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MAY 15 2019

BY: _____

E-MAIL
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May 14, 2019

David Rheume, Chairman
Portsmouth Zoning Board of Adjustment
Municipal Complex
1 Junkins Avenue
Portsmouth, NH 03801

Re: 299 Vaughan Street – Tax Map 124, Lot 10

Dear Chairman Rheume & Members of the Zoning Board of Adjustment:

Thank you for postponing the Vaughn Street Hotel LLC application for relief to the May 21, 2019 meeting of the Zoning Board of Adjustment. This postponement has allowed the applicant's representatives time to take into consideration the comments expressed by board members and by residential neighbors at 233 Vaughn St. Besides the helpful comments made at the meeting, there was a discussion with many of the neighbors in the City Council Chambers and in the parking lot after the meeting which has resulted in additional design modifications to address concerns that were expressed.

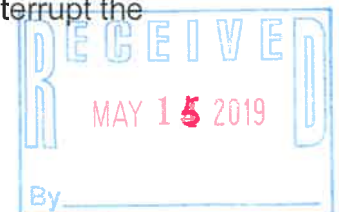
Before discussing proposed refinements to the lighting, to eliminate confusion, I would like to clarify that while paragraph one of the staff memo indicates that relief from the 40 square-foot maximum size is required for signs #1 and #2. that relief is actually requested for signs #1 and #5. Sign #2 complies with the size requirement and the relief requested is to allow internal illumination. I would also like to address to instances of my lack of precision in my March 15, 2019 letter to the board. The neighbors rightly expressed concern about my statement that the proposed accent lighting was "designed to illuminate the entire surface of the building...." If I had been more familiar with state-of-the-art illumination

concepts, I would have stated that the lights are designed to accent the the full height of the projecting bays of the building. This will be clarified at the May meeting. A second point in the letter that I want to address is my statement that "the nearest historic buildings or older residential homes are approximately 250 feet away and those will be separated from the hotel by the proposed 3 1/2 story 74,000 square-foot office building at 111 Maplewood Ave." Since I had defended the Superior Court case of Bouffard v. City of Portsmouth, 2014-CV-408 involving the building that had been proposed for 111 Maplewood Avenue in 2014, I felt that I had a good understanding of the impacts on owners across Maplewood Avenue who had brought that litigation. The mixed use commercial building at 233 Vaughan had not been constructed in 2014 and I neglected to address the possible impacts on that building.

Vaughan Street Hotel LLC is keenly aware and supportive of the purpose of the City of Portsmouth lighting ordinance: **10.1141 Purpose** which provides that "*The purpose of this section is to enhance public safety and welfare by providing for adequate and appropriate outdoor lighting, providing for lighting that will complement the character of the City, reduce glare, minimize light trespass, reduce the cost and waste of unnecessary energy consumption and prevent the degradation of the night sky.*" The variance relief that is being requested is for a subtle narrow band of accent lighting at the projecting bays of the building above the 25' max height allowed in the ordinance.

The scanned copy of a copy of the rendering in the April hearing materials available on the City website and the language in my letter may have given the impression that the accent lighting was washing the entire façade of the building and even lighting the sky above but that is not the case. Considerable design effort and construction coordination has gone into detailing the installation of the accent tape lighting so that the LED tape light fixture is concealed by the metal panel and only a narrow 2 inch wide band of the building will be washed with a soft glow from the accent light in the proposed locations. There will be no glare from these fixtures installed in this manner and no illumination of the night sky. A higher resolution version of the rendering is attached to better illustrate the proposed lighting. The rendering is intended to be a twilight rendering and the light in the sky is natural, not from the building mounted lighting.

As Board Member Jeremiah Johnson noted during the April 16th hearing the accent lighting is integral to the design and character of the building. There were some questions from the Board and the Public at the Hearing as to whether HDC had reviewed and approved this lighting. The lighting was specifically reviewed and approved at the July 18, 2018 HDC meeting. A copy of that approval and the documents submitted to the HDC are attached. The intent of the accent lighting at the projecting bays and the corner projecting band element is to interrupt the

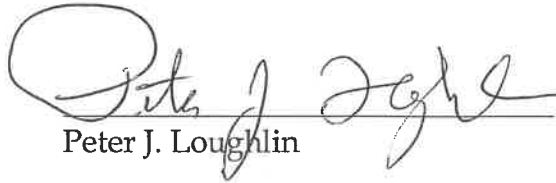


May 14, 2019
David Rheume, Chair
Page 3

long façades of the building. During daylight hours the projecting bays create shadow lines that help break up the façade and at night the soft glow of the accent lighting will help do the same.

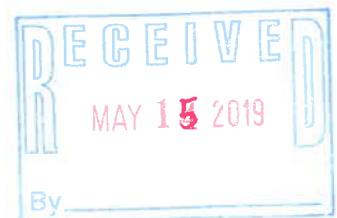
We also understand the condo unit owners concern about light trespass and seeing a harsh glaring light through bedroom windows at night. The light fixtures proposed are 3000K Warm White color temperature. This color temperature is standard in residential applications and is used throughout the interior of the hotel and is not the harsh/crisp white light that you might find in a hospital or office building which range from 4000k to 5000k on the color temperature scale. With the fixture completely concealed and installed to limit the wash of light to a very narrow strip on the building there will be no glare from the light source or even a reflection of that light source visible to any neighbors.

Respectfully submitted,
Vaughan Street Hotel LLC
By its Attorney:



Peter J. Loughlin

cc: Vaughan Street Hotel LLC

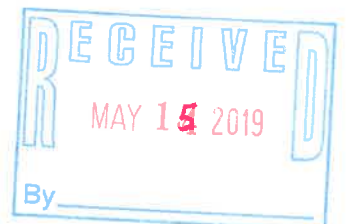




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2. 299 Vaughan Street (misc. changes) - Recommend Approval

Considerations: Additional minor modifications





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P.O. Box 4430
Manchester, NH 03108

July 12, 2018

PROCON Project #301546

City of Portsmouth ~ Planning Department
1 Junkins Avenue, 3rd Floor
Portsmouth, NH 03801
(603) 610-7216
Attn: Vincent Hayes

Re: AC Hotels
299 Vaughan Street
Portsmouth, NH 03

Mr. Vincent Hayes,

We are in receipt of your "Interdepartmental Consistency Review" received via email on 6/12/18. We appreciate your timely review of the approved HDC drawings as compared to the building permit drawings dated 4/25/18. We feel the building permit drawings are within the original HDC approval and we would request that the building permit is not held up pending the minor administrative changes outlined below. In addition to the minor changes below, we are requesting additional minor changes as outlined within the HDC Application for Administrative Approval in order to be consistent with the 4/25/18 building permit submission.

Below is the list of your review comments along with our response to each of your comments.

March 2018 Administrative Approval (pending) – C-102.2 Site Plan – Fourth & Fifth Level

Construction Drawings Sheet A1.04 – Fourth & Fifth Floor:

1. Stairwell now extends to 4th & 5th floors.
(Response) Stair only extends to the fourth floor which is the roof top bar level.
2. Depth of building's left ell interior wall (that which is visible from the parking levels) has been shortened, i.e. 51'-7" < 70' +/- in length (when scaled on site plan).
(Response) Architectural floor plan approved by HDC is the correct length and the site plan, sheet C-102.2 has been corrected to match. Tighe & Bond issued an "Administrative Approval of Minor Amendments" to the city on 6/14/18 for approval.
3. Depth of building's left ell external wall (that which is visible from the 3S Artspace) has been shortened, i.e. 143'-9" < 160' +/- in length (when scaled on site plan).
(Response) Architectural floor plan approved by HDC is the correct length and the site plan, sheet C-102.2 has been corrected to match. Tighe & Bond issued an "Administrative Approval of Minor Amendments" to the city on 6/14/18 for approval.
4. Façade of the left ell recessed/changed configuration for rooftop patio areas.
(Response) Architectural floor plan approved by HDC is the correct length and the site plan, sheet C-102.2 has been corrected to match. Tighe & Bond issued an "Administrative Approval of Minor Amendments" to the city on 6/14/18 for approval.





Construction Drawings Sheet A1.06 – Roof Plan:

1. Please provide specifications for rooftop appurtenances/screening. Please note: specs must be consistent with stipulation #2 of the June 7, 2017 HDC approval, i.e. “Use 2.4A design for parapet height and screening for roof-mounted mechanical equipment.”

(Response) The cooling tower has been relocated to the SW corner of building, therefore no need to construct the parapets per 2.4A. The cooling tower screening indicated on sheets 2.0 and 2.1 and approved by HDC on December 6, 2017 will be a decorative equipment screen system fabricated from extruded aluminum with straight flat face blade louvers by Roof Screen Incorporated using their VisionGuard Architectural Slatted Louver L20 design.

December 6, 2017 Historic District Approval – South Elevation

Construction Drawings Sheet A3.00:

1. LED accent lights added to structure. **Please note:** accent lighting is treated as signage and will require a sign permit in addition to HDC approval.

(Response) See attached revised exterior elevations for exterior lighting locations. HDC application for administrative approval will be submitted along with colored elevations, night rendering and other required documentation.

December 6, 2017 Historic District Approval – East Elevation

Construction Drawings Sheet A3.00:

1. LED accent lights added to structure. **Please note:** accent lighting is treated as signage and will require a sign permit in addition to HDC approval.

(Response) See attached revised exterior elevations for exterior lighting locations. HDC application for administrative approval will be submitted along with colored elevations, night rendering and other required documentation.

November 1, 2017 Historic District Approval – North Elevation

Construction Drawings Sheet A3.01:

1. 2nd floor window rounded.

(Response) The windows have not been rounded. This is a detail reference bubble around the window within the permit drawings.

2. Retaining wall lowered.

(Response) The retaining wall was lowered and approved by HDC on 3/7/18.

December 6, 2017 Historic District Approval – West Elevation

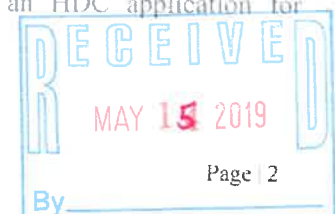
Construction Drawings Sheet A3.01:

1. Stairwell may have changed location (former location also shown).

(Response) The HDC approved the revised location in plan view on 3/7/18. See attached updated West Elevation, sheet 2.1, along with an HDC application for administrative approval to show the correct location in elevation.

2. 2x louvers added.

(Response) See attached updated West Elevation, sheet 2.1, along with an HDC application for administrative approval to show added required elevator venting louvers.





3. 2nd floor sills removed.

(Response) 2nd floor window sills are to remain and will be installed during construction per the 12/6/17 HDC approval and per detail 9, sheet A6.22 of the 4/25/18 building permit construction set. See attached sheet.

Construction Drawings Sheets A3.00 & A3.01 – Exterior Elevation Finishes

A. **Please Note:** all building materials, including joint sealant, mortar, window cladding, etc., must be consistent with stipulation #2 of the June 7, 2017 HDC approval, i.e. Sheet 2 shall represent the color tones of the building. Please confirm.

(Response) Yes, all the materials and colors shall be as represented on the "Proposed Materials" sheets 8.0, 8.1 and 8.2 of the June 7, 2017 submission, except for the Aluminum Composite Lintel Trim indicated on sheet 8.2. The Aluminum Composite Lintel Trim will be modified from "Faux Zinc Charcoal" to "Black". An application for administrative approval to the HDC will be submitted.

B. ACM's are alum. composite panels, not alum. curtains per the language on the HDC elevations.

(Response) ACM's are aluminum composite panels per sheet 5.0 and 8.1 of the June 7, 2017 HDC submission drawings and Aluminum Curtainwall are full height glass and aluminum framed curtainwall systems per sheet 5.0 of the June 7, 2017 HDC submission drawings.

Miscellaneous

A. Please confirm all window/storefront materials, dimensions, and fenestrations is consistent with sheet 8.0 of the June 7, 2017 HDC approval.

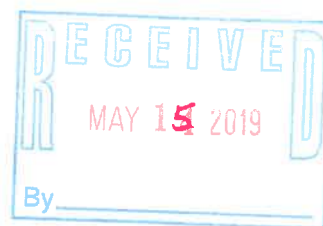
(Response) Yes, confirmed, with the exception of any subsequent changes approved by the HDC, i.e. November 1, 2017, December 6, 2017, March 7, 2018 and May 2, 2018.

If you have any questions and/or concerns, please feel free to call and we will gladly discuss them with you.

Sincerely,

Kent Beirne, AIA
Vice President - Architecture

cc: File; Eben Tormey



Application for Approval - Administrative Historic District Commission



Owner Vaughan Street, LLC Applicant (if different) _____

Address 299 & 225 Vaughan Street Address: _____
(Street) (Street)

Portsmouth, NH 03801 _____
(City, State Zip) (City, State Zip)

Phone 617.742.6000 Phone _____

Signature _____

Location of Structure. Map 123 15
124 Lot 10 and 11 Street Address: 299 & 225 Vaughan Street

Building Permit #: 25772

To permit the following: See attachment for requests for minor modifications which were identified during the "Interdepartmental Consistency Review"

Action Taken by H.D.C. at Public Meeting	
Date of Approval:	<u>7.18.18</u>
Recommendation:	<u>Granted 7-0</u>
Stipulations:	<u>_____</u>
Signature of Principal Planner	<u>[Signature]</u>

Administrative Use Only

Date of Meeting _____

Payment: _____

Payment Type: _____

Index/Permit #: _____

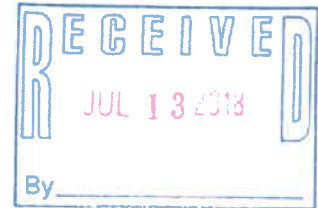
If approved, please acknowledge below:

I hereby acknowledge that all changes or variation in the design as presented shall require further Historic District Commission approval.

Owner _____



ATTACHMENT



To permit the following:

- 1) Add "Night Rendering", sheet 2.0a, to represent the buildings exterior lighting.
- 2) Revised "Pocket Park Perspective" rendering view. See sheet 2.3.
- 3) Extended 4th floor Bar Terrace. See sheet 4.2a.
- 4) Change aluminum composite lintel trim from "FAUX ZINC CHARCOAL" to "BLACK" See sheet 8.2.
- 5) Exterior Lighting Fixtures Sheets 8.4 and 8.5.

SOUTH ELEVATION - VAUGHAN ST - 5.0

- 6) Change primary hotel entrance door to automatic bi-parting glass entrance doors.
- 7) Adjusted length and height of horizontal wood slats.
- 8) Horizontal curtainwall muntins adjusted.
- 9) Add exterior lighting to building.
- 10) Relocated "Event Center" signage

EAST ELEVATION - GREEN ST - 5.1

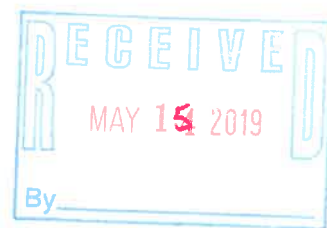
- 11) Exterior door height increased to 8 feet. Adjusted horizontal muntin at storefronts to align.
- 12) Adjusted length and height of horizontal wood slats.
- 13) Add exterior lighting to building.

NORTH ELEVATION - 5.2

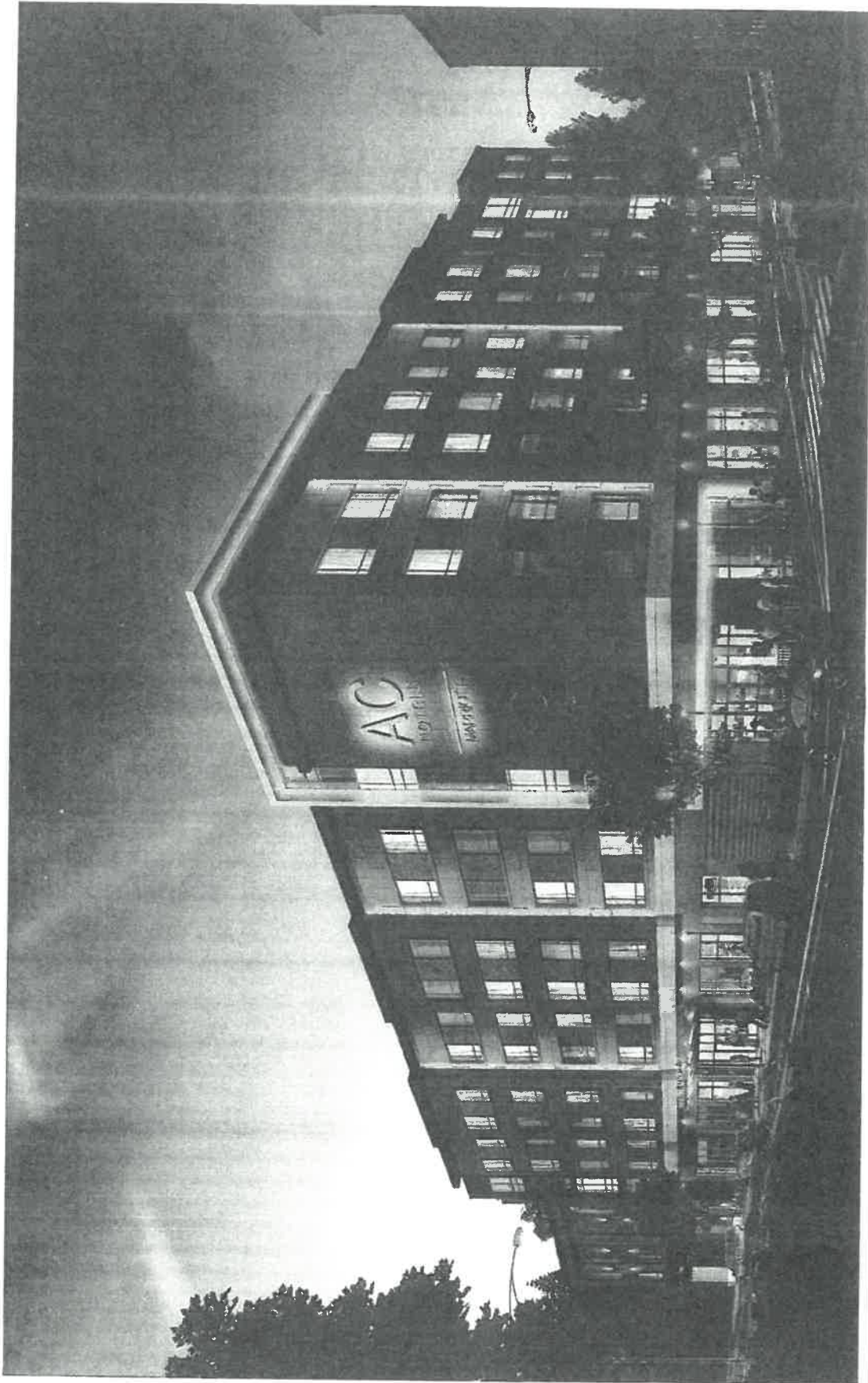
- 14) Relocate trash enclosure, transformer and generator
- 15) Adjust metal band at vehicle ramp.
- 16) Adjust glass railings.
- 17) Relocated 5th floor guest room window.
- 18) Add exterior lighting at parking deck, meeting room and bar terrace.
- 19) Add horizontal muntin at window systems

WEST ELEVATION - 5.3

- 20) Shift stair tower to align with plan view.
- 21) Add elevator vent louvers.
- 22) Adjust glass railings.
- 23) Adjusted storefront and door location.
- 24) Add exterior lighting at parking deck and bar terrace



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2.0a

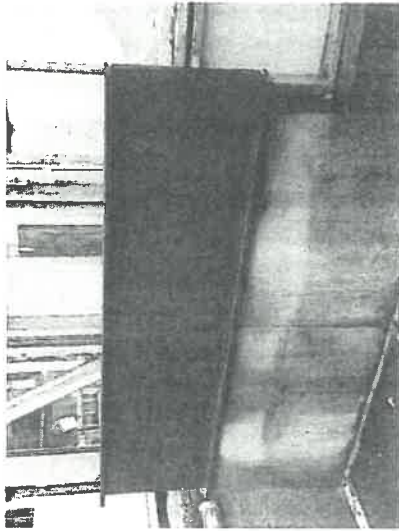
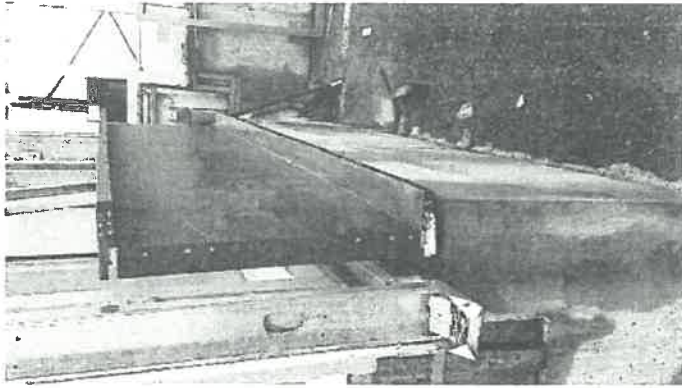
XSS HOTELS
CATHARTES

NIGHT RENDERING

HDC APPLICATION FOR AMENDED APPROVAL: AUGUST 1, 2018

299 VAUGHAN STREET
PORTSMOUTH, NEW HAMPSHIRE

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ALUMINIUM COMPOSITE LINTEL TRIM

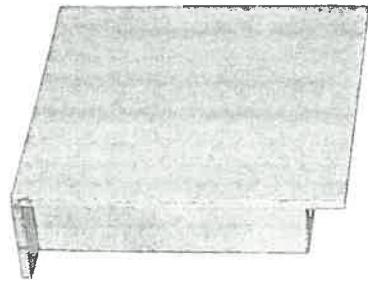
Color: BLACK

299 VAUGHAN STREET
PORTSMOUTH, NEW HAMPSHIRE

PROPOSED MATERIALS

XSS HOTELS **CATHARTES** 8.2

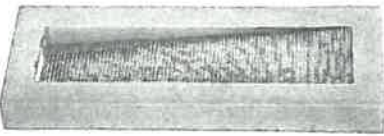
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BUILDING LIGHT FIXTURE

Tag:
Manufacturer:
Color:

L14
MODERN FORMS
TITANIUM



BUILDING LIGHT FIXTURE

Tag:
Manufacturer:
Color:

L16
MODERN FORMS
GRAPHITE



BUILDING LIGHT FIXTURE

Tag:
Manufacturer:
Color:

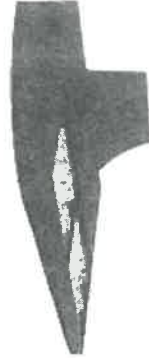
L16.1
MODERN FORMS
BLACK



BUILDING LIGHT FIXTURE

Tag:
Manufacturer:
Color:

L17
WAC LIGHTING
BLACK



BUILDING LIGHT FIXTURE

Tag:
Manufacturer:
Color:

L20
LITHONIA
ALUMINIUM

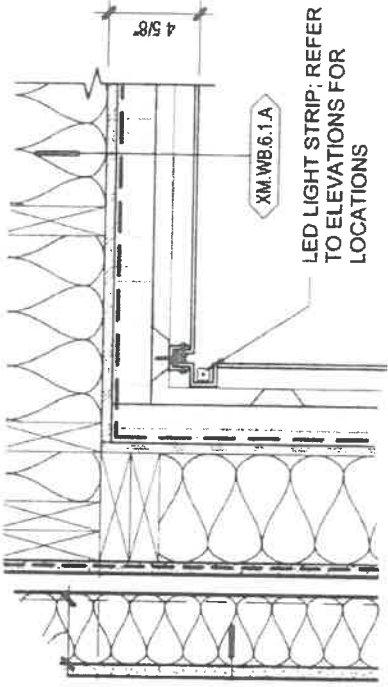
299 VAUGHAN STREET
PORTSMOUTH, NEW HAMPSHIRE

PROPOSED EXTERIOR LIGHTS
HDC APPLICATION FOR AMENDED APPROVAL: AUGUST 1, 2018

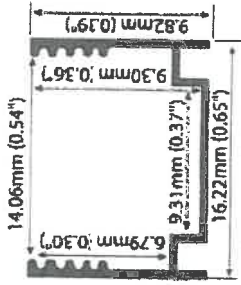



8.4

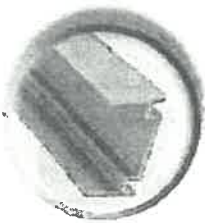




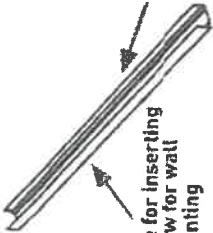
LED LIGHT STRIP. REFER TO ELEVATIONS FOR LOCATIONS



Aluminum U-Channel
LUM-120505U0 - 0.5\"/>



Aluminum U-Channel same length arms for inserting LED light strip



Hole for inserting screw for wall mounting

BUILDING LIGHT FIXTURE

Tag: L18
Manufacturer: LUMILUM
Color: N/A

<p>299 VAUGHAN STREET PORTSMOUTH, NEW HAMPSHIRE</p>	 <p>CATHARTES</p>	<p>PROPOSED EXTERIOR LIGHTS</p> <p>HDC APPLICATION FOR AMENDED APPROVAL: AUGUST 1, 2018</p>	<p>8.5</p>
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AC
HOTELS
MARRIOTT