

**RE: 105 Bartlett St**

**TAC : February 2, 2021**

Dear Members of TAC: Here is my list regarding 105 Bartlett Street. Thank you for taking the time to review it.

Sincerely,

Elizabeth Bratter, 159 McDonough St, Portsmouth Property Owner

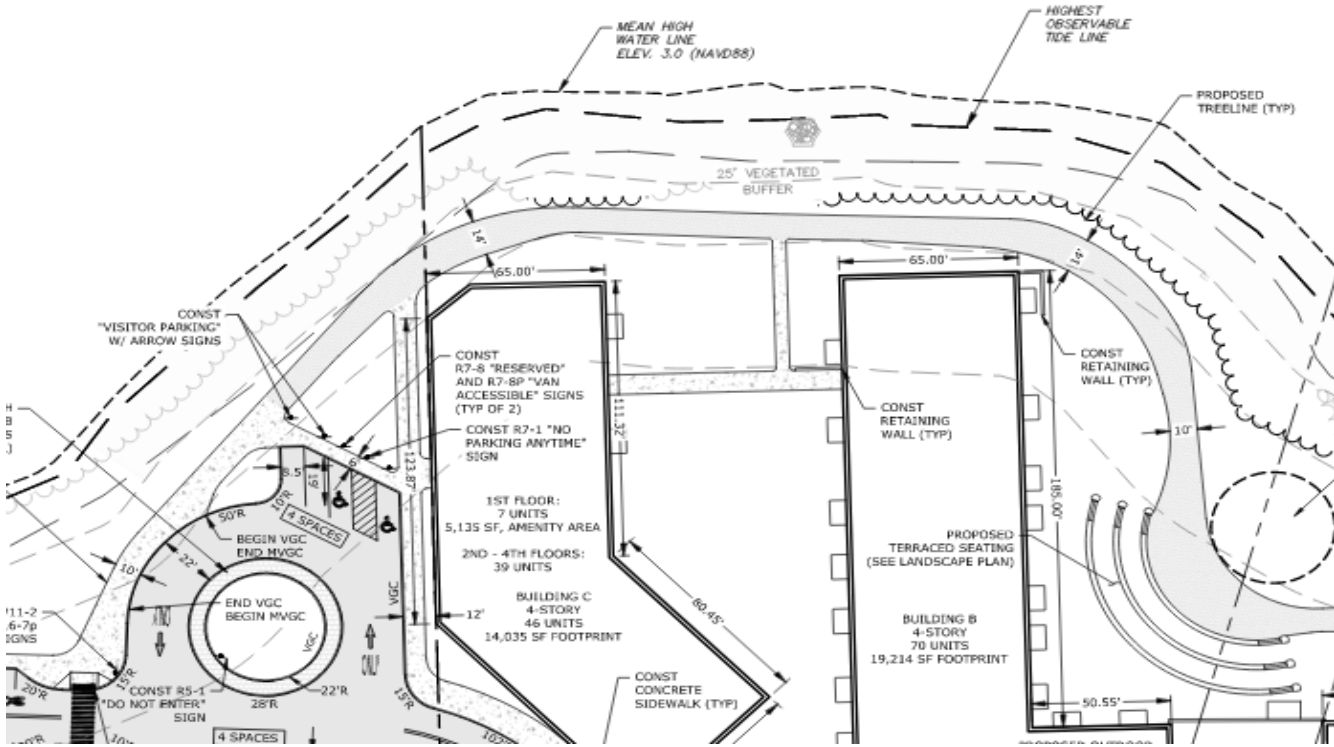
1. The actual **width** of Building A and the lower part of Building B are STILL not marked (pg 13).
2. Large amounts of structures are **still in the 100' buffer**. A lot with 4000 sf (40 X100) of wetlands adding one 160sf shed= 4% in the 100' buffer. Lot 157-1 with around 58,000 sf (580X 100) of wetlands, 15,027sf of wetlands intrusion = 25% of the wetland buffer covered. Building B is still about 10' from the 50' buffer. The latest design of Building C returned it directly onto the 50' Buffer near the corner (circle side). It had been moved for **safety** previously.
3. The **Fire Road** is now about 1.5 times wider than it was, ALL of it should be moved out of the 50' to 100' buffer. There still is no Fire Truck Exit for the Fire Road near building C or ANYWHERE!
4. **Truck entrance** into the property from Islington/Cate St seems like it will require a pretty wide turn. Should the planter next to Ricci Windows Store be reduced slightly to widen that corner? (pg 133)
5. TAC #12(pg 39) states to remove trees from the **Dover St View Corridor**. Adding trees which grow to be 10'-15' high instead will have the same affect (L2-pg 35). This area does not seem like it will be able to be viewed from McDonough St (proposed grade 17.5 was 5?). No trees should be allowed because it is likely obstructed by its grade (pg 132). Native low growing wildflowers would be nice there.
6. Proposed parking Lot **Grade** as well as preconstruction grade(s) are not shown(pg 132).
7. **Parking supply** still shows 20 spaces from the Private Road (pg 11), although on TAC list #1 (pg 39) states they were added next to building A. Underground Parking was 119 in December to 95 spaces in January. One less at circle and the parking lot showed 103 and now 95. *Counts just don't seem to add up without the mystery 20 spaces.*
8. **Correction should be made for future waterfront developments.** *NHDES uses the HOTL for tidal waters, not the mean high water line to define waterfront property. The measurements should be corrected to depict this.* In this case it's about 9540sf of extra square footage which is being counted as Community Space. They meet the 20% target but others may not. The lot size was 4.71 acres in December, now shown as 4.72 acres; lot line is in the same place.
9. #41 of TAC list (pg 40), was unable to find the **dumpsters** on C102-2.

10. I'm assuming all **storm drain covers** on this property will be high volume. Are they bicycle, baby carriage and pedestrian friendly where needed?
11. Not sure if ALL **storm water culverts** have *one way valves* to prevent excessive erosion of the Pond during high volume events!
12. **Snow storage** area between the circle and the garage shows large trees proposed. A Giant Green Arborvitae tree (pg 34,35) will be between 12 to 20' wide and about 50' tall. The American Elm would need to be positioned carefully. These proposed trees *will limit snow plow and bucket loader access and movements*. The ramp is a great idea. Will it interfere with the flow to PC87?  
The **Snow storage** at the end of the parking lot near Building A should *be reconsidered*. There is a proposed easement to Lot 164-4-2, as well as for the city. *Snow storage seems unrealistic in this location.*
13. **Greenway storm water management** is hard to understand. It is proposed as a 14' to 20' wide paved area with porous pavement, almost as wide as some side streets. I notice ONE storm drain added near the Rain Garden (pg 23). It seems more storm water management is needed to keep the trail's storm water from flowing directly into the North Mill Pond during high rain events or when deep snow melts, especially near buildings C and B. **THIS WIDTH SHOULD NOT BE ALLOWED IN THE 50' BUFFER**, even if it is porous. **ALL** of the Fire Road should minimally be in the 50 to 100' buffer with grading and proper storm water management as any other road would require.
14. Years ago lights were not half as bright and street lights were spread about 50 to 75 feet apart. One LED is excessively bright therefore a lot less is needed. Studies have shown lighting gives a feeling of security but does NOT reduce crime. Having a little less lighting encourages people to be more aware of their surroundings and less likely to venture out of their comfort zone. The **lighting** still seems excessive (pg 19), proposed changes seem minimal. I was unable to find a current lighting plan for the road. Has that been changed? I was unable to find the queues listed on the plan on the Pemco Website. **The lighting legend should be clearer**, the circled dots and numbers of lights do not seem to match what is on the plan. Motion detective lights can be energy saving and better for lower use areas and after certain times of day. *Without proper information and the grade of the parking lot, the style of lights (heights, brightness, direction) it's hard to determine how much light will be shining in first and second floor windows on McDonough St and other impact zones.*

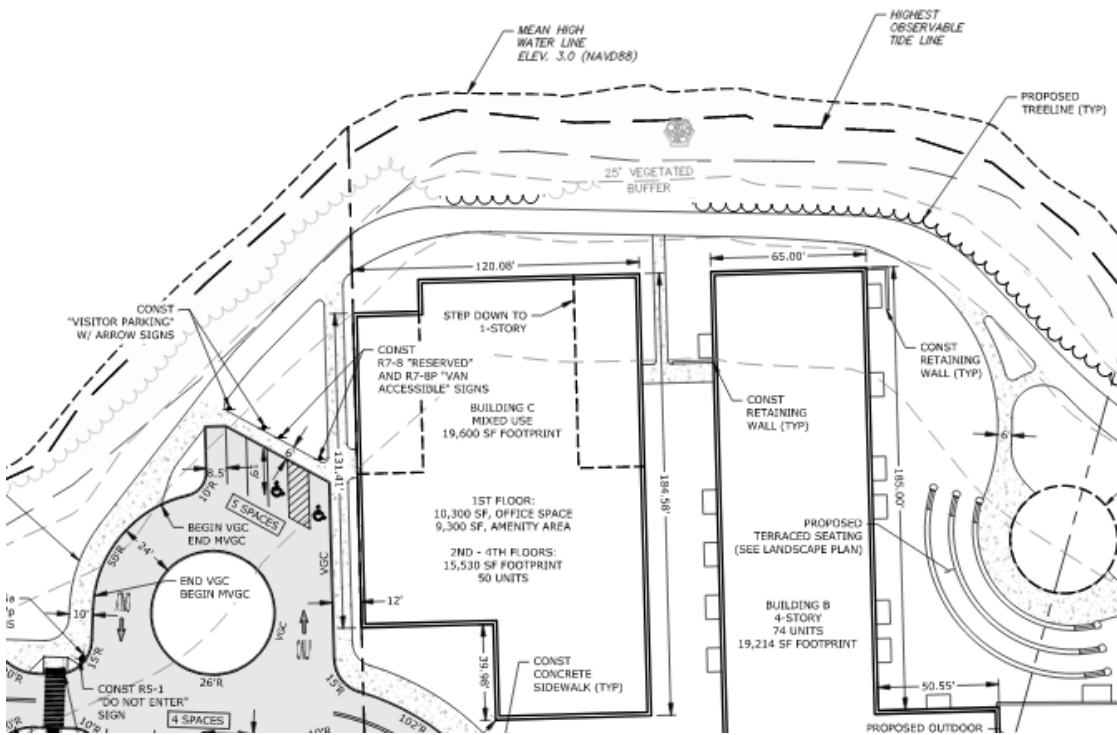
**Thank you for your using your knowledge and expertise to ensure neighbors' many concerns are addressed.**

# Easy Comparison

02/02/21



12/20/20



**From:** [Catherine Harris](#)  
**To:** [Planning Info](#)  
**Subject:** Fwd: Conservation Commission meeting on 12/9/2020  
**Date:** Friday, January 29, 2021 12:45:26 PM

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I would like this letter re - submitted for the 2/2/21 TAC meeting as well. The latest development plans that have been drawn up for the 105 Bartlett Street project are STILL in the 100' wetlands buffer zone! The city needs to uphold it's own regulations and deny these developers a CUP for that property.

Thank you,  
Catherine Harris

Begin forwarded message:

**From:** Catherine Harris <[prized@comcast.net](mailto:prized@comcast.net)>  
**Subject:** Conservation Commission meeting on 12/9/2020  
**Date:** December 6, 2020 at 10:32:57 AM EST  
**To:** Planning Info <[planning@cityofportsmouth.com](mailto:planning@cityofportsmouth.com)>

Dear Commission members,  
This is one more submission for your upcoming meeting on 12/9/2020

After reading the 12/3/2020 staff report addressed to you from Peter Britz, I feel I need to address a few items in that memo.

The word "derelict" comes up 3 times in that memo. While I cannot speak to the former railroad property, I must comment on that land portion belonging to the owner of Ricci Lumber. It has long gone without maintenance by HIS choice. In addition to the large amounts of trash that have piled up over the years, there is the detritus from the business itself. The owner has had ample opportunities to improve the condition of his property, but has instead allowed it to deteriorate over time - willful neglect. So I find it a bit disingenous to now suddenly tie this proposed development to site enhancement. How do massive buildings in an environmentally sensitive area qualify in that regard?

Again in this memo, there is mention of reduction of impacts in the 100' wetland buffer. Per the city's own regulations, there should be NO negative impacts in this zone. What is the deciding factor between compliance to those regulations that ALL residents who live along the North Mill Pond are bound and proposed commercial development along that same pond - money?

Again, I urge you to vote in favor of conservation as your commission was set up to do. Listen to your fellow Portsmouth residents who have devoted so much time and energy into improving the quality of this tidal marine estuary habitat. Listen to their pleas for responsible development over the last three years and act on it.

Thank you again.  
Sincerely,  
Catherine Harris  
166 Clinton Street



**From:** [Robin Husslage](#)  
**To:** [Planning Info](#)  
**Subject:** TAC Meeting February 2, 2021 -- 105 Bartlett Street Proposal  
**Date:** Sunday, January 24, 2021 1:15:56 PM

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Dear Technical Advisory Committee Members,

I have reviewed the latest 105 Bartlett Street proposal which you will be reviewing for the hearing on February 2, 2021. The following are my questions/concerns about what is being proposed:

**(1) Building within the 100' Tidal Zone:** Why would any portions of buildings be allowed within the 100' tidal buffer zone? Building in this zone is not allowed for very good reasons. Significant portions of Buildings C and B are being proposed to be built within the 100' tidal buffer zone as well as a small corner of Building A. Those portions of the proposed buildings which extend into the 100' tidal buffer zone should be eliminated.

**(2) "Greenway" Converted to Service Road?:** Why has the greenway along the North Mill Pond been turned into a paved road for vehicles to serve the development rather than a greenway intended for pedestrians and cyclists along North Mill Pond as originally proposed?? This was supposed to be a "green" way for pedestrians and cyclists, not a paved road made out of black tar for vehicle use. And, the greenway appears to end somewhere between Salem and Cabot streets -- wasn't the greenway supposed to extend all the way to Maplewood Ave?

**(3) Roadways & Parking Should be Made of Pervious Surfaces:** With how fragile this land is and the known water issues on the lot as well as run-off potential into North Mill Pond, shouldn't all paved surfaces being proposed be pervious surfaces? At a minimum, any of the roads and parking surfaces within the 100' tidal zone should be pervious surfaces.

**(4) Building Height Step-Down near Greenway Eliminated:** Earlier proposals had the building height stepped down toward the waterfront so as to not overwhelm the greenway and views. The buildings in this latest proposal are full height all the way towards the water with no step-down included. This will be an overwhelming structure so close to the greenway and North Mill Pond affecting the sense of openness and instead present a structure looming over the waterfront walkway.

Thanks for your consideration regarding this development which will be impacting our neighborhood and our North Mill Pond community.

With regards,

Robin Husslage  
27 Rock Street  
Portsmouth, NH 03801  
Cell: 603-553-1525

**From:** [Juliet T.H. Walker](mailto:Juliet.T.H.Walker)  
**To:** [Tracy A. Gora](mailto:Tracy.A.Gora)  
**Subject:** FW: 105 Bartlett st TAC meeting  
**Date:** Friday, January 29, 2021 12:39:02 PM

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-----Original Message-----

From: Jonathan Wyckoff [<mailto:jonmwyckoff@icloud.com>]  
Sent: Friday, January 29, 2021 12:02 PM  
To: Juliet T.H. Walker <[jthwalker@cityofportsmouth.com](mailto:jthwalker@cityofportsmouth.com)>  
Cc: Private General <[qatoday@yahoo.com](mailto:qatoday@yahoo.com)>; dawn przychodzien <[dprzych@gmail.com](mailto:dprzych@gmail.com)>; Walter Hoerman <[northmillpond@gmail.com](mailto:northmillpond@gmail.com)>; Nancy Johnson <[n\\_johnson81@comcast.net](mailto:n_johnson81@comcast.net)>; [news@seacoastonline.com](mailto:news@seacoastonline.com)  
Subject: 105 Bartlett st TAC meeting

Good morning;

I am writing to share my concerns about the Bartlett st project. As many of you know, I have been volunteering my time to the planning Dept as a member of the HDC for 16 years and am cognizant of the process and how we and other boards have made mistakes in the past. I hope it's not too simple to say putting the cart before the horse, happens frequently and I'll explain how this pertains to this project after this explanation. In the HDC, which is admittedly more subjective than other boards, we have in the past had projects with size and massing complaints not clearly expressed which is a mixed message to send to the developer. They would sometimes come back with a small change here, or a corner removed, fewer windows, etc.! But the new submittal would be loaded with material guidelines, cut sheets, color choices, and other late project decisions, which in retrospect acts as a type of smoke screen to block out objections and move the project along. In the last few years, thanks to a proposal from our principal planner (thanks Nick) our first meeting are devoted to project massing, ie ht. size, sq. Footage, etc.

Somehow in the last few years this has been forgotten on 105. I remember when it first was brought to the boards it was 115 units, which at the time I was concerned with, then when Riccis decided they could move there 2 large sheds, before they fell over, the number went up to 272. Then, after encountering massive push back we have dropped the townhomes, kept the mid rise buildings with the addition of demolishing Great Rhytym and increasing that height to match the other buildings. The traffic reports from Pernaw co have been all over the place. In the meantime, the board has never met and discussed the neighbors concerns over the massive size of this project

Now we've got bushes and mulch, cleverly designed catch basins, underground detention basins, cul de sacs, rain gardens, a sidewalk (wasn't that to be a greenway?), street profiles, etc. We have yet to discuss that this project is just too big and the smoke screen is working. Basically, you are all ignoring the letters and opinions of taxpayers. Not every lot is suitable to be built out to its maximum allowable zoning limits, especially an odd shaped lot with the railroad on one side and the millpond on the other. Building C, which had its corner cut off, is still within the buffer. It is not grandfathered as they are tearing it down. The lot is so overbuilt the fire access is, poorly thought out, dangerous to the residences on the pond sign and quite frankly negates the public access easement that allows the massive in the first place. Is that going to be plowed??? There goes more of the green path. Another example of overcrowding this lot is 6 guest parking spaces, 6 !!! There goes they Super Bowl party. The traffic was estimated at 38 cars exiting at am peak, 700+ trips a day, I guess that not thinking of that trip to Hannafords, or pizza, or the mall, etc. Most of the units are 2 bedroom with some 3 bedroom, could be 3 cars in those apartments, more trips for pizza. The clever little cut thru we residents of the creek, have worn thru the puckerbrush to get to Islington, Hannafors, the 7/11, etc, is covered by a 6' high fence. Oh well, have to drive.

Suppose, just suppose, that some of these units will be occupied by families with children.....CHILDREN. Oops, where's the bus stop? With this many units shouldn't there be a covered bus stop, playground equipment, etc. The busses will go down the road alongside the giant Tractor trailers that deliver to the lumberyard, go around the cul de sac circle along with all the residents of buildings B&C at about the same time, oops.....not to mention those leaving the underground parking!

In conclusion, let's rethink this project, now before it goes any further, or gets built. The engineering plans have been well done and certainly I am not qualified to criticize them as they can be reused on a smaller project. All of the points could be addressed by removing building C entirely and allowing the project to berate a little and go forth well thought.

Thank you for your consideration, please send to all TAC members  
Jon Wyckoff. 135 Sparhawk st Sent from my iPad



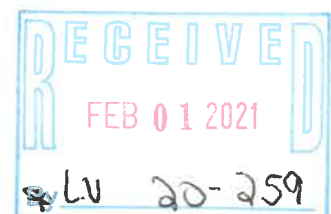
Hello,

My name is David Ecker. I write to you because of concerns I have of the project being proposed for the property at 375 Banfield Road.

I would imagine at this time you have viewed the two pictures that I have included in the packet. Before I get into what these pictures depict I would like to give you a brief history of myself.

I am a 61 year young Portsmouth native born in the city hall building. From the age of 9 months I grew up directly across the street from the proposed site and have actively been at the 422 Banfield Road property my entire life. My father operated a small residential paving/landscaping/snow removal business at the 422 Banfield Road property which my brother and I worked with him. As time went on I operated the business with my father and brother. Unfortunately, in 2008 my father standing at the podium in the City Council Chambers had a heart attack and subsequently passed away 2 days later. At his wake we had a tree alongside the stairs into the funeral home on which many people put cards and letters. Dad was pretty well known in town. At the request of my mother the former City Manager informed me that I could pick out any spot at the City Hall complex to have this tree planted. I chose a spot leaving the complex going down the exit ramp to the right hand side. I chose this spot because there is a drainage culvert that would always make sure this tree was watered for years to come. So if you look to the right while leaving the complex you will see a tree at this time about 20 feet tall and roughly 20 feet from the culvert. I would have never chosen this spot if the out flow from the pipe looked like the pictures you have before you.

So at this time I'll explain to you what these pictures depict. The 375 Banfield Road property was previously a car salvage and crushing site. Over the years hundreds, if not thousands of cars were crushed on this site. At that time no fluids (ie: engine oil, transmission fluid, antifreeze, brake fluid, and gear oil) were contained. Running freely onto the ground and down into the swamp that was previously there. Sometime around the age of 9-10 urban renewal in Portsmouth happened. For those of you not familiar with this there was a village on the hill in downtown Portsmouth. All the people living there were given fair market value for their homes and told to leave. Our assistant mayor Mr. Splain was one of them. At that time all these buildings were painted with lead paint. All the heating systems were wrapped in asbestos. All the buildings, foundations, oil barrels, heating systems, and all were pushed into a pile and hauled to the 375 Banfield Road property and dumped into the swamp; in some areas 10 to 12 feet deep. Currently, there are three existing buildings on this site. Looking from the road in at the site from the right hand side of the middle building is where the filling began and went all the way over to the swamp and from Banfield Road all the way to the rear of the property. There currently exists between 10 and 15 monitoring wells. Shortly before the former City Manager's retirement at my request he directed Peter Britz to meet with me and view the site. At that time I presented the pictures you have and more to Peter. After looking at these pictures and viewing the site Peter said to me that he wouldn't drink water from a well on my property. I want to point out that the building looking from the road furthest to the right is completely built on top of this debris.



The pictures I have submitted to you show the byproduct of what I would consider one of the most contaminated sites in my home town. From what I understand from elders in this area these pictures almost depict the same pictures that were the beginning of the Coakley Landfill event. Picture #1 is actually of what is left of a small pond on the 375 Banfield Road site. Picture #2 is the result of the flow of this nasty by product on to my family's estate located at 422 Banfield Road. I am the 3rd generation owner of the 422 Banfield Road property and intend on passing it on to my son, the 4<sup>th</sup> generation. I am quite sure when you first saw these pictures before you they were somewhat alarming. I am sure that none of you would be happy with this situation contaminating your property. I also want to point out that this contamination is flowing directly into the "great bog".

I currently also own a 5 acre property at 875 Banfield Road. This property is between Constitution Ave. and Heritage Ave. There is a pond out front and I would assume that most of you have viewed this property when traveling on Banfield Road. I have a garden in the middle of my property that I water with a dug well that is between 20 and 25 feet deep with crystal clear drinking water. I point this out because my parents had a dug well that we can no longer use. Ironically enough the property directly across the street from my 875 Banfield Road property was purchased by the city from the previous owner because he said actions from the city contaminated his dug well. I can tell you I do not believe the city was a fault. Being in the business I am and owning backhoes, loaders, and heavy equipment my previous neighbor across the street from 875 Banfield Road requested I dig a hole some 8 feet deep that was somewhere between 25 and 30 feet uphill of his dug well in which he put a dead horse and covered it with lime. I am sure that over time this contaminated his well.

It is very upsetting to me that I can't actually drink the water from my 422 Banfield Road property. So I respectfully request the denial of this application until all of the debris that was placed at the 375 Banfield Road property be removed and disposed of properly and return the wet land area that previously existed back to the way it was. I also request that before any type of work is done that some type of filtration system is put in place at the entrance to the culvert where the water leaves the site and it is tested to make sure that the water when entering my property is drinkable. I have noticed for many years rabid animals in this area. I believe that it is a direct result of this contaminated water they are drinking. I can tell you for many years growing up in my younger days before this material was put in this swamp the frogs would keep you up at night from their noise. There currently are no living creatures in this pond.

I respectfully request that the members of this committee as a whole view this site before taking any kind of action or making any kind of decisions. I'm sure your eyes will be opened. If you walk along Banfield Road in front of this site you will notice a rock wall which was at one time the grade of the site and you will be clearly able to see how the site was filled. If you then walk around the site to the rear you will notice numerous test wells, oil barrels, building debris, old furnaces, etc.

Also, I would request that a row of Arborvitae that will grow to 15 to 20 feet tall be placed along the perimeter in front of this site to block it from my residential view. And that any lighting would be down lighting and pointed in towards the site. I also believe that a 75,000 sq ft building is rather large for this site. Having dug literally hundreds, if not thousands of test pits in my life the area that is all swamp

having a clay barrier under it will not allow water to dissipate into the ground. So any water running off of the building and parking area will directly run off of the site. I say this because at my 875 Banfield Road property I experienced the same problem when the property adjacent to me on the corner of Banfield Road and Heritage Ave was developed all the water from that site runs into a retention pond that never recedes because of the soil conditions and then runs directly onto my property. Unfortunately I did not have a road between myself and my neighbor as in this instance. I understand that the culvert pipe going under Banfield Road will control the amount of water that can come at one time. It is my firm belief that making a majority of the 375 Banfield Road property impervious that it will consequently raise the water level on that side of the street, possibly flooding out the neighbor on that side of the street.

I don't text, I don't email. You'll need to leave a message because I don't answer the phone for an unrecognized number. Please feel free to call.

Sincerely,

A handwritten signature in cursive script that reads "David Ecker". The signature is written in dark ink and is positioned above the printed name and phone number.

David Ecker  
603 817-3418





**Picture #1**





Picture #2



**From:** [Jillian Harris](#)  
**To:** [Planning Info](#)  
**Cc:** [Tracy A. Gora](#)  
**Subject:** FW: 425 abutter notice  
**Date:** Tuesday, February 2, 2021 10:50:20 AM

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**From:** beteck6@aol.com [mailto:beteck6@aol.com]  
**Sent:** Tuesday, February 02, 2021 10:48 AM  
**To:** Jillian Harris <jharris@cityofportsmouth.com>  
**Subject:** 425 abutter notice

Abutter notice 425 property to 375 notice. Please present at @ 2:00 meeting on February 2nd

I have three environmental Issues, Water, Lighting and Privacy

Privacy: To reach adequate privacy, A fast growing tall in height natural border to be placed between 375 and 425 properties. example such as, deer resistant arborvitae's to be added to the proposed plan.

Lighting: Not to be a height so that it will infringe on the well being and integrity of 425 property. Do not want to be effected from dusk to dawn with shinning lights.

Water: Direction and drainage of all water leading down hill towards 425 is of great concern. 375 wet land property that exists directly behind and along back of 425 property, water table has risen over past years. The highlighted area on page C3 which water is being directed towards 425 way is worry some. The water flow that is currently going on has seemed to have been breached of it's natural way. It is now also being absorbed threu way of dry land of 425 property. 425 property can not handle it well, nor will it be able to handle any more with out damaging results to integrity of property. Also very toxic earth in the back along property of 375.

To all members of the board:

Please be advised my history with 375 property. For 57 years I have been in close proximity, living across or next to 375. I am aware to the toxicity of 375. I fact there is obvious remnants of the past 60 years usage of this property still in existence to the naked eye. I can walk out back today and find old house water heaters, cement steps, vinyl flooring, tires, hubcaps, rebar, you name it, it's there amongst the earth . In summary the toxic soil is what I do not want to be disturbed in any way that 425 property will be impacted and lose it's integrity.

I look forward to working thru my concerns with Banfield Realty LLC. So that they can reach their goal along with my property not to be impacted in any destructive manner.

Thank You  
Betsy Ecker  
425 Banfield Road

**From:** [Tom Hart](#)  
**To:** [Planning Info](#)  
**Subject:** 1 Clark Drive subdivision  
**Date:** Monday, January 25, 2021 7:25:00 PM

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Comments for public hearing :

Please advise the style of each house being built and the approximate price range. Also the height /placement of the house closest to the abutters on Cutts Street.

Thank you

Sent from my iPhone