

From: steve@bergeronappraisal.com
To: [Planning Info](#)
Cc: steve@bergeronappraisal.com
Subject: Comments for 9-15-2022 Planning Board Regarding - Conditional Use Permit request for 225 Wibird Street
Date: Sunday, September 11, 2022 4:32:06 PM

Dear Planning Board:

I have lived at 199 Wibird Street for 25 years, and therefore, are very familiar with the unique characteristics of this neighborhood. I am requesting that the following comments be incorporated into the Minutes of the 9-15-2022 Planning Board regarding the Conditional Use Permit requested by Blus O'Leary Family Living Trust (Owner), for property located at 225 Wibird Street.

For the following reasons, I am requesting that you **deny** the applicants Conditional Use Permit application:

- The applicant recently requested a variance from the BOA for a detached ADU. It was overwhelmingly opposed by virtually every abutting property owner, and ultimately denied by the BOA.
- The plans submitted make no attempt to address our neighborhood's ongoing storm drainage issues. The basement of 225 Wibird Street itself has flooded in the past, and the rear of the lot has a steep topography. The homes downhill from 225 Wibird Street, including 205 Wibird, 199 Wibird, and 189 Wibird all have basement drainage systems due to issues with the existing high water table. The property at 189 Wibird Street has serious ponding issues, where 1+ feet of water accumulates during heavy drains over nearly ½ of the lot. We are currently in a drought, and the applicant which has only owned the property for one year has no way of knowing that this issue exists. Furthermore, extreme weather events are apt to make the drainage issues worse in the coming years. If approved, I would like the applicant be required to provide a comprehensive drainage plan with all stormwater runoff being addressed on-site or into the city's stormwater system.
- Although the applicant is reportedly constructing the ADU for occupancy by his 90+ year old mother, he has reportedly admitted that he has no

plans to own 225 Wibird Street on a long-term basis, and will likely sell it in the coming few years.

- The plans submitted do not demonstrate that adequate parking is being provided for 2 residences on this site. The driveway is long and narrow, and would be difficult for use by unrelated parties, as currently designed.
- 225 Wibird Street is not a legal double lot. The proposed 2 bedroom home which is designed is disproportionately large for this neighborhood. If constructed, it would be by far the largest residence within this block.
- One of the most attractive characteristics of the city block between Wibird, Union, Hawthorne, and Lincoln Ave is the communal green space that is shared at the rear of each lot. This affords good privacy. The proposed two-bedroom residential plan makes no attempt to preserve privacy or prevent light pollution from impacting the existing neighboring lots.
- I recently met with Nick Cracknell on Wibird Street to help illustrate my concerns with this proposed plan, and would welcome you to meet me along Wibird Street so that I can highlight the unique characteristics of this location and the existing drainage issues, and explain why this is a poorly conceived AADU plan. Please feel free to reach out via email or my cell phone # attached. Unfortunately, I am out of town this week, and am therefore unable to speak in person.

Thank you,

Stephen Bergeron
199 Wibird Street
(603) 502-6339

To: City of Portsmouth Planning Board
Date: Sept. 15, 2022
From: Leslie B. Brenner Revocable Trust
Leslie B. Brenner
34 Hawthorne Street
Portsmouth, NH 3801

I am Leslie Brenner, owner of 34 Hawthorne Street, where I have lived since 1982.

My house faces the property at 225 Wibird Street. Their side picket fence and grassy backyard surrounded by big old trees is my view directly across the street.

I was the young newcomer all those years ago and immediately embraced those who were mostly older neighbors at the time. Over the years, I've established longtime friendships with newcomers as well. It has been a wonderful community of friendship and camaraderie.

Properties turn over, and with new owners our little slice of Portsmouth has remained comfortably intact.

About a year ago, upon meeting the wife of the applicant as they had just purchased 225 Wibird Street, it was mentioned they had plans to build a small structure for his elderly mother. Then, this past June, Mr. O'Leary informed each of the neighbors he had plans for what he called a "small" ADU, a space for his mother. Upon receipt, I saw that the size and scale of that completely detached structure was considerably larger in footprint than described, and much taller. It was a 2-bedroom house. The zoning board agreed.

Since then, the plans have been altered to make the same structure an attached dwelling. When looking at ADU definitions, some concepts I've found describe:

“a second dwelling right on the same grounds (or attached to) your regular single-family house, such as:

An apartment over the garage

A tiny house (on a foundation) in the backyard

A basement apartment “

.... this current proposal, while now looking to be attached, is not exactly a tiny dwelling, or an apartment over the existing garage, but instead a full 2-bedroom home. It seems to be out of line with traditional ADUs. The unnecessary connector section adds to the excessiveness of this proposal.

If you allow this structure, as is, you are saying that building a full 2-bedroom house on a too-small parcel is just fine in our neighborhoods.

Knowing that Mr. O’Leary’s mother is quite elderly, it seems the future use of this 2-bedroom house is to become a rental property, and that concerns me. Might it end up as a short-term rental in our quiet neighborhood? That would be highly disruptive and completely out of character.

Will the next owners of 225 Wibird Street likely see it as an income-producing rental unit? **There’s no way this new 2-bedroom house would be considered affordable, which is what I thought the city desired.**

I read in abutter Stephen Bergeron’s strong opposition letter, submitted to the planning board, that he included the negative impact of light pollution with this proposed density. I agree, and would also add in noise pollution, on our quiet street.

Also, access to Hawthorne Street will cause additional stress on parking on our little street filled with bump-outs.

I do lament the loss of green space, happening all over. The green spaces are part of our neighborhood's charm. The resulting property will end up with barely any yard to speak of at all. How is that desirable for them?

I want to stress I am not opposed to *any* additional add-on structure, just this one, which is much too large in scope. In fact, when my next door neighbors tore down a small house and built a standard-size home within all the permissible setbacks, I had no problem with that at all. They are an awesome family and we've become good friends.

I realize that even if this 225 Wibird Street proposal falls within existing requirements the whole ADU experiment within the city may need to be reworked or at least more clearly defined.

With this 2-bedroom house being larger in scope than what a small, one-bedroom attached ADU ought to consist of, I strongly urge you to deny this applicant's request as stated in the abutter's notice.

Your denial will reflect that you are indeed careful stewards of our environment and our neighborhoods.

Thank you for your consideration.

Izak Gilbo

From: silversons <silversons@comcast.net>
Sent: Wednesday, September 14, 2022 7:55 PM
To: Planning Info
Subject: Comments for 9-15-2022 Planning Board Regarding - Conditional Use Permit request for 225 Wibird Street

Please incorporate the following into the record for the planning board meeting related to 225 Wibird Street.

We request that the planning board deny this request. We are planning to present these comments at the meeting.

Thanks

Mark Anderson
Robin Silva
25 Hawthorne Street

My name is Mark Anderson. My wife, Robin, and I live on 25 Hawthorne Street which directly abuts the property at 225 Wibird Street. We have lived at our home for 27 years.

This project, as a *detached* ADU, was previously denied by the Board of Adjustments due to its scale and non-compliance. In response to the concerns raised by my wife and I, our neighbors and the Board of Adjustment, this project has now been redesigned as an *attached* ADU.

Firstly we appreciate Mark O'Leary's efforts to modify the project to comply with the city ordinances and reduce the direct impact to our property.

However, we still have concerns about the scale of the proposed buildings. This is not simply an apartment over a garage. It's a house. It will overwhelm the lot and the neighborhood. We recognize that the proposed structures comply with zoning ordinances, but we do not believe that the scale of this project aligns with the intent of an ADU. Additionally, we are saddened by such a dramatic loss of open space.

Most concerning is that this project increases the density of the neighborhood by introducing a potential rental property. We are very concerned that as the city continues to debate short-term rentals, that this too might become an Airbnb destination. Despite city regulations, Airbnb locations exist in Portsmouth today. Mr. O'Leary has stated that it is not his intention to rent this property, however, what about the next owner? A rental property next door will negatively affect the value of our home.

The decision to approve this ADU will have long-term impact for our Hawthorne community. This will be forever. Introducing ADUs of this scale will erode our long-established neighborhoods. Overtime we fear that our neighborhoods will transition from communities to market-driven, revenue generators. ADUs will not solve our workforce housing problems nor reduce rents in the Portsmouth market.

Please note that we have shared our concerns with the property owner.

Thank you for your consideration,

Mark Anderson
Robin Silva