Dear Chairman & members of the Board

Re: 41 Salem St.

Planning Meeting May 21, 2020

May 19, 2020

I am writing with major concerns to the proposed amount of grade (FILL) that is being asked for approval by Bonza Builders LLC, for construction of 3 single family condo units on 41 Salem St

I was disturbed to find that the latest (TAC) proposal is to grade(FILL) a 3 to 5 foot elevation on the majority of the lot, even though the height level proposed 24' does not fall within the build able set back area. This amount of fill, from 19' in the rear, and 21' on the sides to 24' will create a higher plateau from all surrounding properties and even the street level.

Please see the bullet points below. This may look fine from architectural plan, however the physical reality and negative effects to the direct and indirect abutters will be substantial. Please review included photos with elevation levels to get a clear understanding.

- Concern for the 3 to 5 foot elevation gain (grading) on the building envelope from 19' to 24'. See Map C-4
- 24 foot elevation is outside of the permitted building envelope. See Map C-4
- Less then 95 sq Ft (0.01%) of land is at 24' elevation pre construction.
- All 24' elevation is outside of permissible building envelope. See Map C-4 & photo
- Less then 270 sq Ft (0.025%) of land is at 23' elevation pre construction, with less then 100 sq ft existing inside the permissible building envelope. See Map C-4
- Approx. 6650 sq Ft, (95%) of the building envelope is to proposed raised to 24',...
- Raising grade level to 24' will be at the level of current transition of brick to vinyl on existing building. See photos.
- For a comparison of the amount of fill required in the rear, see picture with utility shed, which has 5 foot walls. This grade will be higher then the height of land on the all sides, including the old Getty gas station parking lot, *See photo*.
- The burden of future water run off due to increased weather events to all direct (2)and indirect abutters (6)who have elevations less then 20" is contrary to public benefit."
- The resulting buildings will have real heights of 39'9" due to this increased elevation.
- In the TAC meeting, it was mentioned that 278 Cabot St was used in a height reference, however this victorian dwelling (now a boarding house) was built in early 1900's.
- Since a new street storm drain pipe & DP will be created, then by moving the outflow pipe from the property to the lower edge of the property down Salem St where the current elevation is 21', it would reduce the elevation requirement to less then 23' and still provide drainage onto the street.
- Decks/Patios (TBD) means future owners will have to apply for variances and runoff mitigation as all 3 of the proposed outside spaces fall outside of the current build able setbacks and at least 2 fall outside of drainage plans.

On page 9, Conclusion: "... Therefore, there are no negative impacts to the downstream receptors or adjunct properties anticipated as a result of this project."

Since these dwelling will be sold once completed, who becomes responsible to the "downstream receptors and adjunct properties" and what recourse do neighboring properties have if negative impacts do occur with future increased weather events.

POST-DEVELOPMENT DRAINAGE;

".... match the pre-development drainage patterns to the <u>greatest extent feasible</u>." BY RAISING THE GRADE LEVEL FROM ALL SURROUNDING PROPERTIES BY 3 TO 5 FEET.

STORMWATER INSPECTION

Inspection & Maintenance Reports

1). "after each rain event of 0.5" or more"

Annual Report

For how many years? Not stated, who becomes responsible when Bonza Builders LLC no longer is owner? Is there public recourse (Abutter & indirect abutters) if these measures are not followed?

Inspection & Maintenance Checklist/ Log

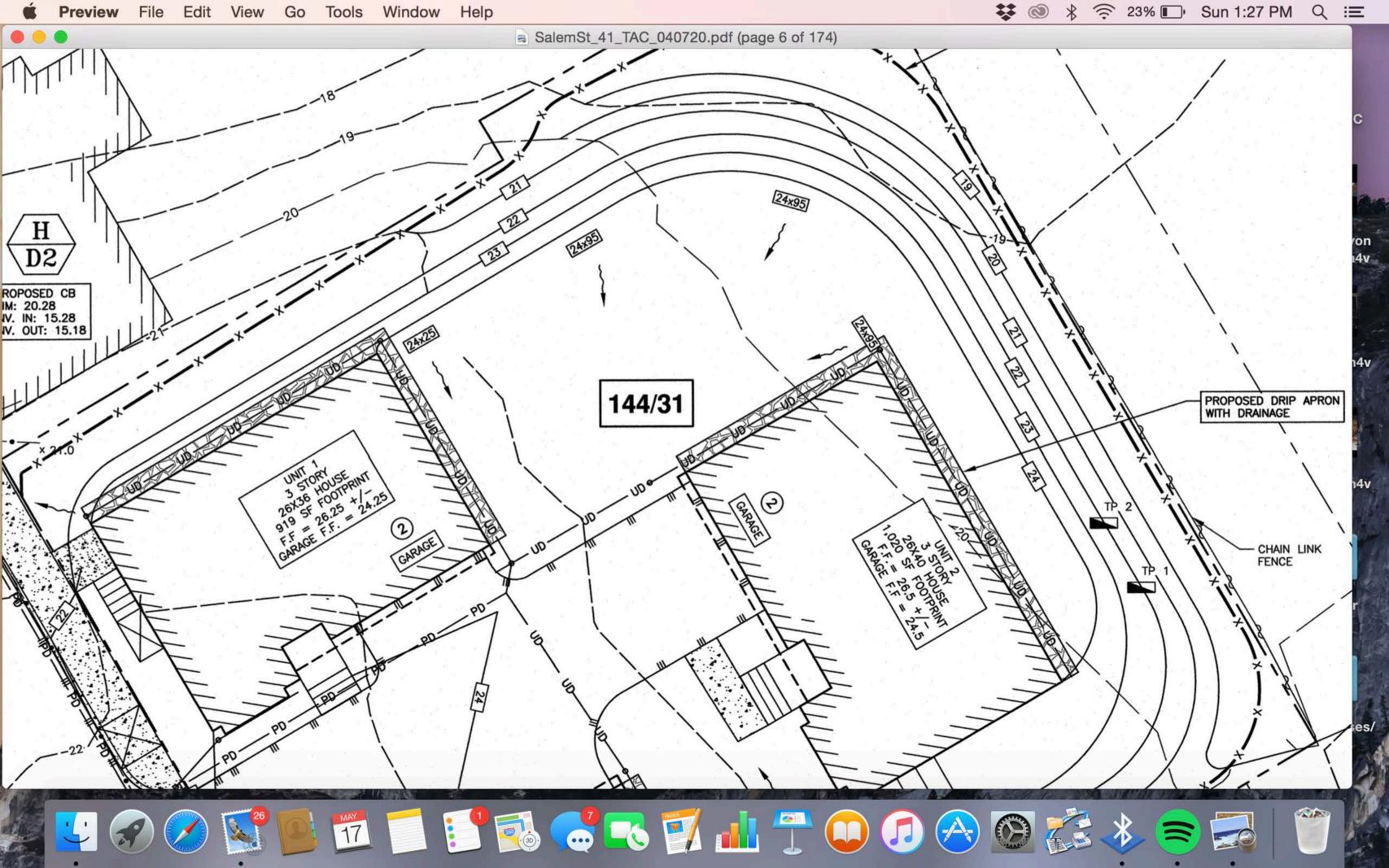
"This is a guideline..." Who is held responsible for these actions in 3, 5, 8 years in the future?

Due to these numerous contentious points, I would ask that another method of storm drain runoff be considered with less impactful ramifications to abutting properties.

Could the storm runoff pipes connect to the street farther down Salem St., thereby reducing the grading gain by 2 feet?

If the board approves this proposal, I would ask for language to assure neighboring properties that the Stormwater Inspections & maintenance plans be upheld for a period of no less then 4 years., and some type of horizontal architectural 2nd flr trim be added to reduce the massing of these buildings in regard to abutters views.

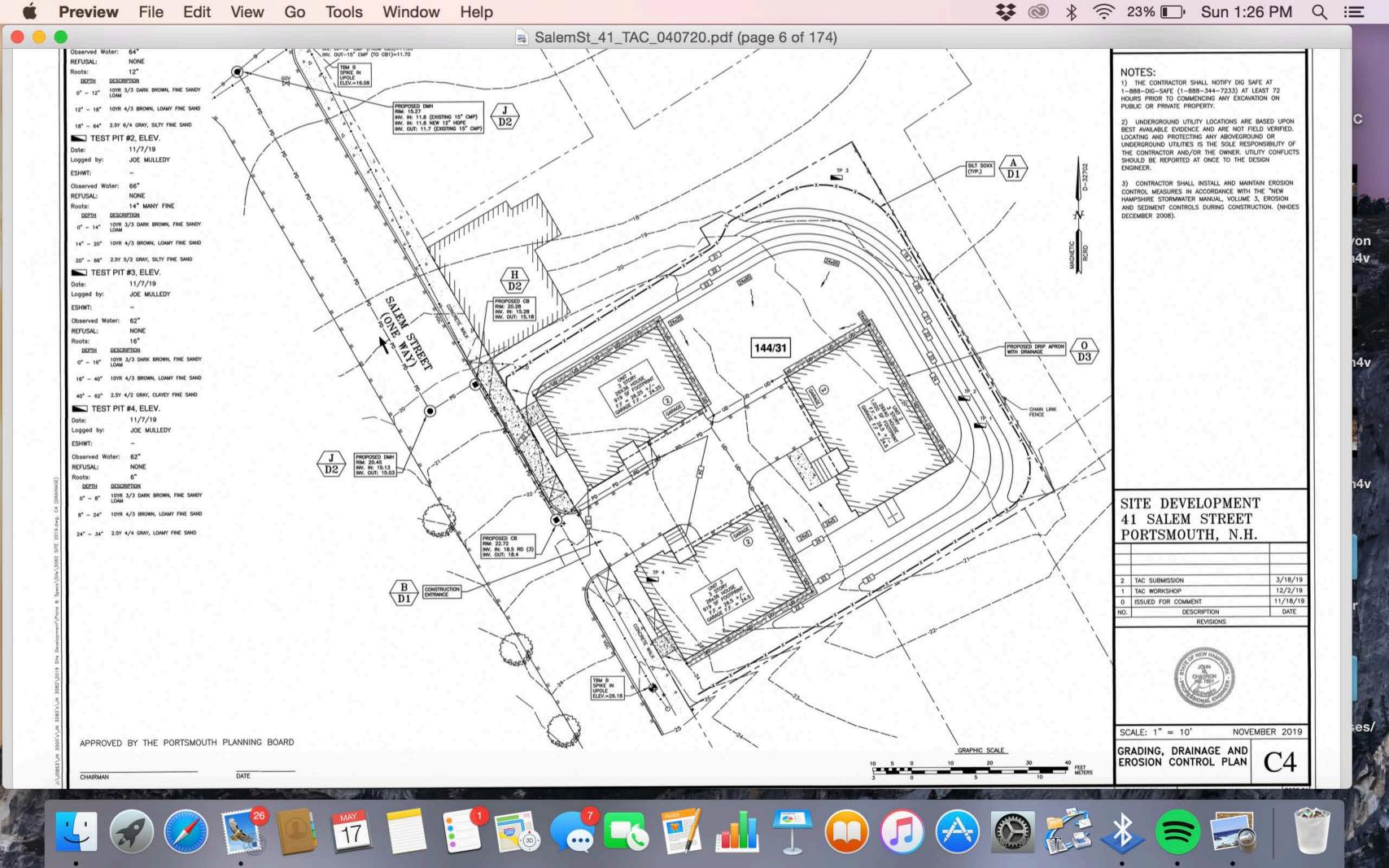
Sincerely; James Beal rear abutter 286 Cabot St. Portsmouth, NH













Elizabeth Bratter 159 McDonough St Property Owner May 19,2020

Portsmouth Planning Board May 21, 2020 Meeting RE: 41 Salem St

Dear Chairperson Legg and Members of the Planning Board,

I am hoping when this development is completed it will be a balanced part of our neighborhood. It is coming together nicely. I look forward to meeting our new neighbors!

At the April 7th TAC meeting a lot of issues were discussed regarding this addition of 2 more structures to this piece of land. It had originally been proposed that a Stormwater Inspection take place annually for 2 years after its completion regarding drainage and effects on surrounding properties. This property has no runoff history and sits on a hill which already creates a difference in grade and has for at least 50 years. The developers are proposing adding a minimum of 5' of fill which will raise it substantially higher than the abutting lots. This increase in height and the potential of water running onto abutter's property will be higher once the land has settled. Some of the water from the dramatic increase in impervious surface (1 house to 3 houses) is being filtered through drainage systems. The rest of the water will runoff using a grassy area (see below) to McDonough St basins. Water uses the path of least resistance and over time that path could easily change depending on the use of the property and additions, such as decks or patios. Please include an annual evaluation of storm water run-off for a period of 5 years after its completion to ensure the increase in stormwater will stay within the proposed drainage plans and includes required corrections if needed.

The other ongoing issue discussed during TAC was the buildings do NOT fit the street scape of the neighborhood, with front doors facing the street. It was agreed that the two buildings (1 and 3) with sides facing the street would be constructed to be a little more street scape friendly. Looking at reader pages, 26, 37 and 44 there seem to be no changes presented to the sides of the buildings which will be facing the street. Notice the bottoms of the buildings show nothing to balance the blank areas. It was also mentioned that the rears of the buildings be "softened" in their look, since they will sit rather high on the property due to the added fill. Please ask the developer to present the changes which were recommended by TAC, or minimally add a window or two on the bottom floors with a faux or real doors on the sides facing the street and some design changes to the rear.

Thank you for your consideration.

Sincerely, Liz Bratter

"Subcathment PS3 is **the remainder of the lot** which is not directed to Salem Street. **This runoff flows via a grassed pathway** through adjacent lots to McDonough Street. Subcatchment OS 1 is the same area of off site runoff as in the existing conditions which combines with the runoff from PS3 and **discharges via the same grassed pathway** to McDonough Street and further to the catch basin located at the corner of McDonough and Cabot Streets." (reader pg 50)

Juliet T.H. Walker

From: Leslie Buckley <lesliebuckley65@gmail.com>

Sent: Monday, May 18, 2020 2:45 PM

To: Planning Info **Subject:** 41 Salem Street

Good afternoon

I am writing today regarding the most recent proposal to build 3 single family condos on the lot at 41 Salem Street. As I understand from the TAC process, the builder (Bonza Builders LLC.) was given approval to move forward to the planning board for approval. The plan to raise the elevation of the lot by 3-5' (feet) in order to bring all storm runoff onto a new storm drain on Salem Street is of concern to me as an indirect property owner on Cabot Street. Since I live at 20' elevation or less, we are downstream of this storm runoff build-up.

A few points of concern that I want to bring to your attention for consideration/review:

- The deck/patio spaces for the properties are listed as (TBD). I am assuming that means the builder leaves that to the new owners to deal with a variance. This then becomes another issue for drainage.
- As I understand the details of the plan as reviewed with me:
 - $_{\odot}$ The 24' elevation consists of +/-98 sq. ft, (less than 1% of the full lot, 10,903 sq. ft) all of which is outside of permissible building area
 - \circ Of the 23' elevation, there is +/-270 sq. ft of which only +/-100 sq. ft is inside the build able envelope. The proposal is to fill 95% of the building envelope, 6,650 sq. ft to the elevation of 24', in order to have all surfaces slope towards the center, then storm drain into city plumbing
- The amount of fill in the rear and majority of the lot will raise the proposed building heights from my Cabot Street property to 39'11" which is outside of the zoning requirements of GRC. With ever increasing rain events dumping multiple inches of rain in a 24-hour period, the potential for flooding to my property and those of my neighbors due to runoff is a very real concern even though "the plans" say differently. The reality of the situation is very different from a drawn-up plan.
- Since these units most likely will be sold to 3rd party owners, who will be responsible for mitigation of potential water issues, in the coming years?

I am respectfully asking for consideration for an alternative method of storm drain off without the 5' of grading.

Regards

Leslie Ann Buckley 304 Cabot St - Gaslight Condo Association

Juliet T.H. Walker

From: nancy hanscom <nakoa1585@gmail.com>

Sent: Friday, May 8, 2020 6:05 PM

To:Planning InfoSubject:41 Salem St

To the planning board, this is my 2nd email about 41 Salem St. I see the developer wants to put 3 units on that property. This is not feasible! I can see taking down the house that's there, but to only put one house back on the land. I am opposed to putting more houses, condos, or townhouses on that land. They don't belong!

As for the land, it is beautiful. let it stay that way. We as people who live in Portsmouth, do not see many open spaces. All we see are condos, townhouses and hotels. It is actually nice to see some open land. I think my Dad would have wanted it to stay open land.

As it is, people from Portsmouth who were born and raised here, are being pushed out so that the rich can move in. Come on people, save some of the land we have left! Don't let builders come in and take the only open spaces that we have!

Thank You Nancy L. Hanscom

PS, I grew up in that house and on that land, playing on it with the neighborhood kids. It WAS the place to be when we were growing up. Please don't take it away!

May 18, 2020

Dear Planning Board,

Please accept this letter as my opposition to the requested changes to 41 Salem Street. As a 20+ year resident of Cabot Street, I can only imagine the negative impact approval of these changes will make to our neighborhood.

My concerns are outlined below:

- The request for a 3- to 5-foot elevation grading to the building envelope. Five feet is almost a tall as I am!
- Most of this grading is outside the permissible building envelope.
- This grading will be higher than the height of the adjacent land—how will the grading be contained? With a retaining wall? With the potential height a few inches shorter than me?
- Who is going to be responsible for the future water run-off to the abutters who have elevation of less than 20'—and would be "contrary to public benefit?"
- With the addition of 5' elevation increase, the buildings will have real heights of 39'11", surpassing the accepted building heights in the neighborhood. The referenced building used for height reference, is the Victorian boarding house at 278 Cabot was build over 100 years ago!
- Since decks and patios are listed as TBD, future owners will have to apply for variance and runoff mitigation since all of the TBD proposed outside spaces fall outside of the current drainage plans.
- Possibly the most alarming line is noted in the Conclusion (page 9): "Therefore, there
 are no negative impacts to the downstream receptors or adjunct properties <u>anticipated</u>
 as a result of this project."
- What recourse will abutting and downstream property owners when negative impacts occur?

With the points listed above, I request that another method of storm drain runoff be considered without the additional 5-feet of grading.

Respectfully submitted,

Jennifer Meister 287 Cabot Street

Sue and Bob Thoresen 100 Kensington Road Portsmouth NH 03801



May 14, 2020

Dexter Legg, Chair Portsmouth Planning Board 1 Junkins Avenue Portsmouth, NH 03801

R: Loughlin Proposed Lot Line Adjustment

Dear Chair Dexter Legg and members of the Planning Board,

This letter is to state that we have no objection to the proposed lot line adjustments involving Peter and Nancy Loughlin, John and Cindy Hebert and Linda Langley for lots on Thaxter and Fells Roads.

If all applications were as harmonious as this one, you might have a short meeting!

Best Wishes,

Susan W. Thoresen

A Robert Thoresen.

Cc: Peter and Nancy Loughlin