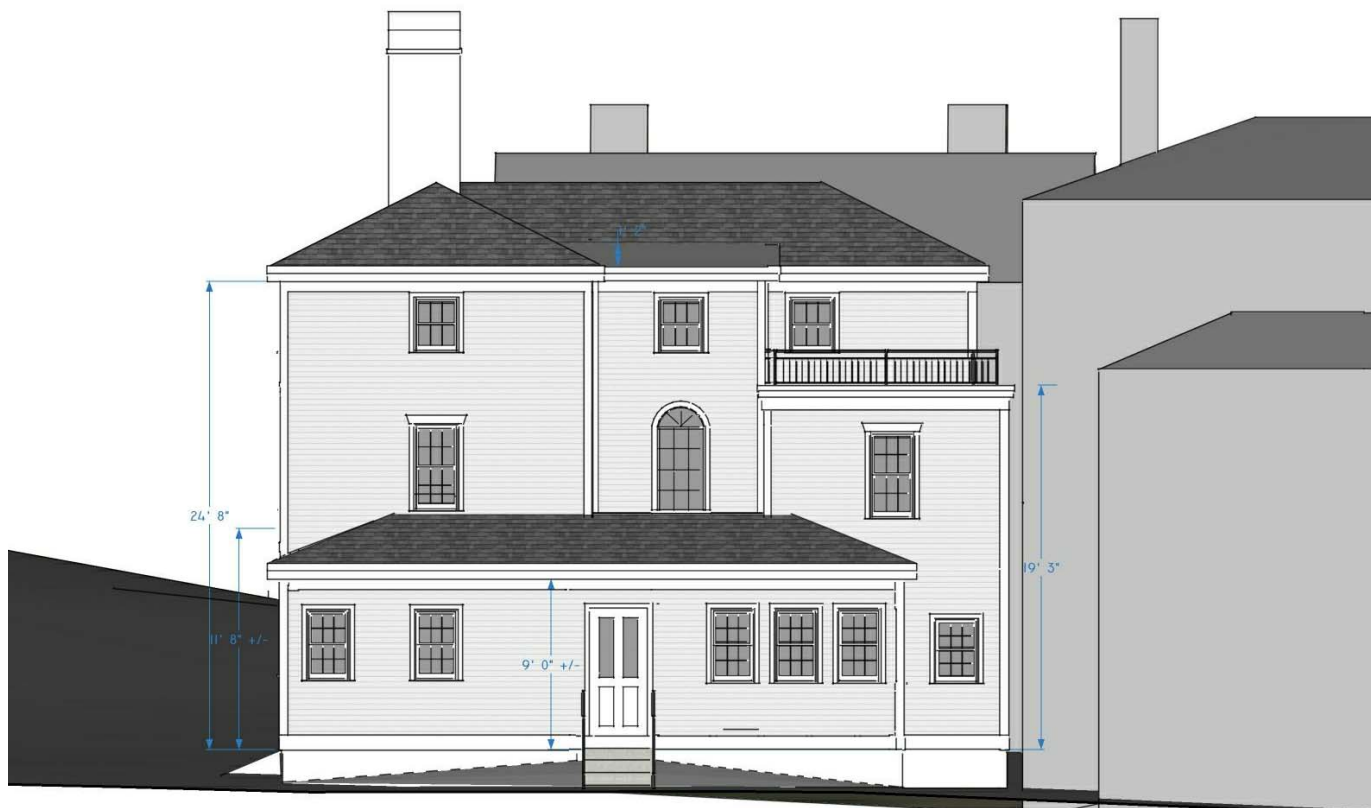


PROPOSED FLOOR PLANS
ZONING BOARD OF ADJUSTMENT - SEPTEMBER 2021

McHENRY ARCHITECTURE
4 Market Street
Portsmouth, New Hampshire

A6

09/21/2021
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AS INDICATED



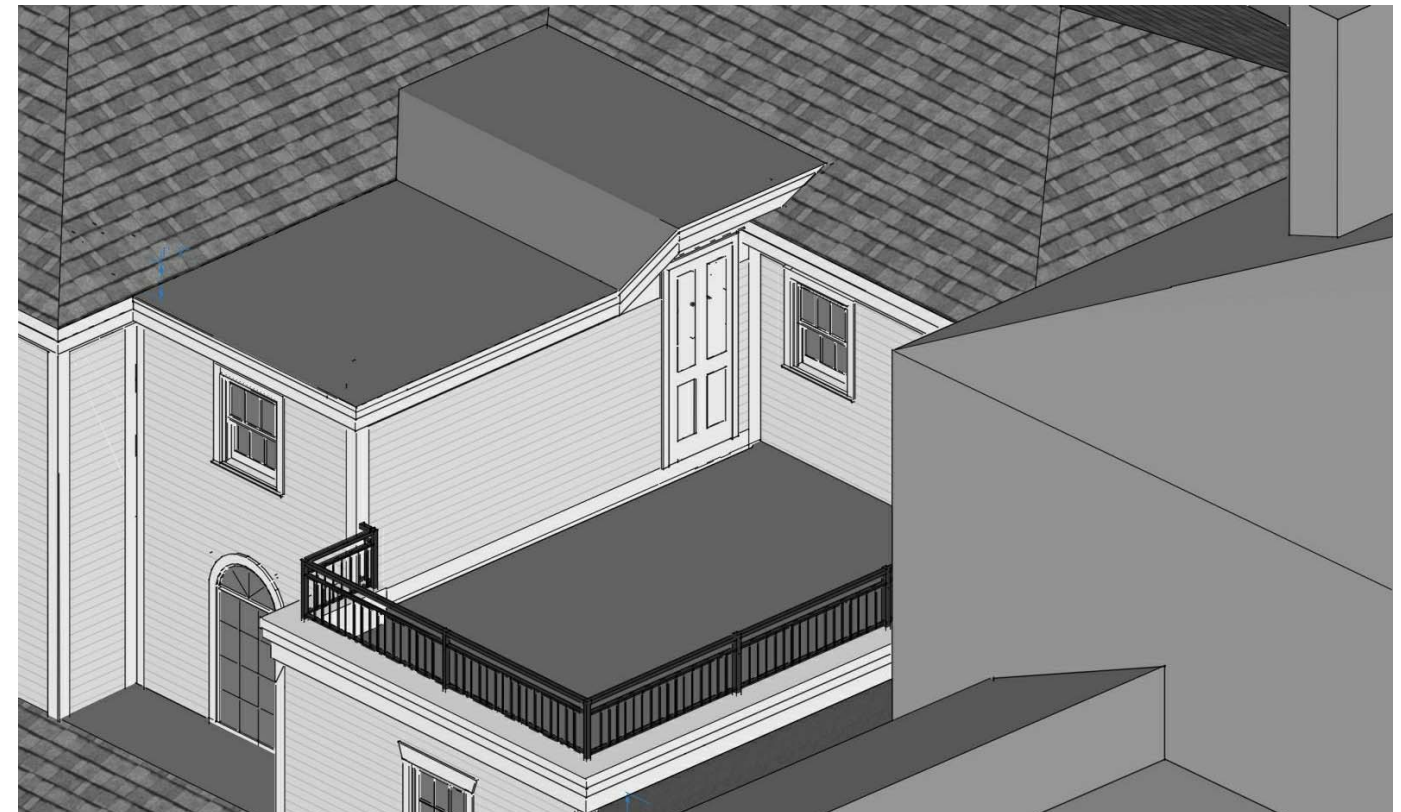
REAR ELEVATION - REVISED ROOFING AND SIDING



AERIAL VIEW FROM SOUTH - REVISED ROOFING AND SIDING



VIEW FROM SOUTHWEST - REVISED ROOFING AND SIDING



ENLARGED AERIAL VIEW OF DECK - REVISED ROOFING AND SIDING

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PERSPECTIVES

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