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July 30, 2020

Patrick Gordon, Chair
Historic District Commission
Town of Exeter
10 Front Street
Exeter, NH 03833

Re: 53 Water Street/Ioka Marquee

Dear Chairman Gordon and Commissioners:

Following on our letter of July 24, 2020 to the Board of Selectmen as well as the Selectmen's meeting on July 27, 2020, we are writing to you regarding the status of the marquee. We enclose a copy of the structural engineer's report identifying the safety issues associated with the marquee. We seek clarification from you, that in light of the findings of the structural engineer, your decision does not prevent the owners from temporarily removing the marquee and storing it safely offsite without creating any violation of the certificate of appropriateness.

Removing the sign on a temporary basis will eliminate an immediate safety and liability concern for the property owners and anyone walking on the public way in front of the building. It will also:

- Enable a more thorough evaluation of the marquee
- Enable a more thorough evaluation of the section of the building hidden by the marquee
- Enable a more thorough evaluation of the marquee's structural attachment to the building

DONAHUE, TUCKER & CIANDELLA, PLLC
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- Make the extensive renovations approved to the front of the building safer, easier, faster and less costly
- Provide more flexibility for maintaining pedestrian sidewalk traffic during construction
- Safeguard the marquee from accidental damage during the construction

There is no visual evidence to suggest that the marquee is attached to the building in any way that would compromise its safe removal. If the original installation scarred the front of the building in any way that scarring would be addressed or covered up again in reinstalling the marquee.

With regard to the duration of the temporary removal, we intend to appeal the July 16, 2020 HDC decision to the ZBA, and depending on the outcome of the appeal to the ZBA, reserve the right to appeal, or defend, as the case may be, the decision of the ZBA in the New Hampshire court system. Following the final adjudication of the July 16, 2020 HDC decision, then if we do not prevail, we will install the marquee back on the building in its current location following the completion of construction and prior to receipt of a certificate of occupancy.

Given the concerns about public safety generated by allowing the marquee to remain in place for the foreseeable future, we request that the HDC schedule a special meeting to discuss this issue prior to their regularly scheduled meeting on August 20, 2020 and at such meeting grant authorization to temporarily remove the marquee as described herein.

Very truly yours,
DONAHUE, TUCKER & CIANDELLA, PLLC



Sharon Cuddy Somers
SCS/sac
Enclosures

cc: Ioka Properties, LLC
Doug Eastman, Building Inspector
Market Square Architects
Russ Dean
Board of Selectmen

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July 21, 2020

Christina O'Brien
Market Square Architects, LLC
104 Congress Street, Suite 203
Portsmouth, NH 03801

Re: *Ioka Theatre Building, Exeter, NH*
Existing Marquee

Dear Christina,

At your request I have done some review on the existing Marquee sign mounted to the front wall of the former Ioka Theatre. The existing sign is a large steel framed structure, protruding over 8 feet off the face of the building, and supported at the top by a single chain tied back into the masonry. Photo #1 shows a side view, and shows that the upper portion of the sign has pulled and tilted outward some from the wall. Photo #2 shows the chain connection to the sign, as well as the huge volume within this sign to collect snow, increasing its weight significantly. This snow "well" is almost 4 feet deep. Photo #3 shows the connection to the building, which occurs at a window head very close to the window. This is not a location of strength within this wall. Distress cracks can be seen in this photo. Photo #4 shows the mounting plate inside the masonry, where more distress cracks can be seen.

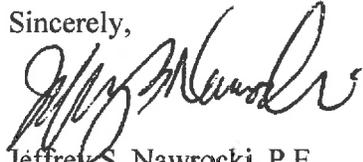
The marquee is 19' 6" long and protrudes 8' 4" off the face of the building. The plan area of this sign is approximately 81 square feet. Considering self-weight of the structure plus snow, an estimation of weight is about 6,000 lbs. or more. Based on this weight, and the angle of the chain, the approximate tension in the chain under full snow load is approximately 4,500 lbs. This is a significant enough load that modern engineers and modern codes would not even consider this attachment without major additional reinforcing. It is a significant enough load to a highly perforated unreinforced brick wall to consider it dangerous, even understanding the length of time that it has not yet failed.

It is safe to say the engineers do not like heavy objects pulling on the face of un-reinforced masonry buildings. It is my opinion that this is currently not a safe condition and would take a significant

amount of structural reinforcing to correct it.

Please contact me if you have any questions or comments.

Sincerely,



Jeffrey S. Nawrocki, P.E.
President

Photo #1 – Marquee tilting out from face of building at top



Photo #2 – Chain attachment to Marquee

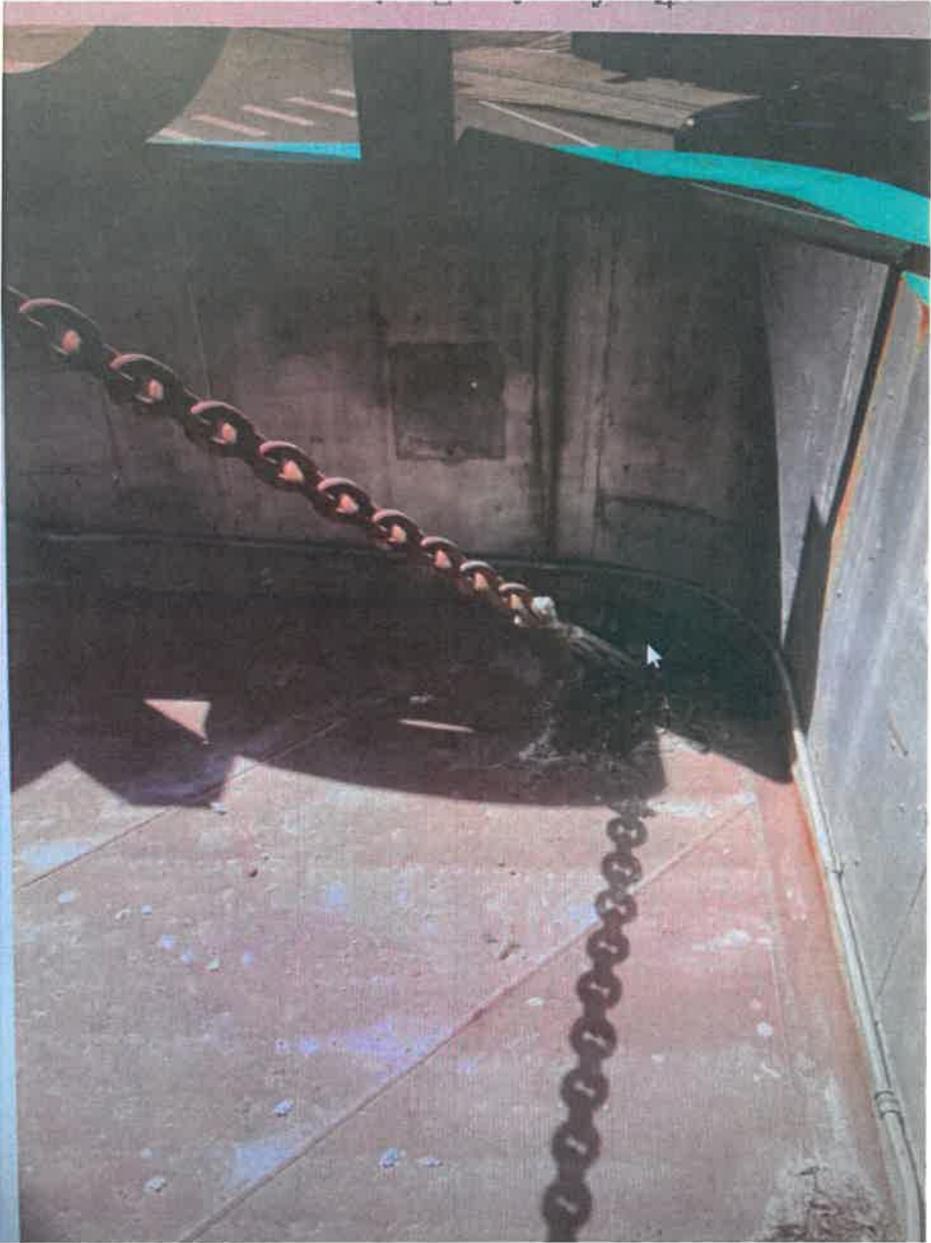


Photo #3 – Stress cracks at sign attachment to building



Photo #4 – Stress cracks on interior of sign attachment

