From: Todd Baker <todd@bakerprop.com>
Sent: Wednesday, February 10, 2021 11:51 AM

To: Planning Info

Cc:dpinciaro@comcast.netSubject:105 Bartlett Street

Hello Portsmouth Planning Department & Planning Board:

My company, Summit 501 Islington, LLC owns the 3 story office building at 501 Islington Street, which will be a neighbor to the proposed development at 105 Bartlett Street.

I'm writing to encourage the town and board to find solutions to allow the redevelopment of this area as proposed.

Portsmouth needs more housing and this site presents a great opportunity to upgrade from the existing, somewhat dirty, industrialized use, to attractive housing and recreational trails. This project will be a great step toward integrating the West End with the downtown area.

I hope that progressive minds will be flexible to find a compromise to help this project advance.

Thank you for helping Portsmouth change for the betterment of the community!

Todd Baker For Summit 501 Islington, LLC

From: Planning Info

Sent: Wednesday, February 10, 2021 7:57 AM

To: Izak Gilbo

**Subject:** FW: North Mill Pond Greenway - 105 Bartlett Street

**From:** Berry, James [mailto:JimBerry@SafetyInsurance.com]

Sent: Tuesday, February 9, 2021 4:04 PM

To: Planning Info <Planning@cityofportsmouth.com>

Subject: RE: North Mill Pond Greenway - 105 Bartlett Street

To the Conservation Commission Committee:

My name is Jim Berry and my wife, Leah and I live at 162 Mill Pond Way, Unit 4. We would like to express our support for the North Mill Pond Greenway/105 Bartlett Street project. We live across the water from where the project will take place. Currently, this area is very unpleasant looking, with overgrown landscape and industrial structures. We look out at a salt pile, the new parking garage, and untended areas that detract from the natural beauty of North Mill Pond, itself. We believe this project will make the entire Pond more attractive and visually appealing. The introduction of the park and walking area will open up the Pond to use by many more Portsmouth residents. One of our favorite activities is walking around our city and this project will allow us to do so without navigating the busy city streets. We believe this project should go forward and will be a very beneficial advancement for the City of Portsmouth.

Thank you.

Jim Berry

Jím Berry

**Underwriting Vice President** 

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Dear Conservation Commission,

This is what 50' to the water's edge really is. This water side of Great Rhythm Brewing permitted for outdoor seating in the 50' buffer. Building C will be taking Great Rhythm building's place. **The 14' wide multi-use path is proposed to be along where the Split Rail Fence is. As you can see 50' is quite close to the water!** 



Sincerely,

Elizabeth Bratter 159 McDonough St Portsmouth Property Owner

Elizabeth Bratter 159 McDonough St Portsmouth Property Owner

Dear Members of the Conservation Commission,

As of this today there is nothing on the ConCom website to show what 105 Bartlett St will be presenting for the general public to review prior to sending in any comments, **THEREFORE this application should be postponed and updated!** The applicant was asked by TAC on 12/01/20 to make 41 changes to the design plans and on 02/02/21 about 20 more changes were discussed and added. <u>All changes</u> should be updated on the design plans and then presented to the Conservation Commission. Some of the changes brought forth included: changes to the width and possibly pavement of the "multi-use path", changes to the replacements of invasive species within the 25' buffer, snow removal of the proposed "multi-use path", the addition of drainage next to the path, removal of trees from the Cabot St culvert, no trees were to be allowed in the View Corridor, only some of the changes requested by ConCom seem to have been put forth on the design plans.

I would like to compliment the developers for finally providing Plan A. This is what should have been presented in the beginning!

It is my understanding 105 is applying for a recommendation from the Conservation Commission to be allowed to move to Planning Board (02/18/21) to request a Wetlands Conditional Use Permit. This application does include demarcation of the 100' wetland buffer along the North Mill Pond. It does NOT include demarcation of the 100' buffer around the over 4000 sf of inland palustrine wetland (see below) which exists within the former RR turnstile, which according to 10.1014.12 counts as a created wetland.



At this point the applicant is not able to meet the criteria to receive a Condition Use Permit.

The presented "Wetlands Delineations and Functions and Values" report does NOT meet the 13 required criteria of
"The Highway Methodology Workbook Supplement "in Article 10 Section 10.101722 (3) and Article 10 Section
10.1017.42 as an approval requirement.

<a href="https://www.nae.usace.army.mil/Portals/74/docs/regulatory/Forms/HighwaySupplement6Apr2015.pdf">https://www.nae.usace.army.mil/Portals/74/docs/regulatory/Forms/HighwaySupplement6Apr2015.pdf</a>
(pg 4, 5 of workbook)

The workbooks specifically states: "The proximity of the development may alter wetland functions and values. Therefore, evaluation of the resource must consider not only the wetland, but also the adjacent land use and associated interrelationships". Many of these impacts have been presented by ConCom: nutrient removal, consumptive recreation, visual quality/aesthetics, uniqueness/heritage and seemed dismissed by the applicant.

2. It has been shown there are many alternative locations for the positioning of these buildings and roads, <u>all out of the</u> 100' wetland buffer.

Cutting Building C by 55' <u>does NOTHING for the buffer</u>; it just provides more lawn and less availability of continued use by wildlife and natural vegetation in the buffer. Moving both Buildings C and B out of the 100' buffer MAY help reduce the permanent impact on the 50' buffer, providing the Least Environmentally Damaging Practicable Alternatives (LEDPA). As a stipulation of the CUP it should be required that NO mechanical equipment be used within the 0-50' buffer, other than during installation of the culvert. All other work should be moved to the 50 to 100' buffer.

The road from Bartlett St to proposed Building C is not only in the 100' buffer but actually runs mostly in the 50' and 25' buffer. The road could run parallel to the Railroad Tracks and would only involve moving storage sheds. This development is willing to move storage sheds for its benefit! This too would provide **LEDPA**.

- 3. It was stated at the TAC meeting on 02/02/21, the only restoration of the shoreline will take place where the culverts are installed. This will involve properly removing invasive species and replacing them with wildflower mix. When asked were plants going to be used for larger areas, it was stated the invasive species areas are not that big. Funny how building this development here was justified by stating it was mostly invasives and therefore didn't need to be preserved!
- 4. I have not seen <u>an independent</u> New Hampshire certified wetland scientist report regarding this area. The report presented was created by the same engineering firm representing the applicants.
- 5. The proposed area to be developed is a natural flood plain. This area has never flooded per the owners of said property which also indicates its ability to manage water properly. There is NO ground water or flood flow alterations report in the presented environmental report. What is going to happen to all the water that was absorbed there when around 30,000sf are filled with cement to create an underground garage?
- 6. Article 10 Section 10.1017.50 (4) is not met. Even the proposed raingarden and granite sitting area will remove a large portion of natural vegetation and trees in the 50' buffer! All the drainage needed will require digging up the 25 to 50' buffer zone! Based on what has been presented so far the entire area from 25 to 100' of the buffer will be bull dozed; 38 trees, some shrubs and large portions of GRASS will be replanted! No preservation of anything!

# Thank you for your time!!

From: Planning Info

Sent: Thursday, January 28, 2021 3:56 PM

To: Izak Gilbo

**Subject:** FW: 105 Bartlett St

Hi Izak, I know this is to the PB but I know it is still with Con Com so thought I would send to you. Thanks, Tracy

**From:** Carol Clark [mailto:carol.clark1@comcast.net]

Sent: Thursday, January 28, 2021 3:04 PM

To: Planning Info <Planning@cityofportsmouth.com>

Subject: 105 Bartlett St

To Planning Board members

There are still some concerns for the proposed development and the new buildings not adhering to 100' wetland buffer as well as impervious surfaces not conforming to current regulations. See below

Building B has NOT moved and is still the SAME square feet(19,214),) still in 100' buffer.

B and C together estimated over 5200sf still in the 100' buffer (plus the enlarged fire road) If you own a 40' wide property and add a shed in the wetlands it would be take up around 4% of the wetlands buffer. Most importantly the existing impervious surfaces on 105 Bartlett are Non-Conforming, all their buildings will be new and should follow the wetlands and building regulations of current regulations.

Please review the current proposal and uphold current regulations, especially regarding the 100' wetland buffer

Thankyou Carol Clark 28 Rockingham St Portsmouth NH

From: Planning Info

Sent: Wednesday, February 10, 2021 7:55 AM

To: Izak Gilbo

**Subject:** FW: North Mill Pond project

From: Jeff Collins [mailto:jeffreycollins@yahoo.com]

Sent: Tuesday, February 9, 2021 5:26 PM

To: Planning Info <Planning@cityofportsmouth.com>

Subject: Re: North Mill Pond project

Hi Tracy

Its about the 105 Bartlett street project. Please send it to The Conservation Commission , the Planning Department or anyone else who might be involved .

#### **Thanks**

Jeff Collins c. 774.278.8676 w. 603.435.3900 x100

On Tuesday, February 9, 2021, 10:42:20 AM EST, Planning Info cplanning@cityofportsmouth.com> wrote:

Hello Jeff,

Please be specific on what address you are referring to and what Board/Commission you would like to receive this email. Thank you,

Tracy

From: Jeff Collins [mailto:jeffreycollins@yahoo.com]

Sent: Monday, February 8, 2021 5:48 PM

**To:** Planning Info < <u>Planning@cityofportsmouth.com</u>>

Subject: North Mill Pond project

Good Evening,

I recently had a chance to review the plans for the proposed Greenway and North Mill Pond project. It appears that the	Э
developer has a good plan that will be a big improvement over the mess that exists along the tracks right now, The soon	ner
this gets cleaned up the better! The Greenway will be an awesome way for both local's and visitors to make their way	
safely from the West End to Downtown and back, I will miss having Great Rhythm around though.	

Jeff Collins

55 Pine Street

Portsmouth

c. 774.278.8676 w. 603.435.3900 x100

From: Peter L. Britz

Sent: Friday, February 5, 2021 10:42 AM

To: Izak Gilbo

Cc: Jillian Harris; Juliet T.H. Walker
Subject: FW: North Mill Project (105 Bartlett)

### Here is public comment for 105 Bartlett

**From:** Ryan Costa [mailto:ryancosta89@gmail.com]

Sent: Friday, February 5, 2021 10:39 AM

To: Peter L. Britz

Subject: North Mill Project (105 Bartlett)

#### Hello!

I am still not 100% positive that this is the right means of communication, but I did want to write in support of the project at 105 Bartlett, or the North Mill Pond project.

While I understand the short term impact and destruction of the environment for the project to get underway, I believe the long term benefits far outweigh this negative.

For instance, I believe that 21st century living goals maintain that we should do our part to limit our footprint, reduce carbon emissions, and do our best to increase density within our community. This project works to combine those efforts, and is also a strong link between downtown and the West End Yards. The Islington corridor also becomes more negotiable for walkers/bikers with the continuation of the greenway.

The overall impact here suggests more people would be able to walk to pick up groceries and enjoy all the things in this area of town without taking a car and having to find parking.

The negative aspects of this project are definitely harmful in the short term. I think that construction on the wetlands and demolishing existing structures is not something that is at the heart of conservation efforts, however, the long term benefits as I've highlighted will be felt for years to come.

Another argument I have heard against this project is how it looks to residents of the neighborhood. The overall scope of the project seems to be too large for some, but to me this sounds like a bad faith argument. I think that the look of the project is fitting with that of the city, and while it might appear humongous, currently the buildings surrounding that area are dilapidated and underused (though I love Play All Day and Great Rhythm!).

I own my home just up the way on the same side of the mill pond (Hill Street), and really think that this would help create some necessary cohesion between the West End and Downtown.

Overall, I hope that some iteration of this project can occur because I think that area needs to have some aspects redesigned.

Thank you for your time,

Ryan Costa

126 Hill Street

From: Planning Info

Sent: Wednesday, February 10, 2021 7:54 AM

To: Izak Gilbo

**Subject:** FW: 105 Bartlett Street Project - support

**From:** Gregory C. DeSisto [mailto:gregory.desisto@primebuchholz.com]

Sent: Tuesday, February 9, 2021 6:17 PM

To: Planning Info <Planning@cityofportsmouth.com>

**Cc:** Doug Pinciaro <dpinciaro@comcast.net> **Subject:** 105 Bartlett Street Project - support

## To Whom it may concern,

I'm writing in support of the project at 105 Bartlett Street. The proposed project balances the interest of all stakeholders involved. It represents a significant improvement to existing property from both a usage and environmental standpoint. There have been substantial revisions to the plan from its inception to the current plan which not only makes the plan viable, but also represents meaningful improvements to all aspects of the property.

Sincerely, Greg DeSisto 36 Shaw Road Portsmouth, NH 03801

Gregory C. DeSisto
Managing Principal
Prime Buchholz LLC
Pease International Tradeport
273 Corporate Drive
Portsmouth, NH 03801
603-433-1143
greg@primebuchholz.com

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From: Planning Info

Sent: Wednesday, February 10, 2021 7:49 AM

To: Izak Gilbo

**Subject:** FW: West End Landing Project/North Mill Pond Greenway

To: Planning Info <Planning@cityofportsmouth.com>

Subject: West End Landing Project/North Mill Pond Greenway

Dear Conservation Commission members,

My name is Susan Frohn and I live at 86 Meadow Rd Portsmouth, NH.

I am writing this on behalf of the West End Landing/North Mill Pond Greenway project.

Having grown up and lived in Portsmouth most of my life I have seen many changes in Portsmouth. Some I liked and some not so much.

This particular area has over the years been an eyesore, polluted and a hazard. With care and a lot of work by the community it has been revitalized except for the parcel wishing to be developed. These developers have a vision. They have amended, sought consultation, and listened to community members to provide the most conscientious living, business and green space for the city. I think of no better way to take what is now a dumping ground for people's trash and an area that is unsafe with undesirable behavior going on and make it a beautiful green and living space for all to enjoy.

The city has allowed hotel after hotel, luxury condos and other buildings to crowd the downtown making it gray and dark. Even on a sunny day there is barely any sunlight shining through what is now a concrete jungle. Why would you not allow a "Breath of Fresh Air" with this development and green space while providing essential living spaces that the city keeps clamoring for?

Please consider this opportunity for all the benefits it will lend to the city and its residents.

I appreciate your time.

Best Regard,

Susan Frohn

From: Abigail Gindele <agindele@gmail.com>
Sent: Monday, February 8, 2021 4:18 PM

To: Planning Info

**Subject:** For the Conservation Commission -- RE: 105 Bartlett St

# Dear Conservation Commission,

I am horrified and saddened by the environmental impact the 105 Bartlett St proposal will have on the North Mill Pond and disgusted by Clipper Traders et al's denial of the impacts. Why is dismissal of the 100' setback even being considered? Setbacks are about viable ecosystems, not just drainage. If setbacks are too narrow, they can't act as they should. There has to be a critical mass to be effective.

The North Mill Pond is its own entity. Its shoreline, as it exists now with the thickets of trees, shrubs, and grasses, is incredibly valuable for the wildlife and ecosystem of the Pond. Actually, it's more valuable than ever for the whole city because trees, shrubs, and native plants/grasses are being ripped out at every new building or park site around the City. If the pandemic has taught us anything, it is that people need and want the outdoors and nature, not just some sidewalk bordered by lawn. Instead, we should be doing more to clean up and reduce the human damage inflicted on the habitat along the Mill Pond's entire shoreline.

*In reference to criteria the Zoning Ordinance requires:* 

# "The land is reasonably suited to the use, activity or alteration."

This land is not suited for excavation because of high ground water levels and man-made toxins stored in the soil. It is also not suited for a raise in grade, let alone the proposed 17' increase. All the drainage plans in the world can't nullify building a mountain where there isn't one and then covering it with impervious structures and paving. How will this play out for the McDonough neighborhood? And increasing runoff and adding more drainage locations into the Mill Pond is their idea of improving water quality. The track record of care for the Mill Pond from the Clipper Traders individuals is a bad omen.

The added sound and light pollution from the dense development will further destroy the North Mill Pond ecosystem.

Also, from a tax payer perspective, the grade increase would be detrimental to all surrounding property values on both sides of the Pond. Not only is the actual building complex taller than anything nearby, but then add 17' more of height in grade change. Suddenly, there would be a behemoth that geologically and geographically does not belong.

# "There is no alternative location outside the wetland buffer that is feasible and reasonable for the proposed use, activity or alteration."

Yes, there are alternatives, and plenty of people have made suggestions. Perhaps the builders/architects aren't creative enough. Or maybe Clipper Traders et al only care about making as much money as possible, while they live elsewhere.

But, backing up a tad, why should it be assumed they can build on it at all, alternative location or not? If it breaks the laws, they shouldn't have bought the property for that purpose to begin with. Just because they thought they could get away with it, we should let them?

Maybe the City could offer them a reasonable price for their unbuildable land and live up to its own 2007 *Resolution and Declaration of Portsmouth As An Eco-Municipality* and put in a pedestrian way that is NOT within the 100' set back (let alone within the 50' setback currently offered up). And then the habitat could be saved and improved. And Portsmouth could keep a real gem!

# "There will be no adverse impact on the wetland functional values of the site or surrounding properties."

The density of the project is not suitable for the ecosystem of the Pond. On one side of the Pond, there are about 25 dwellings for the whole shoreline, most adhering to setbacks or grandfathered in, but many with significant vegetation along the shoreline. If you take the same area of land across the Pond from the proposed project (similar shoreline and non-shore), you find about 14 houses. In that same land mass of 14 homes, the 105 Bartlett project far exceeds this in dwellings and all the hardscaping that goes with it. That's about a 1200% increase in home density for just that area.

The light pollution from those dwellings and all the accompanying all-night lighting for parking lots and walkways would be devastating for the habitat. Learn the lessons from the Foundry Garage.

The high density of human activity would be disruptive and destructive to Mill Pond habitat. Some years back, Ed Hayes had trees and shrubs cleared out (illegally?) along the shoreline for his incoming tenant (Great Rhythm). Between the loss of vegetation and increased human activity there, the nesting area for the great blue heron is gone! Last spring, perching on and soaring over the secluded remnants of the old Turntable building, I counted 14 turkey vultures. Sightings like this give Portsmouth its soul and therefore create its value (if you need a monetary reason). The North Mill Pond ecosystem is important!

When was the last time someone said "wow, thank goodness we tore up all that natural landscape to put in a development"? Whereas, you hear praise of foresight for saving our natural areas and wilderness ALL the time!

# "Alteration of the natural vegetative state or managed woodland will occur only to the extent necessary to achieve construction goals"

This whole project is designed to destroy habitat well within the 25' setback, let alone the 50'. What happened to the required 100' setback? Clipper Traders et al shouldn't have even entertained this project, as they've proposed it so far. The buildings themselves sit on or go inside the 50' marker. The destruction from construction will get much closer to the shoreline. Construction vehicles and practices are all about speed and easy access. They will destroy everything around them. Have you been to any of the sites in town?! And they're planning to raise the grade so much; what about all those slopes? Once the construction starts and all that area is torn up, the habitats will be destroyed and wildlife killed or driven off.

\*\*\*\*\*

And then there's the "greenway." No one wants to get away from vehicle traffic more than me. However, some city leaders seem to be trading away the North Mill Pond ecosystem to get this greenway which has now actually turned into a wide, paved, fire access road. And its proposed landscaping looks like the typical, sterile, office-park landscaping job that is the farthest thing from a native habitat. Even if it were just a path for pedestrian use, it should be completely outside the 100' zone because of the human activity and environmental impact. But now, it's a very wide, impervious road that requires all types of maintenance, goes between tall buildings and mowed lawns, and doesn't resemble any part of a natural shoreline.

The Clipper Traders et al proposal boasts of public access and educational possibilities – making the reader think they're going to be improving the shoreline, all the while neglecting to clean up the human trash they've let accumulate. I'm really tired of people selling recreational access as an improved environment. We need to think about the ecosystem and what it needs, not what we can get out of it. When we do take the generous, stewardship direction, not only does nature do better, but we get more existential benefits in the short and long run.

Thank you from a concerned Portsmouth resident,

Abigail Gindele,

229 Clinton St

From: Planning Info

Sent: Wednesday, February 10, 2021 7:56 AM

To: Izak Gilbo

**Subject:** FW: Submission for the Conservation Commission meeting on 2/10/2021

From: Catherine Harris [mailto:prized@comcast.net]

Sent: Tuesday, February 9, 2021 5:12 PM

To: Planning Info <Planning@cityofportsmouth.com>

Subject: Submission for the Conservation Commission meeting on 2/10/2021

Dear Conservation Commission Members,

The fate of the North Mill Pond, it's environs and the many habitats it supports now rests solely in your hands. Will you uphold the 100' setback that many residents have spent the last three years begging you to do, or will you be swayed by the money?

I don't mean to sound so blunt, but our city is on the verge of destroying a vitally important resource that will never fully recover without the protections we are lobbying for. Where would you expect the wildlife to go once these very large buildings with their attendent people, noise, lights, traffic etc... invade their habitat? Is our ever dwindling regard for the environment to continue in the form of this development? Are we really that short sighted?

Frankly, I'm weary of begging city officials to do what is right. I'm discouraged that what's required for residents in terms of the 100' wetland setbacks may not end up applying to development interests with lots of money to throw around. And that would be a real travesty.

Please uphold your own regulations and deny the CUP request for the 105 Bartlett Street development project. Your commission holds the last hope for the North Mill Pond.

Sincerely, Catherine(Kate) Harris 166 Clinton Street, Portsmouth

\* Please share this letter with the Planning Board for their upcoming meeting on Feb.18th, 2021

From: Catherine Harris
To: Planning Info

**Subject:** Fwd: Conservation Commission meeting on 12/9/2020

**Date:** Friday, January 29, 2021 12:45:26 PM

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

Thank you, Catherine Harris

# Begin forwarded message:

From: Catherine Harris prized@comcast.net<>

Subject: Conservation Commission meeting on 12/9/2020

Date: December 6, 2020 at 10:32:57 AM EST

To: Planning Info planning@cityofportsmouth.com

Dear Commission members,

This is one more submission for your upcoming meeting on 12/9/2020

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

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

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

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

Thank you again. Sincerely, Catherine Harris 166 Clinton Street

From: Planning Info

Sent: Wednesday, February 10, 2021 7:57 AM

To: Izak Gilbo

**Subject:** FW: 105 Bartlett Project

From: Hayes, Kathleen [mailto:Kathleen.Hayes@peoples.com]

Sent: Tuesday, February 9, 2021 4:19 PM

To: Planning Info <Planning@cityofportsmouth.com>

Subject: 105 Bartlett Project

To Whom It May Concern:

I am writing as a business leader in the City to express support for the proposed 105 Bartlett/Residences at Islington Creek project. I was born and raised in Portsmouth and can attest to the dramatic and transformative improvements that these developers have made to the Northern Tier, taking it from an underutilized waterfront area that had previously been a rather unwelcoming and unappealing gateway, to a vibrant extension of the downtown, consistent with the North End Vision Plan. This new revised project represents a continuation of this vision by providing a greenway with public access to the North Mill Pond and pedestrian/bicycle access to the West End, to be enjoyed by residents, those who work in Portsmouth, and visitors as well, while also offering the much needed addition of mixed income, multi-family units to the housing inventory. Currently, this site is a rather intimidating wasteland of older industrial buildings, decrepit and abandoned railroad facilities and overgrown vegetation. What an enhancement to the City it will be to have this essentially unnoticed but vulnerable waterfront environment cleaned up and accessible to the public.

I am very familiar with these developers and their solid track record of creating new, vibrant neighborhoods, producing high quality projects, living up to their commitments, and being actively involved in the community. They listen and seek to respond thoughtfully and collaboratively to input and feedback, as they have done with this project, reducing the number of units and eliminating office space, thus reducing the size of the project significantly from the original proposal. These are certainly the right folks to undertake a project of this impact and I have no doubt that the finished product will be a wonderful asset to the City, the culmination of many years of planning that will be enjoyed by multi-generational residents and members of the public.

I am in full support of this project and the granting of the requested Conditional Use Permit.

Thank you for your consideration.

Kathleen R. Hayes

Senior Vice President / Region Manager

325 State Street | Portsmouth, NH 03801 m: 603.247.5894

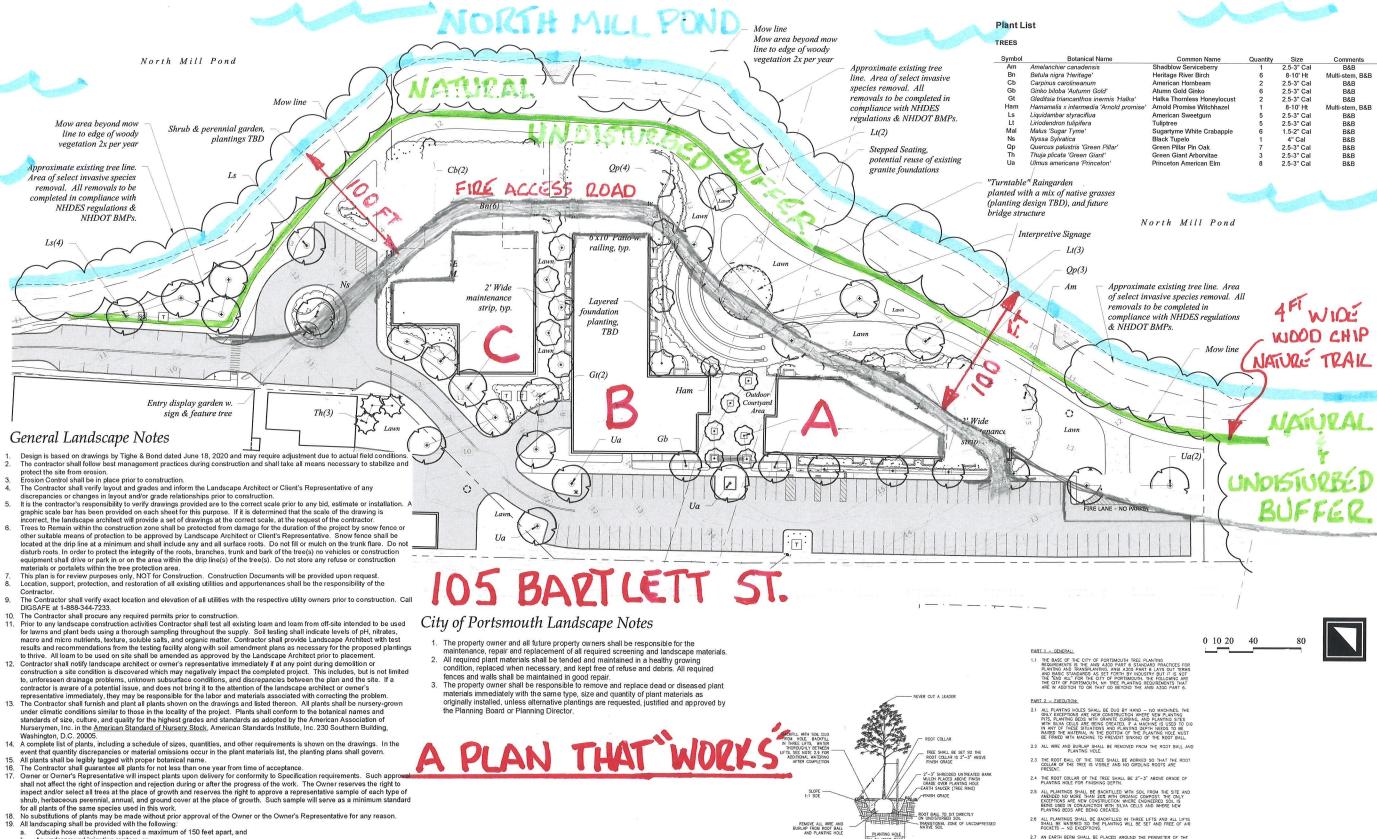


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 22. An distinct deas will be disset with 0 in topsoil and planted as noted of the plans of seeded except plant beds. Plant beds shall be prepared to a depth of 12" with 75% loam and 25% compost.
 23. Trees, ground cover, and shrub beds shall be mulched to a depth of 2" with one-year-old, well-composted, shredded native bark not longer than 4" in length and ½" in width, free of woodchips and sawdust. Mulch for ferns and herbaceous perennials 12-5-2020 shall be no longer than 1" in length. Trees in lawn areas shall be mulched in a 5' diameter min. saucer. Color of mulch shall be

City of Portsmouth Tree Planting Detail

TREE PLANTING DETAIL

2.7 AN EARTH BERM SHALL BE PLACED AROUND THE PERIMETER OF THE PLANTING HOLE EXCEPT WHERE CURBED PLANTING BEDS OR PITS ARE BEING LISED.

2.8 2"-3" OF MULCH SHALL BE PLACED OVER THE PLANTING AREA. 2.9 AT THE TIME OF PLANTING IS COMPLETE THE PLANTING SHALL RECEIVE ADDITIONAL WATER TO ENSURE COMPLETE HYDRATION OF THE ROOTS, BACKFILL MATERIAL AND MULCH LAYER.

2.10 STAKES AND GUYS SHALL BE USED WHERE APPROPRIATE AND/OR NECESSARY, GUY MATERIAL SHALL BE NON-DAMAGING TO THE TREE 2.11 ALL PLANTING STOCK SHALL BE SPECIMEN QUALITY, PREE OF DEFECTS, AND DECEME OF MUSIC THE CO. OF PORTSMETH, AN RESERVES, AND DEFECT OF THE STANDARDS SET FORTH IN THE AND ADD PART OF STANDARD PRACTICES FOR PLANTING AND THE STANDARD PRACTICES FOR PLANTING AND THE AND ADD PART OF STANDARD PRACTICES FOR PLANTING AND THE CONTROL OF THE STANDARD AND THE AND THE AND THE STANDARD THE S Drawn By: Checked By: RW Scale: 1'' = 40' - 0May 20, 2020 Revisions: October 28, 2020

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Multi-Family

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PLAN

SCAPE

LAND

Street

Bartlett.

05

Secondary lateral branches of deciduous trees overhanging vehicular and pedestrian travel ways shall be pruned up to a
height of 6' to allow clear and safe passage of vehicles and pedestrians under tree canopy. Within the sight distance triangles
at vehicle intersections the canopies shall be raised to 8' min.
 Snow shall be stored a minimum of 5' from shrubs and trunks of trees.

An underground irrigation system, or

mulch) over the root ball of any plant.

27 Landscape Architect is not responsible for the means and methods of the contracto

an underground irrigation system, or
 A temporary irrigation system designed for a two-year period of plant establishment.
 If an automatic irrigation system is installed, all irrigation valve boxes shall be located within planting bed areas.
 The contractor is responsible for all plant material from the time their work commences until final acceptance. This includes but

22. All disturbed areas will be dressed with 6" of topsoil and planted as noted on the plans or seeded except plant beds. Plant

24. In no case shall mulch touch the stem of a plant nor shall mulch ever be more than 3" thick total (including previously applied

is not limited to maintaining all plants in good condition, the security of the plant material once delivered to the site, and watering of plants. Plants shall be appropriately watered prior to, during and after planting. It is the contractor's responsibility to provide clean water suitable for plant health from off site, should it not be available on site.

**From:** JAH <samjakemax@aol.com> **Sent:** Tuesday, February 9, 2021 9:14 PM

**To:** Izak Gilbo; Peter L. Britz

**Subject:** 105 Bartlett Street Conservation Commission Meeting February 10. 2021

**Attachments:** A Plan That Works 12.5.2020.pdf

Please forward this email and attachment to all members of the Conservation Committee.

Kindly reply with confirmation of the time and date this information was forwarded to each ConCom member. Thank you

**Dear Conservation Commission Members:** 

At the May or June Conservation Committee meeting last year, a Committee member asked Cathartes why the proposed development could not be built completely outside the North Mill Pond 100 foot wetlands setback buffer. Cathartes's reply was because their wetlands buffer destroying building footprint was the only one that "works". Translation? A project complying with Portsmouth's North Mill Pond wetlands buffer will make us millions, but we want to make 10's of millions.

Please don't allow the senseless destruction of acres of precious and irreplaceable marine estuary habit. Tell Cathartes Portsmouth's estuary uplands are not going to be destroyed for their profit.

Regards,

Jim Hewitt

P.S. The attached plan would "work" just fine.

From: Planning Info

Sent: Wednesday, February 10, 2021 7:50 AM

To: Izak Gilbo

**Subject:** FW: North Mill Pond project - 152 Unit Plan

**From:** Jerry Karcher [mailto:jkarcher@hsjkcpas.com]

Sent: Tuesday, February 9, 2021 9:16 PM

**To:** Planning Info <Planning@cityofportsmouth.com> **Subject:** North Mill Pond project - 152 Unit Plan

#### **Conservation Commission members:**

I would like to take a moment to express my support for this 152 Unit Plan and the substantial improvements it will provide to the North Mill Pond.

This part of the City has been underutilized and unappreciated for years and this reduced impact plan appears to be a good compromise for both the City of Portsmouth and the current property owners. The environmental improvements to the North Mill Pond shoreline, the waterfront park and the opening up of a greenway through this part of Portsmouth are significant opportunities that should not be overlooked or undervalued.

From what I have read the project is in full compliance with the Portsmouth Zoning Ordinance and it helps the City of Portsmouth achieve its goals as outlined in the City's master plan.

Thank you for your attention to this matter.

# JERRY D. KARCHER, CPA

Sanders & Karcher, CPAs 264 Lafayette Road, Suite 7 Portsmouth, NH 03801

Phone <u>(603) 430-0942</u> Fax (603) 430-6085

From: Mcelroy, Tabitha <tam568@g.harvard.edu>
Sent: Wednesday, February 10, 2021 10:21 AM

To: Izak Gilbo

**Subject:** In favor of 105 Bartlett

To whom it may concern,

My name is Tabitha McElroy and I live at 47 Langdon St Portsmouth, NH. I grew up in Kittery, Portsmouth, and New Castle. Today, my husband, daughter, and I have lived in the West End of Portsmouth the last few years. My family and friends look forward to the proposed development and growth that will be brought to West End through the building of this proposed housing structure. The plan has been altered a number of times from its original plan to accommodate the concerns of other valued residents resulting in a careful, thoughtful, and significant reduction in density and decreasing the project's footprint within the 100' buffer zone.

Overall, this housing project is as exciting as it harmonious, as this project integrates ideally with our great city's own future plans for the development of North Mill Pond via a greenway for pedestrian and bicycle access between downtown, through the new West End Yards project, and out to Portsmouth Regional Hospital area. Heartly, this endeavor reminds me of our own modern day version of the 1869 Union Pacific and Central Pacific railway driving in their ceremonial spike connecting these two major players which *finally* made transcontinental travel possible for all.

Currently, I keep my daughter and her friends as far away from this unmonitored and unkempt area as possible due to its crime, illicit drug use, and pollution that includes discarded needles, prescription bottles, booze bottles, broken glass, rusted pipes, discarded vehicle parts, and tents/makeshift shelters occupied by Portsmouth's forgotten, destitute, and under-resourced community members. It's our responsibility as community members to take all voices into account. The voices of opposition and concern regarding this project have been heard, honored, and accommodated with reasonable and responsible modifications made. Most important to note, this project is prioritizing environmental impact it could cause while simultaneously addressing, improving, or eliminating the environmental damage/pollution that has existed for years, and will still exist, if this building project is not introduced. My family welcomes this thoughtful change to our already beloved but painfully unattended marsh waterway space.

Continuing with that respectful trend, the voices of Portsmouth's unheard community should include those who work in Portsmouth. and, yet, cannot afford to live where they work here in Portsmouth. This calls for additional housing for young, single, or marriage professionals who are looking to add to Portsmouth's every growing diversity and

economy. This building project addresses this long argued need. My family excitedly welcomes this long overdue need *finally* met, and at a more inclusive price tag.

Man cannot not stop the marching of time. Portsmouth will continue to grow, change, and diversify over time. As change is inevitable, let the men who bring good change be the men who love Portsmouth as fiercely as *all* who have taken the time to see that it's done right. I ask the city of Portsmouth to approve this development -as it currently stands.

Best, Tabitha McElroy



Dear Conversation Commission,

In following this Bartlett Project, I am in full support of the project. A group of us located our business Coolcore LLC in Portsmouth 11 years ago. We are very proud to work and support the community.

Living in Rye and serving on the RBVD Planning and Board of Adjustment for many years my view of the adjustments the developer has made seems to be very reasonable and in the best interest of the people of Portsmouth.

By them reducing the Project to 152 units and deleting 10,000 SF of office space reduces the size of the Project by 35% from the original proposal which significantly reduces impact to the wetland buffer area. Cabot Street will be widened with a view by almost 4 times. This project also increases the open space by nearly 60% of the resulting lot which is 5 times what is required by zoning.

It seems they will be making significant environmental improvements to the North Mill Pond shoreline -- environmental improvements that will help stabilizing the now deteriorating bank of the Pond. Very important is managing the storm water running into the Pond thereby limit contaminants and creating a landscaped buffer between the proposed buildings and the Pond.

The Project is now in full compliance with the Portsmouth Zoning Ordinance. It certainly improves the condition of an existing site of two industrial buildings long abandoned and now decrepit railroad facilities, with overgrown invasive species. Plus, the construction of a major portion of the long-awaited North Mill Pond Greenway.

#### **Public Benefits**

- \* New ½ acre Waterfront Park
- \* The total Greenway Community Space is over an acre or 47,703 SF.
- \* The open space for the project is nearly 60% which is 5 times larger than what is required by Zoning
  - \* Reinvesting in underutilized buildings and land
  - \* Enhancing the quality and connectivity with the North Mill Pond Greenway
  - \* Promoting Open Spaces and Encouraging access to waterfront area
  - \* Protecting view corridors and access to the North Mill Pond
  - \* Promoting mixed income and multi-family housing





#### North Mill Pond Benefits

- \* Installation of Storm Water Treatment system(s)
- \* Buffer enhancement by removing evasive species and new proposed plantings
- \* Installation of a central rain garden

After several years of review and public input, I feel this project will be a great addition asset to the people of Portsmouth. The City's goal of public access to the North Mill Pond via a greenway for pedestrian and bicycle access between downtown through the new West End Yards project and out to Portsmouth Regional Hospital area will be accomplished.

Again I ask for your support of the project which includes a significant portion of the North Mill Pond Greenway.

Thank You

E. Scott McQuade



From: Planning Info

Sent: Wednesday, February 10, 2021 7:52 AM

To: Izak Gilbo

**Subject:** FW: letter for 2/10/21 Conservation Commission

**From:** Nancy Johnson [mailto:n\_johnson81@comcast.net]

Sent: Tuesday, February 9, 2021 7:02 PM

**To:** Planning Info <Planning@cityofportsmouth.com> **Subject:** letter for 2/10/21 Conservation Commission

To: Planning@cityofportsmouth.com

Re: Conservation Commission Meeting 2/10/21; 105 Bartlett St

Date: 2/9/2021

From: Nancy & Brian Johnson, 81 Clinton St, Portsmouth

**Dear Conservation Commission Members** 

We are hoping that the 47 letters submitted for the 1/31/21 meeting and the 2/10/21 meeting will be reviewed to freshen your memory. A total of 46 of the letters raise issues with this project (one is in favor) which are still valid concerns.

Re: Staff memo:

#3 Since the "path" is now also a fire road, it will need to be plowed in the winter. How will snow removal be handled so that it is kept away from the 25 foot buffer? Because the fire lane will be porous it will need no salt ever. That is the beauty of porous pavement. It should be written in the Maintenance section that no salt will be used, ever. No sand either as sand will clog the porous pavement.

#6 This section refers to the "protected **15 foot** vegetated buffer". That needs to be corrected to the "protected **25 foot** vegetated buffer".

Thank you, Nancy & Brian

From: <u>Eric Nelson</u>
To: <u>Planning Info</u>

Subject: Support for the Bartlett Street project

Date: Tuesday, February 9, 2021 9:31:20 AM

Attachments: image003.png

To the Planning Department and members of the Conservation Committee,

As a significant commercial landlord in the city and more importantly as an abutter who had made significant investments in the immediate area, I write to express support for the Bartlett Street project.

Having experienced the permitting process firsthand at 145 Maplewood Avenue, I witnessed the diligent and thoughtful process the Planning Department and various boards and committees take towards development. The Bartlett Street project meets these standards and will be a tremendous addition to the city.

In particular:

#### **Public Benefits**

- \* New ½ acre Waterfront Park (see attached '152 Unit Plan Landscape' PDF)
- \* Rights for almost ¾ mile (Bartlett Street to Maplewood Avenue) of the North Mill Pond Greenway as contemplated in the North End Vision Plan and City's Master Plan and will connect out through West End Yards on to Portsmouth Regional Hospital
- \* The total Greenway Community Space is over an acre or 47,703 SF.
- The total open space for the project is nearly 60% where 15% is required by Zoning
- \* Achieving additional goals in the City's Master Plan, including:
  - \* Reinvesting in underutilized buildings and land
  - \* Enhancing the quality and connectivity with the North Mill Pond Greenway
  - \* Promoting Open Spaces and Encouraging access to waterfront area
  - \* Protecting view corridors and access to the North Mill Pond
  - \* Promoting mixed income and multi-family housing

#### North Mill Pond Benefits

- \* The Net Buffer Improvement by .66 acres or 28,792
- \* Installation of Storm Water Treatment system(s)
- \* Buffer enhancement by removing evasive species and new proposed plantings
- \* Installation of a central rain garden

I strongly recommend the Conservation Committee approve the project.

Respectfully yours,

Eric

## **Eric Nelson**

COO | The Kane Company 210 Commerce Way, Suite 300 Portsmouth, NH 03801

p: (603) 430-4000 d: (603) 559-9627

c: (617) 733-9248 f: (603) 430-8940

e: enelson@netkane.com

www.kane-company.com





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From: Planning Info

**Sent:** Wednesday, February 10, 2021 7:54 AM

To: Izak Gilbo

**Subject:** FW: 105 Bartlett st, Multifamily Development - Letter of support

From: Sean Peters [mailto:seanaldenpeters@gmail.com]

Sent: Tuesday, February 9, 2021 6:47 PM

To: Planning Info <Planning@cityofportsmouth.com>

Subject: 105 Bartlett st, Multifamily Development - Letter of support

Dear City of Portsmouth Conservation Commission & Planning Board,

I am writing in to express my full support of the above mentioned proposed development. I have reviewed the latest revisions to their proposals to the conservation commission, TAC, and planning board, and I can say that this development team seems to have gone above and beyond to create an excellent new housing opportunity for our community.

This project is going to be a major benefit for our neighborhood, for the environment (North Mill Pond), and for the City of Portsmouth as a whole. The fact that they have proposed a net reduction in buffer impacts, installation of stormwater treatment, and overall enhancements of the landscape through native plantings should make this project a no brainer for all who have seen the existing conditions of the site, to be on board with this proposal.

As a resident and follower of real estate happenings throughout the City, I know that this project has been in the works for several years. What started out as a large development, with multiple structures, buffer impacts, and "massing" concerns, has now whittled down to one of the more modest proposals I have seen be requested within the downtown or "west-end".

This new housing is greatly needed in our City, and this development will provide that. This site allows for plenty of parking which is also needed. This development will also allow for greenspace, and the greenway path! which may be one of the best aspects for us close neighbors who currently don't have much of an ability to walk down to the pond at all! This proposal has been carefully thought out by its developers, engineers, and city officials, itl is an incredible improvement in so many ways, and I am ready to see it built!

Please APPROVE this project!!

Sincerely,

Sean Peters 16 McDonough St. Portsmouth, NH 03801

From: Planning Info

Sent: Wednesday, February 10, 2021 7:50 AM

To: Izak Gilbo

**Subject:** FW: North Mill Pond Greenway /105 Bartlett Street Proposed Project

From: CHARLES PINKERTON [mailto:ccpinkerton@comcast.net]

Sent: Tuesday, February 9, 2021 9:27 PM

To: Planning Info <Planning@cityofportsmouth.com>

Subject: North Mill Pond Greenway /105 Bartlett Street Proposed Project

# To Whom It May Concern:

I am writing to offer my support, and to urge that you to positively consider this proposal. This area of Portsmouth is in dire need of improvement. The pedestrian way to the downtown area will provide a much needed connection between the developments nearing completion between Route 1 and Bartlett Street, as well as for the older surrounding areas. There continues to be need of additional residential housing. Adequate environmental protection of North Mill Pond, of course, is of utmost importance, and should be attainable by the current proposal.

Thank you for your consideration.

Charles C. Pinkerton 870 Elwyn Road Portsmouth

From: Port City Mopeds <portcitypeds@gmail.com>
Sent: Wednesday, February 10, 2021 1:58 PM

**To:** Planning Info

**Subject:** Letter of Support for 105 Bartlett Street

# Good afternoon Planning Department,

I am writing to you to express my support for the Residential Development Proposal at 105 Bartlett Street. We support the proposed improvements to the North Mill Pond Greenway and associated housing project, which will add desperately needed inventory to our region's housing supply. I strongly encourage you to approve the requests of the application team. Respectfully,

-Steve Pamboukes Owner, Port City Mopeds 124 Bartlett Street



**Port City Mopeds** 

www.portsmouthmopeds.com Facebook: Port City Mopeds

603 498 8882

From: Dennis Prue <Dennis.Prue@pcfsi.com>
Sent: Wednesday, February 10, 2021 2:45 PM

To: Planning Info

**Subject:** Letter of Support - 105 Bartlett Street Project

February 10, 2021

Conservation Commission City of Portsmouth 1 Junkins Avenue Portsmouth, NH 03801

Re: 105 Bartlett Street Project

Dear Chair MacMillan and Commission Members:

My name is Dennis Prue and I just recently moved to 8 Hoover Drive, Portsmouth, NH, but previously lived at 33 Deer Street and 500 Market Street. I am very familiar with the project before you. I urge you to recommend CUP approval of this project. Here's why you should approve:

- 1. Development will improve buffer area by 29,000 square feet.
- 2. Development will drastically improve the storm water runoff and treat it properly.
- 3. Dumping and trash will end with actual residents living there.
- 4. Bigger buildings could've been built but development team limited size.
- 5. Trail will connect West End to the Downtown.

Thank you for considering my letter.

**Dennis Prue** 

From: Planning Info

Sent: Wednesday, February 10, 2021 7:53 AM

To: Izak Gilbo

**Subject:** FW: North Mill Pond / 105 Bartlett

**From:** albert sampson [mailto:damiansampson@gmail.com]

Sent: Tuesday, February 9, 2021 6:48 PM

To: Planning Info <Planning@cityofportsmouth.com>

Subject: Re: North Mill Pond / 105 Bartlett

Commissioners and Board Members, I have lived in the seacoast for 7 years. My family moved here from Amherst, New Hampshire. We had tried to look for housing and endured many frustrating bidding wars. We decided to rent which was equally frustrating. Realtors educated us on the inventory issue and strong demand for seacoast living. We finally got lucky because we bid well over asking price to beat 10 other offers. I was recently told the inventory problem is now made even worse by covid. Many people want to move from tight dense urban life to an area that has open space, beaches, parks, restaurants, arts, and mountains nearby. We are all so fortunate to live here. I ask that you take this opportunity to turn blight into a beautiful greenway and add much needed inventory for our town. Thank you for your time and consideration, Albie Sampson. 217 Broad St, Portsmouth.

From: Jonathan Sandberg < jfsandberg@yahoo.com>

Sent: Monday, February 8, 2021 10:35 AM

**To:** Planning Info **Subject:** 105 Bartlett Street

**RE Conservation Commission:** 

Dear Conservation Commission,

My name is Jonathan Sandberg and I live at 160 Bartlett Street which makes me an abutter to 105 Bartlett Street and I am writing to you because I am very committed to the ideals of conservation and environmental protection. These concepts are more than mere bumper sticker slogans to me. I have formed a deep personal connection to nature and wilderness and as an avid hiker and outdoorsman, I spend much of my free time exploring truly wild places throughout New England. I have completed at least six rounds of the NH 4,000 footers, hiked the Long Trail across Vermont, and the Cohos Trail across Northern New Hampshire. And it's because I want these remote places to stay wild that I strongly support relatively dense developments such as the one proposed across the street from me at 105 Bartlett. These relieve pressure to build the type of sprawl that predominates New Hampshire and Portsmouth's surrounding communities and which is far more destructive to wildlife habitat. From a conservation perspective it is greatly preferable to build 155 units on one or two acres of land than it is to build the same number on 155 acres.

I also take environmentalism seriously and in addition to reducing my carbon footprint by doing typical things like recycling, composting, and reusing my shopping bags, I also avoid driving as much as possible. I walk or bike almost everywhere and haven't driven to work in over four years. This summer my wife and I sold one of our two cars and replaced it with an e-bike. The reason this is feasible is because we live in a complete neighborhood where everything we need is within easy walking distance. We can walk to a supermarket, two pharmacies, a hardware store, three microbreweries, (not just one but two) state liquor stores, as well as a myriad of other essentials. If you care about reducing reliance on cars and all of the devastating environmental impact that comes with them then this is exactly the location where you should want to encourage more housing. The people who live there will be able to leave their cars at home.

Some are concerned with the construction of new buildings so close to the North Mill Pond. I don't understand how this is worse for the pond than the two existing buildings that are mere yards away from the shoreline. I understand that those are grandfathered in, but from a practical perspective, how does replacing them with newer (presumably greener) buildings represent a greater danger to the pond? This is an important opportunity to revitalize this formerly industrial site, remediate the toxins that are likely hidden in the soil and rehabilitate the area. This will be good for the humans and the animals that live nearby. This project will also facilitate the restoration of the badly eroded shoreline and restore native plantings as well as create a pathway so that the public can access and enjoy the setting.

Rather than focus on one single parcel at a time, I think this commission needs to take a systems approach to conservation and recognize that this development will likely have a positive regional impact on conservation and will allow its residents to reduce their environmental footprints which are reasons why I support it and you should too.

Jonathan Sandberg 160 Bartlett Street

Sent from my iPad

From: Planning Info

Sent: Wednesday, February 10, 2021 7:52 AM

To: Izak Gilbo

**Subject:** FW: North Mill Pond

**From:** Dylan Thomas [mailto:dylan.d.thomas@gmail.com]

Sent: Tuesday, February 9, 2021 8:04 PM

To: Planning Info <Planning@cityofportsmouth.com>

Subject: North Mill Pond

Hello,

We live in Portsmouth not far from North Mill Pond and we are writing to voice our support for the 105 Bartlett Street plan that will be in front of the Conservation Commission tomorrow night (Wednesday, Feb 10) and in front of the Planning Board on Feb 18<sup>th</sup>.

We are encouraged by the developer's willingness to listen to the neighborhood, the Conservation Commission and the City Staff, and we believe this project will bring substantial benefit to the City of Portsmouth. In particular, we are excited about the proposed Waterfront Park and connection from Maplewood Avenue to Bartlett Street, which we know will encourage more appreciation of North Mill Pond. Right now, that beautiful property is sitting vacant and likely leaching foreign chemicals into the pond. The project will provide a net buffer improvement over the existing footprint, manage the storm water runoff, and bring more thoughtful public space to the area.

We are also in support of more dense housing our walkable downtown area, and believe this type of project is a great step toward that goal.

We hope the board will move forward with this project.

Thank you,
Jen and Dylan Thomas
Dylan D. Thomas, MD, MS
Endocrinology & Diabetes Consultants
Wentworth-Douglass Hospital
10 Members Way, Suite 400

P: (603) 742-1143 F: (603) 749-3509



From: Planning Info

Sent: Wednesday, February 10, 2021 10:51 AM

To: Izak Gilbo

**Subject:** FW: Clipper Traders application

Not saved yet

----Original Message-----

From: wrightski0122@aol.com [mailto:wrightski0122@aol.com]

Sent: Wednesday, February 10, 2021 9:10 AM

To: Planning Info <Planning@cityofportsmouth.com>

Subject: Clipper Traders application

I'll be brief.

Why is this even happening !? How was it even allowed to get this far!?

Does this board have the slightest awareness of how this will impact our neighborhood!?

What about the 400+ cars that might appear!? Likely.

It has taken us over 30 years to make our area a small, household style neighborhood, we have young couples having kids again, get togethers in our park, trick or treating and now you want to (along with Bartlett St. construction) sanction over 400 sterile dwellings, beehives (!!!!) conservatively!!! Shame on you!!'

Please get a grip on this proposed foolishness!! I can't be more profound then that!!

This is absurd!! NUTS!!! NO. NO. NO.

Regretfully,

R. W. WrightSudbury St.32 years

R. W. WrightSent from my iPhone

Elizabeth Bratter 159 McDonough St Portsmouth Property Owner

Dear Members of the Conservation Commission,

As of this today there is nothing on the ConCom website to show what 105 Bartlett St will be presenting for the general public to review prior to sending in any comments, **THEREFORE this application should be postponed and updated!** The applicant was asked by TAC on 12/01/20 to make 41 changes to the design plans and on 02/02/21 about 20 more changes were discussed and added. <u>All changes</u> should be updated on the design plans and then presented to the Conservation Commission. Some of the changes brought forth included: changes to the width and possibly pavement of the "multi-use path", changes to the replacements of invasive species within the 25' buffer, snow removal of the proposed "multi-use path", the addition of drainage next to the path, removal of trees from the Cabot St culvert, no trees were to be allowed in the View Corridor, only some of the changes requested by ConCom seem to have been put forth on the design plans.

I would like to compliment the developers for finally providing Plan A. This is what should have been presented in the beginning!

It is my understanding 105 is applying for a recommendation from the Conservation Commission to be allowed to move to Planning Board (02/18/21) to request a Wetlands Conditional Use Permit. This application does include demarcation of the 100' wetland buffer along the North Mill Pond. It does NOT include demarcation of the 100' buffer around the over 4000 sf of inland palustrine wetland (see below) which exists within the former RR turnstile, which according to 10.1014.12 counts as a created wetland.



At this point the applicant is not able to meet the criteria to receive a Condition Use Permit.

The presented "Wetlands Delineations and Functions and Values" report does NOT meet the 13 required criteria of
"The Highway Methodology Workbook Supplement "in Article 10 Section 10.101722 (3) and Article 10 Section
10.1017.42 as an approval requirement.

<a href="https://www.nae.usace.army.mil/Portals/74/docs/regulatory/Forms/HighwaySupplement6Apr2015.pdf">https://www.nae.usace.army.mil/Portals/74/docs/regulatory/Forms/HighwaySupplement6Apr2015.pdf</a>
(pg 4, 5 of workbook)

The workbooks specifically states: "The proximity of the development may alter wetland functions and values. Therefore, evaluation of the resource must consider not only the wetland, but also the adjacent land use and associated interrelationships". Many of these impacts have been presented by ConCom: nutrient removal, consumptive recreation, visual quality/aesthetics, uniqueness/heritage and seemed dismissed by the applicant.

2. It has been shown there are many alternative locations for the positioning of these buildings and roads, <u>all out of the</u> 100' wetland buffer.

Cutting Building C by 55' <u>does NOTHING for the buffer</u>; it just provides more lawn and less availability of continued use by wildlife and natural vegetation in the buffer. Moving both Buildings C and B out of the 100' buffer MAY help reduce the permanent impact on the 50' buffer, providing the Least Environmentally Damaging Practicable Alternatives (LEDPA). As a stipulation of the CUP it should be required that NO mechanical equipment be used within the 0-50' buffer, other than during installation of the culvert. All other work should be moved to the 50 to 100' buffer.

The road from Bartlett St to proposed Building C is not only in the 100' buffer but actually runs mostly in the 50' and 25' buffer. The road could run parallel to the Railroad Tracks and would only involve moving storage sheds. This development is willing to move storage sheds for its benefit! This too would provide **LEDPA**.

- 3. It was stated at the TAC meeting on 02/02/21, the only restoration of the shoreline will take place where the culverts are installed. This will involve properly removing invasive species and replacing them with wildflower mix. When asked were plants going to be used for larger areas, it was stated the invasive species areas are not that big. Funny how building this development here was justified by stating it was mostly invasives and therefore didn't need to be preserved!
- 4. I have not seen <u>an independent</u> New Hampshire certified wetland scientist report regarding this area. The report presented was created by the same engineering firm representing the applicants.
- 5. The proposed area to be developed is a natural flood plain. This area has never flooded per the owners of said property which also indicates its ability to manage water properly. There is NO ground water or flood flow alterations report in the presented environmental report. What is going to happen to all the water that was absorbed there when around 30,000sf are filled with cement to create an underground garage?
- 6. Article 10 Section 10.1017.50 (4) is not met. Even the proposed raingarden and granite sitting area will remove a large portion of natural vegetation and trees in the 50' buffer! All the drainage needed will require digging up the 25 to 50' buffer zone! Based on what has been presented so far the entire area from 25 to 100' of the buffer will be bull dozed; 38 trees, some shrubs and large portions of GRASS will be replanted! No preservation of anything!

# Thank you for your time!!

From: Planning Info

Sent: Thursday, January 28, 2021 3:56 PM

To: Izak Gilbo

**Subject:** FW: 105 Bartlett St

Hi Izak, I know this is to the PB but I know it is still with Con Com so thought I would send to you. Thanks, Tracy

**From:** Carol Clark [mailto:carol.clark1@comcast.net]

Sent: Thursday, January 28, 2021 3:04 PM

To: Planning Info <Planning@cityofportsmouth.com>

Subject: 105 Bartlett St

To Planning Board members

There are still some concerns for the proposed development and the new buildings not adhering to 100' wetland buffer as well as impervious surfaces not conforming to current regulations. See below

Building B has NOT moved and is still the SAME square feet(19,214),) still in 100' buffer.

B and C together estimated over 5200sf still in the 100' buffer (plus the enlarged fire road) If you own a 40' wide property and add a shed in the wetlands it would be take up around 4% of the wetlands buffer. Most importantly the existing impervious surfaces on 105 Bartlett are Non-Conforming, all their buildings will be new and should follow the wetlands and building regulations of current regulations.

Please review the current proposal and uphold current regulations, especially regarding the 100' wetland buffer

Thankyou Carol Clark 28 Rockingham St Portsmouth NH

From: Peter L. Britz

Sent: Friday, February 5, 2021 10:42 AM

To: Izak Gilbo

Cc: Jillian Harris; Juliet T.H. Walker
Subject: FW: North Mill Project (105 Bartlett)

### Here is public comment for 105 Bartlett

**From:** Ryan Costa [mailto:ryancosta89@gmail.com]

Sent: Friday, February 5, 2021 10:39 AM

To: Peter L. Britz

Subject: North Mill Project (105 Bartlett)

#### Hello!

I am still not 100% positive that this is the right means of communication, but I did want to write in support of the project at 105 Bartlett, or the North Mill Pond project.

While I understand the short term impact and destruction of the environment for the project to get underway, I believe the long term benefits far outweigh this negative.

For instance, I believe that 21st century living goals maintain that we should do our part to limit our footprint, reduce carbon emissions, and do our best to increase density within our community. This project works to combine those efforts, and is also a strong link between downtown and the West End Yards. The Islington corridor also becomes more negotiable for walkers/bikers with the continuation of the greenway.

The overall impact here suggests more people would be able to walk to pick up groceries and enjoy all the things in this area of town without taking a car and having to find parking.

The negative aspects of this project are definitely harmful in the short term. I think that construction on the wetlands and demolishing existing structures is not something that is at the heart of conservation efforts, however, the long term benefits as I've highlighted will be felt for years to come.

Another argument I have heard against this project is how it looks to residents of the neighborhood. The overall scope of the project seems to be too large for some, but to me this sounds like a bad faith argument. I think that the look of the project is fitting with that of the city, and while it might appear humongous, currently the buildings surrounding that area are dilapidated and underused (though I love Play All Day and Great Rhythm!).

I own my home just up the way on the same side of the mill pond (Hill Street), and really think that this would help create some necessary cohesion between the West End and Downtown.

Overall, I hope that some iteration of this project can occur because I think that area needs to have some aspects redesigned.

Thank you for your time,

Ryan Costa

126 Hill Street

From: Catherine Harris
To: Planning Info

**Subject:** Fwd: Conservation Commission meeting on 12/9/2020

**Date:** Friday, January 29, 2021 12:45:26 PM

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

Thank you, Catherine Harris

# Begin forwarded message:

From: Catherine Harris prized@comcast.net<>

Subject: Conservation Commission meeting on 12/9/2020

Date: December 6, 2020 at 10:32:57 AM EST

To: Planning Info planning@cityofportsmouth.com

Dear Commission members,

This is one more submission for your upcoming meeting on 12/9/2020

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

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

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

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

Thank you again. Sincerely, Catherine Harris 166 Clinton Street

From: Kevin Perkins < kevinperkins120@yahoo.com>

Sent: Saturday, February 6, 2021 12:10 PM

To: Planning Info
Cc: Renee Perkins

**Subject:** Development along south shore of North Mill Pond/ North Mill Pond Greenway

To whom it may concern-

I live at 30 Cate Street and I support the proposed development of the property in question. I think that its proper and timely completion would add significantly to the beauty and the economy of Portsmouth. Presently, much of the property under consideration for development is derelict and unused, except as a collection site for litter. I believe that the overall improvement of the south shoreline with the North Mill Pond Greenway more than offsets the comparatively minor encroachment of the new construction into the buffer zone. Presently, there is no control over what transients and other trespassers deposit along the shoreline. I am still reviewing the many documents submitted by the developers (which may contain answers I seek), but I have the following questions:

1. Traffic- I am unclear about impact

of additional traffic to the intersection at Bartlett St. Bartlett St. is presently heavily trafficked and we who live on Cate St. have difficulty crossing Bartlett St now.

I am given to understand that the City plans to address the Cate St./Bartlett St. intersection during 2021 with signage and crosswalks, but I have a concern that 150 additional residents/vehicles as a result of the development may add to the congestion. The Traffic Addendum mentions a separate access road for the development's residents to Maplewood Ave. I did not see that in the renderings. Is that now in the plan? If so,

I think that would help alleviate the traffic congestion. Will the access to/from Cabot St. across the tracks be a road or just pedestrian access?

- 2. Railroad. The development presumes access to the Greenway from Cabot St. Has Pan Am Railways cooperated with the granting of the necessary easements? What plans have been agreed upon with respect to the boundary between the RR ROW and the development/Greenway? Will there be fencing/ plantings etc.?
- 3. Salt Pile on Maplewood. Will this salt pile be relocated/eliminated? It seems incongruous to me (and, I suspect, to other City residents) that the City should have concerns about the integrity of the buffer zone along the southern shore of North Mill Pond posed by the development while simultaneously permitting an uncovered salt pile to remain so close to the pond.

Thank you for allowing me to comment and for entertaining my questions.

Best regards,

Kevin Perkins 30 Cate St., Unit # 19

Sent from my iPhone

From: Jonathan Sandberg < jfsandberg@yahoo.com>

Sent: Monday, February 8, 2021 10:35 AM

**To:** Planning Info **Subject:** 105 Bartlett Street

**RE Conservation Commission:** 

Dear Conservation Commission,

My name is Jonathan Sandberg and I live at 160 Bartlett Street which makes me an abutter to 105 Bartlett Street and I am writing to you because I am very committed to the ideals of conservation and environmental protection. These concepts are more than mere bumper sticker slogans to me. I have formed a deep personal connection to nature and wilderness and as an avid hiker and outdoorsman, I spend much of my free time exploring truly wild places throughout New England. I have completed at least six rounds of the NH 4,000 footers, hiked the Long Trail across Vermont, and the Cohos Trail across Northern New Hampshire. And it's because I want these remote places to stay wild that I strongly support relatively dense developments such as the one proposed across the street from me at 105 Bartlett. These relieve pressure to build the type of sprawl that predominates New Hampshire and Portsmouth's surrounding communities and which is far more destructive to wildlife habitat. From a conservation perspective it is greatly preferable to build 155 units on one or two acres of land than it is to build the same number on 155 acres.

I also take environmentalism seriously and in addition to reducing my carbon footprint by doing typical things like recycling, composting, and reusing my shopping bags, I also avoid driving as much as possible. I walk or bike almost everywhere and haven't driven to work in over four years. This summer my wife and I sold one of our two cars and replaced it with an e-bike. The reason this is feasible is because we live in a complete neighborhood where everything we need is within easy walking distance. We can walk to a supermarket, two pharmacies, a hardware store, three microbreweries, (not just one but two) state liquor stores, as well as a myriad of other essentials. If you care about reducing reliance on cars and all of the devastating environmental impact that comes with them then this is exactly the location where you should want to encourage more housing. The people who live there will be able to leave their cars at home.

Some are concerned with the construction of new buildings so close to the North Mill Pond. I don't understand how this is worse for the pond than the two existing buildings that are mere yards away from the shoreline. I understand that those are grandfathered in, but from a practical perspective, how does replacing them with newer (presumably greener) buildings represent a greater danger to the pond? This is an important opportunity to revitalize this formerly industrial site, remediate the toxins that are likely hidden in the soil and rehabilitate the area. This will be good for the humans and the animals that live nearby. This project will also facilitate the restoration of the badly eroded shoreline and restore native plantings as well as create a pathway so that the public can access and enjoy the setting.

Rather than focus on one single parcel at a time, I think this commission needs to take a systems approach to conservation and recognize that this development will likely have a positive regional impact on conservation and will allow its residents to reduce their environmental footprints which are reasons why I support it and you should too.

Jonathan Sandberg 160 Bartlett Street

Sent from my iPad