Dear Portsmouth Planning Board, 9/16/2026

I am writing to you in reference to the 238 Austin Street Subdivision, the approvals being sought at your meeting on Thursday, September 17th.

I am an abutter to the approved sub development at 550 Sagamore Ave. After having experienced the sitework of the developers in our immediate neighborhood over the last 7 months, there is an alarming parallel I see with the proposed Austin project and what has happened on Sagamore Avenue.

It is this: the impact of the removal of bedrock ledge to accommodate full basements in the proposed structures has not been adequately addressed.

There is note of existing ledge in the foundation plans within the submitted documents for the proposed Austin project. Included with this letter are images of what appear to be significant ledge beneath the existing Coffin Court barn, as seen with the publicly accessible Lidar viewer on the USGS site. Due to the proximity of existing structures, you can see it appears to run beneath and around all surrounding abutters.

The extensive blasting and rock hammering at 550 Sagamore Avenue made I, and all abutters, unable to be in our own homes for months. The blasting operations threw shards of flyrock into my property. An airborne blasting mat collapsed a portion of fieldstone border wall and destabilized a tree which had to be removed. Another destabilized tree fell, and landed, on an abutters garage. I now own a number of dead and dying trees which need costly removal due to root damage and wind shear.

As a portion of my home was refused pre blast inspection due to a narrow crawl space, I may not know the extent of structural damage, if any, until a later date.

During the months of machine rockhammering, the decibels of sound I recorded at my work desk hovered between 90-100 dB. With the windows closed. Noise of this level, sustained as it was, can cause significant hearing damage and hearing loss in under 15 minutes. I and my neighbors were repeatedly exposed to noise levels that OSHA regulates and requires protection from, within our own homes. The rock hammering also sent chunks of bedrock airborne with such velocity that they came up and over my home, raining on my roof, lawn, and driveway.

I write about this experience because other abutters to different projects are likely to encounter the same events.

You are being asked to approve another project that requires bedrock removal, in even closer proximity to existing antique homes. The decibel levels will will be more damaging for them, and the blast and hammering concussions stronger due to the closer proximity.

Please consider, before the approval of the 238 Austin/Coffin project, that the developers and the city put in place a proper plan to mitigate the monetary, physical, and emotional damage the surrounding residents will suffer in the building of these structures. There are effective ways that other communities have tackled this problem. The ability of the board – and the city of Portsmouth – to better regulate bedrock removal to protect your citizens is within your power. Without safeguards and better regulations in place, this city may be exposing itself to potential lawsuits in permitting this abuse to continue. The reputation of the City of Portsmouth in that it caters to the revenue gains from developments over the rights of its existing taxpaying citizens will continue to perpetuate. You can change that.

The impact of site work and bedrock removal are being minimized by many developers on proposed projects. Your citizens don't understand severity from the papers they see and words spoken. They understand it when it's happening to the ground around them, fully approved.

You understand it. And we trust you to make decisions on our behalf for the betterment of the city and its citizens.

Please consider my letter before approving the Austin/Coffin street project without proper planning in place for mitigation of damages to the surrounding abutters.

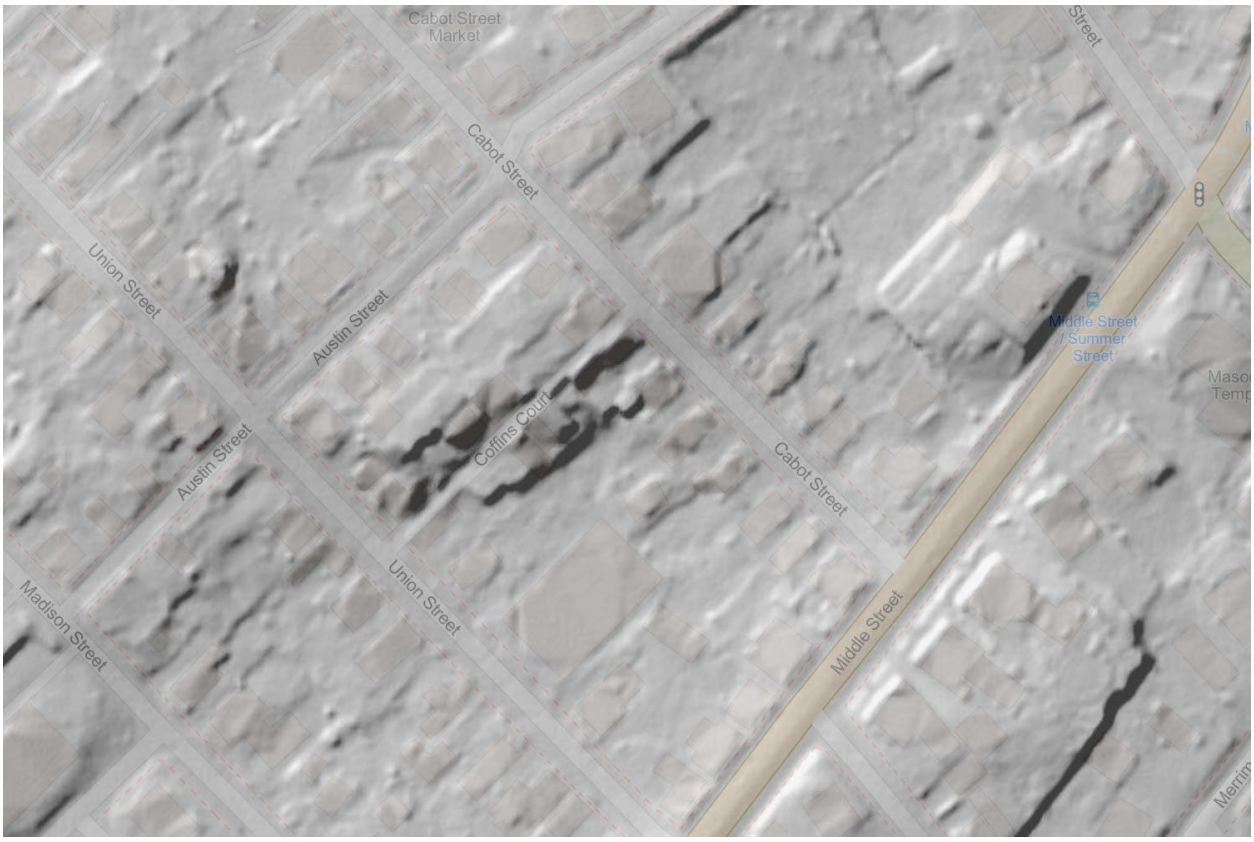
Thank you for your time,

Stephanie Young

576 Sagamore Avenue.

Images provided can also be accessed through the GSDS site

https://apps.nationalmap.gov/viewer/


Cabot Street
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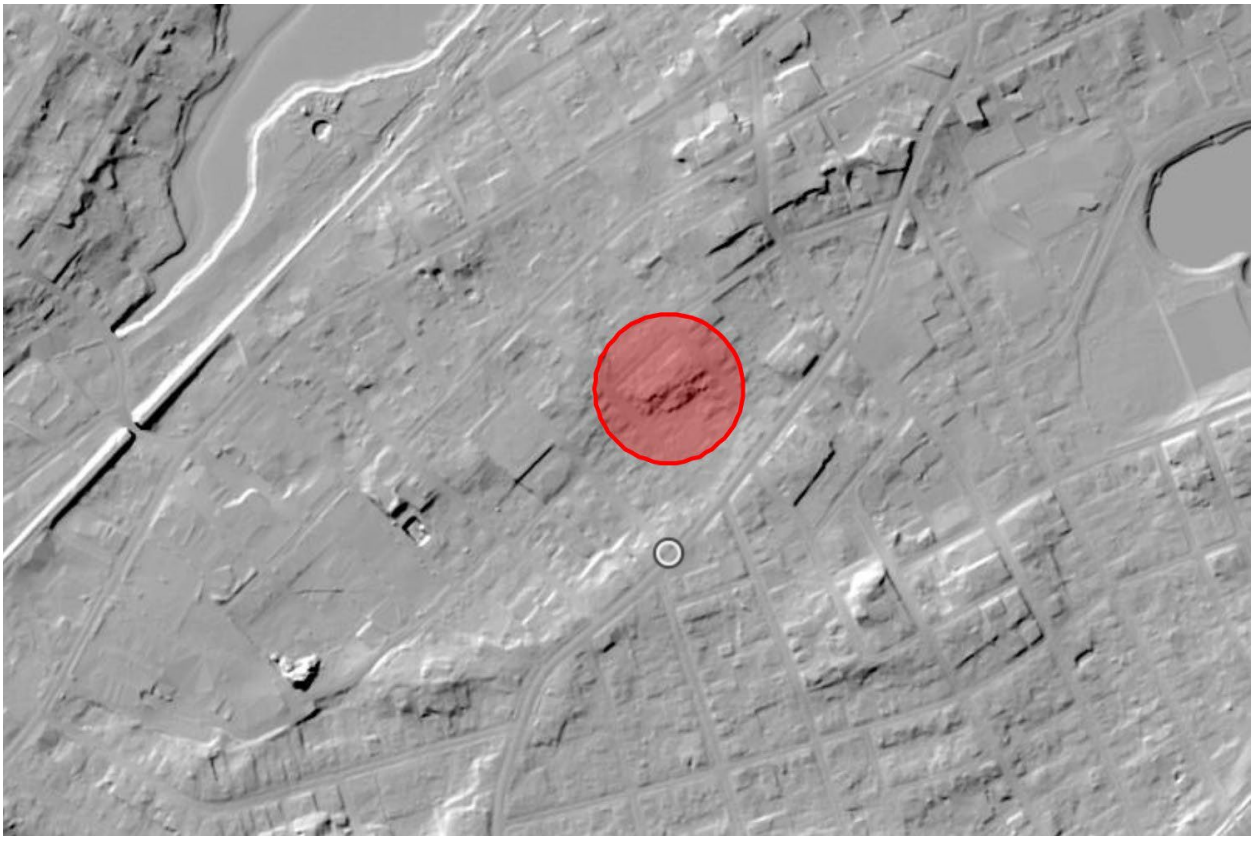

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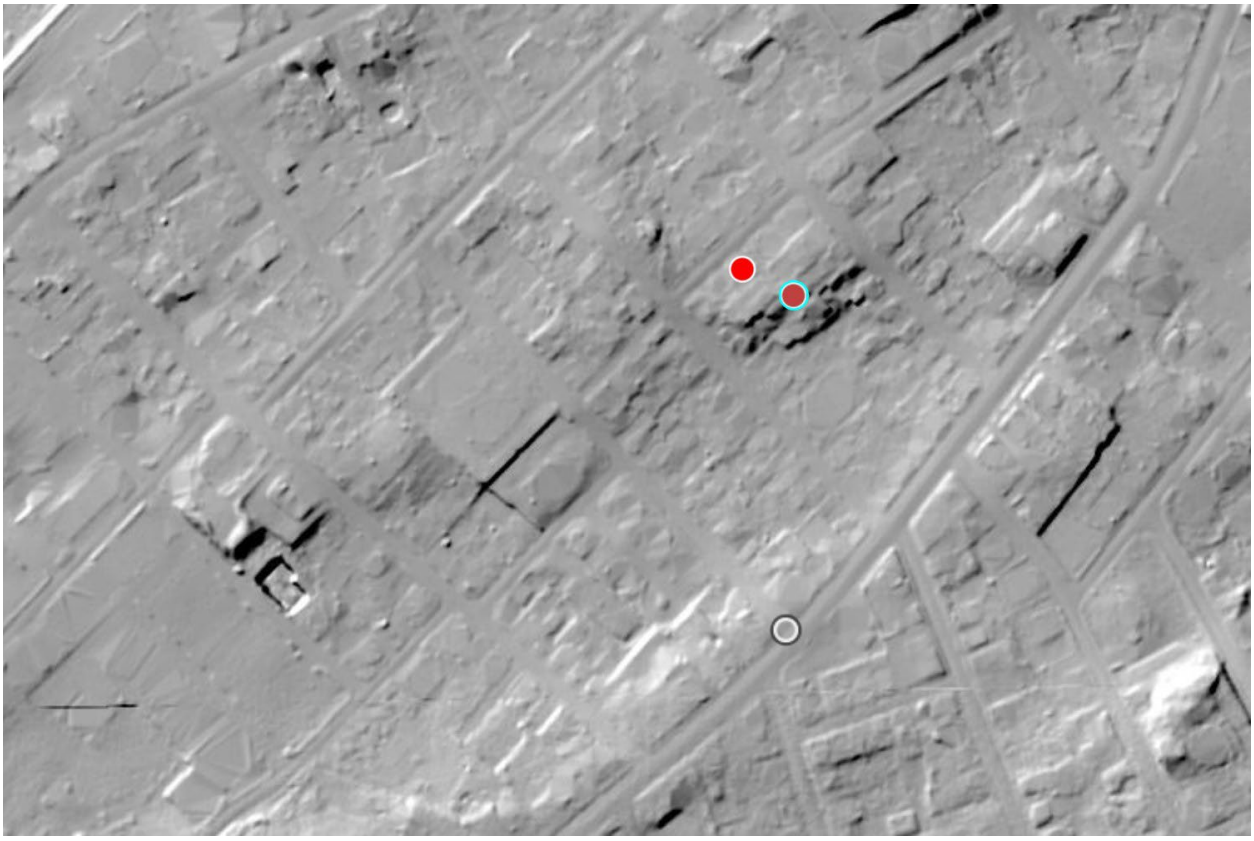

John and Debora Mayer
68 Cabot St.
Portsmouth, NH 03801

RECEIVED
SEP 15 2026
By 4:16pm

September 15, 2026

Portsmouth Planning Board
1 Junkins Avenue
Portsmouth, NH 03801

Subject: Opposition to Subdivision Application of Alea LLC – owners of the property located at 238 Austin Street.

Dear Members of the Planning Board,

We are residents since 1998, property owners at 68 Cabot Street, and direct abutters to the subject property, and are writing to formally express our strong opposition to the subdivision application submitted by Alex Ross on behalf of Alea LLC for the property at 238 Austin St.

The proposed subdivision does not align with the character, safety, and zoning intentions of our neighborhood. We urge the Board to deny this application based on the following concerns:

- **Incompatible Density and Scale:** Dividing the existing lot into multiple parcels will introduce both new uses and a density level that is out of character with the neighborhood and surrounding homes. It overutilizes the parcel beyond its natural and spatial limits, and will dramatically diminish the character of this long-settled, older residential neighborhood.

  The subdivision and this development are in direct conflict with values and standards clearly articulated in the current and pending Master Plan. Simply put – this development will dramatically diminish the "authentic" character of the neighborhood. For these reasons alone, the project should not be approved.

- **Substantial Safety Considerations:** At only 12' wide and built around 1850, Coffins Court was not designed for modern vehicle traffic. Therefore, it would be negligent of the Planning Board and contrary its purpose if it were to approve any project that would put more traffic on the already substandard and dangerous road.

  In addition, Portsmouth Fire apparatus cannot safely or easily use Coffins Court, let alone access the new proposed home. The Planning Board should not approve development that will exacerbate existing and dangerous traffic conditions on Coffins Court or put future residents of a new home in danger because firefighting equipment could never reach that home if it were on fire. (see *International Fire Code* for minimum requirements – i.e. 20' horizontal width of roadway, 26' for aerial apparatus, etc.)

The purpose of a planning board is to prevent the creation of hazardous life / safety conditions in new developments. Therefore, this is an additional reason the Planning Board must deny this application.

- **An Incomplete Application / Extreme Risk of Damage to Nearby Homes:** The application is incomplete and has not addressed concerns and conditions required by the TAC at its August 4 meeting. This list of conditions is a clear and powerful statement – because this site is in a densely settled neighborhood that is filled with antique homes, thorough and precise project management is essential, and so is careful, extensive and ongoing monitoring to ensure nearby homes are not damaged. The applicant has failed to define how the project will be managed and how homes will be monitored. This makes this application incomplete.

  A standard Portsmouth residential street is 50' wide – Coffins Court is at best 12' wide and well below the minimum standards for a residential street. The physical reality of this narrow road means all activities associated with the proposed development will be at minimum 20' closer to property owners along the alley. This is unprecedented, and creates an extreme and unreasonable hazard for neighborhood residents and their homes.

  These conditions should serve as a warning to the Planning Board – there is an extremely high risk that this project will inflict substantial damage to neighboring homes. This demands definition and a guarantee of experienced oversight, without these assurances the application should be denied. (please see the attached supporting 9/15/26 letter from our attorney Duncan J. MacCallum)

- **Inconsistency with Regulations:** In summary, the application fails to meet the spirit and intent of Portsmouth's subdivision standards. Approving this project as proposed, would impose an unfair negative impact on nearby residents without providing any public benefit.

For these reasons, the proposed subdivision is detrimental to the neighborhood and conflicts with orderly local growth. We respectfully request that the Planning Board vote to deny this subdivision application.

Thank you for your time, volunteer service, and consideration of these neighborhood concerns.

Sincerely,

John Mayer

Enc. 12/15/2026 letter - Atty. Duncan J. MacCallum to Portsmouth Planning Board

DUNCAN J. MACCALLUM
ATTORNEY AT LAW

536 STATE STREET
PORTSMOUTH, NEW HAMPSHIRE 03801-4327
(603) 431-1230
TELECOPIER: (603) 431-1308

ALSO ADMITTED IN NY, PA, OHIO & MA

September 15, 2026

Portsmouth Planning Board
City of Portsmouth
One Junkins Avenue
Portsmouth, New Hampshire 03801

Re: 238 Austin Street

Ladies and Gentlemen:

This office represents John and Debora Mayer, of 68 Cabot Street, in Portsmouth, in connection with the application which is pending for approval of the project proposed for the above-referenced property at 238 Austin Street. My clients are direct abutters to that property. The application is on the Board's agenda for this Thursday, September 17, 2026, for a determination of completeness.

My clients have serious misgivings concerning the applicant's plans for the prosecution of the project from the standpoint of safety and from the standpoint of general disruption of the neighborhood, and the project should not be approved until their fears are allayed.

More specifically, my clients are concerned about the lack of detail in the applicant's plans for dealing with the vibration which will be caused by the demolition of the antique barn and the erection of the new structures, and they are also concerned about the mechanics of bringing about the demolition without undue disturbance to the neighborhood.

By way of background, the old barn is actually the newest building in that entire block. My clients' dwelling is 213 years old, and the other homes in the neighborhood are of similar vintage. Accordingly, my clients are understandably concerned that in its fragile state, their building, and those of the other homeowners, will be damaged by the vibration and the rest of the construction activities.

The project has been before the Technical Advisory Committee (TAC), and TAC specifically recommended, among other things, the submission by the applicant of a construction mitigation and management plan, having in mind the extremely narrow streets in the area and the low-

lying tree branches, telephone lines and/or other overhangs, all of which limits the access of vehicles and equipment to the barn. TAC also recommended a study and plan for dealing with vibration.

In response, the applicant has simply noted these requirements in passing in the proposal which is before you, and its plans for dealing with these problems are lacking in any detail.

Other questions abound. Who is going to monitor the levels of vibration, and what is going to happen if it exceeds a safe level? Does the developer assume responsibility for paying for the repair of any damage to any of the neighboring properties? Is the applicant going to post a bond to ensure payment of same in the event that the developer defaults on its obligations and/or becomes insolvent?

The applicant's cursory allusions to TAC's recommendations in its proposal are not enough to give comfort to my clients or to any other owner of an antique home who is concerned for the structural integrity of his or her dwelling. In our view, the developer's application is not ready for approval. Before any such approval is given, the applicant should be required to submit specific, detailed plans delineating how it is going to deal with the problems of vibration and of gaining access to the barn for demolition without disturbance to the surrounding homeowners and their properties. We do not see that the application is there yet.

For all of these reasons, we ask that approval be withheld until all of these conditions are met and all of these concerns are addressed.

Very truly yours

Duncan J. MacCallum

DJM/eap
cc. R. Timothy Phoenix, Esquire
Monica F. Kieser, Esquire
John Mayer

HAND DELIVERED

From:	Jay KRUPP
To:	Planning - Info - Shr
Cc:	eeby@portsmouthnh.gov; Kimberli Kienia
Subject:	Objection to LU-26-104 - September 17, 2026 Planning Board Hearing
Date:	Wednesday, September 16, 2026 11:34:08 AM
Attachments:	cc101421min.pdf Resolution for Hearing with Attachment A.pdf Peverly+Hill+Road+WCUP.pdf

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You don't often get email from jaykrupp@comcast.net. Learn why this is important

Dear Chair Chellman and Members of the Planning Board,
Please distribute this email and its attachments to the Board and include them in the public record for LU-26-104, which is on the agenda for the September 17, 2026 meeting.
I own property at 375 Greenleaf Avenue, Map 243, Lot 7. I oppose approval of this application and adoption of the proposed Findings of Fact. The record does not support findings that Criteria 1, 2, 3, 5, and 6 of Zoning Ordinance §10.1017.50 have been satisfied.
The application materially misrepresents the negotiation history concerning my property and uses that incorrect account to justify relocating the stormwater treatment facility. I also challenge whether the environmental and stormwater analysis supports the proposed finding of no adverse impact on my property and its wetlands.
Before any approval, I request a site-specific environmental and stormwater impact analysis of the proposed work's effects on 375 Greenleaf Avenue and its wetlands, subject to independent technical review.
Moving the facility does not remove the drainage burden from my land or settle the property rights, environmental protections, and any acquisition and compensation requirements that apply. I object to the City using this application as a workaround to accomplish indirectly what it failed to do directly and correctly.
I ask the Board to deny the application on the present record and address these objections in its written findings. I will provide further testimony at the public hearing.
I have attached the following documents already available in the public record. Page references are to PDF pages.

1. October 14, 2021 City Council hearing minutes, cc101421min.pdf, pp. 2 and 6–7.
2. Resolution for Hearing with Attachment A.pdf, pp. 2 and 5, read with the amendments recorded in the hearing minutes.
3. McFarland Johnson's June 29, 2026 application, Peverly+Hill+Road+WCUP.pdf, pp. 3–4.
4. NHDES DataCheck Results Letter for NHDES Ecological Review, September 17, 2025, DCT25-2533. The complete six-page letter appears in Peverly+Hill+Road+NHDES.pdf, pp. 6–11. The ecological threats are identified on original PDF p. 9, letter p. 4 of 6. (Please note that due to the attachment size limitation imposed by the email systems, this document can be found online at: https://files.portsmouthnh.gov/agendas/2026/Conservation+Commission/August/Peverly+Hill+Road+NHDES.pdf)

I also refer the Board to these materials already in its packet, which are not attached again.

- PeverlyHillRd_pb_09172026_WCUP-Side-Path.pdf, pp. 1–2 for the proposed Findings of Fact and p. 10 for the drainage and property-boundary plans.
- 9-17-2026_PB_Memo.pdf, pp. 13–16 for the staff analysis and recommendation.

Please confirm receipt and inclusion of this email and all attachments in the record.
Respectfully,
Justin "Jay" Krupp
375 Greenleaf Avenue
Portsmouth, NH 03801

MINUTES
PEVERLY HILL ROAD SIDEWALK IMPROVEMENT/COMPLETE STREET PROJECT
PUBLIC NECESSITY HEARING

EILEEN DONDER FOLEY COUNCIL CHAMBERS PORTSMOUTH, NH
DATE: THURSDAY, OCTOBER 14, 2021 TIME: 5:00 PM

I. CALL TO ORDER – Mayor Rick Becksted

Mayor Becksted called the meeting to order at 5:00 p.m.

Council Present: Mayor Becksted, Councilors McEachern, Whelan, Lazenby, Huda, Tabor, and Trace.

II. OPENING OF HEARING – Brief overview by City staff of process and purpose

Acting Deputy City Manager/Deputy City Attorney Suzanne Woodland reviewed the agenda for the evening explaining that the Council will begin with a Site Visit of the project area and then continue in the Council Chambers at 7:00 p.m.

III. RECESS UNTIL 7:00 P.M AT CITY HALL COUNCIL CHAMBERS

Mayor Becksted called a recess at 5:08 p.m.

IV. SITE VISIT OF PEVERLY HILL ROAD IMPROVEMENT PROJECT AREA

A site visit was conducted with the seven City Councilors previously stated, City Manager Conard, Deputy City Attorney Woodland, Public Works Director Rice, Deputy City Clerk French, Brian Colburn (and colleague) of McFarland Johnson.

Mr. Colburn pointed out the various project elements in conjunction with the presentation handout. The route began at the Middle Road intersection along Peverly Hill Road to Lafayette Road and from Lafayette Road down Greenleaf Avenue ending at New Hope Baptist Church.

Some concerns raised by the Council included taking of trees on conservation property; relocation of telephone poles; removal of stone walls; wetlands.

V. SITE VISIT STOP AT NEW HOPE BAPTIST CHURCH AT 263 PEVERLY HILL ROAD - Respond to any Councilor questions and make any on-foot site visits

A group of residents were gathered at the New Hope Baptist Church and several different conversations were held with various Councilors and residents.

Some concerns raised were notification of some residents and not others which Acting Deputy City Manager Woodland explained was due to whether or not the property was being impacted. She further explained that some properties were previously going to be impacted, but no longer will be. Discussion ensued regarding the fact that all of the properties will be impacted due to traffic, construction, etc. There was also discussion regarding speeding, trucks and pedestrian safety. The residents requested that traffic control be put in place

immediately.

Councilor Tabor moved to recess until 7:00 p.m. to reconvene at City Hall. Seconded by Councilor Huda and voted.

VI. REOPEN PUBLIC HEARING IN CITY COUNCIL CHAMBERS AT 7:00 PM.

Mayor Becksted reconvened the meeting at 7:00 p.m.

Acting Deputy City Manager Woodland explained that the site visit was held along the route and discussion held with some neighbors at the New Hope Baptist Church. She explained that due to the federal funding that is involved, this process is required. She then reviewed the proposed resolution which the Council will decide if this project is a necessity and accept the burden or not. She continued that there has been some design evolution so some people who had previously been notified that would be impacted are now not being impacted and therefore did not receive certified notification. She stated those changes will not be in the city right-of-way.

Finally, she stated that if the resolution is approved there will be an appraisal process and more talks will occur with the property owners with more specific details. She concluded stating that we will be trying to make this as least painful as possible.

VII. PRESENTATION OF THE PROJECT BY CITY STAFF AND CONSULTANTS

Project Consultant Brian Colburn of McFarland Johnson gave the Peverly Hill Road Sidewalk Improvement/Complete Street Project presentation reviewing and identifying the project impacts both temporary and permanent.

Public Works Director Rice concluded the presentation reviewing the next steps of the process stating that if the Council approves the Resolution determining public necessity for the project, plans will be submitted and environmental review done by NHDOT. He continued that R.O.W. acquisition process will begin, final design completed with anticipated construction to begin in 2023.

Councilor Huda asked what the square footage of the temporary easements versus the permanent easements as well as the placement of light poles.

Public Works Director Rice stated that one property is impacted by the relocation of a light pole at 515 Peverly Road which may have to go behind the right-of-way. He stated we will try to minimize the impact. He stated he will get the square footage numbers she requested.

Councilor Kennedy stated that we haven’t discussed the logistics with the residents because we can’t but recalled that back in March Deputy City Attorney Woodland had said that if anyone wanted to object they could and asked if that is still the case after this vote is taken.

Deputy City Attorney Woodland stated that after the approval by the Council it then allows us to go forward with the project with the involvement of the US Government. She stated that if agreements cannot be reached with property owners, then we would have to resort to eminent domain which is a backstop to keep the project going.

Councilor Kennedy asked if they go to the Board of Tax and Land Appeals if they are still not happy, can they then go to court.

Ms. Woodland stated yes but if they have a dispute they can still work with the City Manager and the Council can decide if they want to pay the money they are asking for which is usually discussed through the non-public session process. She clarified that we cannot talk money with anyone until this vote is taken.

Councilor Lazenby asked if this vote does not pass what will happen to this project and the funding involved.

Mr. Colburn stated that if this fails the city will have to decide if they want to redesign the project trying to keep it within the right-of-way, but that would be a challenge. Otherwise it would be the end of the project. He then gave the square footage figures that Councilor Huda requested; 13,035 square feet of temporary easement and 27,960 square feet of permanent easement.

Public Works Director Rice clarified that there isn't a no-impact alternative.

Councilor Trace asked about trees being taken as well as any impact to the stone wall.

Mr. Colburn stated that there will be no impact to the stone wall. Regarding trees he doesn't know the exact number involved but generally they talk with the property owners to mitigate the impact. He stated that there is a more formal process involved with the Conservation Easements.

Councilor Trace stated a tree has value so would it be monetary or replacement.
Mr. Colburn stated it is up to the property owner.

Councilor Whelan asked about the Conservation Easements.

Ms. Woodland that the Hett Farm has a conservation easement and involves LCHIP funds. She stated we spoke to the State 2-3 years ago about the proposed project and they liked the pedestrian/bike path portion and are not interested in challenging it but we still have to go through the formal taking process.

VIII. PUBLIC HEARING FOR TAKING OF TESTIMONY (*participation may be in person or via Zoom)*

Mayor Becksted opened the public hearing:

Jake Krupp – stated the drainage easement will be built on his property which he bought 25 years ago and eminent domain will take ½ of the property. He stated that forced taking of property has to meet criteria of public use is necessary to the public benefit and he isn't sure that this is necessary. He stated that net public benefit is a different analysis; open land versus more traffic. He stated that it is him this time and he has an enforceable contract with the city on how this land can be used so if the city is able to not adhere to the contract then it can happen to others as well. He continued that he will have to pay for his own lawyers and advisors but the taxpayers will be paying for the city to take him through this process. He stated the city prohibits certain uses of his property so if this is changed then the value needs to reflect that use. He discussed the various amenities and issues of his property and the

reduction of the value of his home as a result and wants to be compensated for what is being taken from him.

Allison Tanner – stated she lives across the street from Mr. Krupp's property and has seen it flood many times and if it becomes a gravel wetland is will go into Sagamore Creek. She continued regarding the taking of trees stating that replacing large trees with smaller ones is not the same. She discussed the truck traffic on Peverly Hill Road and Greenleaf Avenue stated it is abominable with the noise and air pollution and there are more and more residents being added to the area. She concluded by presenting a petition with resident signatures requesting that Truck Travel be prohibited on Peverly Hill Road.

Shannon Harrison – stated she agrees that Truck Traffic should be prohibited and also feels that the speed limit needs to be enforced as she has seen and had several close calls. She stated she understands that the new design is supposed to help alleviate the issue but is concerned that trees that were in the first design are no longer a part of it.

Mike Mosca – stated he is moving in 2023 and is concerned that his property be restored to good condition for when he is ready to sell it.

Ann Poubeau – thanked the residents of Peverly Hill Road for speaking out about their issues but she is in favor of the proposed multi-use paths which will connect one end of town to the other. She stated she understands the issue of eminent domain but does feel that this is a safety improvement benefiting all.

Carol Ruesswick - stated she has lived in her home since 1990 and is concerned with the impact traffic has had on her property and air quality and doesn't know that this project will improve these issues. She discussed various problems caused with delivery trucks and tractor trailer trucks going by and shaking her house. She stated she has taken traffic counts at various times and has counted 950 in a single hour in the morning. She asked when the last time the city has done a traffic count during prime hours and also how will the air quality be improved with this project since there is federal money being used.

Laura Frazer – stated she supports this project as a bicyclist and pedestrian who walks her dogs on this road and is often scared to do so. She feels this project will slow the speed, beautify the road and allow safer walking and bicycling.

Marie Kelleher – stated she understands putting in sidewalks but not the multi-use path and feels that this should not go forward until the speed limit is lowered and truck traffic averted from the area. She stated that if the road is narrowed due to the paths, trucks will have no room to swerve if they have an issue and will hit anyone in the multi-use path.

Donald Jones – stated he feels that everyone in the area wants reduced speeds and truck traffic rerouted but feels this needs to be handled separate from this project. He stated he supports the multi-use path and feels that it is important with the new houses being built in the area with more kids.

Matthew Glenn – thanked those who voted to move this forward and the residents for their continued advocacy for safe pedestrian and bicycling paths. He stated it is important for the city to do this and to connect 2 sections of the city including the Elwyn Park neighborhood who use the ball fields and would be able to ride bikes there. He thanked the engineers for

their work to make less impact on residents and concluded by stating the SABR supports this moving forward.

Gabe Weinrob – stated he is a Portsmouth High student and is an avid biker and feels that this helps people who don't have their licenses yet and helps sustainability.

Mark Westgate – stated he is concerned that the gravel wetlands will affect his view. He stated he previously dealt with former Transportation Engineer Eby regarding the clearance from his house to the wetlands and is also concerned if they will be built 9' above flood stage. He concluded that otherwise he supports the project.

Dave Allan – stated he is in favor of the project and feels it does meet the public necessity purpose. He stated as a member of SABR and having a family of bicyclists, this will allow safe riding from the Elwyn Park neighborhood.

Seeing no one else wishing to speak, Mayor Becksted closed the public hearing.

IX. CONSIDERATION OF RESOLUTION

Councilor Lazenby moved to adopt the resolution as written, seconded by Assistant Mayor Splaine.

Councilor Lazenby discussed the history of the public process with adjustments made through the back and forth process to get to this point. He stated that perfect projects don't exist and feels this is a good solution to a difficult problem and will bring relief to this part of the city.

Councilor McEachern stated as a City Councilor he has become more aware of issues and more mindful and feels that this project calms the traffic by narrowing the road and feels this should move forward. He discussed this is a multi-layered approach and questions about the placement of or removal of trees etc. will happen after this phase. He stated this will connect one part of town to another which is one of the city's goals.

Councilor Kennedy stated there were questions raised tonight that she wants answered in regards to traffic studies and air quality as well as the issue of wetlands. She stated she is also not in favor of eminent domain.

Mr. Colburn reviewed the findings of several traffic and air quality studies done previously. He addressed air quality stating the analysis finds that adding sidewalks and bike lanes to the area will reduce the amount of cars on Peverly Hill Road and lower the carbon.

Councilor Kennedy asked about the gravel wetland on Greenleaf Avenue and if it will have to be designed 9' above the flood stage.

Mr. Colburn explained that it will be in the flow area and will be dealt with in the design. He stated it does not have to be 9' above flood stage as that would be hard to achieve.

Councilor Kennedy asked how often this will be cleaned.

Mr. Colburn stated it is required to be cleaned annually.

Public Works Director Rice clarified that the City has practices and procedures in place regarding cleaning of drainage structures.

Acting Deputy City Manager Woodland stated that the issue of the gravel wetland had been a tough issue from the beginning and she had previously asked if it could be located elsewhere for many reasons.

Mr. Colburn explained that the low point of Peverly Hill Road is at Greenleaf Avenue so this needed to be located in a lower area due to gravity and is why they looked at Greanleaf Avenue for parcels without buildings.

Councilor Tabor stated it is difficult when a Council has to decide to allow eminent domain and understands the residents' concerns. He stated we have to determine if it is for the public benefit and he feels that yes it is. He stated the current roadway encourages speeding as there are no sidewalks or curbing and gave Woodbury Avenue as an example of how adding these does reduce speed. He stated this will be an amenity to the neighborhood and the city as a whole and feels the project has gotten better through dialogue and is as low impact as possible.

Councilor Trace stated she does not favor eminent domain but sees the benefit to the community of a multi-use bike path. Next, she asked how difficult it is to limit the truck travel to only local deliveries such as has been done on Bartlett Street. She feels this would drop the number of trucks and help the air quality as well. Finally, she stated she does not like the taking of trees and understands there will be replacements but she wants the city to take care of them and challenges the City Manager and City Attorney to ensure this happens.

Councilor Huda stated she supports the bike path but doesn't like the impact of this project on one person and is concerned that this will proceed whether he gets fair market value or not. She asked if this can be separated from the other properties that have minimal impact.

Mayor Becksted stated that he agrees that from the land use perspective there can be stipulations added that the Council can be involved or not and he would like to ensure that the Council is involved sooner than later in the process. He stated that land in proximity to water is valuable and that needs to be taken into consideration as well.

Discussion ensued regarding the appraisal process and further permitting process that will be required.

Councilor Kennedy moved to include the following stipulations in the resolution, seconded by Councilor Huda.

This Resolution includes the following stipulations with respect to property at 375 Greenleaf Avenue:

1. The City Council shall be kept involved and have input over the negotiation process. Note: Deputy City Attorney Woodland advised the Council that this stipulation would be satisfied by bringing the appraisal to the Council before any offer is made to the land owner.

2. The acquisition by the City will not deprive the land owner of any regulatory position held at the time of taking, such as loss of frontage or any rights associated with water or wetland regulations.

3. The drainage structures are to be kept clean in accordance with the City's normal practices and procedures.

Motion to amend to include 3 stipulations passed on a 9-0 vote.

Main motion as amended passed on a 9-0 roll call vote.

X. ADJOURNMENT

Councilor McEachern moved to adjourn at 9:12 p.m. Seconded by Councilor Lazenby and voted.

Respectfully submitted:
Valerie A. French,
Deputy City Clerk

McFARLAND JOHNSON
53 Regional Drive, Box 3 • Concord, NH 03301
Phone: (603) 225-2978
www.mjinc.com

June 29, 2026

Samantha Collins
Conservation Commission Chair
City of Portsmouth
1 Junkins Avenue
Portsmouth, NH 03801

Re: Peverly Hill Road Improvements, City of Portsmouth Project

Dear Ms. Collins,

On behalf of the City of Portsmouth Department of Public Works, the applicant for the subject project, we are requesting a City of Portsmouth Wetland Conditional Use Permit for the proposed improvements to Peverly Hill Road. The City has obtained Federal Highway Administration Congestion Management and Air Quality funding for this project through the NH Department of Transportation (NHDOT). The project is being administered through the NHDOT Local Public Agency (LPA) Program. Details about the proposed project are provided in this permit application package and additional information can be found on the City's website:

https://www.portsmouthnh.gov/city/projects/peverly-hill-road-complete-street

The project consists of reconstructing an approximately 1-mile section of Peverly Hill Road between West Road and Middle Road (NH Route 33) in Portsmouth, New Hampshire**.** Peverly Hill Road is a primary route for vehicles, bicyclists, pedestrians traveling to and from NH Route 33 and Interstate 95 to the west and Lafayette Road (US Route 1), Mirona Road, and Banfield Road to the east. Peverly Hill Road also serves as a connector route to numerous recreation sites in this section of the City of Portsmouth.

The purpose of the project is to enhance safety for all modes of travel (vehicles, bicyclists, and pedestrians) in conformance with the City of Portsmouth's Complete Street Policy adopted in 2013. The need for the project is demonstrated by a lack of bicycle and pedestrian accommodations within the project area, through which motor vehicles travel at high rates of speed. There are also several locations with sight distance restrictions and drainage problems along the roadway that contribute to safety issues.

The existing roadway is a two-lane road connecting NH Route 33 and Interstate 95 to US Route 1. According to the latest traffic data obtained by the City of Portsmouth in the Summer of 2025, the average annual daily traffic (AADT) volume on Peverly Hill Road through the project area is 7,800 vehicles per day. The road does not currently have adequate drainage infrastructure, which results in areas of ponding on the travel lanes and erosion. The width of the existing paved roadway varies between 26 feet and 30 feet with a variable width gravel shoulder in many places. Auxiliary turn lanes are present at the intersection of Banfield Road and Mirona Road and at the

intersection of Middle Road (NH Route 33). The majority of the roadway is uncurbed with small sections of sloped granite curb approaching Middle Road and another section from the intersection of Banfield and Mirona Roads east to the driveway of the Portsmouth Department of Public Works (DPW) located at 680 Peverly Hill Road. The existing condition of the roadway pavement is in poor condition with signs of cracking rutting, and delamination.

There is approximately 1,200 feet of existing concrete sidewalk on the north side of the roadway that starts at the YMCA building (550 Peverly Hill Road) and continues east through the signalized intersection of Banfield and Mirona Roads to a point approximately 100 feet east of the DPW driveway. In addition, there is a short section of sidewalk at the intersection of Peverly Hill Road and Middle Road. Two crosswalks are located within the project limits at the signalized intersections at Banfield and Mirona Roads and Middle Road.

Proposed Action

The proposed action would involve installing granite curb along both sides of Peverly Hill Road to provide a narrowed roadway cross section with a defined pavement edge. The roadway would be narrowed to two 11-foot travel lanes with 2-foot shoulders. A 10-foot shared use path with a 4-foot wide landscaped strip is proposed on the south side of Peverly Hill Road, and a 5.5-foot wide concrete sidewalk is proposed on the north side. The vertical granite curb is required to separate the shared use path and the sidewalk from the roadway since they will be located within the clear zone. The sidewalk on the north side of Peverly Hill Road would allow pedestrians to avoid crossing the roadway directly from their homes or business to access a safe pedestrian accommodation. The proposed shared use path and sidewalk would be constructed to meet the ADA standards. Any existing sidewalks or ramps that are to remain that do not meet ADA Standards would be upgraded.

Proposed curb will be vertical granite curb. Curb cuts will be provided at each of the existing driveways and sideroads and these curb cuts will provide passage opportunities for reptiles and amphibians. In most locations, curb cuts are spaced approximately 200 feet apart. Additional curb cuts would not be desirable for bicycles using the multiuse path.

The existing auxiliary lanes would be maintained. In addition, the work would include reconstruction of the existing pavement surface. Due to the proposed vertical granite curbing, new closed drainage systems are proposed along the length of the roadway. Closed drainage systems are generally routed to proposed stormwater treatment measures to provide water quality treatment.

Proposed work will be primarily located within existing public road right-of-way. However, strip right-of-way acquisitions and temporary construction easements will be necessary from privately-owned and publicly owned lands adjacent to the corridor.

The following stakeholder meetings have been held to obtain input on the project throughout its development:

Date	Meeting	Purpose of Meeting
2/3/16	Public Listening Session	Gain an understanding of the public's views, desires and goals for the corridor
7/27/16	Alternatives Workshop	Present alternatives and seek public comment on each

3/27/19	Public Information Meeting	Present the Preferred Alternative and address questions
2/17/21	Public Information Meeting	Present the Preferred Alternative to the public and seek final comments
4/19/21	City Council Presentation	Present a summary of the project and the Preferred Alternative for consideration
6/28/21	Public Information Meeting	Present a summary of the project and site walk, provide an alternatives comparison, and an overview of the next steps.
7/12/21	City Council Presentation	Present summary of public meeting, changes to project based on feedback, additional alternatives evaluated, and discuss Right-of-Way
10/14/21	City Council Public Hearing/Necessity Hearing	Provide detailed overview of project details
11/17/21	NHDOT Natural Resource Agency Coordination Meeting	Provide an update on the project status and meetings held, and an update on resource impacts
5/8/24	NHDES Alteration of Terrain Pre-Application Meeting	Obtain input on compliance with stormwater treatment requirements
8/21/24	NHDOT Natural Resource Agency Coordination Meeting	Provide an update on the project status and meetings held, and an update on resource impacts

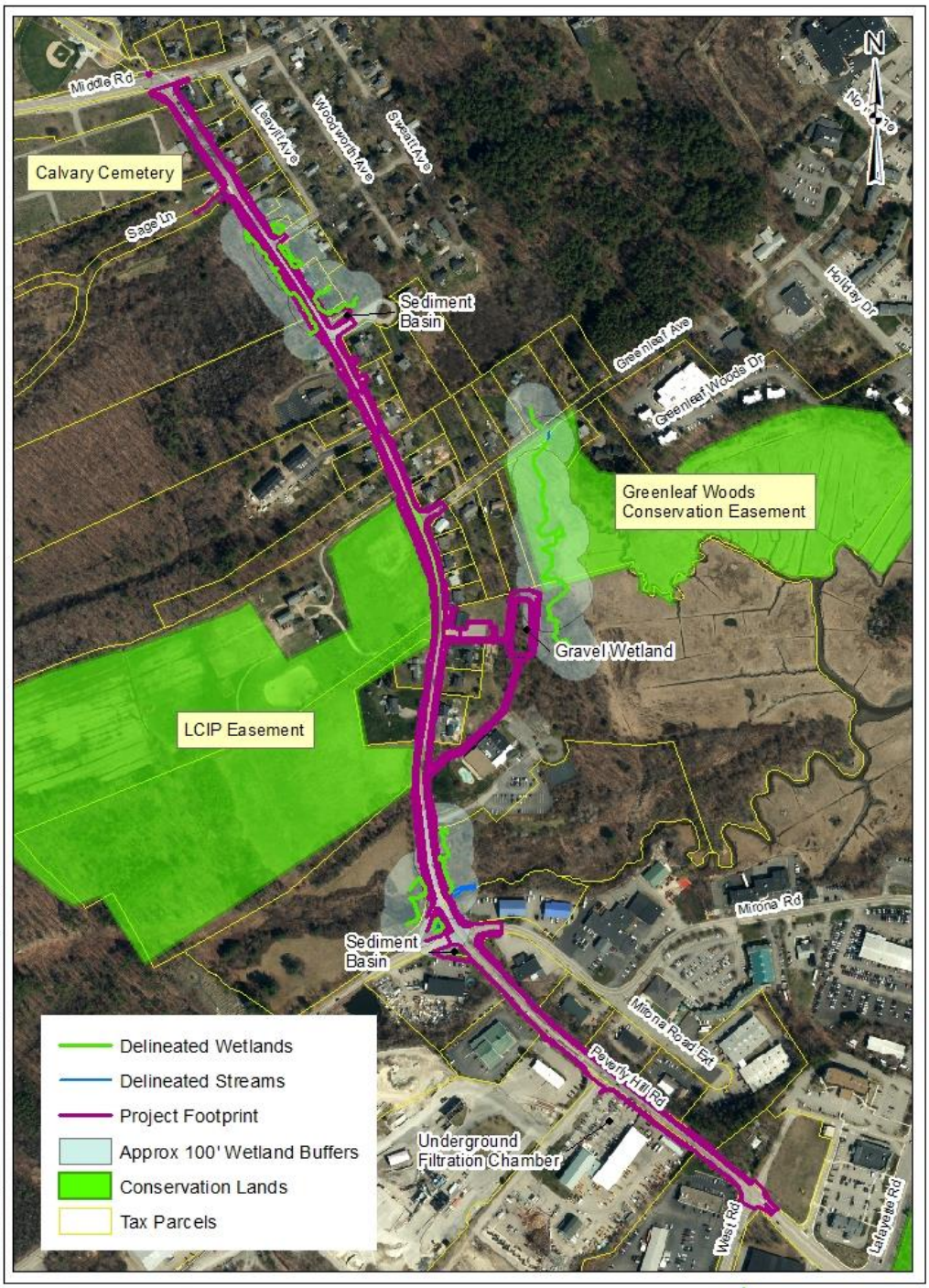
Stormwater Treatment

Existing stormwater runoff flows generally untreated via overland flow to seven discharge points. The project must obtain a NHDES Alteration of Terrain Permit, which requires treatment of stormwater runoff from all post-construction impervious area within the project limits. Proposed stormwater management will be provided by two sediment basins, a gravel wetland, and an underground infiltration chamber system, designed in accordance with the NH Stormwater Manual. Deep sump catch basins will also be used for pretreatment in off-line catch basins. The City completes annual catch basin cleaning, pipe inspections and cleaning, and street sweeping through its routine operations in compliance with the EPA MS4 Permit. The Alteration of Terrain Permit will also include conditions for regular inspection and maintenance of the stormwater treatment areas. The stormwater treatment measures must be inspected once a year as per the maintenance requirements in the Storm Water Manual. The inspections will include observing the sediment accumulation in the stormwater treatment measures and catch basins, and examining the site for erosion problems that may have occurred.

Porous pavement is not proposed as part of this project. The use of porous pavement substantially increases project construction costs due to the deep subgrade material needed to collect and store stormwater and maintenance to keep the system from clogging. Further, curbing would still be required along the sidewalk and shared use path, which means that closed drainage would still be required to collect stormwater off the roadway and this stormwater runoff would require treatment.

The gravel wetland and two sediment basins are located in a wetland buffer, two of which are vegetated. Alternative locations outside of wetland buffers do not exist in the project area due to landowner, site, and design constraints. The project area has many small, residential lots that are not suitable for treatment practices, as well as two large parcels protected by conservation easements. Suitable locations are further constrained by topography and drainage patterns, which limit treatment to locations where water can physically be directed. A gravel wetland was originally proposed off Greenleaf Avenue, which resulted in greater wetland buffer impacts. The

City could not reach an agreement with the property owner at that location and alternative locations were reviewed. The YMCA has agreed to allow the gravel wetland to be placed on their property (244-10); however, the abutting property owner (244-9) would not allow the gravel wetland to be any closer to or on their property (further out of the wetland buffer within maintained lawn) than it is currently proposed as any further encroachments would begin to impact the business operations.



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Vegetation

The existing tree line is shown on the enclosed plans and square feet of clearing within the existing tree line has been quantified within wetlands and wetland buffers. Clearing adjacent to the roadway is necessary to establish the wider roadway footprint. Newly established roadway slopes will be seeded with the standard NHDOT slope seed mix. Clearing is also required for the proposed sediment basin adjacent to Moffat Street and for the proposed gravel wetland on the YMCA parcel. Newly established slopes adjacent to these treatment areas will be seeded. Trees will be planted along the south side of the gravel wetland. The entire gravel wetland and adjacent slopes will be seeded with Wet Basin/Wet Meadow Seed Mix that consists of the following:

Scientific Name	Kind of Seed	Minimum Purity (%)	Minimum Germination (%)	Application Rate lbs/acre
Agrostis perennans	Upland Bentgrass	95	85	2
Glyceria grandis	American Mannagrass	95	85	2
Scirpus cyperinus	Woolgrass	95	85	3
Carex vulpinoidea	Fox Sedge	95	85	2
Carex crinita	Fringe Sedge	95	70	3
Juncus effusus	Soft Rush	95	85	2
Glyceria striata	Fowl Mannagrass	95	85	2
			Total	16 lbs/acre

Invasive plants occur throughout the project area, including glossy buckthorn, common reed, and multiflora rose. The selected contractor will be required to submit an Invasive Species Control Plan to outline measures that will be taken to prevent the spread of invasive plants during construction.

Prime Wetlands

The project will not result in a net loss of the prime wetlands functions and values. Impacts to the prime wetland buffer adjacent to Banfield Road will be limited to the footprint of the existing roadway. Impacts to the prime wetland buffer adjacent to Sagamore Creek will be limited to the construction of a proposed gravel wetland. This stormwater treatment area will provide treatment for roadway runoff, which will ensure that water quality within Sagamore Creek is not impacted by roadway infrastructure. One of the primary functions and values of the prime wetland buffer is to help protect water quality of the adjacent prime wetlands. The proposed gravel wetland will serve the same purpose as the prime wetland buffer. Additionally, the buffer will remain vegetated following construction. As noted above, the gravel wetland will be seeded with a Wet Basin/Wet Meadow Seed Mix. For these reasons, compensatory mitigation for prime wetland buffer impacts is not proposed.

We look forward to continuing our coordination with the Conservation Commission on this project.

Sincerely,

Christine Perron, CWS
Regional Environmental Manager

ecc:
Peter Rice, Department of Public Works
Kate Homet, Portsmouth Conservation Commission

McFarland Johnson
Innovative Solutions / Sustainable Results

53 Regional Drive • Concord, NH 03301
Phone: 603-225-2978 • Fax: 603-225-0095
www.mjinc.com

April 28, 2017

MJ Project No. 18082.01

Ms. Judie Belanger, Finance Director
Financing/Purchasing Department
City Hall
1 Junkins Avenue
Portsmouth, NH 03801

RE: Peverly Hill Road Reconstruction

Dear Ms. Belanger:

McFarland-Johnson, Inc. (hereinafter called "Engineer") proposes to render professional engineering services to City of Portsmouth (hereinafter called "Client"), in connection with the following project.

A. **PROJECT DESCRIPTION:**

1. The objective of the Peverly Hill Road Reconstruction Project in the City of Portsmouth is to improve the road condition, stormwater management and bicycle and pedestrian facilities along Peverly Hill Road between US Route 1 and NH Route 33.

2. The Client is expected to furnish Engineer with full information as to Client's requirements, including any special or extraordinary considerations for the Project or special services needed, and also to make available all pertinent existing data.

3. The Engineer's services will consist of a Preliminary Design, Final Design, and Environmental Permitting, all as further described in the following Basic Scope of Services as supplemented in Exhibit A, Scope of Work and Task Descriptions, which is attached to this letter.

B. **BASIC SCOPE OF SERVICES:**

1. The project consists of obtaining survey, environmental permitting, Preliminary and Final Design as outlined in Exhibit A Scope of Work and Task Descriptions.

2. The Engineer will also furnish such Additional Services as Client may request for an additional fee.

C. **UNDERSTANDING OF THE BASIC SCOPE OF SERVICES:**

1. The Client will coordinate with the Engineer, to provide a facility and schedule the public hearing.
2. This work will include design services, permitting, and public involvement. The scope outlines an additional task for Construction Administration, but those services are not included in this agreement. If the City desires to have MJ provide these services an agreement to provide those services can be provided.
3. Cost estimates will use NHDOT current weighted unit prices and information provided by the City for the most recent project Bid.
4. The Client will provide abutter notification for survey work required as part of this project.

D. **COMPENSATION FOR BASIC SERVICES:**

1. The Client shall reimburse Engineer for Basic Services in the following manner:

A fixed fee for profit of $27,329.76 plus an amount equal to Direct Labor Costs times a factor of 2.75 for overhead plus Subconsultants and direct project expenses, the total sum of which is estimated at $447,540.52.

Authorized Additional Services will be charged on the basis of Direct Labor Costs times a factor of 3.025, plus direct project expenses.

Direct Project expenses incurred in connection with all Basic and Additional Services will be charged, in addition to the stated fee, on the basis of actual cost.

Engineer will bill Client monthly, for services and direct project expenses. The above financial arrangements are on the basis of payment of invoices within 30 days so that the orderly and continuous progress of the Project through construction can be maintained.

Engineer would expect to start services promptly after receipt of Client's acceptance of this proposal and to complete services within 14 months from notice to proceed.

If there are protracted delays for reasons beyond Engineer's control, Engineer would expect to negotiate with Client an equitable adjustment of compensation taking into consideration the impact of such delay including, but not limited to, changes in pay scales applicable to the period when services are in fact being rendered.

The Engineer acknowledges that Client has authorized only $52,000 of the proposed scope of services. Additional work under this contract is contingent on additional funding and approval of the Client and the NH Department of Transportation. The Client will work in good faith to attempt to gain the additional funding required for this work. In the event the additional funding cannot be secured, by July 7, 2017, either party may terminate this agreement with written notice to the other party. Engineer shall not commence any work beyond the initial authorized

amount unless the Client communicates such additional authorization in writing. If this Agreement is terminated for lack of funding, the City will pay only for work authorized and completed prior to notice of termination.

Engineer shall notify the Client as soon as possible if the work is expected to exceed the total estimated sum of $447,540.52 so that the Client may evaluate adjustments to the scope of work to keep the work within the estimated budget. Engineer shall not exceed the sum of $447,540.52 without written authorization.

The Services to be rendered by the Engineer on this Project, together with specific understandings applicable for the project, are set forth in the above Basic Scope of Services, and Exhibit A, Scope of Work and Task Descriptions, which is attached to and made a part of this proposal and supersede all prior written or verbal understandings.

This proposal, the Basic Scope of Services consisting of 3 pages, Exhibit A, Scope of Work and Task Descriptions, Exhibit B Manhour and Cost Summary, along with the attached Schedules A and B (Standard Terms and Conditions), and attached City of Portsmouth Minimum Insurance Coverage Requirements, represents the entire understanding between Client and Engineer with respect to this Project, and may only be modified in writing signed by both parties.

If this offer of services is acceptable, please execute both copies of this letter in the space provided, and return one to McFarland-Johnson, Inc.

This offer will be open for acceptance until May 10, 2017, unless changed by Engineer in writing.

We appreciate the opportunity to submit this proposal/agreement and hope it meets with your approval. If there are any questions, please do not hesitate to contact Jeff Santacruce or me.

Very truly yours,

McFARLAND-JOHNSON, INC.

By: _____ FOR
James M. Festa, P.E.
Senior Vice President and Chief Operating Officer

City of Portsmouth, NH

_____
Officer

this 4th day of May, 2017

City of Portsmouth, New Hampshire

Wetland Conditional Use Permit Application Checklist

This wetland conditional use permit application checklist is a tool designed to assist the applicant in the planning process and for preparing the application for Conservation Commission and Planning Board review. The checklist is required to be uploaded as part of your wetland conditional use permit application to ensure a full and complete application is submitted to the Planning and Sustainability Department and to the online portal. A pre-application conference with a member of the Planning and Sustainability Department is encouraged as additional project information may be required depending on the size and scope of the project. The applicant is cautioned that this checklist is only a guide and is not intended to be a complete list of all wetland conditional use permit requirements. Please refer to Article 10 of the City of Portsmouth Zoning Ordinance for full details.

Applicant Responsibilities: Applicable fees are due upon application submittal to the Planning Board (no fees are required for Conservation Commission submission). The application will be reviewed by Planning and Sustainability Department staff to determine completeness. Incomplete applications which do not provide required information for the evaluation of the proposed site development shall not be provided review by the Conservation Commission or Planning Board.

Name of Applicant: Peter Rice, Dept of Public Works Date Submitted: 7/29/26

Application # (in City's online permitting): _____

Site Address: Peverly Hill Road Map: ROW Lot: ROW

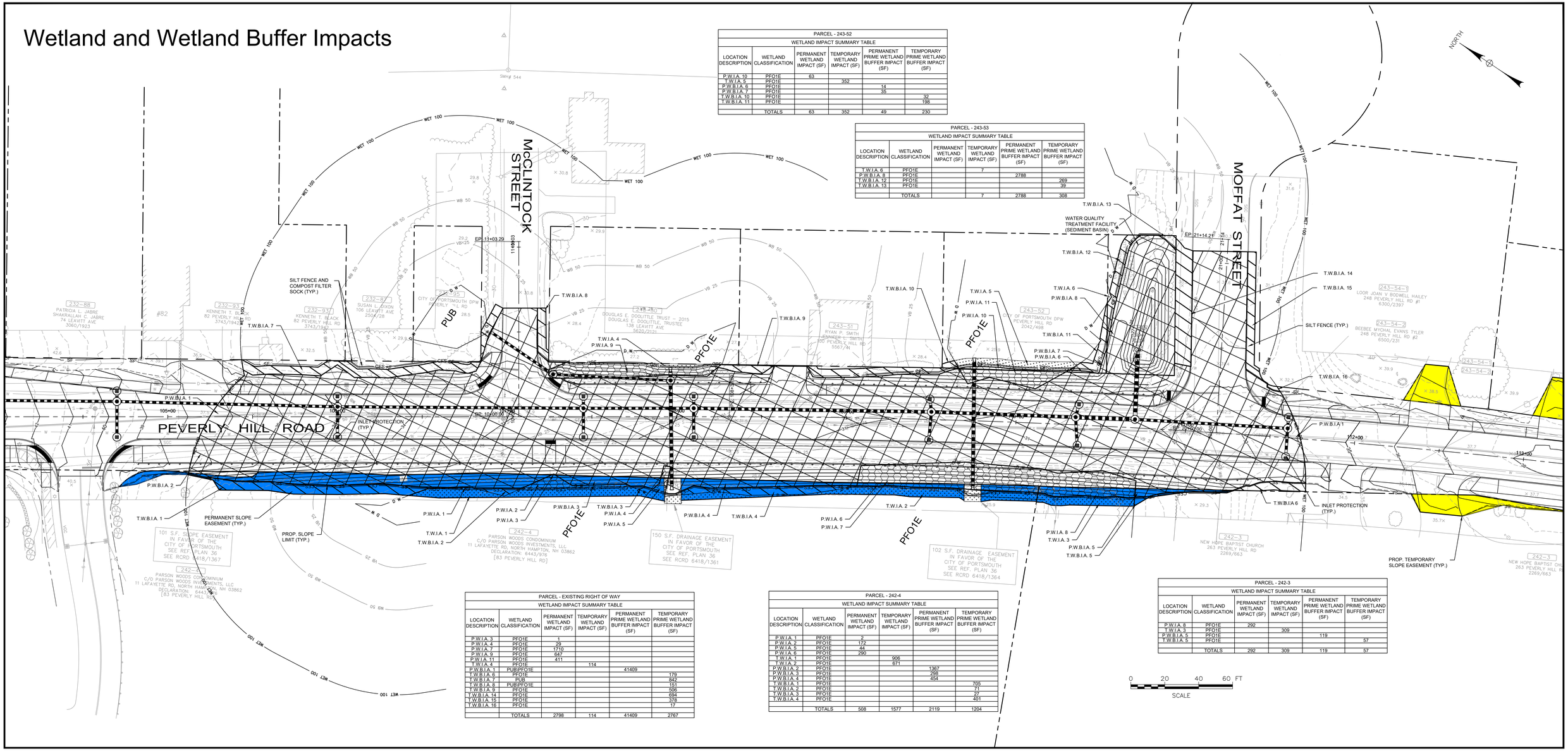
☑	Required Items for Submittal	Item Location (e.g. Page or Plan Sheet/Note #)
✔	Complete application form submitted via the City's web-based permitting program	
✔	All application documents, plans, supporting documentation, this checklist and other materials uploaded to the application form in OpenGov in digital **Portable Document Format (PDF)**. One hard copy of all plans and materials shall be submitted to the Planning and Sustainability Department by the published deadline.	

☑	Required Items for Submittal	Item Location (e.g. Page/line or Plan Sheet/Note #)
✔	Basic property and wetland resource information. **(10.1017.21)**	
✔	Additional information required for projects proposing greater than 250 square feet of permanent or temporary impacts. **(10.1017.22)**	
✔	Demonstrate impacts as they relate to the criteria for approval set forth in Section 10.1017.50 (or Section 10.1017.60 in the case of utility installation in a right-of-way). **(10.1017.23)**	
✔	Balance impervious surface impacts with removal and/or wetland buffer enhancement plan. **(10.1017.24)**	

☑	Required Items for Submittal	Item Location (e.g. Page/line or Plan Sheet/Note #)
☐	Wetland buffer enhancement plan. **(10.1017.25)**	
☐	Living shoreline strategy provided for tidal wetland and/or tidal buffer impacts. **(10.1017.26)**	
✔	Stormwater management must be in accordance with Best Management Practices including but not limited to: *1. New Hampshire Stormwater Manual, NHDES, current version.* *2. Best Management Practices to Control Non-point Source Pollution: A Guide for Citizens and City Officials, NHDES, January 2004.* **(10.1018.10)**	
☐	Vegetated Buffer Strip slope of greater than or equal to 10%. **(10.1018.22)**	
✔	Removal or cutting of vegetation, use of fertilizers, pesticides and herbicides. **(10.1018.23/10.1018.24/10.1018.25)**	
☐	All new pavement within a wetland buffer shall be porous pavement. **(10.1018.31)**	
☐	An application that proposes porous pavement in a wetland buffer shall include a pavement maintenance plan. **(10.1018.32)**	
✔	Permanent wetland boundary markers shall be shown on the plan submitted with an application for a conditional use permit and shall be installed during project construction. **(10.1018.40)**	
☑	**Requested Items for Submittal**	**Item Location (e.g. Page or Plan Sheet/Note #)**
✔	A narrative/letter addressed to the Conservation Commission Chair (if recommended to Planning Board then an additional narrative addressed to the Planning Board Chair at that time) describing the project and any proposed wetland and/or wetland buffer impacts. Please visit the WCUP instruction page for further application instructions.	
✔	If New Hampshire Department of Environmental Services (NHDES) Standard Dredge and Fill Permit is required for this work, please provide this permit application at the same time as your submission for a Wetland Conditional Use Permit.	

Applicant's Signature: Christine Perron **Date:** 7/29/26

Wetland and Wetland Buffer Impacts



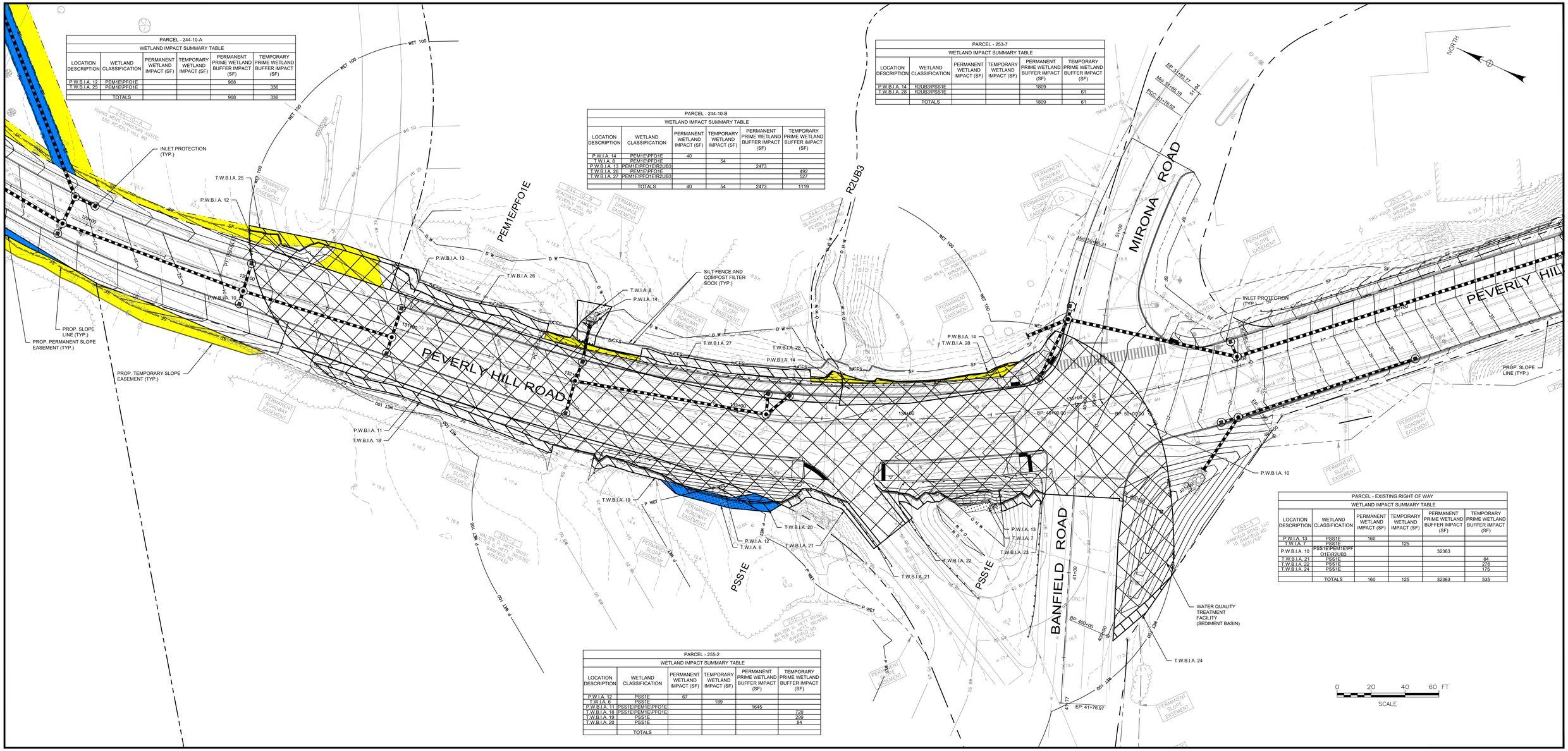
PARCEL - 243-52					
WETLAND IMPACT SUMMARY TABLE					
LOCATION DESCRIPTION	WETLAND CLASSIFICATION	PERMANENT WETLAND IMPACT (SF)	TEMPORARY WETLAND IMPACT (SF)	PERMANENT PRIME WETLAND BUFFER IMPACT (SF)	TEMPORARY PRIME WETLAND BUFFER IMPACT (SF)
P.W.I.A. 10	PFO1E	63			
T.W.I.A. 5	PFO1E		352		
P.W.B.I.A. 6	PFO1E			14	
P.W.B.I.A. 7	PFO1E			35	
T.W.B.I.A. 10	PFO1E				32
T.W.B.I.A. 11	PFO1E				198
	TOTALS	63	352	49	230

PARCEL - 243-53					
WETLAND IMPACT SUMMARY TABLE					
LOCATION DESCRIPTION	WETLAND CLASSIFICATION	PERMANENT WETLAND IMPACT (SF)	TEMPORARY WETLAND IMPACT (SF)	PERMANENT PRIME WETLAND BUFFER IMPACT (SF)	TEMPORARY PRIME WETLAND BUFFER IMPACT (SF)
T.W.I.A. 6	PFO1E		7		
P.W.B.I.A. 8	PFO1E			2788	
T.W.B.I.A. 12	PFO1E				269
T.W.B.I.A. 13	PFO1E				39
	TOTALS		7	2788	308

PARCEL - EXISTING RIGHT OF WAY					
WETLAND IMPACT SUMMARY TABLE					
LOCATION DESCRIPTION	WETLAND CLASSIFICATION	PERMANENT WETLAND IMPACT (SF)	TEMPORARY WETLAND IMPACT (SF)	PERMANENT PRIME WETLAND BUFFER IMPACT (SF)	TEMPORARY PRIME WETLAND BUFFER IMPACT (SF)
P.W.I.A. 3	PFO1E	1			
P.W.I.A. 4	PFO1E	29			
P.W.I.A. 7	PFO1E	1710			
P.W.I.A. 9	PFO1E	647			
P.W.I.A. 11	PFO1E	411			
T.W.I.A. 4	PFO1E		114		
P.W.B.I.A. 1	PUB/PFO1E			41409	
T.W.B.I.A. 7	PFO1E				179
T.W.B.I.A. 7	PUB				842
T.W.B.I.A. 8	PUB/PFO1E				151
T.W.B.I.A. 9	PFO1E				506
T.W.B.I.A. 14	PFO1E				694
T.W.B.I.A. 15	PFO1E				378
T.W.B.I.A. 16	PFO1E				17
	TOTALS	2798	114	41409	2767

PARCEL - 242-4					
WETLAND IMPACT SUMMARY TABLE					
LOCATION DESCRIPTION	WETLAND CLASSIFICATION	PERMANENT WETLAND IMPACT (SF)	TEMPORARY WETLAND IMPACT (SF)	PERMANENT PRIME WETLAND BUFFER IMPACT (SF)	TEMPORARY PRIME WETLAND BUFFER IMPACT (SF)
P.W.I.A. 1	PFO1E	2			
P.W.I.A. 2	PFO1E	172			
P.W.I.A. 5	PFO1E	44			
P.W.I.A. 6	PFO1E	290			
T.W.I.A. 1	PFO1E		906		
T.W.I.A. 2	PFO1E		671		
P.W.B.I.A. 2	PFO1E			1367	
P.W.B.I.A. 3	PFO1E			298	
P.W.B.I.A. 4	PFO1E			454	
T.W.B.I.A. 1	PFO1E				705
T.W.B.I.A. 2	PFO1E				71
T.W.B.I.A. 3	PFO1E				27
T.W.B.I.A. 4	PFO1E				401
	TOTALS	508	1577	2119	1204

PARCEL - 242-3					
WETLAND IMPACT SUMMARY TABLE					
LOCATION DESCRIPTION	WETLAND CLASSIFICATION	PERMANENT WETLAND IMPACT (SF)	TEMPORARY WETLAND IMPACT (SF)	PERMANENT PRIME WETLAND BUFFER IMPACT (SF)	TEMPORARY PRIME WETLAND BUFFER IMPACT (SF)
P.W.I.A. 8	PFO1E	292			
T.W.I.A. 3	PFO1E		309		
P.W.B.I.A. 5	PFO1E			119	
T.W.B.I.A. 5	PFO1E				57
	TOTALS	292	309	119	57



PARCEL - 244-10-A					
WETLAND IMPACT SUMMARY TABLE					
LOCATION DESCRIPTION	WETLAND CLASSIFICATION	PERMANENT WETLAND IMPACT (SF)	TEMPORARY WETLAND IMPACT (SF)	PERMANENT PRIME WETLAND BUFFER IMPACT (SF)	TEMPORARY PRIME WETLAND BUFFER IMPACT (SF)
P.W.B.I.A. 12	PEM1E\PFO1E			968	
T.W.B.I.A. 25	PEM1E\PFO1E				336
	TOTALS			968	336

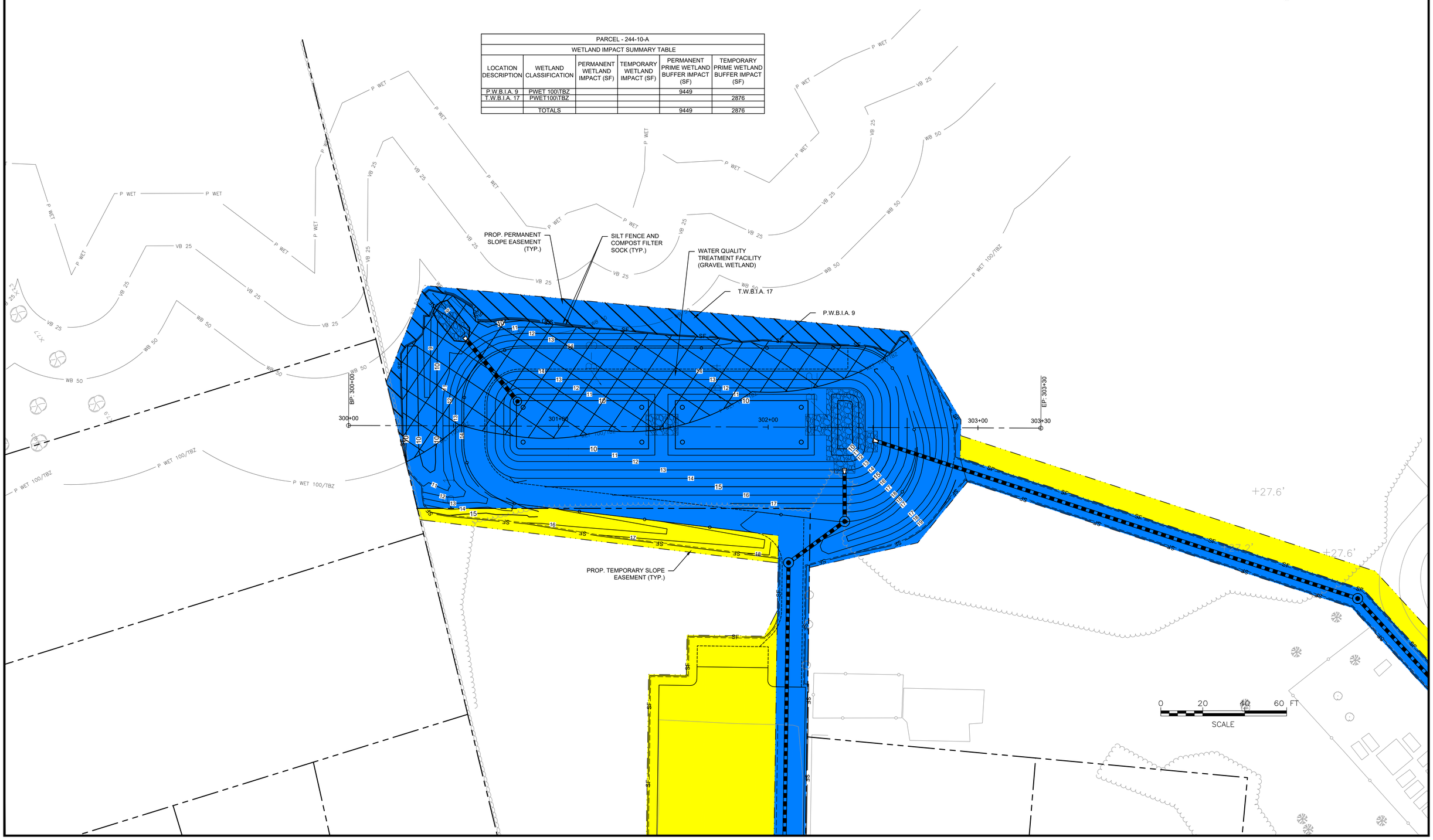
PARCEL - 244-10-B					
WETLAND IMPACT SUMMARY TABLE					
LOCATION DESCRIPTION	WETLAND CLASSIFICATION	PERMANENT WETLAND IMPACT (SF)	TEMPORARY WETLAND IMPACT (SF)	PERMANENT PRIME WETLAND BUFFER IMPACT (SF)	TEMPORARY PRIME WETLAND BUFFER IMPACT (SF)
P.W.I.A. 14	PEM1E\PFO1E	40			
T.W.I.A. 8	PEM1E\PFO1E		54		
P.W.B.I.A. 13	PEM1E\PFO1E\R2UB3			2473	
T.W.B.I.A. 26	PEM1E\PFO1E				492
T.W.B.I.A. 27	PEM1E\PFO1E\R2UB3				527
	TOTALS	40	54	2473	1119

PARCEL - 253-7					
WETLAND IMPACT SUMMARY TABLE					
LOCATION DESCRIPTION	WETLAND CLASSIFICATION	PERMANENT WETLAND IMPACT (SF)	TEMPORARY WETLAND IMPACT (SF)	PERMANENT PRIME WETLAND BUFFER IMPACT (SF)	TEMPORARY PRIME WETLAND BUFFER IMPACT (SF)
P.W.B.I.A. 14	R2UB3\PSS1E			1809	
T.W.B.I.A. 28	R2UB3\PSS1E				61
	TOTALS			1809	61

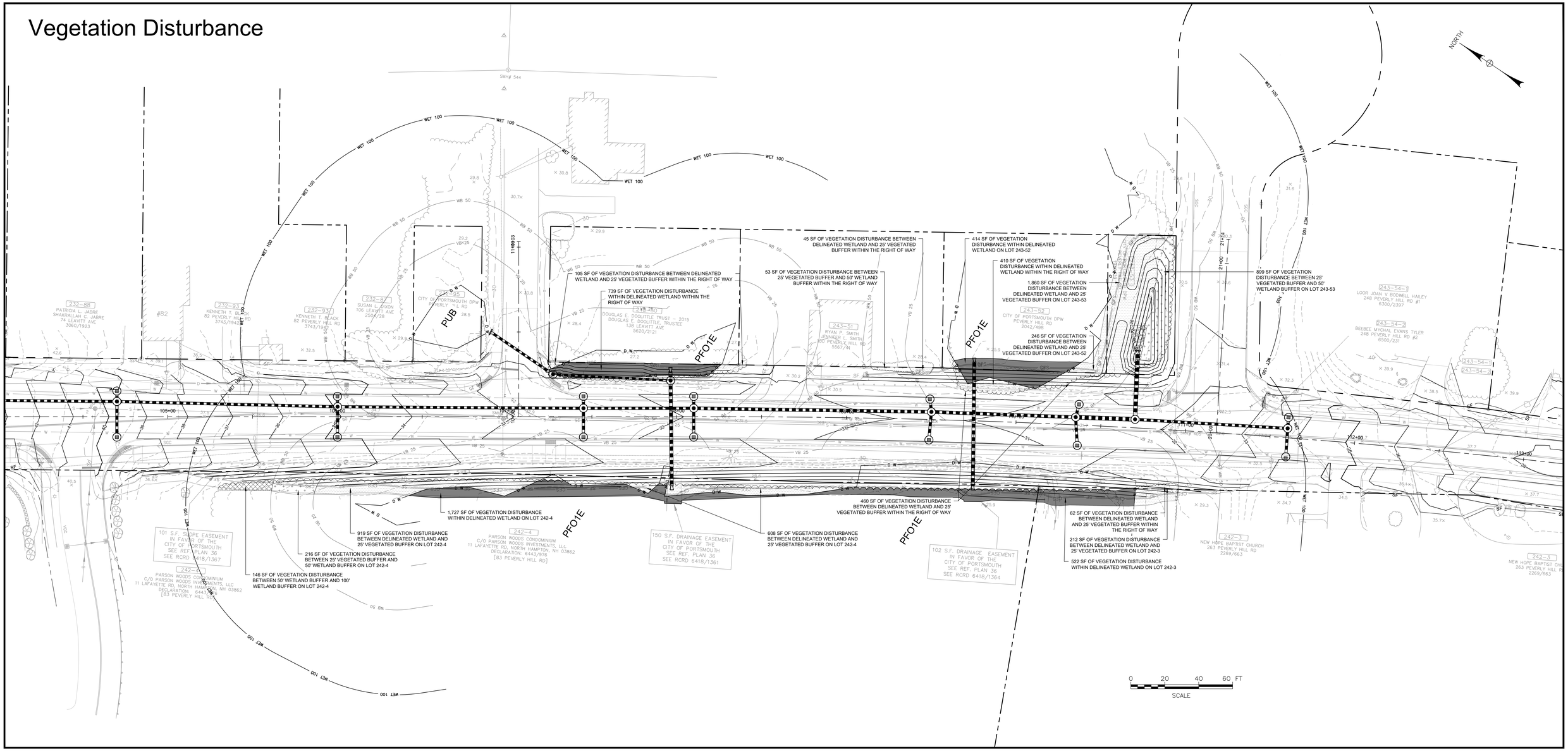
PARCEL - 255-2					
WETLAND IMPACT SUMMARY TABLE					
LOCATION DESCRIPTION	WETLAND CLASSIFICATION	PERMANENT WETLAND IMPACT (SF)	TEMPORARY WETLAND IMPACT (SF)	PERMANENT PRIME WETLAND BUFFER IMPACT (SF)	TEMPORARY PRIME WETLAND BUFFER IMPACT (SF)
P.W.I.A. 12	PSS1E	67			
T.W.I.A. 6	PSS1E		189		
P.W.B.I.A. 11	PSS1E\PEM1E\PFO1E			1645	
T.W.B.I.A. 18	PSS1E\PEM1E\PFO1E				720
T.W.B.I.A. 19	PSS1E				299
T.W.B.I.A. 20	PSS1E				84
	TOTALS				

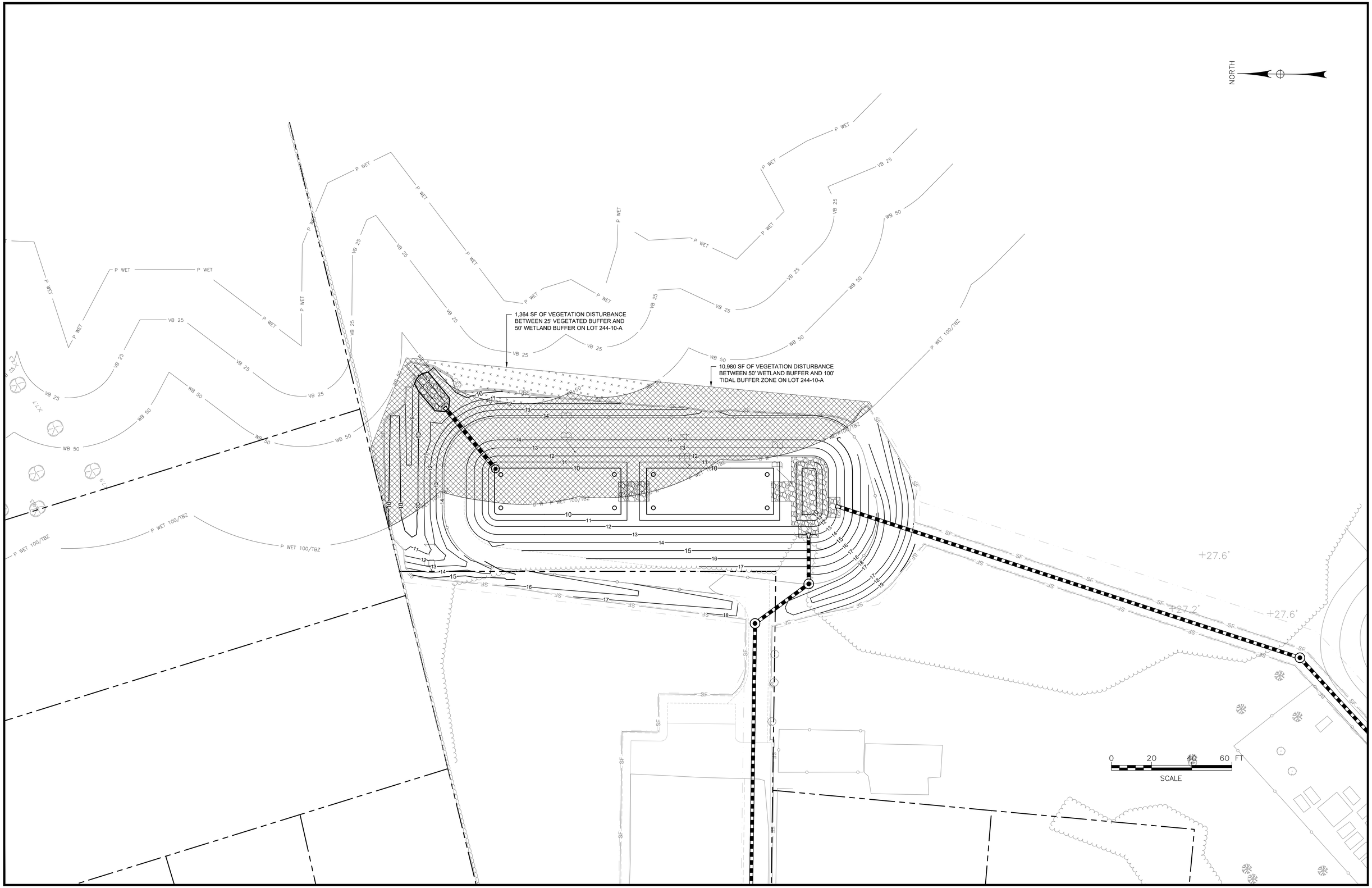
PARCEL - EXISTING RIGHT OF WAY					
WETLAND IMPACT SUMMARY TABLE					
LOCATION DESCRIPTION	WETLAND CLASSIFICATION	PERMANENT WETLAND IMPACT (SF)	TEMPORARY WETLAND IMPACT (SF)	PERMANENT PRIME WETLAND BUFFER IMPACT (SF)	TEMPORARY PRIME WETLAND BUFFER IMPACT (SF)
P.W.I.A. 13	PSS1E	160			
T.W.I.A. 7	PSS1E		125		
P.W.B.I.A. 10	PSS1E\PEM1E\PFO1E\R2UB3			32363	
T.W.B.I.A. 21	PSS1E				84
T.W.B.I.A. 22	PSS1E				276
T.W.B.I.A. 24	PSS1E				175
	TOTALS	160	125	32363	535

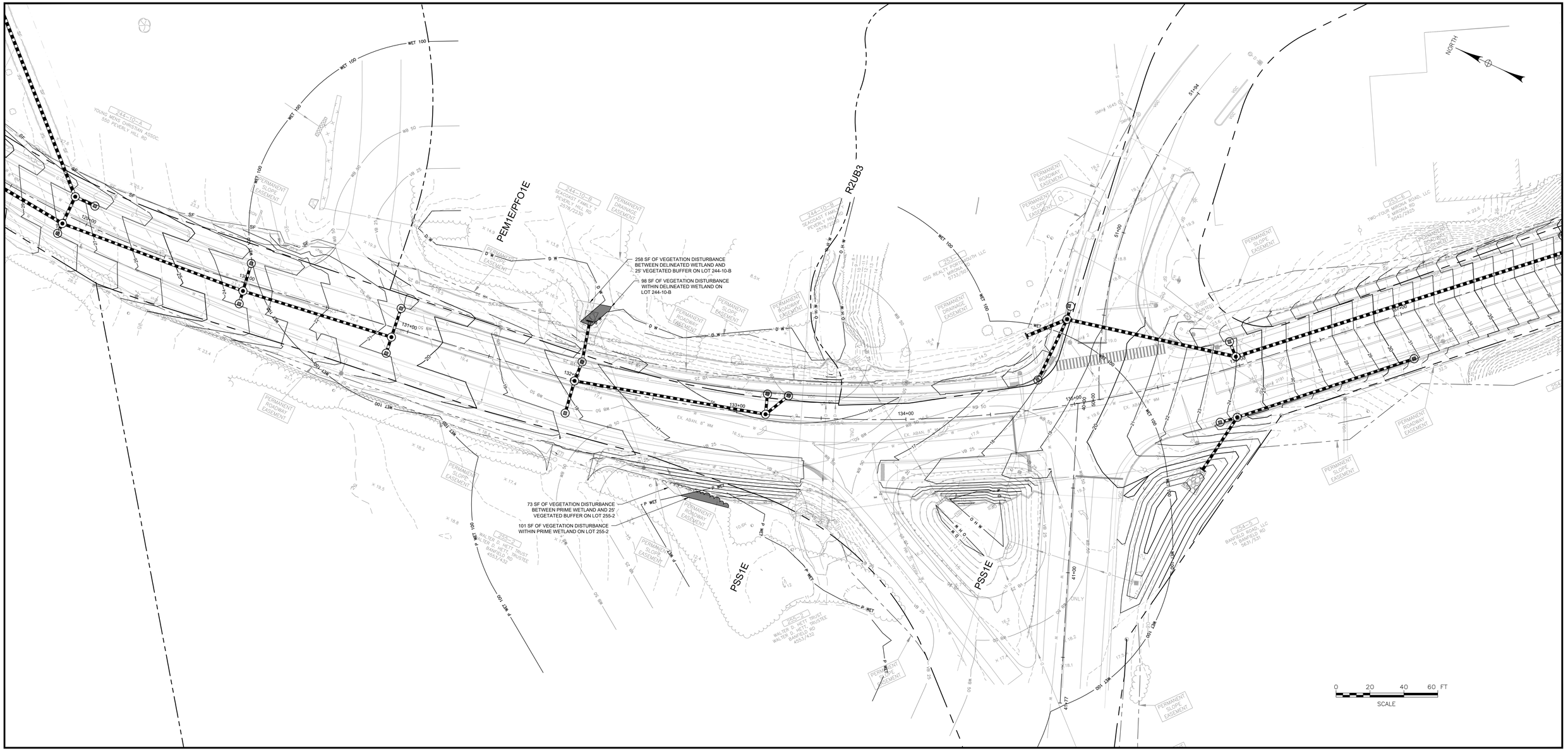
PARCEL - 244-10-A					
WETLAND IMPACT SUMMARY TABLE					
LOCATION DESCRIPTION	WETLAND CLASSIFICATION	PERMANENT WETLAND IMPACT (SF)	TEMPORARY WETLAND IMPACT (SF)	PERMANENT PRIME WETLAND BUFFER IMPACT (SF)	TEMPORARY PRIME WETLAND BUFFER IMPACT (SF)
P.W.B.I.A. 9	PWET 100\TBZ			9449	
T.W.B.I.A. 17	PWET100\TBZ				2876
	TOTALS			9449	2876



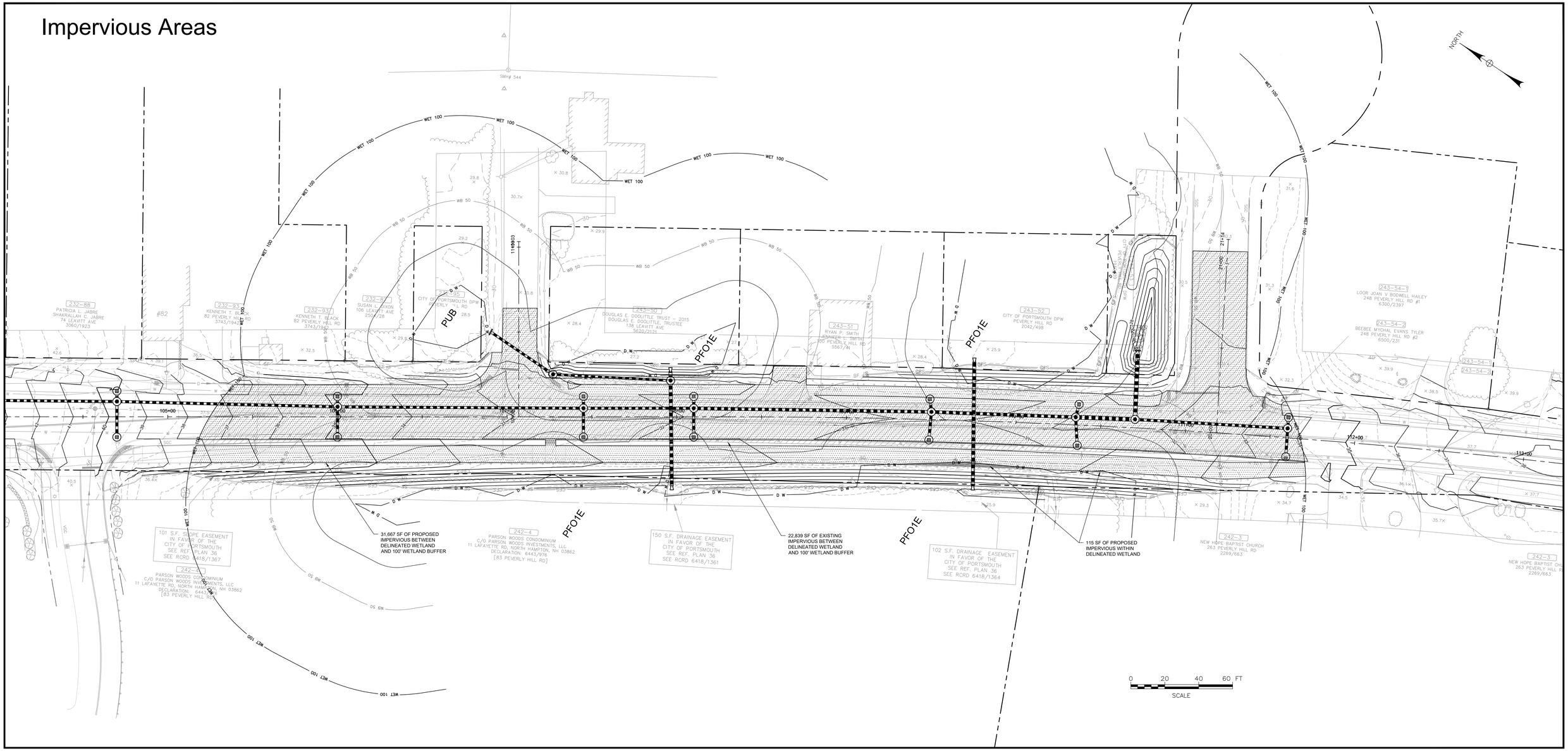
Vegetation Disturbance




NORTH
1,364 SF OF VEGETATION DISTURBANCE BETWEEN 25' VEGETATED BUFFER AND 50' WETLAND BUFFER ON LOT 244-10-A
10,980 SF OF VEGETATION DISTURBANCE BETWEEN 50' WETLAND BUFFER AND 100' TIDAL BUFFER ZONE ON LOT 244-10-A
P WET
VB 25
WB 50
P WET 100/TBZ
+27.6'
+27.2'
0 20 40 60 FT
SCALE


NORTH
PEM1E/PP01E
R2UB3
PSS1E
PSS1E
258 SF OF VEGETATION DISTURBANCE BETWEEN DELINEATED WETLAND AND 25' VEGETATED BUFFER ON LOT 244-10-B
98 SF OF VEGETATION DISTURBANCE WITHIN DELINEATED WETLAND ON LOT 244-10-B
73 SF OF VEGETATION DISTURBANCE BETWEEN PRIME WETLAND AND 25' VEGETATED BUFFER ON LOT 255-2
101 SF OF VEGETATION DISTURBANCE WITHIN PRIME WETLAND ON LOT 255-2
244-10-A
YOUNG MENS CHRISTIAN ASSOC.
550 FEVERLY HILL RD
244-10-B
SEACOAST FAMILY
FEVERLY HILL RD
2578/2230
244-10-B
SEACOAST FAMILY
FEVERLY HILL RD
2578/2230
255-2
WALTER D. HETT TRUST
WALTER D. HETT, TRUSTEE
BANFIELD RD
4553/432
255-2
WALTER D. HETT TRUST
WALTER D. HETT, TRUSTEE
BANFIELD RD
4553/432
255-5
BANFIELD ROAD, LLC
15 BANFIELD RD
5837/531
255-6
TWO-FOUR VIRGINIA ROAD, LLC
2 VIRGINIA RD
5042/2925
PERMANENT SLOPE EASEMENT
PERMANENT ROADWAY EASEMENT
PERMANENT DRAINAGE EASEMENT
0 20 40 60 FT
SCALE

Impervious Areas



591 SF OF PROPOSED IMPERVIOUS BETWEEN DELINEATED WETLAND AND 100' WETLAND BUFFER ON LOT 244-10-A

590 SF OF EXISTING IMPERVIOUS BETWEEN DELINEATED WETLAND AND 100' WETLAND BUFFER ON LOT 244-10-A

23 SF OF PROPOSED IMPERVIOUS BETWEEN DELINEATED WETLAND AND 100' WETLAND BUFFER ON LOT 244-10-B

44 SF OF EXISTING IMPERVIOUS BETWEEN DELINEATED WETLAND AND 100' WETLAND BUFFER ON LOT 244-10-B

1,228 SF OF PROPOSED IMPERVIOUS BETWEEN DELINEATED WETLAND AND 100' WETLAND BUFFER ON LOT 244-10-B

1,028 SF OF EXISTING IMPERVIOUS BETWEEN DELINEATED WETLAND AND 100' WETLAND BUFFER ON LOT 244-10-B

1,138 SF OF PROPOSED IMPERVIOUS BETWEEN DELINEATED WETLAND AND 100' WETLAND BUFFER ON LOT 253-7

1,158 SF OF EXISTING IMPERVIOUS BETWEEN DELINEATED WETLAND AND 100' WETLAND BUFFER ON LOT 253-7

61 SF OF EXISTING IMPERVIOUS BETWEEN DELINEATED WETLAND AND 100' WETLAND BUFFER ON LOT 255-2

133 SF OF PROPOSED IMPERVIOUS BETWEEN DELINEATED WETLAND AND 100' WETLAND BUFFER ON LOT 255-2

26,913 SF OF EXISTING IMPERVIOUS BETWEEN DELINEATED WETLAND AND 100' WETLAND BUFFER

27,267 SF OF PROPOSED IMPERVIOUS BETWEEN DELINEATED WETLAND AND 100' WETLAND BUFFER

PEM1E/PFO1E

R2UB3

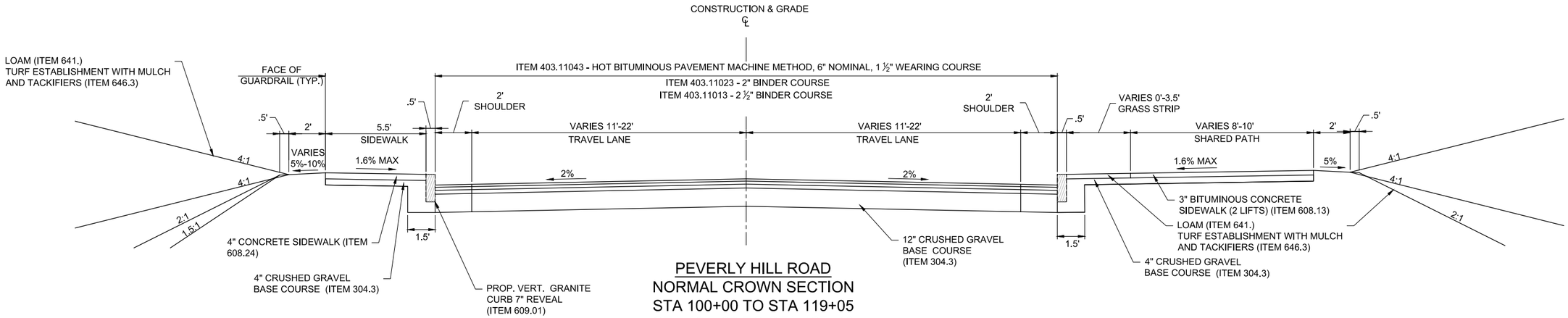
PSS1E

PSS1E

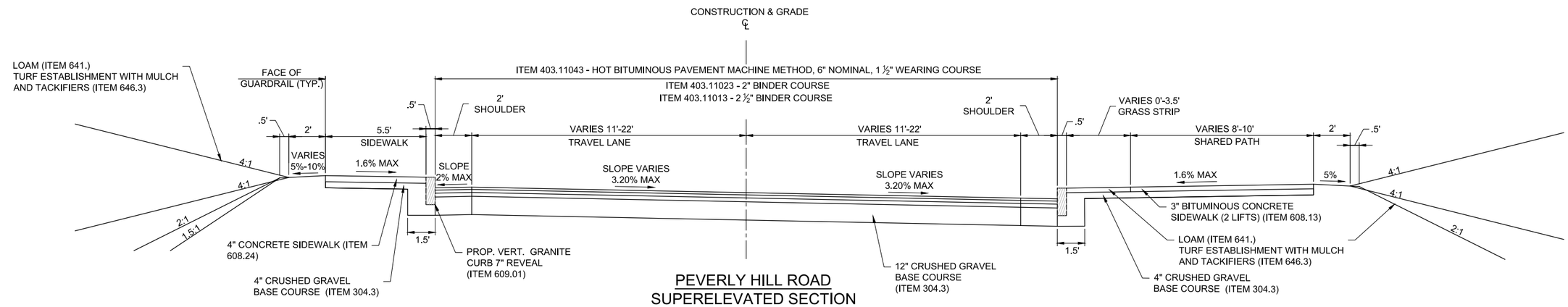
NORTH

0 20 40 60 FT

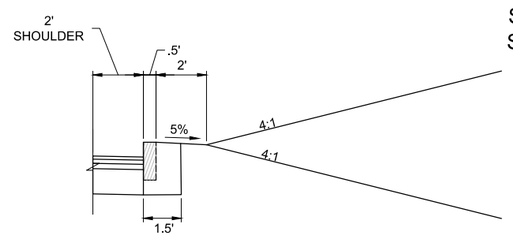
SCALE



PEVERLY HILL ROAD
NORMAL CROWN SECTION
STA 100+00 TO STA 119+05
STA 124+38 TO STA 127+43
STA 130+55 TO STA 131+06
STA 136+71 TO STA 138+01
STA 141+35 TO STA 149+50



PEVERLY HILL ROAD
SUPERELEVATED SECTION
STA 119+05 TO STA 124+38
STA 127+43 TO STA 130+55
STA 131+06 TO STA 136+71
STA 138+01 TO STA 141+35



PEVERLY HILL ROAD
RIGHT CURB
STA 135+18 TO STA 149+50

FINAL PLANS

IT IS A VIOLATION OF LAW FOR ANY PERSON, UNLESS THEY ARE ACTING UNDER THE DIRECT DIRECTION OF A LICENSED PROFESSIONAL ENGINEER, ARCHITECT, LANDSCAPE ARCHITECT, OR LAND SURVEYOR, TO ALTER AN ITEM IN ANY WAY. IF AN ITEM BEARING THE STAMP OF A LICENSED PROFESSIONAL IS ALTERED, THE ALTERING ENGINEER, ARCHITECT, LANDSCAPE ARCHITECT, OR LAND SURVEYOR SHALL STAMP THE DOCUMENT AND INCLUDE THE NOTATION "ALTERED BY" FOLLOWED BY THEIR SIGNATURE, THE DATE OF SUCH ALTERATION, AND A SPECIFIC DESCRIPTION OF THE ALTERATION.

REV	DATE	DESCRIPTION	BY

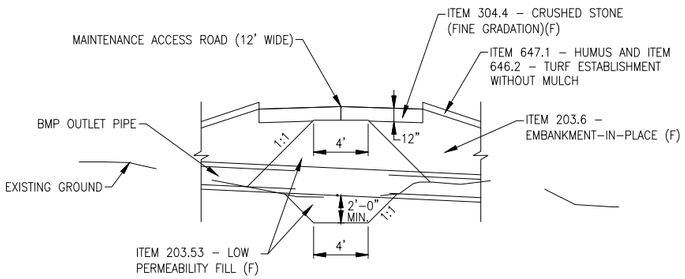
McFarland Johnson
53 REGIONAL DRIVE
CONCORD, NH 03301

CITY OF PORTSMOUTH
CITY OF PORTSMOUTH, NEW HAMPSHIRE

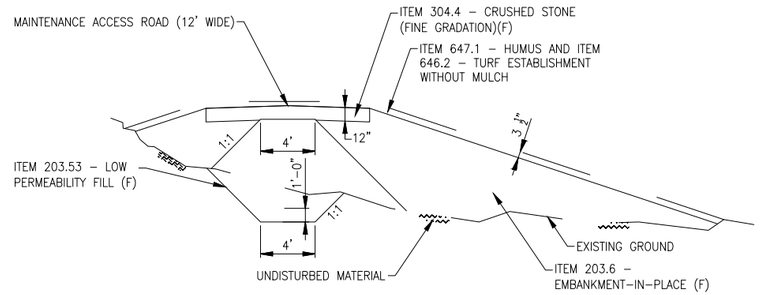
PEVERLY HILL ROAD RECONSTRUCTION

TYPICAL SECTIONS

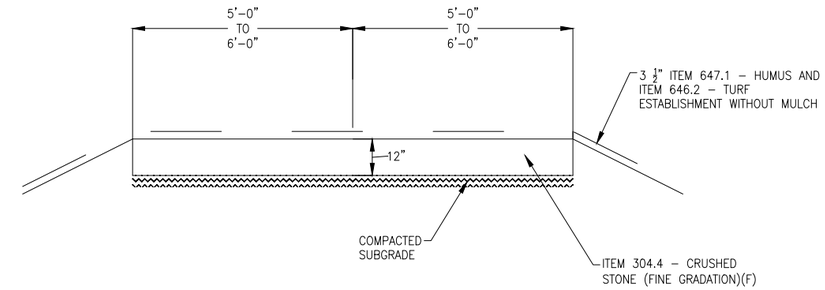
SCALE: AS SHOWN	DESIGN: MAH	**TS-01**
DRAWN: MJF	PROJECT: 18082.01	
CHECKED: BRC	DATE: FEBRUARY 2026	2 OF 72



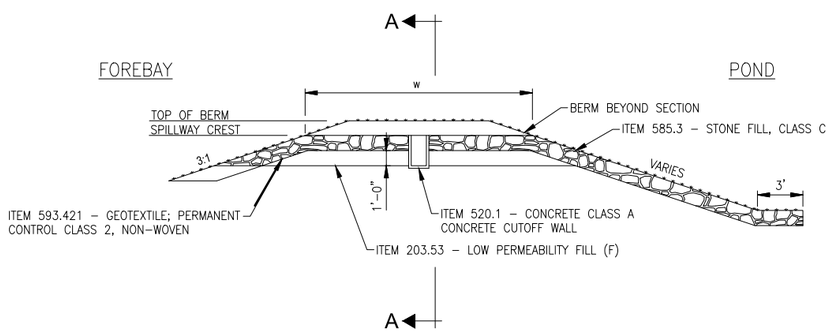
BMP KEY DETAIL – AT OUTLET PIPE
NOT TO SCALE



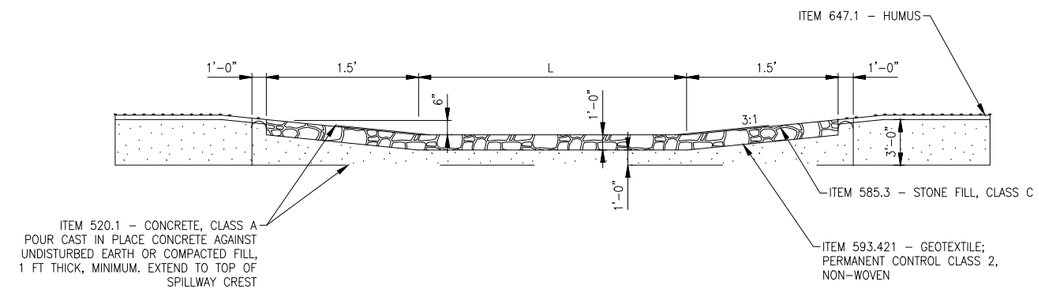
BMP KEY DETAIL – IN FILL SECTIONS
NOT TO SCALE



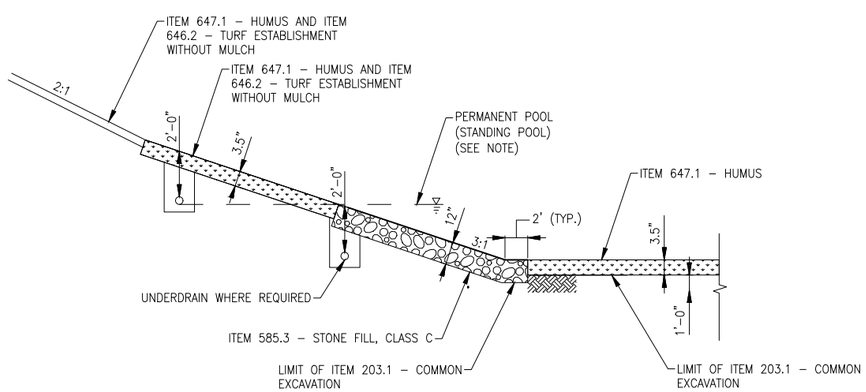
BMP MAINTENANCE ROAD
TYPICAL SECTION
NOT TO SCALE



STONE SPILLWAY TYPICAL
NOT TO SCALE
(LOCATE FOR OVERFLOW FOREBAY TO POND)



SECTION A–A



FOREBAY AND PERMANENT POOL DETAIL
NOT TO SCALE

NOTE: ELEVATION OF STONE FILL VARIES BASED ON INDIVIDUAL BMP, SEE BMP PLANS FOR ELEVATION

FINAL PLANS

REV	DATE	DESCRIPTION	BY

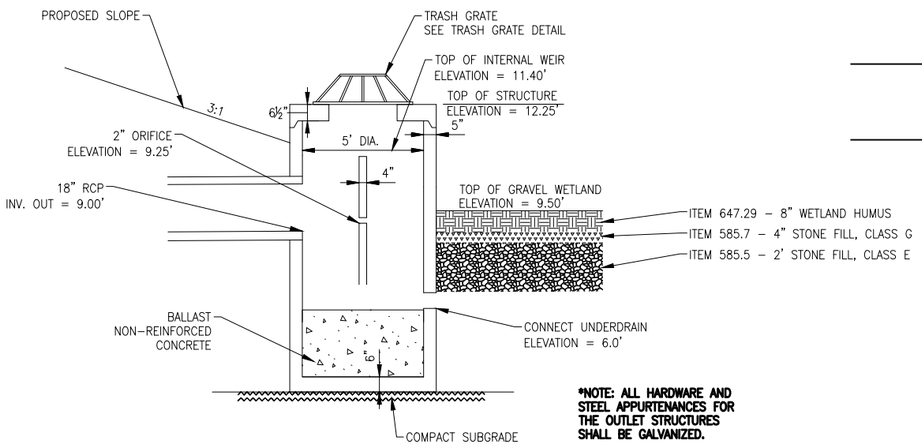
McFarland Johnson
53 REGIONAL DRIVE
CONCORD, NH 03301

CITY OF PORTSMOUTH
CITY OF PORTSMOUTH, NEW HAMPSHIRE

PEVERLY HILL ROAD RECONSTRUCTION

BMP DETAILS

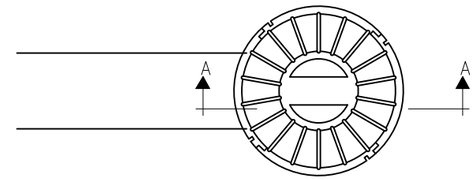
SCALE:	DESIGN: MAH	**DR-02**
DRAWN: MJF	PROJECT: 18082.01	
CHECKED: BRC	DATE: JULY 2026	24 OF 92

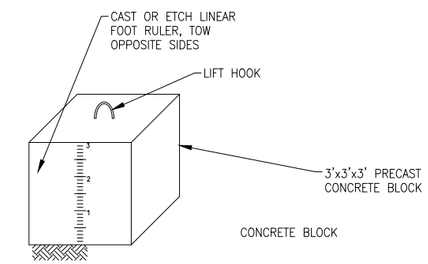


***NOTE: ALL HARDWARE AND STEEL APPURTENANCES FOR THE OUTLET STRUCTURES SHALL BE GALVANIZED.**

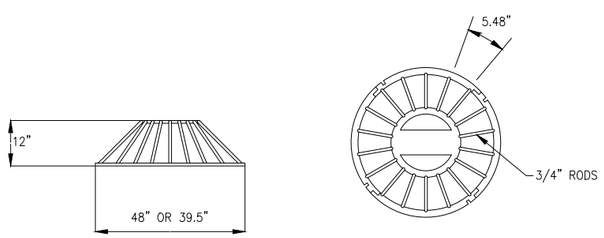
SECTION A–A

ITEM 604.910x – OUTLET CONTROL STRUCTURES SCHEMATIC
NOT TO SCALE

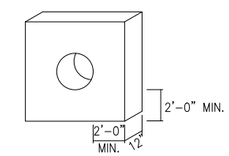




SEDIMENT SUMP MEASURING BLOCK
NOT TO SCALE



CONE TRASH GRATE DETAIL
NOT TO SCALE
SUBSIDIARY TO ITEM 609.91X



CAST-IN-PLACE
CONCRETE CLASS 'A' COLLAR
(SUBSIDIARY TO PIPE)

ANTI-SEEP COLLAR
NOT TO SCALE

FINAL PLANS

REV	DATE	DESCRIPTION	BY

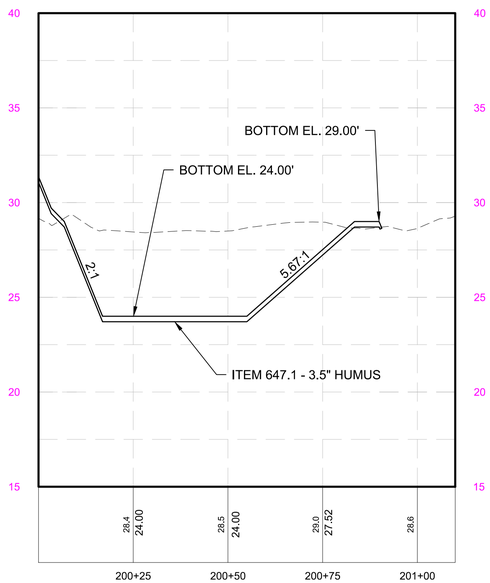
McFarland Johnson
53 REGIONAL DRIVE
CONCORD, NH 03301

CITY OF PORTSMOUTH
CITY OF PORTSMOUTH, NEW HAMPSHIRE

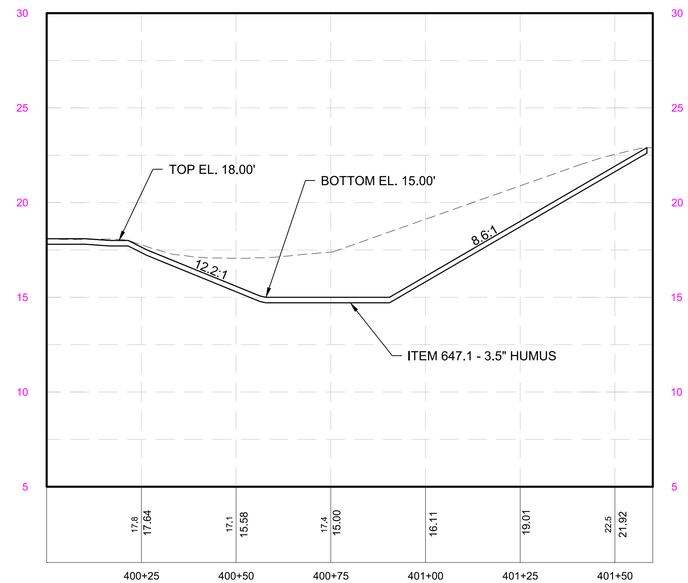
PEVERLY HILL ROAD RECONSTRUCTION

BMP DETAILS

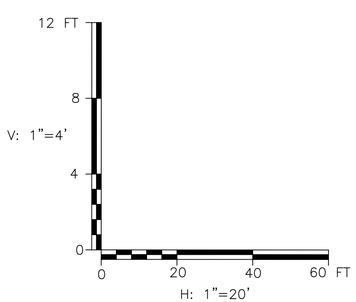
SCALE: AS SHOWN	DESIGN: MAH	**DR-03**
DRAWN: MJF	PROJECT: 18082.01	
CHECKED: BRC	DATE: JULY 2026	25 OF 92



MOFFAT STREET BMP PROFILE



BANFIELD ROAD BMP PROFILE



FINAL PLANS

REV	DATE	DESCRIPTION	BY

McFarland Johnson
53 REGIONAL DRIVE
CONCORD, NH 03301

CITY OF PORTSMOUTH
CITY OF PORTSMOUTH, NEW HAMPSHIRE

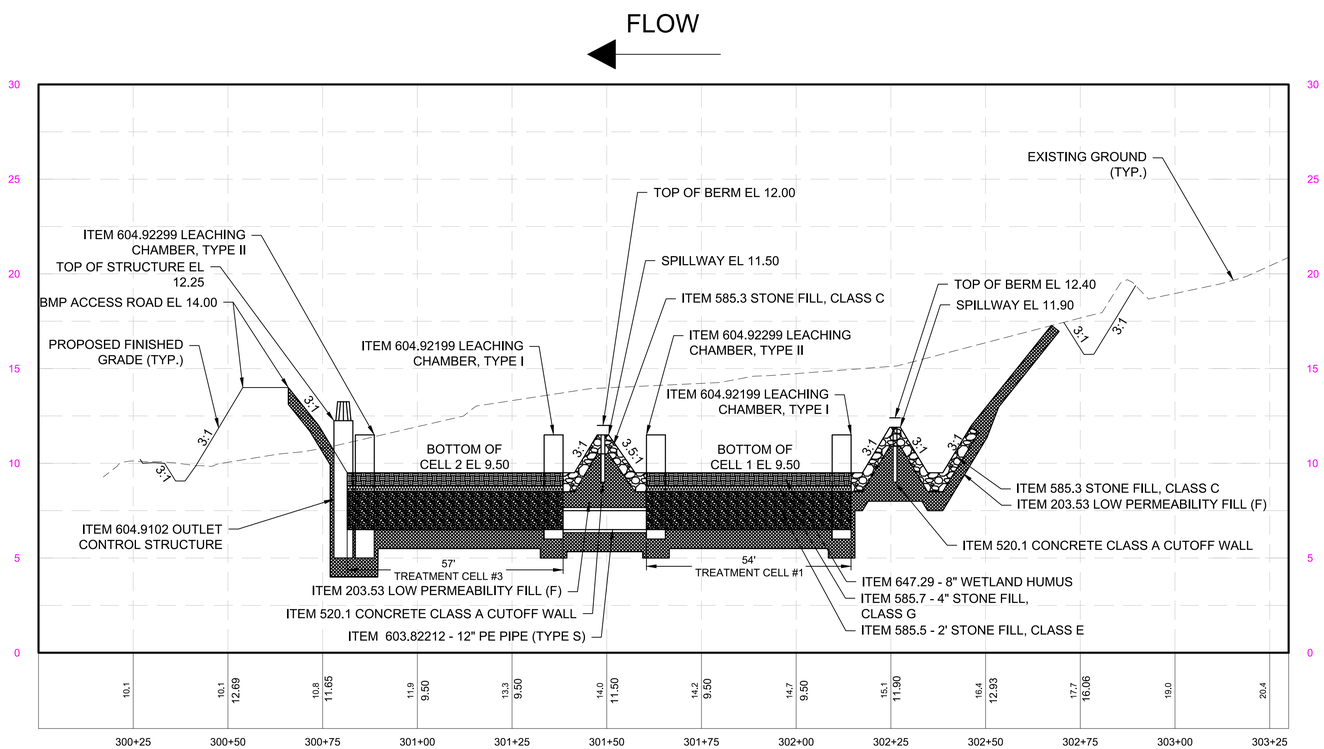
PEVERLY HILL ROAD RECONSTRUCTION

PROFILE SHEET DETENTION BASINS

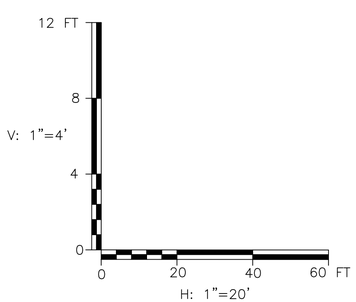
SCALE: AS SHOWN	DESIGN: MAH	**PR-10**
DRAWN: MJF	PROJECT: 18082.01	46 OF 92
CHECKED: BRC	DATE: JULY 2026	

WATER SURFACE ELEVATIONS			
WQV	Q_2	Q_{10}	Q_{50}
10.55	12.44	12.70	12.89

GROUNDWATER DATA	
ID	GROUNDWATER ELEVATION
B–1	7.0
B–2	8.0
B–3	7.0
B–4	9.0



YMCA BMP PROFILE



FINAL PLANS

REV	DATE	DESCRIPTION	BY

McFarland Johnson
53 REGIONAL DRIVE
CONCORD, NH 03301

CITY OF PORTSMOUTH
CITY OF PORTSMOUTH, NEW HAMPSHIRE

PEVERLY HILL ROAD RECONSTRUCTION

PROFILE SHEET GRAVEL WETLAND

SCALE: AS SHOWN	DESIGN: MAH	**PR-11**
DRAWN: MJF	PROJECT: 18082.01	47 OF 92
CHECKED: BRC	DATE: JULY 2026	

	Right of Way			
	Permanent Wetland Impact	Temporary Wetland Impact	Permanent Wetland Buffer Impact	Temporary Wetland Buffer Impact
	2,798.00	114.00	41,409.00	2,767.00
	160.00	125.00	32,363.00	535.00
Total (SF):	**2,958.00**	**239.00**	**73,772.00**	**3,302.00**

	Private Land			
	Permanent Wetland Impact	Temporary Wetland Impact	Permanent Wetland Buffer Impact	Temporary Wetland Buffer Impact
	63.00	352.00	49.00	230.00
	-	7.00	2,788.00	308.00
	508.00	1,577.00	2,119.00	1,204.00
	292.00	309.00	119.00	57.00
	-	-	968.00	336.00
	40.00	54.00	2,473.00	1,119.00
	-	-	1,809.00	61.00
	67.00	189.00	1,645.00	1,103.00
	-	-	9,449.00	2,876.00
Total (SF):	**970.00**	**2,488.00**	**21,419.00**	**7,294.00**

CITY OF PORTSMOUTH
PORTSMOUTH, NEW HAMPSHIRE
TWO THOUSAND TWENTY ONE

RESOLUTION # -

BE IT RESOLVED:

RESOLUTION REGARDING PUBLIC NECESSITY TO LAYOUT ROADWAY AND ACQUIRE PROPERTY FOR PEVERLY HILL ROAD IMPROVEMENT PROJECT

1. WHEREAS, the City of Portsmouth ("City") began a formal design process to improve Peverly Hill Road in 2016, with the first public information meeting occurring June 2, 2016 and an alternatives workshop meeting occurring July 27, 2016;

2. WHEREAS, the improvements to Peverly Hill Road include the addition of a sidewalk on the north side of the road, a shared use path (bicycle and pedestrian) on the south side of the road, drainage improvements and road layout changes (the "Project");

3. WHEREAS, the Project extends from the intersection of Peverly Hill Road with Middle Road to the intersection of Peverly Hill Road and West Road and includes drainage improvements along a portion of Greenleaf Avenue;

4. WHEREAS, the design is consistent with the City's Complete Streets Policy (adopted October 2013); the Bicycle Friendly and Walk Friendly Community Policy (adopted October 2013) and the Portsmouth Complete Street Design Guidelines (adopted July 2017);

5. WHEREAS, the Project is identified in the 2014 Bicycle and Pedestrian Master Plan;

6. WHEREAS, the City has received Congestion Mitigation Air Quality funding through New Hampshire Department of Transportation for this Project, NH DOT project number 20254;

7. WHEREAS, the Project meets the NHDOT identified purpose, namely to reconstruct Peverly Hill Road from Middle Road to West Road in order to provide a safer roadway for all users in conformance with the City of Portsmouth's Complete Street Policy.

8. WHEREAS, the Portsmouth City Council, the governing body for the City of Portsmouth, held a duly noticed public hearing on October 14, 2021 at the Eileen Dondero Foley Council Chambers at City Hall, 1 Junkins Avenue, Portsmouth NH;

9. WHEREAS, that hearing included a site visit to the Project area as well as a presentation describing the history of the project, the proposed layout of

improvements, and the property impacts both temporary and permanent (Attachment A);

10. WHEREAS, the City Council heard testimony from all interested parties;

11. WHEREAS, pursuant to NH RSA 231:8 et seq. the City Council has the authority to layout roads, sidewalks, bicycle paths and construct related drainage improvements; and

12. WHEREAS, the City has authority to layout drain and stormwater infrastructure pursuant to RSA 149-I:1 et seq. and general authority to acquire property in the public interest pursuant to NH RSA 31:92.

NOW THEN, after notice and public hearing, the City Council of the City of Portsmouth:

A. Declares that there is a public necessity for the acquisition of the property interests set forth in Attachment A and that such interests are for the public use and public benefit;

B. Resolves that the property acquired will be for public use;

C. Finds it necessary and useful for the public benefit to acquire the property interests described in Attachment A for roadway, sidewalk, bicycle and pedestrian path and stormwater management purposes;

D. Finds that in balancing the public interest in the acquisition with the private interest of the property owners, the public interest outweighs the private interests;

E. Finds that in balancing the public interest in the acquisition against the burden it imposes on the City, the public interest is greater than the burden; and

WHEREFORE, the City Manager is authorized to engage an appraiser, to negotiate in good faith the acquisition of property by mutual agreement, and to pursue condemnation as may be necessary pursuant to RSA 498-A in order to secure the property interests set forth in Attachment A to this Resolution.

This Resolution shall take effect upon passage.

Approved:

_____

Rick Beckstead, Mayor

Adopted by the City Council

2021

_____

Kelli L. Barnaby, City Clerk

Attachment A to Resolution

Peverly Hill Road Property List				
TABLE OF PROPERTY ACQUISITION				
LOT NO.	BOOK & PAGE	PROPERTY OWNER	ADDRESS	EASEMENT TYPE
232-90	B6029 P1942	B & B Properties, LLC	968 MIDDLE ROAD	TEMP. CONST.
232-91	B5483 P1059	MICHAEL J. MOSCA	46 PEVERLY HILL ROAD	TEMP. CONST.
242-4	B5066 P1603	STELLA B. STOKEL, TRUSTEE /	83 PEVERLY HILL ROAD	PERM. SLOPE
		NANCY A. STOKEL, TRUSTEE /		PERM. DRAINAGE
		PHILIP J. STOKEL		
243-51	B5887 P0463	AJEI REAL ESTATE, LLC	100 PEVERLY HILL ROAD	TEMP.
242-3	B2269 P0663	NEW HOPE BAPTIST CHURCH	263 PEVERLY HILL ROAD	TEMP. CONST.
243-54-1	B6210 P0664	JOAN V LOOR	248 PEVERLY HILL RD #1	TEMP. CONST.
243-54-2	B6015 P1746	EVAN JAMES WILLIAM	248 PEVERLY HILL ROAD #2	
243-55	B5800 P0530	CURT F. MURRAY / ERIN E. MCGANN	260 PEVERLY HILL ROAD	TEMP. CONST.
243-56	B5536 P2616	THE CHILDREN'S GARDEN PROPERTY, LLC	290 PEVERLY HILL ROAD	TEMP. CONST.
255-8	B5881 P0981	MERRIMACK VALLEY HOMES, INC.	293 PEVERLY HILL ROAD	TEMP. CONST.
243-57	B2369 P1541	DONALD E. JONES / MONA M. JONES	296 PEVERLY HILL ROAD	TEMP. CONST.

Details of easement areas may be found on the City of Portsmouth website under the project page www.cityofportsmouth.com

Attachment A to Resolution

255-5	B5560 P2148	THOMAS E. & MARYBETH B REIS	305 PEVERLY HILL ROAD	PERM. S/W
		JAMES B. & MEEGAN C. REIS		TEMP. CONST.
243-8	B5711 P0124	DONNA FLEMMING / SHARON A. FLEMING	433 GREENLEAF AVE	TEMP. CONST.
244-9	B4438 P2631	535 PEVERLY HILL LLC	535 PEVERLY HILL ROAD	TEMP. CONST.
255-3	B4553 P0436	MAUD HETT REVOCABLE TRUST	PEVERLY HILL ROAD	PERM. S/W
		WALTER D,.HETT TRUSTEE		TEMP. CONST.
244-11	B5475 P2399	LAURA FRAZER	539 PEVERLY HILL ROAD	TEMP. CONST.
255-4	B3313 P1813	JULIA A. RUSSEL REV. TRUST	515 PEVERLY HILL ROAD	PERM. S/W
		JULIA A. RUSSEL REV. TRUSTEE		TEMP. CONST.
244-10-C	B4639 P1735	RUESSWICK FAMILY TRUST OF 2000	545 PEVERLY HILL ROAD	TEMP. CONST.
		WAYNE D. RUESSWICK, TRUSTEE		
		CAROL R. RUESSWICK, TRUSTEE		
255-3-1	B5846 P0160	STEVEN L. RUSSELL/ VI RUSSELL	575 PEVERLY HILL ROAD	PERM. S/W
				TEMP. CONST.
255-2	B4553 P0432	MAUD HETT REVOCABLE TRUST	PEVERLY HILL ROAD	TEMP. CONST.
		WALTER D. HETT TRUSTEE	(0 BANFIELD ROAD)	

Details of easement areas may be found on the City of Portsmouth website under the project page www.cityofportsmouth.com

Attachment A to Resolution

244-10-A		YOUNG MENS CHRISTIAN ASSOC.	550 PEVERLY HILL ROAD	PERM. DRAINAGE
				TEMP. CONST.
253-7	B5733 P0507	GSG REALTY PORTSMOUTH LLC	1 MIRONA ROAD	TEMP. CONST.
254-7	B3192 P1085	PIKE INDUSTRIES, INC.	BANFIELD ROAD	TEMP. CONST.
			(650 PEVERLY HILL RD)	
253-4	B4258 P2635	DPH REALTY, LLC	30 MIRONA ROAD EXT	PERM. SIDEWALK
				PERM. DRAIN
				TEMP. CONST.
252-2-10	B3656 P0744	JMK REALTY, LLC	700 PEVERLY HILL ROAD	TEMP. CONT.
252-7	B5391 P0638	4 AMIGOS, LLC	1400 LAFAYETTE ROAD	TEMP. CONST.
243-7	B4505 P0647	JUSTIN KRUPP	375 GREENLEAF AVE.	PERM. DRAINAGE
		ELIZABETH M. KRUPP		

Details of easement areas may be found on the City of Portsmouth website under the project page
www.cityofportsmouth.com

Planning Board
Sept 17, 2025
361 Hanover St

Dear Planning Board,

If you decide to move forward with the 361 Hanover Street's request for use of public lands. Please ask that the neighbors get something more than a lawn being mowed or shrubbery. Please consider that the developer works on repairing the retaining wall along the whole property and make it more presentable, as a recommendation to the City Council.

Please review the "Planting Plan" carefully.

Some things to consider with the "Planting Plan"

1. Putting in shrubbery is great but where are their residents going to walk their dogs? The presented Low Grow Sumac, grows 1 to 2' and **will not allow for dog walking.** *The playground across the street* will become a more desirable place.
2. There should be no trees planted on the corner of Rock and Hanover St that grow to be 15 to 20' tall. The Emerald Sentinel Columnar Juniper will create a Sight Line issue when coming from either corner. The Low Grow Sumac may as well. Something less dense could be planted within the Sight Line or just white clover.
3. The Low Grow Sumac on the corner of Rock and Hanover should have the open side facing their buildings not facing the neighbors' back yards. The only 2' high planting seem like they are "supposed" to be covering up the LARGE transformer.

The new plan does not include changes to the Easement due to legal issue they were dealing with. Has that been resolved, will it change the layout of this development?

If this request to acquire/use about 7000 sf of public lands, please include stipulations regarding the Garage's retaining wall and the retaining wall in general, the plantings and review of the legal issues with this development site.

Thank you for your time,
Sincerely,
Elizabeth Bratter, Property Owner
159 McDonough St

From:	Kate Waldwick
To:	Planning - Info - Shr
Cc:	Bryn Waldwick
Subject:	Public Comment for 361 Hanover License Agreement
Date:	Wednesday, September 16, 2026 3:14:54 PM

Hi Planning Board Members,

We are abutters to the 361 Hanover development, and are writing to ask the Planning Board to consider the following points when evaluating the proposed license and pole agreement from Hampshire Development Corp:

- **The price of this land is worth more than just "maintenance.":** Based on previous land evaluations, this land has financial value and any agreement should result in financial compensation to the city beyond just mowing the lawn and putting poles underground.
- **Access to putting utilities on public land is worth more than just the evaluation of the land:** If HDC is able to put their utilities on public land, this allows them to build and sell more luxury condominiums. The increased profit that HDC will net should be factored into what is a "fair price" for licensing this land
- **Public Land should be accessible to the public:** Currently, HDC has barred the public with hostile architecture (including fencing off access) from utilizing the public space along Foundry place. We ask that any agreement still allows the public to access this land and removes barriers of access that currently exist.

Thank you for your consideration of these points and your service to the city and its residents.

Thanks,
Kathryn "Kate" Waldwick
Bryn Waldwick
30 Parker Street

From: Nicole LaPierre
To: Planning - Info - Shr
Subject: Regarding Thursday"s agenda
Date: Monday, September 14, 2026 12:32:25 PM

September 14, 2026

Dear Planning Board members,

In the Islington Creek neighborhood, there used to be a beautiful open space by the creek where one could watch the sunset turn a sweet golden orange. There were tracks, a small brick artist studio building. It was vast, urban but yet open. It was a space where nature and industry met but the land was wide enough to clearly see North Mill Pond.

Back behind the old Heineman building to the north, there was a public garden. It was beautiful. It was a true example of community. Every plot claimed. It thrived and then….
It became a parking garage. Then nothing grew. Flowers and vegetables became concrete blocks.

So, I ask you:

Why would you be willing to give Steve Wilson, a very successful wealthy developer with questionable regard for where he develops public land, even one square foot? That is what he is very clearly asking for: gifted public land. In addition to requesting gifted public land that belongs to the city and to the residents of Portsmouth, he wants to put

1. A large and unattractive transformer on a cement pad on the City-owned lawn area between the development and Rock Street. Is that fair to the abutting neighbors and the community using Rock Street Park. Do you want to set a precedent of gifting land for developers' transformers?
2. He also plans on installing a similarly unattractive and huge triple box with 2 electrical vaults and 1 communications vault on a cement pad in the back right corner, again on City-owned land.

This development is oversized and will forever irreversibly change the character of the neighborhood so….

No! No transformer, no triple box with 2 electrical vaults and no communication vault on public land.
That can go on the land that he actually purchased and owns. There is no excusable reason for suggesting otherwise! It is the people’s land, public land that residents have always paid for with their taxes. There is an increasing shortage of green space in the Islington Creek neighborhood and the whole city for that matter.

Regarding the public plot of land behind the old Heinemann building:
I am requesting that land absolutely remain public and I am suggesting it would be a beautiful space for a community garden. It could be a place for members of the community and new members of the neighborhood to meet and share the joy of growing vegetables and flowers from spring through autumn.

My questions for you:

1. Why were we not worthy of an abutter notice regarding Mr. Wilson's ridiculous self-serving request?
2. How could anyone possibly justify just gifting public land to a developer with nothing in return?

When he claims to be beautifying it and maintaining it… nothing is more beautiful than a public garden because it builds community and green space. It will not be accessible to the public with his current plan.

If you don't like my idea that is fine but please don't justify wealthy builders being gifted public land and their putting necessary electrical equipment for their increased wealth on it.

Sincerely,
Nicole LaPierre
44 Rock Street

From: john robinson
To: Planning - Info - Shr; Planning - Info - Shr; john robinson; Robin Husslage; opinion@seacoastonline.com
Subject: 361 Hanover Street - Landscape and pole license over City property
Date: Sunday, September 13, 2026 3:20:28 PM

> You don't often get email from robinsoncrow1@gmail.com. Learn why this is important

Greetings.

I've been made aware that Hamshire Dev. Corp (HDC). will be seeking permission from the City to use City land abutting HDC's 361 Hanover st. project for its own purposes.

I have a couple of observations. It seems a little *late in the process* to be asking for something HDC *must have noted* on the maps *years ago.* Considering HDC has, since the inception of the 361 development plan, shown evidence of operating in bad faith when it came to respecting the input and wishes of neighbors. e.g. the *regulatory capture by HDC* of City principle planner Nic Cracknell who had been notified of a neighborhood organization's request for a rezoning of 361 Hanover (years before HDC became *vested*) and who chose to *ignore* the rescheduling of a rezoning meeting that had been postponed due to COV2 nonsense. Cracknell *purposely* dragged his feet until such time as, according to NH law, HDC became *vested* and rezoning was, consequently, no longer a remedy available to address the 361 neighbors' needs. Upon leaving City planning in 2023 Cracknell walked through the revolving door into a job as *consultant* to none other than HDC. Hmmm. (I wonder if the City of Amesbury, Cracknell's current employer, is aware of this? BTW I asked PCC , to no avail, for a *retroactive censure* of Cracknell to appear on his employment record)

In consideration of this clear violation of Cracknell's oath and the resulting *bonanza* for HDC I think (*this time)* HDC should have to *pay* for *any advantage* it derives from *the public*. According to public records HDC paid $61.37 per square foot for the 361 property. They are asking to "use" 7761 square feet of City (public) land for their own designs. OK. The math says these areas, if purchased, are worth $ 476,292.57 or, more speculatively, @ $35/sq.ft. yearly rent = $ 271,635. It's important that there be *some form of transaction* to keep this ugly crew honest. If rented, the City, with input from residents, could decide what kind of structures would be located where on the land.

John Robinson Portsmouth 603-312-9153