

Elizabeth Bratter
159 McDonough St
Property Owner Portsmouth

RE: Site Plan Review Regulation

November 19, 2020 Meeting

Dear Chairperson Legg and Planning Board Members,

I found the majority of changes to the Site Plan Review Regulations to be comprehensive and important for the general welfare of development in our city. Here are some possible edits which may want to be considered:

Section 2.4

2.4.2 #2 should include: *online submission is able to be accessed and shared as needed by City Staff*

Why: just because it's submitted on time *doesn't mean it can always be opened*, especially some of the design plans.

Section 2.5

2.5.2 #8 regarding the "may submit additional....to assist with public hearing". No last minute changes should be allowed to be entered during a meeting on larger projects. *Perhaps there should be a minimum number of days prior to the meeting to submit changes.*

WHY: no time for board members or the public to review prior to the meeting and consider possible consequences

Section 2.5

2.5.4 # 3 (i) include a reference to Article 7 here

WHY: Article 7 includes a lot of stormwater management

Section 2.7

5 please retain this!

WHY: often it is the only way residents who are outside of the mailed notification area, can easily become aware of proposed projects, prior to a meeting.

Section 2.9

Add a number and have it say: adequate protection to prevent adverse effects on tidal and brackish waterways

WHY: NHDES has limited regulations on stormwater into such waters, we should protect our inland tidal waterways as much as possible from too much or contaminated run-off

Section 7.2

#4 Add to: or adjacent or downstream surface water "including tidal/brackish waterways" used for aquatic habitat support....

Why: see 2.9

Thank you for your consideration of these edits.

Respectfully,

Elizabeth Bratter

From: [Juliet T.H. Walker](mailto:Juliet.T.H.Walker)
To: [Tracy A. Gora](mailto:Tracy.A.Gora)
Subject: Nov 19, 2020 PB Public Comment for Site Plan Review Regulations
Date: Thursday, November 19, 2020 10:12:26 AM

From: Private General [mailto:qatoday@yahoo.com]
Sent: Thursday, November 19, 2020 9:24 AM
To: Juliet T.H. Walker <jthwalker@cityofportsmouth.com>
Subject: do you need this

Dear Juliet Walker,

I will be unable to attend tonight's meeting, although I think its an important one! I left you a phone message. Not sure if public input would be needed regarding grade. I created these notes in case it would be helpful. Feel free to share these notes if needed or not! I understand how grade fits into flooding but I'm not sure of the "zoning" part of it. I leave that up to you. Liz

These would be my comments:

Grade is a big issue and seems to be greatly increasing building heights in spite of height ordinances and sometimes even building footprints. It is one thing to raise soil by a 6 to 8 inches to allow for better movement of water on a piece of property but it is another to try to circumvent zoning regulation and the constraints of a piece of property by adding significant grade to make the property fit the desired building.

Grade needs to be addressed on a few levels. Some regulations or ordinances should be put into place to protect abutters. Generally speaking most people believe that the "constraints" of a piece of property, whether it be zoning ordinances, site plan regulation, environmental regulation, the shape or existing natural conditions of the property will protect from over development and/or massive heights.

Unregulated heights are continuing to happen due to grade. These grade increases and changes to the landscape, often lead to larger amounts water run-off due to overdevelopment and LESS surfaces to help absorb water run off.

It should be noted: most developers do research and often testing on pieces of property BEFORE purchasing them. It seems to me constraints are likely acknowledged before even making the purchase which likely influences the purchase price. Let us not be naïve.

Please consider **differentiating** between making slight increases in grade (under 1 foot) on a property to assist with **water run off and flood controls** as opposed to structural changes in **grade to circumvent building height regulations due to constraints on the property**. Please consider creating ordinances where **heights are measured from the existing ground level**, not from the 15 to 18 feet of grade added, to get around naturally occurring constraints on a piece of property.

Thank you,

Elizabeth Bratter

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RE: Solar Zoning Amendment

November 19, 2020 Meeting

Dear Chairperson Legg and Members of the Planning Board,

I support the idea of using solar arrays to supplement the electricity used by a city for its municipal properties or for the whole city but I do so with a sense of necessary caution. This should be researched carefully before any ordinances are put forth to allow them.

There seem to be cities in other states that use solar arrays to supplement their electricity. I understand the City of Portsmouth may not want to become a public utility and the State of New Hampshire may have regulations on this issue as well.

The City may want to consider allowing independent companies to provide solar power to the city. To do so there would need to be specific zoning ordinances to protect residents from having such an array planted in their back yard. Many open areas in Portsmouth are being converted into large housing complexes and ball fields; there are some areas on the edges of town in more commercial areas which may be prime locations for such arrays.

I would support such arrays if the ordinances presented included a lot of research from cities which already have them and specific protection for the residents of Portsmouth. Some to consider would be including tree lined property edges to reduce reflective issues, good setbacks for maintenance requirements of arrays between the arrays and abutting properties, height limitations and the like.

It's hard to say which may be considered more approvable, 200 residential units, a ball field or a 200 unit solar array. Location, location, location would be key. The good news is solar arrays don't use city resources, they don't need to be lit and they can be quiet. Thank you for your consideration of such a long overdue idea.

Sincerely,

Elizabeth Bratter

November 16, 2020

City of Portsmouth Planning Board
Attn: Chairman Dexter Legg
1 Junkins Avenue,
Portsmouth, NH 03801

RE: 996 Maplewood Avenue Wetland Conditional Use Permit Petition

Dear Planning Board members,

I write to you to support the petition of our neighbors, at 996 Maplewood Avenue. I've been a resident of Portsmouth my entire life, and have lived at 1000 Maplewood Avenue, adjacent to the subject property, for nearly 30 years.

The fields around Thompson pond have supported agricultural uses for hundreds of years. My wife and I purchased 1000 Maplewood Avenue in part due to the pastoral view of the pond. The surrounding area was open space with grass down to the shore, with large maple and willow trees sparsely set along the water's edge. A large perennial garden cultivated by Flowers by Leslie ran along most of the shore. In spring and fall geese and ducks used the flower garden as a runway approach to stop at the pond, and waddle up onto my property to feed on insects. In winter, local residents skate on the ice. I've seen rabbits, woodchucks, fox, coyote, deer, hawks, kingfishers, owls, osprey and a large snapping turtle.

When Flowers by Leslie sold the property, the new owner failed to maintain its landscape. I and other abutters cut the grass to provide access for wildlife and to keep the ticks under control. The once beautiful flower garden was replaced by random trees that have distinctively altered migrating bird access routes. Areas of pond shoreline have become overgrown with bittersweet, preventing waterfowl from accessing it. When the property sold, we had hoped that its shore would be restored. Instead, the overgrowth became more severe. With drought conditions in the last few years, the pond level has dropped significantly. In my 30 years here, I've never seen it this low. Perhaps the additional trees, shrubs and overgrowth are straining the pond's ability to maintain its environment.

When approached by our neighbors with their restoration plans, we fully supported their actions. They have worked in an environmentally responsible manner. It is nice to see the pond back under good stewardship.

Thank you for your consideration in this matter.

Sincerely,

James M. Fernald

James M. Fernald