

**RE: 406 and 428 Rt 1 by-pass**  
**Meeting: PB March 17, 2022**

Dear Members of the Planning Board,

March 15, 2022

Please take a minute to review **Plan C5-0004 on page 35** of the PB packet.

In November of 2021 at TAC this development asked to create 127 more parking spaces on this development site. It was stated they would need 25 spaces for the proposed brewery in Lot D, 31 more spaces were needed for the 500 sf micro apartments and 71 more spaces for the 750 sf micro apartments. Pretty much what was really needed was about 1 space per bedroom.

Looking at Plan C5-0004 it shows “shared” parking for the commercial areas. Shared parking implies that businesses are open during the day and leave, people come home from work at night and take their place. However, when the shared parking involves a brewery which could have hours from 11AM until 10PM or later and people working from home, **the “sharing” may be a lot more difficult.**

It is unbelievable that NONE of the parking on these lots is enclosed and stacked. It was nice to see that the area they are hoping to purchase by the RR tracks will have respectfully enclosed spaces. Unfortunately, it will not be enough. *What is being shown is an increase in parking by a mere 75 spaces, when the development team stated they needed at least 127 spaces.*

**It would be reasonable to suggest increasing the interior height of the two proposed buildings along the RR tracks to about 14 to 15’. This would allow for stacked parking to be added at a later date, if more parking is needed, essentially doubling the spaces.** Based on the numbers provided in November there is little doubt that once the brewery opens a LOT more spaces will be needed. **A stipulation could include any future additions in parking be tastefully enclosed and stacked.**

Respectfully,

Elizabeth Bratter  
177 Bartlett St  
Property Owner

**RE: 238 Deer Street**  
**Meeting: Planning Board 03-17-22**

Dear Members of the Planning Board,

March 12, 2022

It has been **over a year** since this board handed down the decision to allow this development to NOT provide any on-site parking with some very specific instructions.

It was recently stated by the development team at 203 Maplewood Ave, merely two blocks from this site, 18 reserve parking spaces, in the wetlands, were needed because their team was unable to find ANYMORE SHARED parking on this end of town. The Foundry Garage is already at capacity and on snow days they have run out of room many times.

The question is: Has the 238 Deer Street development team **secured ANY** of the 7 spaces they were asked to find over a year ago. At that particular meeting it was shared by the public that there was a severe lack of parking available on this side of town.

It seems a little disingenuous, according to the presented opening letter, the only thing that has been worked on is the required clause for their lease. This leaves one to wonder if by the construction is completed the agreed upon 7 spaces will be nowhere to be found! Each new development going in, in this area (4 very large ones come to mind) will need parking for its commercial employees INCLUDING THIS BUILDING.

**Here are the Planning Board's stipulations:**

"To find that the provision of no on-site parking spaces will be adequate and appropriate for the proposed use of the property and to grant the conditional use permit with the following stipulations:

1) A minimum of 7 off-street parking spaces shall be provided via a long-term lease, shared parking agreement or option to enter into a long-term lease or share parking agreement with a property owner in the vicinity of the project. The lease, shared parking agreement or option for the off-site parking spaces shall be reviewed annually with the property owner and Planning Director and shall be renewed as needed for a period of up to 5 years from the issuance of the final certificate of occupancy for the property.

2) Revise the draft lease agreement related to the tenants' obligation to secure off-site parking if the tenant owns a car by removing paragraph 2 of the draft lease agreement presented by the applicant. The final lease agreement shall be reviewed and approved by the Planning Director and City Attorney"

Please do NOT approve this development to move forward until at least the 7 spaces are secured.

Respectfully,  
Elizabeth Bratter  
159 McDonough St  
Property Owner

**From:** judy@gatesstreet.com,  
**To:** archwhit@aol.com,  
**Subject:** Fwd: letter of support  
**Date:** Tue, Mar 15, 2022 1:53 pm  
**Attachments:** Nerbonne Letter of Support.docx (14K)

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Begin forwarded message:

**From:** Nancy Euchner <[nancy@seacoastvillageproject.org](mailto:nancy@seacoastvillageproject.org)>  
**Subject:** Fwd: letter of support  
**Date:** March 14, 2022 at 10:08:57 AM EDT  
**To:** Judy Nerbonne <[judy@gatesstreet.com](mailto:judy@gatesstreet.com)>

If you look around Portsmouth today, you will no doubt see benefits that were built through the hard work of its citizens – people who invested time, talent and treasure to develop and sustain our neighborhoods, parks, cultural venues and good governance. As some of these citizens, like Judy and Pat Nerbonne, got older, they invested even more deeply in providing very local support to neighbors and friends who needed a little help – through family crisis, temporary illness or challenges of aging. They took a proactive stance – exploring aging in place options with others in the South End. They prepared.

Today, the Nerbonnes' situation the importance of this planning. Pat was diagnosed with Alzheimer's disease. Not the best news in the world, but also not the worst. Pat has a loving family and friends, and his positive spirit and humor continue to be gifts to those who know him. But an additional part of this picture is the reality of his changing needs. The current need for supervision, and the eventual need for personal care and support beyond what Judy can provide on her own.

If we learned anything from the pandemic that hit the world and our community in the past year, it's that our health care support systems are strained to the breaking point. Smart citizens are doubling down on ways to get connected (to each other and community and family resources), get smart (about normal aging and some of its challenges) and helping each other out. In my work as an eldercare professional for the past 40 years and the leader of the Seacoast Village Projecy, a local non-profit organization promoting aging-in-place, I applaud the efforts of those who take active steps to plan and strengthen their support systems before crises occur.

The proposal that the Nerbonnes are presenting to you tonight is an example of such a proactive plan. It provides close and affordable living space for a family member that doesn't tax the systems of an historic old house, leaving space within the home to be adapted to fit changing needs. It allows Judy and Pat to remain together in familiar surroundings with people who know and care about them. And it allows Judy to continue to contribute to her community and age successfully herself.

Co-housing and inter-generational housing options (like the one proposed) are progressive, flexible strategies that strengthen our communities. I urge you to support this application.



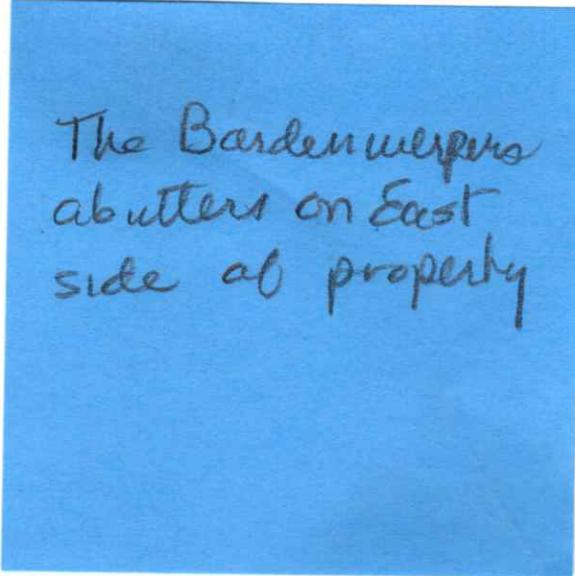
City of Portsmouth  
Planning Board  
Reference to: Garden Cottage  
Owners: Patrick and Judy Nerbonne  
189 Gates Street  
Portsmouth, NH

We/I live at own 183 Gates St and have reviewed the plans for a  
Garden Cottage at 189 Gates Street.

We/I approve the plans.

A handwritten signature in black ink, appearing to be 'M', with a long horizontal line extending to the right.

Terrific Plans. Very supportive.  
UB.

A blue rectangular sticky note with handwritten text in black ink.

The Bardenwipers  
abutters on East  
side of property

City of Portsmouth  
Planning Board  
Reference to Garden Cottage  
Owners: Patrick and Judy Nerbonne  
189 Gates Street  
Portsmouth, NH

*Renter*

We/I live at 183 Gates St, Portsmouth and have reviewed the plans for  
a Garden Cottage at 189 Gates Street, Portsmouth, NH.

We/ I approve the plans.

*Charles G. J.*

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City of Portsmouth  
Planning Board  
Reference to: Garden Cottage  
Owners: Patrick and Judy Nerbonne  
189 Gates Street  
Portsmouth, NH

We/I live at 188 Gates Street and have reviewed the plans for a  
Garden Cottage at 189 Gates Street.

We/I approve the plans.

SMJ SCOTT DERDWIN

lines across  
street.  
House looks  
+ yard  
on to front  
of garage

**From:** Judy Nerbonne judy@gatesstreet.com  
**Subject:** Fwd: Renovation/Addition Proposal  
**Date:** February 26, 2022 at 12:24 PM  
**To:** Pat Nerbonne pat@gatesstreet.com



Sent from my iPhone

Begin forwarded message:

**From:** Fred Orlando <forlando1@gmail.com>  
**Date:** February 26, 2022 at 12:07:35 PM EST  
**To:** Judy Nerbonne <judy@gatesstreet.com>  
**Subject:** Renovation/Addition Proposal

We have reviewed the architectural plans for conversion of the existing garage at 189 Gates into a garden cottage and have no objections to the proposed construction.

Jaclyn and Fred Orlando

180 Gates St  
Portsmouth, NH

Fred + Jackie  
Orlando  
lives across  
Gates St

Judy,

This looks totally fine to us!  
Herewith our signatures,

best,

Anneke & James Meinardi

City of Portsmouth  
Planning Board  
Reference to Garden Cottage  
Owners: Patrick and Judy Nerbonne  
189 Gates Street  
Portsmouth, NH

We/I live at 1 WALTON ALLEY and have reviewed the plans for  
a Garden Cottage at 189 Gates Street, Portsmouth, NH.

We/I approve the plans.

James Wuh A. Meinardi

3-8-2022

Directly across  
Gates  
Their house  
looks directly  
on front of  
garage

City of Portsmouth  
Planning Board  
Reference to: Garden Cottage  
Owners: Patrick and Judy Nerbonne  
189 Gates Street  
Portsmouth, NH

We/I live at 213 Gates Apt 1 and have reviewed the plans for a  
Garden Cottage at 189 Gates Street.

We/I approve the plans.

Joanne W. Wolfe

I love it !!!

Condo  
Same side of  
street  
2 Doors down

City of Portsmouth  
Planning Board  
Reference to: Garden Cottage  
Owners: Patrick and Judy Nerbonne  
189 Gates Street  
Portsmouth, NH

We/I live at 213 Gates St. #2 and have reviewed the plans for a  
Garden Cottage at 189 Gates Street.

We/I approve the plans.

Ed & Nancy + Mike Conroy  
Beautiful Plans!

Upstairs unit  
in Condo on  
Gates 2 doors  
down  
Deck look on to  
our back yard.

The following Abutters have reviewed the BOA & CUP Garden Cottage Submissions at 189 Gates Street for the following, and have no objections.

- Variations: 1. Building Coverage of 35.5% where 30% is allowed.  
2. Right Side Setback of +/- 1.4' where 10' is required.  
3. Expansion of a non-conforming structure

Conditional Use Permit for conversion of Garage to Garden Cottage with an Addition

Allen J. Miller 180 Gates St.

James A. ... 175 GATES ST.

John ... 175 Gates St.

Dan ... 210 GATES

Deborah A. Adams 210 Gates.

E. Hegner + Mike Conaway 213 Gates #2

**From:** judy@gatesstreet.com,  
**To:** archwhit@aol.com,  
**Subject:** Fwd: Letter in case you can't open the attachment  
**Date:** Sun, Mar 13, 2022 8:42 pm

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Sent from my iPhone

Begin forwarded message:

**From:** Kathleen Logan <kathleenblogan@gmail.com>  
**Date:** March 13, 2022 at 5:50:34 PM EDT  
**To:** Judy Nerbonne <judy@gatesstreet.com>  
**Subject:** Letter in case you can't open the attachment

Kent Logan, MD  
21 Blossom Street  
Portsmouth, NH 03801

March 13, 2022

My name is Dr. Kent Logan. I am Mr. Pat Nerbonne's treating neurologist and a resident of the South End. I understand that Judy and Pat Nerbonne wish to make medically appropriate and adaptive home changes in the setting of Mr. Nerbonne's health condition.

Of note, the Nerbonne's have requested that I discuss openly and freely Mr. Nerbonne's health.

Mr. Nerbonne has mild cortical dementia of the Alzheimer's disease type. This is a progressive neurodegenerative disorder. Mr. Nerbonne fares well at present with only mild memory and cognitive concerns, yet with time there is heightened potential of progression of his memory and cognitive loss. He may have impaired activity of daily living function, such as the inability to bathe and dress himself. He may also experience neuropsychiatric symptoms of hallucinations, agitation, and fear.

It is well known in the medical community that a secure familiar home environment with family and friends nearby remarkably reduces the likelihood of these distressing symptoms. In such a safe environment, patients with dementia fare better with less stress, confusion, the above mentioned neuropsychiatric symptoms, as well as injurious falls. Most importantly, the patient is more apt to live in comfort and peace as he faces this life challenge.

It is my medical opinion that appropriate home living conditions in accordance with the Garden Cottage plan be granted to the Nerbonne's. The Garden Cottage plan will give the Nerbonnes the ability to have a family member or caregiver living in close proximity to provide the care necessary for Pat to stay in his home. I applaud the city for beginning to look at ways to help families as the population grows older and faces these problems.

Kent Logan, M.D

March 11, 2022

To BOA Commissioners,

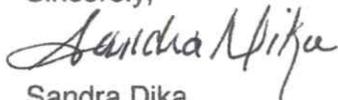
I have reviewed the request for relief which would allow for the conversion of an existing garage at 189 Gates St. into a Garden Cottage accessory dwelling.

I believe that the project is well thought-out, very attractive and compatible with the existing properties along Gates Street. It will enhance the appearance of the property, especially the view from Prescott Park, and as such it will support property values in the area.

In addition a historical feature of early neighborhoods and notable in the South End was the inclusion of out buildings on the same lots with dwelling houses. They were stables and barns, and tradesman shops, and even sometimes small houses for adult children. Some of these still exist as can be seen at 11 Meetinghouse Hill, 114 Mechanic St., 421 Pleasant St., 180 Gates St, 333 Marcy St, and many others. As seen by these examples often these secondary buildings were built right on a lot line with no apparent damage to the public interest. It seems only just to allow this similar plan to be approved.

Please, grant relief for this worthy project.

Sincerely,



Sandra Dika  
333 Marcy St, Portsmouth, NH



# ROESELAND HOLDINGS

55 Elm Street Effingham NH 03882 | (603)231-2322 | roeselandholdings@gmail.com

**To: City of Portsmouth NH Planning Board**

**From: James Copeland/John Roese  
Owners of 14 Mechanic Street Portsmouth NH**

**Re: Support of Proposed changes at 189 Gates Street/Garden Cottage**

To whom it may concern,

This letter is provided to the Planning Board of Portsmouth NH to convey our support of the proposed project at 189 Gates Street by Patrick and Judy Nerbonne. We have reviewed the plans for the proposed garden cottage and are happy to encourage the approval of the project. As a nearby property owner, we do not see any issues with this project and believe it will be both visually compatible with the area and not impose any hardship on us or other neighbors.

We approve the plans as proposed and are glad to provide further support if needed in the approval process.

Best Regards,

Jim Copeland/John Roese  
14 Mechanic Street  
Portsmouth NH 03801



**RE: 1 Congress St**  
**Meeting: PB March 17, 2022**  
(1 pg Letter with 5 pictures)

Dear Members of the Planning Board,

March 15, 2022

Please ask this development at Congress, High Street and Haven Court to come back when their ducks are really in a row. There seem to be many things to consider before moving forward.

For the Zoning Board of Adjustments application 12,000sf is shown as the footprint of the two buildings (8720+3280) A1.1 combined. For Planning Board they are showing 11914 sf (5957+5957).

On plan C3 (pg 133) of the packet, 32.61 % of open space is shown which amounts to 4548.57 sf. Where is that number coming from? They MAY meet the 10% (696.96sf) required for the CD4 on Lot 117.15 and the 5% (343.48sf) for Lot 117-14 with the small park (687sf or 1114sf) they are proposing in the 10' area between to JJ Newberry's and this proposed building. It is questionable if a 10' wide dead end alley would be considered open space much less with a dumpster at its entrance (trash chute exits there).

If Haven Court (city or otherwise owned) were to be changed into something other than a dead end street, this would likely go before the City Council for review and then public hearings would likely be held to address this. The idea of a cat walk from the Hanover Garage would likely fall under the same requirements.

There is also the issue of parking. There is currently a 2012 parking variance for 19 spaces received for the 600sf addition to the restaurant which was held by a lease. This variance allows for 6 parking spaces for 5 Congress St based on this lease. Where will they park?

All the structures on Haven Ct have NOT been higher than 1 to 2 story in the past including those with High Street addresses which run parallel to Haven Court. This lot is supposed to follow the zoning height of 2 to 3 story within 50 of High Street and/or Haven Ct. They have not received a variance for the extra 4th story they are showing on Haven Ct and High Street. This part of the building could easily be stepped down to 2 to 3 story.

It has been stated due to ADA regulations the extra story for the elevator is needed. ADA requirements are only for public areas, therefore a single story elevator is all that is required for this building; anything else is optional.

All of downtown has various heights to keep the flow between historic structures. JJ Newberry's is a historic structure which abuts this property as it curves down Fleet St, all of which is only 2 to 3 story. Even the parking garage bows down to 3 stories as one looks down High Street to the corners of Ladd and Haven Ct.

HDC comments had concerns about three fourths of this proposed structure, including "the large prism" and the loss of views of the opera house as well as many unconventional features. The proposed prism likely falls under lighting zoning since it will be reflecting light directly into all residential abutter's windows.

Please do not accept these two lots for Preliminary Design Plan or Design Review at this time. Many of the items presented are questionable if they are even allowed without going through other boards (IE: changes to Haven Ct, Prism, cat walk), much less the needed step downs on High St and Haven Court.

Sincerely,  
Elizabeth Bratter  
159 McDonough St  
,Property Owner

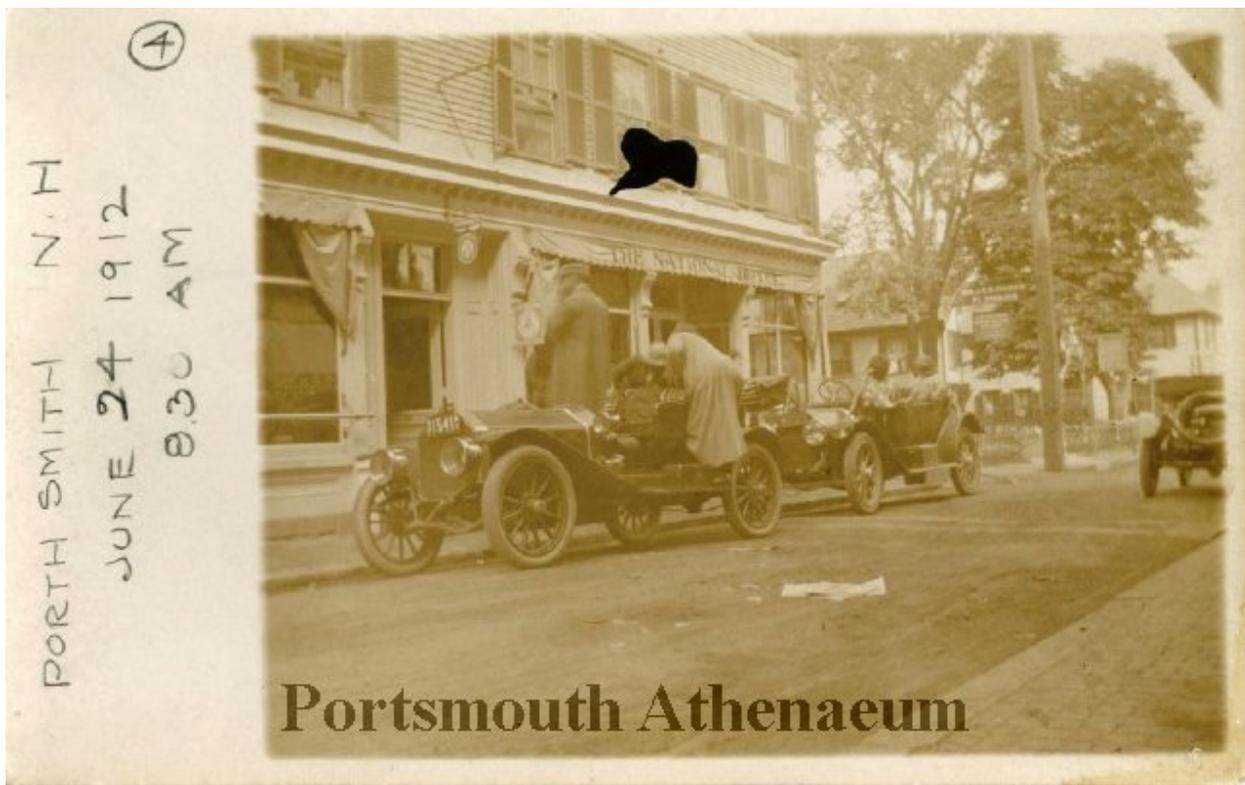


### 24 Haven Court Range 1910-1913

Group of men in front of the shop belonging to C.R. Pearson, machinist, and C.L. & C.H. Brewster, heating and plumbing, at 24 Haven Court, Portsmouth.



Corner of Haven Court and High Street (02/22). Jersey Barriers at the top block off the last 3rd of Haven Court which appears to be privately owned per Mapgeo. It could look nice with a 2 to 3 story building set back 10 from the curbing on Haven Court, with a sidewalk and landscaping.



National Hotel on High Street-2 Story





Lot 117-15 where the proposed building will be expanded to.  
Notice all the buildings facing Haven Ct are only 1 to 2 story and the trees make a nice buffer to the garage.