

**PLANNING BOARD
PORTSMOUTH, NEW HAMPSHIRE**

**EILEEN DONDERO FOLEY COUNCIL CHAMBERS
CITY HALL, MUNICIPAL COMPLEX, 1 JUNKINS AVENUE**

7:00 PM Public Hearings begin

September 19, 2024

AGENDA

REGULAR MEETING 7:00pm

I. APPROVAL OF MINUTES

A. Approval of the August 15, 2024 Meeting Minutes.

II. DETERMINATIONS OF COMPLETENESS

SITE PLAN REVIEW

A. The request of **Portsmouth Lumber & Hardware (Owner); Ricci Lumber (Applicant)**, for property located at **105 Bartlett Street** requesting Site Plan Review Approval for the demolition of existing sheds and construction of two new storage sheds with associated site improvements. Said property is located on Assessor Map 157 Lot 2 and lies within the Character District 4(CD4-W).

III. PUBLIC HEARINGS -- OLD BUSINESS

*The Board's action in these matters has been deemed to be quasi-judicial in nature.
If any person believes any member of the Board has a conflict of interest,
that issue should be raised at this point or it will be deemed waived.*

A. **REQUEST TO WITHDRAW** The request of **Samuel Holman and Kristina Schneider Holman (Owners)**, for property located at **271 Lafayette Road** requesting a Conditional Use Permit from Section 10.814 for the construction of a new Detached Accessory Dwelling Unit (DADU). Said property is located on Assessor Map 230 Lot 18 and lies within the Single Residence B (SRB) District.
REQUEST TO WITHDRAW (LU-24-138)

B. **REQUEST TO POSTPONE** The request of **Matt Ball and Andrea Fershtam (Owners)**, for property located at **252 Wibird Street** requesting a Conditional Use Permit from Section 10.814 for the conversion of an existing accessory structure into a Detached Accessory Dwelling Unit (DADU) that does not conform with the

dimensional requirements of the Ordinance. Said property is located on Assessor Map 149 Lot 12 and lies within the General Residence A (GRA) District. (LU-24-137)

IV. PUBLIC HEARINGS – NEW BUSINESS

The Board's action in these matters has been deemed to be quasi-judicial in nature.

If any person believes any member of the Board has a conflict of interest, that issue should be raised at this point or it will be deemed waived.

- A. The request of **Peter and Amy Lalime (Owners)**, for property located at **1004 Greenland Road** requesting a Conditional Use Permit from Section 10.814 for the construction of a new Detached Accessory Dwelling Unit (DADU). Said property is located on Assessor Map 262 Lot 8 and lies within the Single Residence B (SRB) District. (LU-24-29)
- B. The request of **Portsmouth Lumber & Hardware (Owner); Ricci Lumber (Applicant)**, for property located at **105 Bartlett Street** requesting Site Plan Review Approval for the demolition of existing sheds and construction of two new storage sheds with associated site improvements. Said property is located on Assessor Map 157 Lot 2 and lies within the Character District 4(CD4-W). (LU-24-132)
- C. The request of **Deer Street Hospitality (Owner)**, for property located at **165 Deer Street** requesting a Conditional Use Permit in accordance with Section 10.1112.14 to allow 78 parking spaces where 83 are required. Said property is located on Assessor Map 125 Lot 17 and lies within the Character District 5 (CD5), and Downtown Overlay Districts. (LU-19-242)

V. CITY COUNCIL REFERRALS [NOTE: ANY REFERRALS REQUIRING PUBLIC HEARING SHOULD BE INCLUDED ABOVE]

- A. Letter from James R. Knudsen, Estate of Star C. Johnson – Donation of Map 232 Lot 25 on Marjorie Street to the City
- B. Request to Release a portion of Longmeadow Lane
- C. Gateway Neighborhood Overlay District (GNOD)

VI. OTHER BUSINESS

- A. **105 Bartlett Street** requesting a 1-Year to the Site Plan Review, Shared Parking and Wetland Conditional Use approvals that are set to expire on October 12, 2024.
- B. **928 & 936 South Street** requesting a 1-Year extension to the Lot Line approval issued on September 21, 2023, extended on March 15, 2024, and due to expire on September 21, 2024.

C. Chairman updates and discussion items

D. Board discussion of Regulatory Amendments, Master Plan Scope & other matters

VII. ADJOURNMENT

**Members of the public also have the option to join this meeting over Zoom, a unique meeting ID and password will be provided once you register. To register, click on the link below or copy and paste this into your web browser:*

https://us06web.zoom.us/webinar/register/WN_bwQoNDkBTvq5MGNnwgXXmg

**PLANNING BOARD
PORTSMOUTH, NEW HAMPSHIRE**

**EILEEN DONDERO FOLEY COUNCIL CHAMBERS
CITY HALL, MUNICIPAL COMPLEX, 1 JUNKINS AVENUE**

7:00 PM Public Hearings begin

August 15, 2024

MEMBERS PRESENT: Rick Chellman, Chairman; Greg Mahanna, Vice Chair; Karen Conard, City Manager; Joseph Almeida, Facilities Manager; Beth Moreau, City Councilor; James Hewitt; Paul Giuliano; Andrew Samonas; Anthony Coviello; and William Bowen, Alternate

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ALSO PRESENT: Peter Stith, Planning Department Manager

MEMBERS ABSENT: None.

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Chair Chellman called the meeting to order at 7:00 p.m.

I. APPROVAL OF MINUTES

A. Approval of the July 18, 2024 Meeting Minutes.

*Mr. Giuliano moved to **approve** the July 18 minutes as submitted, seconded by Vice-Chair Mahanna. The motion **passed** unanimously, with Ms. Conard and Mr. Coviello recusing.*

II. DETERMINATIONS OF COMPLETENESS

SITE PLAN REVIEW

A. The request of **Christ Church Parish (Owner)**, for property located at **1035 Lafayette Road** requesting Site Plan Review Approval for construction of a 4-story, 44-unit multi-family residential building and construction of a 7-unit transitional housing addition. The project will include associated site improvements such as parking, pedestrian connections, access to public transportation, utilities, stormwater management, lighting, and landscaping. Said property is located on Assessor Map 246 Lot 1 and lies within the Gateway Center (G2) District. (LU-24-92)

*Councilor Moreau moved that the Board determine that Item A is complete according to the Site Plan Review Regulations (contingent on the granting of any required waivers under Section IV of the agenda) and to accept the application for consideration. Mr. Coviello seconded. The motion **passed** with all in favor.*

III. PUBLIC HEARINGS -- OLD BUSINESS

- A. The request of **Perkins Kwoka Joint Revocable Trust (Owner)**, for property located at **224 Broad Street, Unit 3** is requesting a Wetland Conditional Use Permit from Section 10.1017.50 for the replacement and expansion of an existing 192 sf sunroom and the demolition of a 286 sf rear deck, with new construction proposed for an addition of 384 sf to the existing sunroom, a new 367.5 sf rear deck and regrading of a portion of the site for the installation of a retaining wall and underdrain for stormwater control. The applicant is proposing to remove 491 sf of existing pavers and asphalt to be replaced with 401 sf of new pavers. This proposal includes the removal of the existing lawn to be replaced with a micro-clover seed mix, a planting plan, and a stone drip edge. Said property is located on Assessor Map 131Lot 13-3 and lies within the General Residence A (GRA) District. (LU-23-179)

Note: The following petition is out of sequence because the applicant was not present at first but appeared after New Business Petition A, 77 New Castle Avenue was heard.

SPEAKING TO THE PETITION

[Timestamp 21:54] The applicant Rebecca Perkins Kwoka was present to review the petition. She explained that she needed approval due to the change in the site plan and that they received approval from the Conservation Commission for the plantings and drainage. Mr. Samonas asked if the rest of the condominium owners approved. The applicant agreed.

Chair Chellman opened the public hearing.

SPEAKING TO, FOR, OR AGAISNT THE PETITION

No one was present to speak, and Chair Chellman closed the public hearing.

DECISION OF THE BOARD

*Ms. Conard moved to **postpone** to the September meeting due to the applicant not being present. Vice-Chair Mahanna seconded. The motion **passed** with all in favor.*

*Mr. Coviello moved to reconsider after the applicant arrived at the meeting. Ms. Conard seconded. The motion **passed** with all in favor.*

*1) Councilor Moreau moved that the Board find that the Conditional Use Permit Application meets the requirements set forth in Section 10.1017.50 of the Ordinance and adopt the findings of fact as presented. Ms. Conard seconded. The motion **passed** with all in favor.*

*2) Councilor Moreau moved that the Board grant the Conditional Use Permit as presented. Ms. Conard seconded. The motion **passed** with all in favor.*

IV. PUBLIC HEARINGS – NEW BUSINESS

- A. The request of **Elisabeth Blaisdell, Sheppard Houston and Charles Stewart (Owners)**, for property located at **77 New Castle Avenue** requesting a Conditional Use Permit from Section 10.814 for the conversion of an existing accessory structure into a Detached Accessory Dwelling Unit (DADU) that does not conform with the dimensional requirements of the Ordinance. Said property is located on Assessor Map 101 Lot 50 and lies within the General Residence B (GRB) and Historic Districts. (LU-24-126)

SPEAKING TO THE PETITION

[Timestamp 9:14] The applicant Elisabeth Blaisdell was present and explained that the structure was used as a home office and a guest house more recently and that she wanted to rent it as a DADU to friends who needed a place to stay during seasonal employment. She said there was plenty of parking for eight cars. She reviewed the criteria.

Vice-Chair Mahanna asked what the gross square footage was. Ms. Blaisdell said it was 592 square feet, with no second story on it. Mr. Bowen asked the applicant if she was familiar with the requirements for short term rentals and the fact that the DADU could not be used as an Airbnb. Ms. Blaisdell agreed. Councilor Moreau said a neighbor has a concern about the intensive use of the property as a dwelling unit vs. an office. Ms. Blaisdell said she did use it as a home office and would only rent it to friends who wanted seasonal workforce housing.

Chair Chellman opened the public hearing.

SPEAKING TO, FOR, OR AGAINST THE PETITION

No one spoke, and Chair Chellman closed the public hearing.

DECISION OF THE BOARD

- 1) *Mr. Giuliano moved that the Board find that the Conditional Use Permit Application meets the requirements set forth in Section 10.814.62 of the Ordinance and adopt the findings of fact as presented. Mr. Almeida seconded. The motion **passed** with all in favor.*
- 2) *Mr. Giuliano moved that the Board grant the Conditional Use Permit with the following **conditions**:*
 - 2.1) *Documentation of the conditional use permit approval shall be recorded at the Rockingham County Registry of Deeds, together with an affidavit that either the principal dwelling unit or the accessory dwelling unit will be occupied by the owner of the dwelling as the owner's principal place of residence, as required by Section 10.814.22.*
 - 2.2) *A certificate of use issued by the Planning Department is required to verify compliance with the standards of this Section, including the owner occupancy and principal*

residency requirements. Said certificate shall be issued by the Planning Department upon issuance of a certificate of occupancy by the Inspection Department. A certificate of use shall not be issued prior to recording of documentation as required by this Ordinance.

2.3) The certificate of use shall be renewed annually upon submission of such documentation as the Planning Department may require to verify continued compliance with the standards of this Section. Failure to comply with this requirement shall be deemed a violation of the ordinance and may be enforced as provided in Article 2.

*Mr. Almeida seconded. The motion **passed** with all in favor.*

B. The request of **Flipping Bergers, LLC (Owner)**, for property located at **1 Sagamore Grove** requesting a Wetland Conditional Use Permit from Section 10.1017.50 for the demolition of the existing dwelling and construction of a new single-family dwelling with attached garage, walkway, patio, driveway and the removal of an existing septic tank. The proposed impervious surface within the wetland buffer will be 2,376 sf and will be 40' from the wetland edge. The applicant is proposing a permeable driveway, walkway and patio, a stone drip edge, a vegetated swale in the front lawn, the restoration of the 25' vegetated buffer on site and additional wetland buffer plantings. Said property is located on Assessor Map 201 Lot 8 and lies within the Single Residence B (SRB) District. (LU-24-100)

SPEAKING TO THE PETITION

[Timestamp 27:23] Project engineer Eric Weinrieb and the applicant Brett Berger were present. Mr. Weinrieb said they wanted to replace the existing house with a more compact one, build a new driveway, and restore most of the lawn to a natural vegetated state. He reviewed the stormwater management treatment and explained why the project met the criteria.

[Timestamp 31:20] Vice-Chair Mahanna asked how the applicant would justify a significant increase of the building coverage in the 100-ft setback. Mr. Weinrieb said if the house were re-occupied it would connect to a municipal system. He said they were converting 27 percent of the lot into a natural state, increasing the natural buffer, and removing construction debris in the back. Vice-Chair Mahanna asked why the applicant couldn't just go up instead of increasing the footprint. Mr. Weinrieb said they were going up and only increasing the footprint modestly. He said the proposed house was 1,700 sf including the garage and that initially it was supposed to be larger but was made more compact and a little taller. Vice-Chair Mahanna said the impervious surfaces were increasing from 1,616 sf to 2,376 sf and asked why there was more impervious surface in the buffer. Mr. Weinrieb said those were considered impervious by the lot coverage but not by the treatment. Vice-Chair Mahanna said he still wasn't comfortable with it.

[Timestamp 35:16] Mr. Hewitt said the applicant's memo indicated that the existing septic tank was being removed, and he asked if it currently had sewer. Mr. Weinrieb agreed. He said Mr. Berger installed his own pump system and connected it to the City's system when he built the house. Mr. Samonas noted the recent completion of the front condo building and asked if any drainage treatment was added to Sagamore Grove itself. Mr. Weinrieb said there was not because the driveway pitched down toward the garage and the drain went into the City's system,

and the permeable pavement above that all infiltrated, so there was no closed drainage that ran in the direction of the property. Mr. Coviello asked if a new property owner would have the right to rebuild the home that was on the footprint there now. Mr. Stith said they would need a variance because it encroached on the front setback. He said they could keep the structure and fix it, but they could not increase the nonconformity or footprint. Mr. Coviello asked if the applicant would be mandated to put in a new driveway. Mr. Stith said they could use the existing gravel driveway. Chair Chellman asked what the numbers were regarding the existing impervious coverage vs. what was proposed. He also suggested having a workshop soon about some zoning amendments, particularly the way the wetland permits are handled in the City and didn't necessarily fit with the current language. Mr. Weinreib said the open space defined the driveway and patio, even though they were permeable and not open space. He said they were going to 12,709 sf from 13,219 sf, which was mainly due to the driveway.

Chair Chellman opened the public hearing.

SPEAKING TO, FOR, OR AGAINST THE PETITION

No one spoke, and Chair Chellman closed the public hearing.

DECISION OF THE BOARD

1) *Mr. Coviello moved that the Board find that the Conditional Use Permit Application meets the requirements set forth in Section 10.1017.50 of the Ordinance and adopt the findings of fact as presented. Ms. Conard seconded. The motion **passed** with all in favor.*

2) *Mr. Coviello moved that the Board grant the Conditional Use Permit with the following **conditions**:*

2.1) *In accordance with Section 10.1018.40 of the Zoning Ordinance, applicant shall install permanent wetland boundary markers where applicable.*

2.2) *The final letter of decision from the Planning Board shall be placed with the deed and recorded at the registry of deeds to ensure that all future property owners are aware of the stipulations associated with this Wetland Conditional Use Permit.*

2.3) *All fertilizers to be used on the property, if any, shall be slow-release fertilizers.*

2.4) *A visual buffer shall be placed along the edge of the naturalized restoration area to deter disturbance within the buffer (i.e. boulders, shrubbery).*

Ms. Conard seconded. Vice-Chair Mahanna said he would not support the motion because it was an increase in square footage and in impervious surface and it was right next to the creek. There was further discussion. [Timestamp 44:19]

*The motion **passed** by a vote of 8-1, with Vice-Chair Mahanna voting against the motion.*

- C. The request of **Samuel Holman** and **Kristina Schneider Holman (Owners)**, for property located at **271 Lafayette Road** requesting a Conditional Use Permit from Section 10.814 for the construction of a new Detached Accessory Dwelling Unit (DADU). Said property is located on Assessor Map 230 Lot 18 and lies within the Single Residence B (SRB) District. (LU-24-138)

SPEAKING TO THE PETITION

[Timestamp 47:22] The applicant Kristina Schneider Holman was present, along with project engineer Jeff Mattson. She said she and her husband wanted to build a DADU for family and friends. She said the neighbors to the right approved the project as well as the manager of the cemetery easement. She described the project in detail.

[Timestamp 48:58] Councilor Moreau asked why the garage was being placed up against the setback line but still have parking in between when there seemed to be other places to park cars. Ms. Schneider Holman said the property was wide and then got very narrow, and she wanted a deck in the back and a nice area to look out on from the kitchen. Mr. Mattson said the portion that might look like parking was really for just turning around. Councilor Moreau said the garage seemed to be deep enough for four cars, and the ADU was larger than what the ordinance allows. She asked what the justification was. Mr. Mattson said the floor plan showed that a good portion of the back was for an office and the stairs to get up to the ADU, and the ADU itself would be in the allowable square footage. He read the updated project narrative into the record. Mr. Almeida asked why the lot with the cemetery on it was not buildable. Mr. Mattson said the ordinance stated that there had to be a certain distance from a cemetery so that new construction is allowed. He said the property was also narrow, with minimal street frontage. It was further discussed.

[Timestamp 58:47] Mr. Hewitt verified that there was an existing house and garage, the garage was on the south side of the property and would be torn down, and the new structure would be built on the north side with a 1,000 sf footprint. Mr. Mattson said the footing for the whole structure would be 1,106 square feet. Mr. Hewitt asked if there was any hardship preventing the applicant from complying with the requirement of 750 sf for the ADU foundation. Mr. Mattson said instead of being a garage with an ADU above it, it would have to be a garage and another structure with an ADU not attached and then it could be 745 square feet. He said they thought it made more sense aesthetically to have a garage with a space above it. Mr. Hewitt asked why a 750 sf garage with a 750sf ADU above it couldn't be built. Mr. Mattson said stairs were necessary. He said the owner worked from home and wanted a separate office. He said the one new structure would accomplish many of the applicant's desires instead of multiple separate structures. He said they thought about having a smaller dormer but the result would have been 2-story structure because a full height wall was needed for multiple rooms. Vice-Chair Mahanna asked if there was anything wrong with the existing garage. Mr. Mattson said it wasn't in a suitable condition to put cars in there and was in the way of the proposed deck. Mr. Almeida said the proposal was more conforming because the current garage was over the setback line. Chair Chellman said the ADU portion of the new building was a clever way to consolidate things into one structure, as opposed to constructing two buildings on site. Mr. Hewitt said the ADU rules anticipated that scenario and that the intent was to strictly limit the foundation to 750 sf so that

people could not put extra uses on it. Councilor Moreau agreed. Mr. Mattson said they could remove the trim on the gable end but then it would be more like a salt box style with two different pitched rooflines. It was further discussed.

Chair Chellman opened the public hearing.

SPEAKING TO, FOR, OR AGAINST THE PETITION

Pat Roe (no address given) distributed a document to the Board. She said she was one of the caretakers of the Langdon Cemetery that was a private one that some of her family were buried in. She said her side was the left side of 271 Lafayette Road and that the cemetery was maintained by herself and her son. She asked where the snow would go. She said she didn't want two parking spots right next to her property line and thought the building seemed big.

Jeffrey Cooper of 227 Park Street asked why the office couldn't go into the main house. He said there was room on the main house for a dormer to accommodate the office on the main floor.

Brian McCarthy of 243 Lafayette Road said he owned the house on the other side of the cemetery parcel. He said the dormer would look out over his back yard and porch and he would see the two cars parked on the cemetery line. He said the proposed structure was big and thought there were alternatives. He said he was also concerned about water runoff.

Second Round of Speakers

No one else spoke, and Chair Chellman closed the public hearing.

DECISION OF THE BOARD

1) *Ms. Conard moved that the Board find that the Conditional Use Permit Application meets the requirements set forth in Section 10.814.62 of the Ordinance and adopt the findings of fact as presented. Mr. Samonas seconded. The motion **passed** with all in favor.*

2) *Ms. Conard moved to find that the Board grant the following **modifications**:*

2.1) *Modification from Section 10.814.434 to allow a building footprint of 1,106 square feet.*

2.2) *Modification from Section 10.814.435 to allow 1,785 square feet gross floor area for the building containing the DADU.*

2.3) *Modification from Section 10.814.436 to allow a roof dormer to occupy 82% of the roof plane.*

Mr. Giuliano seconded.

[Timestamp 1:13:50] There was further discussion. Ms. Conard said the Board could support both attached and detached ADUs. She said she understood that they had waivers to the rules and

thought this was a thoughtful application of that and encouraged more of it. Vice-Chair Mahanna said he thought the three requests were excessive. He noted that there was additional space in the garage that they would be torn down. Mr. Samonas said the Board spent considerable time setting the thresholds and that he did not want to set a new precedent for those thresholds. He said he thought the structure was a bit big and that the applicant could return with some edits. Councilor Moreau said she was part of a lot of discussions pertaining to the ADU changes and knew that the building footprint decided on was to ensure that there weren't giant buildings. She said the proposal looked much better than the existing house. She said placing the DADU far enough back so that it wasn't close to the main house might be okay. She said the gross floor area of the building containing the ADU was big, but as long as the square footage of the ADU stayed under 750 sf, she didn't have a problem with it, although she wished it could be pulled back farther or the dormers could be switched to the other side. She said some reworking of it to make the neighbors happy could be done, but she didn't have an issue moving it forward. Mr. Giuliano said it was a nonconforming piece of property and would never be anything else. He said the applicant was asking for modifications that were not part of the original intent for the DADU limits that were set. He said there was more work that could be done to make it more conforming, so he would not support the motion. Mr. Hewitt said he did not see a hardship because the applicant could do an office in the house, and the DADU's foundation did not have to be so big. He said it would set a dangerous precedent. Mr. Coviello said he could approve it if the pavement to the left of the main drive was removed and the roofline was narrowed so that the dormers faced away from the abutters. Mr. Almeida said he was in support but would like adjustments made that would minimize privacy concerns. He said a much larger building of a different use could be constructed on the lot as well, however. Mr. Hewitt said it wasn't the size but the concept of using the ADU rules to get another use. Chair Chellman said the proposal was better than having two buildings that created the same uses on the property. He said hardship was not a requirement for the Board, noting that if an applicant had a deep lot with unique conditions, there was a rationale whereby the Board could look at it differently. Mr. Stith said the applicant could not return for a year if the Conditional Use Permit was denied. It was further discussed. Mr. Almeida said he wanted to give the applicant the chance to make modifications to minimize the structure slightly. Ms. Conard said she would withdraw her motion, and Mr. Giuliano agreed.

*Mr. Coviello moved to **continue** the application to the September meeting. Mr. Almeida seconded. The motion **passed** with all in favor.*

- D.** The request of **Matt Ball** and **Andrea Fershtam (Owners)**, for property located at **252 Wibird Street** requesting a Conditional Use Permit from Section 10.814 for the conversion of an existing accessory structure into a Detached Accessory Dwelling Unit (DADU) that does not conform with the dimensional requirements of the Ordinance. Said property is located on Assessor Map 149 Lot 12 and lies within the General Residence A (GRA) District. (LU-24-137)

SPEAKING TO THE PETITION

[Timestamp 1:30:20] Attorney Colby Gamester was present on behalf of the applicant along with the owners and their contractor Jay Lajeunesse. He explained why the property was unique and had an access easement. He said the ADU would be a studio apartment over a two-car garage

and would have 4-5 off street parking spaces. He said there two options for the structure, one with the gable trim and one without, and explained why.

[Timestamp 1:43:23] Councilor Moreau said there were concerns by the neighbors as to the overuse. She said her concern was whether there was enough room for travel, parking, and access to the garage for multiple vehicles for the house and ADU residents. Attorney Gamester said there was sufficient room in front of the garage and a parking space to the right of the porch. Councilor Moreau said the Board always ensured that there weren't windows on sides of property that would intrude into other properties. Attorney Gamester said they took that concern seriously and pointed out that there were houses on top of each other in that section of Wibird Street and it was common to look out a window and see someone's front and rear yards. He said it was a back lot, so the front setback was not the traditional one, and the garage had already been set back 24-25 feet from allowed. Mr. Giuliano said he didn't see any specific language in the deed pertaining to the easement that permits, limits or forbids it in any way. Attorney Gamester said the easement was created over 100 years ago and the survey was done 100 years later. He said in 2005, an easement deed was executed between the then owners of 252 and 244 Wibird Street. He said the access easement was 12 feet in width and further explained it.

[Timestamp 1:48:05] Chair Chellman said the plan showed only one dwelling and asked whether that was a limitation. Attorney Gamester said it was not but was an existing conditions plan with a 12-ft right-of-way imposed over to define the right-of-way, not to solidify what could or could not be there. Chair Chellman asked if the 2005 easement replaced the earlier one. Attorney Gamester said it always just referenced a 12-ft right-of-way on the southerly portion and was not a limitation. Mr. Coviello asked who the parking under the ADU would be dedicated to. Attorney Gamester said he wasn't sure but that there could be one for the ADU and one for the principal dwelling unit. Mr. Coviello asked if there was a limitation on street side parking. Attorney Gamester said he was not aware of one. Mr. Coviello said it was likely that two people would occupy that space. Attorney Gamester said they could park tandem. Chair Chellman opened the public hearing.

SPEAKING TO, FOR, OR AGAINST THE PETITION

[Timestamp 1:50:21] Doctor David Gray of 244 Wibird Street said he was against the proposal. He said the ordinance required the Planning Board to find that the proposed ADU would maintain a compatible relationship with the character of adjacent and neighboring properties in design, location, off street parking, and so on and would not significantly reduce the privacy of those properties. He said 252 Wibird was accessed via a shared driveway easement over his property and the contemplated use was a single family dwelling. He said an additional family using the driveway would exceed the scope of the easement and would also increase congestion. He said the proposed windows would look into his yard and his privacy would be further reduced by the constant ingress and egress of additional residents.

Elizabeth Bratter of 159 McDonough Street suggested that old-fashioned crank-up windows high up in the eaves would allow light in and not let people see out of them.

Jeffrey Cooper of 227 Park Street said he was the abutter at the rear of the building. He said he had not opposed the 2021 garage renovation because it was proposed to be a single-story structure, but when it went up it had a peak roof to a second-story height that loomed over his property. He said he was now faced with a new owner who wanted to expand the wall to accommodate an ADU. He said the ADU should be done without the existing structure.

Mary Elizabeth Mason of 25 Orchard Street said she was opposed to the petition due to privacy concerns. She said the proposed dormers would have an impact on her privacy, and in the future the property could have more people and more noise.

Attorney Gamester said the wall would be blank with no windows, and the cars would move through the easement. He said snow removal would be done by everyone. He said the easement was only 12 feet because years ago it was only used for accessing. He said the applicant would maintain the garage but needed to maximize the space, given where the stairs were located. He said they were not asking for anything bigger than the limits and that felt it was appropriate.

Second Round Speakers

Dr. Gray said three direct abutters were heard from who were strongly opposed. He said his wife was at home most days and heard the constant in-and-out traffic. He said Wibird Street was already congested and the increased use would cause more congestion.

No one else spoke, and Chair Chellman closed the public hearing.

DECISION OF THE BOARD

*1) Mr. Coviello moved that the Board find that the Conditional Use Permit Application meets the requirements set forth in Section 10.814.62 of the Ordinance and adopt the findings of fact as presented. Mr. Giuliano seconded. The motion **passed** with all in favor.*

*2) Councilor Moreau moved that the Board grant the following **modifications**:*

2.1) Modification from Section 10.814.422 to allow a DADU that is within the rear yard setback to have a window higher than 8 feet in height above grade facing the adjacent property.

2.2) Modification from Section 10.814.436 to allow the roof dormers to occupy more than 33% of the roof plane.

Ms. Conard seconded for purposes of discussion.

[Timestamp 2:04:55] Councilor said the modifications were great. She said the scenario to require a Conditional Use Permit was created so that neighbors could share their thoughts. She said it was a tight area and already well into all the setbacks, so she had a hard time expanding the building to be that close to all the abutting properties. She said legally she could see the argument as to why it wasn't a dormer, but the DADU was being expanded into a setback, so if it

were a house it would need a variance. She said it was an expansion of a nonconforming use and she would have a hard time supporting it. Ms. Conard said the zoning language was created to support ADUs. She said there would not be equitable solutions and there was no perfect site for the project. She said the neighborhood has the characteristics it had, regardless of whether the applicant did anything with the garage. She said the intent of the language was to create additional housing unit where appropriate. She said she thought the project was as thoughtful as it could be and that she would support it. Vice-Chair Mahanna agreed but said his challenge was that it was being vehemently opposed. He said the height of the building wasn't changing but the mass of the top of the building was. He said the neighbors to the left of the driveway would have windows looking down on them. He said the applicant did a great job of making the DADU into a small unit but he thought the applicant had to return with a better plan that adjusted it for the abutters. Mr. Giuliano said it looked a lot like an ADU to him but it had a deeded access. He said he did not see why the applicant could not do an ADU without needing the modifications. Mr. Almeida said he'd like to give the applicant a chance to address the issues and not have to wait a year to return. Mr. Samonas said the Board had to follow the ordinance. He said the driveway was a limited size with tandem sites and a two-car garage, and if the parking became more congested, the Board had to consider the driveway's capacity. He suggested placing a dormer on just one side overlooking the applicant's backyard. He said the existing garage could also be torn down and a smaller foundation built for the ADU. Mr. Coviello said he did not support the 8-ft wall but did support the roof dormer. Chair Chellman said he wanted to see clarification on the variance the neighbor Mr. Cooper spoke of about the garage. He said he was still stuck on the easement and whether it involved interaction with the neighbors who had a relationship with that easement. Mr. Bowen said any infill development in a compact environment would have interaction with neighbors and thought the Board had to do as much as they could to make that a positive interaction. He said the window issue could be solved so that it wasn't an imposition on the neighbors, but he was in support of the other aspects.

Councilor Moreau withdrew her motion, and Ms. Conard agreed.

Councilor Moreau moved to continue the petition to the September meeting, seconded by Ms. Conard. The motion passed with all in favor.

- E.** The request of **Christ Church Parish (Owner)**, for property located at **1035 Lafayette Road** requesting Conditional Use permits from Section 10.5B41.10 for a Development Site, from Section 10.5B72 for density bonus incentive for increased dwelling units per building and a Conditional Use Permit from Section 10.1112.14 to provide less than the required parking and Site Plan Review Approval for construction of a 4-story, 44-unit multi-family residential building to the south of the existing church building, conversion of the first-floor of the existing church into office space and construction of a 7-unit transitional housing addition. The lower level of the existing church will be renovated for the daycare and the church will be relocated to the existing rectory building on the site. The project will include associated site improvements such as parking, pedestrian connections, access to public transportation, utilities, stormwater management, lighting, and landscaping. Said property is located on Assessor Map 246 Lot 1 and lies within the Gateway Center (G2) District. (LU-24-92)

SPEAKING TO THE PETITION

[Timestamp 2:29:00] Executive Director of the Portsmouth Housing Authority (PHA) Craig Welch was present, along with his team. He said the project's main priority was to address housing affordability in Portsmouth.

[Timestamp 2:31:52] Bengé Ambrogi, CFO of the Episcopal Diocese of NH, said the property was currently underutilized and the Burying Ground was not highlighted or maintained well. He said the PHA and HAVEN were ideal partners who envisioned a community with many synergies. He said the community response was very positive.

[Timestamp 2:33:31] Project engineer Neil Hansen said permit would be needed, including three from the State for shoreland, sewer connection, and the driveway. He said they proposed to build a 4-story 44-unit residential building toward the middle of the site. He said the daycare would remain and would be renovated, and the transitional housing 7-unit building would be added onto the back corner of the church. He said the existing driveway would be maintained and the secondary entrance would be reconfigured to be a right-in only. He said an off-street Coast bus stop would be added. He said their traffic study found that the project would generate 78 additional trips in the morning peak hours, 91 in the afternoon peak hours, and 21 more trips during the Saturday peak hour, all of which were low-generation increases. He said they would maintain a 15-ft buffer around the stone wall of the Burying Ground and a 25-ft protective buffer around the unmarked burials. He reviewed the stormwater, utility, and lighting plans.

[Timestamp 2:40:27] Landscape architect Robbie Woodburn reviewed the landscape plan. She said they would also improve the cemetery.

[Timestamp 2:44:25] Project architect Sarah Hourihane reviewed the proposed building's design, shape, orientation, and fenestration and said there would be 44 units that included 33 one-bedrooms, nine two-bedrooms, and two 3-bedrooms. She said there would be two community spaces and a bike storage room. She reviewed the roof plan and solar array.

[Timestamp 2:49:55] Mr. Hansen reviewed the Conditional Use Permit criteria for the parking, the development site standards, and the density bonus. He said 20 percent of the units would be workforce housing and that they were also requesting a modification of standards.

[Timestamp 2:56:39] Mr. Samonas asked if there would be a playground or protected area for the daycare or the residents. Mr. Hansen said the daycare had dedicated playground space. He said the PHA building would have the outdoor patio garden space and could also use the Urban Forestry Center trails. Mr. Samonas noted that some of the units would have families and asked if there could be some secluded space for those residents. Mr. Hansen said they discussed it but space became a constraint. He said they had a giant rain garden in place of a potential playground that they could not avoid, but they would consider it in the future if the opportunity presented itself. Mr. Coviello asked about snow removal. Mr. Hansen said it was a tight site. He said the snow would be pushed off to the sides but there would be hauling involved. Mr. Coviello noted the daycare drop-off and pick-up and asked if vehicle traffic coming off Route

One and going to the left portion of the center drive was anticipated. Mr. Hansen said parents would physically bring their children into the building. He said the nearby parking spaces would be for the HAVEN office and the daycare. He said they were not allowed to have parking in front of the buildings in that zone, so all the parking was in the back. Mr. Coviello asked if the northbound entrance off Route One was a new proposed entrance. Mr. Hansen said it would be only an exit. Mr. Coviello asked about backups and drivers going the wrong way out. Mr. Hansen said there was a median preventing a left turn.

[Timestamp 3:02:13] Vice-Chair Mahanna asked if the PHA and the Urban Forestry Center had discussed an access point. Mr. Welch said there was talk about using resources from the Forestry Center for interior finishes and exterior amenities like benches or a timber-framed bus stop. He said some improved trail access would open up the trails to the back side of the Burying Ground and would be a nice amenity. He said there was currently a trail that went along the border. Mr. Almeida asked if there was waste management on the site. Mr. Hansen said there were two dumpsters that would be shared by both buildings and a trash truck would come in to pick up the trash and head out the same way. Mr. Hewitt said the parking count was for 83 spaces and asked if the applicant was confident that the Coast bus service would absorb 20 percent of the use for residential, office, day care, and church. Mr. Hansen said that was what the applicant was allowed under the ordinance. He said they followed up with the Division of Public Works and that those numbers plus the shared occupancy rates resulted in a lower parking number than the 83 spaces. Mr. Samonas asked whether the parents could go out toward the gravel section after they dropped off their kids. Mr. Hansen said the center driveway was a two-way one, so the parents would come in and out between the two buildings.

Note: At this point in the meeting at 10:00, Vice-Chair Mahanna moved to finish the application and split the agenda. Mr. Hewitt seconded. The motion failed.

Chair Chellman said he liked the second-floor community space for the residents and the outdoor space. He said he hoped the Burying Ground didn't become a big distraction because the parking was already full. He said the bike parking and maintenance area were amazing details. He suggested alternating the four oak trees in a row to oaks and maples.

Chair Chellman opened the public hearing.

SPEAKING TO, FOR, OR AGAINST THE PETITION

[Timestamp 31:05] HAVEN Executive Director Kathy Beebe said she was in support of the petition because it would address some of the critical needs facing the community in terms of affordable housing, child care, and domestic violence resources for those who needed it.

No one else spoke, and Chair Chellman closed the public hearing.

DECISION OF THE BOARD

- 1) Mr. Giuliano moved that the Board find that the Conditional Use Permit application meets the criteria set forth in Section 10.1112.14 and to adopt the findings of fact as presented. Mr. Coviello seconded. The motion **passed** with all in favor.
- 1) Mr. Giuliano moved that the Board grant the Conditional Use Permit. Ms. Conard seconded. The motion **passed** with all in favor.
- 1) Mr. Giuliano moved that the Board find that the Conditional Use Permit application meets the criteria set forth in Section 10.5B11 and 10.5B73 and to adopt the findings of fact as presented. Ms. Conard seconded. The motion **passed** with all in favor.
- 2) Mr. Giuliano moved that the Board grant modifications of standards from Section 10.5B41.81 to allow 0% community space where 20% is required. Ms. Conard seconded. The motion **passed** with all in favor.
- 3) Mr. Giuliano moved that the Board grant the Conditional Use Permit. Mr. Coviello seconded. The motion **passed** with all in favor.
- 1) Mr. Giuliano moved that the Board find that the Conditional Use Permit application meets the criteria set forth in Section 10.5B43.10 and to adopt the findings of fact as presented. Mr. Almeida seconded. The motion **passed** with all in favor.
- 2) Mr. Giuliano moved that the Board grant the conditional use permit for a Development Site subject to the requirements and conditions of site plan review approval. Mr. Almeida seconded. The motion **passed** with all in favor.
- 1) Mr. Giuliano moved that the Board find that the Site Plan Application meets the requirements set forth in the Site Plan Regulations Section 2.9 Evaluation Criteria and adopt the findings of fact as presented. Mr. Almeida seconded. The motion **passed** with all in favor.
- 2) Mr. Giuliano moved that the Board grant Site Plan approval with the following **conditions**:

Conditions to be satisfied subsequent to final approval of site plan but prior to the issuance of a building permit or the commencement of any site work or construction activity:

- 2.1) The site plan and any easement plans and deeds shall be recorded at the Registry of Deeds by the City or as deemed appropriate by the Planning Department.
- 2.2) The applicant shall agree to pay for the services of an oversight engineer, to be selected by the City, to monitor the construction of improvements within the public rights-of-way and on site.
- 2.3) Any site development (new or redevelopment) resulting in 15,000 square feet or greater ground disturbance will require the submittal of a Land Use Development Tracking Form through the Pollutant Tracking and Accounting Program (PTAP) online portal. For more information visit: <https://www.cityofportsmouth.com/publicworks/stormwater/ptap>

2.4) *Applicant will coordinate with DPW the final sewer connection location on Lafayette Road.*

Conditions to be satisfied subsequent to final approval of site plan but prior to the issuance of a certificate of occupancy and release of the surety:

2.5) *The Engineer of Record shall submit a written report (with photographs and engineer stamp) certifying that the stormwater infrastructure was constructed to the approved plans and specifications and will meet the design performance;*

2.6) *A stormwater inspection and maintenance report shall be completed annually and copies shall be submitted for review to the City's Stormwater Division/Public Works Department.*

*Ms. Conard seconded. The motion **passed** with all in favor.*

Note: At this point, Vice-Chair Mahanna left the meeting and Alternate Mr. Bowen took a voting seat for the rest of the evening.

F. The request of **Lonza Biologics (Owner)**, for property located at **101 International Drive** requesting Site Plan Approval from the Pease Development Authority (PDA) for the addition of two (2) industrial equalization (EQ) tanks and one (1) pump house located between the EQ Tanks that will include portions of the existing detention basin to be regraded. Installation of a new outlet structure to support the resized detention basin and a stormwater filtration system are proposed with this project. Said property is located on Assessor Map 305 Lot 6 and lies within the Airport Business Commercial (ABC) District. (LU-24-112)

SPEAKING TO THE PETITION

[Timestamp 3:23:43] Project engineer Neil Hansen was present on behalf of the applicant. He said the project was in support of the existing wastewater operations and that they wanted to construct two industrial equalization tanks and one pump house in a single concrete structure. He said they proposed to extend the concrete tanks off the back of the retaining wall, which would result in a slight reduction in volume in the existing retention basin. He said the project would also trigger the amendment of the existing alteration terrain permit, so they were required to treat 30 percent of the water quality flow for the entire watershed and would install an infiltration treatment unit for it. He said it would require a State wetland permit application.

The Board had no questions. Chair Chellman opened the public hearing.

SPEAKING TO, FOR, OR AGAINST THE PETITION

No one spoke, and Chair Chellman closed the public hearing.

DECISION OF THE BOARD

1) *Councilor Moreau moved that the Board recommend Amended Site Plan Approval to the PDA Board with the following **condition**:*

1.1) The applicant shall clean the drainage swale from Goose Bay to Corporate and on Corporate Drive.

*Mr. Coviello seconded. The motion **passed** with all in favor.*

G. The request of **231 Corporate Drive LLC (Owner)**, for property located at **231 Corporate Drive** requesting Site Plan Review Approval from the Pease Development Authority (PDA) for the construction of a 2,340 sf addition for a linear accelerator vault to support the veterinary hospital. The project includes removal of a row of parking which will reduce overall impervious surface impacts within the wetland buffer by approximately 8,801 sf. The project consists of associated site improvements such as lighting, landscaping, and stormwater management that will include stormwater treatment via a Contech Jellyfish unit to treat the proposed pavement section and building addition. Said property is located on Assessor Map 314 Lot 2 and lies within the Airport Business Commercial (ABC) District. (LU-24-114)

SPEAKING TO THE PETITION

[Timestamp 3:28:00] Project engineer Neil Hansen was present on behalf of the applicant. He said the project was for the addition of a one-story linear accelerator vault on the rear corner of the building. He said they also reconfigured the northern half of the parking lot to reduce it to a single double-loaded row of parking and would remove the rest of the pavement into the wetland buffer to the north and restore the northern half site of it.

The Board had no questions, and Chair Chellman opened the public hearing.

SPEAKING TO, FOR, OR AGAINST THE PETITION

No one spoke, and Chair Chellman closed the public hearing.

DECISION OF THE BOARD

*1) Councilor Moreau moved that the Board recommend Amended Site Plan Approval to the PDA Board. Mr. Coviello seconded. The motion **passed** with all in favor.*

V. PRELIMINARY CONCEPTUAL CONSULTATION

A. The request of **Wenberry Associates LLC (Owners), and One Market Square (Applicant)**, for property located at **21 Congress Street, 1 Congress Street, and 15 Congress Street**. The project is a combination of the previously approved project located at 1 Congress Street and property located at 15 Congress Street. The proposal includes a lot line adjustment with the City, merging the subject lots into one, and re-developing the combined lot as a Mixed Use Building. Said properties are located on

Assessor Map 117 Lot 12, Map 117 Lot 14 and lies within the Character District 5 (CD-5) District. (LUPD-24-6)

SPEAKING TO THE PETITION

[Timestamp 3:31:01] Project engineer John Chagnon was present on behalf of the applicant, along with the Principal of One Market Square Mark McNabb, project architect Tracy Kozak, landscape architect Terrence Parker, and McNabb Development representative Marie Bodie. Mr. Chagnon said they proposed to expand the One Congress Street project to include property at 15 Congress Street, also known as 21 Congress Street. He said 15 Congress Street was under a sales agreement to be sold to One Market Square LLC, who wanted to combine the two parcels in one and update the One Congress Street project and make interior and exterior changes to create the one large building of 36,083 sf on a combined lot. He said they would need Conditional Use Permits for the building size and supplied parking. He reviewed the plan set, the lot line adjustment plan, and the zones. He said the plan for 15 Congress Street was to also create co-living on the upper floors, which introduced the concept of co-living as a use to the City and might involve a potential zoning change to allow co-living in the CD4 and CD5 Districts. He said they proposed assigning a space within the Hanover Garage to be repurposed as a community trash and storage room. He said the basement parking plan had two parking spaces added, and the 25 spaces would service the One Congress Street building.

[Timestamp 3:43:13] Architect Tracy Kozak said the building would not be much bigger and there would be green room space on the roof, with a solar array and mechanical equipment. She said the building's shell would remain and they would create a new retail story at the bottom of the grade from High Street that sloped down to Fleet Street, improve the alleyway by allowing balconies and daylight, and open the end of the alley up with glass and doors into the back of the restaurant. She said the small penthouse addition would be for the residents.

[Timestamp 3:49:04} Landscape architect Terrence Parker reviewed the landscape plan. He discussed the greenspace and lighting and said there would be a sculpture at the Fleet Street entrance like an archway and perhaps a minor wall at the Gilley's Diner parking lot.

[Timestamp 3:52:22] Mr. McNabb said if they weren't successful in getting the zoning change for co-living, they would do micro apartments in the J.J. Newbury building upper floors instead. He explained why co-housing was beneficial. Relating to parking, he said 90 percent of downtown buildings were built on the lot line, did not have the ability to add parking spaces, or did not meet the zoning ordinance for parking, so there was a built-in hardship. He said co-living would be a new zone that would primarily address single resident occupancies but would not prohibit families. He said the units would be furnished, there would be no security deposits, and the utilities would be bundled.

[Timestamp 3:58:55] Mr. Coviello asked if there would be two keys, one to get into the unit and one for the bedroom. Mr. McNabb agreed. Mr. Coviello asked how many bedrooms per kitchen there would be. Mr. McNabb said he had not done that planning because he didn't know if they could get an ordinance change. He said otherwise, there would be a mix of everything including

micro apartments, and no more than 6-10 rooms that would flank a common area. He said some units would have a private sink or bathroom, which would all depend on the layout. Mr. Coviello asked about rental rates. Mr. McNabb said they had not established rental rates but believed they would be much cheaper than normal due to the stripping of amenities including parking. Mr. Coviello referred to the 12-14 feet of grade that would be dropped and asked if the applicant planned to confirm that both the visitors parking garage and the J.J. Newbury garage would have no foundation issues. Mr. McNabb said he met with the City and the garage was close to the depth that was needed. He said the J.J. Newbury basement level went down to almost the bottom of that, so they would have a little undermining of that as well. Mr. Samonas said he was excited about the new reimagined opportunity for housing but was concerned about the hedging plan for micro apartments and didn't want the idea to be that the building could not be developed without the co-living zoning change. Mr. McNabb agreed and said that was why he quantified that they could do micro apartments. He said both options were on the table. Mr. Samonas said there were redevelopment opportunities related to office or function space. Mr. McNabb explained why he would not build office space on the property. Mr. Samonas said furnished units with nightly rentals might lend themselves to a hospitality style use. Mr. McNabb said that was the reason a co-living ordinance had to be drafted in such a way that a hotel would not be proposed. He said most of the units would be two-year leases to individuals but he wanted the option to have shorter terms for people who needed them. It was further discussed. Mr. Samonas asked if it would be difficult to repurpose the space if approval was given for co-living and it did not succeed. Mr. McNabb said it was a time-proven product across the nation. He said it would also be a balance of a mix of micro apartments, co-living, etc. so he was not concerned about the repurposing it. Chair Chellman said the language had to be fine-tuned and didn't think it was ready to go to the City Council. He said co-living was an exciting idea that needed feedback.

[Timestamp 4:15:44] Councilor Moreau said she was not against co-living but had heard concerns from residents about a frat house atmosphere. She asked how it would be ensured that management and safety were done right. Mr. Giuliano said the lush roof scape was very attractive and looked more like it was luxury housing than affordable housing. He said an analogy was made to college dorm living but said dorms had management and college students had meal service, transportation, and support services. He said what was missing in downtown Portsmouth was essential services for residents, and a car was necessary to get to a grocery store or pharmacy. Mr. McNabb said he knew the co-living aspect could be ahead of its time, and that was why he thought micro apartments would work on the property. He said there were people who didn't drive for various reasons and he did not want to exclude that segment and just assume that everyone had a car. Mr. Almeida asked if the lighting would continue down Newbury Way. Mr. McNabb agreed. Mr. Almeida asked what the maximum number of people housed would be. Mr. McNabb said he didn't have the numbers yet but thought there would be 35 units if they were all micro apartments and co-housing would be twice that. He said the One Congress Street would be full market rates.

[Timestamp 4:24:09] Mr. Bowen said the project was being placed in the most expensive real estate in the City, and he asked if it would be better to be in more outlying areas where it was less expensive and had parking. Mr. McNabb said downtown was always a high density use and that it was a one-mile walking distance from just about everything people needed. He thought the

farther one got outside of downtown, the more difficult it was for people who don't drive. He said the only place he did not support the lack of parking was where it could not be created, which was downtown, so it didn't matter to him that the area had the most expensive real estate. He said he would rather make it accessible to everyone. Chair Chellman asked Mr. McNabb if he would participate in a workshop, and Mr. McNabb agreed.

VII. CITY COUNCIL REFERRALS

A. Letter from Mark McNabb, One Market Square, LLC - Haven Court Changes
[Timeline 4:30:06] Chair Chellman said there might be a slightly different way of doing it technically but with the same result and that he had no trouble supporting it. He thought it could be done as an agreement instead of a swap and could be more permanent. He recommended that the issue be resolved to the satisfaction of the Legal Department and Mr. McNabb. He referred to SRA 472 and it was further discussed.

1) Ms. Conard moved that the Board recommend to City Council to move forward with the appropriate legal vehicle as agreed upon by the applicant and the City's Legal Department. Mr. Coviello seconded. The motion passed with all in favor.

B. Letter from residents of Islington Creek regarding zoning of 361 Hanover Street

Chair Chellman said he wanted to see the zoning issue addressed in the workshop. He said he wanted to bundle the Board's zoning amendments and suggested that the workshop be held before the Board's second September meeting.

Councilor Moreau moved that the Board schedule a work session to discuss potential zoning amendments on or before their second meeting in September. Mr. Coviello seconded. The motion passed with all in favor.

C. CIP Meeting – August 19, 2024 City Council

Chair Chellman said the Board was invited to talk to the City Council about the CIP Plan and that the meeting would take place at 6:00 p.m.

VIII. OTHER BUSINESS

A. 1 Raynes Avenue - requesting a 1-Year extension to the Site Plan Review, Parking and Wetland Conditional Use approvals set to expire on September 15, 2024.

Councilor Moreau moved that the Board grant a one-year extension of the Planning Board Approval of the Site Plan and Conditional Use Permits to September 15, 2025. Ms. Conard seconded.

Mr. Hewitt said he would not support the motion because he had asked about the status of four contaminated sites on the property and never heard back. Mr. Stith said he would send out the judge's ruling to the Planning Board members the following week.

*The motion **passed** by a vote of 8-1, with Mr. Hewitt voting against the motion.*

- B. 53 Green Street** – requesting a 1-Year extension to the Site Plan and Wetland Conditional Use Permit approvals; and a second 6-month extension to the Subdivision approval set to expire on September 29, 2024.

*Mr. Coviello moved that the Board grant a one-year extension to the Planning Board Approval of the Site Plan and Conditional Use permit to September 29, 2025, and a second six-month extension for the Subdivision to March 29, 2025. Mr. Almeida seconded. The motion **passed** by a vote of 8-1, with Mr. Hewitt abstaining.*

C. Chairman Updates and Discussion Items

This was not further discussed.

D. Co-living Zoning Amendment

This was discussed earlier.

E. Board Discussion of Regulatory Amendments, Master Plan Scope, and Other Matters

Chair Chellman said the Downtown Overlay District parking came up as part of the parking study. He said he thought the wetlands special use permit issues would be an easy change.

IX. ADJOURNMENT

The meeting adjourned at 11:40 p.m.

Respectfully submitted,

Joann Breault
Planning Board Recording Secretary



City of Portsmouth
Planning Department
1 Junkins Ave, 3rd Floor
Portsmouth, NH
(603)610-7216

Memorandum

To: Planning Board

From: Peter Stith, AICP
Planning Manager

Date: September 19, 2024

Re: Recommendations for the September 19, 2024 Planning Board Meeting

I. APPROVAL OF MINUTES

A. Approval of the August 15, 2024 meeting minutes.

Planning Department Recommendation

1) Board members should determine if the draft minutes include all relevant details for the decision-making process that occurred at the August 15, 2024 meeting and vote to approve meeting minutes with edits if needed.

II. DETERMINATIONS OF COMPLETENESS

SITE PLAN REVIEW

A. The request of **Portsmouth Lumber & Hardware (Owner); Ricci Lumber (Applicant)**, for property located at **105 Bartlett Street** requesting Site Plan Review Approval for the demolition of existing sheds and construction of two new storage sheds with associated site improvements. Said property is located on Assessor Map 157 Lot 2 and lies within the Character District 4(CD4-W).

Planning Department Recommendation

1) Vote to determine that Item A is complete according to the Site Plan Review Regulations, (contingent on the granting of any required waivers under Section IV of the agenda) and to accept the application for consideration.

III. PUBLIC HEARINGS – OLD BUSINESS

The Board's action in these matters has been deemed to be quasi-judicial in nature. If any person believes any member of the Board has a conflict of interest, that issue should be raised at this point or it will be deemed waived.

- A.** The request of **Samuel Holman and Kristina Schneider Holman (Owners)**, for property located at **271 Lafayette Road** requesting a Conditional Use Permit from Section 10.814 for the construction of a new Detached Accessory Dwelling Unit (DADU). Said property is located on Assessor Map 230 Lot 18 and lies within the Single Residence B (SRB) District. (LU-24-138)

The applicant has withdrawn the Conditional Use Permit application for a DADU.

IV. PUBLIC HEARINGS – NEW BUSINESS

*The Board's action in these matters has been deemed to be quasi-judicial in nature.
If any person believes any member of the Board has a conflict of interest,
that issue should be raised at this point or it will be deemed waived.*

- B.** The request of Matt **Ball** and **Andrea Fershtam (Owners)**, for property located at **252 Wibird Street** requesting a Conditional Use Permit from Section 10.814 for the conversion of an existing accessory structure into a Detached Accessory Dwelling Unit (DADU) that does not conform with the dimensional requirements of the Ordinance. Said property is located on Assessor Map 149 Lot 12 and lies within the General Residence A (GRA) District. (LU-24-137)

Project Update

The applicant has requested to continue the application to the January Planning Board meeting as they work on redesigning the proposed Detached Accessory Dwelling Unit (DADU) based on the feedback received from the Board and abutters at the August meeting.

Planning Department Recommendation

- 1) *Vote to grant the request to postpone to January 2025 meeting.*

IV. PUBLIC HEARINGS – NEW BUSINESS

The Board's action in these matters has been deemed to be quasi-judicial in nature. If any person believes any member of the Board has a conflict of interest, that issue should be raised at this point or it will be deemed waived.

- A.** The request of **Peter and Amy Lalime (Owners)**, for property located at **1004 Greenland Road** requesting a Conditional Use Permit from Section 10.814 for the construction of a new Detached Accessory Dwelling Unit (DADU). Said property is located on Assessor Map 262 Lot 8 and lies within the Single Residence B (SRB) District.

Background

This application is proposing to construct a new two-story garage with Detached Accessory Dwelling Unit (DADU) on the second story. The proposed DADU will comply with the requirements in Section 10.814 for DADUs as well as the dimensional requirements for the structure including setbacks and building coverage.



Planning Department Recommendation
Detached Accessory Dwelling Unit Conditional Use Permit

1) *Vote to find that the Conditional Use Permit Application meets the requirements set forth in Section 10.814.62 of the Ordinance and adopt the findings of fact as presented.*

(Alt.) Vote to find that the Conditional Use Permit Application meets the requirements set forth in Section 10.814.62 of the Ordinance and adopt the findings of fact as amended.

2) *Vote to grant the Conditional Use Permit with the following conditions:*

2.1) *Documentation of the conditional use permit approval shall be recorded at the Rockingham County Registry of Deeds, together with an affidavit that either the principal dwelling unit or the accessory dwelling unit will be occupied by the owner of the dwelling as the owner's principal place of residence, as required by Section 10.814.22.*

2.2) *A certificate of use issued by the Planning Department is required to verify compliance with the standards of this Section, including the owner occupancy and principal residency requirements. Said certificate shall be issued by the Planning Department upon issuance of a certificate of occupancy by the Inspection Department. A certificate of use shall not be issued prior to recording of documentation as required by this Ordinance.*

2.3) *The certificate of use shall be renewed annually upon submission of such documentation as the Planning Department may require to verify continued compliance with the standards of this Section. Failure to comply with this requirement shall be deemed a violation of the ordinance and may be enforced as provided in Article 2.*

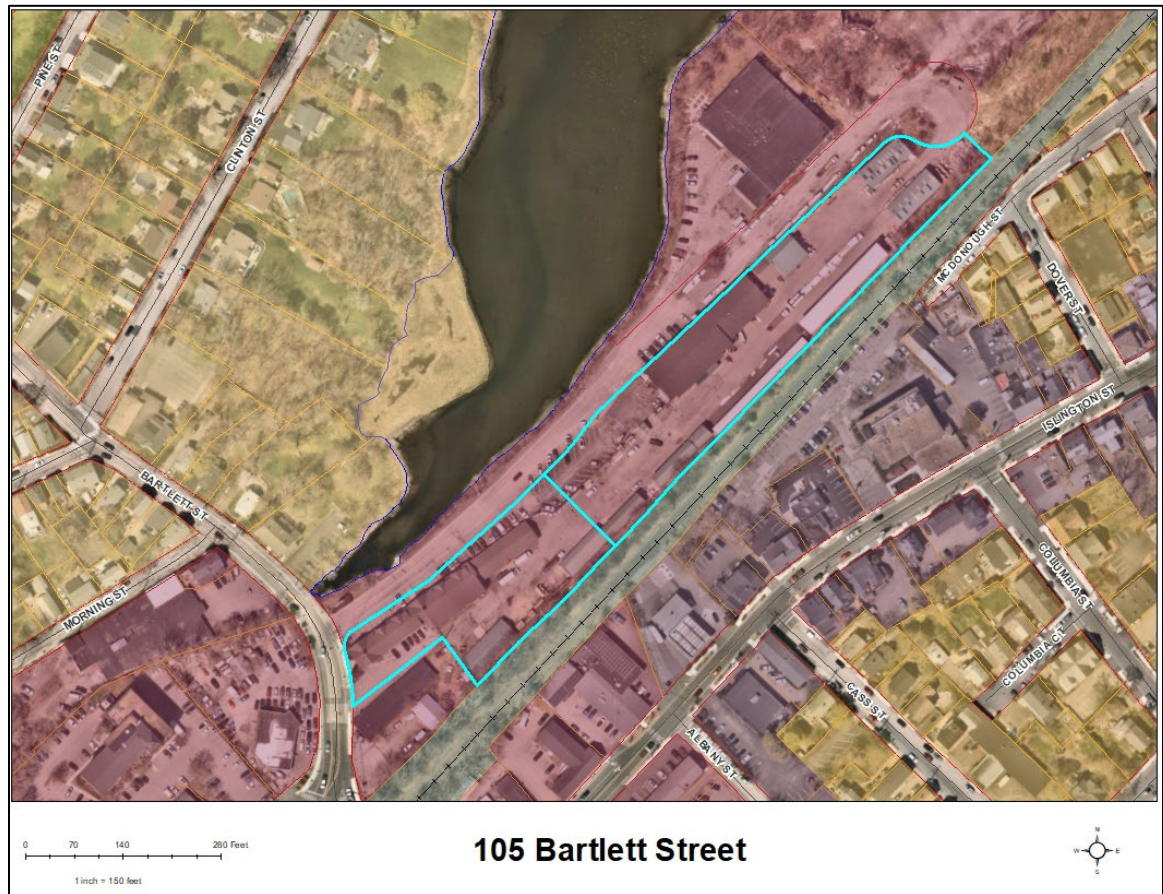
IV. PUBLIC HEARINGS – NEW BUSINESS

The Board's action in these matters has been deemed to be quasi-judicial in nature. If any person believes any member of the Board has a conflict of interest, that issue should be raised at this point or it will be deemed waived.

- B. The request of **Portsmouth Lumber & Hardware (Owner); Ricci Lumber (Applicant)**, for property located at **105 Bartlett Street** requesting Site Plan Review Approval for the demolition of existing sheds and construction of two new storage sheds with associated site improvements. Said property is located on Assessor Map 157 Lot 2 and lies within the Character District 4(CD4-W).

Project Background

This application is for the demolition storage sheds and the addition of two new storage sheds and associated site improvements. The owner has agreed to merge the two lots to create one lot that would prevent one of the proposed sheds from being constructed over a lot line.



Project Review, Decisions, and Recommendations

The applicant was before the Technical Advisory Committee. See below for details.

Technical Advisory Committee

The applicant was before the TAC at its regularly scheduled meeting of Tuesday, August 6, 2024 and the Committee voted unanimously to recommend approval with the following condition:

- 1) Applicant will submit new turning movements to DPW prior to Planning Board submission demonstrating that trucks can exit through the rear gate.**

The turning template was updated to meet the above condition and was reviewed by staff.

Planning Department Recommendation

Site Plan Approval

1) *Vote to find that the Site Plan Application meets the requirements set forth in the Site Plan Regulations Section 2.9 Evaluation Criteria and adopt the findings of fact as presented.*

(Alt.) Vote to find that the Site Plan Application meets the requirements set forth in the Site Plan Regulations Section 2.9 Evaluation Criteria and adopt the findings of fact as amended.

2) *Vote to grant Site Plan approval with the following conditions:*

Conditions to be satisfied subsequent to final approval of site plan but prior to the issuance of a building permit or the commencement of any site work or construction activity:

- 2.1) *The site plan and any easement plans and deeds shall be recorded at the Registry of Deeds by the City or as deemed appropriate by the Planning Department.*
- 2.2) *Lot merger application shall be submitted and approved prior to issuance of a building permit.*
- 2.3) *The applicant shall agree to pay for the services of an oversight engineer, to be selected by the City, to monitor the construction of improvements within the public rights-of-way and for all on site utilities and public pathways.*

- 2.4) *Owner shall provide an access easement to the City for water valve and meter access and for leak detection. The easement shall be reviewed and approved by the Planning and Legal Departments prior to acceptance by the City Council.*

- 2.5) *Any site development (new or redevelopment) resulting in 15,000 square feet or greater ground disturbance will require the submittal of a Land Use Development Tracking Form through the Pollutant Tracking and Accounting Program (PTAP) online portal. For more information visit <https://www.cityofportsmouth.com/publicworks/stormwater/ptap>*

Conditions to be satisfied subsequent to commencement of site work and construction activity but prior to release of surety bond or certificate of occupancy.

- 2.6) *The Engineer of Record shall submit an Engineer's stamped written report (with photographs, dated inspection reports for critical areas, material certifications, etc) certifying that the stormwater infrastructure was constructed in accordance with the approved plans, the manufacturer's details and specifications, and requirements determined by State and local permits and that installed the system(s) will meet the design performance intent and requirements;*

 - 2.7) *A stormwater inspection report showing the required maintenance has been performed shall be completed annually with copies submitted for review to the City's Stormwater Division of the Public Works Department.*
-

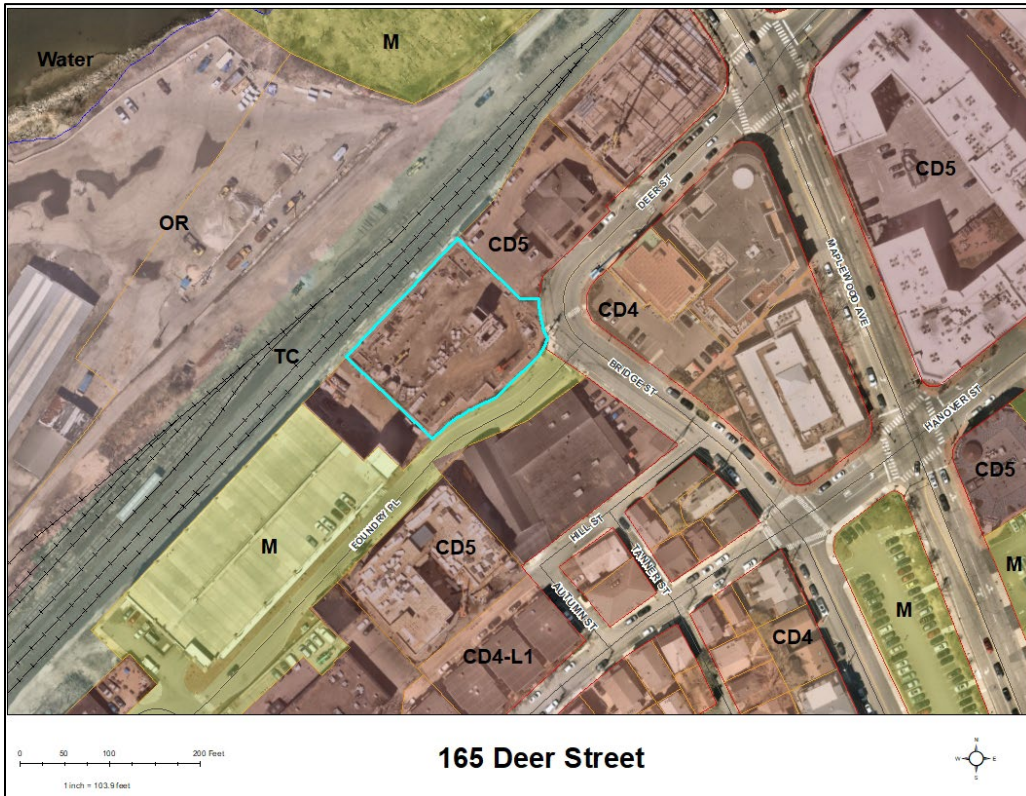
IV. PUBLIC HEARINGS – NEW BUSINESS

The Board's action in these matters has been deemed to be quasi-judicial in nature. If any person believes any member of the Board has a conflict of interest, that issue should be raised at this point or it will be deemed waived.

- C. The request of **Deer Street Hospitality (Owner)**, for property located at **165 Deer Street** requesting a Conditional Use Permit in accordance with Section 10.1112.14 to allow 78 parking spaces where 83 are required. Said property is located on Assessor Map 125 Lot 17 and lies within the Character District 5 (CD5), and Downtown Overlay Districts.

Project Background

The subject property is under construction for a four-story, 116 room hotel. In 2022, the project was revised and received administrative approval to reduce the hotel from 5 stories to 4, reduce the room count from 144 to 116, removed all meeting/conference room space and reduced parking from 75 spaces with 36 lifts to 50 spaces with 5 lifts. At that time, the parking requirement was met for the number of hotel rooms which includes 33 allocated parking spaces in the Foundry Garage. The applicant is planning to remove the remaining 5 lifts, which will result in a parking deficiency of 5 spaces, 78 where 83 are required.



Project Review, Decisions, and Recommendations

The applicant was before the Technical Advisory Committee. See below for details.

Technical Advisory Committee

The applicant was before the Technical Advisory Committee at its regularly scheduled meeting of Tuesday, August 13, 2024 and the Committee reviewed and accepted the parking demand analysis with no additional comments for the Planning Board.

Planning Department Recommendation

Parking Conditional Use Permit

1) *Vote to find that the Conditional Use Permit application meets the criteria set forth in Section 10.1112.14 and to adopt the findings of fact as presented.*

(Alt.) Vote to find that the Conditional Use Permit application meets the criteria set forth in Section 10.1112.14 and to adopt the findings of fact as amended and read into the record.

2) *Vote to grant the Conditional Use Permit.*

V. CITY COUNCIL REFERRALS [NOTE: ANY REFERRALS REQUIRING PUBLIC HEARING SHOULD BE INCLUDED ABOVE]

A. Letter from James R. Knudsen, Estate of Star C. Johnson – Donation of Map 232 Lot 25 on Marjorie Street to the City

As presented in the attached letter from James Knudsen, the estate of Star C. Johnson wants to donate a parcel off Marjorie Street to the City. The parcel, shown below, is located at the end of Marjorie Street and is currently vacant. The lot is encumbered by wetlands and wetland buffer and is approximately 0.21 acres in size.



Planning Department Recommendation

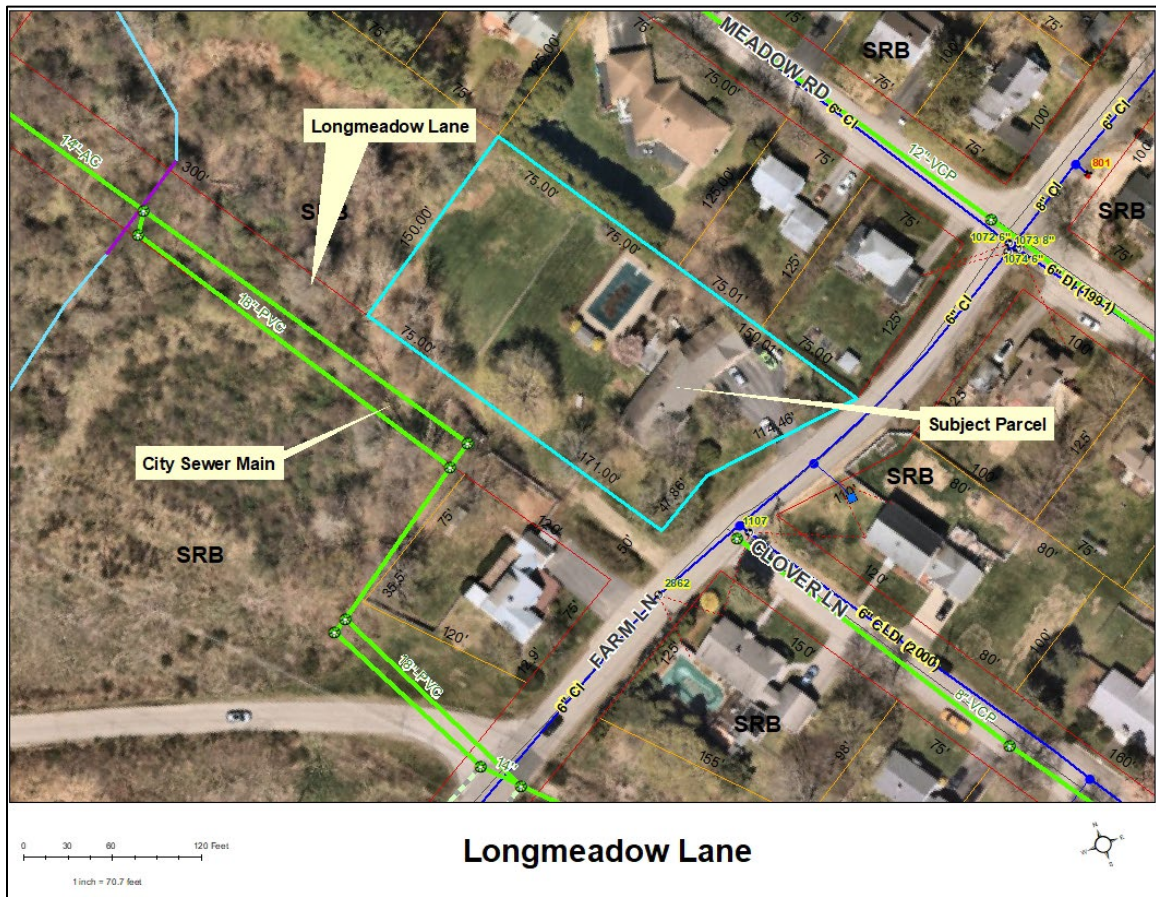
1) Vote to recommend the City Council accept the donation of land from the Estate of Star C. Johnson.

B. Request to Release a portion of Longmeadow Lane.

At their August 5, 2024 meeting, the City Council voted to refer the letter from Derek Durbin, Esq. regarding the release of interest in Map 236, Lot 74 to the Planning Board for a recommendation. See action below:

17. Letter from Derek R. Durbin, Esq., regarding Release of Interest in Map 236, Lot 74 for area of former Longmeadow Lane – Voted to refer to the Planning Board for a recommendation.





The westerly section of Longmeadow Lane has been constructed and leads to Bett's Dream housing development. This portion contains utility infrastructure in the right of way and extends almost the entire length of the paper street, as shown on the maps above. Because of the interest in Longmeadow Lane, staff would not recommend releasing the City's interest in the paper street.

Planning Department Recommendation

- 1) Vote to recommend the City Council not release the City's interest in Longmeadow Lane.

C. Gateway Neighborhood Overlay District (GNOD)

At their August 19, 2024 meeting, the City Council referred the draft GNOD zoning amendments to the Planning Board for review and a recommendation back for first reading.

Background

The proposed Gateway Neighborhood Overlay District (GNOD) is an innovative overlay district that will allow for higher density housing development by right in targeted areas in Portsmouth. The GNOD incorporates and expands upon the requirements from Article 5B to allow greater flexibility in site design and density. As proposed, developments within the GNOD would allow 80 units per building up to 5 stories with the requirement to provide public realm improvements consistent with Section 10.5B73.20. A development that exceeds 80 units per building or 5 stories would require both public realm improvements and three options for workforce housing that include constructing workforce housing units within the development, payment in-lieu of or a land donation as outlined in the draft ordinance.

The overlay will include parcels along Commerce Way and Portsmouth Boulevard that are predominantly zoned Office Research (OR). The overlay could be expanded elsewhere in the City where appropriate higher density housing is targeted or desired in the future. The proposed boundary of the GNOD is shown on the map below.

SECTION 10.680 – GATEWAY NEIGHBORHOOD OVERLAY DISTRICT

10.681 Purpose

This overlay district is created for the purpose of creating housing opportunities in suburban neighborhoods. This overlay shall allow for higher density housing in order to create neighborhoods where residents can live and work.

10.682 Applicability

10.682.10

The provisions of this ordinance shall apply to all land within the **Gateway Neighborhood Overlay District** (GNOD) as defined in Section 10.613.70.

10.682.20

The requirements of the underlying zoning district shall apply with respect to any non-residential use within the overlay district. The requirements of this section shall apply to any residential use or mixed use which includes residential uses within the overlay district.

10.683 Standards

10.683.10

All residential or mixed-use developments including a residential use shall comply with the provisions of Article 5B of this Ordinance, with the following exceptions:

- (1) No more than 80 **dwelling units** per **building** shall be allowed without a conditional use permit as provided in Sections 10.686.20 or 10.686.30.
- (2) Maximum **building height** for any **apartment building** or **mixed use building** shall not exceed 5 stories or 68 feet without a conditional use permit as provided for in Section 10.686.20 or 10.686.30.
- (3) Front, side, and rear **building setback** from **lot line** shall be a minimum of 10 feet.
- (4) Maximum **building coverage** shall not exceed 75%.
- (5) Minimum **open space coverage** shall be 10%.
- (6) The requirements of Sections 10.5B22.20, .30 and .40, 10.5B25, 10.5B33, and 10.5B71 shall not apply to land within the GNOD. Additionally, for a development site within the GNOD, no conditional use permit shall be required pursuant to Section 10.5B41.10.

10.683.20 Relationship to Other Provisions of this Zoning Ordinance

The provisions of this Article shall take precedence over all other provisions of the Zoning Ordinance that conflict with this Article.

10.684 Allowed Uses

In addition to the uses permitted in the underlying district, the following uses shall be permitted within the GNOD:

1. Single Family Dwelling
2. Two-Family Dwelling
3. Multifamily Dwelling
4. Assisted Living Facility
5. **Retail Sales** conducted within a **building**
6. **Restaurant**, place of public assembly or function room
7. **Personal Services**
8. Consumer services such as copy shop, bicycle repair, and pet grooming.
9. Health club, yoga studio, martial arts school or similar **use**.

10.685 Parking

In the GNOD, the provisions of Section 10.1112.62 shall apply, except that a conditional use permit to allow required **off-street parking** spaces on separate lots, whether in common ownership or separate ownership, shall not be required. The provisions of Section 10.1113 shall not apply to the GNOD.

10.686 Density Bonus Incentives

In order to encourage the development of multifamily housing with incentives including public realm improvements, streamlined parking requirements and increased heights, the following incentives are offered for buildings with residential and mixed use with residential in the GNOD.

10.686.10 Public Realm Improvements

In order to be eligible to construct more than four stories or 24 **dwelling units per building**, **public realm** improvements, as described in Section 10.5B73.20, must be provided. All **public realm** improvements shall be reviewed by the Planning Board as a part of site plan approval, and the Planning Board shall make written comments regarding the proposed public realm improvements to the Director of Planning and Sustainability. To the extent that the Planning Board's comments are not followed or incorporated into the Director of Planning and Sustainability's decision, the Director shall set forth findings relative to the Planning Board's comments.

All public realm improvements shall be subject to administrative approval by the Director of Planning and Sustainability. The Director of Planning and Sustainability shall review all proposed public realm improvements for compliance with Section 10.5B73.20, ensure that proposed public realm improvements are constructed to City standards, and are in the public interest. Public realm improvements under this section shall be permitted on a different lot than the development, and the remaining requirements of Section 10.5B73.20 (4) shall not apply to **public realm** improvements within the **GNOD**.

10.686.20 Workforce Housing or Payment in Lieu

In addition to compliance with Section 10.686.10, the Planning Board may grant a conditional use permit to construct more than five stories or more than 80 **dwelling units** per building. Such conditional use permit shall be subject to one of, or a combination of, the following:

- (1) Workforce Housing may be provided in accordance with Section 10.5B73.10.
- (2) A full or partial payment in lieu of workforce housing may be provided. The fee shall be established annually by the Fee Committee and the City Council in the fee schedule.

10.686.30 Land Transfer Option

In order to facilitate future development of below-market rate housing, there may be appropriate circumstances where applicants may convey real property to the City in lieu of or in conjunction with meeting the requirements of Section 10.686.20. However, recognizing the unique nature of land, not all property may be suitable or desirable for this purpose. Therefore, any real property offered to the City pursuant to this section shall be subject to acceptance by the City Council, and in accordance with the following.

- (1) In lieu of meeting the requirements of Section 10.686.20, an applicant may offer real property to the City. Any real property offered to the City shall be suitable for developing workforce housing of a size set forth in section 10.686.40 and shall not require a conditional use permit from the Planning Board. Instead, the conveyance shall be subject to approval and acceptance by the City Council. In exchange for transferring land to the City, the developer shall be permitted to construct buildings up to six stories and 80 feet in height, and to construct up to 120 units per building.
- (2) Any applicant must, at their own expense, provide a certificate of title and Phase one environmental report for any property offered to the City Council. All closing costs shall be borne by the applicant. The City Council may request any additional information regarding the offered real property or the proposed transfer, the preparation of which shall be by the applicant.
- (3) Prior to acceptance by the City Council, the Planning Board shall provide written comments to the City Council regarding the offered real property and its compliance with this Article. Any comments offered by the Planning Board shall be advisory in nature only, but the City Council shall, to the extent that the Planning Board's comments are not followed or incorporated into the City Council's decision, set forth findings relative to the Planning Board's comments.
- (4) The City Council shall not accept any real property offered if acceptance would subject the municipality to potential liability as an owner of property under the Comprehensive Environmental Response, Compensation and Liability Act of 1980, 42 U.S.C. section 9601 et seq., the Resource Conservation and Recovery Act, 42 U.S.C. section 6901 et

seq., RSA 147-A and 147-B, and any other federal or state environmental statute which imposes strict liability on owners for environmental impairment of the real estate involved.

- (5) In addition to the circumstances described in paragraph 2, the City Council may refuse to accept any offered real property whenever in its judgment acceptance and ownership of the real estate would subject the municipality to undesirable obligations or liability risks, including obligations under real estate covenants or obligations to tenants, or for any other reason would be contrary to the public interest.
- (6) For the first 20 acres of **Developable Upland** under this section as a part of a single project, the Developer shall convey at least 1 acre of **Developable Upland** to the City. For each 10 acres of **Developable Upland** over 20 acres to be developed under this section, the Developer shall convey at least one-half acre of additional **Developable Upland** to the City.
- (7) Any property acquired by the City pursuant to this section shall be primarily utilized for below-market rate housing. The City Council shall designate the appropriate method for procurement, development, form of ownership, disposition and administration of individual parcels of land acquired pursuant to this section.
- (8) Any land conveyed under this section shall be conveyed to the City may be conveyed as a condition subsequent to final Planning Board approval(s) and execution of the site review agreement, but in any event shall be conveyed prior to the issuance of a building permit for any project.
- (9) For purposes of clarity, if land is conveyed under this section, there shall be no further requirement to meet any specific percentage of workforce housing units as provided in Section 10.5B73.10

10.686.40 Transfer of Development Rights Acquired through Land Transfer

- (1) Land may be conveyed in conjunction with, or separately from a proposed development. In the event that a conveyance under this section exceeds the amount required in order to support a proposed development, or when land is conveyed separately from any proposed development, the developer or its assigns will receive future credit for a future project or projects in accordance with the standards set forth below.
- (2) If following any acceptance of real property by the City Council and successful transfer of fee ownership with warranted title, and if there is any excess acreage above what is necessary for an active project, the Director of Planning and Sustainability shall notify the Planning Board and the transferor of land of the amount of Land Credit the developer shall receive, which shall be memorialized in a Prospective Development Agreement, if appropriate, as defined below.

- (3) Contemporaneous with the conveyance of land, the City and the developer shall enter into a Prospective Development Incentive Agreement (PDIA), which shall specify the amount of land conveyed to the City, the amount if any used for a pending development, and the amount of excess land that may be credited toward a future project in accordance with this Article. Any excess land credit may only be used within the GNOD but may be sold or transferred without limitation. A sale or transfer of excess credits pursuant to this section is only valid upon written notice to the Director of Planning and Sustainability.
- (4) The maximum term of any PDIA shall not exceed fifteen (15) years, following which the rights to any unused incentive shall become null and void.
- (5) By entering into a PDIA under this section shall not be deemed to supersede or waive any of the other provisions of this Article or Article 5B or other applicable provisions of this Ordinance, nor shall any approval be considered to represent the granting of land use approval for any future **development**.
- (6) Future use of the excess land credit to support a future project shall require administrative approval of the Director of Planning and Sustainability, who shall certify to the Planning Board both the amount of land credit used as a part of a development and the remaining land credit pursuant to the PDIA.
- (7) Excess land credits may be used in full or partial replacement of the requirements set forth in section 10.686.20.

Developable Upland

Gross land area of property, less any public rights of way and any wetland or wetland buffer.

10.5B40.80

New number 4:

In the GNOD, the minimum community space coverage shall be equal to 10% of the total site area of the development site.

Effective upon passage.



Planning Department Recommendation

- 1) *Vote to schedule a public hearing at the October 17, 2024 Planning Board meeting.*

VI. OTHER BUSINESS

- A. 105 Bartlett Street** – requesting a 1-Year extension to the Site Plan Review and Wetland Conditional Use approvals set to expire on October 12, 2024.

Project Background

On February 18, 2021, the Planning Board granted Site Plan approval and a Wetland CUP for the project referenced above. The Planning Board decision was appealed to Superior Court and eventually to Supreme Court. During an appeal of a land use board, the appeal period the original approval is stayed pending the result of the appeal. The final order was issued on October 12, 2023 at which time the one-year time period begins to obtain a building permit. The applicant is working on the post approval conditions but has yet to obtain a building permit and has requested the one-year extension of the approvals.

Planning Department Recommendation

- 1) *Vote to grant a one-year extension of the Planning Board Approval of the Site Plan and Conditional Use Permit to October 12, 2025.*

- B. 928 South Street** - requesting a second six-month extension for the subdivision set to expire on September 21, 2024.

Project Background

On September 21, 2023, the Planning Board granted Subdivision approval for the property referenced above. The applicant is working on the post approval conditions but has yet to record the subdivision at the Registry and is requesting a second six-month extension.

The Subdivision Ordinance allows for two six-month extensions of the subdivision approval. The Planning Director issued the first six-month extension on March 15, 2024 and the applicant is requesting the second one from the Planning Board.

E. Approval Expiration and Extension

1. All stipulations of subdivision approval, including recording of the plat as required by the Planning Department, shall be completed within 6 months of the date of approval by the Planning Board.
2. The Planning Director may grant an extension of up to 6 months if he determines that the applicant has been unable to complete a stipulation due to circumstances beyond the applicant's control.

3. The applicant may apply to the Planning Board for an extension of the time for completion, which shall not exceed 18 months from the original date of Planning Board approval of the subdivision.

Planning Department Recommendation

- 2) *Vote to grant a second six-month extension for the Subdivision to March 21, 2025.*
- C. Chairman's Updates and Discussion Items
 - D. Board Discussion of Regulatory Amendments and Other Matters

Upcoming meeting dates:

September 26, 2024: Planning Board work session at 6 pm in Council Chambers

November 12, 2024: CIP joint work session with City Council

November 18, 2024: CIP joint public hearing with City Council

VII. ADJOURNMENT

From: [Kimberli Kienia](#)
To: [Kimberli Kienia](#)
Subject: FW: 271 Lafayette Road
Date: Wednesday, September 4, 2024 10:39:19 AM

From: Jeff Mattson <jeffrey.m.mattson@gmail.com>
Sent: Wednesday, September 4, 2024 10:30 AM
To: Peter M. Stith <pmstith@cityofportsmouth.com>
Cc: Kimberli Kienia <kkienia@cityofportsmouth.com>; Kristina Holman <ksholman19@gmail.com>
Subject: Re: 271 Lafayette Road

Peter,

We request to formally withdraw the ADU application for 271 Lafayette Rd and will upload this to the permit.

Thank you,
Jeff Mattson on behalf of Kristina Holman (cc'ed)

COLBY T. GAMESTER

Attorney At Law

144 Washington Street
Portsmouth, New Hampshire 03801

(603)-427-0000
colby@gamesterlaw.com

September 6, 2024

SENT VIA EMAIL & HAND DELIVERED

City of Portsmouth - Planning Board
Attn: Rick Chellman, Chair
c/o Peter Stith, Planning Manager
1 Junkins Avenue
Portsmouth, NH 03801
pmstith@cityofportsmouth.com

**Re: Conditional Use Application - LU-24-137
252 Wibird Street, Portsmouth, NH (Tax Map 149, Lot 12)**

Dear Chair Chellman:


The Planning Board, at its August 15, 2024, voted to continue this application to the September 19, 2024, meeting. At this time, my clients are requesting a further postponement to the regularly scheduled meeting in January 2025.

A fair amount of feedback was provided by the Planning Board, as well as some of the direct abutters to the Property. My clients are working with their builder and their architect on different design options, as such, it was not possible to submit updated materials for the September meeting.

Moreover, my clients would like to take the opportunity to live in and on the Property to get a more direct perspective of the options they are considering, as well as to engage their neighbors regarding the concerns noted during the meeting. Finally, my clients will not be in town during the November and December meetings. All these reasons are driving their request to postpone until January 2025.

Should you, the Board, or the Planning Department have any questions regarding this request then please do not hesitate to contact me.

Kindest Regards,


Colby T. Gamester, Esq.

Cc: file; Clients, Jason Lajeunesse, Justin Knowlton (all via email only)



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September 9, 2024

City of Portsmouth
Planning Board
1 Junkins Ave.
Portsmouth, NH 03801

Via USPS Express Mail

Re: 252 Wibird St. (LU-24-137) – ADU Conditional Use Application

Dear Ladies and Gentlemen:

INTRODUCTION

We have been retained by David and Melody Gray, the owners of 244 Wibird Street, to assist them in their opposition to an application by the new owners of 252 Wibird Street seeking a conditional use permit for a detached accessory dwelling unit. In short, the application proposes to cram too much density, on too small a lot, too close to neighbors.

The Grays submitted a letter to the Board dated August 15, 2024, in which they eloquently touched on many aspects of the proposal that should cause the Planning Board to deny the application. Briefly stated, these include: incompatibility with the neighborhood; invasion of privacy by the elevated windows and increased traffic; overburdening of the access easement; and a lack of evidence on which the Board could consider a finding comparing the architectural character of the proposed DADU with the applicant’s single-family home.

We try not to duplicate the arguments made by the Grays; although we may reinforce some of their points in passing. And we advance additional grounds for the Planning Board to decline jurisdiction and to deny the application on substantive grounds.

CHARACTERISTICS OF THE APPLICANT’S LOT

The applicant does a fair job of describing the history of the property; however, the applicant glosses over a number of key considerations that should cause the Board to decline jurisdiction and to deny the application.

Most of these have to do with the non-conforming nature of the lot. The applicant’s lot does not comply with the minimum area for lots in the GRA zone. The applicant’s lot does not comply with the minimum frontage requirements applicable to the GRA zone. Both the existing single-family home and the existing detached garage are substantially encroaching withing the required front, side, and rear yard setbacks. The lot only has 4,791 square feet where 7,500 square feet are required. The lot has zero feet of frontage where the zoning ordinance requires a minimum of 100 feet. The

existing conditions plan submitted by the applicant show the substantial encroachment of the existing building within the required setbacks.

**THE PLANNING BOARD SHOULD DECLINE JURISDICTION BASED
ON THE ZONING ORDINANCE AND THE ZONING HISTORY OF THIS LOT**

1. ***CUP Not Possible for this Application.*** The argument can be made that this applicant is not entitled to a conditional use permit at all because its proposal suffers from **both** alternative deficiencies noted in Section 1.223, and not merely **one or the other**. Section 1.223 offers a conditional use permit for a detached ADU of up to 600 square feet in an existing accessory building if one of two alternative circumstances exists. The first pertains to an existing accessory building that ***“does not conform with the dimensional requirements of this ordinance.”*** The second pertains to an existing accessory building that ***“includes the expansion of the existing accessory building.”*** In this case, the applicant’s proposal involves **both**. To be entitled to a CUP under Section 1.223, the word “or” in that section would have to be the word “and;” it is not.

There is a sound substantive basis for this treatment by the ordinance concerning the conversion of an existing accessory building into a DADU. When a proposal involves both deficiencies, the nature of such proposal suggests too much deviation from the ordinance to permit the ADU to proceed. The values which the ordinance seeks to protect – for example, privacy of the neighbors, character of the neighborhood, impact on parking – are too severely burdened and compromised by an application which suffers from both infirmities – non-conforming dimensional coupled with a proposed expansion of the building. You cannot have both with merely a CUP.

2. ***Zoning Relief Required.*** The rationale set forth above finds further support in Article 3 of the zoning ordinance. Given the attributes of the property described above, the lot is a nonconforming lot under Section 10.311 of the zoning ordinance: ***“Any lot that has less than the minimum lot area for street frontage required by the ordinance shall be considered to be non-conforming and no use or structure shall be established on such lot unless the Board of Adjustment has granted a variance from the applicable requirements of this ordinance.”***
3. ***Existing Variance Would Require Amendment.*** The existing detached garage itself required a variance from the Board of Adjustment in 2001. At that time, the zoning board granted a variance from the setbacks with a specific use in mind - namely, a two-car garage with cold storage above. The impacts of an occupied structure are considerably different from those of an unoccupied structure in the very dimensions central to the zoning board’s evaluation of a variance request – the impact on abutting properties and the potential alteration of the character of the neighborhood. In addition to the requirements of Section 10.311 noted above, the existing variance would require amendment/expansion from the board of adjustment to reconsider its decision based on the change in use proposed by the application. Unless and until that relief is obtained, the Planning Board should decline jurisdiction.

ADDITIONAL REASONS WHY THE PLANNING BOARD SHOULD DENY THE APPLICATION

1. The applicant's proposal violates Section 10.814.421 by proposing the vertical expansion of the building.
3. The applicant's proposal violates Section 10.814.422 by proposing that every window within the ADU be located higher than 8 feet above grade facing adjacent properties.
4. The applicant's proposal violates Section 10.814.50 in that the proposed design of the expanded garage/DADU is not architecturally consistent with or similar in appearance to the principal building. The existing detached garage, as it was constructed in 2001, is simpatico with the existing single-family home and certainly has become one of the characteristics to define the neighborhood by its standing for nearly 20 years. The proposed reconstructed taller building, by comparison, looks more like an oversized commercial garage retrofitted to include an apartment above.
5. The application should be denied because it does not comply with all of the applicable standard of Section 10.814.62 Most importantly to the Grays is the proposed increased height of the building, the substantial invasion of privacy caused by the second story windows, and the increased utilization of the access easement which crosses their property.
6. The application should be denied because it does not comply with the requirements of Section 10.814.622. The exterior design of the ADU is architecturally inconsistent with the appearance of the existing principal dwelling.
7. The application should be denied because it does not comply with Section 10.814.623 because it fails to provide adequate open space for both the DADU and the principal dwelling unit. The principal dwelling unit, which includes the detached garage, sits on a lot that is already 40% smaller than the minimum lot required. Accordingly, the open space which remains on the existing 4,791 square foot lot is already deficient for the one single family home it serves. The deficiency would be exacerbated by the addition of another dwelling unit on the same small lot.
8. The application should be denied because it does not comply with Section 10.814.624 in that it will not maintain a compatible relationship with the character of adjacent neighborhood properties and, most importantly to the Grays, it will significantly reduce the privacy of their property.

THE PARAMOUNT IMPORTANCE OF PRIVACY

The applicant's property is landlocked. Access is afforded only by virtue of a 12-foot-wide access easement extending along the westerly edge of the Grays' property. The Grays maintain the driveway, repair it, grade it, plow it, and resurface it as necessary because it is their property it also serves their detached garage. But you will note in the pictures of existing conditions that the Grays have installed a fence to create a small courtyard between their house and the edge of the driveway. The fence, in effect, creates the appearance that the driveway belongs to 252 Wibird and not 242

Wibird. The Grays have already sacrificed significantly the utility of their property by installation of the fence. Even with the fence, however, they are aware every time cars are entering and exiting the driveway to serve 252 Wibird. The 252 lot is so small that cars cannot turn around on that property. Every car must back out the full length of the driveway to the street. The applicants are proposing to designate one of the four parking spaces to the proposed DADU which means that one of the two cars which are stacked one behind the other will belong to a different household which will increase the amount of times that car jockeying is required to make way for the car which is hemmed in when it wants to leave.

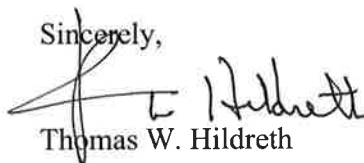
The easement in favor of lot 252 was granted at a time when that lot supported only the single-family residence. Those were the conditions on the ground at the time the easement was granted. The proposed DADU would represent an impermissible overburdening of the easement. The Grays understand that that is a private contractual matter between them and the owners of the dominant estate (252 Wibird), but we note it here because it is one more factor that adds to the weight of the factors which should cause this Board to deny the application as it represents too much density on too small a lot in too close proximity to its neighbors.

CONCLUSION

As noted above, there are numerous reasons why the Board should vote to deny the application. But even before getting to a substantive discussion on the application, the Board should determine that: (i) it does not have the power to grant a conditional use permit in the case of an application which presents both an existing building that does not conform with the dimensional requirements of the ordinance and includes the expansion of the building; and (ii) it lacks jurisdiction to hear the case unless and until the applicant secures a variance to add this new use to its non-conforming lot.¹

Thank you for your attention and assistance with this matter.

Sincerely,



Thomas W. Hildreth

TWH/avl
cc: David M. Gray

¹ Theoretically, the applicant could modify its application to propose a DADU in the ground floor level of the garage sacrificing one or both parking spaces. This would eliminate three of the central substantive fouls which plague the current application, but it would still require zoning approval due to the nonconforming nature of the lot.

Findings of Fact | Site Plan Review

City of Portsmouth Planning Board

Date: September 6, 2024

Property Address: 105 Bartlett Street

Application #: LU-24-132

Decision: Approve Deny Approve with Conditions

Findings of Fact:

Per RSA 676:3, I: The local land use board shall issue a final written decision which either approves or disapproves an application for a local permit and make a copy of the decision available to the applicant. **The decision shall include specific written findings of fact that support the decision. Failure of the board to make specific written findings of fact supporting a disapproval shall be grounds for automatic reversal and remand by the superior court upon appeal, in accordance with the time periods set forth in RSA 677:5 or RSA 677:15, unless the court determines that there are other factors warranting the disapproval.** If the application is not approved, the board shall provide the applicant with written reasons for the disapproval. If the application is approved with conditions, the board shall include in the written decision a detailed description of the all conditions necessary to obtain final approval.

Site Plan Regulations Section 2.9 Evaluation Criteria - in order to grant site plan review approval, the TAC and the Planning Board shall find that the application satisfies evaluation criteria pursuant to NH State Law and listed herein. In making a finding, the TAC and the Planning Board shall consider all standards provided in Articles 3 through 11 of these regulations.

	Site Plan Review Regulations Section 2.9 Evaluation Criteria	Finding (Meets Standard/Criteria)	Supporting Information
1	Compliance with all City Ordinances and Codes and these regulations. <u>Applicable standards:</u>	Meets Does Not Meet	<u>Applicable standards:</u> The application has been reviewed by the Technical Advisory Committee for conformance with the minimum requirements of the Site Plan Regulations. The application was recommended for approval on August 6, 2024, at the Technical Advisory Committee Meeting.
2	Provision for the safe development, change or expansion of use of the site.	Meets Does Not Meet	The application has been reviewed by the Technical Advisory Committee for conformance with the minimum requirements of the Site Plan Regulations. The application was recommended for approval on August 6, 2024, at the Technical Advisory Committee Meeting.

	Site Plan Review Regulations Section 2.9 Evaluation Criteria	Finding (Meets Standard/Criteria)	Supporting Information
3	Adequate erosion control and stormwater management practices and other mitigative measures, if needed, to prevent adverse effects on downstream water quality and flooding of the property or that of another.	Meets Does Not Meet	<p>The application has been reviewed by the Technical Advisory Committee for conformance with the minimum requirements of the Site Plan Regulations.</p> <ul style="list-style-type: none"> TAC reviewed the erosion control and stormwater management practices and other mitigative measures for conformance with City design requirements. <p>The application was recommended for approval on August 6, 2024, at the Technical Advisory Committee Meeting.</p>
4	Adequate protection for the quality of groundwater.	Meets Does Not Meet	<p>The application has been reviewed by the Technical Advisory Committee for conformance with the minimum requirements of the Site Plan Regulations.</p> <ul style="list-style-type: none"> TAC reviewed the erosion control and stormwater management practices and other mitigative measures for conformance with City design requirements. <p>The application was recommended for approval on August 6, 2024, at the Technical Advisory Committee Meeting.</p>
5	Adequate and reliable water supply sources.	Meets Does Not Meet	<p>The application has been reviewed by the Technical Advisory Committee for conformance with the minimum requirements of the Site Plan Regulations.</p> <ul style="list-style-type: none"> The site is served by city water. No proposed changes to water connections or demand are part of this application. <p>The application was recommended for approval on August 6, 2024, at the Technical Advisory Committee Meeting.</p>
6	Adequate and reliable sewage disposal facilities, lines, and connections.	Meets Does Not Meet	<p>The application has been reviewed by the Technical Advisory Committee for conformance with the minimum requirements of the Site Plan Regulations.</p> <ul style="list-style-type: none"> The site is served by municipal sewer. No proposed changes to sewer connections or demand are part of this application.

	Site Plan Review Regulations Section 2.9 Evaluation Criteria	Finding (Meets Standard/Criteria)	Supporting Information
			The application was recommended for approval on August 6, 2024, at the Technical Advisory Committee Meeting.
7	Absence of undesirable and preventable elements of pollution such as smoke, soot, particulates, odor, wastewater, stormwater, sedimentation or any other discharge into the environment which might prove harmful to persons, structures, or adjacent properties.	Meets Does Not Meet	<p>Technical Advisory Committee for conformance with the minimum requirements of the Site Plan Regulations.</p> <ul style="list-style-type: none"> TAC reviewed the erosion control and stormwater management practices and other mitigative measures for conformance with City design requirements. <p>The application was recommended for approval on August 6, 2024, at the Technical Advisory Committee Meeting.</p>
8	Adequate provision for fire safety, prevention and control.	Meets Does Not Meet	<p>The application has been reviewed by the Technical Advisory Committee for conformance with the minimum requirements of the Site Plan Regulations.</p> <p>The application was recommended for approval on August 6, 2024, at the Technical Advisory Committee Meeting.</p>
9	Adequate protection of natural features such as, but not limited to, wetlands.	Meets Does Not Meet	<p>The application has been reviewed by the Technical Advisory Committee for conformance with the minimum requirements of the Site Plan Regulations.</p> <p>The application was recommended for approval on August 6, 2024, at the Technical Advisory Committee Meeting.</p>
10	Adequate protection of historical features on the site.	Meets Does Not Meet	<p>The application has been reviewed by the Technical Advisory Committee for conformance with the minimum requirements of the Site Plan Regulations.</p> <ul style="list-style-type: none"> There are no on-site historical features that will be removed/disturbed. <p>The application was recommended for approval on August 6, 2024, at the Technical Advisory Committee Meeting.</p>
11	Adequate management of the volume and flow of traffic on the site and adequate traffic controls to protect	Meets Does Not Meet	The application has been reviewed by the Technical Advisory Committee for conformance with the minimum requirements of the Site Plan Regulations.

	Site Plan Review Regulations Section 2.9 Evaluation Criteria	Finding (Meets Standard/Criteria)	Supporting Information
	public safety and prevent traffic congestion.		<ul style="list-style-type: none"> The proposed project will not make any changes to the volume and/or flow of traffic. <p>The application was recommended for approval on August 6, 2024, at the Technical Advisory Committee Meeting.</p>
12	Adequate traffic controls and traffic management measures to prevent an unacceptable increase in safety hazards and traffic congestion off-site.	<p>Meets</p> <p>Does Not Meet</p>	<p>The application has been reviewed by the Technical Advisory Committee for conformance with the minimum requirements of the Site Plan Regulations.</p> <ul style="list-style-type: none"> The proposed project will not make any changes to the volume and/or flow of traffic. <p>The application was recommended for approval on August 6, 2024, at the Technical Advisory Committee Meeting.</p>
13	Adequate insulation from external noise sources.	<p>Meets</p> <p>Does Not Meet</p>	<p>The application has been reviewed by the Technical Advisory Committee for conformance with the minimum requirements of the Site Plan Regulations.</p> <p>The application was recommended for approval on August 6, 2024, at the Technical Advisory Committee Meeting.</p>
14	Existing municipal solid waste disposal, police, emergency medical, and other municipal services and facilities adequate to handle any new demands on infrastructure or services created by the project.	<p>Meets</p> <p>Does Not Meet</p>	<p>The application has been reviewed by the Technical Advisory Committee for conformance with the minimum requirements of the Site Plan Regulations.</p> <ul style="list-style-type: none"> TAC reviewed that police, emergency medical, and other municipal services and facilities adequate to handle any new demands on infrastructure or services created by the project. <p>The application was recommended for approval on August 6, 2024, at the Technical Advisory Committee Meeting.</p>
15	Provision of usable and functional open spaces of adequate proportions, including needed recreational facilities that can reasonably be provided on the site	<p>Meets</p> <p>Does Not Meet</p>	<p>The application has been reviewed by the Technical Advisory Committee for conformance with the minimum requirements of the Site Plan Regulations.</p> <p>The application was recommended for approval on August 6, 2024, at the</p>

	Site Plan Review Regulations Section 2.9 Evaluation Criteria	Finding (Meets Standard/Criteria)	Supporting Information
			Technical Advisory Committee Meeting.
16	Adequate layout and coordination of on-site accessways and sidewalks in relationship to off-site existing or planned streets, accessways, bicycle paths, and sidewalks.	Meets Does Not Meet	The application has been reviewed by the Technical Advisory Committee for conformance with the minimum requirements of the Site Plan Regulations. The application was recommended for approval on August 6, 2024, at the Technical Advisory Committee Meeting.
17	Demonstration that the land indicated on plans submitted with the application shall be of such character that it can be used for building purposes without danger to health.	Meets Does Not Meet	The application has been reviewed by the Technical Advisory Committee for conformance with the minimum requirements of the Site Plan Regulations. The application was recommended for approval on August 6, 2024, at the Technical Advisory Committee Meeting.
18	Adequate quantities, type or arrangement of landscaping and open space for the provision of visual, noise and air pollution buffers.	Meets Does Not Meet	The application has been reviewed by the Technical Advisory Committee for conformance with the minimum requirements of the Site Plan Regulations. The application was recommended for approval on August 6, 2024, at the Technical Advisory Committee Meeting.
19	Compliance with applicable City approved design standards.	Meets Does Not Meet	The application has been reviewed by the Technical Advisory Committee for conformance with the minimum requirements of the Site Plan Regulations. The application was recommended for approval on August 6, 2024, at the Technical Advisory Committee Meeting.
	Other Board Findings:		



City of Portsmouth, New Hampshire

Site Plan Application Checklist

This site plan application checklist is a tool designed to assist the applicant in the planning process and for preparing the application for Planning Board review. The checklist is required to be completed and uploaded to the Site Plan application in the City's online permitting system. A pre-application conference with a member of the planning department is strongly encouraged as additional project information may be required depending on the size and scope. The applicant is cautioned that this checklist is only a guide and is not intended to be a complete list of all site plan review requirements. Please refer to the Site Plan review regulations for full details.

Applicant Responsibilities (Section 2.5.2): Applicable fees are due upon application submittal along with required attachments. The application shall be complete as submitted and provide adequate information for evaluation of the proposed site development. Waiver requests must be submitted in writing with appropriate justification.

Name of Applicant: Ricci Lumber Date Submitted: 8/28/2024

Application # (in City's online permitting): LU-24-132

Site Address: 105 Bartlett St Portsmouth Map: $\frac{157}{164}$ Lot: $\frac{2}{1}$

Application Requirements			
<input checked="" type="checkbox"/>	Required Items for Submittal	Item Location (e.g. Page or Plan Sheet/Note #)	Waiver Requested
<input checked="" type="checkbox"/>	Complete <u>application</u> form submitted via the City's web-based permitting program (2.5.2.1(2.5.2.3A))		N/A
<input checked="" type="checkbox"/>	All application documents, plans, supporting documentation and other materials uploaded to the application form in viewpoint in digital Portable Document Format (PDF). One hard copy of all plans and materials shall be submitted to the Planning Department by the published deadline. (2.5.2.8)		N/A

Site Plan Review Application Required Information			
<input checked="" type="checkbox"/>	Required Items for Submittal	Item Location (e.g. Page/line or Plan Sheet/Note #)	Waiver Requested
<input checked="" type="checkbox"/>	Statement that lists and describes "green" building components and systems. (2.5.3.1B)	Attached	
<input checked="" type="checkbox"/>	Existing and proposed gross floor area and dimensions of all buildings and statement of uses and floor area for each floor. (2.5.3.1C)	Page 20 C101	N/A
<input checked="" type="checkbox"/>	Tax map and lot number, and current zoning of all parcels under Site Plan Review. (2.5.3.1D)	Page 21 C102	N/A

Site Plan Review Application Required Information

<input checked="" type="checkbox"/>	Required Items for Submittal	Item Location (e.g. Page/line or Plan Sheet/Note #)	Waiver Requested
<input checked="" type="checkbox"/>	Owner's name, address, telephone number, and signature. Name, address, and telephone number of applicant if different from owner. (2.5.3.1E)	Page 32	N/A
<input checked="" type="checkbox"/>	Names and addresses (including Tax Map and Lot number and zoning districts) of all direct abutting property owners (including properties located across abutting streets) and holders of existing conservation, preservation or agricultural preservation restrictions affecting the subject property. (2.5.3.1F)	Clipper Traders Iron Horse Park Precision Auto CSX Railroad (more attached)	N/A
<input checked="" type="checkbox"/>	Names, addresses and telephone numbers of all professionals involved in the site plan design. (2.5.3.1G)	Page 6 - CT Darnell Page 19 - Tighe and Bond	N/A
<input checked="" type="checkbox"/>	List of reference plans. (2.5.3.1H)	Page 2	N/A
<input checked="" type="checkbox"/>	List of names and contact information of all public or private utilities servicing the site. (2.5.3.1I)	N/A - No change Existing	N/A

Site Plan Specifications

<input checked="" type="checkbox"/>	Required Items for Submittal	Item Location (e.g. Page/line or Plan Sheet/Note #)	Waiver Requested
<input checked="" type="checkbox"/>	Full size plans shall not be larger than 22 inches by 34 inches with match lines as required, unless approved by the Planning Director.. (2.5.4.1A)	Required on all plan sheets	N/A
<input checked="" type="checkbox"/>	Scale: Not less than 1 inch = 60 feet and a graphic bar scale shall be included on all plans. (2.5.4.1B)	Required on all plan sheets	N/A
<input checked="" type="checkbox"/>	GIS data should be referenced to the coordinate system New Hampshire State Plane, NAD83 (1996), with units in feet. (2.5.4.1C)		N/A
<input checked="" type="checkbox"/>	Plans shall be drawn to scale and stamped by a NH licensed civil engineer. (2.5.4.1D)	Required on all plan sheets	N/A
<input checked="" type="checkbox"/>	Wetlands shall be delineated by a NH certified wetlands scientist and so stamped. (2.5.4.1E)	N/A	N/A
<input checked="" type="checkbox"/>	Title (name of development project), north point, scale, legend. (2.5.4.2A)		N/A
<input checked="" type="checkbox"/>	Date plans first submitted, date and explanation of revisions. (2.5.4.2B)		N/A
<input checked="" type="checkbox"/>	Individual plan sheet title that clearly describes the information that is displayed. (2.5.4.2C)	Required on all plan sheets	N/A
<input checked="" type="checkbox"/>	Source and date of data displayed on the plan. (2.5.4.2D)		N/A

Site Plan Specifications – Required Exhibits and Data

<input checked="" type="checkbox"/>	Required Items for Submittal	Item Location (e.g. Page/line or Plan Sheet/Note #)	Waiver Requested
<input checked="" type="checkbox"/>	<p>1. Existing Conditions: (2.5.4.3A)</p> <ul style="list-style-type: none"> • Surveyed plan of site showing existing natural and built features; • Existing building footprints and gross floor area; • Existing parking areas and number of parking spaces provided; • Zoning district boundaries; • Existing, required, and proposed dimensional zoning requirements including building and open space coverage, yards and/or setbacks, and dwelling units per acre; • Existing impervious and disturbed areas; • Limits and type of existing vegetation; • Wetland delineation, wetland function and value assessment (including vernal pools); • SFHA, 100-year flood elevation line and BFE data, as required. 		
<input checked="" type="checkbox"/>	<p>2. Buildings and Structures: (2.5.4.3B)</p> <ul style="list-style-type: none"> • Plan view: Use, size, dimensions, footings, overhangs, 1st fl. elevation; • Elevations: Height, massing, placement, materials, lighting, façade treatments; • Total Floor Area; • Number of Usable Floors; • Gross floor area by floor and use. 		
<input checked="" type="checkbox"/>	<p>3. Access and Circulation: (2.5.4.3C)</p> <ul style="list-style-type: none"> • Location/width of access ways within site; • Location of curbing, right of ways, edge of pavement and sidewalks; • Location, type, size and design of traffic signing (pavement markings); • Names/layout of existing abutting streets; • Driveway curb cuts for abutting prop. and public roads; • If subdivision; Names of all roads, right of way lines and easements noted; • AASHTO truck turning templates, description of minimum vehicle allowed being a WB-50 (unless otherwise approved by TAC). 		
<input checked="" type="checkbox"/>	<p>4. Parking and Loading: (2.5.4.3D)</p> <ul style="list-style-type: none"> • Location of off street parking/loading areas, landscaped areas/buffers; • Parking Calculations (# required and the # provided). 		
<input checked="" type="checkbox"/>	<p>5. Water Infrastructure: (2.5.4.3E)</p> <ul style="list-style-type: none"> • Size, type and location of water mains, shut-offs, hydrants & Engineering data; • Location of wells and monitoring wells (include protective radii). 		
<input checked="" type="checkbox"/>	<p>6. Sewer Infrastructure: (2.5.4.3F)</p> <ul style="list-style-type: none"> • Size, type and location of sanitary sewage facilities & Engineering data, including any onsite temporary facilities during construction period. 		

<input checked="" type="checkbox"/>	7. Utilities: (2.5.4.3G) <ul style="list-style-type: none"> The size, type and location of all above & below ground utilities; Size type and location of generator pads, transformers and other fixtures. 	Page 22 C103	
<input checked="" type="checkbox"/>	8. Solid Waste Facilities: (2.5.4.3H)	N/A	
<input type="checkbox"/>	<ul style="list-style-type: none"> The size, type and location of solid waste facilities. 		
<input checked="" type="checkbox"/>	9. Storm water Management: (2.5.4.3I) <ul style="list-style-type: none"> The location, elevation and layout of all storm-water drainage. The location of onsite snow storage areas and/or proposed off-site snow removal provisions. Location and containment measures for any salt storage facilities Location of proposed temporary and permanent material storage locations and distance from wetlands, water bodies, and stormwater structures. 	Page 22 C103 Page 23 C501 Page 25 C503	
<input checked="" type="checkbox"/>	10. Outdoor Lighting: (2.5.4.3J) <ul style="list-style-type: none"> Type and placement of all lighting (exterior of building, parking lot and any other areas of the site) and photometric plan. 	No Change	
<input checked="" type="checkbox"/>	11. Indicate where dark sky friendly lighting measures have been implemented. (10.1)	No Change	
<input checked="" type="checkbox"/>	12. Landscaping: (2.5.4.3K) <ul style="list-style-type: none"> Identify all undisturbed area, existing vegetation and that which is to be retained; Location of any irrigation system and water source. 	Page 21 C102 Page 23 C501	
<input checked="" type="checkbox"/>	13. Contours and Elevation: (2.5.4.3L) <ul style="list-style-type: none"> Existing/Proposed contours (2 foot minimum) and finished grade elevations. 	No Change	
<input checked="" type="checkbox"/>	14. Open Space: (2.5.4.3M) <ul style="list-style-type: none"> Type, extent and location of all existing/proposed open space. 	Pages 21-23 C102-C501	
<input checked="" type="checkbox"/>	15. All easements, deed restrictions and non-public rights of ways. (2.5.4.3N)	Pages 21-23 C102-C501	
<input type="checkbox"/>	16. Character/Civic District (All following information shall be included): (2.5.4.3P) <ul style="list-style-type: none"> Applicable Building Height (10.5A21.20 & 10.5A43.30); Applicable Special Requirements (10.5A21.30); Proposed building form/type (10.5A43); Proposed community space (10.5A46). 	Pages 7-18 C100-RK100	
<input checked="" type="checkbox"/>	17. Special Flood Hazard Areas (2.5.4.3Q) <ul style="list-style-type: none"> The proposed development is consistent with the need to minimize flood damage; All public utilities and facilities are located and construction to minimize or eliminate flood damage; Adequate drainage is provided so as to reduce exposure to flood hazards. 	Pages 21-23 C102-C501	

Other Required Information

<input checked="" type="checkbox"/>	Required Items for Submittal	Item Location (e.g. Page/line or Plan Sheet/Note #)	Waiver Requested
<input checked="" type="checkbox"/>	Traffic Impact Study or Trip Generation Report, as required. (3.2.1-2)	No Change	
<input checked="" type="checkbox"/>	Indicate where Low Impact Development Design practices have been incorporated. (7.1)	No Change	
<input checked="" type="checkbox"/>	Indicate whether the proposed development is located in a wellhead protection or aquifer protection area. Such determination shall be approved by the Director of the Dept. of Public Works. (7.3.1)	No Change	
<input checked="" type="checkbox"/>	Stormwater Management and Erosion Control Plan. (7.4)	Pages 22-25 C103-C503	
<input checked="" type="checkbox"/>	Inspection and Maintenance Plan (7.6.5)		

Final Site Plan Approval Required Information

<input checked="" type="checkbox"/>	Required Items for Submittal	Item Location (e.g. Page/line or Plan Sheet/Note #)	Waiver Requested
<input checked="" type="checkbox"/>	All local approvals, permits, easements and licenses required, including but not limited to: <ul style="list-style-type: none"> • Waivers; • Driveway permits; • Special exceptions; • Variances granted; • Easements; • Licenses. (2.5.3.2A)		
<input checked="" type="checkbox"/>	Exhibits, data, reports or studies that may have been required as part of the approval process, including but not limited to: <ul style="list-style-type: none"> • Calculations relating to stormwater runoff; • Information on composition and quantity of water demand and wastewater generated; • Information on air, water or land pollutants to be discharged, including standards, quantity, treatment and/or controls; • Estimates of traffic generation and counts pre- and post- construction; • Estimates of noise generation; • A Stormwater Management and Erosion Control Plan; • Endangered species and archaeological / historical studies; • Wetland and water body (coastal and inland) delineations; • Environmental impact studies. (2.5.3.2B)		
<input checked="" type="checkbox"/>	A document from each of the required private utility service providers indicating approval of the proposed site plan and indicating an ability to provide all required private utilities to the site. (2.5.3.2D)	No Utilities Required	

Final Site Plan Approval Required Information

<input checked="" type="checkbox"/>	Required Items for Submittal	Item Location (e.g. Page/line or Plan Sheet/Note #)	Waiver Requested
<input checked="" type="checkbox"/>	A list of any required state and federal permit applications required for the project and the status of same. (2.5.3.2E)		
<input checked="" type="checkbox"/>	A note shall be provided on the Site Plan stating: "All conditions on this Plan shall remain in effect in perpetuity pursuant to the requirements of the Site Plan Review Regulations." (2.5.4.2E)		N/A
<input checked="" type="checkbox"/>	For site plans that involve land designated as "Special Flood Hazard Areas" (SFHA) by the National Flood Insurance Program (NFIP) confirmation that all necessary permits have been received from those governmental agencies from which approval is required by Federal or State law, including Section 404 of the Federal Water Pollution Control Act Amendments of 1972, 33 U.S.C. 1334. (2.5.4.2F)		
<input type="checkbox"/>	Plan sheets submitted for recording shall include the following notes: a. "This Site Plan shall be recorded in the Rockingham County Registry of Deeds." b. "All improvements shown on this Site Plan shall be constructed and maintained in accordance with the Plan by the property owner and all future property owners. No changes shall be made to this Site Plan without the express approval of the Portsmouth Planning Director." (2.13.3)		N/A

Applicant's Signature: _____



Date: _____

8/28/24

Abutters to proposed Ricci Lumber Shed Project

Property	
Location	105 BARTLETT ST
Map Lot	0157-0001-0000
Parcel Account Number	37598
Ownership	
Owner	CLIPPER TRADERS LLC
Address	105 BARTLETT ST, PORTSMOUTH, NH 03801
Valuation	
Total	\$688,700
Land Sale	\$420,000 on 2017-04-03
Acq. Date	2017-04-03
Book Page	5808/1379
Land	
Land Use	4000
Land Use Description	FACTORY
Market Delineation	305A
Local District	C
Parcel Area (AC)	1.42
Zoning	
Zoning	CD4-W

Property	
Location	105 BARTLETT ST
Map Lot	0164-0002-0000
Parcel Account Number	37610
Ownership	
Owner	PORTSMOUTH LUMBER & HARDWARE LLC
Address	105 BARTLETT ST, PORTSMOUTH, NH 03801
Valuation	
Total	\$688,700
Land Sale	\$420,000 on 2017-04-03
Acq. Date	2017-04-03
Book Page	5808/1379
Land	
Land Use	3250
Land Use Description	RETAIL
Market Delineation	302
Local District	C
Parcel Area (AC)	0.47
Zoning	
Zoning	CD4-W

Property	
Location	54 BARTLETT ST
Map Lot	0163-0001-0000
Parcel Account Number	37617
Ownership	
Owner	M & B PROPERTIES LLC
Address	54 BARTLETT ST, PORTSMOUTH, NH 03801
Valuation	
Total	\$332,000
Land Sale	\$332,000 on 2017-04-03
Acq. Date	2017-04-03
Book Page	5808/1379
Land	
Land Use	3320
Land Use Description	AUTO REPR MDL-94
Market Delineation	302
Local District	C
Parcel Area (AC)	0.76
Zoning	
Zoning	CD4-W

Property	
Location	105 BARTLETT ST
Map Lot	0164-0004-0002
Parcel Account Number	37636
Ownership	
Owner	IRON HORSE PROPERTIES LLC
Address	105 BARTLETT ST, PORTSMOUTH, NH 03801
Valuation	
Total	\$1,930,409
Land Sale	\$897,000 on 2019-06-28
Acq. Date	2019-06-28
Book Page	6012/2592
Land	
Land Use	3222
Land Use Description	COMM BRDG
Market Delineation	305A
Local District	C
Parcel Area (AC)	5.73
Zoning	
Zoning	CD4-L1 CD4-W OR

Property	
Location	BARTLETT ST
Map Lot	0164-0004-0000
Parcel Account Number	37607
Ownership	
Owner	BOSTON AND MAINE CORPORATION
Address	500 WATER ST J-010, JACKSONVILLE, FL 08162
Valuation	
Total	\$390,000
Land Sale	\$390,000 on 2019-06-28
Acq. Date	2019-06-28
Book Page	6012/2592
Land	
Land Use	3900
Land Use Description	DEVEL LAND
Market Delineation	302
Local District	C
Parcel Area (AC)	9.02
Zoning	
Zoning	OR TC

Property	
Location	127 BARTLETT ST
Map Lot	0158-0013-0000
Parcel Account Number	34894
Ownership	
Owner	SLATTERY AND DUMONT LLC
Address	66 OLD CONCORD TURNPIKE #10, BARRINGTON, NH 03825
Valuation	
Total	\$111,000
Land Sale	\$111,000 on 2019-06-28
Acq. Date	2019-06-28
Book Page	6012/2592
Land	
Land Use	111C
Land Use Description	APT 4-7 UN MDL-94
Market Delineation	301
Local District	C
Parcel Area (AC)	0.56
Zoning	
Zoning	GRA

Continued

Abutters to proposed Ricci Lumber Shed Project

Property	
Location	601 ISLINGTON ST
Map/Lot	0164-0007-0200
Vision Account Number	37608
Ownership	
Owner	NH WHOLESALERS LLC
Address	1 MIDDLE ST SUITE 1, PORTSMOUTH, NH 03801
Valuation	
Total	\$0
Land	
Land Use	RETAIL
Market Description	305A
Local District	C
Parcel Area (AC)	0.49
Zoning	
Zoning	CD4-W

Property	
Location	565 ISLINGTON ST
Map/Lot	0164-0008-0000
Vision Account Number	38194
Ownership	
Owner	BRANOSIAN OIL CO
Address	572 N STATE ST, CONCORD, NH 03301
Valuation	
Total	\$88,700
Last Sale	\$0 on
Book/Page	1036/0263
Land	
Land Use	3330
Land Use Description	FUEL SWPR
Market Description	305A
Local District	C
Parcel Area (AC)	0.42
Zoning	
Zoning	CD4-L2

Property	
Location	501 ISLINGTON ST
Map/Lot	0157-0906-0000
Vision Account Number	37601
Ownership	
Owner	ISLINGTON PLACE CONDO MASTERCARD MILLETTE SPRAGUE AND COLWELL
Address	501 ISLINGTON ST, PORTSMOUTH, NH 03801
Valuation	
Total	\$0
Last Sale	\$0 on
Book/Page	0/0
Land	
Zoning	CD4-L2

Property	
Location	553 ISLINGTON ST
Map/Lot	0157-0903-0000
Vision Account Number	34573
Ownership	
Owner	553-559 ISLINGTON STREET LLC
Address	553 ISLINGTON ST, PORTSMOUTH, NH 03801
Valuation	
Total	\$597,000
Last Sale	\$750,000 on 2020-06-12
Deed Date	2020-06-12
Book/Page	6126/609
Land	
Land Use	111C
Land Use Description	APT 4-7 UN MDU-94
Market Description	305A
Local District	C
Parcel Area (AC)	0.17
Zoning	
Zoning	CD4-L2

Property	
Location	537 ISLINGTON ST
Map/Lot	0157-0004-0000
Vision Account Number	50210
Ownership	
Owner	OLDF PORT DEVELOPMENT GROUP LLC
Address	159 STRATHAM HEIGHTS RD, STRATHAM, NH 03385
Valuation	
Total	\$0
Last Sale	\$207,000 on 2000-08-15
Deed Date	2000-08-15
Book/Page	3496/1256
Land	
Land Use	995
Land Use Description	CONDO MAIN
Market Description	305A
Local District	M
Parcel Area (AC)	0.11
Zoning	
Zoning	CD4-L2

Property	
Location	531 ISLINGTON ST
Map/Lot	0157-0005-0000
Vision Account Number	37600
Ownership	
Owner	531 ISLINGTON ST PORTSMOUTH LLC
Address	780 PORTSMOUTH AVE, GREENLAND, NH 03840
Valuation	
Total	\$723,700
Last Sale	\$1,000,000 on 2016-02-08
Deed Date	2016-02-08
Book/Page	5690/2834
Land	
Land Use	3260
Land Use Description	RE ST/CLUBS
Market Description	305A
Local District	C
Parcel Area (AC)	0.26
Zoning	
Zoning	CD4-L2

Continued

Abutters to proposed Ricci Lumber Shed Project

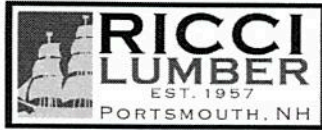
Property	
Location	48 CLINTON ST
Map Lot	0158-0007-0000
Union Account Number	34887
Ownership	
Owner	BRATTER FAMILY REVOCABLE TRUST OF 2016 BRATTER MYLES S AND ELIZABETH A TRUSTEES
Address	177 BARTLETT ST, PORTSMOUTH, NH 03801
Valuation	
Total	
Last Sale	
Deed Date	
Book Page	
Land	
Land Use	1013
Land Use Description	SFR WATERFRONT
Market	131
Market Description	
Local District	R
Parcel Area (AC)	0.83
Zoning	
Zoning	
GRA	

Property	
Location	56 CLINTON ST
Map Lot	0158-0006-0000
Union Account Number	34858
Ownership	
Owner	SARSFIELD LORLA
Address	56 CLINTON ST, PORTSMOUTH, NH 03801
Valuation	
Total	\$809,800
Last Sale	\$650,000 on 2020-09-11
Deed Date	2020-09-11
Book Page	6163/1263
Land	
Land Use	1013
Land Use Description	SFR WATERFRONT
Market	131
Market Description	
Local District	R
Parcel Area (AC)	0.74
Zoning	
Zoning	
GRA	

Property	
Location	90 CLINTON ST
Map Lot	0158-0005-0000
Union Account Number	34887
Ownership	
Owner	BAILEY MICHAEL DONARUM IIARA
Address	90 CLINTON ST, PORTSMOUTH, NH 03801
Valuation	
Total	\$611,300
Last Sale	\$319,000 on 2003-10-24
Deed Date	2003-10-24
Book Page	4181/2880
Land	
Land Use	1013
Land Use Description	SFR WATERFRONT
Market	131
Market Description	
Local District	R
Parcel Area (AC)	0.89
Zoning	
Zoning	
GRA	

Property	
Location	310 CLINTON ST
Map Lot	0158-0004-0000
Union Account Number	34886
Ownership	
Owner	SPENCER J A LIV REV TR (1/2 INT) SPENCER C R LIV REV TR (1/2 INT)
Address	110 CLINTON ST, PORTSMOUTH, NH 03801
Valuation	
Total	
Last Sale	
Deed Date	
Book Page	
Land	
Land Use	1013
Land Use Description	SFR WATERFRONT
Market	131
Market Description	
Local District	R
Parcel Area (AC)	0.65
Zoning	
Zoning	
GRA	

Property	
Location	124 BARTLETT ST
Map Lot	0163-0002-0000
Union Account Number	37618
Ownership	
Owner	INDUSTRIAL RENTS-NH LLC
Address	6 WAYNE RD, WESTFORD, MA 01886
Valuation	
Total	
Last Sale	
Deed Date	
Book Page	
Land	
Land Use	4010
Land Use Description	IND WHSE5
Market	302
Market Description	
Local District	C
Parcel Area (AC)	2.30
Zoning	
Zoning	
CD4-W	



August 6, 2024

Portsmouth NH Tac Committee
August 6th Public Meeting

Ref: Green Building Statement

This is in reference to the two structures that we are proposing to construct at 105 Bartlett Street that would be replacing the existing structures within the same general location. (Refer to Tac Submittal for August 6, 2024 meeting) These buildings are strictly open air buildings meant to store and distribute building materials as they operate now. They are intended to improve our ability to properly warehouse materials in a modern efficient manner, cutting down waste, forklift travel and reduce the man handling of bulky materials thus improving safety. These buildings will not require city water or sewage, HVAC, plumbing, lighting or any energy efficiencies since they are open to the elements on various sides. The construction of the building will be a modern steel skeleton of racking and shelf installed in the most useful manner to maximize our storage capacity along with steel panels on the roofs certain sidewalls to protect the materials within. As agreed upon in a prior session of the planning board in conjunction with apartment project behind us, the rainwater collected on the site will be diverted from its current path to their new stipulated locations during our construction project to minimize the impact to the property.

Based on the Green Building Standards, these structures will not be impacting water consumption, air quality, emissions, energy use or any resources from the property.

Sincerely



Patrick Moretti

President

Ricci Lumber.

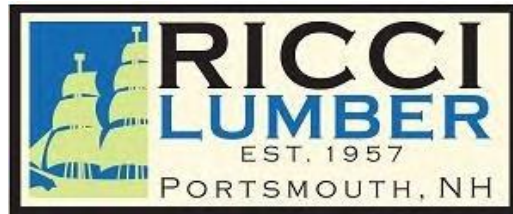
105 Bartlett Street - Portsmouth, NH 03801 (603)436-7480

www.riccilumber.com



Proposed Improvements Yard Operations

For



August 27, 2024

Submitted to: Portsmouth Planning Board
For: September Public Meeting



Ricci Lumber Improvements & Upgrades

Submittal Table of Contents

- **Pages 2-5** **Our Project Narrative.**
- **Pages 6-18** **CT Darnell Building Designs & Layouts**
- **Pages 19-25** **Tighe & Bond propose lumber sheds**
- **Page 26** **Tighe & Bond Truck turning exhibit**
- **Page 27** **Tighe & Bond Fire Truck Turning**
- **Page 28** **Tighe & Bond – Gate Information**
- **Page 29** **Demolition Plan**
- **Pages 30-31** **Variance Letter from the city**
- **Page 32** **Owner Letter concerning Improvements**
- **Page 33** **Letter Concerning Maintenance Easement**
- **Page 34** **Letter Concerning Lot Merger**
- **Page 35** **Letter Concerning Access to RR property**
- **Pages 36-38** **Fire Suppression information**
- **Page 39** **Fire Department Accessibility**

Ricci Lumber Improvements & Upgrades

Submitted August 27, 2024

Our History:

Ricci Lumber was founded in 1957 by Mr. Ricci at 105 Bartlett St which was in the middle of an active B&M railroad yard. Because of its location, he used the property to bring in railcars of masonry products for his construction business for many years. When the ability to acquire lumber and plywood in bulk for his projects developed in the mid-50's, he seized the opportunity and began storing it at this location. Not long after, other masons on the Seacoast began purchasing their lumber needs along with bags of cement directly from Mr. Ricci. By 1956, being the savvy businessman he was, the plans to convert the dry storage building into a retail building center began to take shape. By the summer of 1957, the business was ready to launch with a small hardware offering and a more robust line of building materials. The store in total was no more than 900sft with undercover warehouse space of approximately 5000sft and very limited outdoor storage still surrounded by an active railyard. With more than 16 regionally owned outlets for building materials and hardware within 10 miles our growth was slow but very steady. Over the next 40 plus years as Boston & Maine began to decommission the Portsmouth rail yard, we were able to either acquire or lease additional property from them allowing further growth. The remaining aging storage buildings that now populate the property are remnants of those early years of progress back in the 70's and 80's. After hundreds of repairs to these structures to keep them viable as well as their limited storage methods, their usefulness for a modern lumberyard has reached a bitter end.

Our Vision:

With the upcoming development occurring in the rear of the lumberyard, its footprint will be consuming a significant portion of our yard operations, under cover storage and related lay down areas for the everyday products we sell. Though we can't say that we are sorry to see those two leaning "barns" disappear from the landscape, the protection they provide for weather sensitive products is immeasurable. When they come down this fall, we will be faced with little to no locations to store these types of items. Additionally, the loss of lot space, particularly when it comes to the ground volume pallets of lumber take up, amplifies the problems we are about to encounter. Knowing this was inevitable, there was an engineer hired a few years back that specializes in space utilization and maximization of efficiencies for the lumber industry. The most recent lumber racking constructed on the site came out of his initial study and are the first steps in what is a very comprehensive plan. These new structures have improved the visuals of the property by replacing those eye sore, overly mature edifices from the grounds with a cleaner, modern look as well as shielding most stored products from outside view. With the deficiencies forth coming in ground level storage space, all his designs are centered around going vertical were ever possible to gain capacity. Then with the looming consequences of the millpond development not too far on the horizon, there is a pressing need to accelerate our present long-term plans for improvements. Since our work session back in February we hired Tighe & Bond to study the land side of our request who is a working closely with our building and site engineers revising and re-revising plans to adapt to the overall project needs. Everything we are looking to do in these proposals for improvements is to properly utilize the remaining space in the operation so we can continue to run safely and efficiently. These new structures are really nothing more than racking and roofs meant to hold and protect material from the elements. The designs presented incorporate the tried-and-true modern-day approach for planning a lumberyard while accounting for any impact we might have on this or any surrounding properties.

Ricci Lumber Improvements& Upgrades

The Execution of the project:

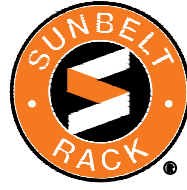
Once our project has been approved and accepted by the City of Portsmouth, the implementation of our vision will begin. Since we have existing working structures sitting in the same locations as the new proposed buildings, along with continued business operations, the planning at each phase of construction will be crucial. Unlike a greenfield venture with open land that can be completed all at once, the demolition and reconstruction of each structure will take significantly more time and effort. Because of these reasons, our proposed phases for the project will be somewhat dynamic depending on the season, demolition timing, the metal frame availability, labor to assemble, groundwork, concrete installation and the business conditions.

- Phase 1 Building Two - 3-sided Shed Building (See Map)
 - Demolition of existing buildings (Cement Shed and Cant. Shed Two)
 - Groundwork begins
 - Concrete is installed
 - Construction begins on new Building
- Phase 2 Building One - Drive Through Building (See Map)
 - Demolition of existing buildings (Warm Room, Lunchroom and Cant. Shed One)
 - Groundwork Begins
 - Concrete is installed
 - Construction begins of the new building
- Phase 3 Entrance Gate area
 - The Shack will be shifted to the far side of gate opening
 - Gate is made wider to allow large trucks to enter and exit.
 - New gates are installed to control traffic and security.
- Phase 4 Existing Buildings deemed part of the rear development.
 - This would be the barns and any outbuildings that are not on our site.
 - Demolition of these structures
 - Complete groundwork to allow proper access and storage of products.
- Phase 5 Create the needed open space/permeable surfaces, drainage necessary to achieve compliance.
 - Plantings, Curbs or untarred areas would be completed
 - Drainage plan would be completed per the agreement with the city
 - Complete resurfacing of the yard and parking areas
- Phase 1-4 (Extra) - Fencing\Gates
 - This will be ongoing as buildings get built and the yard gets modified for both security and safety.

Ricci Lumber Improvements & Upgrades

Additional comments:

1. Ed Hayes had reached out to the railroad for temporary permission to access their side of the lot. See details on Page (35)
2. Storm Water Separation will be addressed when construction begins so to minimize the disruption in the yard and parking lot.
3. No new lumber shed\cantilever storage structure will be electrified in the main yard.
4. There will be no changes in the current security lighting situation. Additional exterior lighting for night work is no longer necessary with our standard hours of operation.
5. The updated locations of the new buildings are beyond any requirement for a shoreline relief review.
6. Ed Hayes has submitted a statement qualifying his intentions to merge the lots in question once this request is approved and that it will remain under the same ownership and current agreements so that no hardship is created. This will also ensure that the fire and police departments have unimpeded access to all parts of the property through various entry points. Details on Page (32)
7. There will be three entry/exit points on the property through security gates. The rear gate nearest the new development, the main gate nearest the parking lot and the forward gate nearest Bartlett St behind the design center. Details on Page (26)
8. Any new chain-link fence installed will conform to the city regulations unless we seek and get approval from the ZDA for additional height relief.
9. Existing chain-link, unless disturbed, will remain as it currently exists.
10. The walls of the sheds that are closest to the railroad tracks will be constructed with heavy gauge steel panels as they are with the recently built structures of similar construction.
11. The closest distance of the new proposed buildings to the railroad tracks is greater than 35' and is beyond the minimum required. Details on Pages (20-25)
12. Once the new road is accepted by the city, the lumberyard will get a proper address for the 911 system.
13. Fire department access has been reviewed and submitted. Details on Page(27)
14. Fire suppression requirements have been researched and submitted. Details on Page (36-38)



**RICCI LUMBER
PORTSMOUTH, NH**
PROJECT DESCRIPTION: NEW SITE LAYOUT



KODIAK
BUILDING PARTNERS

**PRELIMINARY ONLY
(NOT FOR CONSTRUCTION)**

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A Division of CAD LBM, LLC.
2255 Justin Trail | Alpharetta, GA | 30004
(PH) 800-353-0892
(FAX) 770-569-9844
www.Sunbelt-Rack.com

CT DARNELL CONSTRUCTION
www.CT-Darnell.com

PROJECT NAME:
RICCI LUMBER
PORTSMOUTH, NH

SHEET DESCRIPTION:
COVER SHEET

SHEET NO:
D23-18025-00-CS-V06

STRC #: SHEET NO:
CS

SCALE: AS NOTED

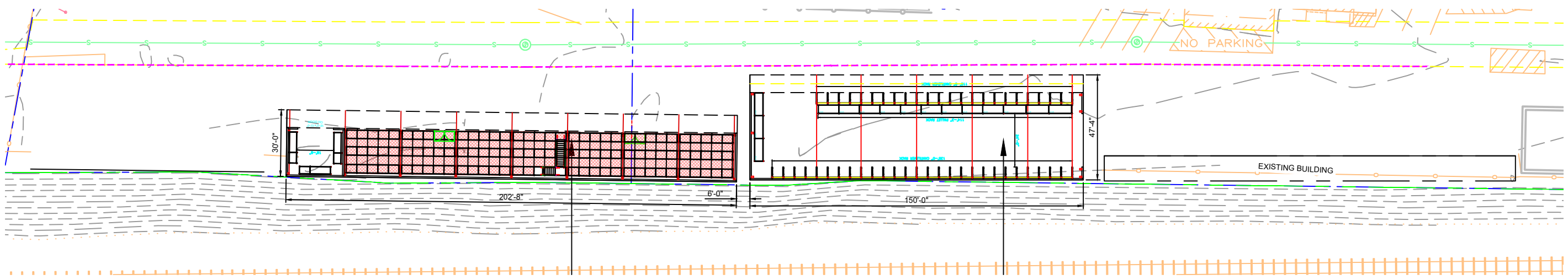
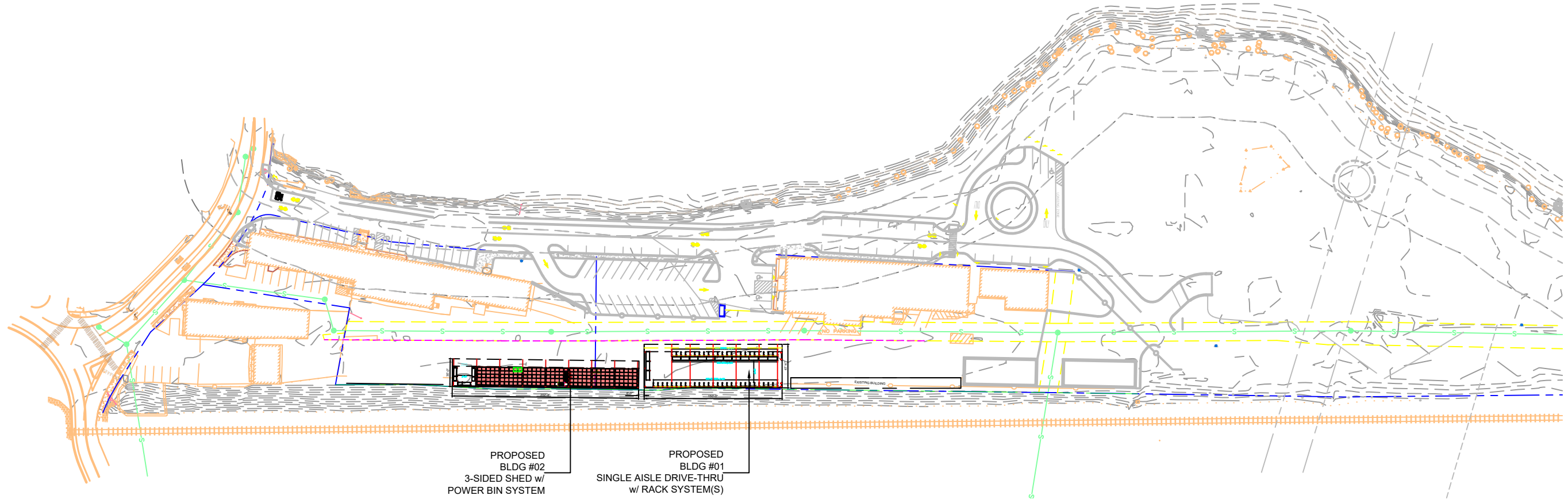
PROJECT NUMBER:
Q23-18025

SALESPERSON:
CLINT

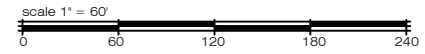
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02	05/07/2024	REVISED	EXAR	.
03	06/12/2024	REVISED	EXAR	.
04	06/28/2024	REVISED	EXAR	.
05	06/28/2024	REVISED	EXAR	.
06	08/26/2024	REVISED	EXAR	.

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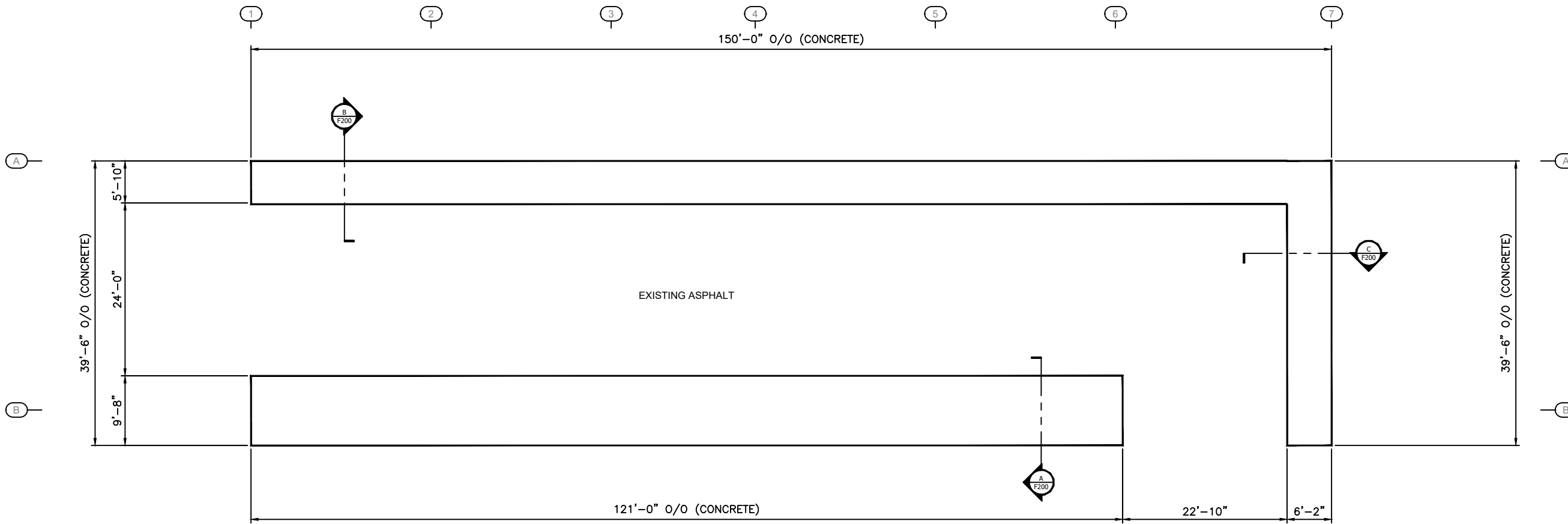
SITE INDEX		
STRUCTURE NUMBER	PROPOSED BLDG	CONCRETE/ASPHALT
01	7,100 SQ.FT	5,925 SQ.FT
02	6,080 SQ.FT	4,459 SQ.FT



100 SITE LAYOUT PLAN - PROPOSED
 C100 SCALE: 1" = 60'-0"

PROJECT NAME: RICCI LUMBER PORTSMOUTH, NH SHEET DESCRIPTION: SITE LAYOUT PLAN - PROPOSED SHEET NO.: D23-18025-00-C100-V06	STRC #: C100	SCALE: AS NOTED
	PROJECT NUMBER: Q23-18025	
	SALES PERSON: CLINT	
	SUNBELT RACK A Division of CAD LBM, LLC. 2255 Justin Trail / Alpharetta, GA 30004 (PH) 800-353-0892 (FAX) 770-569-9844 www.Sunbelt-Rack.com 	
	PRELIMINARY ONLY (NOT FOR CONSTRUCTION)	
	REV. DATE DESCRIPTION 00 11/02/2023 PRELIMINARY DESIGN 01 12/14/2023 REVISED 02 05/07/2024 REVISED 03 06/12/2024 REVISED 04 06/28/2024 REVISED 05 08/26/2024 REVISED 06 08/26/2024 REVISED	DRFTCHKD ENG EXAR EXAR EXAR EXAR EXAR EXAR

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100 FOUNDATION PLAN
 F100 SCALE: 1/8" = 1'-0"

FOUNDATION NOTES

1. Design Information and Loads

- A. Foundation design in accordance with 2019 New Hampshire Building Code using the reactions provided by the Nucor Building Systems Group for the following design criteria.
- B. Roof Live Load20 psf
- C. Ground Snow Load50 psf
- Roof Snow Load42 psf
- Importance Factor1.0
- Exposure Factor1.0
- D. Wind
 - Wind Speed115 mph
 - ExposureB
 - Risk CategoryII
- E. Seismic Information
 - S_s 0.356 S_1 0.078
 - S_{gs} 0.360 S_{g1} 0.125
 - Site ClassD
 - Seismic Design CategoryC
 - Importance Factor1.0
 - Analysis ProcedureEquivalent Lateral Force Method
 - Basic SFRSOSMF & OSCBF

1. DESIGN INFORMATION

- A. THE FOUNDATION IS DESIGNED AS A "FLOATING SLAB".
- B. IT IS MEANT TO MOVE DURING FREEZE-THAW CYCLES.
- C. THE STRUCTURAL INTEGRITY OF THE FRAME WILL NOT BE AFFECTED BECAUSE OF ITS FLEXIBILITY.

2. EARTHWORK

- A. SOILS REPORT WAS NOT AVAILABLE.
- B. THE SUPPORTING SOILS IS ASSUMED TO BE INORGANIC.
- C. SOILS TO HAVE AN ASSUMED CAPACITY OF 1 TON PER SQUARE FOOT (2,000 psf)
 - a. SOIL CAPACITY TO BE VERIFIED BY OWNER OR GENERAL CONTRACTOR.

3. CONCRETE AND REINFORCEMENT

- A. CONCRETE
 - a. CONCRETE TO BE 4,000 PSI IN 28 DAYS WITH 6% AIR ENTRAINMENT.
- B. REINFORCING
 - b. REBAR - $F_y = 60$ ksi (GRADE 60).
 - c. wwf - $F_y = 65$ ksi.
 - (NOTE: 6x6-W1.4xW1.4 (10 GA.) MAY BE SUBSTITUTED WITH 1 LB. PER CUBIC YARD OF FIBER MESH CONCRETE).

C. CONTROL JOINTS IN SLABS ON GRADE ARE RECOMMEND TO CONTROL CRACKING. SEE PLANS FOR CONTROL JOINT SPACING AND DETAILS.

- a. CRACKING CAN OCCUR IN CONCRETE SLABS AS A RESULT OF UNEVEN SETTLEMENT OF THE SOIL, OR EXPANSION/CONTRACTION CAUSED BY THE FREEZE-THAW CYCLES.
- b. CONTRACTION JOINTS ARE INTENDED TO ALLOW FOR CONTROLLED CRACKING. (SEE PLANS FOR CONTRACTION JOINT SPACING AND DETAILS)
- c. EXPANSION JOINTS ARE STRATEGICALLY PLACED TO ALLOW EXPANSION (IF-REQUIRED)
- d. WELDED WIRE FABRIC(wwf) IS USED TO MINIMIZE THE SIZE OF CRACKS, SHOULD THEY OCCUR.

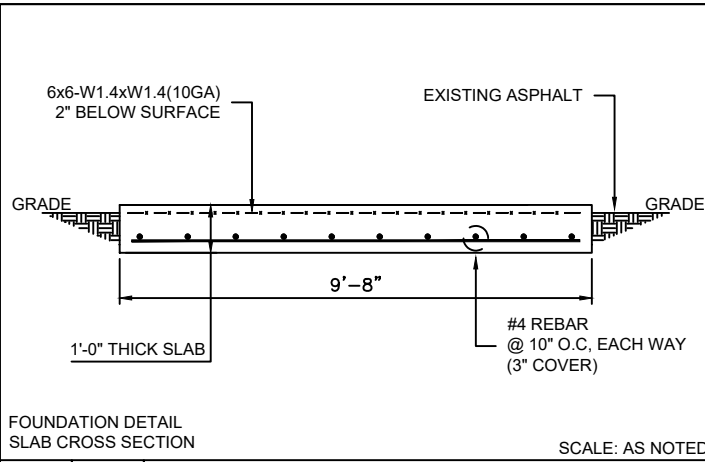
D. INSTALLATION, PROPER INSTALLATION OF CONCRETE IS IMPORTANT TO MINIMIZE CRACKS AND OBTAIN DESIRED CONCRETE STRENGTH.

- a. CURING: A MINIMUM AMOUNT OF CURING IS RECOMMENDED TO OBTAIN A DURABLE HARD CONCRETE. THIS CAN BE OBTAINED BY COVERING THE SURFACE WITH A VISQUEEN PLASTIC IMMEDIATELY AFTER THE CONCRETE HAS HARDENED. LEAVE PLASTIC IN PLACE FOR A MINIMUM OF 7 DAYS.
- b. COLD WEATHER INSTALLATION: DO NOT ALLOW CONCRETE TO FREEZE FOR AT LEAST 7 DAYS AFTER CONCRETE HAS SET. FOLLOW RECOMMENDATION OF ACI DOCUMENT 306 TITLED "COLD WEATHER CONCRETING".
- c. HOT WEATHER INSTALLATION: DO NOT ALLOW SURFACE TO DRY BEFORE APPLYING VISQUEEN PLASTIC OR OTHER CURING MEDIUM. FOLLOW RECOMMENDATION OF ACI DOCUMENT 305 TITLED "HOT WEATHER CONCRETING".
- d. TO AVOID UNDERMINING, BACKFILL SHOULD BE WITH IN 4" OF TOP OF SLAB.
- e. SLAB(S) MUST BE LEVEL FOR PROPER INSTALLATION OF BUILDING.
- f. FINISH OF CONCRETE CAN BE SMOOTH OR COARSE(SIDEWALK FINISH) AS REQUIRED BY THE OWNER.
- g. CONTRACTION JOINTS MUST BE CUT WITHIN 24 HOURS OF POUR.

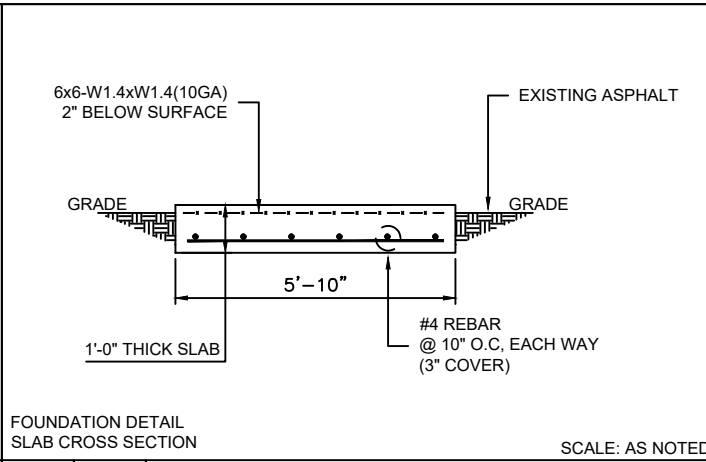
E. MISCELLANEOUS

- a. OWNER TO ASSURE THAT WATER DRAINS AWAY FROM STRUCTURE.

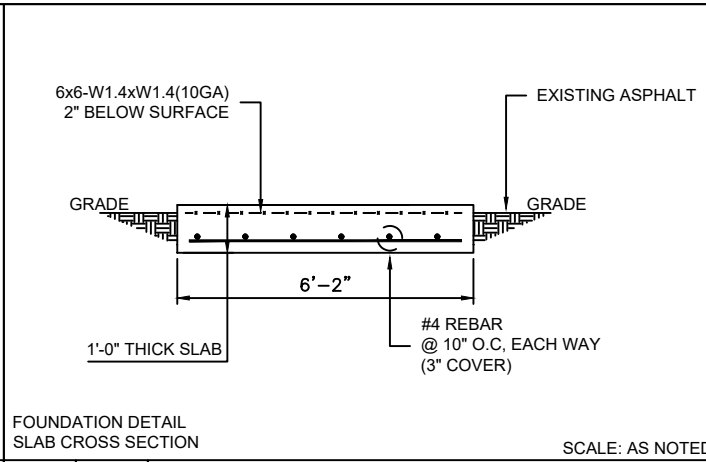
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FOUNDATION DETAIL
SLAB CROSS SECTION
SCALE: AS NOTED



FOUNDATION DETAIL
SLAB CROSS SECTION
SCALE: AS NOTED

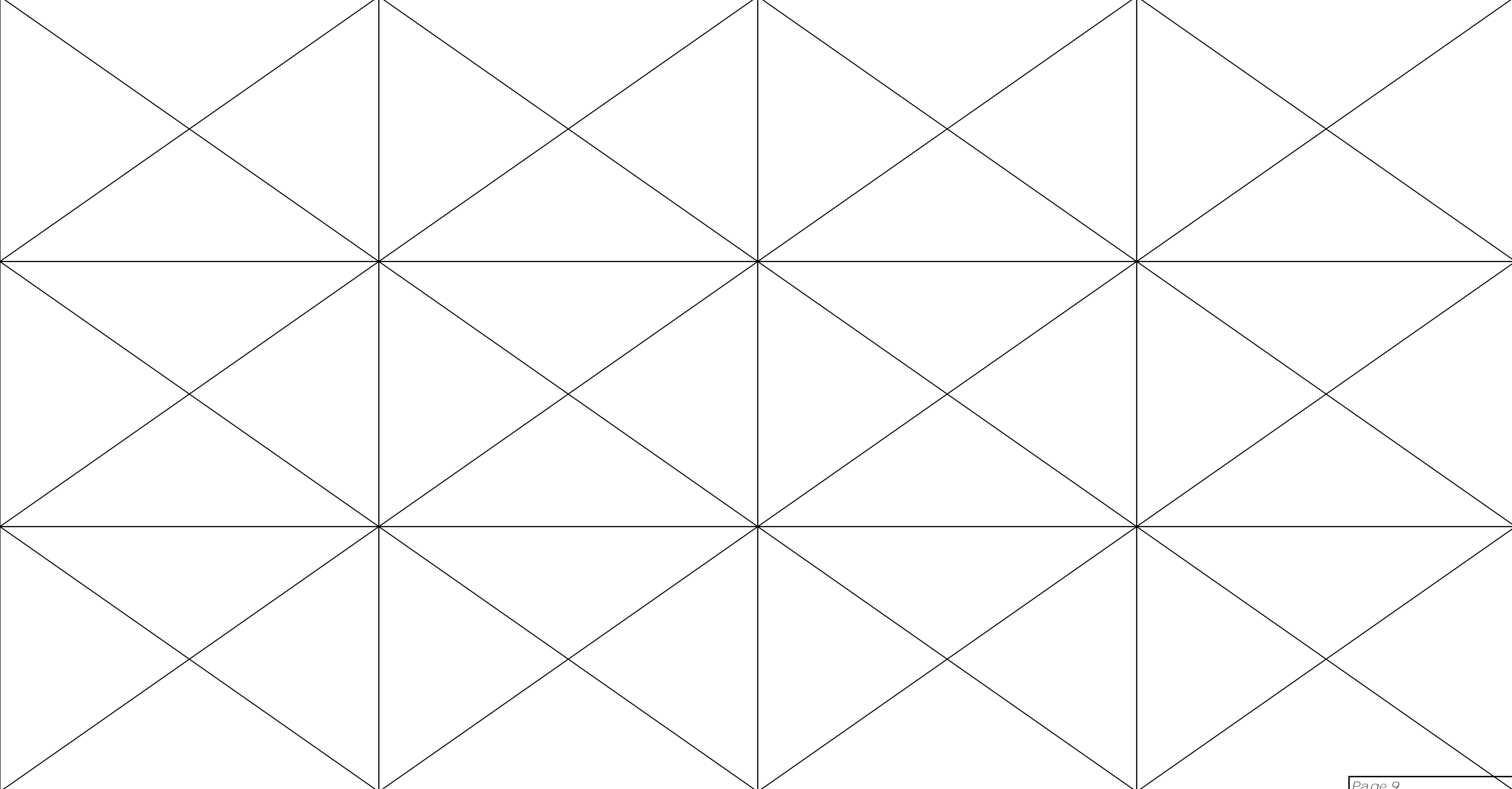


FOUNDATION DETAIL
SLAB CROSS SECTION
SCALE: AS NOTED

A

B

C



REV.	DATE	DESCRIPTION	DRFTCHKD	ENG
05	07/19/2024	PRELIMINARY DESIGN	EXAR	

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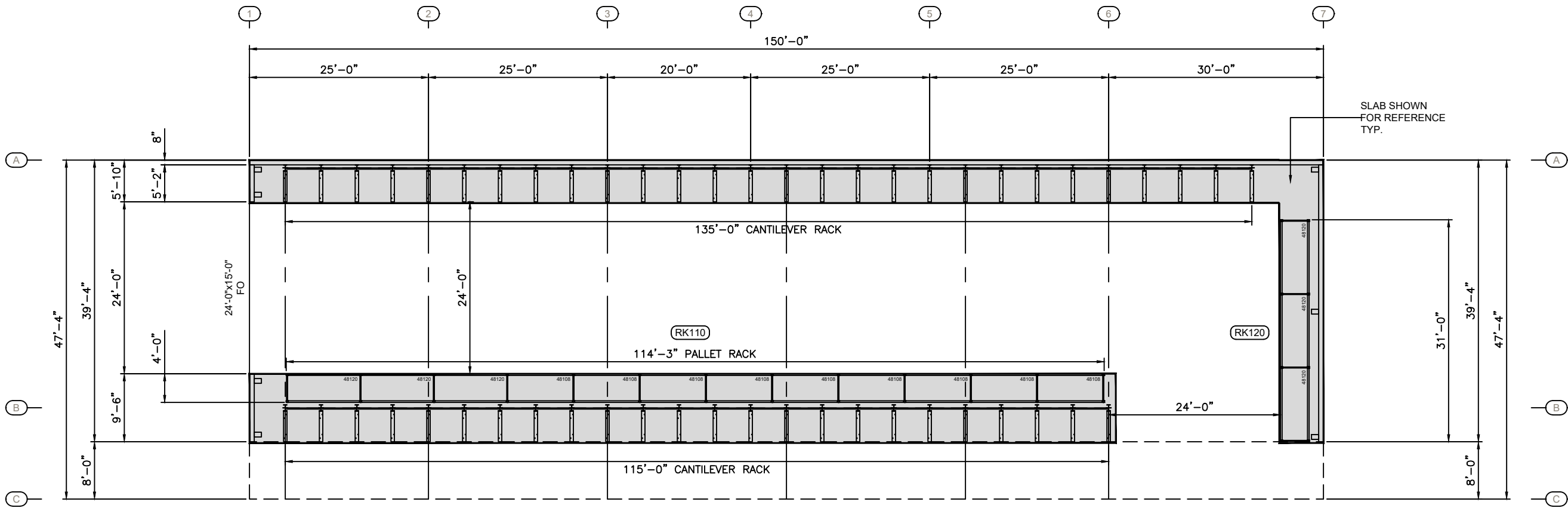
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(FAX) 770-969-9844
www.Sunbelt-Rack.com
www.CT-Darnell.com

CT DARNELL
CONSTRUCTION

PROJECT NUMBER: Q23-18025
SALESPERSON: CLINT

PROJECT NAME: RICCI LUMBER PORTSMOUTH, NH	SHEET NO: D23-18025-01-F200-v06
SHEET DESCRIPTION: SINGLE AISLE DRIVE-THRU FOUNDATION DETAIL(S)	SHEET NO: F200
STRC #: 01	SCALE: AS NOTED

100 RACK LAYOUT PLAN
 A100 SCALE: 1/8" = 1'-0"



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REV.	DATE	DESCRIPTION	DRFT/CHKD	ENG
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01	12/14/2023	REVISED	EXAR	
02	05/07/2024	REVISED	EXAR	
03	06/12/2024	PRELIMINARY DESIGN	EXAR	

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CT DARNELL
 construction

PROJECT NAME:
 RICCI LUMBER
 PORTSMOUTH, NH

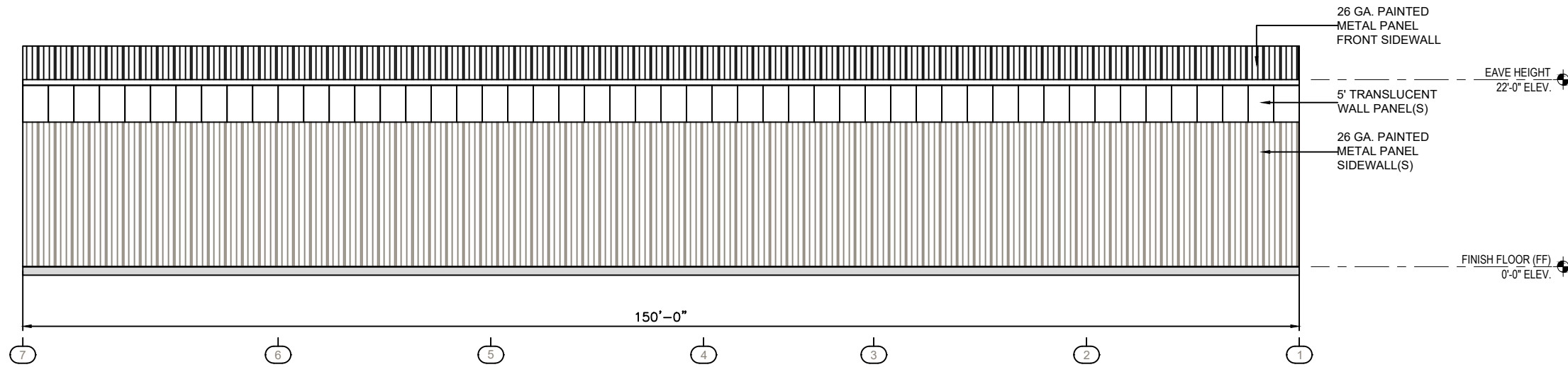
SHEET DESCRIPTION:
 SINGLE AISLE DRIVE-THRU
 RACK LAYOUT PLAN

SHEET NO:
 D23-18025-01-A100-v06

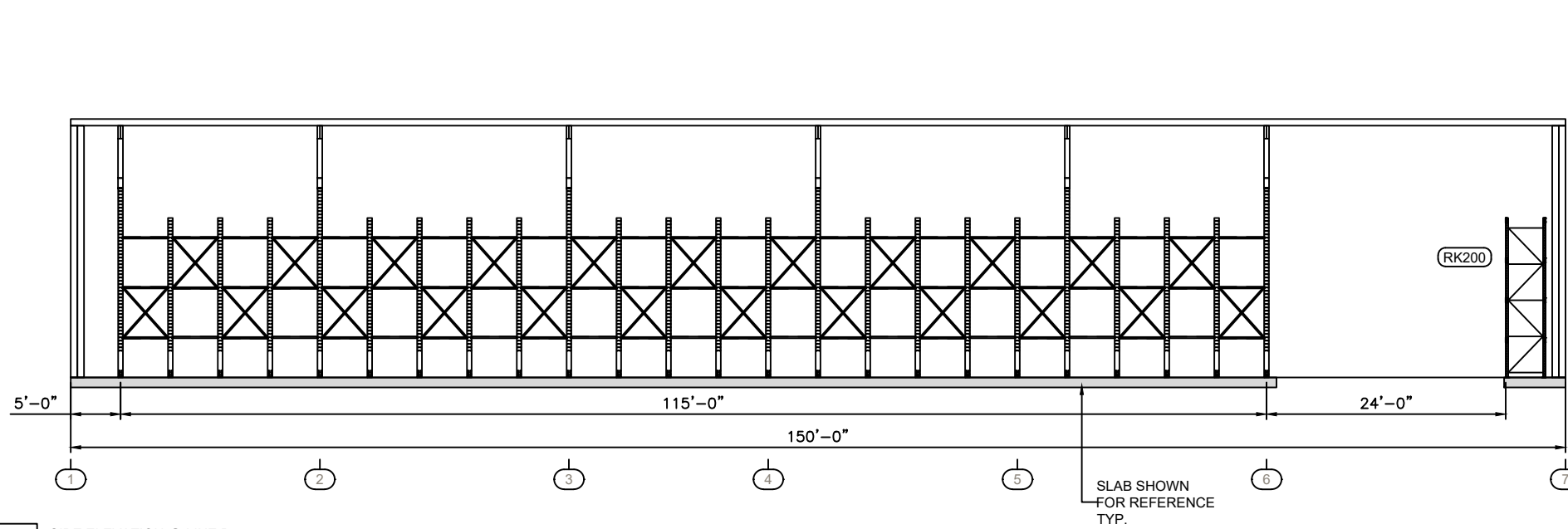
SALESPERSON:
 CLINT

STRC #: 01	SHEET NO: A100
SCALE: AS NOTED	

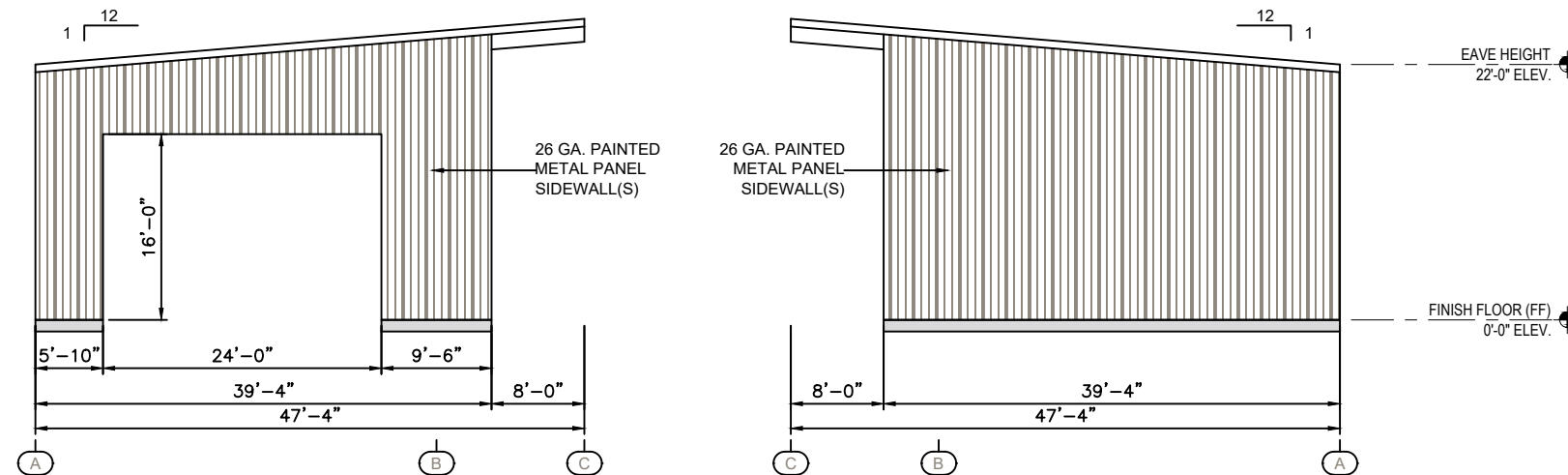
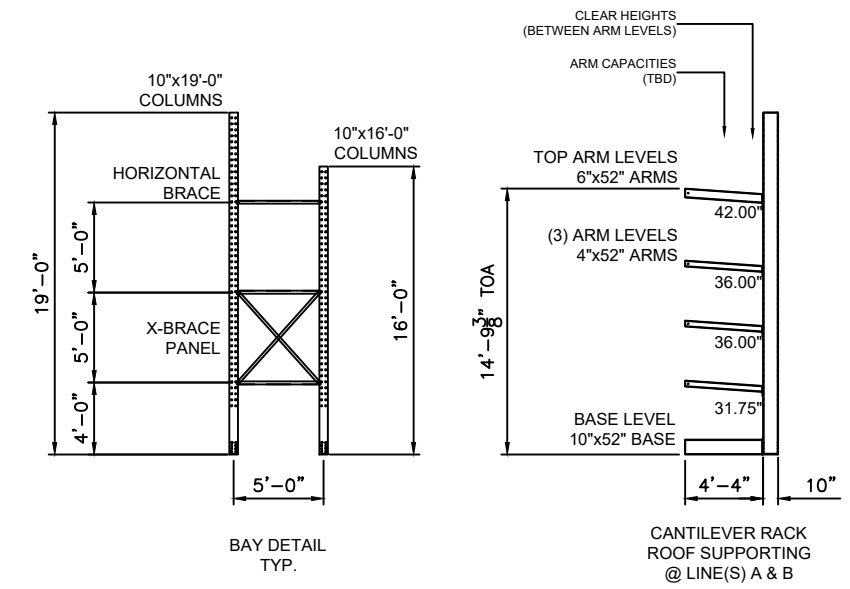
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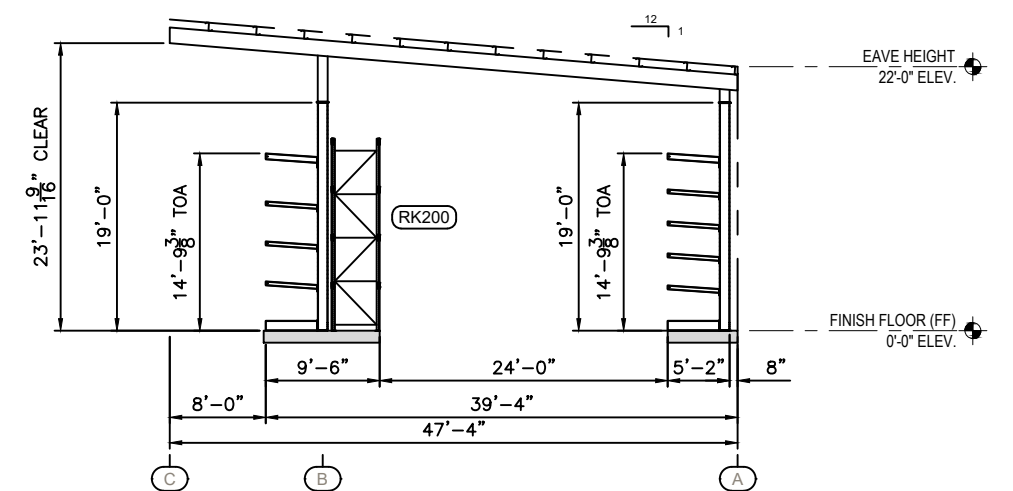
100 SIDEWALL ELEVATION @ LINE A
A200 SCALE: 3/16" = 1'-0"



100 SIDE ELEVATION @ LINE B
A200 SCALE: 3/16" = 1'-0"



100 CANTILEVER RACK ELEVATION(S)
A200 SCALE: 3/16" = 1'-0"



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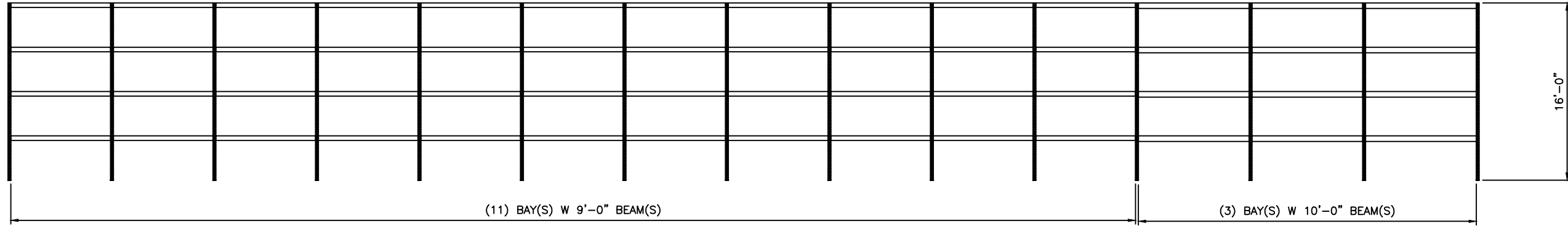
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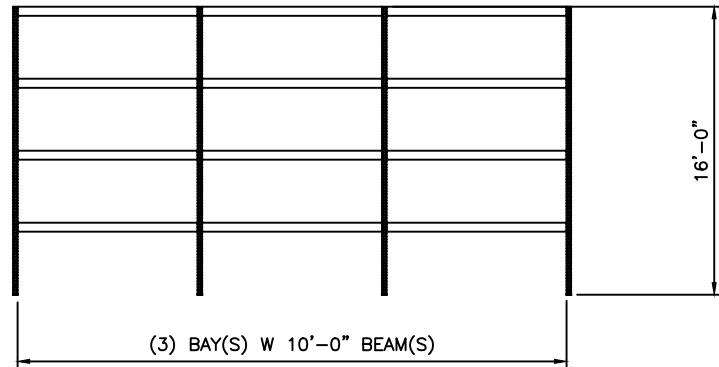
PROJECT NUMBER: Q23-18025
SALESPERSON: CLINT

PROJECT NAME: RICCI LUMBER PORTSMOUTH, NH
SHEET DESCRIPTION: SINGLE AISLE DRIVE-THRU RACK ELEVATION(S)
SHEET NO: D23-18025-01-A200-V06

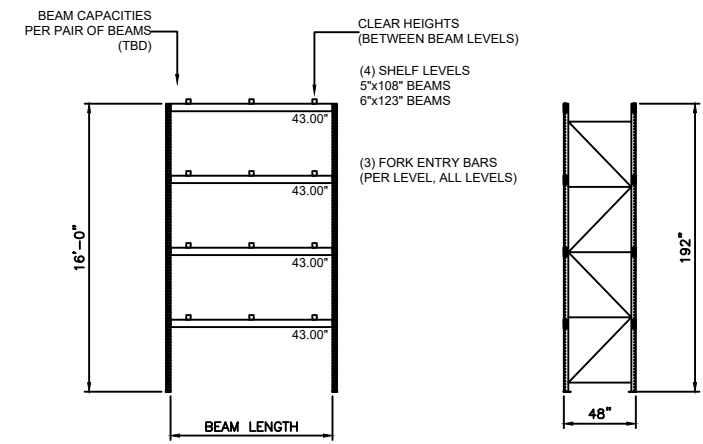
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SCALE:	AS NOTED



RK110 CANTILEVER RACK
 RK100 SCALE: 3/16" = 1'-0"



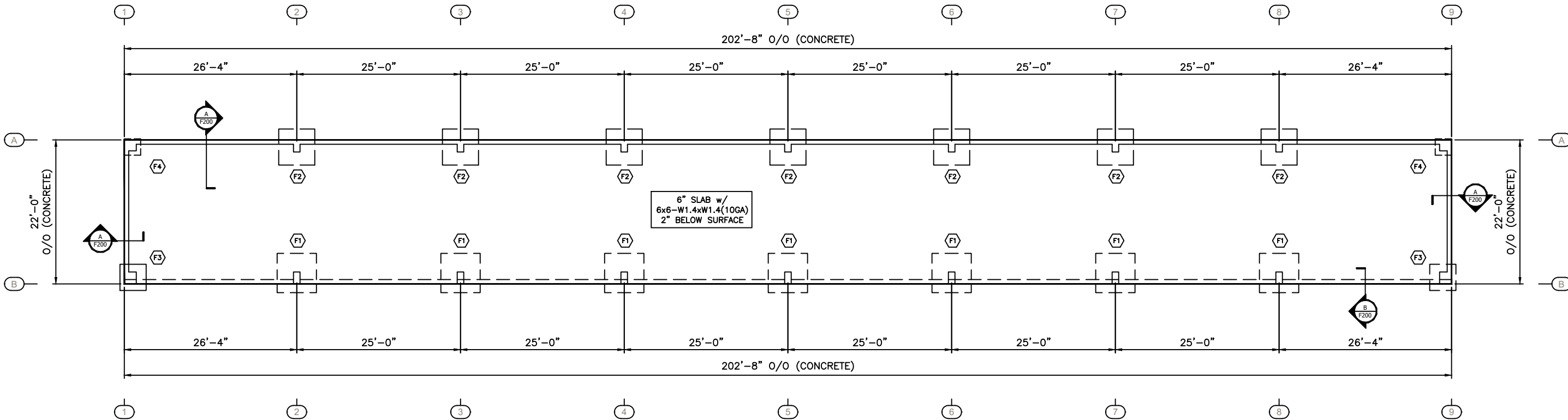
RK120 CANTILEVER RACK
 RK100 SCALE: 3/16" = 1'-0"



100 CANTILEVER RACK DETAIL(S)
 RK100 SCALE: 3/16" = 1'-0"

REV.	DATE	DESCRIPTION	DRFTCHKD	ENG
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PROJECT NAME: RICCI LUMBER PORTSMOUTH, NH			PROJECT NUMBER: Q23-18025	
SHEET DESCRIPTION: P-ALLET RACK RACK PLAN & ELEVATION(S)			SHEET NO: D23-18025-01-RK100-Y06	
STRC #:	SHEET NO:			
01	RK100			
SCALE: AS NOTED				

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100 FOUNDATION PLAN
 F100 SCALE: 1/8" = 1'-0"

FOUNDATION NOTES

1. Design Information and Loads
 - A. Foundation design in accordance with 2019 New Hampshire Building Code using the reactions provided by the Nucor Building Systems Group for the following design criteria.
 - B. Roof Live Load 20 psf
 - C. Ground Snow Load 50 psf
 - Roof Snow Load 42 psf
 - Importance Factor 1.0
 - Exposure Factor 1.0
 - D. Wind
 - Wind Speed 115 mph
 - Exposure B
 - Risk Category II
 - E. Seismic Information
 - S_s 0.356 S₁ 0.078
 - S_{0.5} 0.360 S_{0.1} 0.125
 - Site Class D
 - Seismic Design Category C
 - Importance Factor 1.0
 - Analysis Procedure Equivalent Lateral Force Method
 - Basic SFRS OSMF & OSCBF
 - F. Frost Depth 4'-0"

2. Earthwork
 - A. Foundation Design Values (assumed)
 - i. Allowable Soil Bearing Pressure - 1500 psf
 - ii. Coefficient of Friction - 0.25
 - iii. Passive Earth Pressure - 200 psf/ft of depth
 - B. The building pad area shall be stripped of all frozen soil, debris, vegetation, and topsoil. All fill soils and any remaining loose natural soils shall be excavated to expose suitable natural soils.
 - C. Proof roll the entire building pad area to locate and remove all soft spots. Replace with compacted structural fill.
 - D. Place all footings and slabs on undisturbed natural soil or on properly compacted structural fill. Contractor shall verify that soil

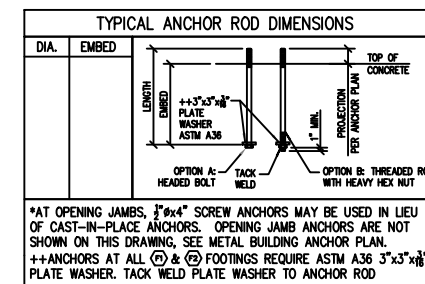
- under footings is suitable to support footings.
- E. Structural Fill: Structural fill should consist of well-graded sandy gravels with a maximum particle size of 3 inches and 5 to 15 percent fines (materials passing the No. 200 sieve). The liquid limit of fines should not exceed 35 and the plasticity index should be below 15. All fill soils should be free from topsoils, highly organic material, frozen soil, and other deleterious materials. Structural fill should be placed in maximum 8-inch thick loose lifts at a moisture content within 2 percent of optimum and compacted to at least 95 percent of modified proctor density (ASTM D1557) under the building and 90 percent under concrete flatwork.
- F. It is the responsibility of the contractor to ensure that the depth of the bottom of the foundation is far enough below the adjacent grade to ensure adequate frost protection.

3. Concrete and Reinforcement
 - A. Material Standards
 - i. Concrete
 - a. Footings: Exposure Classes F0, S0, W0, C0
f_c = 3000 p.s.i., max. w/cm ratio = 0.55
 - b. Exterior Walls: Exposure Classes F1, S0, W0, C1
f_c = 3500 p.s.i., max. w/cm ratio = 0.55
 - c. Interior Walls: Exposure Classes F0, S0, W0, C0
f_c = 3000 p.s.i., max. w/cm ratio = N.A.
 - d. Interior Slabs: Exposure Classes F0, S0, W0, C0
f_c = 3500 p.s.i., max. w/cm ratio = 0.55
 - e. Air content for Exposures F1-F3 must meet the requirements of Table 19.3.3.1 of ACI 318-14. Air-entraining admixtures shall conform to ASTM C260
 - f. The cement type for Exposures S1-S3 must meet the requirements of Table 19.3.2.1 of ACI 318-14. Cement shall conform to ASTM C150
 - g. Calcium Chloride admixture shall not be used in Exposures S2 and S3
 - h. Normal weight aggregates - ASTM C33
 - ii. Reinforcing
 - a. Rebar - ASTM A615 Grade 60 (F_y = 60 ksi)
 - b. Welded wire - ASTM A1064
 - c. Epoxy/Adhesive - Simpson SET-XP (ICC-ES ESR-2508), Hilti RE-500V3 (ICC-ES ELC-3814), or Dewart Pure110+ (ICC-ES ESR-3298) unless noted otherwise in the drawings.
 - iii. Anchor Rods/Bolts
 - a. All anchor rods shall be cast-in-place headed anchor rods. Use of post-installed (epoxy, adhesive, expansion, screw, etc.) anchors is not allowed without written permission from MVE or unless specifically noted in the drawings.
 - b. Steel column anchor rods/bolts - ASTM F1554 Grade 36 with ASTM A563 heavy hex nuts and hardened washers (unless noted otherwise)
 - c. Wood framing anchors - ASTM A307 with A36 plate washers
 - d. Headed stud anchors (HSA) - ASTM A108
 - e. Deformed bar anchors (DBA) - ASTM A496
 - f. Screw Anchors for jmbts as indicated in the typical anchor rod schedule - Simpson Titan HD (ICC-ES ESR-2713), Hilti Kwik HUS-TZ (ICC-ES ESR-3027), or Dewart Screwbolt+ (ICC-ES ESR-2526)
 - g. Use of hooked anchor rods/bolts is limited under the ACI and the IBC. Headed anchor rods/bolts must be used where indicated in the details.
 - h. The symbols $\frac{1}{2}$ A.R./ $\frac{1}{2}$ A.B. as shown in the drawings indicate the center line of the anchor rod/bolt, not the center line of any individual anchor rod/bolt.
 - B. Detail reinforcing to comply with ACI 315 "Manual of Standard Practice for Detailing Reinforcing Concrete Structures" and the Concrete Reinforcing Steel Institute (CRS) recommendations.
 - i. Minimum clear concrete cover for reinforcement shall be as follows unless noted otherwise:
 - a. Concrete cast directly against and permanently exposed to earth - 3"
 - b. Concrete exposed to weather or earth:

1. #5 bars or smaller - 1 1/2"
2. #6 bars or larger - 2"
- c. Concrete not exposed to weather or in contact with the ground - 3/4"
- d. Slabs on grade - as shown in details, 3/4" min. from top of slabs not exposed to weather
- ii. Lap Splice Lengths with 1 1/2" minimum clear cover
 - a. f_c = 2500-3500 p.s.i.
 1. #6 and smaller - 49 bar diameters
 2. #7 and larger - 76 bar diameters
 - b. f_c = 4000 p.s.i. or greater
 1. #6 and smaller - 38 bar diameters
 2. #7 and larger - 60 bar diameters
 - c. Increase lap splice lengths by 50% where epoxy coated bars are used.
- iii. Stagger splices in walls so that no two adjacent bars are spliced in the same location, unless shown otherwise.
- iv. Make all bars continuous around corners or provide corner bars of equal size and spacing.
- v. Where 12 inches or less of fresh concrete is placed below horizontal reinforcing lap splice length may be reduced by 30%.
- vi. Vertical bars in walls, grade beams, and piers to terminate in footings with ACI standard hooks (12 bar diameters) to within 4" of the bottom of the footing unless noted otherwise.
- vii. Horizontal wall reinforcing shall terminate at the ends of walls with a 90 degree hook plus a 6 bar diameter extension, unless shown otherwise.
- viii. Horizontal wall reinforcing shall be continuous through construction and control joints.
- ix. Splices in horizontal reinforcement shall be staggered. Splices in two curtains (where used) shall not occur in the same location.
- x. Use chairs or other support devices as required for proper clearance.
- xi. Rebar hairpins shall be centered in slabs and shall be wire tied to the slab reinforcing (if any). Rebar hairpins shall be continuous through walls and piers; lap splices in hairpins may only occur in the floor slab unless noted otherwise.

4. Special Inspections
 - A. Concrete
 - i. Spot Footings - Not required (IBC 1705.3 Exception 1)
 - ii. Continuous Ftgs. - Not required (IBC 1705.3 Exception 2.3)
 - iii. Slabs - Not required (IBC 1705.3 Exception 3)
 - iv. Grade Beams - Not required (IBC 1705.3 Exception 4)
 - v. Walls - Not required (IBC 1705.3 Exception 4)
 - vi. Anchor rods/bolts - Required (IBC Table 1705.3.3) Special inspection may be waived subject to the approval of the building official.
 - B. Steel Reinforcement
 - i. Placement - Third party special inspection of reinforcing placement need only be performed where specifically required by the building official.
 - ii. Welding - Special inspection of rebar welding is required (if any is used).
5. Miscellaneous
 - A. The contractor shall notify engineer of any variations in dimensions.
 - B. The engineer is not responsible for any deviations from these plans unless such changes are authorized in writing by the engineer.

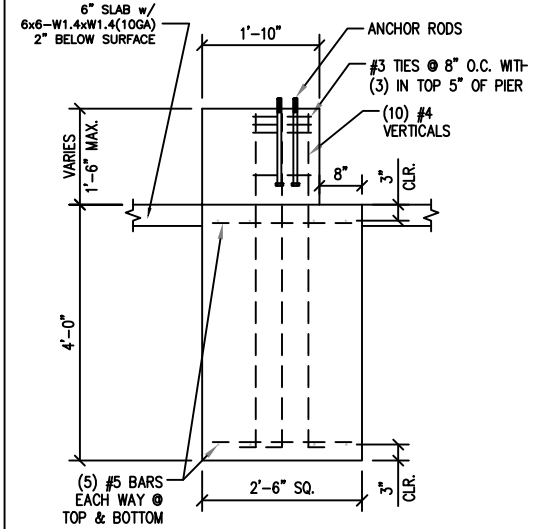
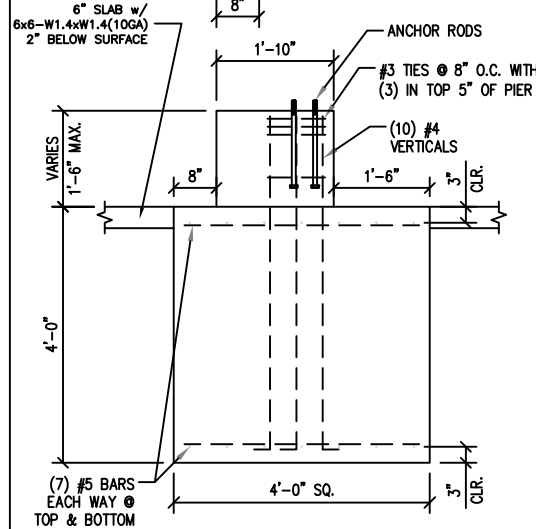
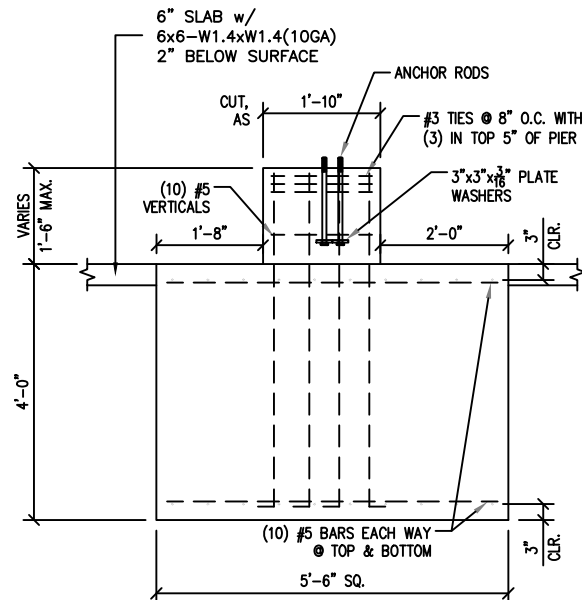
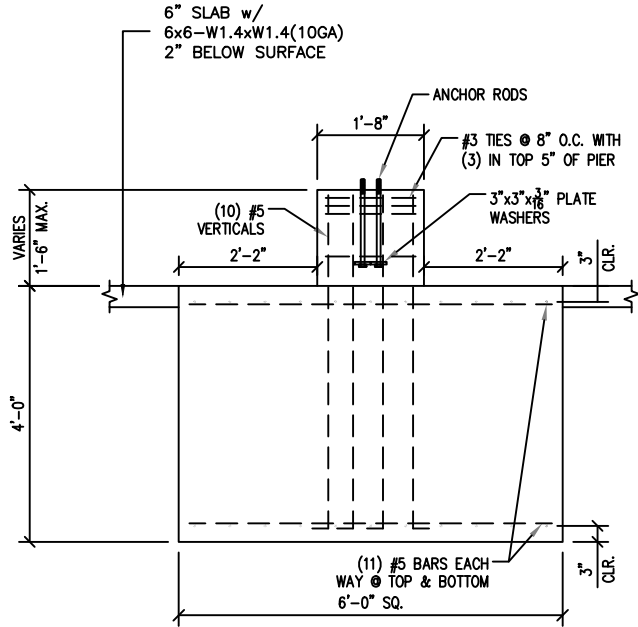
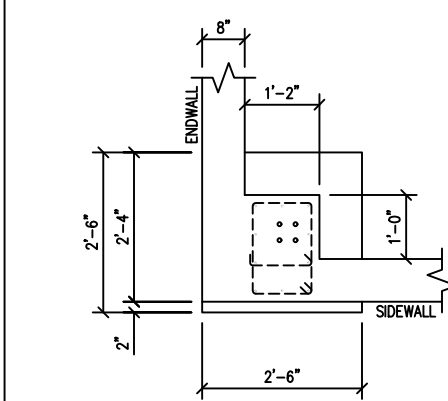
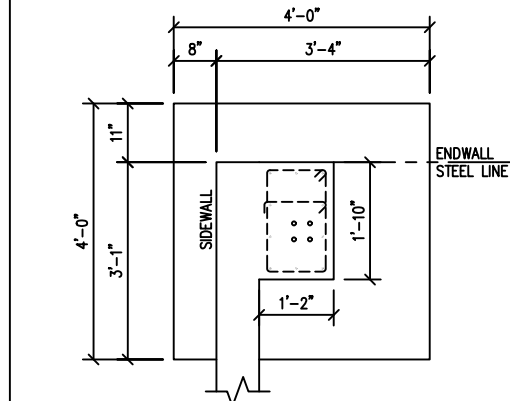
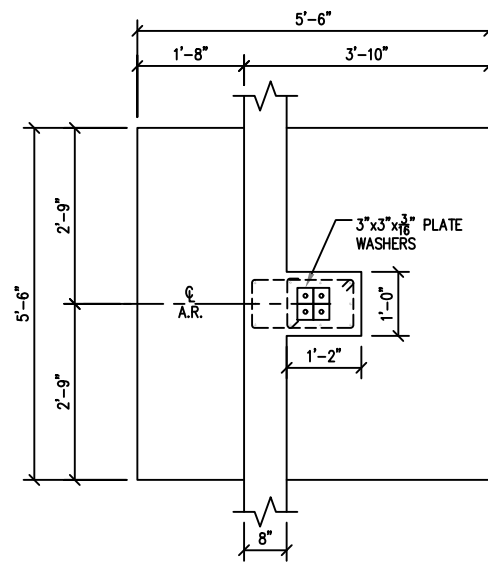
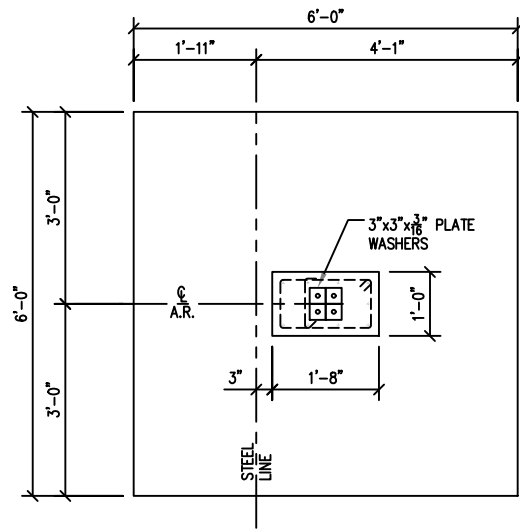
F1 INDICATES APPLICABLE FOOTING DETAIL.



*AT OPENING JAMBS, 3/4" #4" SCREW ANCHORS MAY BE USED IN LIEU OF CAST-IN-PLACE ANCHORS. OPENING JAMB ANCHORS ARE NOT SHOWN ON THIS DRAWING. SEE METAL BUILDING ANCHOR PLAN.
 ++ANCHORS AT ALL (F1) & (F2) FOOTINGS REQUIRE ASTM A36 3"x3"x1/8" PLATE WASHER. TACK WELD PLATE WASHER TO ANCHOR ROD

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PROJECT NAME: RICCI LUMBER PORTSMOUTH, NH			PROJECT NUMBER: Q23-18025	
SHEET DESCRIPTION: 3-SIDED SHED FOUNDATION PLAN & NOTE(S)			SHEET NO.: D23-18025-02-F100-V06	
STRC #: 02		SHEET NO.: F100		
SCALE: AS NOTED				

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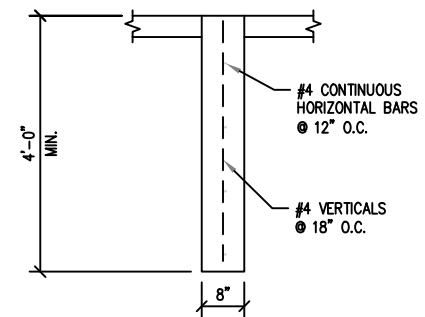
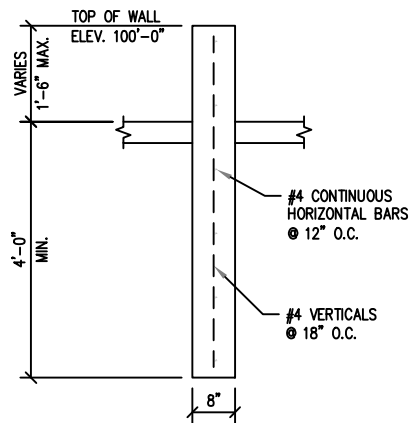


F1 3/4"=1'-0" SIDEWALL FOOTING DETAIL

F2 3/4"=1'-0" SIDEWALL FOOTING DETAIL

F3 3/4"=1'-0" CORNER FOOTING DETAIL

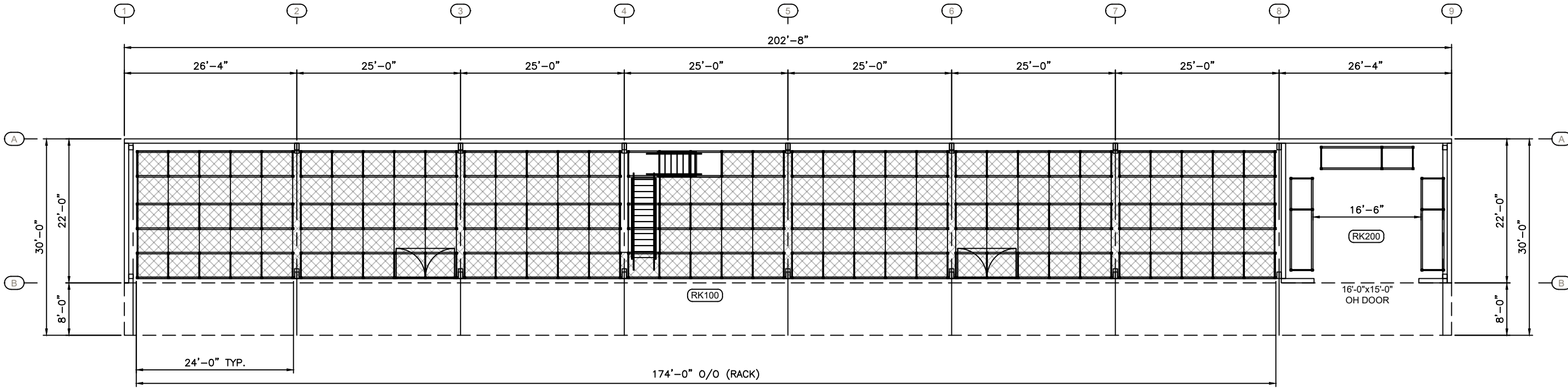
F4 3/4"=1'-0" CORNER FOOTING DETAIL



A 3/4"=1'-0" PERIMETER GRADE BEAM DETAIL

B 3/4"=1'-0" PERIMETER GRADE BEAM DETAIL

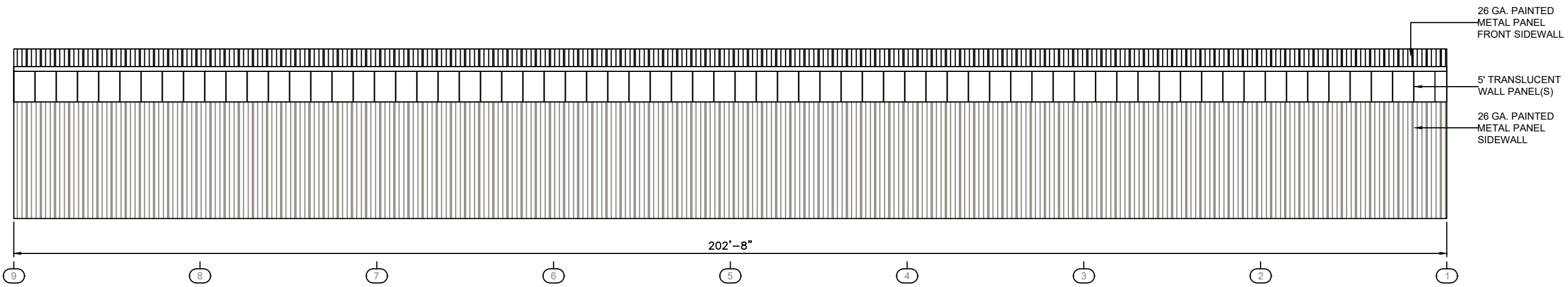
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PROJECT NAME: RICCI LUMBER PORTSMOUTH, NH SHEET DESCRIPTION: 3-SIDED SHED FOUNDATION DETAIL(S)			SHEET NO: D23-18025-02-F100-v06	
STRC #:	SHEET NO:			
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SCALE: AS NOTED				



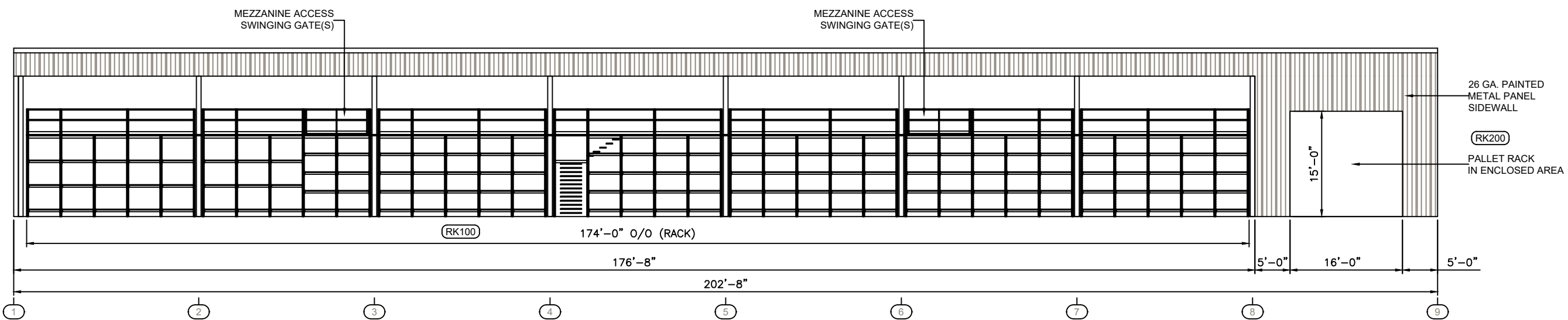
100 RACK LAYOUT PLAN
 A100 SCALE: 1/8" = 1'-0"

REV. 03	DATE 06/12/2024	DESCRIPTION PRELIMINARY DESIGN	DRFTCHKD ENG
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<p>PROJECT NAME: RICCI LUMBER PORTSMOUTH, NH</p>		<p>PROJECT NUMBER: Q23-18025</p>	
<p>SHEET DESCRIPTION: 3-SIDED SHED RACK LAYOUT PLAN</p>		<p>SHEET NO: D23-18025-02-A100-v06</p>	
STRC #: 02	SHEET NO: A100		
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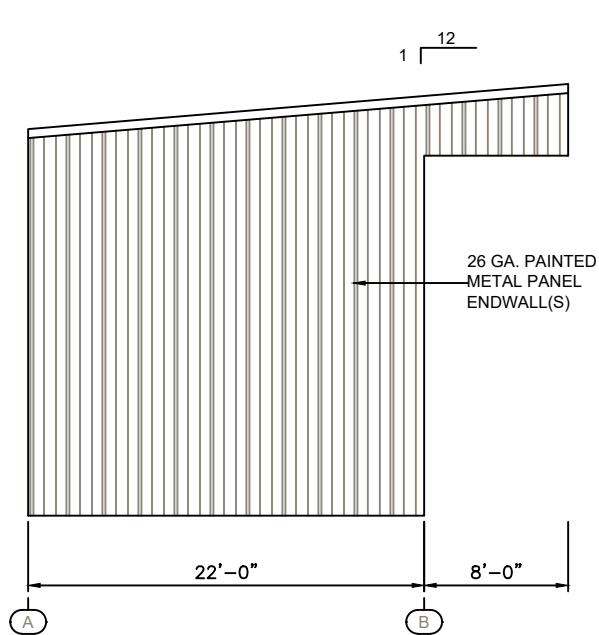
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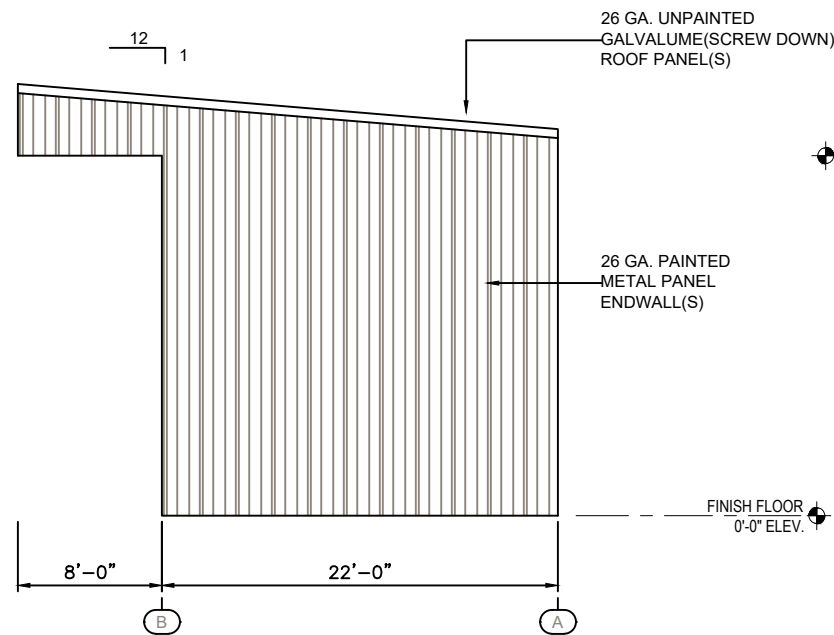
100 SIDEWALL ELEVATION @ LINE A
A200 SCALE: 1/8" = 1'-0"



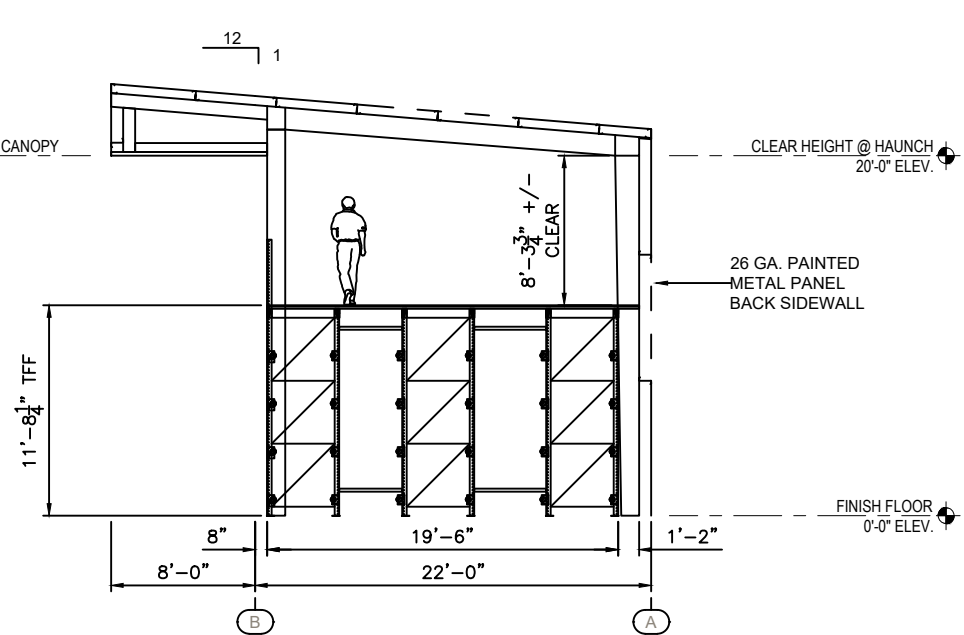
200 FRONT SIDE ELEVATION @ LINE B
A200 SCALE: 1/8" = 1'-0"



300 ENDWALL(S)
A200 SCALE: 1.5X SCALE



400 CROSS SECTION
A200 SCALE: 1.5X SCALE



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SALESPERSON: CLINT
PROJECT NUMBER: Q23-18025

PROJECT NAME: RICCI LUMBER PORTSMOUTH, NH
SHEET DESCRIPTION: 3-SIDED SHED ELEVATION(S)
SHEET NO: D23-18025-02-A200-v06

STRC #: 02
SHEET NO: A200

SCALE: AS NOTED

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SEE SHEET RK100
FOR RACK ELEVATION(S) & DETAIL(S)

RK100

POWER BIN SYSTEM w/ MEZZANINE

RK200

PALLET RACK

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CORPORATION
SALESPERSON: CLINT

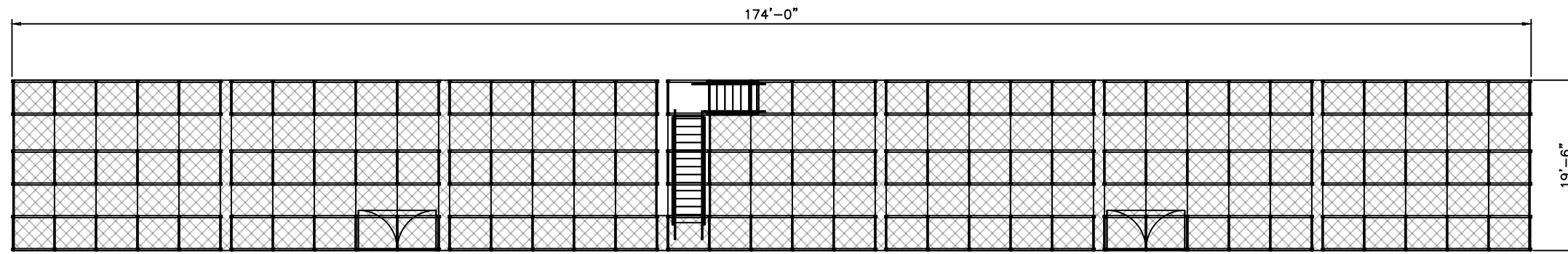
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RICCI LUMBER
PORTSMOUTH, NH
SHEET DESCRIPTION:
3-SIDED SHED
RACK ELEVATION(S)
SHEET NO:
D23-18025-02-RK000-V06

STRC #:
02
SHEET NO:
RK000

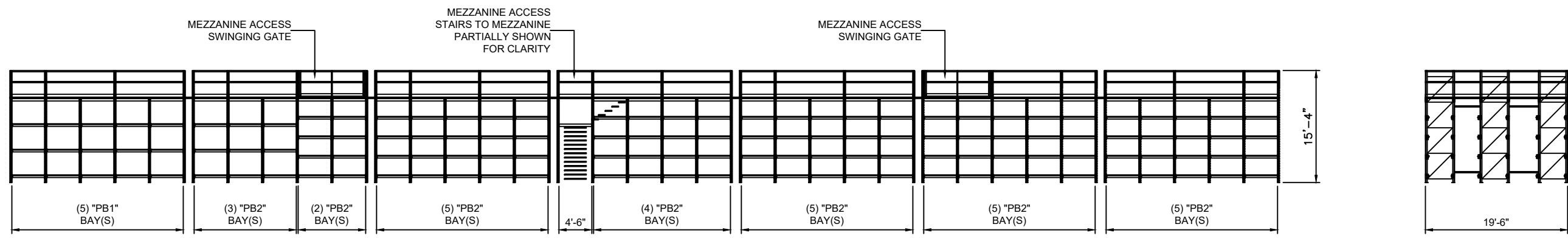
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REV. 03 DATE 06/12/2024 DESCRIPTION PRELIMINARY DESIGN EXAR DRFTCHKD ENG

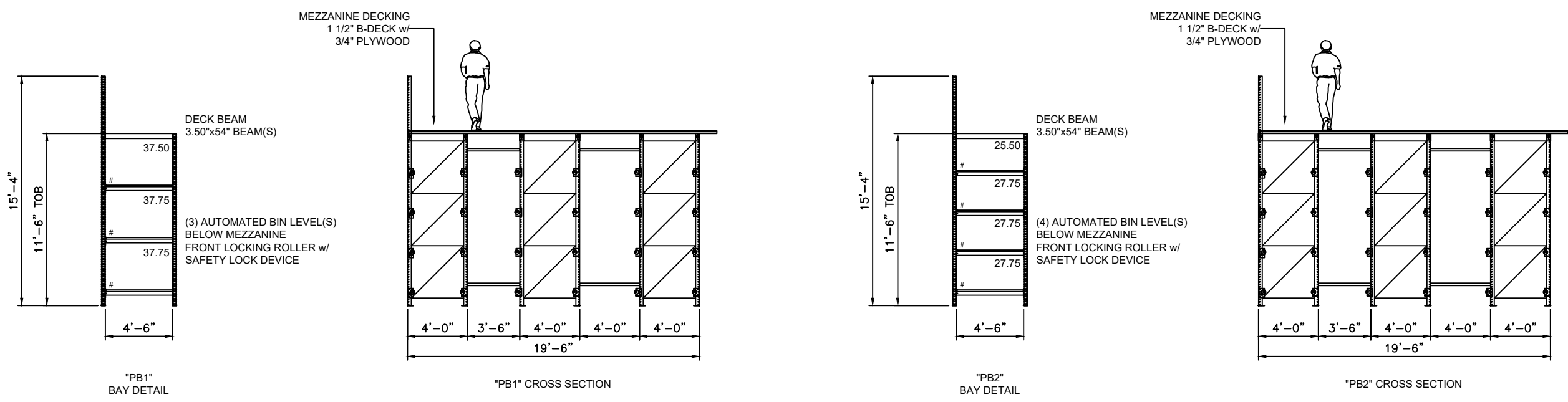
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100 RACK LAYOUT PLAN
RK100 SCALE: 1/8" = 1'-0"



200 FRONT SIDE ELEVATION
RK100 SCALE: 1/8" = 1'-0"



300 BAY DETAIL(S)
RK100 SCALE: 1/4" = 1'-0"

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PROJECT NAME: RICCI LUMBER PORTSMOUTH, NH			PROJECT NUMBER: Q23-18025	
SHEET DESCRIPTION: POWER BIN SYSTEM RACK PLAN & ELEVATION(S)			SHEET NO.: D23-18025-02-RK100-Y06	
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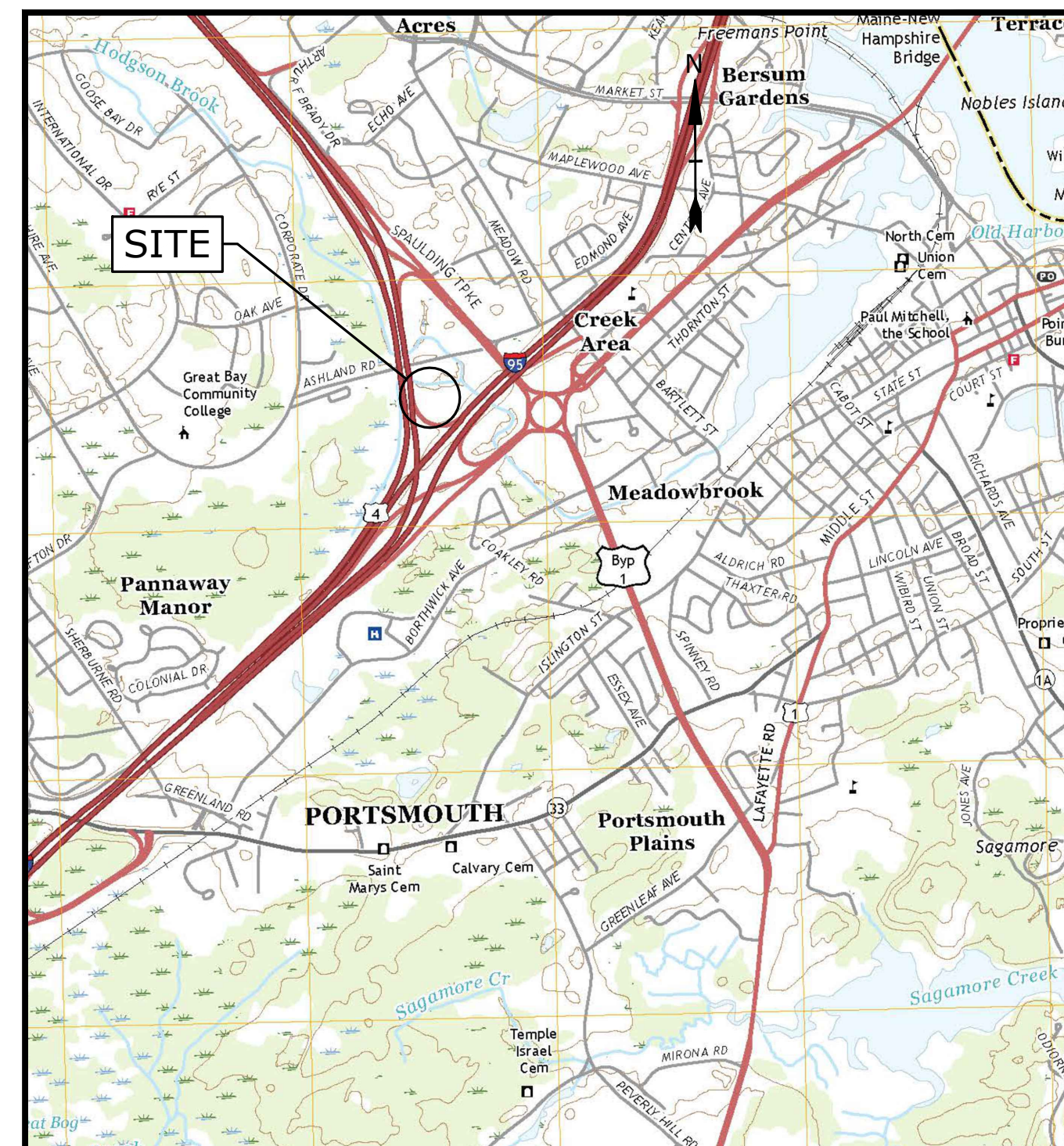
PROPOSED LUMBER SHEDS

105 BARTLETT STREET
PORTSMOUTH, NEW HAMPSHIRE

JULY 22, 2024

LAST REVISED: 08/28/2024

LIST OF DRAWINGS		
SHEET NO.	SHEET TITLE	LAST REVISED
	COVER SHEET	8/28/2024
C-101	EXISTING CONDITIONS AND DEMOLITION PLAN	8/28/2024
C-102	SITE PLAN	8/28/2024
C-103	GRADING, DRAINAGE, EROSION CONTROL, & UTILITY PLAN	8/28/2024
C-501	EROSION CONTROL NOTES AND DETAILS SHEET	8/28/2024
C-502	DETAILS SHEET	8/28/2024
C-503	DETAILS SHEET	8/28/2024



LOCATION MAP
SCALE: 1" = 2000'

PREPARED BY:

Tighe & Bond

177 CORPORATE DRIVE
PORTSMOUTH, NEW HAMPSHIRE 03801
603-433-8818

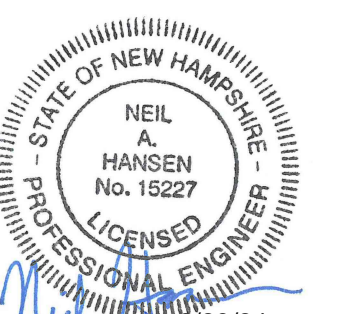
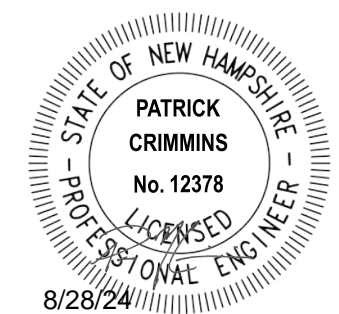
OWNER/APPLICANT:

TAX MAP 157 LOT 2
TAX MAP 164, LOT 1
PORTSMOUTH LUMBER & HARDWARE, LLC
105 BARTLETT STREET
PORTSMOUTH, NH 03801

SURVEYOR:

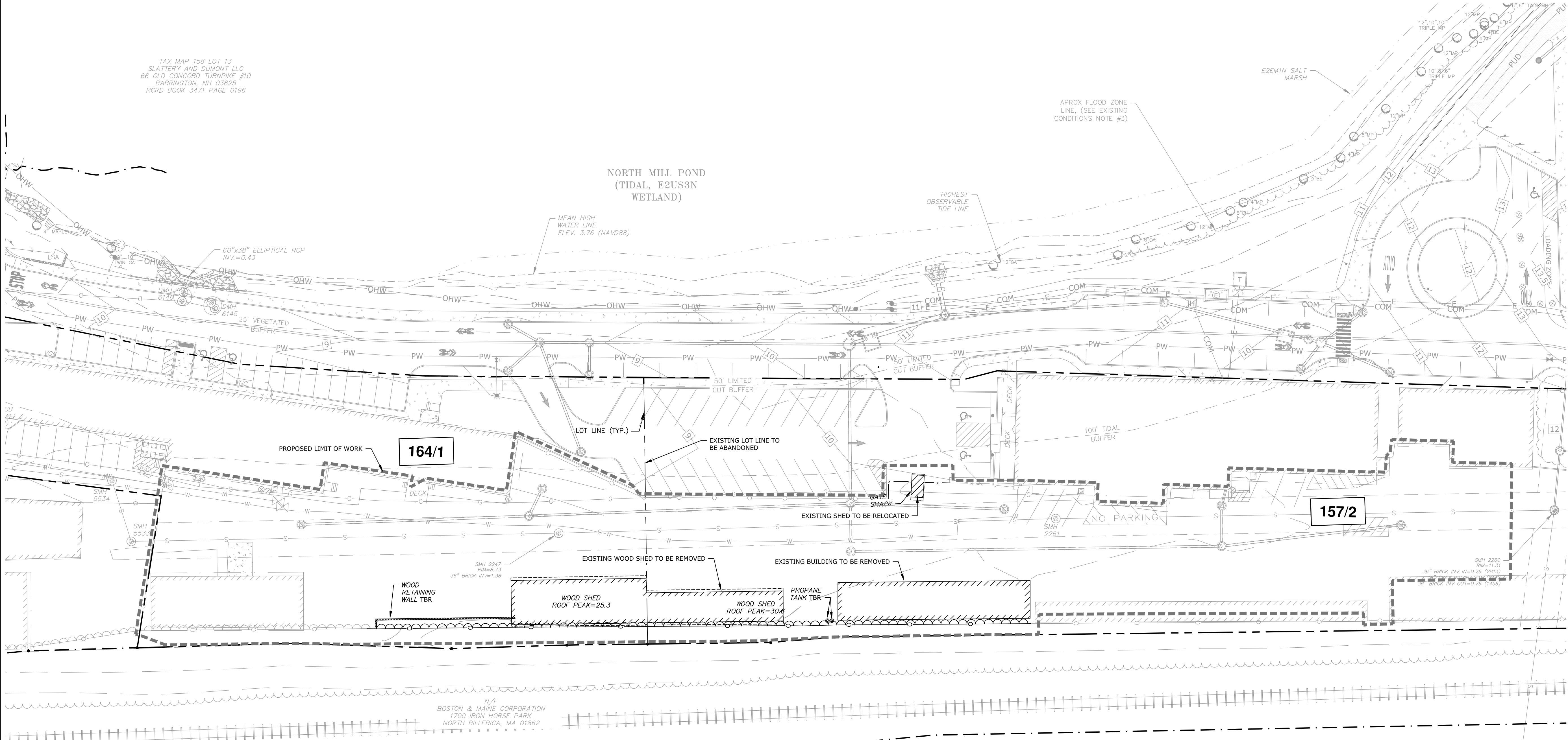
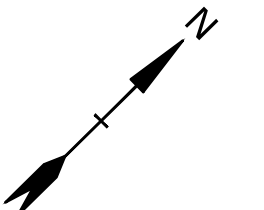
AMBIT ENGINEERING, INC.
200 GRIFFIN ROAD - UNIT 3
PORTSMOUTH, NEW HAMPSHIRE 03801

LIST OF PERMITS		
LOCAL	STATUS	DATE
SITE PLAN REVIEW PERMIT	PENDING	



**PB SUBMISSION
COMPLETE SET 7 SHEETS**

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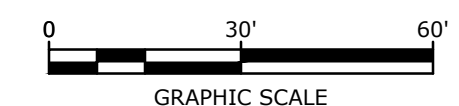
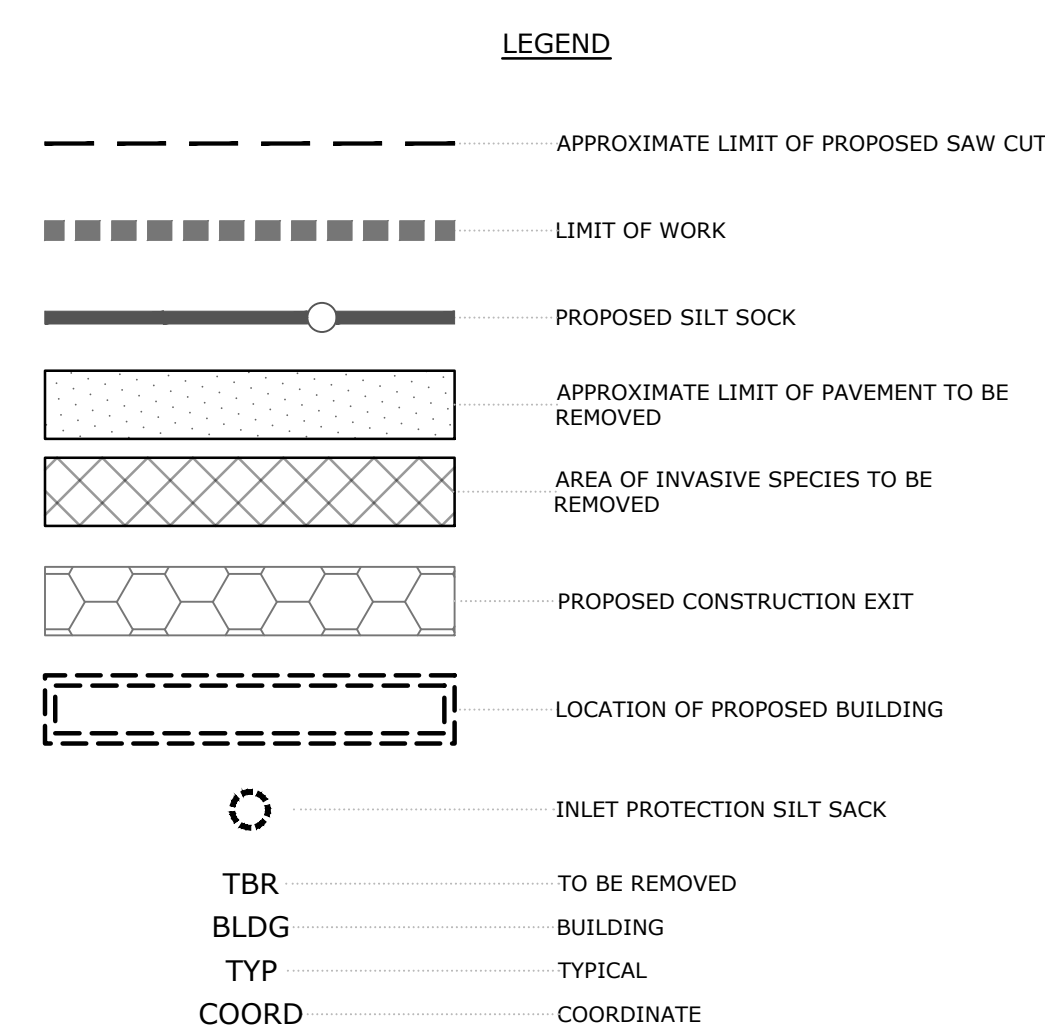
N/F
BOSTON & MAINE CORPORATION
1700 IRON HORSE PARK
NORTH BILLERICA, MA 01862

- EXISTING CONDITIONS PLAN NOTES:**
- EXISTING CONDITIONS ARE BASED ON A FIELD SURVEY BY AMBIT ENGINEERING, INC., DATED 3/5/2018.
 - HIGHEST OBSERVABLE TIDE LINE (HOTL) DELINEATION ORIGINALLY PERFORMED BY STEVEN D. RIKER, CWS #219, ON 8/8/2017, AND FIELD LOCATED BY AMBIT ENGINEERING, INC. ON 8/9/2017, ON OCTOBER 29 AND DECEMBER 2, 2019, LEONARD LORD, PHD, CSS, CWS #014 OF TIGHE & BOND REVIEWED AND ASSESSED 2,000 +/- LINEAR FEET OF TIDAL WETLANDS AND BUFFERS ALONG THE NORTH MILL POND AND DELINEATED THE ISOLATED INLAND WETLAND. THE WETLAND DELINEATION REVIEW WAS BASED ON CRITERIA SPECIFIED IN THE CORPS OF ENGINEERS WETLANDS DELINEATION MANUAL, TECHNICAL REPORT Y-87-1 (JANUARY 1987), AND THE REGIONAL SUPPLEMENT TO THE CORPS OF ENGINEERS WETLAND DELINEATION MANUAL: NORTHCENTRAL AND NORTHEAST REGION (JANUARY 2012). THE HIGHEST OBSERVABLE TIDE LINE WAS REVIEWED BASED ON THE DEFINITION FOUND IN NH DEPARTMENT OF ENVIRONMENTAL SERVICES WETLAND RULES, ENV-WT 602.23. THE HOTL WAS DEEMED ACCURATE AND THE PREVIOUS 2017 DELINEATION WAS ACCEPTED BY TIGHE & BOND. WETLANDS WERE CLASSIFIED BASED ON CLASSIFICATION OF WETLANDS AND DEEPWATER HABITATS OF THE UNITED STATES (COWARDIN ET AL., 1979). ON AUGUST 16, 2023, TIGHE & BOND RE-VERIFIED THE PREVIOUS HOTL AND WETLAND DELINEATIONS BASED ON THE SAME CRITERIA LISTED ABOVE. THE 2017 AND 2019 HOTL AND WETLAND DELINEATION WAS DEEMED ACCURATE AND WAS ACCEPTED AGAIN BY TIGHE & BOND.
 - FLOOD HAZARD ZONES: "AE ELEV. 9" (SPECIAL FLOOD HAZARD AREA) AND "X" (NOT A SPECIAL FLOOD HAZARD AREA), PER FIRM MAP #33015C0259E, DATED 5/17/05.

- REFERENCE PLANS:**
- "PROPOSED SUBDIVISION PLANS, CLIPPER TRADERS, LLC" PREPARED BY AMBIT ENGINEERING, INC., DATED DECEMBER 14, 2018.
 - "PROPOSED LOT LINE RELOCATION PLANS, CLIPPER TRADERS, LLC, PORTSMOUTH LUMBER & HARDWARE, LLC & IRON HORSE PROPERTIES LLC" PREPARED BY AMBIT ENGINEERING, INC., DATED JUNE 22, 2020.
 - "PROPOSED MULTI-FAMILY DEVELOPMENT" PREPARED BY TIGHE & BOND, INC., DATED MARCH 15, 2024.

- DEMOLITION NOTES:**
- EROSION CONTROL MEASURES SHALL BE INSTALLED PRIOR TO THE START OF ANY CLEARING OR DEMOLITION ACTIVITIES.
 - THE LOCATIONS OF UNDERGROUND UTILITIES ARE APPROXIMATE AND THE LOCATIONS ARE NOT GUARANTEED BY THE OWNER OR THE ENGINEER. IT IS THE CONTRACTOR'S RESPONSIBILITY TO LOCATE ALL UTILITIES, ANTICIPATE CONFLICTS, REPAIR EXISTING UTILITIES AND RELOCATE EXISTING UTILITIES REQUIRED TO COMPLETE THE WORK.
 - THE CONTRACTOR SHALL VERIFY LOCATION OF ALL EXISTING UTILITIES. CALL DIG SAFE AT LEAST 72 HOURS PRIOR TO THE COMMENCEMENT OF ANY DEMOLITION/CONSTRUCTION ACTIVITIES.
 - ALL MATERIALS SCHEDULED TO BE REMOVED SHALL BECOME THE PROPERTY OF THE CONTRACTOR UNLESS OTHERWISE SPECIFIED. THE CONTRACTOR SHALL DISPOSE OF ALL MATERIALS OFF-SITE IN ACCORDANCE WITH ALL FEDERAL, STATE, AND LOCAL REGULATIONS, ORDINANCES AND CODES.
 - COORDINATE REMOVAL, RELOCATION, DISPOSAL OR SALVAGE OF UTILITIES WITH THE OWNER AND APPROPRIATE UTILITY COMPANY.
 - ANY EXISTING WORK OR PROPERTY DAMAGED OR DISRUPTED BY CONSTRUCTION/ DEMOLITION ACTIVITIES SHALL BE REPLACED OR REPAIRED TO MATCH ORIGINAL EXISTING CONDITIONS BY THE CONTRACTOR AT NO ADDITIONAL COST TO THE OWNER.
 - SAW CUT AND REMOVE PAVEMENT ONE (1) FOOT OFF PROPOSED EDGE OF PAVEMENT OR EXISTING CURB LINE IN ALL AREAS WHERE PAVEMENT TO BE REMOVED ABUTS EXISTING PAVEMENT OR CONCRETE TO REMAIN.
 - IT IS THE CONTRACTOR'S RESPONSIBILITY TO FAMILIARIZE THEMSELVES WITH THE CONDITIONS OF ALL OF THE PERMIT APPROVALS.

- THE CONTRACTOR SHALL OBTAIN AND PAY FOR ADDITIONAL PERMITS, NOTICES AND FEES NECESSARY TO COMPLETE THE WORK AND ARRANGE FOR AND PAY FOR NECESSARY INSPECTIONS AND APPROVALS FROM THE AUTHORITIES HAVING JURISDICTION.
- THE CONTRACTOR SHALL BE RESPONSIBLE FOR ALL DEMOLITION AND OFF-SITE DISPOSAL OF MATERIALS REQUIRED TO COMPLETE THE WORK, EXCEPT FOR WORK NOTED TO BE COMPLETED BY OTHERS.
- UTILITIES SHALL BE TERMINATED AT THE MAIN LINE PER UTILITY COMPANY STANDARDS. THE CONTRACTOR SHALL REMOVE ALL ABANDONED UTILITIES LOCATED WITHIN THE LIMITS OF WORK.
- CONTRACTOR SHALL VERIFY ORIGIN OF ALL DRAINS AND UTILITIES PRIOR TO REMOVAL/TERMINATION TO DETERMINE IF DRAINS OR UTILITY IS ACTIVE, AND SERVICES ANY ON OR OFF-SITE STRUCTURE TO REMAIN. THE CONTRACTOR SHALL NOTIFY ENGINEER IMMEDIATELY OF ANY SUCH UTILITY FOUND AND SHALL MAINTAIN THESE UTILITIES UNTIL PERMANENT SOLUTION IS IN PLACE.
- PAVEMENT REMOVAL LIMITS ARE SHOWN FOR CONTRACTOR'S CONVENIENCE. ADDITIONAL PAVEMENT REMOVAL MAY BE REQUIRED DEPENDING ON THE CONTRACTOR'S OPERATION. CONTRACTOR TO VERIFY FULL LIMITS OF PAVEMENT REMOVAL PRIOR TO BID.
- THE CONTRACTOR SHALL REMOVE AND DISPOSE OF ALL EXISTING STRUCTURES, CONCRETE PADS, UTILITIES AND PAVEMENT WITHIN THE WORK LIMITS SHOWN UNLESS SPECIFICALLY IDENTIFIED TO REMAIN. ITEMS TO BE REMOVED INCLUDE BUT ARE NOT LIMITED TO: CONCRETE, PAVEMENT, CURBS, LIGHTING, MANHOLES, CATCH BASINS, UNDER GROUND PIPING, POLES, STAIRS, SIGNS, FENCES, RAMPS, WALLS, BOLLARDS, BUILDING SLABS, FOUNDATION, TREES AND LANDSCAPING.
- COORDINATE ALL WORK WITHIN THE PUBLIC RIGHT OF WAYS WITH THE CITY OF PORTSMOUTH.
- REMOVE TREES AND BRUSH AS REQUIRED FOR COMPLETION OF WORK. CONTRACTOR SHALL GRUB AND REMOVE ALL STUMPS WITHIN LIMITS OF WORK AND DISPOSE OF OFF SITE IN ACCORDANCE WITH FEDERAL, STATE, AND LOCAL LAWS AND REGULATIONS.
- CONTRACTOR SHALL PROTECT ALL PROPERTY MONUMENTATION THROUGHOUT DEMOLITION AND CONSTRUCTION OPERATIONS. SHOULD ANY MONUMENTATION BE DISTURBED BY THE CONTRACTOR, THE CONTRACTOR SHALL EMPLOY A NEW HAMPSHIRE LICENSED SURVEYOR TO REPLACE DISTURBED MONUMENTS.
- THE CONTRACTOR SHALL PHASE DEMOLITION AND CONSTRUCTION AS REQUIRED TO PROVIDE CONTINUOUS SERVICE TO EXISTING BUSINESSES AND HOMES THROUGHOUT THE CONSTRUCTION PERIOD. EXISTING BUSINESS AND HOME SERVICES INCLUDE, BUT ARE NOT LIMITED TO ELECTRICAL, COMMUNICATION, FIRE PROTECTION, DOMESTIC WATER AND SEWER SERVICES. TEMPORARY SERVICES, IF REQUIRED, SHALL COMPLY WITH ALL FEDERAL, STATE, LOCAL AND UTILITY COMPANY STANDARDS. CONTRACTOR SHALL PROVIDE DETAILED CONSTRUCTION SCHEDULE TO OWNER PRIOR TO ANY DEMOLITION/CONSTRUCTION ACTIVITIES AND SHALL COORDINATE TEMPORARY SERVICES TO ABUTTERS WITH THE UTILITY COMPANY AND AFFECTED ABUTTER.
- THE CONTRACTOR SHALL PAY ALL COSTS NECESSARY FOR TEMPORARY PARTITIONING, BARRICADING, FENCING, SECURITY AND SAFETY DEVICES REQUIRED FOR THE MAINTENANCE OF A CLEAN AND SAFE CONSTRUCTION SITE.
- SAW CUT AND REMOVE PAVEMENT AND CONSTRUCT PAVEMENT TRENCH PATCH FOR ALL UTILITIES TO BE REMOVED AND PROPOSED UTILITIES LOCATED IN EXISTING PAVEMENT AREAS TO REMAIN.
- THE CONTRACTOR SHALL REMOVE AND SALVAGE EXISTING GRANITE CURB FOR REUSE.
- ALL CONDITIONS ON THIS PLAN SHALL REMAIN IN EFFECT IN PERPETUITY PURSUANT TO THE REQUIREMENTS OF THE SITE PLAN REVIEW REGULATIONS.



PROPOSED LUMBER SHEDS

PORTSMOUTH LUMBER & HARDWARE LLC

105 Bartlett Street
Portsmouth,
New Hampshire

MARK	DATE	DESCRIPTION
B	8/28/2024	PB Submission
A	7/22/2024	TAC Submission

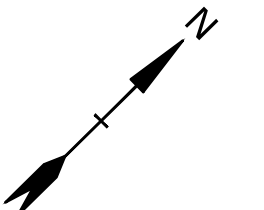
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DATE:	July 22, 2024
FILE:	R-5091-001_C-DSGN.DWG
DRAWN BY:	NHW/CJK
CHECKED:	NAH
APPROVED:	PMC

EXISTING CONDITIONS PLAN

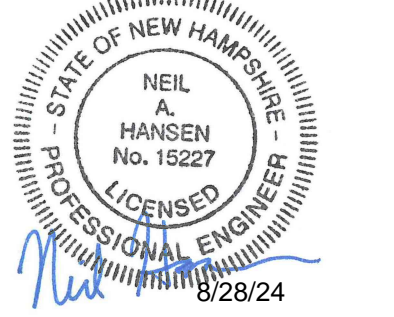
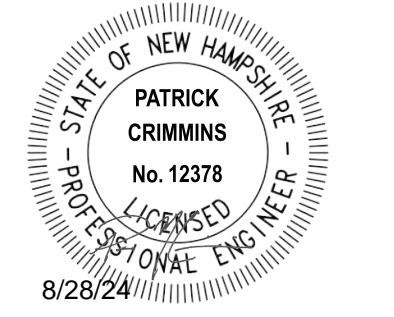
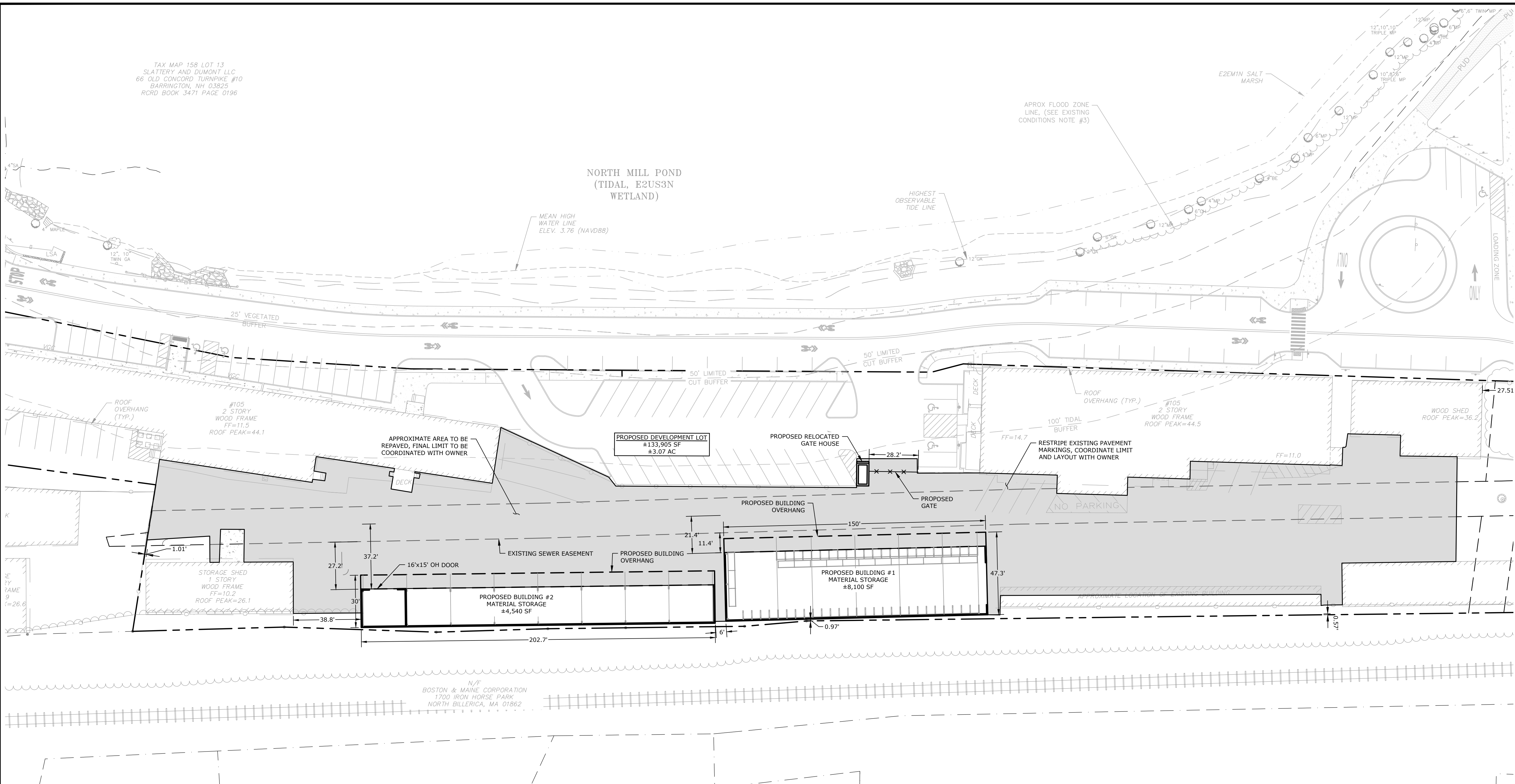
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TAX MAP 158 LOT 13
SLATTERY AND DUMONT LLC
66 OLD CONCORD TURNPIKE #10
BARRINGTON, NH 03825
RCRD BOOK 3471 PAGE 0196



PROPOSED LUMBER SHEDS

PORTSMOUTH LUMBER & HARDWARE LLC

105 Bartlett Street
Portsmouth,
New Hampshire

SITE DATA:

PROJECT LOCATION: TAX MAP 157, LOT 2
TAX MAP 164, LOT 1
105 BARTLETT STREET
PORTSMOUTH, NEW HAMPSHIRE
CHARACTER DISTRICT 4 (CD4-W)
WEST END INCENTIVE OVERLAY DISTRICT
EXISTING USE: LUMBER YARD
PROPOSED USE: LUMBER YARD

DEVELOPMENT STANDARDS

BUILDING PLACEMENT (PRINCIPAL BUILDING):	REQUIRED (CD4-W)	PROPOSED LOT
MAX PRINCIPAL FRONT YARD:	10 FT	5.65 FT
MINIMUM SIDE YARD:	NR	0.97 FT
MINIMUM REAR YARD:	5 FT	27.51 FT
FRONT LOT LINE BUILDOUT:	50% MIN	54%

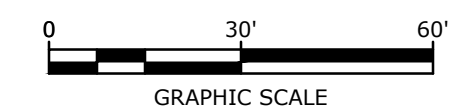
BUILDING AND LOT OCCUPATION:	REQUIRED (CD4-W)	PROPOSED LOT
MAXIMUM BUILDING BLOCK LENGTH:	200 FT	150 FT
MAXIMUM FACADE MODULATION LENGTH:	80 FT	<80 FT
MAXIMUM ENTRANCE SPACING:	50 FT	<50 FT
MAXIMUM BUILDING COVERAGE:	60%	≈37.45%
MAXIMUM BUILDING FOOTPRINT:	15,000 SF	11,760 SF
MINIMUM LOT AREA:	5,000 SF	113,905 SF
MINIMUM OPEN SPACE:	15%	62.55%

SITE NOTES:

- STRIPE PARKING AREAS AS SHOWN, INCLUDING PARKING SPACES, STOP BARS, ADA SYMBOLS, PAINTED ISLANDS, CROSS WALKS, ARROWS, LEGENDS AND CENTERLINES. ALL TRAFFIC PAINT SHALL MEET THE REQUIREMENTS OF AASHTO M248 TYPE "F". THERMOPLASTIC MATERIAL SHALL MEET THE REQUIREMENTS OF AASHTO M249. (ALL MARKINGS EXCEPT CENTERLINE AND MEDIAN ISLANDS TO BE CONSTRUCTED USING WHITE TRAFFIC PAINT. CENTERLINE AND MEDIAN ISLANDS TO BE CONSTRUCTED USING YELLOW TRAFFIC PAINT.)
- ALL PAVEMENT MARKINGS AND SIGNS TO CONFORM TO "MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES", "STANDARD ALPHABETS FOR HIGHWAY SIGNS AND PAVEMENT MARKINGS", AND THE AMERICANS WITH DISABILITIES ACT REQUIREMENTS, LATEST EDITIONS.
- SEE DETAILS FOR PARKING STALL MARKINGS, ADA SYMBOLS, SIGNS AND SIGN POSTS.
- CENTERLINES SHALL BE FOUR (4) INCH WIDE YELLOW LINES. STOP BARS SHALL BE EIGHTEEN (18) INCHES WIDE.
- PAINTED ISLANDS SHALL BE FOUR (4) INCH WIDE DIAGONAL LINES AT 3'-0" O.C. BORDERED BY FOUR (4) INCH WIDE LINES.
- THE CONTRACTOR SHALL EMPLOY A NEW HAMPSHIRE LICENSED LAND SURVEYOR TO DETERMINE ALL LINES AND GRADES.
- CLEAN AND COAT VERTICAL FACE OF EXISTING PAVEMENT AT SAW CUT LINE WITH RS-1 EMULSION IMMEDIATELY PRIOR TO PLACING NEW BITUMINOUS CONCRETE.
- ALL MATERIALS AND CONSTRUCTION SHALL CONFORM WITH APPLICABLE FEDERAL, STATE, AND LOCAL CODES & SPECIFICATIONS.
- COORDINATE ALL WORK WITHIN PUBLIC RIGHT OF WAY WITH THE CITY OF PORTSMOUTH.
- CONTRACTOR TO SUBMIT AS-BUILT PLANS IN DIGITAL FORMAT (.DWG AND .PDF FILES) ON DISK TO THE OWNER AND ENGINEER UPON COMPLETION OF THE PROJECT. AS-BUILTS SHALL BE PREPARED AND CERTIFIED BY A NEW HAMPSHIRE LICENSED LAND SURVEYOR.
- SEE BUILDING DRAWINGS FOR ALL CONCRETE PADS & SIDEWALKS ADJACENT TO BUILDING.
- ALL WORK SHALL CONFORM TO THE CITY OF PORTSMOUTH DEPARTMENT OF PUBLIC WORKS, STANDARD SPECIFICATIONS AND WITH THE STATE OF NEW HAMPSHIRE DEPARTMENT OF TRANSPORTATION, "STANDARD SPECIFICATIONS FOR ROAD AND BRIDGE CONSTRUCTION", CURRENT EDITION.
- CONTRACTOR TO PROVIDE BACKFILL AND COMPACTION AT CURB LINE AFTER CONCRETE FORMS FOR SIDEWALKS AND PADS HAVE BEEN STRIPPED. COORDINATE WITH BUILDING CONTRACTOR.
- COORDINATE ALL WORK ADJACENT TO BUILDING WITH BUILDING CONTRACTOR.
- THE PROPERTY MANAGER WILL BE RESPONSIBLE FOR TIMELY SNOW REMOVAL FROM ALL PRIVATE SIDEWALKS, DRIVEWAYS, AND PARKING AREAS. SNOW REMOVAL WILL BE HAULED OFF-SITE AND LEGALLY DISPOSED OF WHEN SNOW BANKS EXCEED 3 FEET IN HEIGHT.
- ALL DIMENSIONS ARE TO THE FACE OF CURB UNLESS OTHERWISE NOTED.
- ALL CONDITIONS ON THIS PLAN SHALL REMAIN IN EFFECT IN PERPETUITY PURSUANT TO THE REQUIREMENTS OF THE SITE PLAN REVIEW REGULATIONS.
- THIS SITE PLAN SHALL BE RECORDED IN THE ROCKINGHAM COUNTY REGISTRY OF DEEDS. ALL IMPROVEMENTS SHOWN ON THIS SITE PLAN SHALL BE CONSTRUCTED AND MAINTAINED IN ACCORDANCE WITH THE PLAN BY THE PROPERTY OWNER AND ALL FUTURE PROPERTY OWNERS. NO CHANGES SHALL BE MADE TO THIS SITE PLAN WITHOUT THE EXPRESS APPROVAL OF THE PORTSMOUTH PLANNING DIRECTOR.

LEGEND

	PROPERTY LINE
	PROPOSED EDGE OF PAVEMENT
	PROPOSED CURB
	PROPOSED BUILDING
	PROPOSED PAVEMENT SECTION
	PROPOSED CONCRETE SIDEWALK
	PROPOSED BOLLARD
	BLDG
	TYP
	COORD



MARK	DATE	DESCRIPTION
B	8/28/2024	PB Submission
A	7/22/2024	TAC Submission

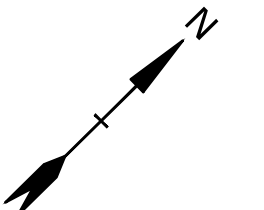
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DATE:	July 22, 2024
FILE:	R-5091-001_C-DSGN.DWG
DRAWN BY:	NHW/CJK
CHECKED:	NAH
APPROVED:	PMC

SITE PLAN

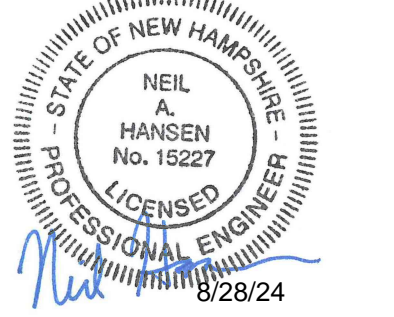
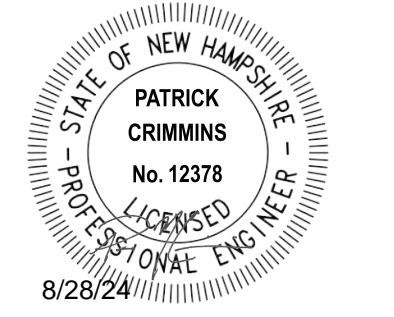
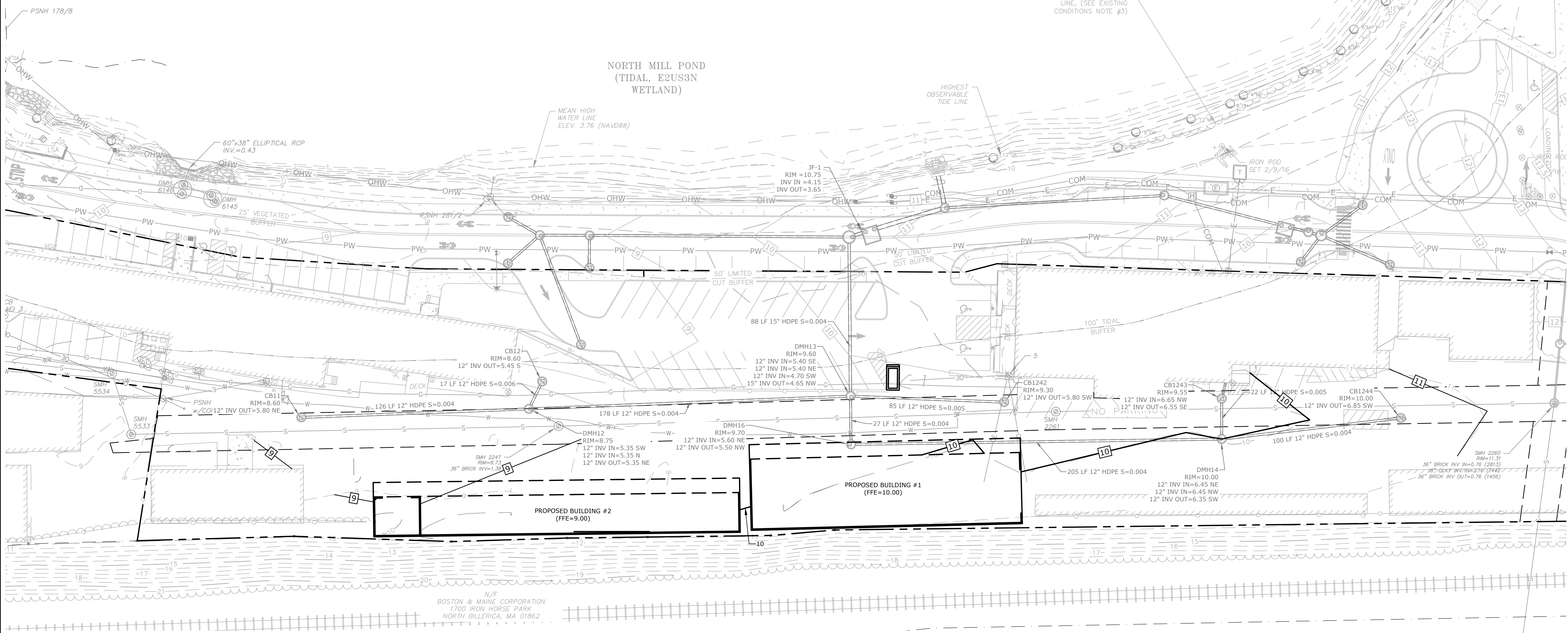
SCALE: AS SHOWN

C-102

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Plotted On: Aug 27, 2024 8:48am By: NW/cock
Tighe & Bond: 2:14:53 PM 8/28/24 Rcd Lumber Sheds Drawings AutoCAD: R-5091-001_C-DSGN.dwg



TAX MAP 158 LOT 13
SLATTERY AND DUMONT LLC
66 OLD CONCORD TURNPIKE #10
BARRINGTON, NH 03825
RCRD BOOK 3471 PAGE 0196



PROPOSED LUMBER SHEDS

PORTSMOUTH LUMBER & HARDWARE LLC

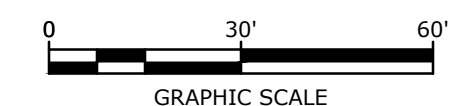
105 Bartlett Street
Portsmouth,
New Hampshire

- GRADING AND DRAINAGE NOTES:**
1. COMPACTION REQUIREMENTS:
BELOW PAVED OR CONCRETE AREAS 95%
TRENCH BEDDING MATERIAL AND SAND BLANKET BACKFILL 95%
BELOW LOAM AND SEED AREAS 90%
* ALL PERCENTAGES OF COMPACTION SHALL BE OF THE MAXIMUM DRY DENSITY AT THE OPTIMUM MOISTURE CONTENT AS DETERMINED AND CONTROLLED IN ACCORDANCE WITH ASTM D-1557, METHOD C FIELD DENSITY TESTS SHALL BE MADE IN ACCORDANCE WITH ASTM D-1556 OR ASTM-2922.
 2. ALL STORM DRAINAGE PIPES SHALL BE HIGH DENSITY POLYETHYLENE (HANCOR HI-Q, ADS N-12 OR EQUAL), UNLESS OTHERWISE SPECIFIED.
 3. SEE UTILITY PLAN FOR ALL SITE UTILITY INFORMATION.
 4. ADJUST ALL MANHOLES, CATCH BASINS, CURB BOXES, ETC. WITHIN LIMITS OF WORK TO FINISH GRADE.
 5. CONTRACTOR SHALL PROVIDE A FINISH PAVEMENT SURFACE AND LAWN AREAS FREE OF LOW SPOTS AND PONDING AREAS. CRITICAL AREAS INCLUDE BUILDING ENTRANCES, EXITS, RAMPS AND LOADING DOCK AREAS ADJACENT TO THE BUILDING.
 6. CONTRACTOR SHALL THOROUGHLY CLEAN ALL CATCH BASINS AND DRAIN LINES, WITHIN THE LIMIT OF WORK, OF SEDIMENT IMMEDIATELY UPON COMPLETION OF CONSTRUCTION.
 7. ALL MATERIALS AND CONSTRUCTION SHALL CONFORM WITH APPLICABLE FEDERAL, STATE AND LOCAL CODES.
 8. ALL DISTURBED AREAS NOT TO BE PAVED OR OTHERWISE TREATED SHALL RECEIVE 6" LOAM, SEED FERTILIZER AND MULCH.
 9. ALL STORM DRAIN CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE NHDOT STANDARD SPECIFICATIONS FOR HIGHWAYS AND BRIDGES, LATEST EDITION.
 10. ALL PROPOSED CATCH BASINS SHALL BE EQUIPPED WITH OIL/GAS SEPARATOR HOODS AND 4' SUMPS.
 11. ALL WORK SHALL CONFORM TO THE CITY OF PORTSMOUTH DEPARTMENT OF PUBLIC WORKS, STANDARD SPECIFICATIONS AND WITH THE STATE OF NEW HAMPSHIRE DEPARTMENT OF TRANSPORTATION, "STANDARD SPECIFICATIONS OF ROAD AND BRIDGE CONSTRUCTION", CURRENT EDITION.
 12. CONTRACTOR TO SUBMIT AS-BUILT PLANS IN DIGITAL FORMAT (.DWG AND .PDF FILES) ON DISK TO THE OWNER AND ENGINEER UPON COMPLETION OF THE PROJECT. AS-BUILTS SHALL BE PREPARED AND CERTIFIED BY A NEW HAMPSHIRE LICENSED LAND SURVEYOR.
 13. SEE EXISTING CONDITIONS PLAN FOR BENCH MARK INFORMATION.
 14. CONTRACTOR SHALL VERIFY INVERTS OF EXISTING DRAIN LINES AND STRUCTURES AT PROPOSED DRAINAGE CONNECTION LOCATIONS PRIOR TO CONSTRUCTION AND IMMEDIATELY NOTIFY ENGINEER OF ANY DISCREPANCIES.

- EROSION CONTROL NOTES:**
1. INSTALL EROSION CONTROL BARRIERS AS SHOWN AS FIRST ORDER OF WORK.
 2. SEE GENERAL EROSION CONTROL NOTES ON "EROSION CONTROL NOTES & DETAILS SHEET".
 3. PROVIDE INLET PROTECTION AROUND ALL EXISTING AND PROPOSED CATCH BASIN INLETS WITHIN THE WORK LIMITS AS WELL AS CATCH BASINS/CURB INLETS THAT RECEIVE RUNOFF FROM CONSTRUCTION ACTIVITIES. MAINTAIN FOR THE DURATION OF THE PROJECT.
 4. INSTALL STABILIZED CONSTRUCTION EXIT(S).
 5. INSPECT INLET PROTECTION AND PERIMETER EROSION CONTROL MEASURES DAILY AND AFTER EACH RAIN STORM OF 0.25 INCH OR GREATER. REPAIR/MODIFY PROTECTION AS NECESSARY TO MAXIMIZE EFFICIENCY OF FILTER. REPLACE ALL FILTERS WHEN SEDIMENT IS 1/3 THE FILTER HEIGHT.
 6. ALL DISTURBED AREAS NOT TO BE PAVED OR OTHERWISE TREATED SHALL RECEIVE 6" LOAM, SEED, FERTILIZER AND MULCH.
 7. CONSTRUCT EROSION CONTROL BLANKET ON ALL SLOPES STEEPER THAN 3:1.
 8. PRIOR TO ANY WORK OR SOIL DISTURBANCE COMMENCING ON THE SUBJECT PROPERTY, INCLUDING MOVING OF EARTH, THE APPLICANT SHALL INSTALL ALL EROSION AND SILTATION MITIGATION AND CONTROL MEASURES AS REQUIRED BY STATE AND LOCAL PERMITS AND APPROVALS.
 9. CONTRACTOR SHALL BE RESPONSIBLE TO CONTROL DUST AND WIND EROSION THROUGHOUT THE CONSTRUCTION PERIOD. DUST CONTROL MEASURES SHALL INCLUDE, BUT ARE NOT LIMITED TO, SPRINKLING WATER ON UNSTABLE SOILS SUBJECT TO ARID CONDITIONS.
 10. THE CONTRACTOR SHALL REMOVE AND PROPERLY DISPOSE OF ALL TEMPORARY EROSION CONTROL DEVICES UPON COMPLETION OF CONSTRUCTION.
 11. ALL CATCH BASIN SUMPS AND PIPING SHALL BE THOROUGHLY CLEANED TO REMOVE ALL SEDIMENT AND DEBRIS AFTER THE PROJECT HAS BEEN FULLY PAVED.
 12. TEMPORARY SOIL STOCKPILE SHALL BE SURROUNDED WITH PERIMETER CONTROLS AND SHALL BE STABILIZED BY TEMPORARY EROSION CONTROL SEEDING. STOCKPILE AREAS TO BE LOCATED OUTSIDE THE 100' WETLAND BUFFER.
 13. SAFETY FENCING SHALL BE PROVIDED AROUND STOCKPILES OVER 10 FT.
 14. CONCRETE TRUCKS WILL BE REQUIRED TO WASH OUT (IF NECESSARY) SHOOT ONLY WITHIN AREAS WHERE CONCRETE HAS BEEN PLACED. NO OTHER WASH OUT WILL BE ALLOWED.
 15. ALL CONDITIONS ON THIS PLAN SHALL REMAIN IN EFFECT IN PERPETUITY PURSUANT TO THE REQUIREMENTS OF THE SITE PLAN REVIEW REGULATIONS.

LEGEND

	PROPOSED MAJOR CONTOUR LINE
	PROPOSED MINOR CONTOUR LINE
	PROPOSED DRAIN LINE (TYP)
	PROPOSED UNDERDRAIN
	PROPOSED SILT SOCK
	INLET PROTECTION SILT SACK
	PROPOSED CATCHBASIN
	PROPOSED DOUBLE GRATE CATCHBASIN
	PROPOSED DRAIN MANHOLE
	PROPOSED YARD DRAIN
	BUILDING
	TYPICAL
	COORDINATE
	TOP OF CURB
	BOTTOM OF CURB
	HEADWALL



Last Saved: 8/27/2024
Plotted On: Aug 27, 2024 8:51am By: NW/loc
Tighe & Bond: 2:14:50:01 Rcd Lumber Sheds Drawings AutoCAD: 5091_001_C-DSGN.dwg

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FILE:	R-5091-001_C-DSGN.DWG	
DRAWN BY:	NHW/CJK	
CHECKED:	NAH	
APPROVED:	PMC	

GRADING, DRAINAGE,
EROSION CONTROL, &
UTILITY PLAN

SCALE: AS SHOWN

GENERAL PROJECT INFORMATION

PROJECT APPLICANT: PORTSMOUTH LUMBER & HARDWARE LLC
PROJECT NAME: PROPOSED LUMBER SHEDS
PROJECT MAP / LOT: TAX MAP 157, LOT 2
PROJECT ADDRESS: 105 BARTLETT STREET
PROJECT LATITUDE: 43°-04'-20" N
PROJECT LONGITUDE: 70°-46'-15" W

PROJECT DESCRIPTION

THE PROJECT CONSISTS OF DEMOLISHING THREE (3) EXISTING LUMBER AND MILLWORK STORAGE BUILDINGS AND CONSTRUCTING THREE (3) NEW LUMBER AND MILLWORK STORAGE BUILDINGS, ALONG WITH REPLACING THE EXISTING GATE HOUSE.

DISTURBED AREA

THE TOTAL AREA TO BE DISTURBED IS APPROXIMATELY 0.89 ACRES.

SOIL CHARACTERISTICS

BASED ON THE SITE SPECIFIC SOIL SURVEY CONDUCTED BY LEONARD LORD, PHD, CSS, CSW ON OCTOBER 29 AND DECEMBER 2, 2019, THE SOILS ON SITE CONSIST OF URBAN FILLS WITH A HYDROLOGIC SOIL GROUP RATING OF A TO D.

NAME OF RECEIVING WATERS

THE STORMWATER RUNOFF FROM THE SITE WILL BE DISCHARGED VIA SUBSURFACE DRAINAGE WHICH ULTIMATELY FLOWS TO NORTH MILL POND.

CONSTRUCTION SEQUENCE OF MAJOR ACTIVITIES:

- 1. CUT AND CLEAR TREES.
2. CONSTRUCT TEMPORARY AND PERMANENT SEDIMENT, EROSION AND DETENTION CONTROL FACILITIES.
3. ANY EARTH MOVING OPERATIONS THAT WILL INFLUENCE STORMWATER RUNOFF SUCH AS:
4. CLEAR AND DISPOSE OF DEBRIS.
5. CONSTRUCT TEMPORARY CULVERTS AND DIVERSION CHANNELS AS REQUIRED.
6. GRADE AND GRAVEL ROADWAYS AND PARKING AREAS - ALL ROADS AND PARKING AREA SHALL BE STABILIZED WITHIN 72 HOURS OF ACHIEVING FINISHED GRADE.
7. BEGIN PERMANENT AND TEMPORARY SEEDING AND MULCHING.
8. DAILY, OR AS REQUIRED, CONSTRUCT TEMPORARY BERMS, DRAINS, DITCHES, PERIMETER EROSION CONTROL MEASURES, SEDIMENT TRAPS, ETC., MULCH AND SEED AS REQUIRED.
9. SEDIMENT TRAPS AND/OR BASINS SHALL BE USED AS NECESSARY TO CONTAIN RUNOFF UNTIL SOILS ARE STABILIZED.
10. FINISH PAVING ALL ROADWAYS AND PARKING LOTS.
11. INSPECT AND MAINTAIN ALL EROSION AND SEDIMENT CONTROL MEASURES.
12. COMPLETE PERMANENT SEEDING AND LANDSCAPING.
13. REMOVE TRAPPED SEDIMENTS FROM COLLECTOR DEVICES AS APPROPRIATE AND THEN REMOVE TEMPORARY EROSION CONTROL MEASURES.

SPECIAL CONSTRUCTION NOTES:

- 1. THE CONSTRUCTION SEQUENCE MUST LIMIT THE DURATION AND AREA OF DISTURBANCE.
2. THE PROJECT IS TO BE MANAGED IN A MANNER THAT MEETS THE REQUIREMENTS AND INTENT OF RSA 430:53 AND CHAPTER AGR 3800 RELATIVE TO INVASIVE SPECIES.

EROSION CONTROL NOTES:

- 1. ALL EROSION CONTROL MEASURES AND PRACTICES SHALL CONFORM TO THE "NEW HAMPSHIRE STORMWATER MANUAL VOLUME 3: EROSION AND SEDIMENT CONTROLS DURING CONSTRUCTION" PREPARED BY THE NHDES.
2. PRIOR TO ANY WORK OR SOIL DISTURBANCE, CONTRACTOR SHALL SUBMIT SHOP DRAWINGS FOR EROSION CONTROL MEASURES AS REQUIRED IN THE PROJECT MANUAL.
3. CONTRACTOR SHALL INSTALL TEMPORARY EROSION CONTROL BARRIERS, INCLUDING HAY BALES, SILT FENCES, MULCH BERMS, SILT SACKS AND SILT SOCKS AS SHOWN IN THESE DRAWINGS AS THE FIRST ORDER OF WORK.
4. SILT SACK INLET PROTECTION SHALL BE INSTALLED IN ALL EXISTING AND PROPOSED CATCH BASIN INLETS WITHIN THE WORK LIMITS AND BE MAINTAINED FOR THE DURATION OF THE PROJECT.
5. PERIMETER CONTROLS INCLUDING SILT FENCES, MULCH BERM, SILT SOCK, AND/OR HAY BALE BARRIERS SHALL BE MAINTAINED FOR THE DURATION OF THE PROJECT UNTIL NON-PAVED AREAS HAVE BEEN STABILIZED.
6. THE CONTRACTOR SHALL REMOVE AND PROPERLY DISPOSE OF ALL TEMPORARY EROSION CONTROL DEVICES UPON COMPLETION OF CONSTRUCTION.
7. ALL DISTURBED AREAS NOT OTHERWISE BEING TREATED SHALL RECEIVE 6" LOAM, SEED AND FERTILIZER.
8. INSPECT ALL INLET PROTECTION AND PERIMETER CONTROLS WEEKLY AND AFTER EACH RAIN STORM OF 0.25 INCH OR GREATER.
9. CONSTRUCT EROSION CONTROL BLANKETS ON ALL SLOPES STEEPER THAN 3:1.

STABILIZATION:

- 1. AN AREA SHALL BE CONSIDERED STABLE WHEN ONE OF THE FOLLOWING HAS OCCURRED:
A. BASE COURSE GRAVELS HAVE BEEN INSTALLED IN AREAS TO BE PAVED;
B. A MINIMUM OF 85% VEGETATED GROWTH HAS BEEN ESTABLISHED;
C. A MINIMUM OF 3" OF NON-EROSIVE MATERIAL SUCH AS STONE OR RIPRAP HAS BEEN INSTALLED;
D. EROSION CONTROL BLANKETS HAVE BEEN PROPERLY INSTALLED.;
E. IN AREAS TO BE PAVED, "STABLE" MEANS THAT BASE COURSE GRAVELS MEETING THE REQUIREMENTS OF NHDOT STANDARD FOR ROAD AND BRIDGE CONSTRUCTION, 2016, ITEM 304.2 HAVE BEEN INSTALLED.
2. WINTER STABILIZATION PRACTICES:
A. ALL PROPOSED VEGETATED AREAS THAT DO NOT EXHIBIT A MINIMUM OF 85 PERCENT VEGETATIVE GROWTH BY OCTOBER 15, OR WHICH ARE DISTURBED AFTER OCTOBER 15, SHALL BE STABILIZED BY SEEDING AND INSTALLING EROSION CONTROL BLANKETS ON SLOPES GREATER THAN 3:1, AND SEEDING AND PLACING 3 TO 4 TONS OF MULCH PER ACRE, SECURED WITH ANCHORED NETTING, ELSEWHERE.
3. STABILIZATION SHALL BE INITIATED ON ALL LOAM STOCKPILES, AND DISTURBED AREAS, WHERE CONSTRUCTION ACTIVITY SHALL NOT OCCUR FOR MORE THAN TWENTY-ONE (21) CALENDAR DAYS BY THE FOURTEENTH (14TH) DAY AFTER CONSTRUCTION ACTIVITY HAS PERMANENTLY OR TEMPORARILY CEASED IN THAT AREA.
4. ALL AREAS SHALL BE STABILIZED WITHIN 45 DAYS OF INITIAL DISTURBANCE.
5. WHEN CONSTRUCTION ACTIVITY PERMANENTLY OR TEMPORARILY CEASES WITHIN 100 FEET OF NEARBY SURFACE WATERS OR DELINEATED WETLANDS, THE AREA SHALL BE STABILIZED WITHIN SEVEN (7) DAYS OR PRIOR TO A RAIN EVENT.
6. ALL AREAS SHALL BE STABILIZED WITHIN SEVEN (7) DAYS OR PRIOR TO A RAIN EVENT.
7. ALL AREAS SHALL BE STABILIZED WITHIN SEVEN (7) DAYS OR PRIOR TO A RAIN EVENT.
8. ALL AREAS SHALL BE STABILIZED WITHIN SEVEN (7) DAYS OR PRIOR TO A RAIN EVENT.
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11. ALL AREAS SHALL BE STABILIZED WITHIN SEVEN (7) DAYS OR PRIOR TO A RAIN EVENT.
12. ALL AREAS SHALL BE STABILIZED WITHIN SEVEN (7) DAYS OR PRIOR TO A RAIN EVENT.

- 6. DURING CONSTRUCTION, RUNOFF WILL BE DIVERTED AROUND THE SITE WITH EARTH DIKES, PIPING OR STABILIZED CHANNELS WHERE POSSIBLE.
DUST CONTROL:
1. THE CONTRACTOR SHALL BE RESPONSIBLE TO CONTROL DUST THROUGHOUT THE CONSTRUCTION PERIOD.
2. DUST CONTROL METHODS SHALL INCLUDE, BUT BE NOT LIMITED TO SPRINKLING WATER ON EXPOSED AREAS, COVERING LOADED DUMP TRUCKS LEAVING THE SITE, AND TEMPORARY MULCHING.
3. DUST CONTROL MEASURES SHALL BE UTILIZED SO AS TO PREVENT THE MIGRATION OF DUST FROM THE SITE TO ADJACENT AREAS.

STOCKPILES:

- 1. LOCATE STOCKPILES A MINIMUM OF 50 FEET AWAY FROM CATCH BASINS, SWALES, AND CULVERTS.
2. ALL STOCKPILES SHOULD BE SURROUNDED WITH TEMPORARY EROSION CONTROL MEASURES PRIOR TO THE ONSET OF PRECIPITATION.
3. PERIMETER BARRIERS SHOULD BE MAINTAINED AT ALL TIMES, AND ADJUSTED AS NEEDED TO ACCOMMODATE THE DELIVERY AND REMOVAL OF MATERIALS FROM THE STOCKPILE.
4. THE INTEGRITY OF THE BARRIER SHOULD BE INSPECTED AT THE END OF EACH WORKING DAY.
5. PROTECT ALL STOCKPILES FROM STORMWATER RUN-OFF USING TEMPORARY EROSION CONTROL MEASURES SUCH AS BERMS, SILT SOCK, OR OTHER APPROVED PRACTICE TO PREVENT MIGRATION OF MATERIAL BEYOND THE IMMEDIATE CONFINES OF THE STOCKPILES.

OFF SITE VEHICLE TRACKING:

- 1. THE CONTRACTOR SHALL CONSTRUCT STABILIZED CONSTRUCTION ENTRANCE(S) PRIOR TO ANY EXCAVATION ACTIVITIES.

VEGETATION:

- 1. TEMPORARY GRASS COVER:
A. SEEDBED PREPARATION:
a. APPLY FERTILIZER AT THE RATE OF 600 POUNDS PER ACRE OF 10-10-10.
b. SEEDING:
a. UTILIZE ANNUAL RYE GRASS AT A RATE OF 40 LBS/ACRE;
b. WHERE THE SOIL HAS BEEN COMPACTED BY CONSTRUCTION OPERATIONS, LOOSEN SOIL TO A DEPTH OF TWO (2) INCHES BEFORE APPLYING FERTILIZER, LIME AND SEED;
c. MAINTENANCE:
a. TEMPORARY SEEDING SHALL BE PERIODICALLY INSPECTED.
2. VEGETATIVE PRACTICE:
A. FOR PERMANENT MEASURES AND PLANTINGS:
a. LIMESTONE SHALL BE THOROUGHLY INCORPORATED INTO THE LOAM LAYER AT A RATE OF THREE (3) TONS PER ACRE IN ORDER TO PROVIDE A PH VALUE OF 5.5 TO 6.5;
b. FERTILIZER SHALL BE SPREAD ON THE TOP LAYER OF LOAM AND WORKED INTO THE SURFACE.
c. SOIL CONDITIONERS AND FERTILIZER SHALL BE APPLIED AT THE RECOMMENDED RATES AND SHALL BE THOROUGHLY WORKED INTO THE LOAM.
d. SEED SHALL BE SOWN AT THE RATE SHOWN BELOW.
e. HAY MULCH SHALL BE APPLIED IMMEDIATELY AFTER SEEDING AS INDICATED ABOVE;
f. THE SURFACE SHALL BE WATERED AND KEPT MOIST WITH A FINE SPRAY AS REQUIRED;
g. THE CONTRACTOR SHALL PROTECT AND MAINTAIN THE SEEDED AREAS UNTIL ACCEPTED;
h. A GRASS SEED MIXTURE CONTAINING THE FOLLOWING SEED REQUIREMENTS SHALL BE APPLIED AT THE INDICATED RATE:
SEED MIX APPLICATION RATE
CREEPING RED FESCUE 20 LBS/ACRE
TALL FESCUE 20 LBS/ACRE
REDTOP 2 LBS/ACRE
IN NO CASE SHALL THE WEED CONTENT EXCEED ONE (1) PERCENT BY WEIGHT.
3. DORMANT SEEDING (SEPTEMBER 15 TO FIRST SNOWFALL):
A. FOLLOW PERMANENT MEASURES SLOPE, LIME, FERTILIZER AND GRADING REQUIREMENTS.
B. APPLY SEED MIXTURE AT TWICE THE INDICATED RATE.
C. CONCRETE WASHOUT AREA:
1. THE FOLLOWING ARE THE ONLY NON-STORMWATER DISCHARGES ALLOWED.
A. THE CONCRETE DELIVERY TRUCKS SHALL, WHENEVER POSSIBLE, USE WASHOUT FACILITIES AT THEIR OWN PLANT OR DISPATCH FACILITY;
B. IF IT IS NECESSARY, SITE CONTRACTOR SHALL DESIGNATE SPECIFIC WASHOUT AREAS AND DESIGN FACILITIES TO HANDLE ANTICIPATED WASHOUT WATER;
C. CONTRACTOR SHALL LOCATE WASHOUT AREAS AT LEAST 150 FEET AWAY FROM STORM DRAINS, SWALES AND SURFACE WATERS OR DELINEATED WETLANDS;
D. INSPECT WASHOUT FACILITIES DAILY TO DETECT LEAKS OR TEARS AND TO IDENTIFY WHEN MATERIALS NEED TO BE REMOVED.

ALLOWABLE NON-STORMWATER DISCHARGES:

- 1. FIRE-FIGHTING ACTIVITIES;
2. FIRE HYDRANT FLUSHING;
3. WATERS USED TO WASH VEHICLES WHERE DETERGENTS ARE NOT USED;
4. WATER USED TO CONTROL DUST;
5. POTABLE WATER INCLUDING UNCONTAMINATED WATER LINE FLUSHING;
6. ROUTINE EXTERNAL BUILDING WASH DOWN WHERE DETERGENTS ARE NOT USED;
7. PAVEMENT WASH WATERS WHERE DETERGENTS ARE NOT USED;
8. UNCONTAMINATED AIR CONDITIONING/COMPRESSOR CONDENSATION;
9. UNCONTAMINATED GROUND WATER OR SPRING WATER;
10. FOUNDATION OR FOOTING DRAINS WHICH ARE UNCONTAMINATED;
11. UNCONTAMINATED EXCAVATION DEWATERING;
12. LANDSCAPE IRRIGATION.

WASTE DISPOSAL:

- 1. WASTE MATERIAL:
A. ALL WASTE MATERIALS SHALL BE COLLECTED AND STORED IN SECURELY LIDDED RECEPTACLES.
B. NO CONSTRUCTION WASTE MATERIALS SHALL BE BURIED ON SITE;

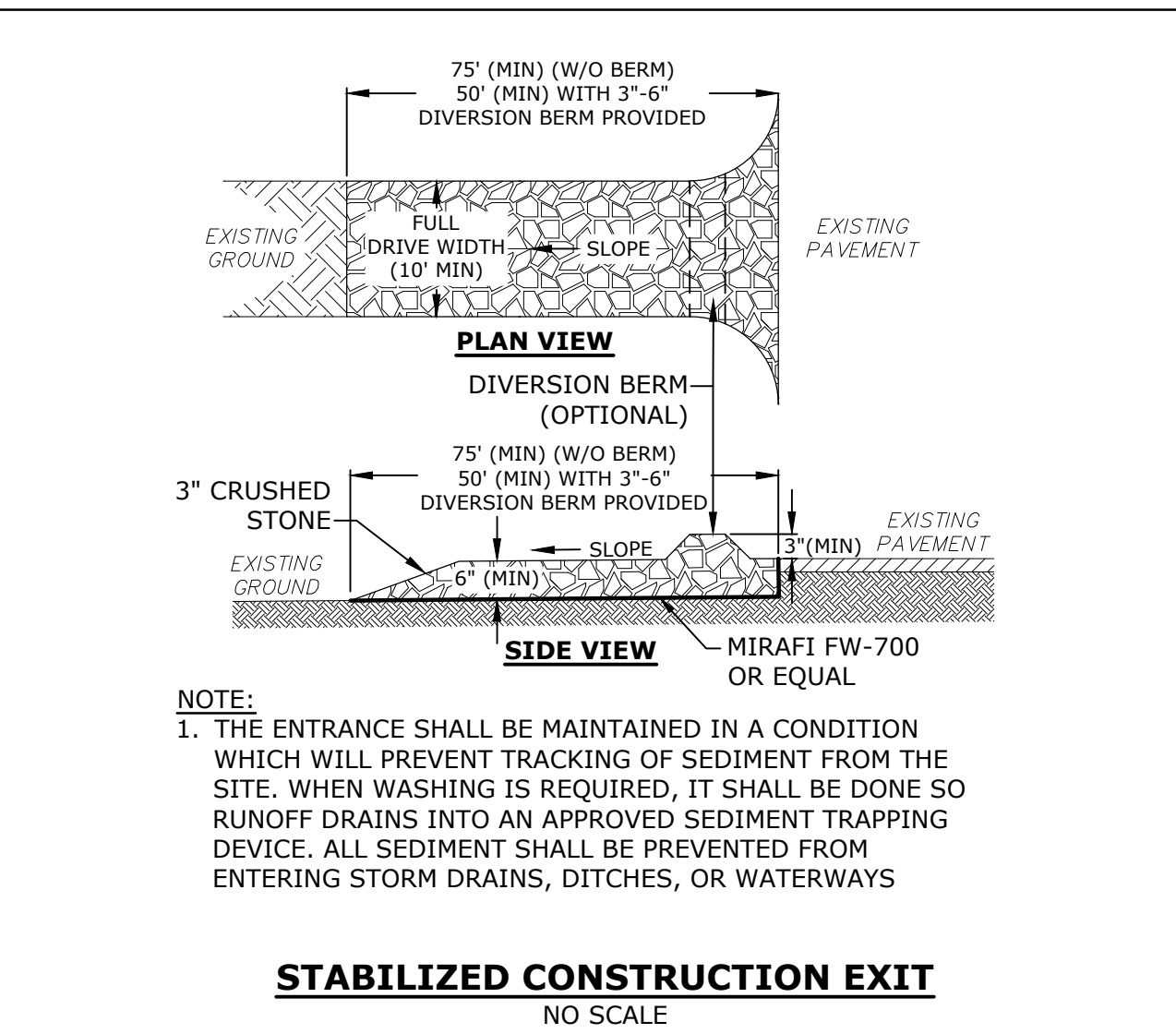
- C. ALL PERSONNEL SHALL BE INSTRUCTED REGARDING THE CORRECT PROCEDURE FOR WASTE DISPOSAL BY THE SUPERINTENDENT.
2. HAZARDOUS WASTE:
A. ALL HAZARDOUS WASTE MATERIALS SHALL BE DISPOSED OF IN THE MANNER SPECIFIED BY LOCAL OR STATE REGULATION OR BY THE MANUFACTURER;
B. SITE PERSONNEL SHALL BE INSTRUCTED IN THESE PRACTICES BY THE SUPERINTENDENT.
3. SANITARY WASTE:
A. ALL SANITARY WASTE SHALL BE COLLECTED FROM THE PORTABLE UNITS A MINIMUM OF ONCE PER WEEK BY A LICENSED SANITARY WASTE MANAGEMENT CONTRACTOR.

SPILL PREVENTION:

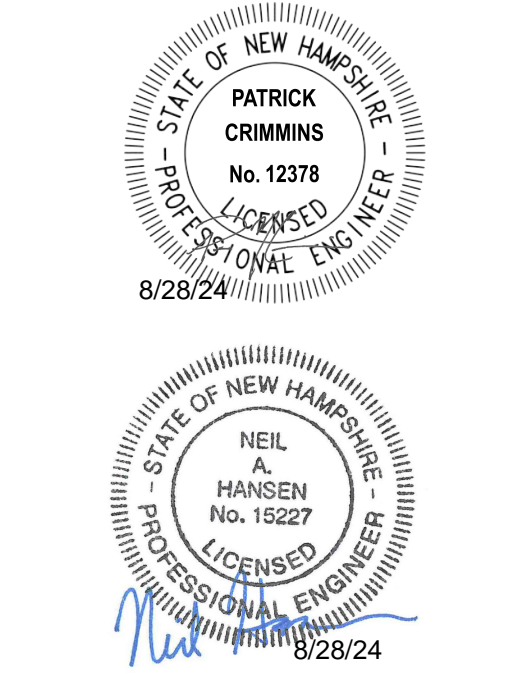
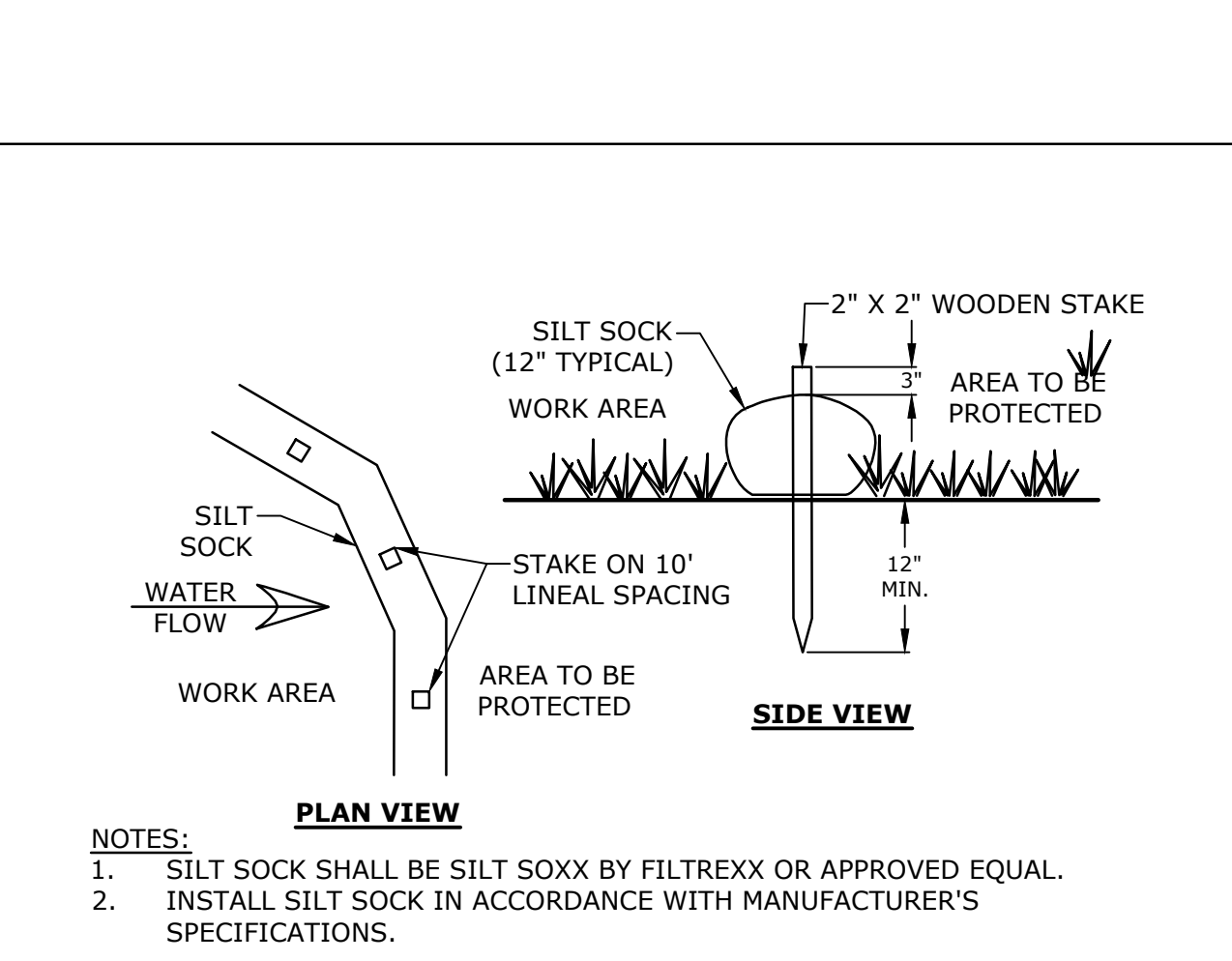
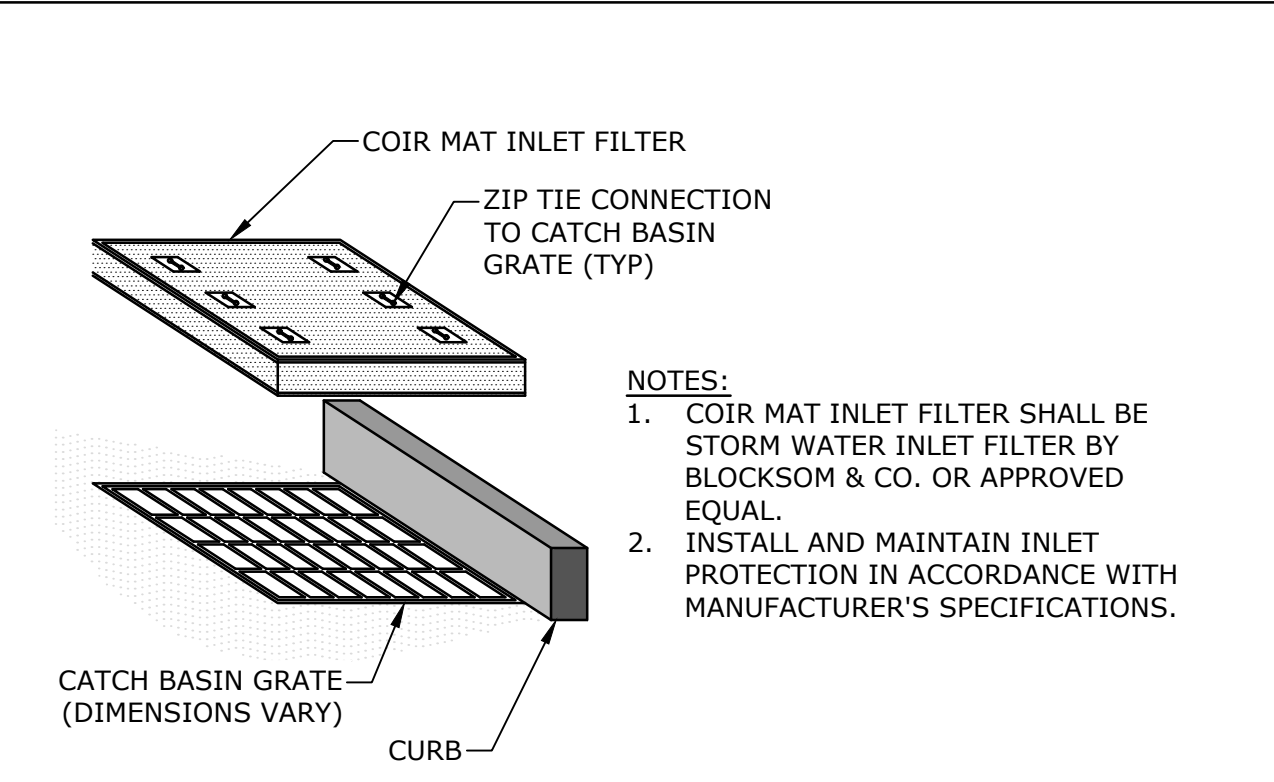
- 1. CONTRACTOR SHALL BE FAMILIAR WITH SPILL PREVENTION MEASURES REQUIRED BY LOCAL, STATE AND FEDERAL AGENCIES.
2. THE FOLLOWING ARE THE MATERIAL MANAGEMENT PRACTICES THAT SHALL BE USED TO REDUCE THE RISK OF SPILLS OR OTHER ACCIDENTAL EXPOSURE OF MATERIALS AND SUBSTANCES DURING CONSTRUCTION TO STORMWATER RUNOFF:
A. GOOD HOUSEKEEPING - THE FOLLOWING GOOD HOUSEKEEPING PRACTICE SHALL BE FOLLOWED ON SITE DURING CONSTRUCTION:
a. ONLY SUFFICIENT AMOUNTS OF PRODUCTS TO DO THE JOB SHALL BE STORED ON SITE;
b. ALL REGULATED MATERIALS STORED ON SITE SHALL BE STORED IN A NEAT, ORDERLY MANNER IN THEIR PROPER (ORIGINAL IF POSSIBLE) CONTAINERS AND, IF POSSIBLE, UNDER A ROOF OR OTHER ENCLOSURE, ON AN IMPERVIOUS SURFACE;
c. MANUFACTURER'S RECOMMENDATIONS FOR PROPER USE AND DISPOSAL SHALL BE FOLLOWED;
d. THE SITE SUPERINTENDENT SHALL INSPECT DAILY TO ENSURE PROPER USE AND DISPOSAL OF MATERIALS;
e. SUBSTANCES SHALL NOT BE MIXED WITH ONE ANOTHER UNLESS RECOMMENDED BY THE MANUFACTURER;
f. WHENEVER POSSIBLE ALL OF A PRODUCT SHALL BE USED UP BEFORE DISPOSING OF THE CONTAINER.
g. THE TRAINING OF ON-SITE EMPLOYEES AND THE ON-SITE POSTING OF RELEASE RESPONSE INFORMATION DESCRIBING WHAT TO DO IN THE EVENT OF A SPILL OF REGULATED SUBSTANCES.
B. HAZARDOUS PRODUCTS - THE FOLLOWING PRACTICES SHALL BE USED TO REDUCE THE RISKS ASSOCIATED WITH HAZARDOUS MATERIALS:
a. PRODUCTS SHALL BE KEPT IN THEIR ORIGINAL CONTAINERS UNLESS THEY ARE NOT RESEALABLE;
b. ORIGINAL LABELS AND MATERIAL SAFETY DATA SHALL BE RETAINED FOR IMPORTANT PRODUCT INFORMATION;
c. SURPLUS PRODUCT THAT MUST BE DISPOSED OF SHALL BE DISCARDED ACCORDING TO THE MANUFACTURER'S RECOMMENDED METHODS OF DISPOSAL.
C. PRODUCT SPECIFIC PRACTICES - THE FOLLOWING PRODUCT SPECIFIC PRACTICES SHALL BE FOLLOWED ON SITE:
a. PETROLEUM PRODUCTS:
i. ALL ON SITE VEHICLES SHALL BE MONITORED FOR LEAKS AND RECEIVE REGULAR PREVENTIVE MAINTENANCE TO REDUCE LEAKAGE;
ii. PETROLEUM PRODUCTS SHALL BE STORED IN TIGHTLY SEALED CONTAINERS WHICH ARE CLEARLY LABELED.
iii. SECURE FUEL STORAGE AREAS AGAINST UNAUTHORIZED ENTRY;
iv. INSPECT FUEL STORAGE AREAS WEEKLY;
v. WHEREVER POSSIBLE, KEEP REGULATED CONTAINERS THAT ARE STORED OUTSIDE MORE THAN 50 FEET FROM SURFACE WATER AND STORM DRAINS, 75 FEET FROM PRIVATE WELLS, AND 400 FEET FROM PUBLIC WELLS;
vi. COVER REGULATED CONTAINERS IN OUTSIDE STORAGE AREAS;
vii. SECONDARY CONTAINMENT IS REQUIRED FOR CONTAINERS CONTAINING REGULATED SUBSTANCES STORED OUTSIDE, EXCEPT FOR ON PREMISE USE HEATING FUEL TANKS, OR ABOVEGROUND OR UNDERGROUND STORAGE TANKS OTHERWISE REGULATED.
(1) EXCEPT WHEN IN USE, KEEP CONTAINERS CONTAINING REGULATED SUBSTANCES CLOSED AND SEALED;
(2) PLACE DRIP PANS UNDER SPIGOTS, VALVES, AND PUMPS;
(3) HAVE SPILL CONTROL AND CONTAINMENT EQUIPMENT READILY AVAILABLE IN ALL WORK AREAS;
(4) USE FUNNELS AND DRIP PANS WHEN TRANSFERRING REGULATED SUBSTANCES;
(5) PERFORM TRANSFERS OF REGULATED SUBSTANCES OVER AN IMPERVIOUS SURFACE.
ix. FUELING AND MAINTENANCE OF EXCAVATION, EARTHMOVING AND OTHER CONSTRUCTION RELATED EQUIPMENT SHALL COMPLY WITH THE REGULATIONS OF THE NEW HAMPSHIRE DEPARTMENT OF ENVIRONMENTAL SERVICES THESE REQUIREMENTS ARE SUMMARIZED IN WD-DWGB-22-6 BEST MANAGEMENT PRACTICES FOR FUELING AND MAINTENANCE OF EXCAVATION AND EARTHMOVING EQUIPMENT, OR ITS SUCCESSOR DOCUMENT.
https://www.des.nh.gov/organization/commissioner/ppp/factsheets/dwgb/documents/dwgb-22-6.pdf
b. FERTILIZERS:
i. FERTILIZERS USED SHALL BE APPLIED ONLY IN THE MINIMUM AMOUNTS DIRECTED BY THE SPECIFICATIONS;
ii. ONCE APPLIED FERTILIZER SHALL BE WORKED INTO THE SOIL TO LIMIT EXPOSURE TO STORMWATER;
iii. STORAGE SHALL BE IN A COVERED SHED OR ENCLOSED TRAILERS.
c. PAINTS:
i. ALL CONTAINERS SHALL BE TIGHTLY SEALED AND STORED WHEN NOT REQUIRED FOR USE;
ii. EXCESS PAINT SHALL NOT BE DISCHARGED TO THE STORM SEWER SYSTEM;
iii. EXCESS PAINT SHALL BE DISPOSED OF PROPERLY ACCORDING TO MANUFACTURER'S INSTRUCTIONS OR STATE AND LOCAL REGULATIONS.
D. SPILL CONTROL PRACTICES - IN ADDITION TO GOOD HOUSEKEEPING AND MATERIAL MANAGEMENT PRACTICES DISCUSSED IN THE PREVIOUS SECTION, THE FOLLOWING PRACTICES SHALL BE FOLLOWED FOR SPILL PREVENTION AND CLEANUP:
a. MANUFACTURER'S RECOMMENDED METHODS FOR SPILL CLEANUP SHALL BE CLEARLY POSTED AND SITE PERSONNEL SHALL BE MADE AWARE OF THE PROCEDURES AND THE LOCATION OF THE INFORMATION AND CLEANUP SUPPLIES;
b. MATERIALS AND EQUIPMENT NECESSARY FOR SPILL CLEANUP SHALL BE KEPT IN THE MATERIAL STORAGE AREA ON SITE.
c. ALL SPILLS SHALL BE CLEANED UP IMMEDIATELY AFTER DISCOVERY;
d. THE SPILL AREA SHALL BE KEPT WELL VENTILATED AND PERSONNEL SHALL WEAR APPROPRIATE PROTECTIVE CLOTHING TO PREVENT INJURY FROM CONTACT WITH A HAZARDOUS SUBSTANCE;
e. SPILLS OF TOXIC OR HAZARDOUS MATERIAL SHALL BE REPORTED TO THE APPROPRIATE LOCAL, STATE OR FEDERAL AGENCIES AS REQUIRED;
f. THE SITE SUPERINTENDENT RESPONSIBLE FOR DAY-TO-DAY SITE OPERATIONS SHALL BE THE SPILL PREVENTION AND CLEANUP COORDINATOR.
E. VEHICLE FUELING AND MAINTENANCE PRACTICE:
a. CONTRACTOR SHALL MAKE AN EFFORT TO PERFORM EQUIPMENT/VEHICLE FUELING AND MAINTENANCE AT AN OFF-SITE FACILITY;
b. CONTRACTOR SHALL PROVIDE AN ON-SITE FUELING AND MAINTENANCE AREA THAT IS CLEAN AND DRY;
c. IF POSSIBLE THE CONTRACTOR SHALL KEEP AREA COVERED;
d. CONTRACTOR SHALL KEEP A SPILL KIT AT THE FUELING AND MAINTENANCE AREA;
e. CONTRACTOR SHALL REGULARLY INSPECT VEHICLES FOR LEAKS AND DAMAGE;
f. CONTRACTOR SHALL USE DRIP PANS, DRIP CLOTHS, OR ABSORBENT PADS WHEN REPLACING SPENT FLUID.

EROSION CONTROL OBSERVATIONS AND MAINTENANCE PRACTICES

- 1. THIS PROJECT EXCEEDS ONE (1) ACRE OF DISTURBANCE AND THUS REQUIRES A SWPPP.
2. THE FOLLOWING REPRESENTS THE GENERAL OBSERVATION AND REPORTING PRACTICES THAT SHALL BE FOLLOWED AS PART OF THIS PROJECT:
A. OBSERVATIONS OF THE PROJECT FOR COMPLIANCE WITH THE SWPPP SHALL BE MADE BY THE CONTRACTOR AT LEAST ONCE A WEEK OR WITHIN 24 HOURS OF A STORM 0.25 INCHES OR GREATER;
B. AN OBSERVATION REPORT SHALL BE MADE AFTER EACH OBSERVATION AND DISTRIBUTED TO THE ENGINEER, THE OWNER, AND THE CONTRACTOR;
C. A REPRESENTATIVE OF THE SITE CONTRACTOR, SHALL BE RESPONSIBLE FOR MAINTENANCE AND REPAIR ACTIVITIES;
D. IF A REPAIR IS NECESSARY, IT SHALL BE INITIATED WITHIN 24 HOURS OF REPORT.



NOTE: 1. THE ENTRANCE SHALL BE MAINTAINED IN A CONDITION WHICH WILL PREVENT TRACKING OF SEDIMENT FROM THE SITE. WHEN WASHING IS REQUIRED, IT SHALL BE DONE SO RUNOFF DRAINS INTO AN APPROVED SEDIMENT TRAPPING DEVICE. ALL SEDIMENT SHALL BE PREVENTED FROM ENTERING STORM DRAINS, DITCHES, OR WATERWAYS



PROPOSED LUMBER SHEDS

PORTSMOUTH LUMBER & HARDWARE LLC

105 Bartlett Street
Portsmouth,
New Hampshire

Table with 3 columns: MARK, DATE, DESCRIPTION. Row B: 8/28/2024, PB Submission. Row A: 7/22/2024, TAC Submission.

Table with 2 columns: PROJECT NO., DATE. Row 1: R-5091-001, July 22, 2024. Row 2: R-5091-001-C-DTLS.DWG.

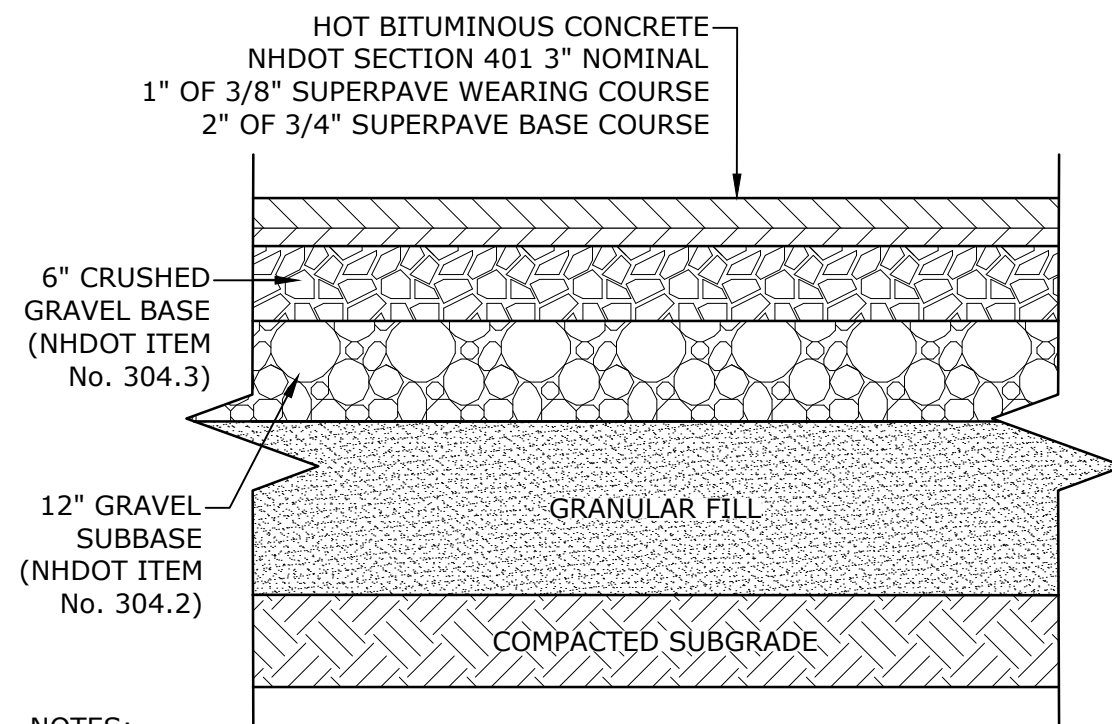
EROSION CONTROL NOTES AND DETAILS SHEET

SCALE: AS SHOWN

C-501

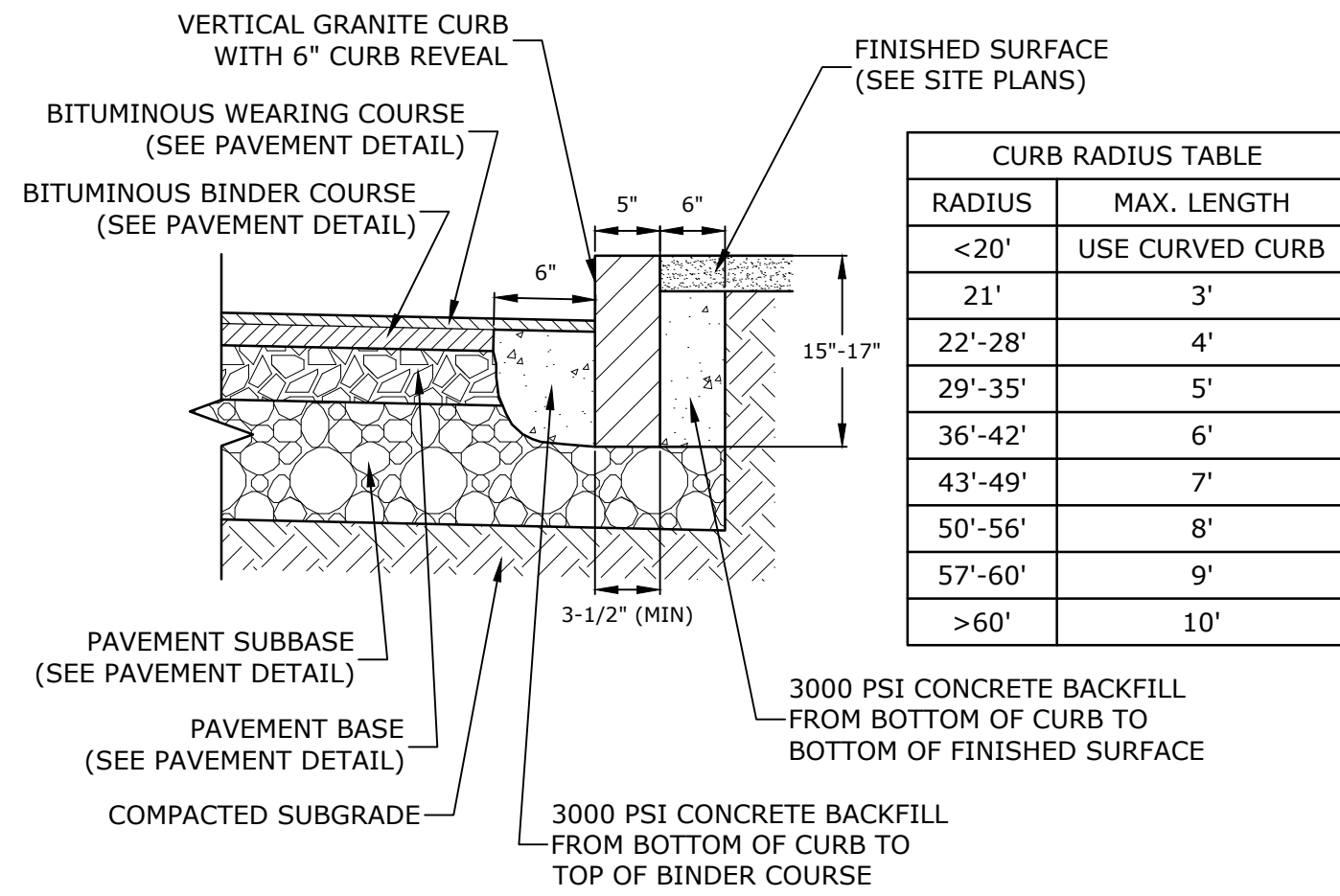
Vertical text on the left margin: Last Saved: 8/1/2024, Plotted On: Aug 27, 2024, 9:54am By: NW/lorc, Tighe & Bond: E:\Projects\2024\105 Bartlett Street\Drawings\AutoCAD\DWG\901-C-DTLS.dwg

NHDOT ITEM No. 304.2 (GRAVEL)		NHDOT ITEM No. 304.3 (CRUSHED GRAVEL)	
SIEVE SIZE	% PASSING	SIEVE SIZE	% PASSING
6"	100	3"	100
#4	25-70	2"	95-100
#200	0-12	#4	55-85
		#200	27-52
			0-12



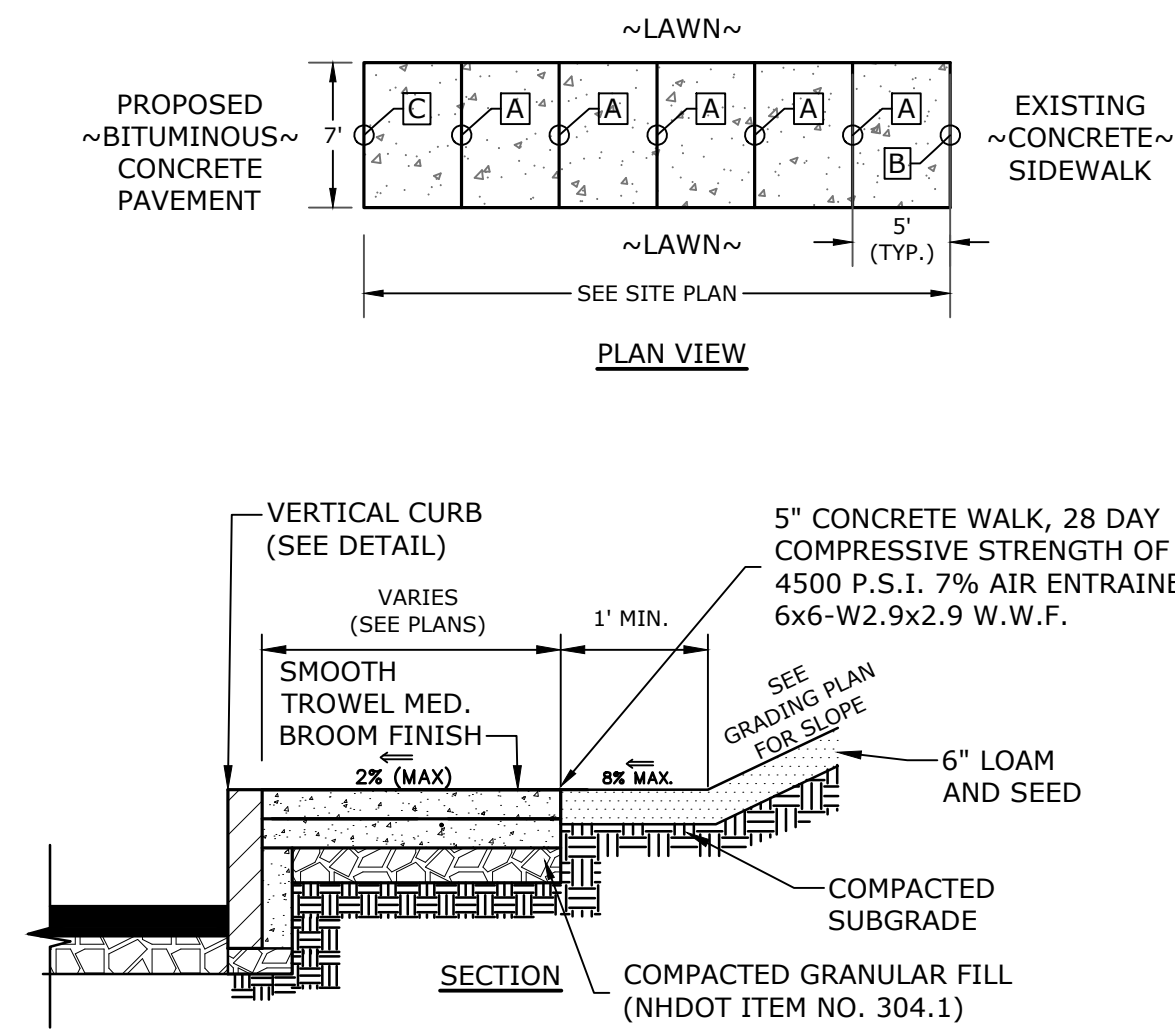
- NOTES:
- COORDINATE FINAL DESIGN SECTION WITH GEOTECHNICAL ENGINEER.
 - SEE SITE PLAN FOR PAVEMENT WIDTH AND LOCATION.
 - SEE GRADING, DRAINAGE AND EROSION CONTROL PLAN FOR PAVEMENT SLOPE AND CROSS-SLOPE.
 - A TACK COAT SHALL BE PLACED ON TOP OF BINDER COURSE PAVEMENT PRIOR TO PLACING WEARING COURSE.
 - REFER TO CITY SPECIFICATIONS FOR ASPHALT MIX DESIGN.

PARKING LOT PAVEMENT SECTION
NO SCALE



- NOTES:
- SEE SITE PLAN(S) FOR LIMITS OF VERTICAL GRANITE CURB (VGC).
 - ADJOINING STONES SHALL HAVE THE SAME OR APPROXIMATELY THE SAME LENGTH.
 - MINIMUM LENGTH OF STRAIGHT CURB STONES = 3'
 - MAXIMUM LENGTH OF STRAIGHT CURB STONES = 10'
 - MAXIMUM LENGTH OF STRAIGHT CURB STONES LAID ON CURVES (SEE TABLE).
 - ALL RADII 20 FEET AND SMALLER SHALL BE CONSTRUCTED USING CURVED SECTIONS.
 - JOINTS BETWEEN STONES SHALL HAVE A MAXIMUM SPACING OF 1/2" AND SHALL BE MORTARED.

VERTICAL GRANITE CURB
NO SCALE

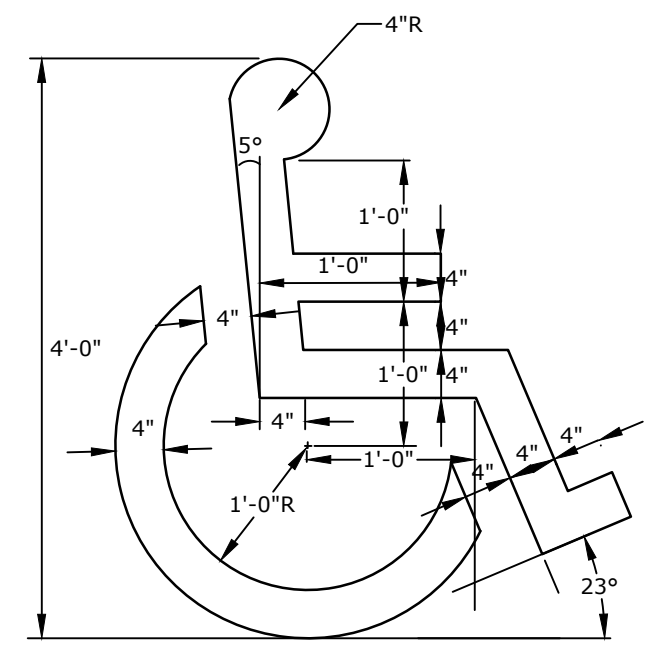


- NOTES:
- SEE SITE PLAN FOR SIDEWALK WIDTH AND LOCATIONS.
 - SEE GRADING, DRAINAGE & EROSION CONTROL PLAN FOR WALK AND SIDE SLOPE GRADES.

CONCRETE SIDEWALK
NO SCALE

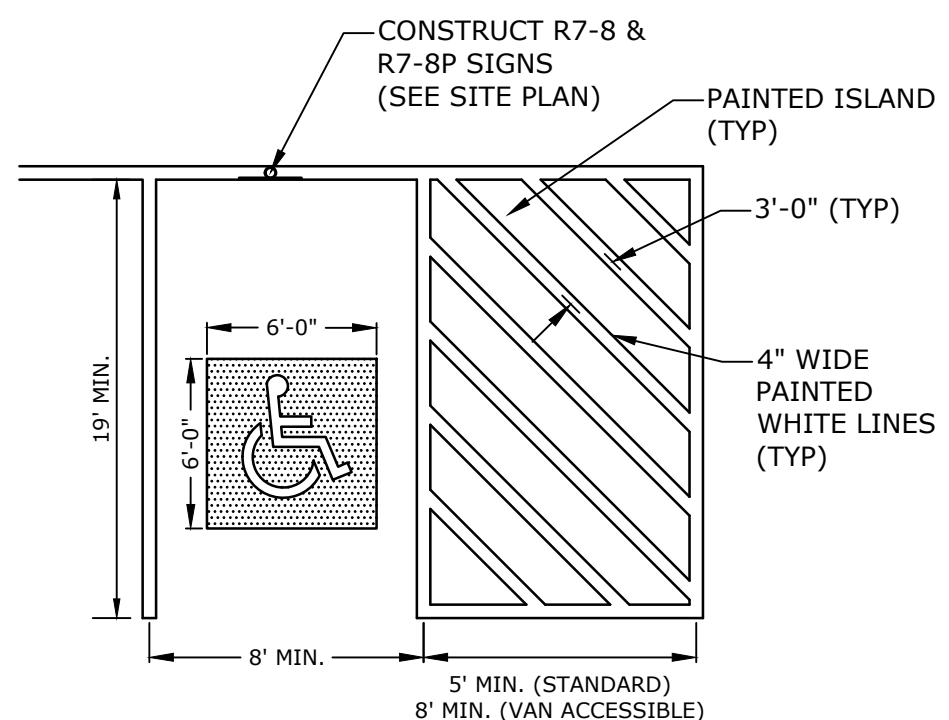
NHDOT ITEM No. 304.3 (CRUSHED GRAVEL)	
SIEVE SIZE	% PASSING
3"	100
2"	95-100
1"	55-85
#4	27-52
#200	0-12

NHDOT ITEM No. 304.2 (GRAVEL)	
SIEVE SIZE	% PASSING
6"	100
#4	25-70
#200	0-12



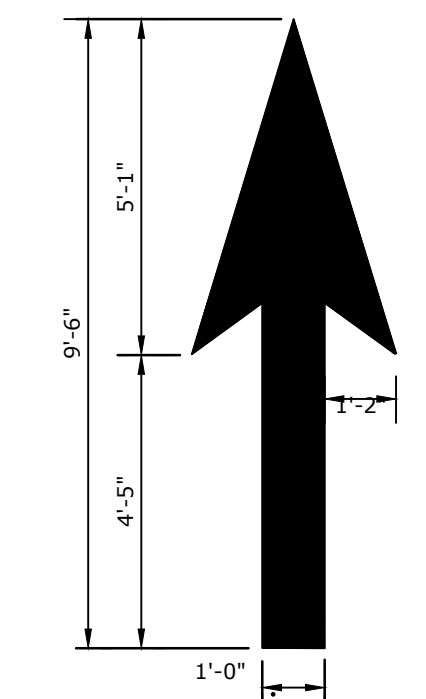
- NOTES:
- SYMBOL SHALL BE CONSTRUCTED IN ALL ACCESSIBLE SPACES USING WHITE THERMOPLASTIC, REFLECTORIZED PAVEMENT PARKING MATERIAL MEETING THE REQUIREMENTS OF ASTM D 4505.
 - SYMBOL SHALL BE CONSTRUCTED TO THE LATEST ADA, STATE AND LOCAL REQUIREMENTS.

ACCESSIBLE SYMBOL
NO SCALE



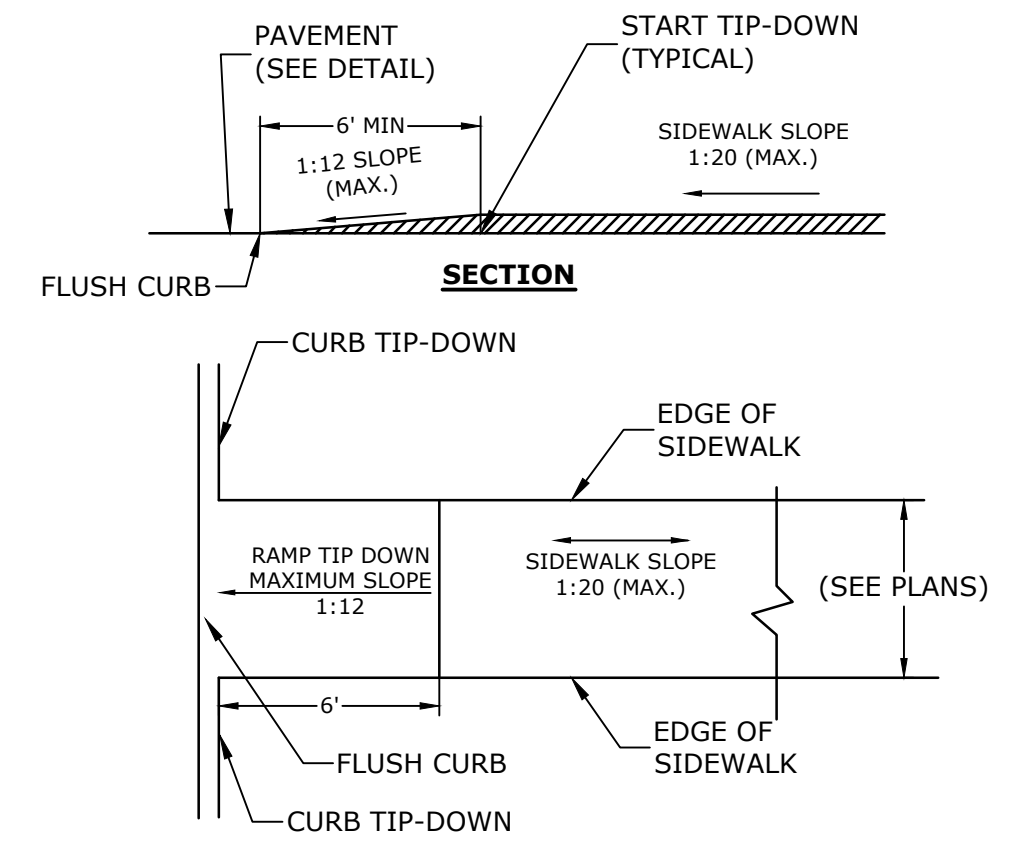
- NOTES:
- ALL PAINT SHALL BE FAST DRYING TRAFFIC PAINT, MEETING THE REQUIREMENTS OF AASHTO M248-TYPE F. PAINT SHALL BE APPLIED AS SPECIFIED BY MANUFACTURER.
 - SYMBOLS & PARKING STALLS SHALL CONFORM TO THE REQUIREMENTS OF THE AMERICAN W/DISABILITIES ACT.

ACCESSIBLE PARKING STALL
NO SCALE



- NOTES:
- ALL WORDS AND SYMBOLS SHALL BE RETROREFLECTIVE WHITE AND SHALL CONFORM TO THE LATEST VERSION OF THE MUTCD.
 - ALL PAINT SHALL BE FAST DRYING TRAFFIC PAINT, MEETING THE REQUIREMENTS OF AASHTO M248-TYPE F. PAINT SHALL BE APPLIED AS SPECIFIED BY MANUFACTURER.

DIRECTIONAL PAVEMENT MARKING DETAILS
NO SCALE



- NOTES:
- RAMPS SHALL BE CONSTRUCTED IN ACCORDANCE WITH THE AMERICANS WITH DISABILITIES ACT AND LOCAL AND STATE REQUIREMENTS.
 - A 8" COMPACTED CRUSHED GRAVEL BASE (NHDOT ITEM No. 304.3) SHALL BE PROVIDED BENEATH RAMPS.

CONCRETE SIDEWALK TIP-DOWN RAMP
NO SCALE

PROPOSED LUMBER SHEDS

PORTSMOUTH LUMBER & HARDWARE LLC

105 Bartlett Street
Portsmouth,
New Hampshire

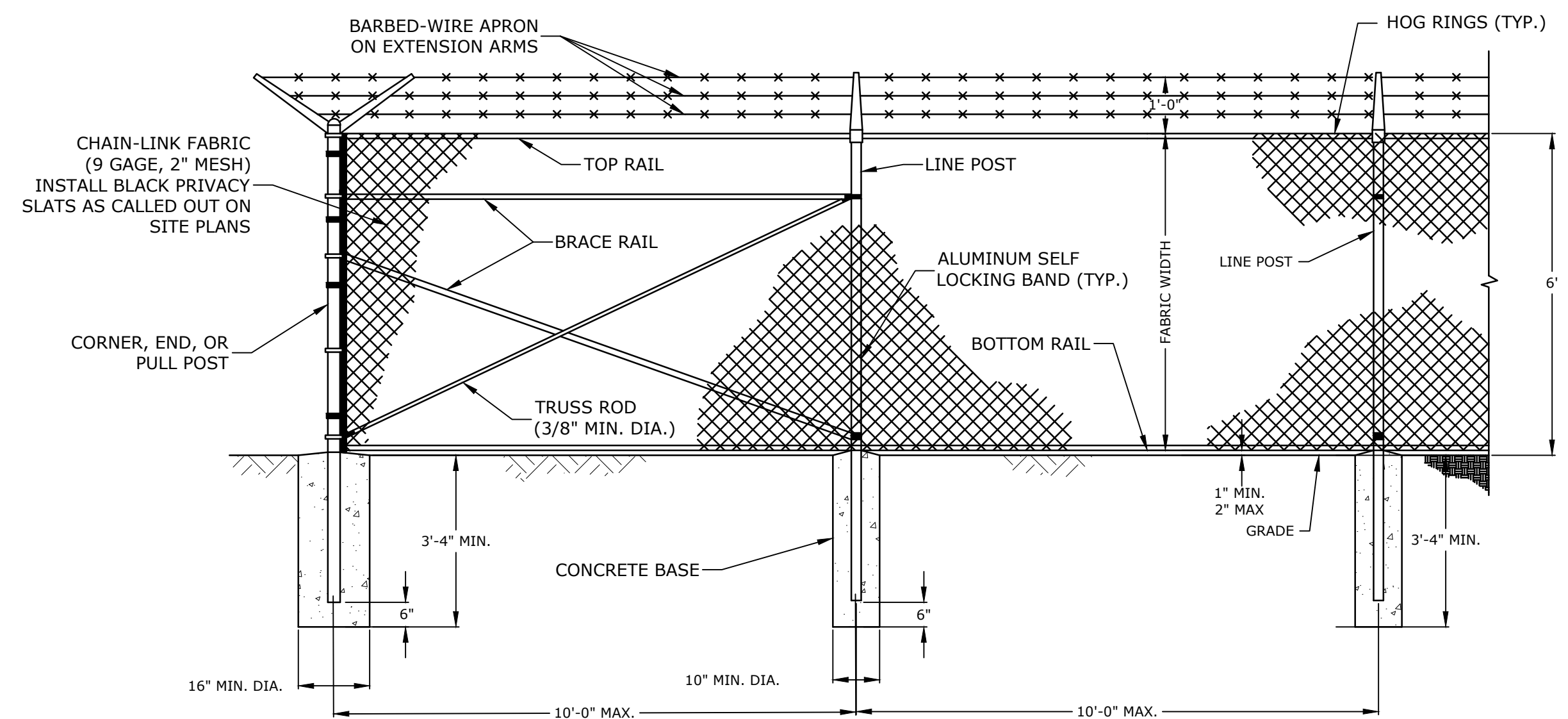
MARK	DATE	DESCRIPTION
B	8/28/2024	PB Submission
A	7/22/2024	TAC Submission

PROJECT NO:	R-5091-001
DATE:	July 22, 2024
FILE:	R-5091-001-C-DTLS.DWG
DRAWN BY:	NHW/CJK
CHECKED:	NAH
APPROVED:	PMC

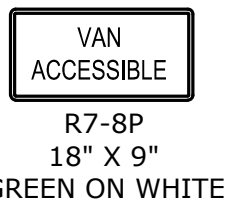
DETAILS SHEET

SCALE: AS SHOWN

C-502



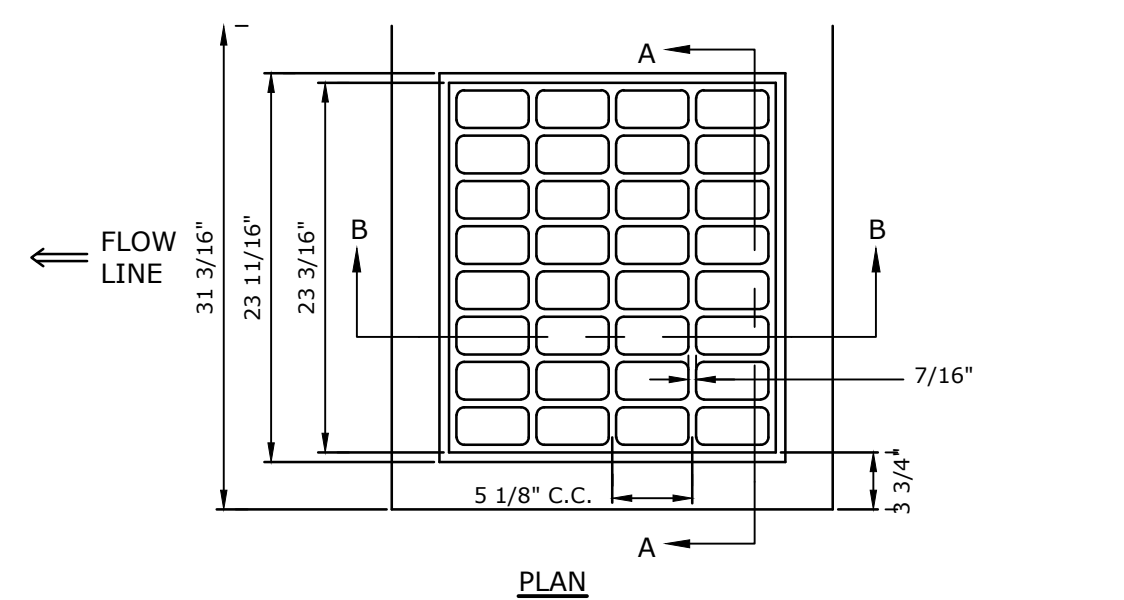
CHAINLINK FENCE
NO SCALE



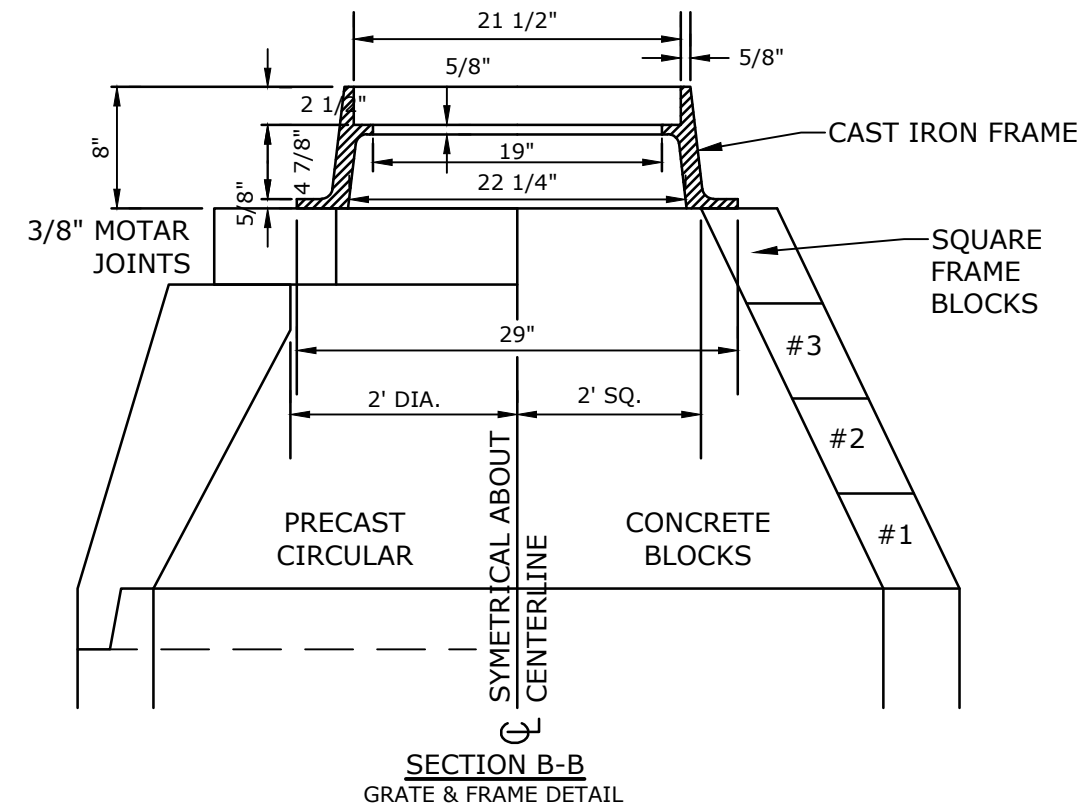
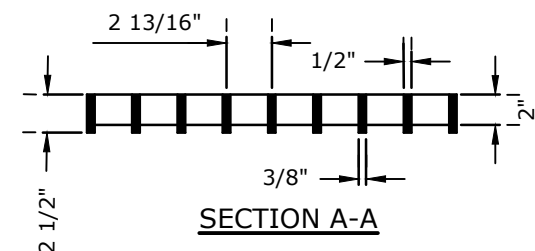
- NOTES:
- ALL SIGNS TO BE INSTALLED AS INDICATED IN THE MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES, LATEST EDITION.
 - POST: SCHEDULE 40 GALVANIZED STEEL PIPE (OUTSIDE DIA. = 2.375").
 - FINISH: POST TO BE POWDER COATED GLOSS BLACK
 - LENGTH: AS REQUIRED
 - WEIGHT PER LINEAR FOOT: 2.50 LBS (MIN.)
 - HOLES: 3/8" DIAMETER (AS REQUIRED)
 - STEEL: SHALL CONFORM TO ASTM A-499 (GRADE 60) OR ASTM A-576 (GRADE 1070-1080)

SIGN LEGEND & SIGN POST
NO SCALE

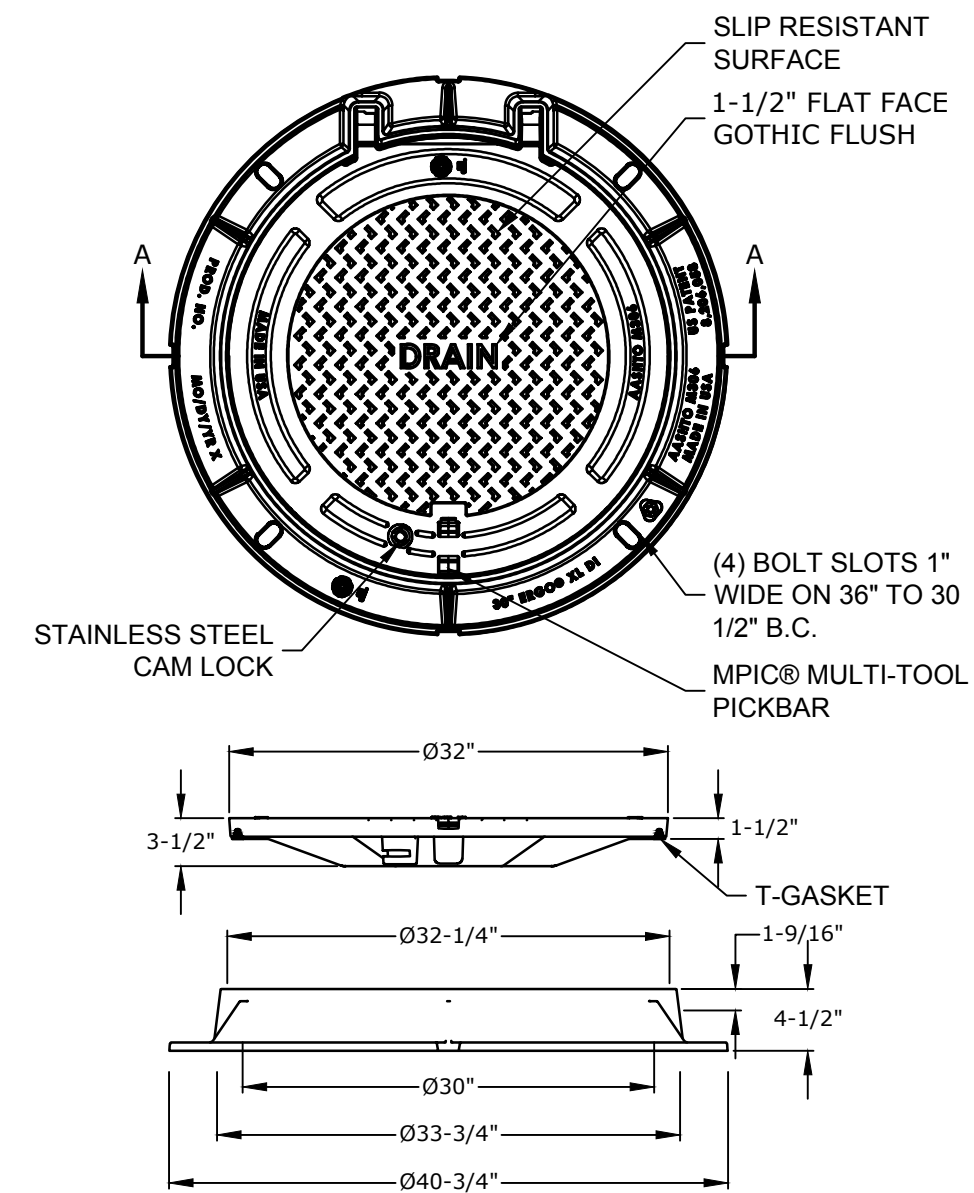
Last Saved: 8/1/2024 8:54am By: NW/cock Plotted On: Aug 27, 2024 8:54am Ricer Lumber Sheds\Drawings\AutoCAD\R-5091-001-C-DTLS.dwg Tighe & Bond\24\K591 Ricer Lumber\001



- NOTE:**
- GRATE TO BE CAST IRON (NHDOT TYPE B)
 - FRAME AND GRATE TO BE MANUFACTURED IN THE USA

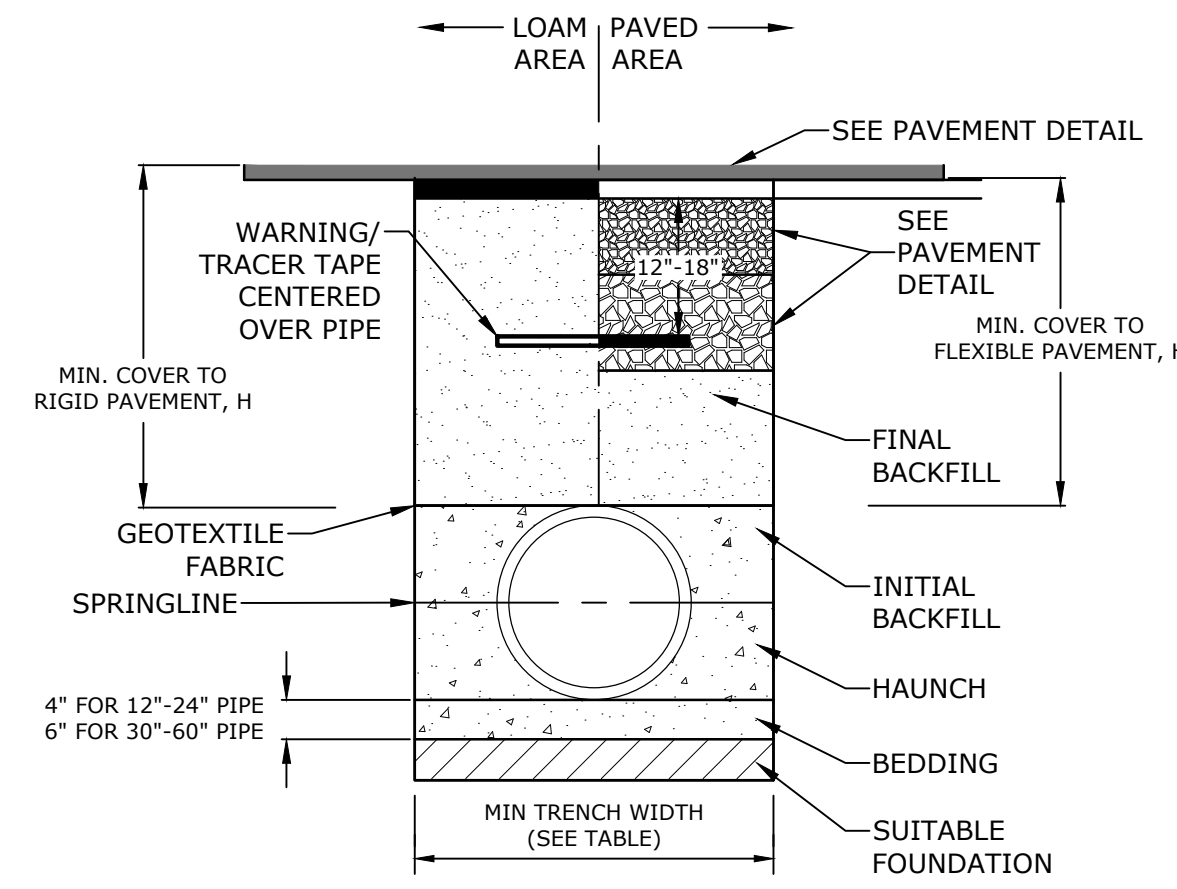


CATCH BASIN FRAME & GRATE
NO SCALE



- NOTES:**
- MANHOLE FRAME AND COVER SHALL BE 32\" HINGED ERGO XL BY EJ CO.
 - ALL DIMENSIONS ARE NOMINAL.
 - FRAMES USING NARROWER DIMENSIONS FOR THICKNESS ARE ALLOWED PROVIDED:
 - THE FRAMES MEET OR EXCEED THE SPECIFIED LOAD RATING.
 - THE INTERIOR PERIMETER (SEAT AREA) DIMENSIONS OF THE FRAMES REMAIN THE SAME TO ALLOW CONTINUED USE OF EXISTING GRATES/COVERS AS THE EXISTING FRAMES ALLOW, WITHOUT SHIMS OR OTHER MODIFICATIONS OR ACCOMMODATIONS.
 - ALL OTHER PERTINENT REQUIREMENTS OF THE SPECIFICATIONS ARE MET.
 - LABEL TYPE OF MANHOLE WITH 3\" HIGH LETTERS IN HE CENTER OF THE COVER.

DRAIN MANHOLE FRAME & COVER
NO SCALE



PIPE DIAM.	MIN. TRENCH WIDTH
12"	30"
15"	34"
18"	39"
24"	48"
30"	56"
36"	64"
42"	72"
48"	80"
60"	96"

TABLE 1, RECOMMENDED MINIMUM TRENCH WIDTHS

PIPE DIAM.	SURFACE LIVE LOADING CONDITION	
	H-25	HEAVY CONSTRUCTION (75T AXLE LOAD) *
12" - 48"	12"	48"
60"	24"	60"

TABLE 2, MINIMUM RECOMMENDED COVER BASED ON VEHICLE LOADING CONDITION * VEHICLES IN EXCESS OF 75T MAY REQUIRE ADDITIONAL COVER

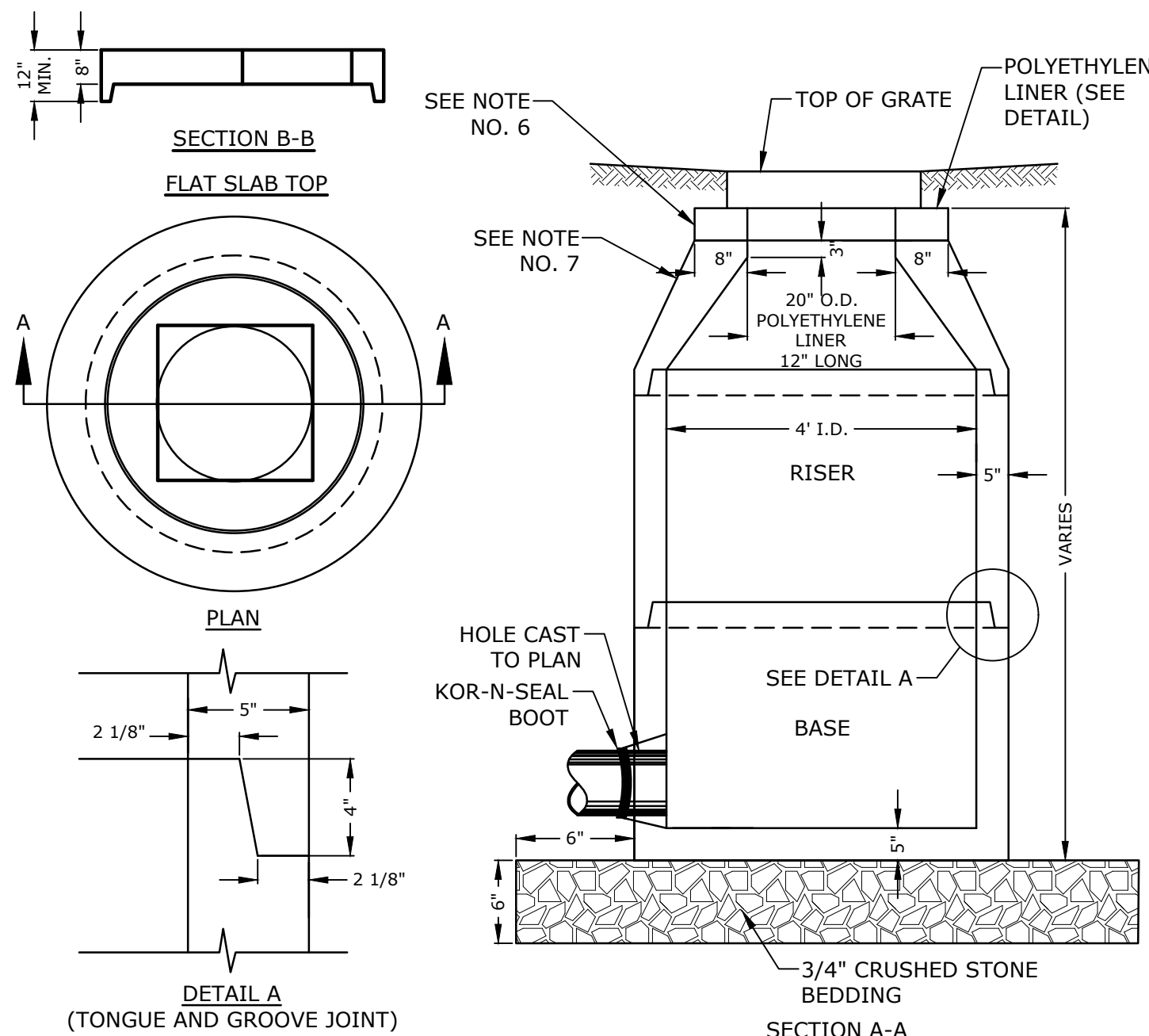
PIPE DIA.	CLASS I		CLASS II		CLASS III		CLASS IV	
	COMPACTED	95%	90%	85%	95%	90%	95%	
12"	41'	28'	21'	16'	20'	16'	16'	
15"	42'	29'	21'	16'	21'	16'	16'	
18"	44'	30'	21'	16'	22'	17'	16'	
24"	37'	26'	18'	14'	19'	14'	14'	

TABLE 3, MAXIMUM COVER FOR ADS HP STORM PIPE FILL HEIGHT TABLE GENERATED USING AASHTO SECTION 12, LOAD RESISTANCE FACTOR DESIGN (LRFD) PROCEDURE WITH THE FOLLOWING ASSUMPTIONS:
NO HYDROSTATIC PRESSURE
UNIT WEIGHT OF SOIL (γs) = 120 PCF

NOTES:

- ALL PIPE SYSTEMS SHALL BE INSTALLED IN ACCORDANCE WITH ASTM D2321, "STANDARD PRACTICE FOR UNDERGROUND INSTALLATION OF THERMOPLASTIC PIPE FOR SEWERS AND OTHER GRAVITY FLOW APPLICATIONS", LATEST ADDITION, WITH THE EXCEPTION THAT THE INITIAL BACKFILL MAY EXTEND TO THE CROWN OF THE PIPE. SOIL CLASSIFICATIONS ARE PER THE LATEST VERSION OF ASTM D2321. CLASS IVB MATERIALS (MH, CH) AS DEFINED IN PREVIOUS VERSIONS OF ASTM D2321 ARE NOT APPROPRIATE BACKFILL MATERIALS.
- MEASURES SHOULD BE TAKEN TO PREVENT MIGRATION OF NATIVE FINES INTO BACKFILL MATERIAL, WHEN REQUIRED.
- FOUNDATION:** WHERE THE TRENCH BOTTOM IS UNSTABLE AS JUDGED BY THE ENGINEER, THE CONTRACTOR SHALL EXCAVATE TO A DEPTH REQUIRED BY THE ENGINEER AND REPLACE WITH SUITABLE MATERIAL AS SPECIFIED BY THE ENGINEER. AS AN ALTERNATIVE AND AT THE DISCRETION OF THE DESIGN ENGINEER, THE TRENCH BOTTOM MAY BE STABILIZED USING A GEOTEXTILE MATERIAL. REFER TO SPECIFICATION 310000 EARTHWORK - SITE.
- BEDDING:** SUITABLE MATERIAL SHALL BE CLASS I, II, III, OR IV. THE CONTRACTOR SHALL PROVIDE DOCUMENTATION FOR MATERIAL SPECIFICATION TO ENGINEER. COMPACTION SHALL BE SPECIFIED BY THE ENGINEER IN ACCORDANCE WITH TABLE 3 FOR THE APPLICABLE FILL HEIGHTS LISTED. UNLESS OTHERWISE NOTED BY THE ENGINEER, MINIMUM BEDDING THICKNESS SHALL BE 4" (100mm) FOR 12"-24" (300mm-600mm) DIAMETER PIPE; 6" (150mm) FOR 30"-60" (750mm-1500mm) DIAMETER PIPE. THE MIDDLE 1/3 BENEATH THE PIPE INVERT SHALL BE LOOSELY PLACED. PLEASE NOTE, CLASS IV MATERIAL HAS LIMITED APPLICATION AND CAN BE DIFFICULT TO PLACE AND COMPACT; USE ONLY WITH THE APPROVAL OF THE GEOTECHNICAL ENGINEER.
- INITIAL BACKFILL:** SUITABLE MATERIAL SHALL BE CLASS I, II, III, OR IV IN THE PIPE ZONE EXTENDING TO THE CROWN OF THE PIPE. THE CONTRACTOR SHALL PROVIDE DOCUMENTATION FOR MATERIAL SPECIFICATION TO ENGINEER. MATERIAL SHALL BE INSTALLED AS REQUIRED IN ASTM D2321, LATEST EDITION. COMPACTION SHALL BE SPECIFIED BY THE ENGINEER IN ACCORDANCE WITH TABLE 3 FOR THE APPLICABLE FILL HEIGHTS LISTED. PLEASE NOTE, CLASS IV MATERIAL HAS LIMITED APPLICATION AND CAN BE DIFFICULT TO PLACE AND COMPACT; USE ONLY WITH THE APPROVAL OF THE GEOTECHNICAL ENGINEER.
- MINIMUM COVER:** FOR TRAFFIC APPLICATIONS, MINIMUM COVER, H, IS 12" (300mm) UP TO 48" (1200mm) DIAMETER PIPE AND 24" (600mm) OF COVER FOR 60" (1500mm) DIAMETER PIPE, MEASURED FROM TOP OF PIPE TO BOTTOM OF FLEXIBLE PAVEMENT OR TO TOP OF RIGID PAVEMENT.
- FOR ADDITIONAL INFORMATION SEE TECHNICAL NOTE 2.04.

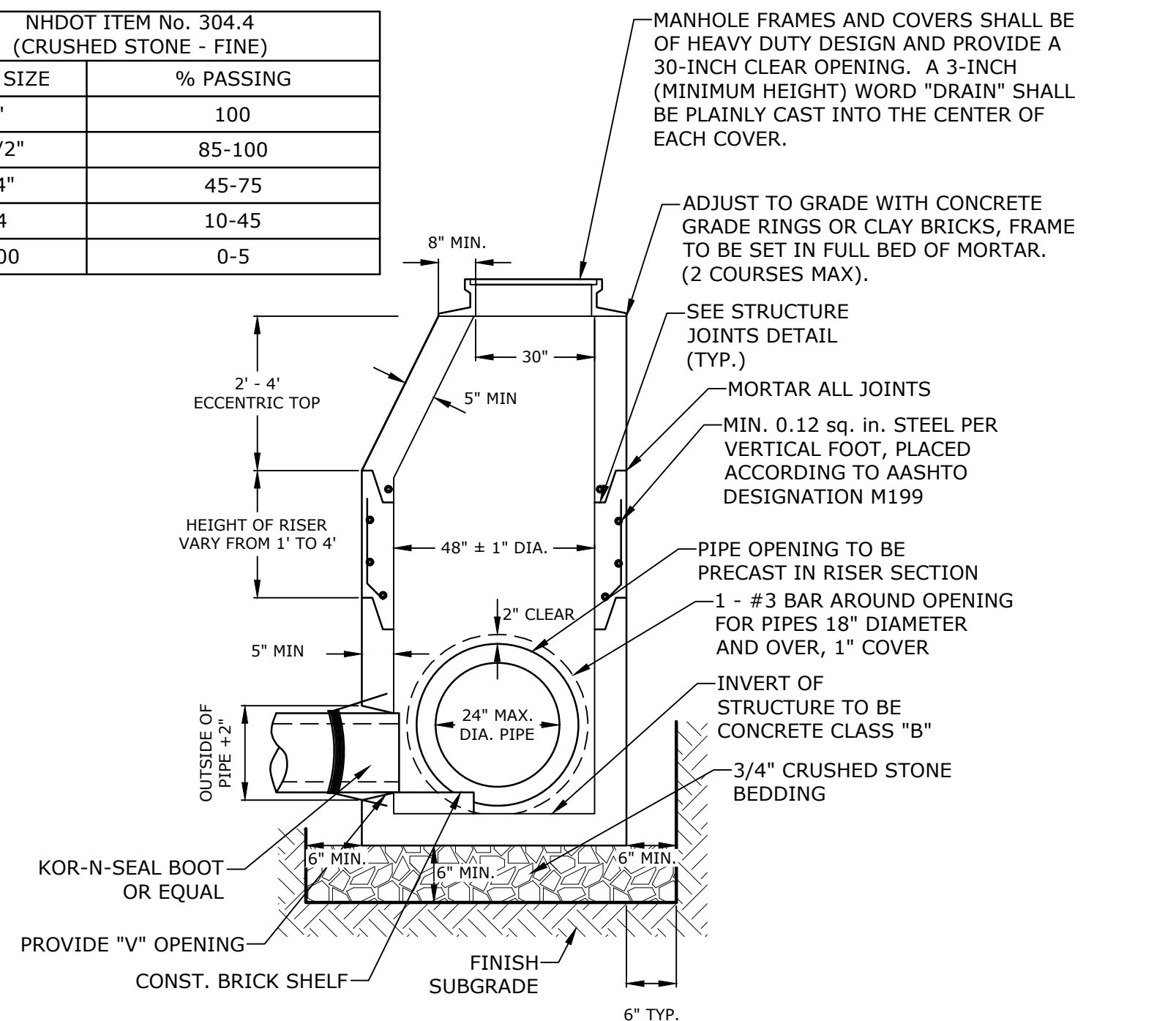
HP STORM TRENCH INSTALLATION DETAIL
NO SCALE



- NOTES:**
- ALL SECTIONS SHALL BE CONCRETE CLASS AA(4000 PSI).
 - CIRCUMFERENTIAL REINFORCEMENT SHALL BE 0.12 SQ. IN. PER LINEAR FT. IN ALL SECTIONS AND SHALL BE PLACED IN THE CENTER THIRD OF THE WALL.
 - THE TONGUE AND GROOVE OF THE JOINT SHALL CONTAIN ONE LINE OF CIRCUMFERENTIAL REINFORCEMENT EQUAL TO 0.12 SQ. IN. PER LINEAR FT.
 - RISERS OF 1', 2', 3' & 4' CAN BE USED TO REACH DESIRED DEPTH.
 - THE STRUCTURES SHALL BE DESIGNED FOR H2O LOADING.
 - FITTING FRAME TO GRADE MAY BE DONE WITH PREFABRICATED ADJUSTMENT RINGS OR CLAY BRICKS (2 COURSES MAX.).
 - CONE SECTIONS MAY BE EITHER CONCENTRIC OR ECCENTRIC, OR FLAT SLAB TOPS MAY BE USED WHERE PIPE WOULD OTHERWISE ENTER INTO THE CONE SECTION OF THE STRUCTURE AND WHERE PERMITTED.
 - PIPE ELEVATIONS SHOWN ON PLANS SHALL BE FIELD VERIFIED PRIOR TO PRECASTING.
 - OUTSIDE EDGES OF PIPES SHALL PROJECT NO MORE THAN 3" BEYOND INSIDE WALL OF STRUCTURE.
 - PRECAST SECTIONS SHALL HAVE A TONGUE AND GROOVE JOINT 4" HIGH AT AN 11° ANGLE CENTERED IN THE WIDTH OF THE WALL AND SHALL BE ASSEMBLED USING AN APPROVED FLEXIBLE SEALANT IN JOINTS.
 - THE TONGUE AND GROOVE JOINT SHALL BE SEALED WITH ONE STRIP OF BUTYL RUBBER SEALANT.

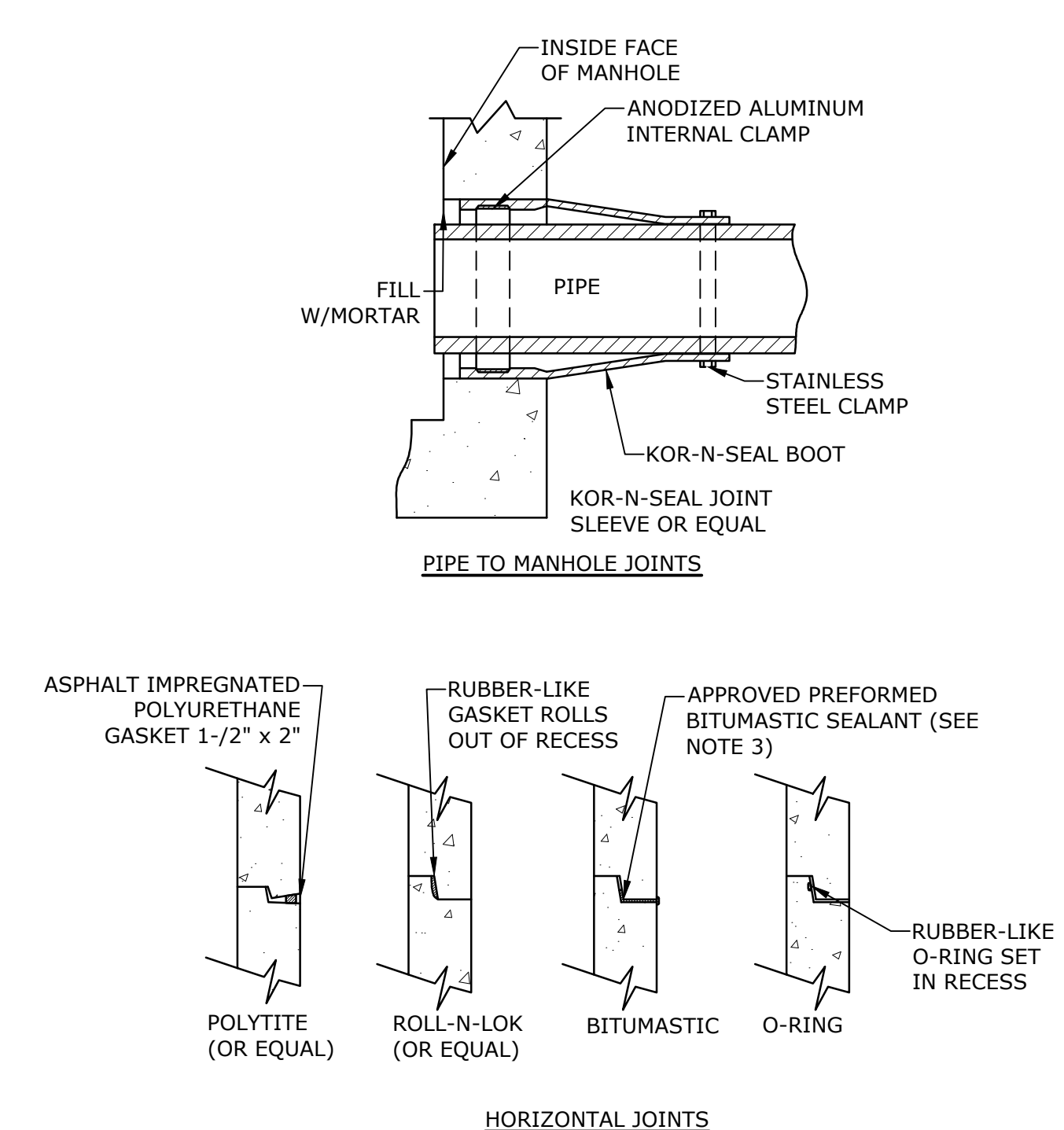
4' DIAMETER CATCHBASIN
NO SCALE

NHDOT ITEM No. 304.4 (CRUSHED STONE - FINE)	
SIIEVE SIZE	% PASSING
2"	100
1-1/2"	85-100
3/4"	45-75
#4	10-45
#200	0-5



- NOTES:**
- ALL SECTIONS SHALL BE 4,000 PSI CONCRETE.
 - CIRCUMFERENTIAL REINFORCEMENT SHALL BE 0.12 SQUARE INCHES PER LINEAR FOOT IN ALL SECTIONS AND SHALL BE PLACED IN THE CENTER THIRD OF THE WALL.
 - THE TONGUE AND THE GROOVE OF THE JOINT SHALL CONTAIN ONE LINE OF CIRCUMFERENTIAL REINFORCEMENT EQUAL TO 0.12 SQUARE INCHES PER LINEAR FOOT.
 - THE STRUCTURES SHALL BE DESIGNED FOR H2O LOADING.
 - CONSTRUCT CRUSHED STONE BEDDING AND BACKFILL UNDER (6" MINIMUM THICKNESS)
 - THE TONGUE AND GROOVE JOINT SHALL BE SEALED WITH ONE STRIP OF BUTYL RUBBER SEALANT.
 - PIPE ELEVATIONS SHOWN ON PLANS SHALL BE FIELD VERIFIED PRIOR TO PRECASTING.
 - OUTSIDE EDGES OF PIPES SHALL PROJECT NO MORE THAN 3" BEYOND INSIDE WALL OF STRUCTURE.
 - PRECAST SECTIONS SHALL HAVE A TONGUE AND GROOVE JOINT 4" HIGH AT AN 11° ANGLE CENTERED IN THE WIDTH OF THE WALL AND SHALL BE ASSEMBLED USING AN APPROVED FLEXIBLE SEALANT IN JOINTS.
 - ALL STRUCTURES WITH MULTIPLE PIPES SHALL HAVE A MINIMUM OF 12" OF INSIDE SURFACE BETWEEN HOLES, NO MORE THAN 75% OF A HORIZONTAL CROSS SECTION SHALL BE HOLES, AND THERE SHALL BE NO HOLES CLOSER THAN 3" TO JOINTS.

4' DIAMETER DRAIN MANHOLE
NO SCALE



- NOTES:**
- HORIZONTAL JOINTS BETWEEN THE SECTIONS OF PRECAST CONCRETE BARRELS SHALL BE PER CITY OF PORTSMOUTH DPW STANDARD AND SHALL BE SEALED FOR WATERTIGHTNESS USING A DOUBLE ROW ELASTOMERIC OR MASTIC-LIKE GASKET.
 - PIPE TO MANHOLE JOINTS SHALL BE PER CITY OF PORTSMOUTH STANDARD.
 - FOR BITUMASTIC TYPE JOINTS THE AMOUNT OF SEALANT SHALL BE SUFFICIENT TO FILL AT LEAST 75% OF THE JOINT CAVITY.
 - ALL GASKETS, SEALANTS, MORTAR, ETC. SHALL BE INSTALLED IN ACCORDANCE WITH MANUFACTURERS' WRITTEN INSTRUCTIONS.

MANHOLE JOINTS
NO SCALE

PROPOSED LUMBER SHEDS

PORTSMOUTH LUMBER & HARDWARE LLC

105 Bartlett Street
Portsmouth,
New Hampshire

MARK	DATE	DESCRIPTION
B	8/28/2024	PB Submission
A	7/22/2024	TAC Submission

PROJECT NO:	R-5091-001
DATE:	July 22, 2024
FILE:	R-5091-001-C-DTLS.DWG
DRAWN BY:	NHW/CJK
CHECKED:	NAH
APPROVED:	PMC

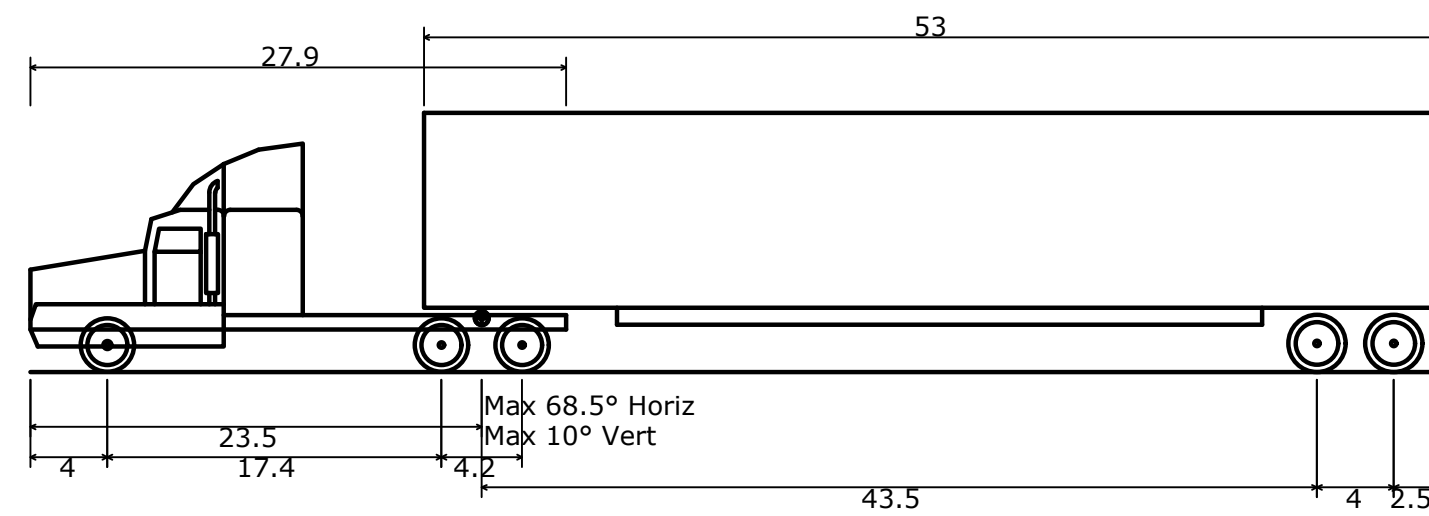
DETAILS SHEET

SCALE: AS SHOWN

C-503

LEGEND

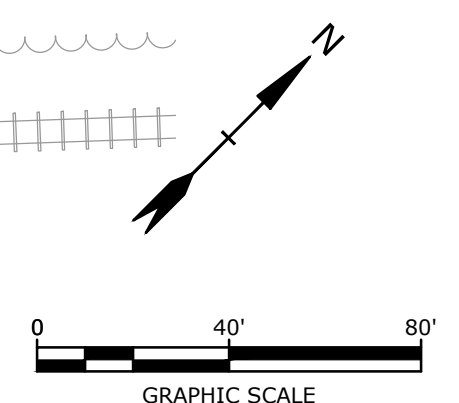
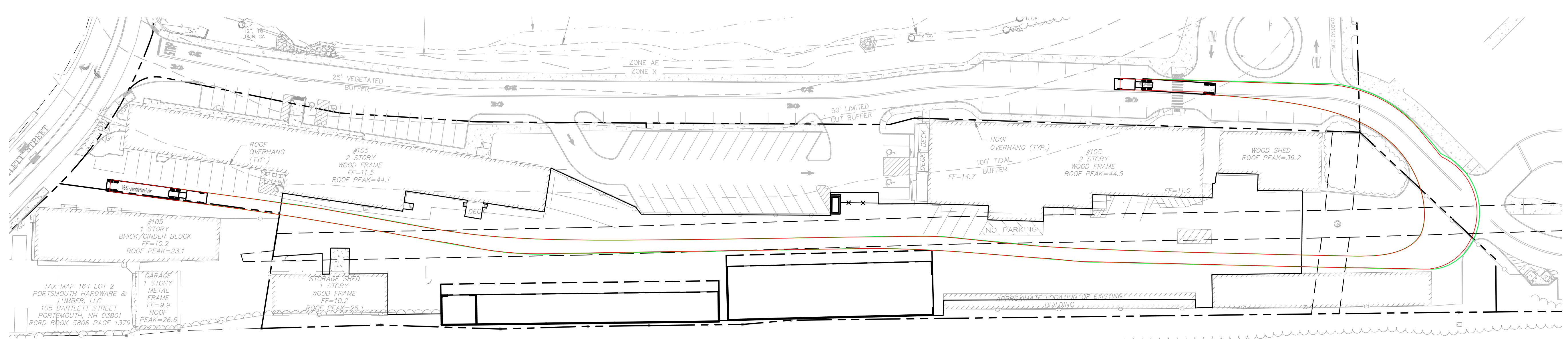
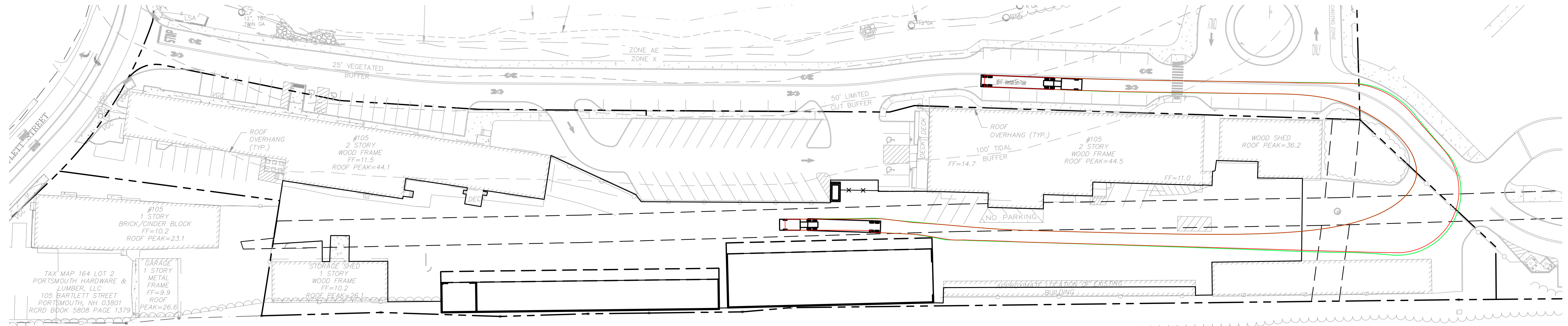
- FORWARD VEHICLE WHEEL BASE
- FORWARD VEHICLE OVERHANG
- REVERSE VEHICLE WHEEL BASE
- REVERSE VEHICLE OVERHANG



WB-67 - Interstate Semi-Trailer
 Overall Length 73.501ft
 Overall Width 8.500ft
 Overall Body Height 13.500ft
 Min Body Ground Clearance 1.334ft
 Max Track Width 8.500ft
 Lock-to-lock time 6.00s
 Max Steering Angle (Virtual) 28.40°

PROPOSED LUMBER SHEDS
105 BARTLETT STREET
PORTSMOUTH, NH

WB-67 TRUCK TURNING EXHIBIT

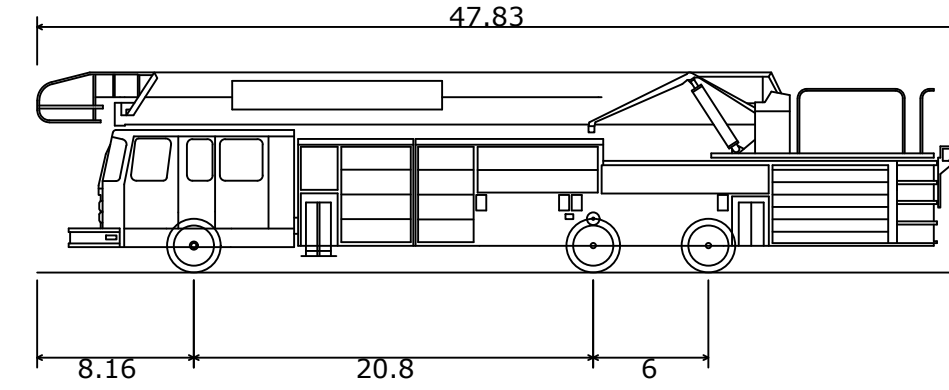


Tighe&Bond

Last Save Date: August 27, 2024, 9:02 AM By: NWILCOX
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LEGEND

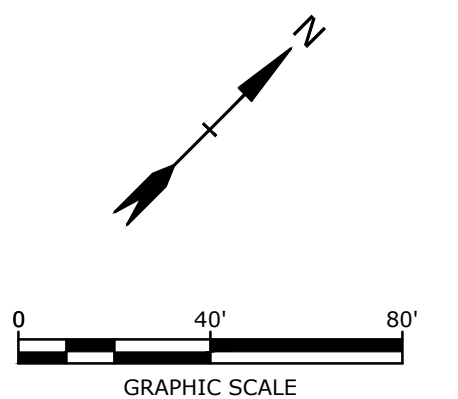
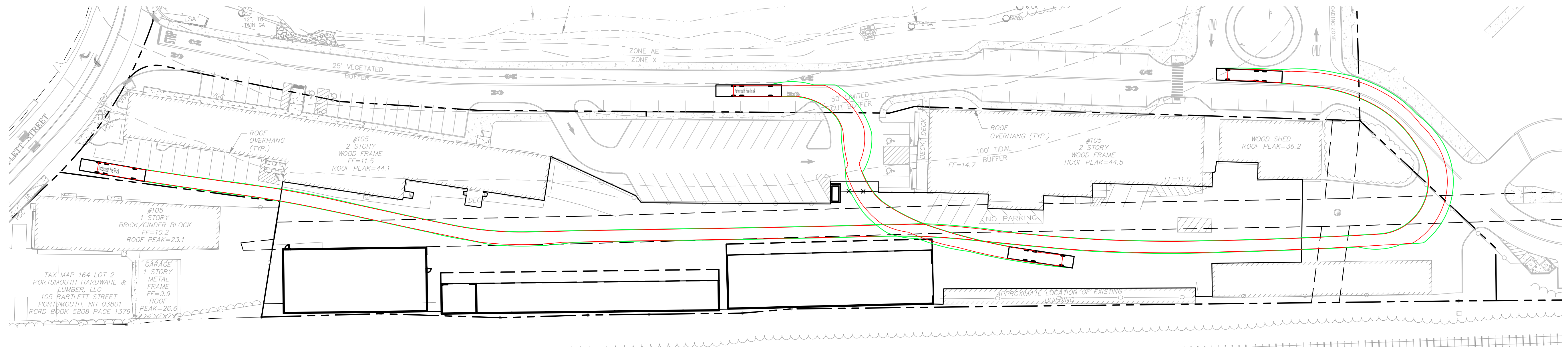
- FORWARD VEHICLE WHEEL BASE
- FORWARD VEHICLE OVERHANG
- REVERSE VEHICLE WHEEL BASE
- REVERSE VEHICLE OVERHANG



Portsmouth Fire Truck	
Overall Length	47.830ft
Overall Width	8.500ft
Overall Body Height	10.432ft
Min Body Ground Clearance	0.862ft
Track Width	8.000ft
Lock-to-lock time	6.00s
Max Steering Angle (Virtual)	38.00°

PROPOSED LUMBER SHEDS 105 BARTLETT STREET PORTSMOUTH, NH

FIRE TRUCK TURNING EXHIBIT



Answering the Questions of the Rear Gate Opening and Turning Radius.

A question from the City of Portsmouth concerning the rear gate opening, its size and construction. Tighe and Bond was asked to respond to this question and the details follow.

From Emails: Dated 8/21/2024

From: Peter Stith Planning Manager City of Portsmouth
To: Patrick Moretti President of Ricci Lumber

Pat,

Two comments on the turning radius:

The truck appears to be driving over parked vehicles.

It looks like the rear gate is going to need to be 60' wide. What will that look like and what kind of foundation/footing will it have?

Thanks,

Peter Stith, AICP
Planning Manager

This was forwarded to Neil Hanson of Tighe and Bond for a response

From: Neil Hanson of Tighe and Bond
To: Peter Stith Planning Manager City of Portsmouth

Peter,

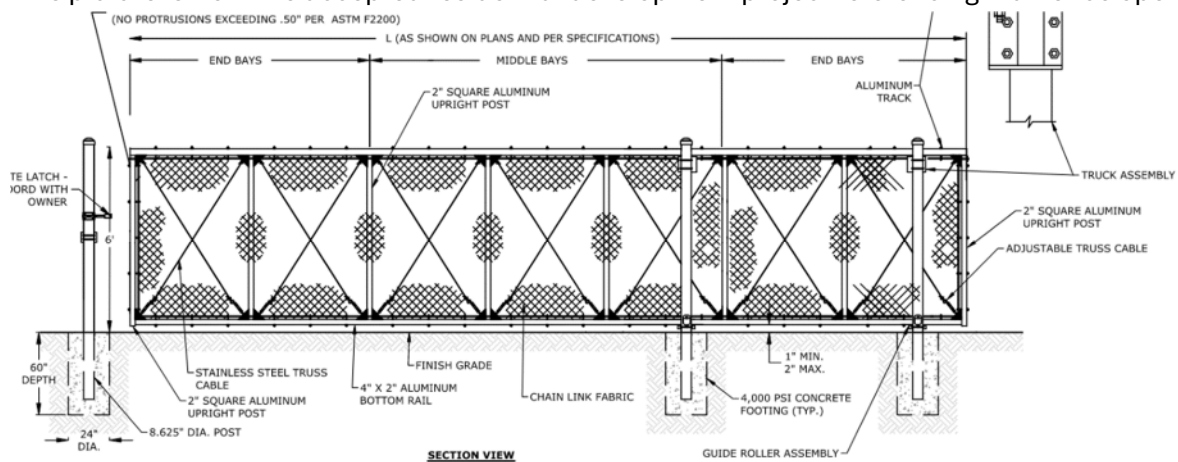
Please see the attached revised truck turning plan which eliminates the conflict with the parking spaces on the road. For the fence the opening is ~56' and the residential project plans includes cantilevered sliding gates, one for each half of the opening. Footings would be per the manufacturer, but a typical detail would be 2' diameter, 60" deep footings for the fence posts.

Thanks, Neil

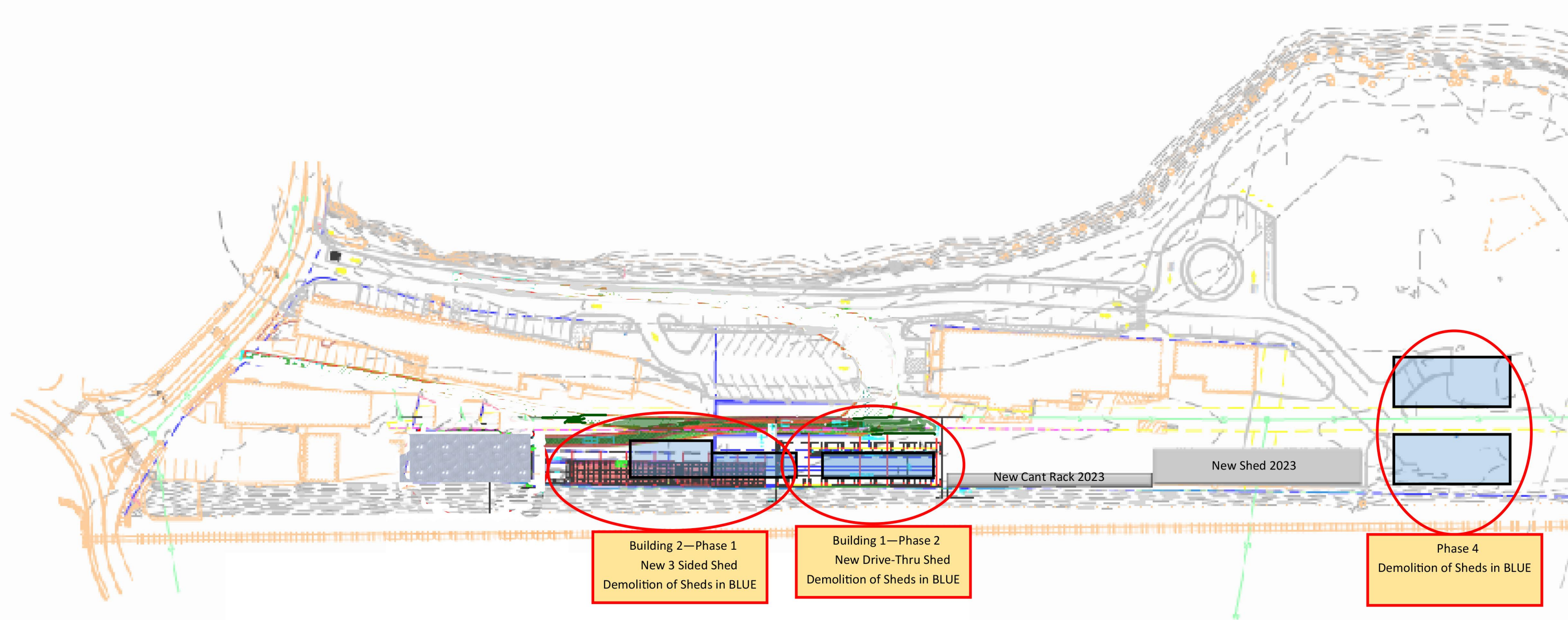
Neil Hansen, PE
Project Manager

The turning radius has been addressed in the document provided in this submittal.

This picture is from the accepted residential development project referencing that fence opening.



Submitted By Patrick Moretti of Ricci Lumber 8/27/2024



Building 2—Phase 1
New 3 Sided Shed
Demolition of Sheds in BLUE

Building 1—Phase 2
New Drive-Thru Shed
Demolition of Sheds in BLUE

Phase 4
Demolition of Sheds in BLUE

Demolition Plan

105 Bartlett - Shed Construction - Variance Application

Beverly M. Zendt <bmzendt@cityofportsmouth.com>

Fri 4/8/2022 1:09 PM

To: Christopher Mulligan <cmulligan@BosenandAssociates.com>

Cc: Peter M. Stith <pmstith@cityofportsmouth.com>; Vincent J. Hayes <vjhayes@cityofportsmouth.com>

Good afternoon,

You have requested the following variance for 105 Bartlett:

Remove two existing accessory structures and replace with one new shed which requires the following: 1) A Variance from Section 10.516.20 to allow a 6' setback where 15' is required from the railroad right of way.

It is staff's determination that the variance submitted for 105 Bartlett (LU-22-58) is not needed for the proposed construction of a new shed along the railroad right-of-way. At this time, staff would interpret the principal front yard to be Bartlett.

Staff analysis

- 10.516.20 provides the following: *10.516.20 Yard Adjoining a Railroad Right of Way Notwithstanding any other provision of this Article, in any district where a rear yard or side yard is required, the minimum yard adjoining a railroad right of way shall be 15 feet.*
- Staff interprets that to mean that where the district has no side yard – the 15 ' adjoining yard is not applicable.
- Zoning District CD4 - requires no side yard setback.
- Staff has determined that the yard adjoining the railroad ROW is a **side yard**.
- The existing service road/driveway does not meet the city's requirements for street. Although it has been dedicated, it has not been fully constructed or accepted by the city.
- Staff would interpret the principal front yard to be Bartlett at this time.
- Upon construction and acceptance of the new dedicated/platted road- the principal yard shall become that yard which adjoins the new proposed road.
- **Please be advised, the placement of the shed should be in compliant with all dimensional standards that will be in effect under the approved boundary line adjustment – currently under litigation.**

Portsmouth Zoning Ordinance Definition

Principal front yard On a lot with more than one front yard, the front yard designated to bear the address. On a lot with one front yard, that front yard may be referred to as the principal front yard.

Yard, front A yard extending across the full width of a lot between the street right of way line and nearest point of any building. **Front yard dimensions are to be measured from the street where a plan of the street is on file** with the Rockingham County Registry of Deeds or in City records, or in the absence of such plan, from a line 25 feet from and parallel to the center line of the traveled way.

Street A thoroughfare or roadway which is either (a) formally accepted by the City, or (b) **shown on a subdivision plan approved by the Planning Board and constructed to City subdivision** specifications or for which surety has been posted to guarantee construction of all improvements required by the Planning Board.

Please contact me if I can provide any additional information.

Best Regards,

Beverly Mesa-Zendt AICP

Director | Planning Department

City of Portsmouth

1 Junkins Avenue

Portsmouth, NH 03801

.....
 **(603) 610-7216**

 Bmz@cityofportsmouth.com

[<http://>] [Planning Department | City of Portsmouth](#)

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PORTSMOUTH LUMBER & HARDWAR, LLC.
105 BARTLETT STREET
PORTSMOUTH, NH 03801

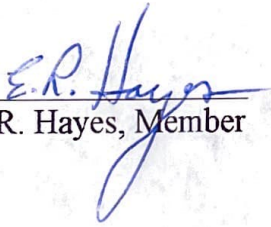
1 January 2024

To Whom It May Concern:

I am the sole member of Portsmouth Lumber & Hardware, LLC., which owns various parcels at 105 Bartlett Street. Ricci Supply Company, Inc., doing business as Ricci Lumber, has my express authorization to file any and all documents with the City in order to facilitate the eventual build out of the various improvements and upgrades planned at the lumberyard.

Please call me directly at (603) 396-8141 if you have any questions. Thank you.

Sincerely,



Edward R. Hayes, Member



August 27, 2024

Portsmouth NH Planning Board
September Public Meeting

Ref: City request for a Maintenance easement

The city requested during our TAC sessions an additional 10' from the current sewer easement for possible maintenance to the sewer line running beneath the property. Our understanding is that this is needed only during repairs/construction to allow for proper shoring in order to protect the new foundations in the event the line is replaced or repaired. This is in no way going to increase the size of the current sewer easement or influence our ability to utilize the property as requested in this submittal. It is only a precautionary measure by the city to make the property owner and tenants aware of the situation and have a formal agreement in place should it be needed.

Based on the above information we formally agree to this maintenance buffer of 10'

Sincerely

Patrick Moretti
President
Ricci Lumber.

Ed Hayes
Property Owner
Portsmouth Lumber and Hardware.

Contact Information:

Edward Hayes ehayes@riccilumber.com

Patrick Moretti pmoretti@riccilumber.com

105 Bartlett Street - Portsmouth, NH 03801 (603)436-7480

www.riccilumber.com

PORTSMOUTH LUMBER & HARDWARE, LLC
105 BARTLETT STREET
PORTSMOUTH, NH 03801

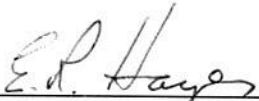
27 August 2024

Planning Department
City of Portsmouth
1 Junkins Avenue
Portsmouth, NH 03801

Dear Planning Department:

I support merging the two lots in question (Lots 164-1 and 157-2) in order to get Ricci Lumber's sheds built. Thank you very much.

Sincerely,



Edward R. Hayes
Manager/Owner
Portsmouth Lumber

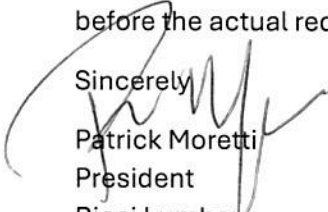


August 27, 2024

Portsmouth NH Planning Board
September Public Meeting

Ref: Access to the Railroad Property

This is in reference to the question of access to the CSX side of property line during construction and routine maintenance in the future. In a conference call that Ed Hayes, owner of the Ricci Lumber property, myself and Michael Twidle of CSX properties had on August 14, 2024, we asked Mr. Twidle about utilizing the CSX side of the property for construction and repairs of these new structures as we have in the past. Mr. Twidle explained that he didn't see any issues with the request, but as before there is a procedure. Right of entry agreements would be issued through their property portal and are only good for 30 days. Knowing we were not impacting the rail line in any way and only requesting access to work from their side, he suggested not applying for the permit until we were close to needing access. Besides the portal, he gave us an additional contact to reach out to once we had some firm dates for the construction so we could open the dialog before the actual request.

Sincerely

Patrick Moretti
President
Ricci Lumber

E.R. Hayes, PLH owner

Contact Information:

Michael Twidle Michael_Twidle@csx.com
Drew Hannon drew_hannon@csx.com
Edward Hayes ehayes@riccilumber.com
Patrick Moretti pmoretti@riccilumber.com

105 Bartlett Street - Portsmouth, NH 03801 (603)436-7480
www.riccilumber.com

Answers for the question is Fire Suppression needed for Building #1

According to the City of Portsmouth's website, they have adopted the NFPA-1, NFPA-101, IBC, Life Safety Code and the 2015 international code. Everything that I read leads me to believe that the building would be considered a Group S-1 or IBC 903.2.9. Group S occupancy involves a building that is used for storage purposes with Group S-1 clearly stating that it's for Moderate-Hazard Storage and Occupancy and Lumber is on the standard list of materials. At the TAC meeting I heard some saying possible mercantile structure aka Group-M. Mercantile, according to the codes, is a space that involves displaying and sale of merchandise, stocking goods and is accessible to the public. Further research points Group-M to a store type environment and not an open warehouse storage structure that this building will be.

Here are the definitions as described in detail on the website BuildingCodeTrainer.com

What is a Group M Occupancy?

A **Group M** occupancy is a use that involves the display and sale of merchandise, stocking of goods, and is accessible to the public.

What Are Examples of a Group M Occupancy?

This includes but is not limited to the following examples:

- Department stores
- Drug stores
- Markets
- Motor fuel-dispensing facilities
- Retail or wholesale stores
- Sales rooms

When certain hazardous materials are stored or displayed in a single control area of a Group M occupancy, they shall not exceed the quantity limits of Table 414.2.5(1) or otherwise it can be classified as a Group H occupancy.

What is a Group S Occupancy?

A **Group S** occupancy involves a building that is used for storage purposes.

The code does clarify that a space less than 100 square feet used for the purpose of storage and that is accessory to another occupancy shall be classified as part of that occupancy.

Answers for the question is Fire Suppression needed for Building #1

What Are Examples of a Group S Occupancy?

Group S-1:

Buildings occupied for storage uses that are not classified as a Group S-2 occupancy. A Group S-1 occupancy is also known as a moderate-hazard storage occupancy.

This includes but is not limited to the storage of the following examples:

- Aerosol products, Levels 2 and 3
- Aircraft hangar (storage and repair)
- Bags: cloth, burlap and paper
- Bamboos and rattan
- Baskets
- Belting: canvas and leather
- **Beverages over 16-percent alcohol content**
- Books and paper in rolls or packs
- Boots and shoes
- Buttons, including cloth covered, pearl or bone
- Cardboard and cardboard boxes
- Clothing, woolen wearing apparel
- Cordage
- Dry boat storage (indoor)
- Furniture
- Furs
- Glues, mucilage, pastes and size
- Grains
- Horns and combs, other than celluloid
- Leather
- Linoleum
- Lumber
- Motor vehicle repair garages complying with the maximum allowable quantities of hazardous materials specified in [Table 307.1\(1\)](#) (see [Section 406.8](#))
- Photo engravings
- Resilient flooring
- Self-service storage facility (mini-storage)
- Silks
- Soaps
- Sugar
- Tires, bulk storage of
- Tobacco, cigars, cigarettes and snuff
- Upholstery and mattresses
- Wax candles

Answers for the question is Fire Suppression needed for Building #1

The details show that Lumber is classified under the Group-S. occupancy. Going to the guide book published by the National Fire Sprinkler Associate on their website (www.nfsa.org) on page 47 of this manual they state the following information

NFSA Fire Sprinkler Guide: 2018 International Building Code Edition

A. Complete Sprinkler Requirements:

The following paragraphs outline where complete sprinkler systems are required.

Group S-1, IBC 903.2.9: An automatic sprinkler system shall be provided throughout all buildings containing a Group S-1 occupancy where one of the following conditions exists:

- A Group S-1 fire area exceeds 12,000 square feet
- A Group S-1 fire area is located more than three stories above grade plane.
- The combined area of all Group S-1 fire areas on all floors, including any mezzanines, exceeds 24,000 square feet.
- A Group S-1 fire area used for the storage of commercial trucks or buses where the fire area exceeds 5,000 square feet.
- A Group S-1 occupancy used for the storage of upholstered furniture or mattresses exceeds 2,500 square feet.

The overall footprint of the building is just under 7100sqft and if you include the mezzanine it totals up to 9800 sqft. Based on the Group S-1 code above we are significantly under the requirement for sprinklers being needed in this structure.



August 27, 2024

Portsmouth NH Planning Board
September Public Meeting

Ref: Fire Department Request for Access

During our TAC sessions, the fire department wanted assurance that we would be including a means of access to the property should an emergency occur. Their request was to make certain that Knox Box and Knox Key switch access options are included in our submittals to the planning board and to be part of the approval process. I can firmly state that we will be including Knox Boxes\Keys switches at all entrances to the yard and any secure building on the property as required by the fire department.

Based on the above statement we formally agree to this request and requirement

Sincerely

Patrick Moretti

President
Ricci Lumber

Contact Information:

Patrick Moretti pmoretti@riccilumber.com

105 Bartlett Street - Portsmouth, NH 03801 (603)436-7480

www.riccilumber.com

Findings of Fact | Detached Accessory Dwelling Unit

City of Portsmouth Planning Board

Date: September 19, 2024

Property Address: 1004 Greenland Road

Application #: LU-24-29

Decision: Approve Deny Approve with Conditions

Findings of Fact:

Per RSA 676:3, I: The local land use board shall issue a final written decision which either approves or disapproves an application for a local permit and make a copy of the decision available to the applicant. **The decision shall include specific written findings of fact that support the decision. Failure of the board to make specific written findings of fact supporting a disapproval shall be grounds for automatic reversal and remand by the superior court upon appeal, in accordance with the time periods set forth in RSA 677:5 or RSA 677:15, unless the court determines that there are other factors warranting the disapproval.** If the application is not approved, the board shall provide the applicant with written reasons for the disapproval. If the application is approved with conditions, the board shall include in the written decision a detailed description of the all conditions necessary to obtain final approval.

Zoning Ordinance -10.814.60: Before granting a conditional use permit for a detached ADU, the Planning Board shall make the following findings:

	Section 10.814.62	Finding (Meets Requirement/ Criteria)	Supporting Information
1	10.814.621 The ADU complies with all applicable standards of this Section 10.814 or as may be modified by the conditional use permit.	Meets Does Not Meet	The DADU complies with the applicable standards in Section 10.814.
2	10.814.622 The exterior design of the ADU is architecturally consistent with or similar in appearance to the existing principal dwelling on a lot.	Meets Does Not Meet	The design of the DADU is consistent with the principal dwelling on the property.
3	10.814.623 The site plan provides adequate and appropriate open space and landscaping for both the ADU and the principal dwelling unit and complies with the off-street parking requirements of 10.814.26.	Meets Does Not Meet	The lot provides ample open space and the location of the DADU is near the principal dwelling, preserving the remainder of the lot as open space. The parking provided exceeds the Ordinance requirement.
4	10.814.624 The ADU will maintain a compatible relationship with the character of adjacent and neighborhood properties in terms of location, design, and off-street parking layout, and will not significantly reduce the privacy of adjacent properties.	Meets Does Not Meet	The DADU maintains a compatible relationship with the neighborhood and is setback from the road and will be subordinate to the principal dwelling on the lot.
5	<u>Other Board Findings:</u>		

Peter and Amy LaLime
1004 Greenland Road
Portsmouth, NH 03801

DADU Supporting Document

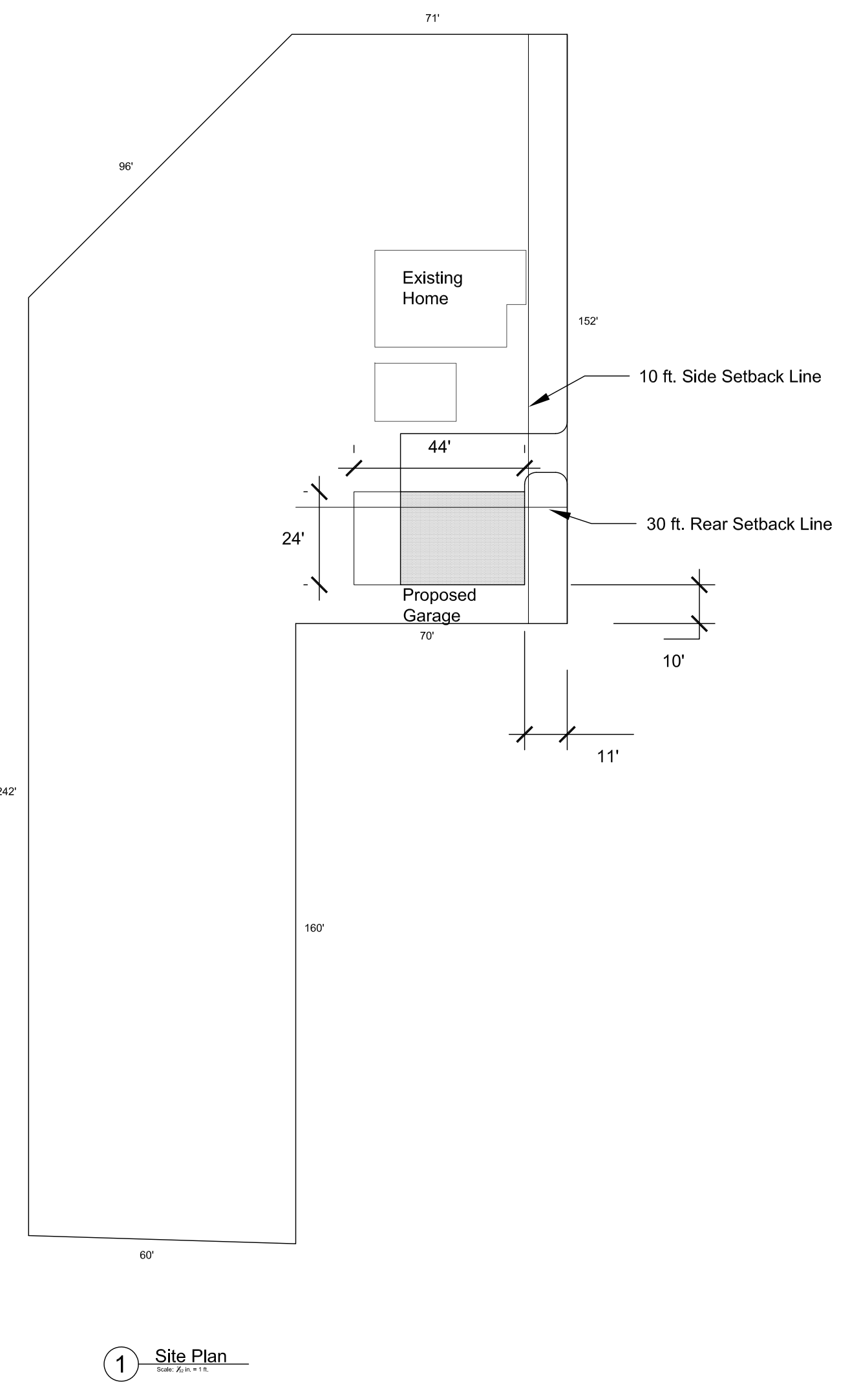
Peter and Amy LaLime, co-owners and residents of 1004 Greenland Road, Portsmouth Map 262 Lot 8 within the SRB district– at the end of a dead-end street are requesting to build a DADU garage structure on the property. No variance is required.

The principal and accessory dwellings will remain under joint ownership of Peter and Amy LaLime of 1004 Greenland Road which is their permanent residence. The purpose of the DADU is to utilize our property to add more living space for our family.

Neither the principal nor accessory dwelling will be used for business purposes.

The property at 1004 Greenland Road is on municipal sewer and septic is not a consideration.

Regarding noise or traffic, 1004 Greenland Road abuts I-95 an 8-lane highway and Route 33. There is excessive noise coming from both roads onto our property but there will be no additional noise, traffic or parking congestion from this property or the proposed new structure.



1004 Greenland Road
 PID: 31507
 Plot: 0.65 Acres (28,300 sq. ft.)
 Existing Footprint: 1,235 sq. ft.
 Proposed Footprint: 1,056 sq. ft.

ZONE: SRB

Required Setbacks
 Front: 30 ft.
 Side: 10 ft.
 Rear: 30 ft.

Lot Coverage: 20%
 Clear: 40%

DESIGN CRITERIA:
 PER INTERNATIONAL RESIDENTIAL CODE (IRC)
 SNOW LOAD: 50 PSF
 WIND ZONE: 100 MPH
 SEISMIC DESIGN CATEGORY: C
 WEATHERING: SEVERE
 TERMITE: SLIGHT/MODERATE
 IECC CLIMATE ZONE: 5

ZONING CRITERIA (Sec. 10.814):

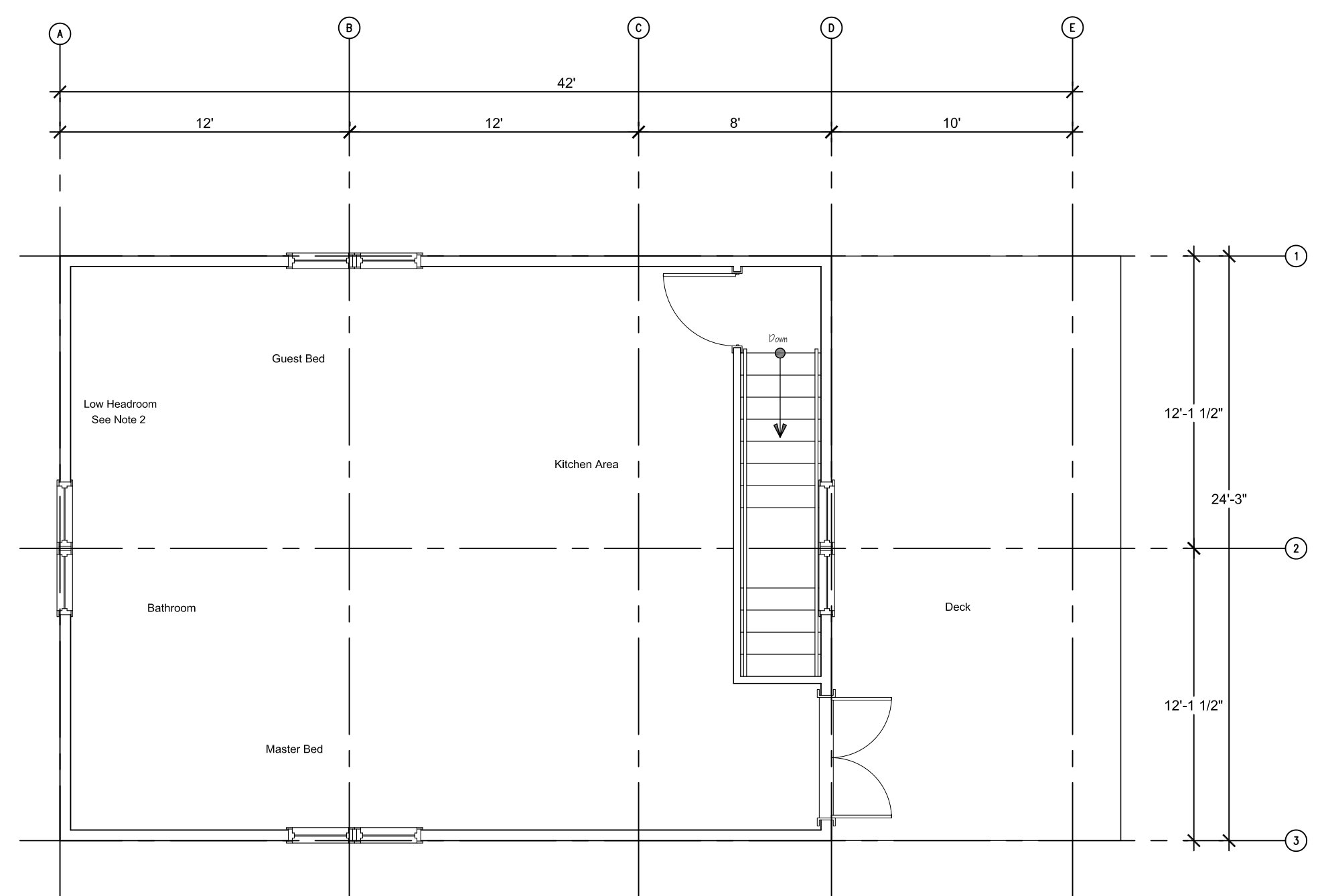
Gross Living Area (GLA): 724 s.f.
 Gross Floor Area (GFA): 1,474 s.f.
 75% of existing: 2,560 s.f.
 Zoning Maximum All: 1,600 s.f. [Controls]

Height of DADU: 22 ft. (to top of ridge)
 Height of existing: 30 ft.
 75% of height of existing: 22 ft. - 6 in.
 Zoning Max. Height: 22 ft. [Controls]

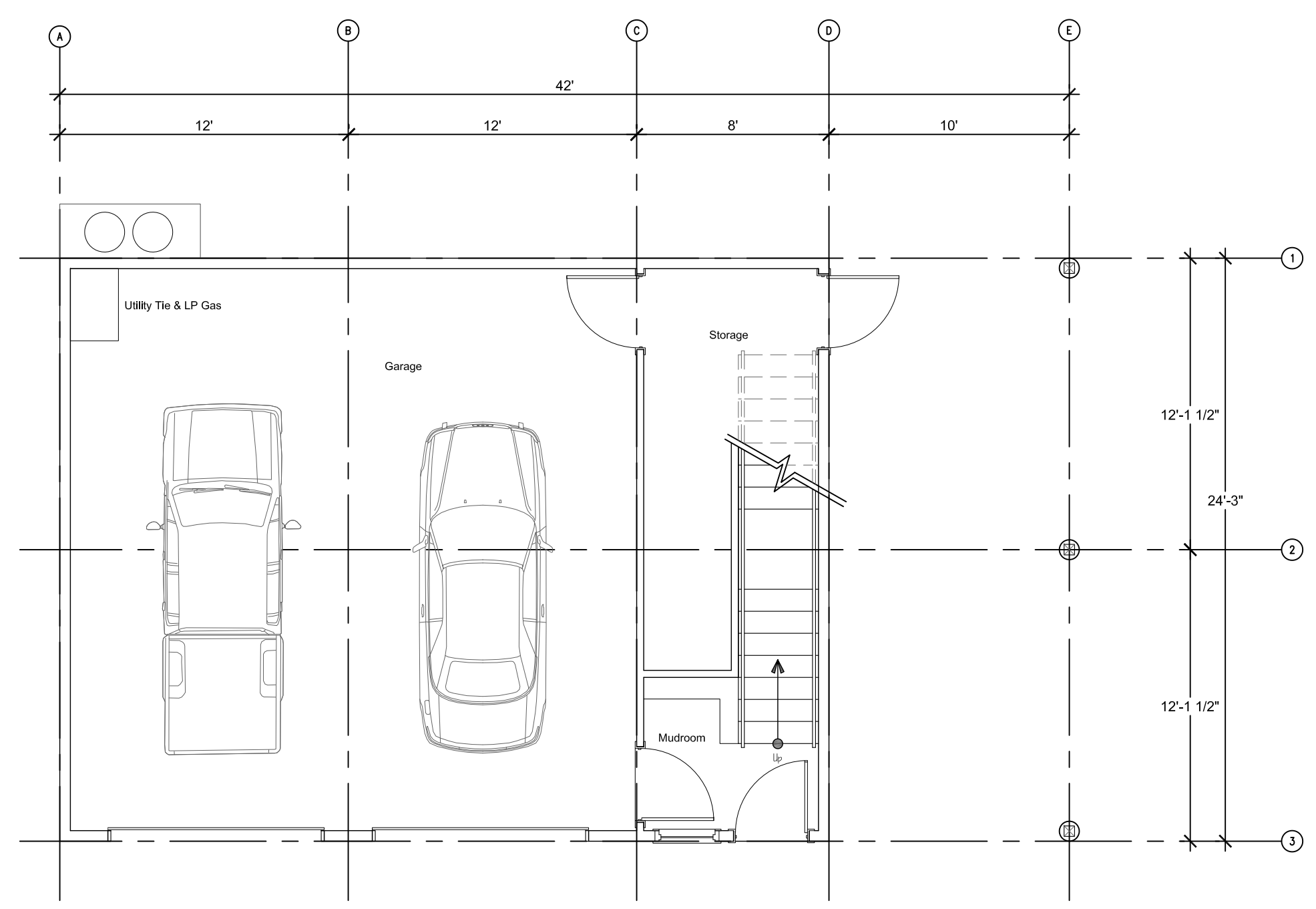
Dormers: None
 Deck Area: 290 s.f.

These plans and all work shall comply with the New Hampshire State Building Code as prescribed by RSA 155, and adopted by the City of Portsmouth

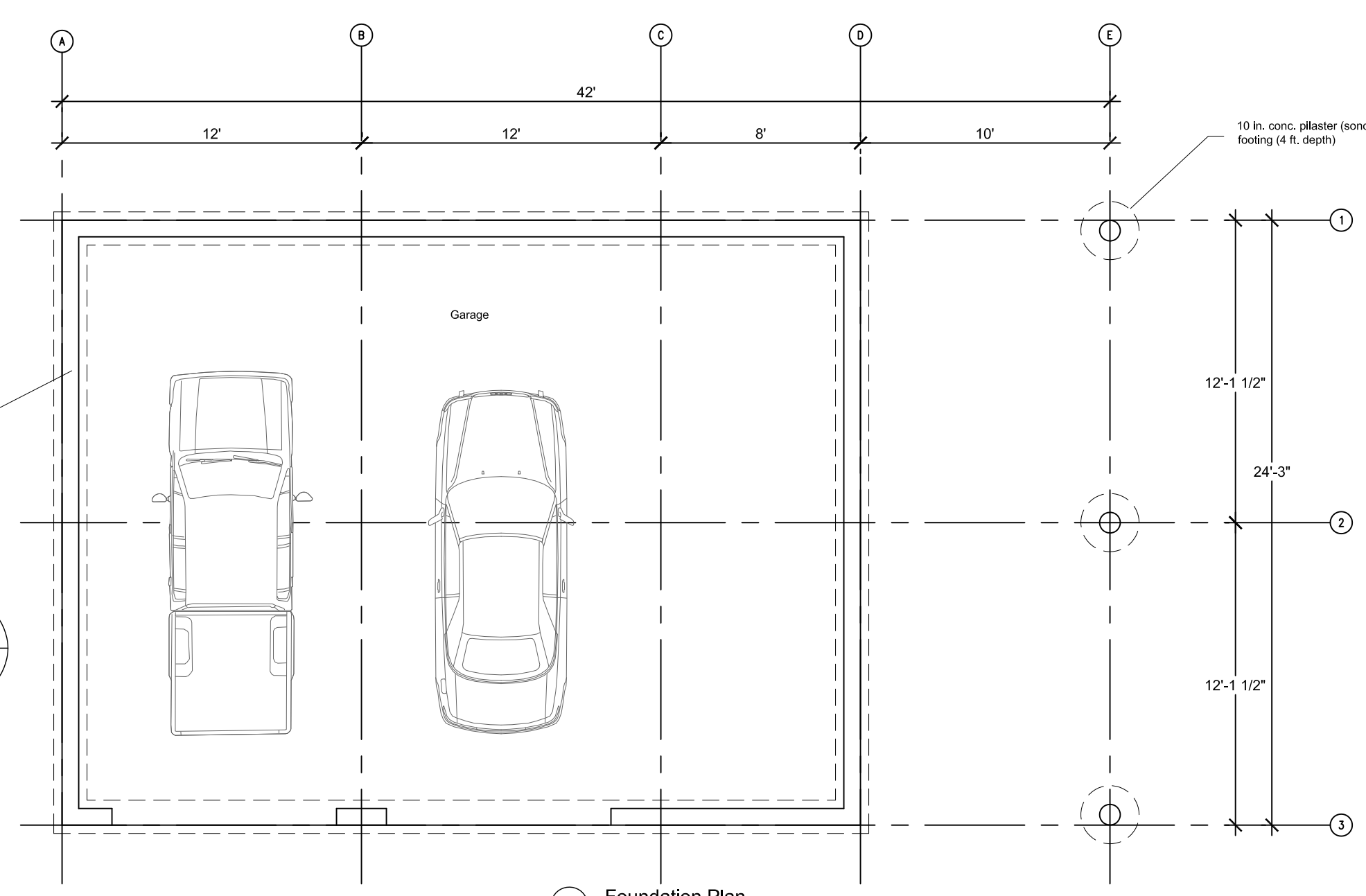
These plans are limited to the structural frame and foundation of the project; floor plans are core&shell only.



4 Second Floor Plan



3 First Floor Plan



2 Foundation Plan

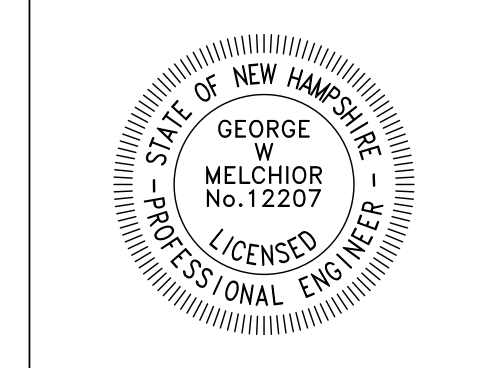
General Notes:

- FOUNDATION DESIGN BASED ON 3,000 PSF BEARING CAPACITY; SANDY LOAM WITH ADEQUATE DRAINAGE
- UTILITIES TO BE TIED IN AT NORTHWEST CORNER; CHASE TO SECOND LEVEL AT NORTHWEST CORNER CRAWL SPACE
- DWELLING WILL BE SERVED AND HEATED WITH LP GAS; SECONDARY HEAT SOURCE WILL BE ELECTRIC
- ALL WALL FASTENERS SHALL BE IN ACCORDANCE WITH IRC TBL R602
- ALL STRUCTURAL FASTENERS SHALL BE GRK RSS LAGS U.N.O.
- LATERAL FORCE RESISTING SYSTEM (LFRS) - FOUNDATION, SHEAR WALLS AND ROOF GABLE SHEAR FRAMES SHALL BE CONSTRUCTED IAW THESE PLANS [STRUCTURAL PLANS CONFORM TO IBC CHAP 16, ASCE 7, AND ACI 318]
- ALL CONCRETE SHALL HAVE MINIMUM $F_c = 2,800$ psi UNO
 $e = 2.1 \times 10^6$ PSI
 $F_s = 3,100$ PSI
- ALL KILD-DRIED LUMBER USED IN STRUCTURAL FRAMING SHALL BE DOUGLAS FIR NO.1 OR SS
- FOUNDATION, EXTERIOR WALLS, HORIZONTAL SECOND FLOOR BOUNDARY, AND ROOF SHALL BE INSULATED IN ACCORDANCE WITH THE NEW HAMPSHIRE RESIDENTIAL ENERGY CODE AND THE INTERNATIONAL ENERGY CONSERVATION CODE (IECC)
 SLOPED OR CATHEDRAL CEILING: R-30
 ABOVE GRADE WALLS: R-20
 CONCRETE/ SLAB: R-5 [WALLS], R-7.5 [SLAB]
- GARAGE DOORS PLANNED AT 8 FT. HIGH X 9 FT. WIDE
- ENTRANCE AND MUDROOM FLOOR TO BE RAISED FLOOR ON 2X4 SLEEPERS; FINISHED FLOOR MATERIAL TBD
- HOMEOWNER TO LAY OUT INTERIOR PARTITIONS OF SECOND FLOOR DWELLING
- ALL BEDROOMS SHALL BE EQUIPPED WITH EMERGENCY ESCAPE WINDOWS (5.7 SQ. FT. CLEAR OPENING) IAW IRC R310.2
- ALL WOOD CONSTRUCTION WITHIN 12 IN. OF GRADE SHALL BE TREATED FOR MOISTURE AND DECAY RESISTANCE IAW R317.1.2

LALIME
 Garage and Dwelling
 1004 Greenland Road
 Portsmouth, NH 03801



Designer:
 George Melchior, R.A., P.E. LEED AP BD+C
 SPITBANK Design
 601 Islington Street
 Suite 202
 Portsmouth, NH 03801
 PH (603) 828-8168
 gwm@spitbank.com



Num	Description	Date
1	FRAMING PLAN	1/16/24
2	REVISION 1	6/5/24

DATE: 6/5/24 SCALE: AS NOTED

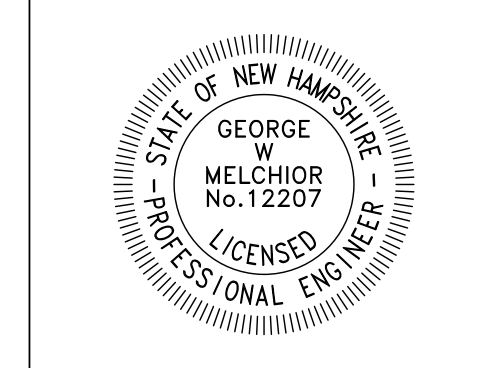
A1.0
 Plans

General Notes:

LALIME
Garage and Dwelling
1004 Greenland Road
Portsmouth, NH 03801



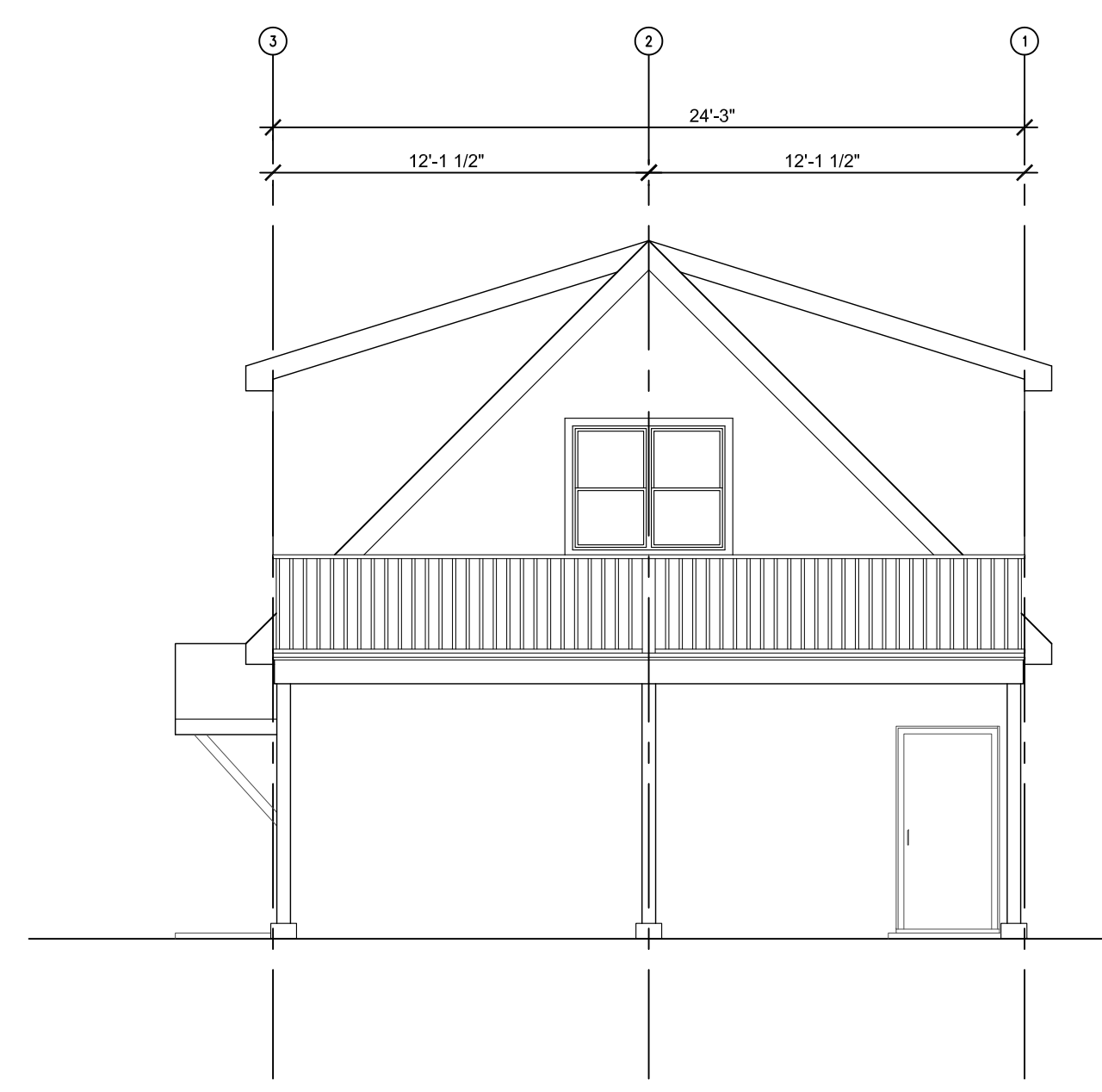
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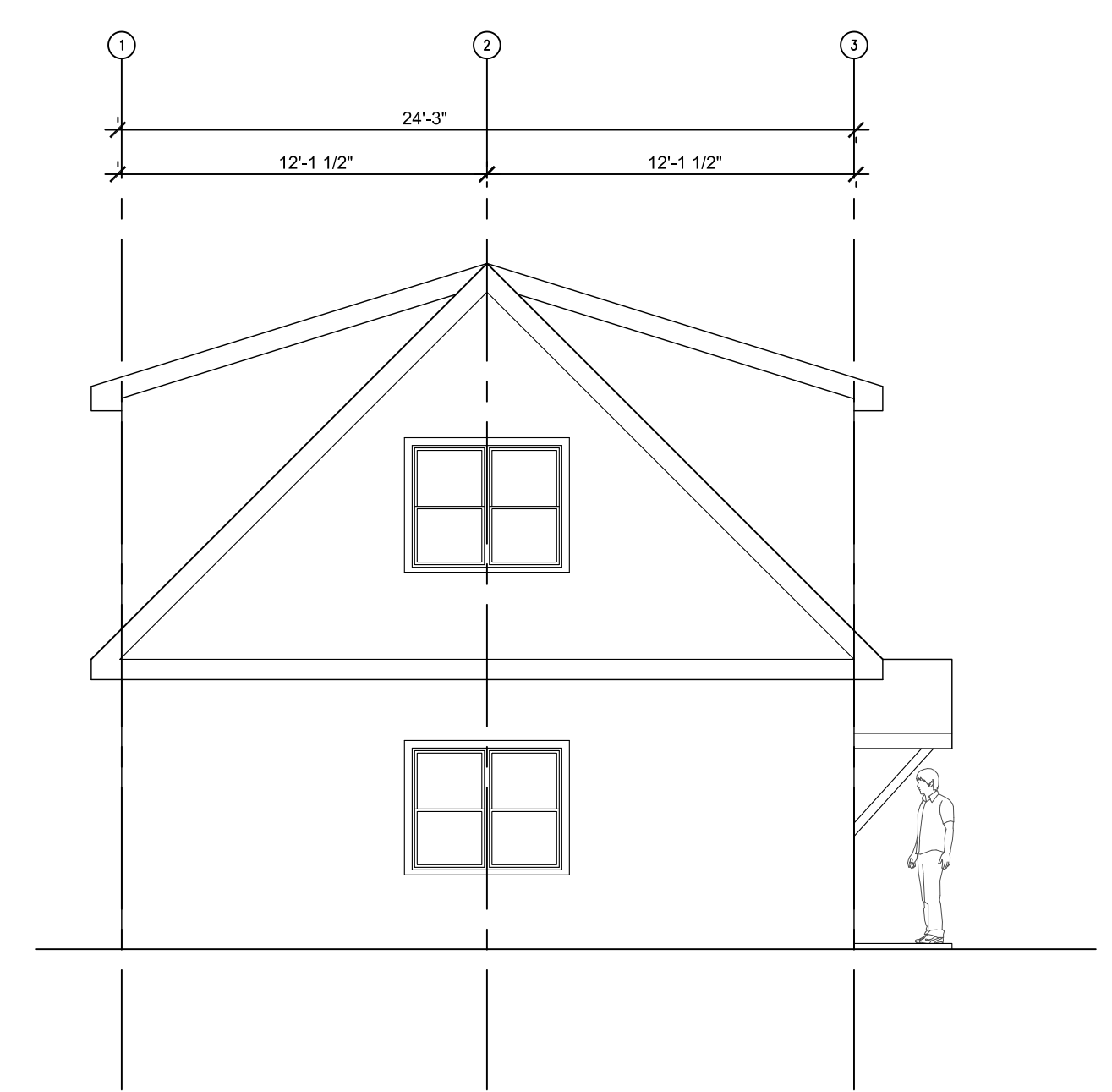
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Elevations



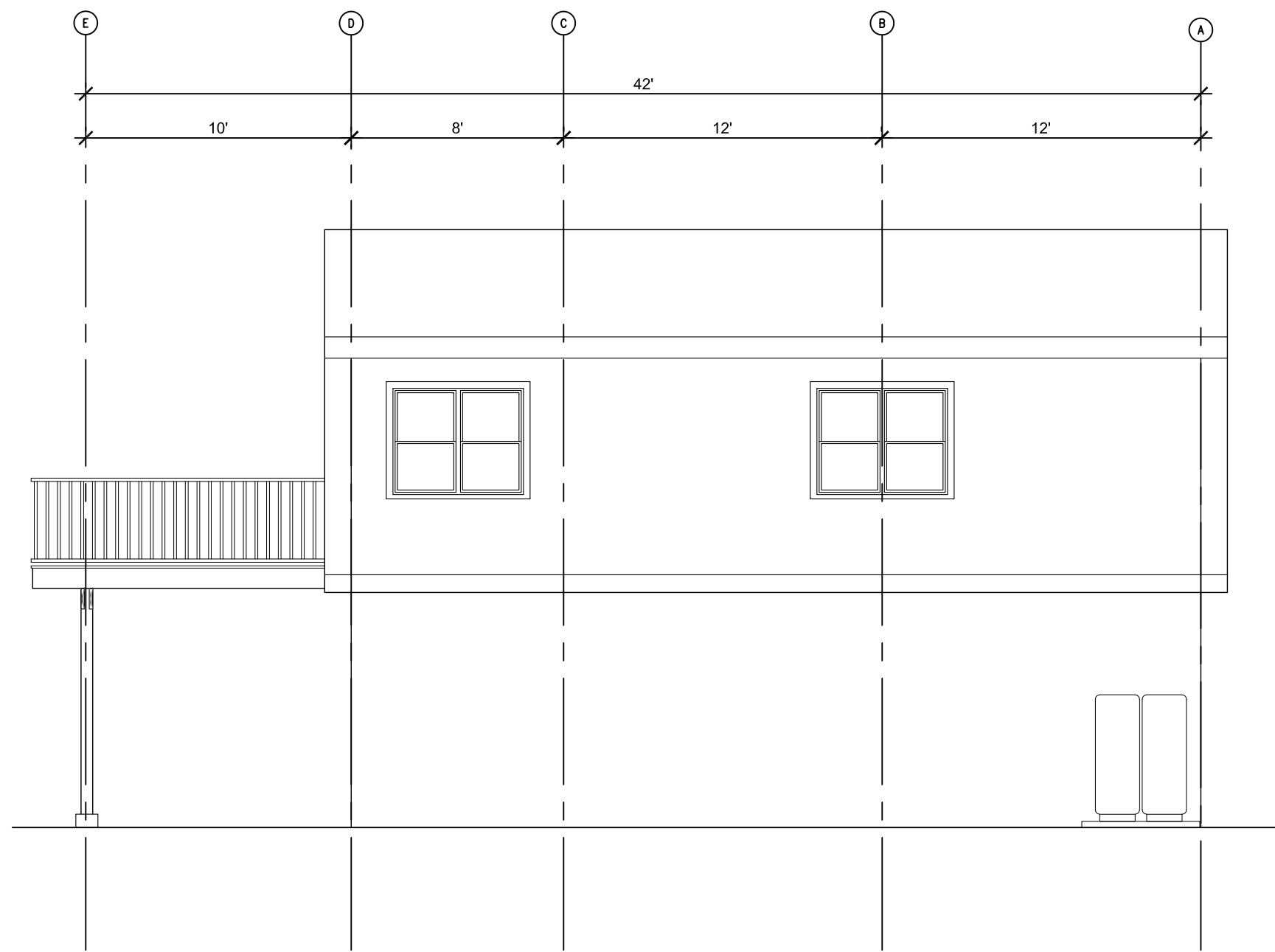
1 East Elevation



2 South Elevation



3 West Elevation



4 North Elevation

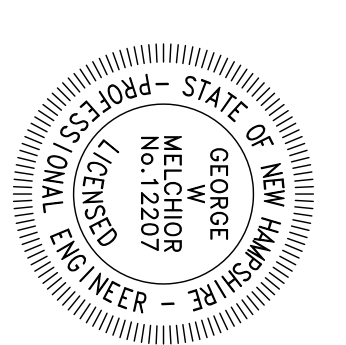
General Notes:

- FLOOR TRUSSES ARE TRIFORCE O418 4X2 16 IN. DEEP TRUSSES @ 16 IN. O.C. 40 PSF LL, 25 PSF DL, $d = L/480$
- SUBFLOORING TO BE ADVANTECH 3/4 IN. OR EQUAL
- ALL LAMINATED VENEER LUMBER USED IN STRUCTURAL FRAMING SHALL BE BOISE CASCADE, OR EQUAL.
 $\theta = 2.1 \times 10^{-6}$ PSI
 $f_b = 3,100$ PSI
- ALL KID-DRIED LUMBER USED IN STRUCTURAL FRAMING SHALL BE DOUGLAS FIR, NO. 1 OR S3
- ALL EXTERIOR WALL FRAMING IS 2X6 @ 16 IN. O.C.
- GARAGE DOOR HEAD BEAMS ARE STRUCTURAL BEAMS TO CARRY CLEAR SPAN FLOOR LOAD
- ALL MULTIPLE LVLS TO BE GLUED AND SCREWED
 - SCREWS TO BE 1/2 IN. DIA X 4.5 IN. GRK, MIN. EMBED 1 IN., ALL PILES, UNO
 - GRK SCREW PATTERN: (3) STACKED, E.S. 30 IN. O.C.
- LAP JOINTS IN 3 PLY RIDGE BEAM MIN. 10 FT.
 - FASTENER SCHEDULE: (3) GRK 30 IN. O.C., E.S., FOR LENGTH OF BEAMS
 - 2X12 KD RAFTERS AFFIXED TO RIDGE BEAM WITH HANGERS
 - RAFTERS TO BE AFFIXED TO WALL PLATES/ HEAD BEAMS WITH HURRICANE TIES
- ROOF SHEATHING TO BE 3/4 IN. PL. WOOD, ZIP SYSTEM OR EQUAL
- ALL DECK FRAMING IS PRESSURE TREATED KD LUMBER
- DECK POSTS ARE ONE SUPPORTED BY 10 IN. DIA. CONCRETE PILASTERS (SONOTUBE)
- DECK POST FOOTINGS ARE 28 IN. DIA. BIGFOOT FOOTINGS @ 4 FT. BELOW GRADE

LALIME
Garage and Dwelling
1004 Greenland Road
Portsmouth, NH 03801



ARCHITECTURE ENGINEERING | PLANNING
Designer:
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SPITBANK Design
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PH: (603) 828-8168
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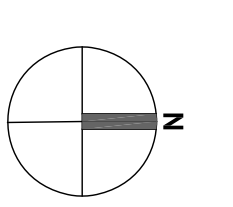
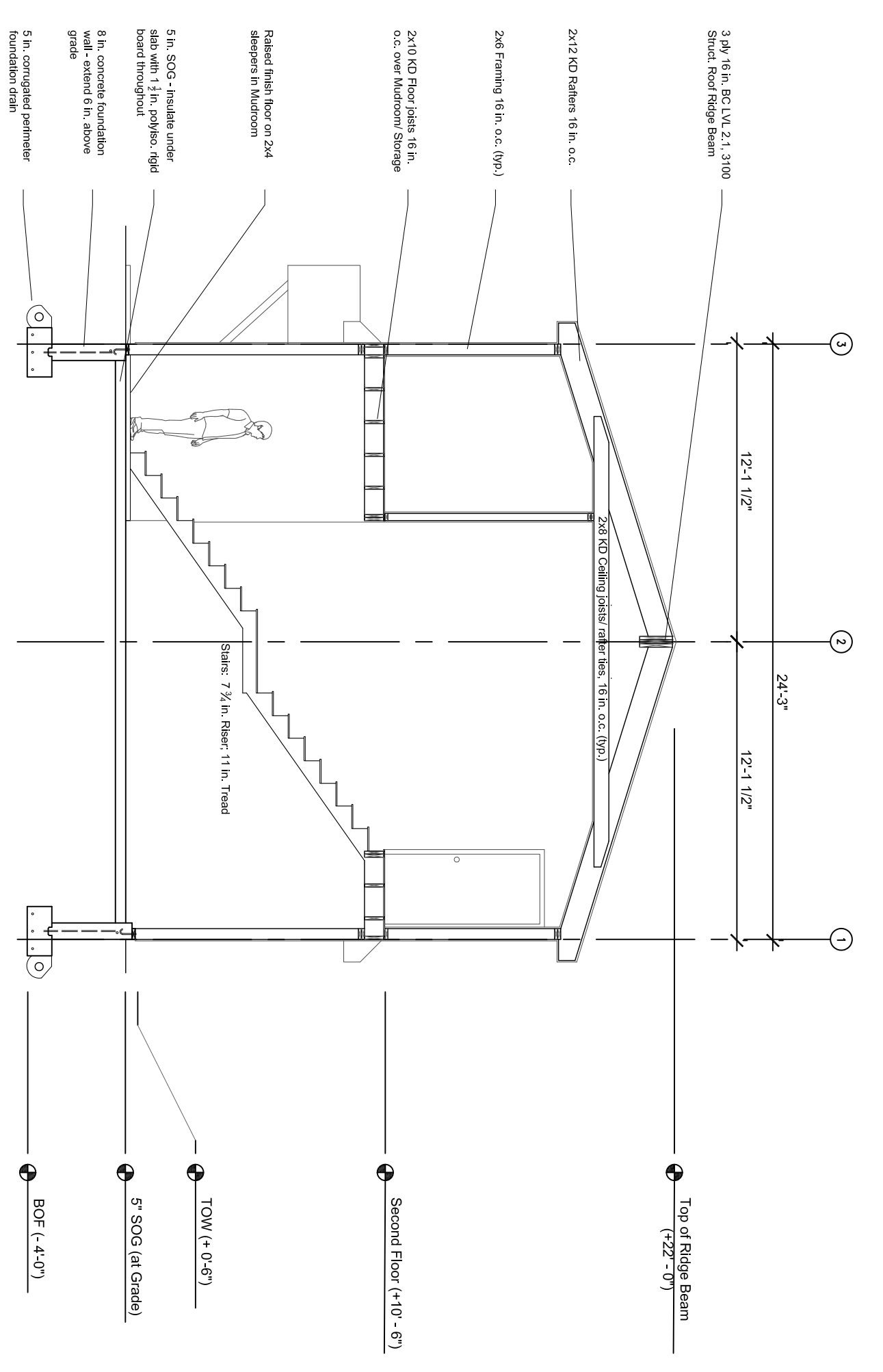
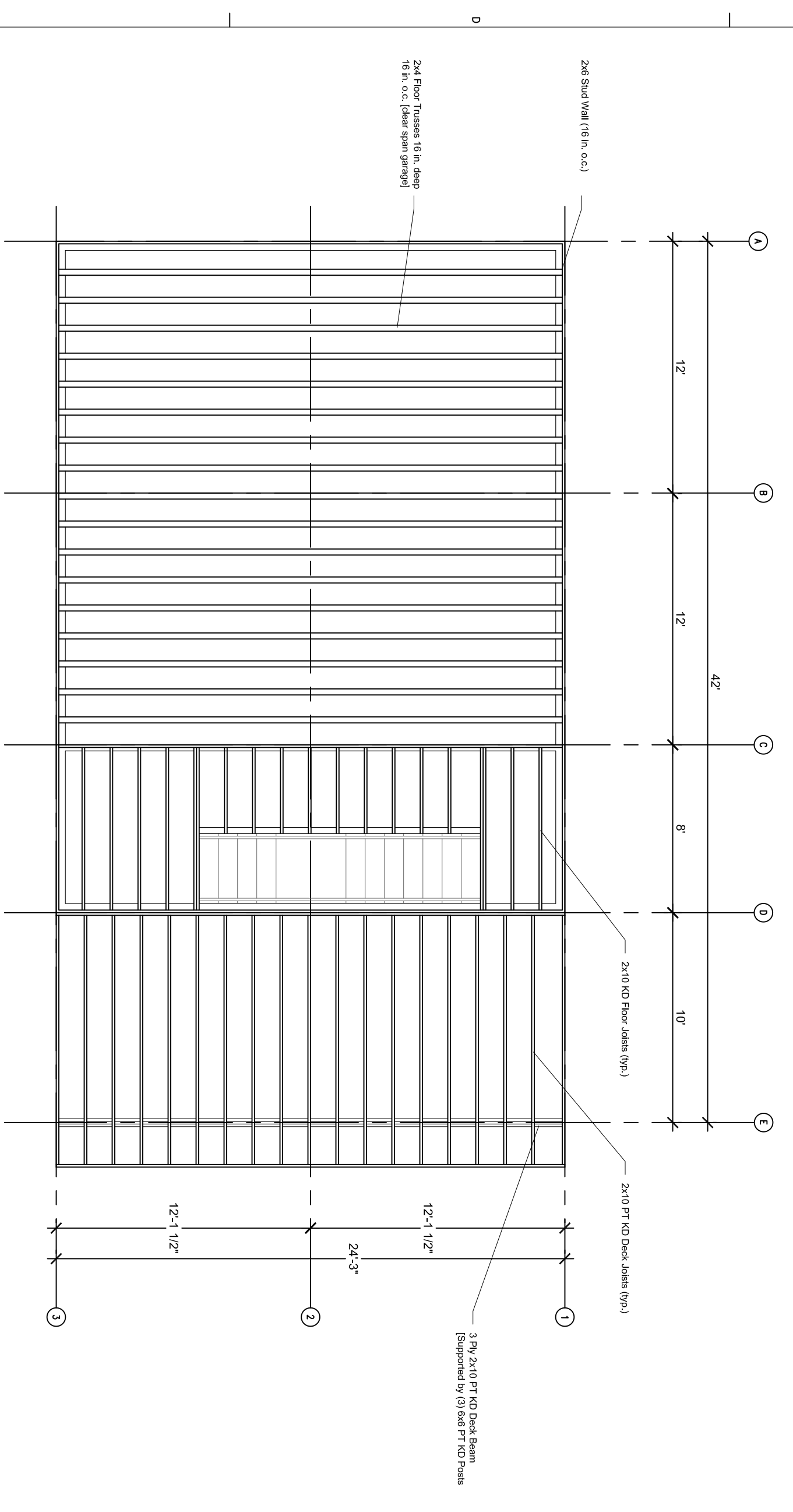
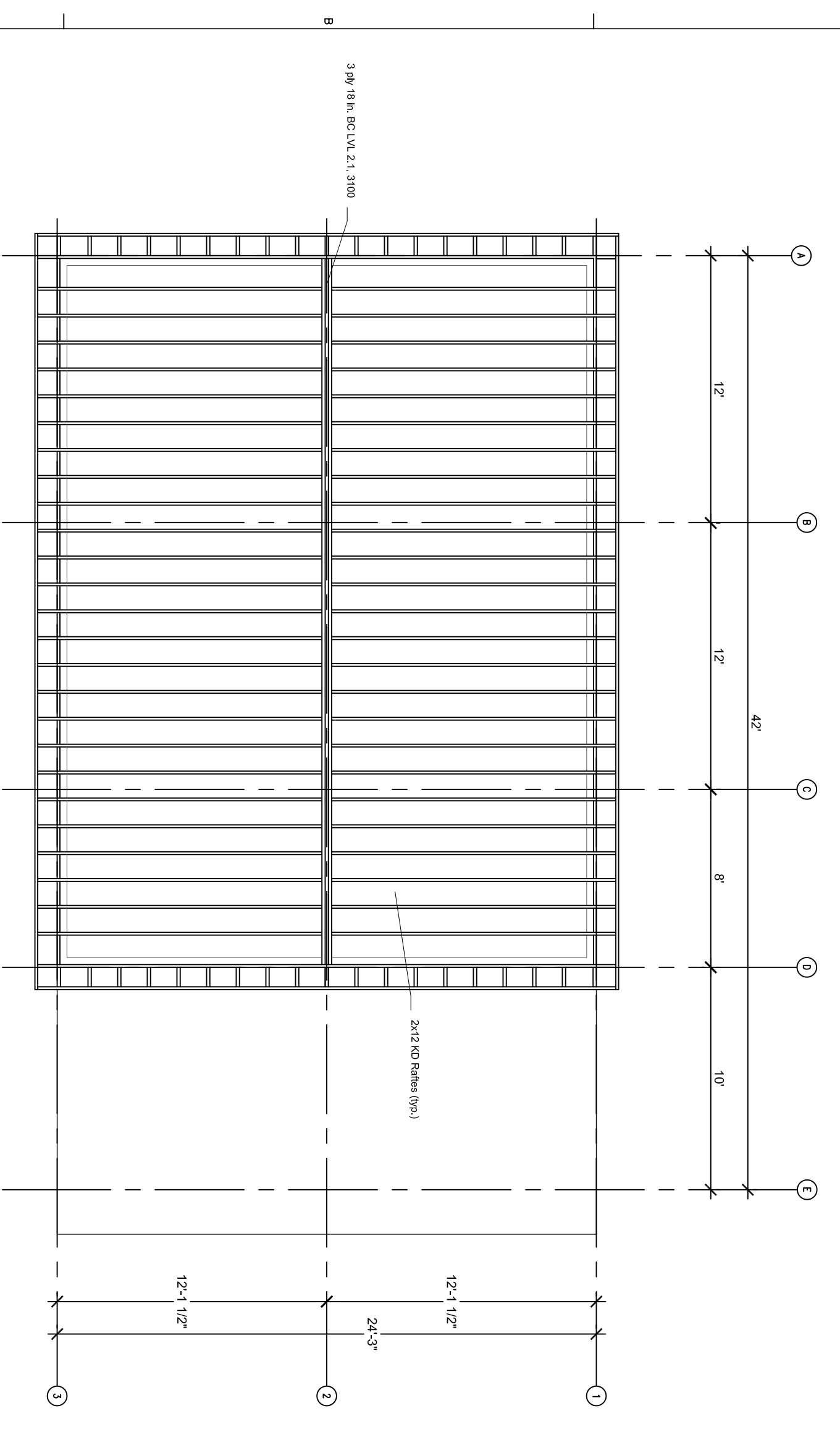
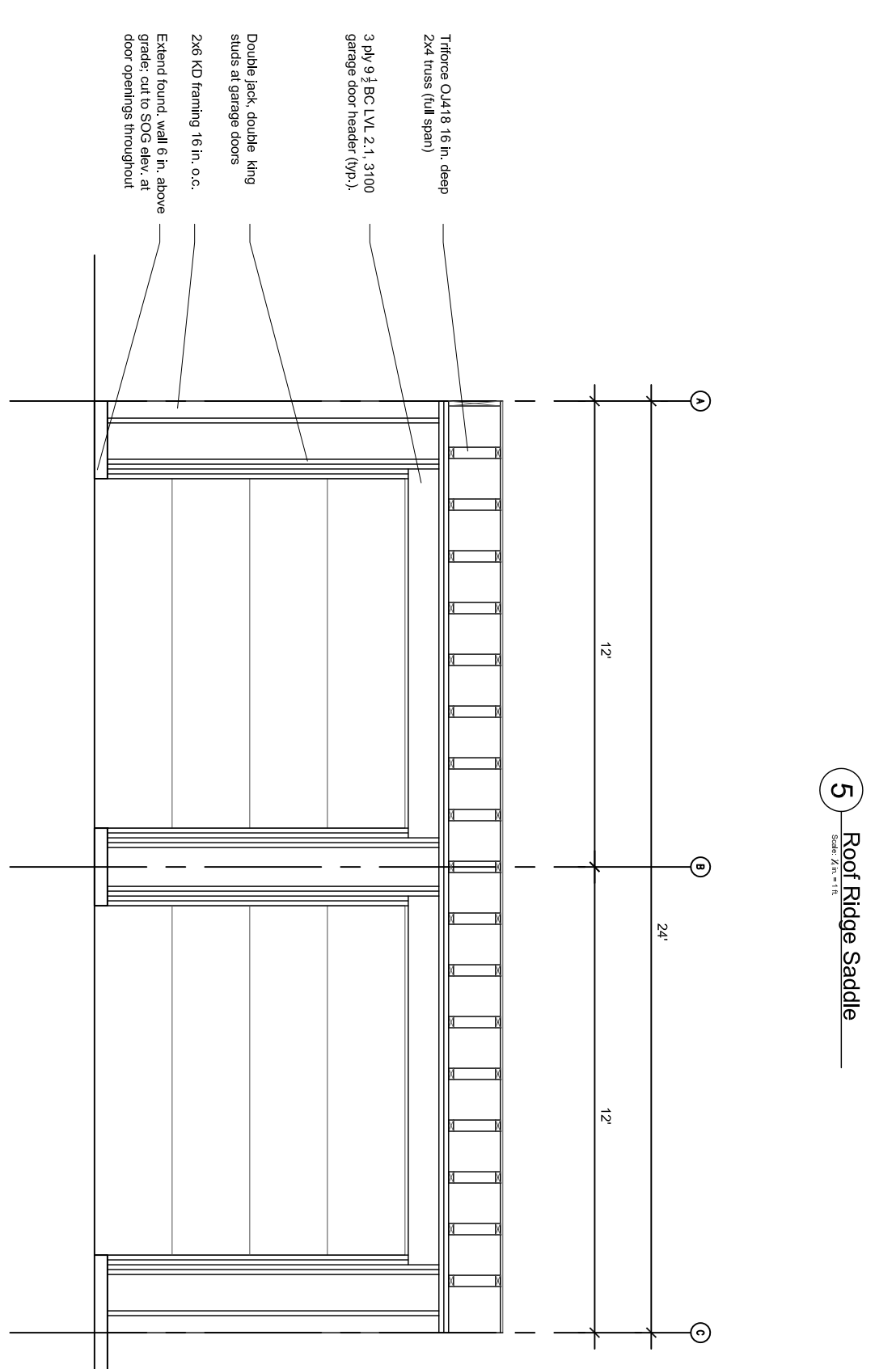
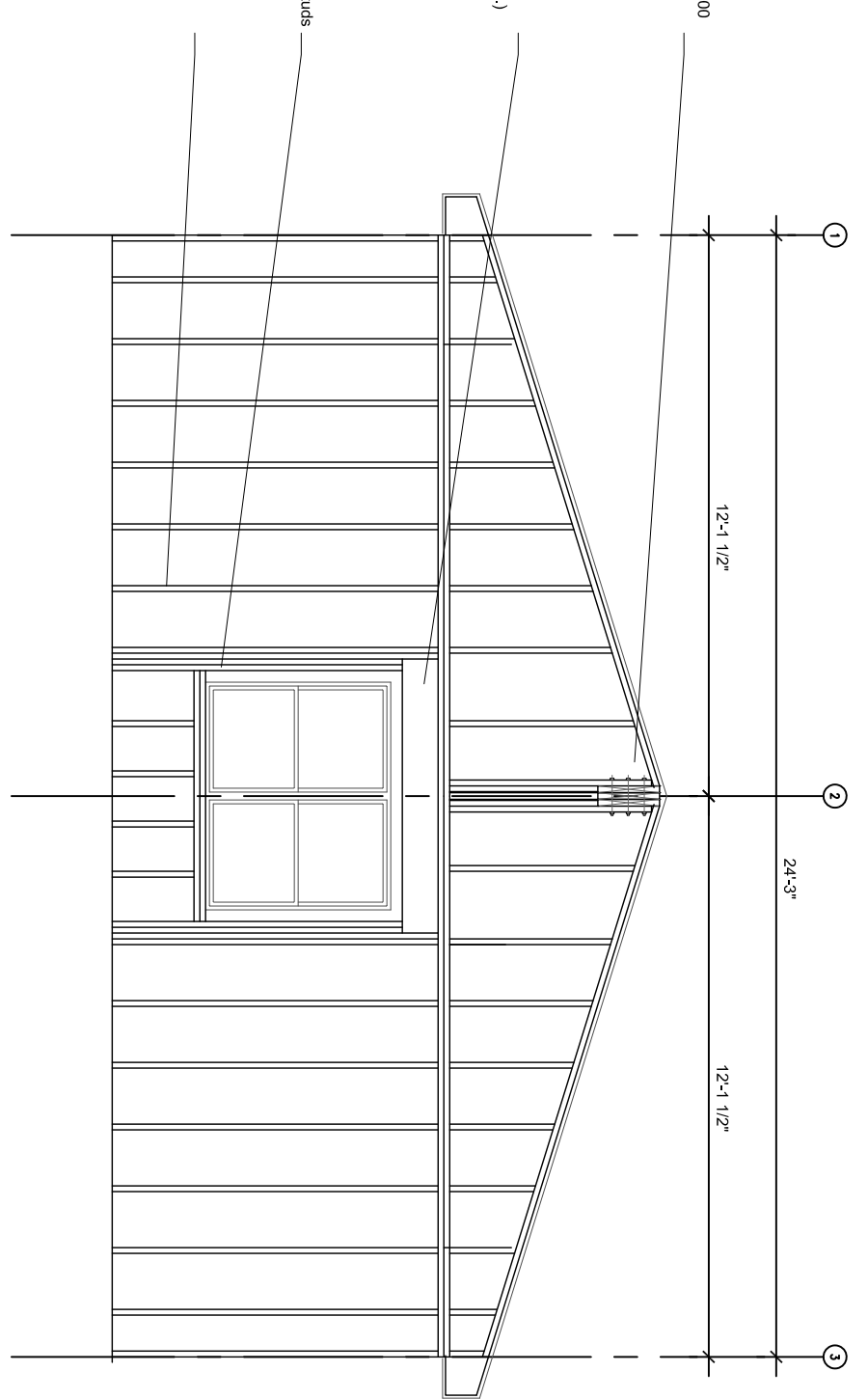


Num	Description	Date
1	FRAMING PLAN	11/6/24
2	REVISION 1	6/5/24

DATE: 6/5/24
SCALE: AS NOTED

S1.0

Framing Plans and Details



Findings of Fact | Parking Conditional Use Permit

City of Portsmouth Planning Board

Date: September 19, 2024

Property Address: 165 Deer Street

Application #: LU-19-242

Decision: Approve Deny Approve with Conditions

Findings of Fact:

Per RSA 676:3, I: The local land use board shall issue a final written decision which either approves or disapproves an application for a local permit and make a copy of the decision available to the applicant. **The decision shall include specific written findings of fact that support the decision. Failure of the board to make specific written findings of fact supporting a disapproval shall be grounds for automatic reversal and remand by the superior court upon appeal, in accordance with the time periods set forth in RSA 677:5 or RSA 677:15, unless the court determines that there are other factors warranting the disapproval.** If the application is not approved, the board shall provide the applicant with written reasons for the disapproval. If the application is approved with conditions, the board shall include in the written decision a detailed description of the all conditions necessary to obtain final approval.

Parking Conditional Use Permit

10.1112.14 The Planning Board may grant a conditional use permit to allow a building or use to provide less than the minimum number of off-street parking spaces required by Section 10.1112.30, Section 10.1112.61, or Section 10.1115.20, as applicable, or to exceed the maximum number of off-street parking spaces allowed by Section 10.1112.51.

	Parking Conditional Use Permit 10.1112.14 Requirements	Finding (Meets Criteria/Requirement)	Supporting Information
1	10.1112.141 An application for a conditional use permit under this section shall include a parking demand analysis, which shall be reviewed by the City's Technical Advisory Committee prior to submission to the Planning Board, demonstrating that the proposed number of off-street parking spaces is sufficient for the proposed use.	Meets Does Not Meet	<ul style="list-style-type: none"> As discussed previously with the City, the parking demand analysis was reviewed by the City's Technical Advisory Committee on August 13th who had no comments or issues with the proposed parking reduction. Attachment A of the Conditional Use Permit Application included the parking demand analysis prepared for this development.
2	10.1112.142 An application for a conditional use permit under this section shall identify permanent evidence-based measures to reduce parking demand, including but not limited to provision of rideshare/microtransit services	Meets Does Not Meet	<ul style="list-style-type: none"> Evidence based measures to reduce parking demand are included in the section headed 'Additional Considerations' of the parking demand analysis.

	Parking Conditional Use Permit 10.1112.14 Requirements	Finding (Meets Criteria/Requirement)	Supporting Information
	or bikeshare station(s) servicing the property, proximity to public transit, car/van-pool incentives, alternative transit subsidies, provisions for teleworking, and shared parking on a separate lot subject to the requirements of 10.1112.62.		<ul style="list-style-type: none"> In the additional consideration's section, it identifies permanent evidence based measures such as services provided by the hotel, public and private transport, and shared parking spaces at another parking garage.
3	10.1112.143 The Planning Board may grant a conditional use permit only if it finds that the number of off-street parking spaces required or allowed by the permit will be adequate and appropriate for the proposed use of the property. In making this determination, the Board may accept, modify or reject the findings of the applicant's parking demand analysis.	Meets Does Not Meet	<ul style="list-style-type: none"> The Applicant understands that the Planning Board may grant a conditional use permit based off the findings of the parking demand analysis and whether or not they deem the parking analysis adequate.
4	10.1112.144 At its discretion, the Planning Board may require more off-street parking spaces than the minimum number requested by the applicant, or may allow fewer spaces than the maximum number requested by the applicant.	Meets Does Not Meet	<ul style="list-style-type: none"> The Applicant understands that the Planning Board may grant a conditional use permit based off the findings of the parking demand analysis and whether or not they deem the parking analysis adequate.
5	<u>Other Board Findings:</u>		
6	<u>Additional Conditions of Approval:</u>		

August 20, 2024

Peter Stith, AICP

Planning and Sustainability Department
City of Portsmouth
1 Junkins Avenue
Portsmouth, NH 03801

Subject: 165 Deer Street Hotel Parking at Garage
Conditional Use Permit Application
Portsmouth, New Hampshire

Dear Mr. Stith,

On behalf of **Deer Street Hospitality**, our office has prepared a narrative to support a Conditional Use Permit Application for the hotel building that is currently under construction located at 165 Deer Street in Portsmouth, NH.

The proposed development was originally approved on February 15, 2018, with several minor design changes that have been approved by the City. The applicant is currently seeking a Conditional Use Permit from the City of Portsmouth to allow for the reduction of the required parking as described below.

The proposed development includes a 22,771 square foot hotel building with 116 units and a parking garage on the ground level. Since the project is located in the Downtown Overlay District, the parking requirements of Section 10.1115 apply. Section 10.115.21 requires 0.75 parking spaces per guest room, plus 1 space per 25 sf of conference or banquet facilities. The proposed development includes a 116 guest rooms, and no conference or banquet facilities which requires 87 parking spaces. However, section 110.115.23 requires the number of spaces required by section 10.115.21 (87 spaces) to be reduced by 4, thereby bringing the total amount of required spaces to 83. The approved development included 50 spaces in the Hotel Garage to be managed by the Hotel Valet Services (32 tandem parking spaces, 5 car lift spaces, and 13 standard spaces) and 33 spaces in the Foundry Place Garage, for a total of 83 parking spaces. It is our understanding that the proposed tandem parking and lifted parking spaces comply with the ordinances since the Hotel Garage will be managed by the Hotel Valet Services.

Subsequent design changes and construction progress have resulted in the need to remove the lifted parking spaces to provide a larger fire sprinklers system in the garage. This given the limited amount of space on site, there is no room to provide the required number of spaces to comply with the ordinance. As such, the applicant is requesting a 6% (5 space) reduction in the amount of parking required for the proposed development. The attached parking demand analysis shows how the currently proposed 78 parking spaces are anticipated to be adequate for the proposed development.

The parking demand analysis was reviewed by the City of Portsmouth's Technical Advisory



Committee (TAC) during their August 13th meeting. During this meeting, the TAC expressed they had no comments or issues with the proposed parking reduction.

Review Requirements

In accordance with *Article 10.1112.14 Sections (1-4)* of the City of Portsmouth's Zoning Ordinance, the following information is provided.

10.1112.14 *The Planning Board may grant a conditional use permit to allow a building or use to provide less than the minimum number of off-street parking spaces required by Section Article 11 Site Development Standards As Amended Through July 15, 2024 11-2 10.1112.30, Section 10.1112.61 or Section 10.1115.20, as applicable, or to exceed the maximum number of off-street parking spaces allowed by Section 10.1112.51.*

The Applicant has discussed with the Planning Department that this narrative and parking demand analysis if found acceptable by the Planning Board, will suffice for a Conditional Use Permit from the City of Portsmouth.

10.1112.141 *An application for a conditional use permit under this section shall include a parking demand analysis, which shall be reviewed by the City's Technical Advisory Committee prior to submission to the Planning Board, demonstrating that the proposed number of off-street parking spaces is sufficient for the proposed use.*

As discussed above, the parking demand analysis was reviewed by the City's Technical Advisory Committee on August 13th who had no comments or issues with the proposed parking reduction. Attachment A included the parking demand analysis prepared for this development.

10.1112.142 *An application for a conditional use permit under this section shall identify permanent evidence-based measures to reduce parking demand, including but not limited to provision of rideshare/microtransit services or bikeshare station(s) servicing the property, proximity to public transit, car/van-pool incentives, alternative transit subsidies, provisions for teleworking, and shared parking on a separate lot subject to the requirements of 10.1112.62.*

Evidence based measures to reduce parking demand are included in the section headed 'Additional Considerations' of the parking demand analysis.

10.1112.143 *The Planning Board may grant a conditional use permit only if it finds that the number of off-street parking spaces required or allowed by the permit will be adequate and appropriate for the proposed use of the property. In making this determination, the Board may accept, modify or reject the findings of the applicant's parking demand analysis.*

The Applicant understands that the Planning Board may grant a conditional use permit based off the findings of the parking demand analysis and whether or not they deem the parking analysis adequate.

10.1112.144 At its discretion, the Planning Board may require more off-street parking spaces than the minimum number requested by the applicant, or may allow fewer spaces than the maximum number requested by the applicant.

The Applicant understands that is at the discretion of the Planning Board for final determination of required parking spaces.

Closure

ATTACHMENT	DESCRIPTION
Attachment A	Parking Demand Analysis

The Project Team looks forward to the Department’s review of this application. If you have any questions with regards to this submission, or are in need of additional information, please don’t hesitate to contact this office at 207-772-2515.

Sincerely,

Gorrill Palmer



Douglas Reynolds, P.E.
Project Manager

c: Ron Baden, Baywood Hotels, Inc.
Neil Patel, Baywood Hotels, Inc.

Attachment A Parking Demand Analysis

August 27, 2024

Peter Stith, AICP

Planning and Sustainability Department
City of Portsmouth
1 Junkins Avenue
Portsmouth, NH 03801

Subject: 165 Deer Street Hotel Parking at Garage
Conditional Use Permit Application
Portsmouth, New Hampshire

Dear Mr. Stith,

On behalf of **Deer Street Hospitality**, our office has prepared a parking demand analysis to support a Conditional Use Permit Application for the hotel building that is currently under construction located at 165 Deer Street in Portsmouth, NH.

The proposed development was originally approved on February 15, 2018, with several minor design changes that have been approved by the City. Currently, the applicant is seeking a Conditional Use Permit from the City of Portsmouth to allow for the reduction of the required marking as described below.

The proposed development includes a 22,771 square foot hotel building with 116 units and a parking garage on the ground level. Since the project is located in the Downtown Overlay District, the parking requirements of Section 10.1115 apply. Section 10.115.21 requires 0.75 parking spaces per guest room, plus 1 space per 25 sf of conference or banquet facilities. The proposed development includes a 116 guest rooms, and no conference or banquet facilities which requires 87 parking spaces. However, section 110.115.23 requires the number of spaces required by section 10.115.21 (87 spaces) to be reduced by 4, thereby bringing the total amount of required spaces to 83. The approved development included 50 spaces in the Hotel Garage to be managed by the Hotel Valet Services (32 tandem parking spaces, 5 car lift spaces, and 13 standard spaces) and 33 spaces in the Foundry Place Garage, for a total of 83 parking spaces. It is our understanding that the proposed tandem parking and lifted parking spaces comply with the ordinances since the Hotel Garage will be managed by the Hotel Valet Services.

Subsequent design changes and construction progress have resulted in the need to remove the lifted parking spaces to provide a larger fire sprinklers system in the garage. This given the limited amount of space on site, there is no room to provide the required number of spaces to comply with the ordinance. As such, the applicant is requesting a 6% (5 space) reduction in the amount of parking required for the proposed development. The following outlines the considerations of the parking demand analysis and how the currently proposed 78 parking spaces is adequate for the proposed development.



Parking Demand Analysis

This hotel is geared towards longer stays which tends to require less parking demand as they could be working on special projects within the city. A vehicle would not be as useful and would be costly to keep when staying several nights to weeks or months. Baywood Hotels estimates 30% of the guests will be true extended stay guests.

For the purposes of this assessment, Gorrill Palmer based the parking demand rates from the parking demand rates published in the Transportation Engineers (ITE) publication, *Parking Generation Manual, 5th Edition* for Land Use Code 312 – Business Hotel.

The following table presents the anticipated parking demand for the proposed development based on the ITE parking data. The ITE data is based on parking demand per occupied room, which is an average of 73% and 69% on weekdays and Saturdays respectively, and an 85th percentile rate of 84% and 79% on weekdays and Saturdays respectively. Baywood Hotels expects that within 3 years, the average occupancy for the hotel will stabilize at about 70-75%. For the purposes of this analysis, the hotel is expected to be occupied at a rate of 75%, or 87 occupied rooms.

Parking Demand Per Occupied Room for 116 Room Hotel Occupied at 75% in a General Urban/Suburban Setting Per ITE Manual						
Hour Beginning	Weekday			Saturday		
	Percent of Peak Parking Demand	Average Parking Demand (73%)	85th Percentile Parking Demand (84%)	Percent of Peak Parking Demand	Average Parking Demand (69%)	85th Percentile Parking Demand (79%)
12:00-4:00 a.m.	100	64	73	82	49	56
5:00 a.m.	-	-	-	0	-	-
6:00 a.m.	-	-	-	96	58	66
7:00 a.m.	89	57	65	98	59	67
8:00 a.m.	64	41	47	87	52	60
9:00 a.m.	56	36	41	74	44	51
10:00 a.m.	49	31	36	64	38	44
11:00 a.m.	45	29	33	56	34	38
12:00 p.m.	45	29	33	48	29	33
1:00 p.m.	41	26	30	44	26	30
2:00 p.m.	39	25	29	40	24	27
3:00 p.m.	39	25	29	46	28	32
4:00 p.m.	44	28	32	48	29	33
5:00 p.m.	48	30	35	55	33	38
6:00 p.m.	51	32	37	60	36	41
7:00 p.m.	54	34	39	64	38	44
8:00 p.m.	62	39	45	67	40	46
9:00 p.m.	72	46	53	81	49	56

10:00 p.m.	86	55	63	88	53	60
11:00 p.m.	93	59	68	100	60	69

As shown above, the parking demand is anticipated to peak between 9PM and 8AM each day, with an average peak demand of 64 spaces on weekdays, and 60 spaces on Saturdays and an 85th percentile peak demand of 73 spaces on weekdays, and 69 spaces on Saturdays

Additional Considerations

Given the urban nature and walk-ability of the city, there is less demand for parking as guests may use alternate modes of transportation to arrive at hotel (see discussion below), and are able to walk to downtown restaurants, attractions, offices, etc. throughout their stay.

Services provided by the Hotel:

Valet services allow for a higher level of efficiency for parking. Through the use of well-developed operational procedures allow for more space (not designated as parking spaces) to be used to store vehicles since the valet has access to all of the vehicles and can move them as needed. With proper operational procedures, drive aisles under the building, and the front entrance could be used to store vehicles if demand exceeds expectations.

Public and Private Transport:

The Coast Bus transports passengers around the Seacoast region, offering access to Rockingham and Strafford counties as well as Berwick, Maine. The Coast Bus has stops on Russel Street and Hanover Street, within 1,000 feet (2 blocks) of the hotel.

C&J Trailways offers a convenient method of traveling between Portsmouth and Boston or New York. The terminal is located approximately 2.5 miles from the site. Public transportation and rideshare services such as Uber, Lyft, and more are readily available throughout Portsmouth, therefore it is likely that anyone arriving to the site via the busses, planes, and trains would use public transportation or rideshare services to get to the site.

Shared Parking Spaces:

The Foundry Place Garage located at 100 Foundry Place includes 600 parking spaces, of which, 33 spaces are reserved for the Hotel. There is an inverse relationship between hotel patrons and 9-5 users of the garage. Hotel check in is after 3pm with the peak check in from 7-8pm. Check out is by 11am with peak check out between 8-9am.

Conclusion

As shown above, based on the ITE parking data, the parking demand is anticipated to peak between 9PM and 8AM each day. With an anticipated occupancy rate of about 75%, the resulting 85th percentile peak demand for the proposed development is 73 spaces on weekdays, and 69 spaces on Saturdays. This data is supported by the readily available public and private transportation services discussed above. As such, Gorrill Palmer is of the opinion



that the proposed 78 parking spaces is more than adequate.

Closure

As instructed by your office, we are providing this parking demand analysis for review by the City's Technical Advisory Committee prior to submitting a full Conditional Use Permit Application.

The Project Team looks forward to the Committee's review of this analysis. If you have any questions with regards to the submission material or need additional copies, please contact our office.

Sincerely,

GORRILL-PALMER

A handwritten signature in blue ink, appearing to read 'D Reynolds'.

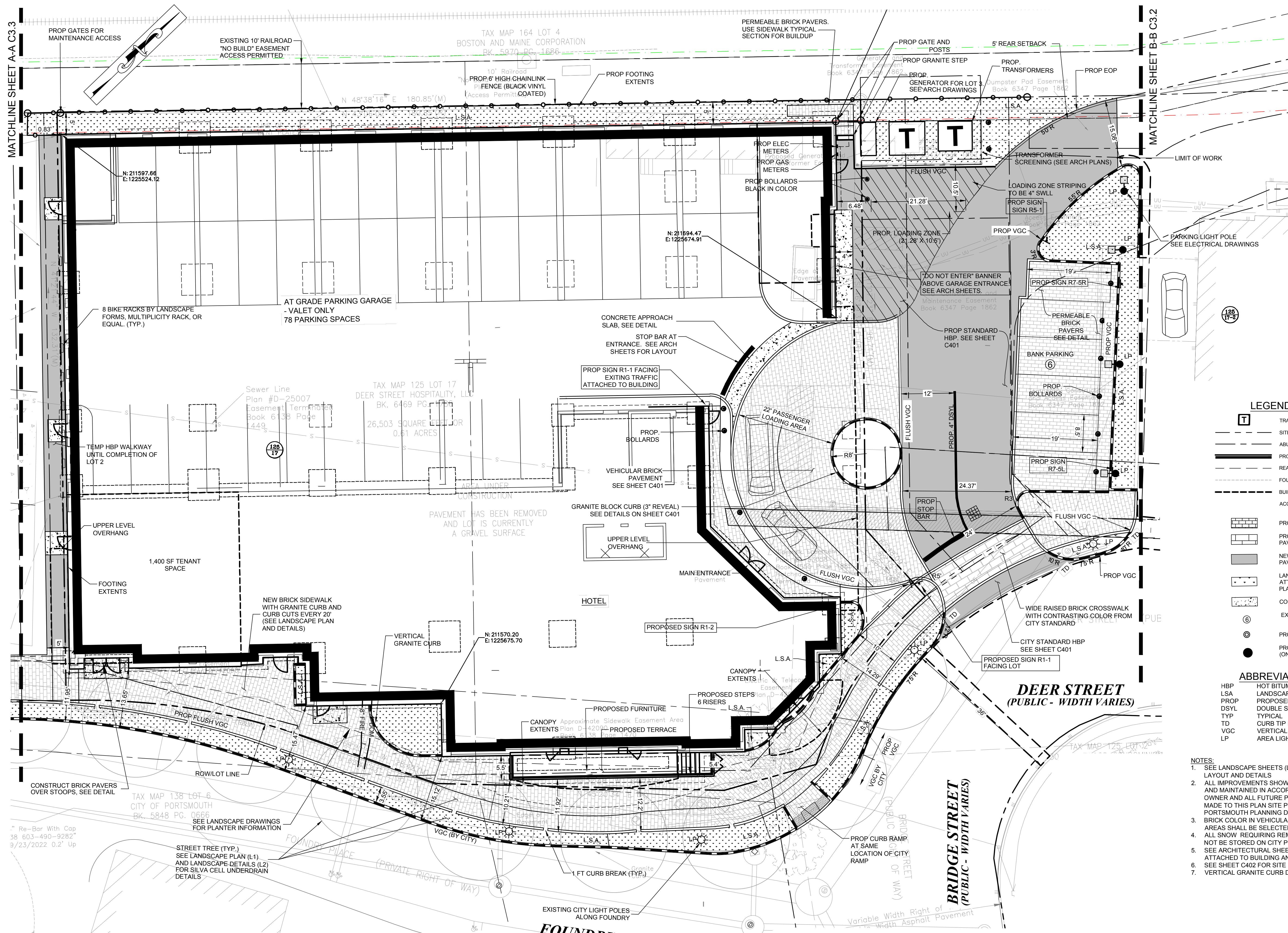
Douglas E. Reynolds, PE

Project Manager

Phone 207-772-2515 x239

DReynolds@GorrillPalmer.com

c: Ron Baden, Baywood Hotels, Inc.
Neil Patel, Baywood Hotels, Inc.



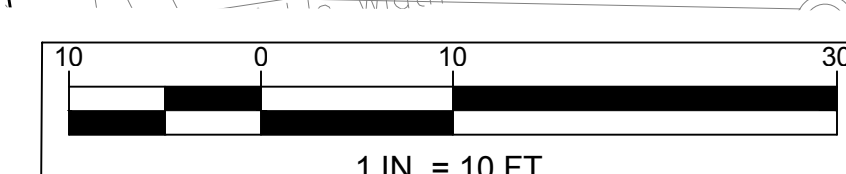
LEGEND:

- TRANSFORMER
- SITE BOUNDARY LINE
- ABUTTER LOT LINE
- PROPOSED BUILDING
- REAR SETBACK
- FOUNDATION EXTENTS
- BUILDING/CANOPY OVERHANG
- ACCESSORS MAP/ LOT#
- PROP BRICK SIDEWALK
- PROP VEHICULAR BRICK PAVEMENT
- NEW BITUMINOUS PAVEMENT SECTION (HBP)
- LANDSCAPE (SEE ATTACHED LANDSCAPE PLANS FOR DETAILS)
- CONCRETE
- EXTERIOR PARKING SPACES
- PROP LIGHT POLE (CITY)
- PROP LIGHT POLE (ON-SITE)

ABBREVIATIONS:

- HBP HOT BITUMINOUS PAVEMENT
- LSA LANDSCAPED AREA
- PROP PROPOSED
- DSYL DOUBLE SOLID YELLOW LINE
- TYP TYPICAL
- TD CURB TIP DOWN
- VGC VERTICAL GRANITE CURB
- LP AREA LIGHT POLE

- NOTES:**
- SEE LANDSCAPE SHEETS (L SERIES) FOR LANDSCAPE AND STREETScape LAYOUT AND DETAILS
 - ALL IMPROVEMENTS SHOWN ON THIS SITE PLAN SHALL BE CONSTRUCTED AND MAINTAINED IN ACCORDANCE WITH THE PLAN BY THE PROPERTY OWNER AND ALL FUTURE PROPERTY OWNERS. NO CHANGES SHALL BE MADE TO THIS PLAN SITE PLAN WITHOUT THE EXPRESS APPROVAL OF THE PORTSMOUTH PLANNING DIRECTOR
 - BRICK COLOR IN VEHICULAR TRAVEL LANES AND PASSENGER LOADING AREAS SHALL BE SELECTED BY OWNER DURING SHOP DRAWINGS.
 - ALL SNOW REQUIRING REMOVAL WILL BE HAULED OFF SITE AND SHALL NOT BE STORED ON CITY PROPERTY.
 - SEE ARCHITECTURAL SHEET A1.011 FOR RIGHT-OF-WAY SIGNAGE ATTACHED TO BUILDING AND INTERIOR PAVEMENT MARKINGS.
 - SEE SHEET C402 FOR SITE SIGNING LEGEND
 - VERTICAL GRANITE CURB DETAILS PROVIDED ON SHEET C401



NO.	DESCRIPTION	DATE
1	FOUNDATION PERMIT SET	6/9/23
2	BULLETIN 1	1/5/24
3	BULLETIN 2	1/31/24
4	BULLETIN 3	3/12/24
5	BULLETIN 4	5/16/24
6	BULLETIN 5	7/22/24

PROJECT NUMBER 3256.23
DATE OF ISSUE 12.14.2022
DRAWN BY CG
CHECKED BY DER

SITE PLAN-DETAIL
(SHEET 1 OF 3)

C3.1

ISSUED FOR CONSTRUCTION



Relationships. Responsiveness. Results.
www.gorrillpalmer.com
207.772.2515

FOR BID



JAMES R. KNUDSEN
DAVID J. BURBRIDGE
STEPHANIE J. THOMPSON
KENDALL R. HEWARD

July 11, 2024

VIA EMAIL: joannadiemer@cityofportsmouth.com
City of Portsmouth
C/O Deaglan McEachern, Mayor and City Council Members
City Council Chambers, Municipal Complex
1 Junkins Avenue
Portsmouth, NH 03801

**RE: Estate of Star C. Johnson
Parcel at Map 232, Lot 25 on Marjorie Street in the City of Portsmouth**

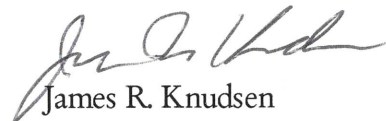
Dear Mayor McEachern and Honourable Council Members:

On behalf of Deborah and Stephanie Johnson, Executors of the Estate of Star C. Johnson, late of Ipswich Massachusetts, who owned a parcel of land in Portsmouth, along with the other parties interested in the estate, I am pleased to express their willingness and intention to donate the above-referenced parcel to the city.

I have enclosed a copy of the deed transferring the property to Star, as well as the Notice to Towns and Cities transferring the property to her heirs. I have also enclosed a copy of the tax card of the property for your reference.

Thank you for your consideration of this donation. Please contact me so that I may discuss the logistics of this process with you.

Sincerely,



James R. Knudsen

Enclosures: (as stated)

KNOW ALL MEN BY THESE PRESENTS, That I, PETER A. STABROW of Hanover Street, Portsmouth, New Hampshire

BK2347 P0784

for consideration paid, grant to STAR C. JOHNSON, of 4 Argilla Road, Ipswich, Massachusetts,

with warranty covenants to the said STAR C. JOHNSON, the following described premises:

A certain lot or parcel of land situate in Portsmouth, Rockingham County and the State of New Hampshire, and on the Southwesterly side of Marjorie Street and bounded and described as follows:

BEGINNING at an iron pipe set in the Southwesterly sideline of Marjorie Street (sometimes referred to as Margerie Street) at the Northeastly corner of the parcel herein described, thence running S 34° 20' 20" E by the Southwesterly sideline of said Marjorie Street a distance of 106.6 feet to an iron pipe set in the Northerly sideline of Joseph Street; thence turning and running S 42° 54' 50" W by and along the Northerly sideline of said Joseph Street a distance of 82.02 feet to an iron pipe and land now or formerly of Lafolla Construction Co., Inc.; thence turning and running N 34° 20' 20" W by land of said Lafolla Construction Co., Inc., a distance of 124.7 feet to an iron pipe and land now or formerly of Peter Stabrow (aforesaid) et al.; thence turning and running N 55° 39' 40" E by land of said Peter Stabrow, et al. a distance of 80.00 feet to the point of beginning.

Containing 9,251.78 square feet.

Meaning and intending to incorporate as one lot, Lots No. 253, 252, one-half of Lot No. 251. Said Lots are shown on a certain plan entitled "Plan of Prospect Park Annex No. 3" and recorded in the Rockingham County Registry of Deeds, Plan Book 585, Page 500. The land herein conveyed is a portion of the premises described in deed of Helen D. Michaud et ux to Peter Stabrow and Della Stabrow, recorded in the Rockingham County Registry of Deeds at Book 2096, Page 257. The above description is referenced to a plan made from an actual survey by Plato C. Houliaras, Registered Land Surveyors, in April 1973, Plan No. 4-54-73, File No. 1002-1, recorded in Rockingham County Registry of Deeds. See also Quitclaim Deed of Peter A. Stabrow, a/k/a Peter Stabrow, and Della Stabrow to Peter A. Stabrow, dated December 6, 1975, and recorded in the Rockingham County Registry of Deeds at Book 2248, Page 1395.



This is not homestead property

Witness, my hand and seal this 30th day of August, 1979

Witness: [Signature] PETER A. STABROW

State of New Hampshire

ROCKINGHAM ss.: August 30, A. D. 1979

Personally appeared PETER A. STABROW

known to me, or satisfactorily proven, to be the person whose name is subscribed to the foregoing instrument and acknowledged that he executed the same for the purposes therein contained.

Before me, [Signature] Justice of the Peace - Notary Public

79 SEP-5 12:07

22470

For e-Filing only

THE STATE OF NEW HAMPSHIRE
JUDICIAL BRANCH
<http://www.courts.state.nh.us>

Court Name: 10th Circuit - Probate Division - Brentwood
Case Name: Estate of Star C. Johnson
Case Number: 318-2022-ET-01070
(if known)

NOTICE TO TOWNS AND CITIES PURSUANT TO RSA 554:18-a

Notice is hereby given that ownership of the real estate specified below has been passed by inheritance or devise from the deceased to the parties listed.

1. Deceased Name Star C. Johnson Date of Death 03/02/2018
Residence 4 Argilla Road Ipswich MA
Street City State

2. Location of Real Estate 0 Marjorie Street, Portsmouth, NH

3. Names and addresses of recipients	MAILING ADDRESS
NAME	
<u>Stephanie S. Johnson</u>	<u>P.O. Box 806, Ipswich, MA 01938</u>
<u>Deborah A. Johnson-Kotsiras</u>	<u>449 Main Street, Rowley, MA 01969</u>
<u>Thomas A. Johnson, Jr.</u>	<u>188 Jewett Street, Georgetown, MA 01833</u>
<u>Pamela A. Johnson</u>	<u>64B Arlington Street, Haverhill, MA 01830</u>
<u></u>	<u></u>
<u></u>	<u></u>

4. The deed to this real estate is recorded in the
COUNTY Rockingham BOOK/PAGE 2347 / 0784
/
/

5. I certify to the Probate Division that this notice was sent to the Assessor of the City of
Portsmouth or Selectmen of the Town of Portsmouth
as required by law.

<u>David J. Burbridge, Esq.</u> Name of Filer	<u>/s/ [Signature]</u> Signature of Filer	<u>8-29-2022</u> Date
<u>Knudsen Burbridge, PC</u> Law Firm, if applicable	<u>19639</u> Bar ID # of attorney	<u>(781) 246-3030</u> Telephone
<u>401 Edgewater Place, Suite 140</u> Address		<u>djb@kbmlawfirm.com</u> E-mail
<u>Wakefield</u> City	<u>MA</u> State	<u>01888</u> Zip code

Case Name: Star C. Johnson

Case Number: 318-2022-ET-01070

NOTICE TO TOWNS AND CITIES

_____ Name of Filer		/s/ _____ Signature of Filer	_____ Date
_____ Law Firm, if applicable	_____ Bar ID # of attorney	_____ Telephone	
_____ Address		_____ E-mail	
_____ City	_____ State	_____ Zip code	

TO BE FILED WITH THE CITY ASSESSOR OR TOWN SELECTMEN AND THE PROBATE
DIVISION PRIOR TO PRESENTING THE FINAL ACCOUNT

MARJORIE ST

Location MARJORIE ST

Mblu 0232/ 0025/ 0000/ /

Acct# 30176

Owner JOHNSON STEPHANIE S

PBN

Assessment \$18,000

Appraisal \$18,000

PID 30176

Building Count 1

Current Value

Appraisal			
Valuation Year	Improvements	Land	Total
2023	\$0	\$18,000	\$18,000

Assessment			
Valuation Year	Improvements	Land	Total
2023	\$0	\$18,000	\$18,000

Owner of Record

Owner JOHNSON STEPHANIE S

Sale Price \$0

Co-Owner

Certificate

Address PO BOX 806

Book & Page /

IPSWICH, MA 01938

Sale Date 08/29/2022

Instrument

Ownership History

Ownership History					
Owner	Sale Price	Certificate	Book & Page	Instrument	Sale Date
JOHNSON STEPHANIE S	\$0		/		08/29/2022
JOHNSON STAR C	\$0		2347/0784		

Building Information

Building 1 : Section 1

Year Built:

Living Area: 0

Replacement Cost: \$0

Building Percent Good:

Replacement Cost

Less Depreciation: \$0

Building Attributes

Field	Description
Style:	Vacant Land
Model	
Grade:	
Stories:	
Occupancy	
Exterior Wall 1	
Exterior Wall 2	
Roof Structure:	
Roof Cover	
Interior Wall 1	
Interior Wall 2	
Interior Flr 1	
Interior Flr 2	
Heat Fuel	
Heat Type:	
AC Type:	
Total Bedrooms:	
Total Bthrms:	
Total Half Baths:	
Total Xtra Fixtrs:	
Total Rooms:	
Bath Style:	
Kitchen Style:	
Kitchen Gr	
WB Fireplaces	
Extra Openings	
Metal Fireplaces	
Extra Openings 2	
Bsmt Garage	

Building Photo



(<https://images.vgsi.com/photos2/PortsmouthNHPhotos/0000026170.JPG>)

Building Layout

(ParcelSketch.ashx?pid=30176&bid=30176)

Building Sub-Areas (sq ft)	Legend
No Data for Building Sub-Areas	

Extra Features

Extra Features	Legend
No Data for Extra Features	

Land

Land Use

Use Code 1320
Description RES ACLNUD
Zone SRB
Neighborhood 125
Alt Land Appr No
Category

Land Line Valuation

Size (Acres) 0.21
Frontage
Depth
Assessed Value \$18,000
Appraised Value \$18,000

Outbuildings

Outbuildings	<u>Legend</u>
No Data for Outbuildings	

Valuation History

Appraisal			
Valuation Year	Improvements	Land	Total
2023	\$0	\$18,000	\$18,000
2022	\$0	\$18,000	\$18,000
2021	\$0	\$18,000	\$18,000

Assessment			
Valuation Year	Improvements	Land	Total
2023	\$0	\$18,000	\$18,000
2022	\$0	\$18,000	\$18,000
2021	\$0	\$18,000	\$18,000

BY: EMAIL & HAND DELIVERY

July 16, 2024

City Council
City of Portsmouth
1 Junkins Avenue
Portsmouth, NH 03801

RE: Release of Interest in Portion of Longmeadow Lane

Dear Mayor McEachern and City Councilors,

Please accept the following request from Jeannette McMaster, owner of property located at 86 Farm Lane, Tax Map 236, Lot 74, for the City to release any interest it may have in a portion of the paper street now or formerly known as Longmeadow Lane running adjacent to her property. **Exhibit A**. It is my legal opinion that Janet already owns to the centerline of the paper street abutting her property and that the City does not have any interest in that land by virtue of it never expressly or impliedly accepted pursuant to RSA 231:51. Notwithstanding, Janet wishes to remove any doubt concerning her ownership of the land in question and seeks a Release Deed from the City for clarity of title.

The street known as Longmeadow Lane was first shown on a subdivision plan recorded in the Registry of Deeds at Plan #02160 in 1954. **Exhibit B**. Following this, a portion of the street was constructed and paved from Woodlawn Circle to the “Betty’s Dream” property located at 75 Longmeadow Lane, Tax Map 236, Lot 76. *See* **Exhibit A**. The remainder of the street shown on the 1954 Plan was never constructed or paved nor was it utilized for any other municipal purpose. To the contrary, much of it is wooded or consists of yard area for the abutting properties, including the properties at 86 Farm Lane (236-74), 88 Farm Lane (236-75), 200 Spaulding Turnpike (237-56 & 236-73). **Exhibit C**.

My client’s family has owned the property at 86 Farm Lane for several decades and has never witnessed anyone from the public use the paper street for access. Jeannette has personally owned the property since 2013 but has lived for much of her life. **Exhibit D**. The easterly section of the paper street abutting 86 Farm Lane is fenced in and integrated with the McMaster family’s back yard and has been this way for as long as Janet can remember. *See* **Exhibit C**. The same can be said for the westerly section of the paper street abutting 88 Farm Lane, as it applies to that property. The attached photographs depict portions of 86 and 88 Farm Lane from different vantage points. **Exhibit E**.

Jeannette is respectfully requesting that the City formally release any interest it may still have in an approximately 25’ wide portion of the paper street directly abutting 86 Farm Lane to the west. The area of the paper street that she is asking the City to release is depicted on the conceptual plan attached hereto as **Exhibit F**. Please note that the attached plan was created as part

of a concept development plan for Janet's property but is part of any pending land use board application filed with the City.

It is my understanding the City Legal Department has done extensive research pertaining to the paper street. It is important to point out that City Attorney, Robert Sullivan, had previously determined in a written opinion that any rights it had in the paper street had lapsed by operation of law. **Exhibit G**. Given this, it is our hope that the City Council will expedite this request without referring the matter to the Planning Board for an initial review and recommendation.

I appreciate the Council's consideration of this request and would be happy to provide any additional information or answer any questions it has in connection with this request.

Sincerely,

A handwritten signature in black ink, appearing to read "Derek R. Durbin". The signature is fluid and cursive, with the first and last names being more prominent.

Derek R. Durbin, Esq.

Exhibit Table

Exhibit A – Tax Map (GIS)

Exhibit B – Plan 01260 (1954)

Exhibit C – Aerial Imagery

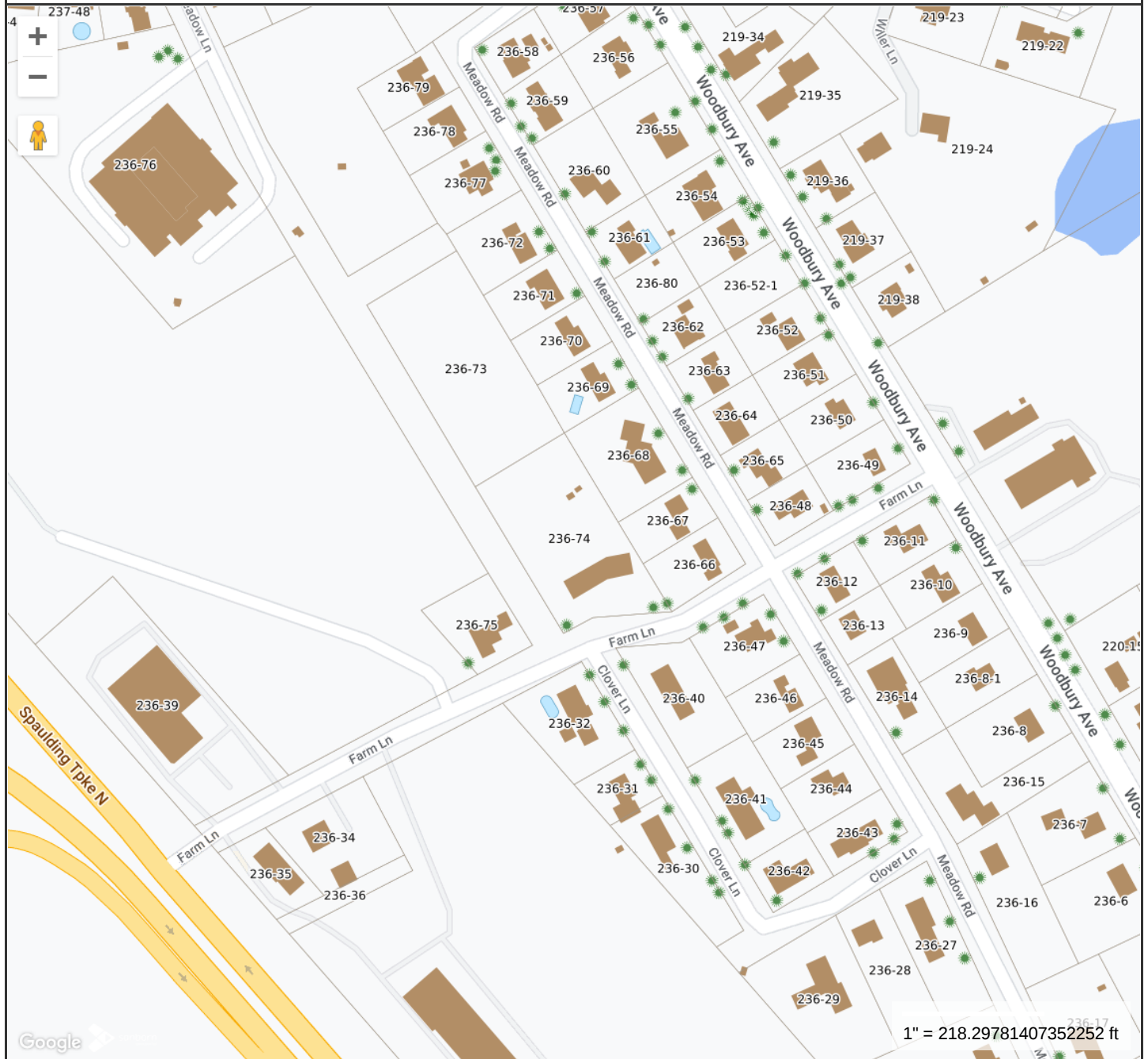
Exhibit D – Deed

Exhibit E – Photographs

Exhibit F- Concept Plan

Exhibit G – Letter from Robert Sullivan, Esq. (1982)

EXHIBIT A



**MAP FOR REFERENCE ONLY
NOT A LEGAL DOCUMENT**

City of Portsmouth, NH makes no claims and no warranties, expressed or implied, concerning the validity or accuracy of the GIS data presented on this map.

Geometry updated 08/24/2023
Data updated 3/9/2022

Print map scale is approximate. Critical layout or measurement activities should not be done using this resource.

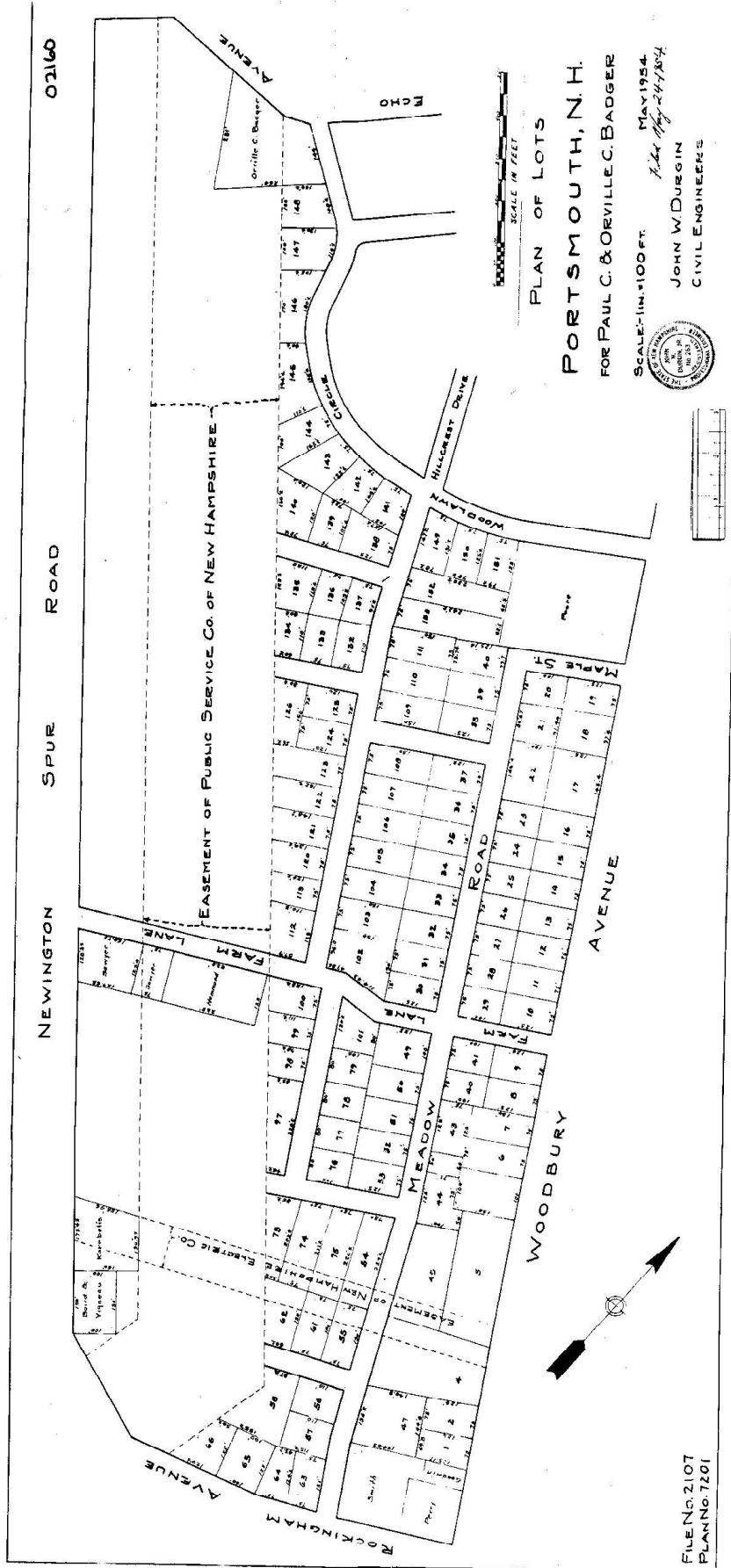
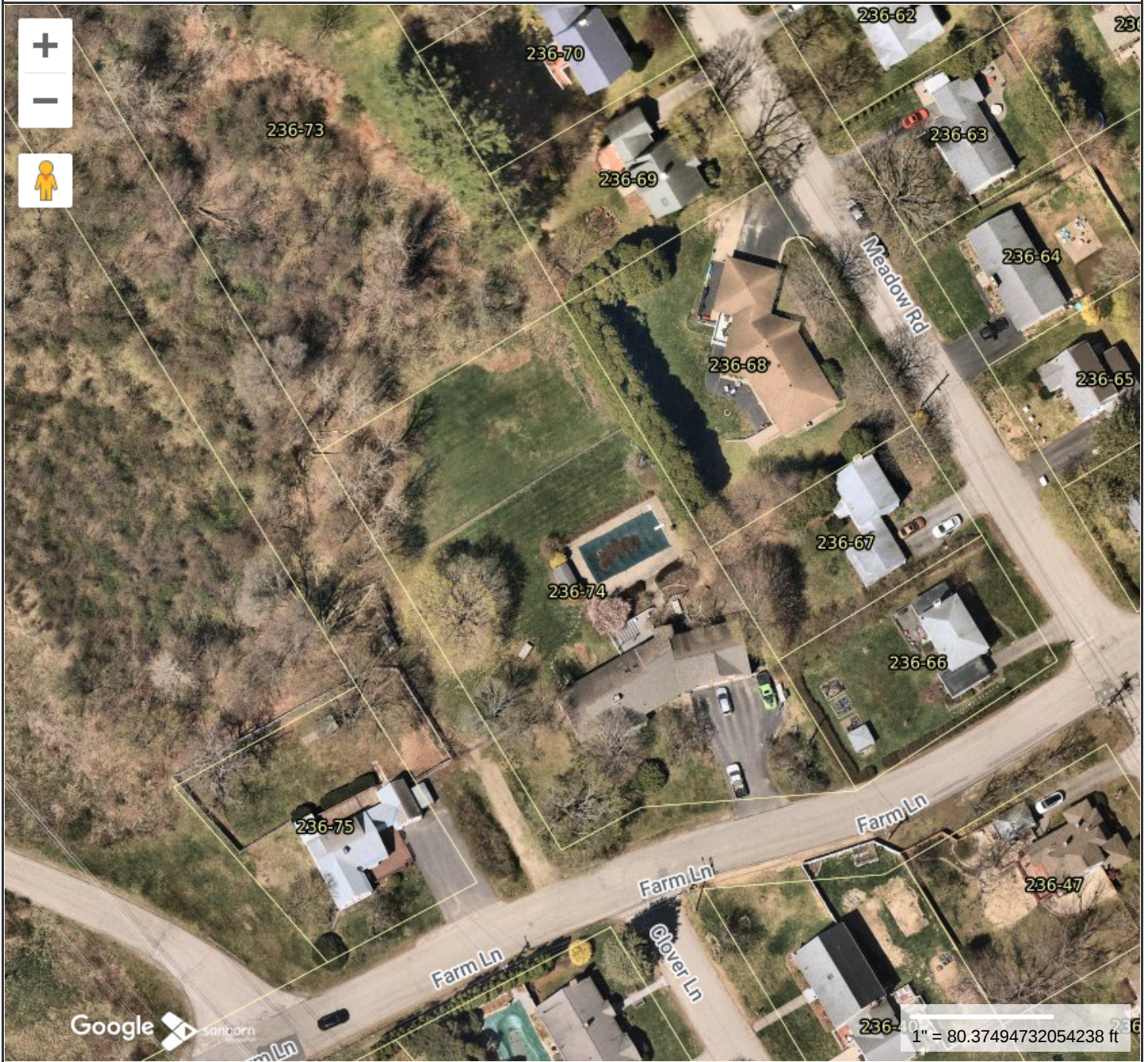


EXHIBIT C



Property Information

Property ID 0219-0004-0000
Location 996 MAPLEWOOD AVE
Owner CHINBURG DEVELOPMENT LLC



**MAP FOR REFERENCE ONLY
NOT A LEGAL DOCUMENT**

City of Portsmouth, NH makes no claims and no warranties, expressed or implied, concerning the validity or accuracy of the GIS data presented on this map.

Geometry updated 08/24/2023
Data updated 3/9/2022

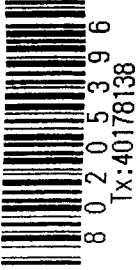
Print map scale is approximate. Critical layout or measurement activities should not be done using this resource.

Please return to:
Jeannette MacDonald
86 Farm Lane
Portsmouth NH 03801



19009276 03/20/2019 12:04:14 PM
Book 5987 Page 348 Page 1 of 2
Register of Deeds, Rockingham County

LCHIP	ROA441434	25.00
TRANSFER TAX	RO086606	40.00
RECORDING		14.00
SURCHARGE		2.00



QUITCLAIM DEED

KNOW ALL BY THESE PRESENTS THAT WE, **MICHAEL MACDONALD** and **JEANNETTE MACDONALD**, husband and wife, with a mailing address of 86 Farm Lane, Portsmouth, New Hampshire 03801 for consideration paid, grant to **JEANNETTE MACDONALD** with a mailing address of 86 Farm Lane, Portsmouth, New Hampshire 03801 with QUITCLAIM COVENANTS,

A certain tract or parcel of land with any improvements thereon situate on Farm Lane, so called, in Portsmouth, Rockingham County, New Hampshire, and shown as Map and Lot 236-74, on a plan entitled "Lot Line Revision 86 Farm Lane & 125 Meadow Road" prepared by James Verra and Associates, Inc., and recorded in the Rockingham County Registry of Deeds as Plan #D-34529, to which reference may be made for a more particular description.

Meaning and intending to describe and convey the same premises conveyed by Jeannette MacDonald to Michael MacDonald and Jeannette MacDonald by warranty deed dated September 11, 2013 and recorded with the Rockingham County Registry of Deeds in Book 5479, Page 2548.

This is a non-contractual transfer for estate planning purposes and is exempt pursuant to RSA 78-B:2 IX.

Witness our hands this 15th day of March 2019.

[Handwritten signature of Michael MacDonald]
MICHAEL MACDONALD

[Handwritten signature of Jeannette MacDonald]
JEANNETTE MACDONALD

STATE OF NEW HAMPSHIRE
COUNTY OF ROCKINGHAM

On this 15th day of March 2019, personally appeared before me the within named Michael MacDonald and Jeannette MacDonald, known to me or satisfactorily proven, to be the persons whose names are subscribed to the within instrument and acknowledged that they executed the within deed for the purposes therein contained.

[Handwritten signature of Natalie Ann Jacques]
Natalie Ann Jacques
Notary Public/Justice of the Peace
My commission expires: May 8, 2019
Deal:



EXHIBIT E



Front View from Farm Lane (South Elevation View)



Front View from Farm Lane (South Elevation View)



**View of Rear Yard from South
(showing portion of paper street formerly known as Longmeadow Lane)**



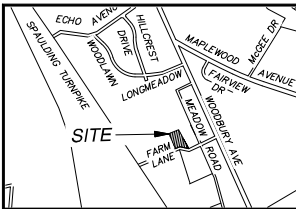
**Alternate View of Rear Yard from South
(showing paper street formerly known as Longmeadow Lane)**



View of Rear Yard from West

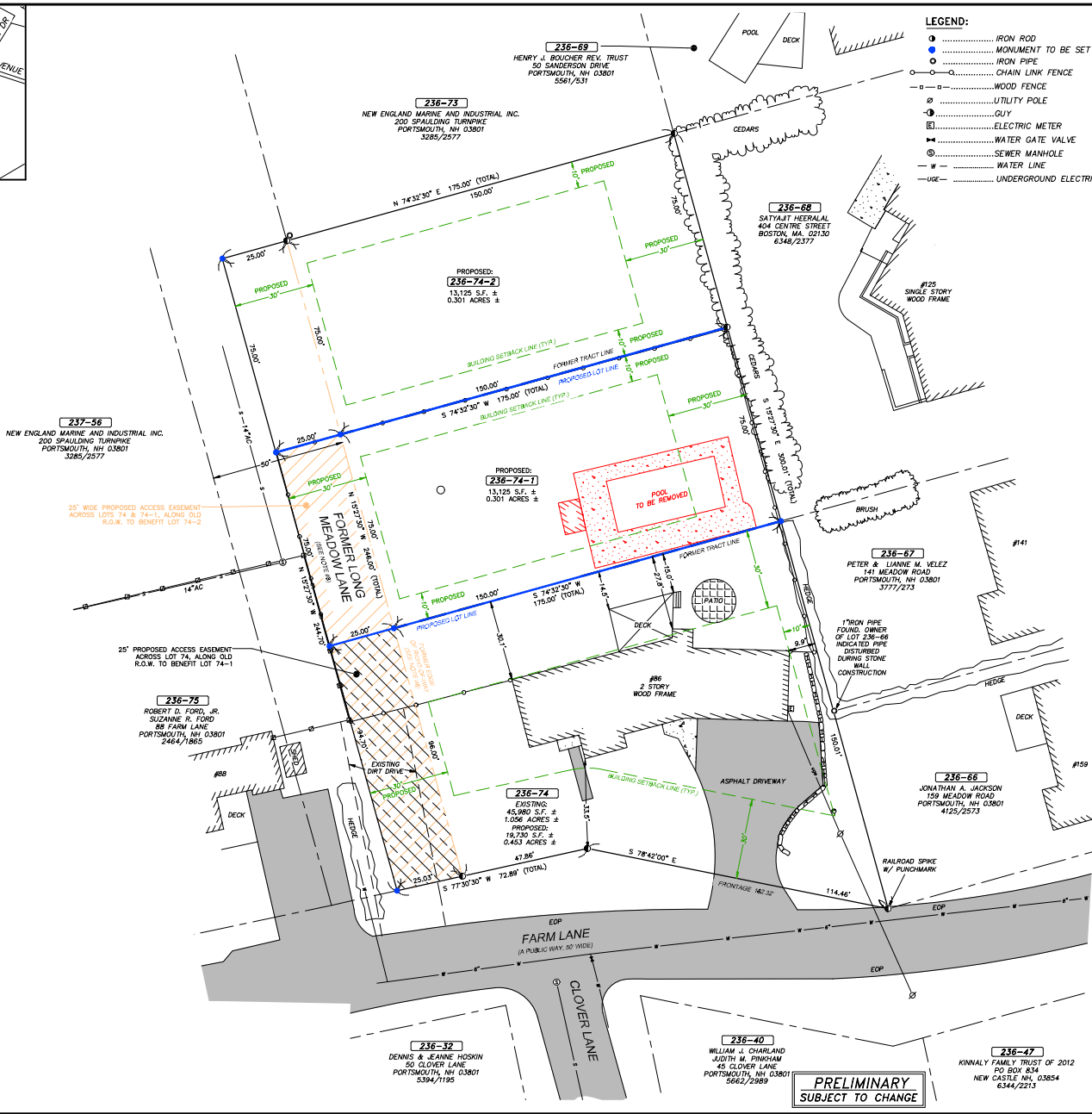


EXHIBIT F



LOCUS
(N.T.S.)

PER REFERENCE PLAN #1



- LEGEND:**
- IRON ROD
 - MOVEMENT TO BE SET
 - IRON PIPE
 - CHAIN LINK FENCE
 - — — — — WOOD FENCE
 - UTILITY POLE
 - GUY
 - ELECTRIC METER
 - WATER GATE VALVE
 - SEWER MANHOLE
 - — — — — WATER LINE
 - — — — — UNDERGROUND ELECTRIC

- NOTES:**
- OWNER OF RECORD: JEANNETTE MACDONALD A/K/A JEANNETTE MCMASTER
ADDRESS: 86 FARM LANE, PORTSMOUTH, NH 03801
DEED REFERENCE: BK: 5987 PG: 348
TAX SHEET / LOT: 236/74
 - ZONED: SINGLE RESIDENCE B (SRB)
MIN. LOT AREA: 15,000 S.F. FRONT YARD SETBACK: 30'
FRONTAGE: 100' SIDE SETBACK: 10'
BUILDING COVERAGE: 20% REAR SETBACK: 30'
MINIMUM OPEN SPACE: 40% LOT DEPTH: 100'
 - THE INTENT OF THIS PLAN IS TO SHOW THE A PROPOSED 3 LOT SUBDIVISION ON THE SUBJECT PARCEL TO CREATE 2 NEW BUILDING LOTS FOR THE PURPOSE OF OBTAINING ZONING VARIANCES TO ALLOW FOR NO FRONTAGE, REDUCED LOT AREA, AND REDUCED SETBACKS. THIS OFFICE HAS NOT UPDATED THE SURVEY, AND IS BASED ON THE PRIOR PLAN OF RECORD BY THIS OFFICE. SEE REFERENCE PLAN #1. SHOULD A VARIANCE BE GRANTED, AN UP-TO-DATE SURVEY WOULD BE PERFORMED PRIOR TO PLANNING BOARD SUBMISSION, AND THE PLAN SUBMITTED FOLLOWING SAID SURVEY MAY BE SUBJECT TO CHANGE.
 - THE LOCATION OF ALL UNDERGROUND UTILITIES SHOWN HEREON ARE APPROXIMATE AND ARE BASED UPON THE FIELD LOCATION OF ALL VISIBLE STRUCTURES (IE CATCH BASINS, MANHOLES, WATER GATES ETC.) AND INFORMATION COMPILED FROM PLANS OF RECORD, AND PLANS PROVIDED BY UTILITY COMPANIES AND GOVERNMENTAL AGENCIES. ALL CONTRACTORS SHOULD NOTIFY, IN WRITING, SAID AGENCIES PRIOR TO ANY EXCAVATION WORK AND CALL DIG-SAFE @ 1-888-DIG-SAFE.
 - HORIZONTAL DATUM: BASED ON REFERENCE PLAN #1.
 - THE PLAN IS BASED UPON REFERENCE PLAN #1, AND UPDATED FIELD SURVEY HAS NOT BEEN PERFORMED.
 - THE PARCEL SHOWN HEREON LIES WITHIN ZONE X (AREA OF MINIMAL FLOOD HAZARD) AS IDENTIFIED ON FLOOD INSURANCE RATE MAP, ROCKINGHAM COUNTY, NEW HAMPSHIRE, MAP NUMBER 330500260F, EFFECTIVE DATE 1/29/2021 BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY.
 - NOTE #5 ON REFERENCE PLAN #1 STATES "UNDER RSA 231:51 & 52, THE RIGHT OF WAY KNOWN AS LONGMEADOW LANE HAS BEEN EXTINGUISHED, LOTS ADJACENT TO SAID STREET MAY HAVE PRIVATE RIGHT OF WAY WITHIN SAID STREET."

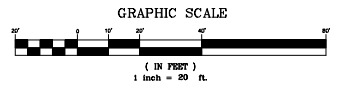
A LETTER FROM CITY ATTORNEY ROBERT P. SULLIVAN DATED OCTOBER 7, 1982 WAS ON FILE WITH THIS OFFICE EXPRESSING THE OPINION OF THE CITY ATTORNEY, THAT THE TARRIED PORTION OF LONGMEADOW ROAD HAS NOT BEEN ACCEPTED AS A PUBLIC STREET, AND THAT THE DIRT PORTION OF LONGMEADOW ROAD HAS NOT BEEN SUBJECT TO ACCEPTANCE. "RSA 231:51 COMES INTO OPERATION AND THE DIRT PORTION OF LONGMEADOW ROAD IS THIS DISCHARGED FROM PUBLIC SERVITUDE BECAUSE TWENTY YEARS HAVE PASSED SINCE ITS DEDICATION WITHOUT IT BEING OPEN, BUILT OR USED FOR PUBLIC TRAVEL."

THIS OFFICE HAS NOT FOUND A DEED, OR QUITE TITLE ACTION CONVEYING TITLE TO OF THE PAPER STREET TO MACDONALD/MCMMASTER OR ANY PREDECESSOR IN TITLE AT THIS TIME. THE PRESUMPTION WOULD BE THAT THE TITLE WOULD REVERT TO THE HIGHWAY'S ARBITERS AND THAT TITLE WOULD EXTEND TO THE CENTERLINE OF THE PAPER STREET. WHILE THE CITY MAY HAVE ACKNOWLEDGE THE PUBLIC RIGHTS TO LONGMEADOW ROAD HAVE BEEN EXTINGUISHED, PRIVATE RIGHTS, RECORDED OR UNRECORDED MAY EXIST.

9. ANY INTEREST IN THE FORMER LONG MEADOW LANE IS INTENDED TO BELONG TO LOTS 74, 74-1 & 74-2 RESPECTIVELY. A CROSS EASEMENT IS PROPOSED ALONG SAID LANE TO BENEFIT THE 2 LOTS NOT FRONTING ON FARM LANE FOR ACCESS.

REFERENCE PLANS

- LOT LINE REVISION, 86 FARM LANE & 125 MEADOW ROAD, ASSESSOR'S PARCELS: 236-74 & 236-68, PORTSMOUTH, NEW HAMPSHIRE, OWNERS: JEANNETTE MACDONALD & WILLIAM A. & CLARIS A. LACEY. LAST REVISED JANUARY 17, 2007 AND PREPARED BY THIS OFFICE. RCRD PLAN #0-34529.
- "LAND IN PORTSMOUTH, N.H. PAUL C. & ORVILLE BADGER TO SAMUEL A. & LUDLIE E. MCMASTER." DATED NOVEMBER 1951, AND PREPARED BY JOHN W. DURGIN C.E. NOT RECORDED, AND ON FILE WITH THIS OFFICE. PG: 2107, EN: 1-25.
- "PLAN OF LOTS, PORTSMOUTH, N.H. FOR PAUL C. & ORVILLE C. BADGER." FILED MAY 24, 1954, AND PREPARED BY JOHN W. DURGIN CIVIL ENGINEERS. RCRD PLAN #02160.



REV. NO.	DATE	DESCRIPTION	APPRD
<p>ZONING BOARD OF ADJUSTMENT EXHIBIT 86 FARM LANE PORTSMOUTH, NEW HAMPSHIRE TAX MAP 236 LOT 74 PREPARED FOR & LAND OF: JEANNETTE MACDONALD A/K/A JEANNETTE MCMASTER</p>			
<p>JVA JAMES VERVA & ASSOCIATES, INC.</p>		<p>DATE: 05/29/2024 JOB NO: 23-2113 SCALE: 1" = 20' DWG NAME: 23-2113SUB PLAN NO: 23-2113SUB SHEET: VI_SUB</p>	<p>101 SHATTUCK WAY, SUITE A, NEWINGTON, N.H., 03801-7876 603-436-3557</p>

PRELIMINARY
SUBJECT TO CHANGE



EXHIBIT G

City of Portsmouth, New Hampshire 03801

COPY

CITY HALL . . . 126 DANIEL STREET

Legal Department
603-431-2000
Ext. 203 / 204

October 7, 1982

MEMO #82-11

TO: NORMAN AXLER, PLANNING DIRECTOR

FROM: ROBERT P. SULLIVAN, CITY ATTORNEY

RE: BETTY'S DREAM

You have referred to me three questions concerning the above project which I answer as follows:

I. The first question is: Is the Betty's Dream project subject to local zoning regulations? In answer to this first question the applicable facts are contained in a letter to you from Housing Consultant Robert J. Obenland dated September 13, 1982, copy of which has been supplied to me, and a letter from Susan Avery, Planning Director for the New Hampshire Developmental Disabilities Council to Attorney Gerald Taube, a copy of which was received by me on September 24, 1982. These documents indicate that Betty's Dream is a non-profit corporation which proposes to construct a housing project in Portsmouth for the purpose of housing persons with developmental disabilities in accordance with a State plan to provide such services.

As you are aware, within the last two years, the Supreme Court of New Hampshire has decided two cases; Region 10 Client Management, Inc. v. Town of Hampstead, 120 N.H. 885 (1980) and Northern New Hampshire Mental Health Housing, Inc. v. Town of Conway at 121 N.H. 811 (1981), the effect of which cases is to emasculate local zoning control over land use which effectuates a State purpose. In those two cases, local zoning ordinances were specifically overridden to allow for housing of developmentally-impaired individuals and for mentally ill individuals. The Betty's Dream application is not precisely analogous to either Region 10 Client Management application or the Northern New Hampshire Mental Health Housing, Inc. application. However, it is very similar in most material aspects. The housing for developmentally-impaired people

proposed by Betty's Dream is being done under contract with a State agency, New Hampshire Developmental Disabilities Council, pursuant to carrying out a State plan which New Hampshire has become obligated to adopt as a result of the acceptance of federal money for this purpose. As I read the two cited cases, I note that they are written in extremely broad fashion. I note, for example, that in the Northern New Hampshire Mental Health Housing, Inc. case, although the town proved numerous distinctions between the housing for the mentally ill which was proposed for Conway, and the earlier proposal that the Supreme Court had upheld in the Town of Hampstead (Region 10), the Supreme Court summarily dismissed each such distinction. It becomes quite clear in reading the language of the Northern New Hampshire case that the Supreme Court considers the concept embodied in Region 10 to be a broad restriction on local zoning control over land use. A very logical extension of these cases goes beyond housing for any type of disabled person or any type of handicapped person and goes, in fact, to any State purpose whatsoever. On the basis of the foregoing, it is my opinion that the Zoning Ordinance of the City of Portsmouth simply does not apply to Betty's Dream project.

II. The second question which I have been asked concerning the Betty's Dream project is whether or not so-called Longmeadow Road, which is the 100 foot long tarred access point to the New England Fishing Gear property is a "street" within the meaning of Section 10-302 of the Zoning Ordinance such as the frontage requirements of the Subdivision Regulations would be met and further, whether or not the said Longmeadow Road "shall have been accepted or opened, or otherwise received the legal status of a public street" such that the City can grant a building permit under the provisions of RSA 36:26. The definition of "street" in the Zoning Ordinance is quite broad and it is plain that if Longmeadow Road meets the definition of a "public street" as contemplated by RSA 36:26, then perforce, it is a street in terms of the Zoning Ordinance. Therefore, it is only necessary to analyze the RSA 36:26 question alone. This statute requires that Longmeadow Road be a "public street". The statute has been interpreted such that the term "public street" means "streets and highways as defined in RSA 231:1. Blevens v. City of Manchester, 103 N.H. 285 (1961). By recodification of the highway laws, this statute is now identified as RSA 229:1. The applicable portion of this law reads as follows:

"...roads which have been dedicated to the public use and accepted by the city or town in which such roads are located or, roads which have been used as such for public travel other than travel to and from a toll bridge or ferry for twenty years prior to 1968..."


To satisfy the provisions of RSA 36:26, Longmeadow Road must come within this provision. In the case of Betty's Dream, Inc. and Longmeadow Road it appears that the twenty year provision is not met. However, the entirety of Longmeadow Road from Woodlawn Circle through to Farm Lane was apparently dedicated to the City of Portsmouth for public use by the recording in 1954 of a plan identified as "Plan of Lots, Portsmouth, N.H. for Paul C. and Orville Badger, John W. Durgin, Civil Engineers", which plan was recorded in the Rockingham County Registry of Deeds in Plat Book 66 at page 15 and the subsequent sale of at least two lots from that plan. This recording constitutes a dedication of the street property pursuant to RSA 231:51. RSA 229:1 would then require that the property underlying the road be accepted in some fashion or another by the municipality in order for the public servitude to arise. On this question of acceptance I have examined City records to determine whether or not there was ever a formal acceptance by the City Council of Longmeadow Road, and I find that no such formal acceptance has ever occurred. However, the statutory provisions and the case law allow that dedication of a road to public servitude may be accepted by implication as well as by express act of the City. See Stevens v. Nashua, 46 N.H. 192 (1865). On the question of such acceptance I discussed the matter with Keith Noyes of the City Engineering Department and with a long-time resident of Woodlawn Circle residing in the area of Longmeadow Road. I am informed by both of these people that at least since 1958 the tarred portion of Longmeadow Road has been at all times utilized as a public highway by citizens of the City. Mr. Noyes states that to the best of his investigation the City has treated approximately the first 100 feet of Longmeadow Road from Woodlawn Circle as being a public highway from that time to the present. Snow plowing, for example, has been done for that time. The 100 feet roughly corresponds to that portion of Longmeadow Road which is now tarred. On the basis of the foregoing, I am of the opinion that the RSA 36:26 requirement that Longmeadow Road be a public street before a building permit could be issued for Betty's Dream has been met and that perforce, that portion of Longmeadow Road is also a street within the meaning of our local Zoning Ordinance such that frontage requirements are satisfied.

III. The third question which I have been asked is a request to determine the status of the non-tarred portion of Longmeadow Road as indicated on the 1954 plan. This is a far more open question than that answer under II. To begin with, it is quite clear that whatever dedication occurred as a result of the recording of the 1954 plan and the sale of lots thereon, occurred not only to the tarred portion of Longmeadow Road, but to the entire Longmeadow Road going through from Woodlawn Circle to Farm Lane. As I noted earlier, no portion of Longmeadow Road was at any time expressly accepted by the municipality. Therefore, whether or not an acceptance has ever occurred of the dirt portions of Longmeadow Road is a question of fact to be determined basically by an answer to the question of whether or not such dirt portion was "built or used for public travel within twenty years from such dedication", RSA 231:51. I am informed

by Mr. Noyes that Public Works does not consider the dirt portion of Longmeadow Road to have been accepted by the municipality; it is not maintained or plowed by the City. However, I understand that on numerous occasions since 1958, various individuals have been observed using the dirt portion of Longmeadow Road for one purpose or another. The use of this dirt portion of the road could be sufficient to maintain some form of servitude less than acceptance of the dirt portion as a public highway. I believe that the case which governs the answer to this question is Young v. Prenderville, 112 N.H. 190. This case stands for the proposition that indefinite and occasional public use of such a paper street as the dirt portion of Longmeadow Road after its dedication is insufficient to constitute public acceptance of the street. It seems, therefore, that whereas the municipality and the public-at-large has treated the tarred portion of Longmeadow Road as having been accepted virtually since its dedication, neither the municipality nor the public-at-large have made the same use of the dirt portion of Longmeadow Road.

Therefore, it is my opinion as indicated in II herein that while the tarred portion of Longmeadow Road has been accepted and is thus a public street within the meaning of RSA 36:26 and a public highway generally, the dirt portion of Longmeadow Road has not been subject to acceptance. This being true, RSA 231:51 comes into operation and the dirt portion of Longmeadow Road is thus discharged from public servitude because twenty years have passed since its dedication without it being open, built, or used for public travel.

I note for the benefit of those individuals who live in the area of Longmeadow Road, however, that simply because Longmeadow Road does not rise to the level of a public street or highway does not mean that individuals who have been using that property for some particular purpose for sufficient length of time, do not have some interest to continue such use of the property. This, however is a question to be decided between those individuals and the current owner of the property underlying the dedicated portion of Longmeadow Road. It is not subject matter in which the City should be involved.



Robert P. Sullivan,
City Attorney

RPS:bh

SECTION 10.680 – GATEWAY NEIGHBORHOOD OVERLAY DISTRICT

10.681 Purpose

This overlay district is created for the purpose of creating housing opportunities in suburban neighborhoods. This overlay shall allow for higher density housing in order to create neighborhoods where residents can live and work.

10.682 Applicability

10.682.10

The provisions of this ordinance shall apply to all land within the **Gateway Neighborhood Overlay District** (GNOD) as defined in Section 10.613.70.

10.682.20

The requirements of the underlying zoning district shall apply with respect to any non-residential use within the overlay district. The requirements of this section shall apply to any residential use or mixed use which includes residential uses within the overlay district.

10.683 Standards

10.683.10

All residential or mixed-use developments including a residential use shall comply with the provisions of Article 5B of this Ordinance, with the following exceptions:

- (1) No more than 80 **dwelling units** per **building** shall be allowed without a conditional use permit as provided in Sections 10.686.20 or 10.686.30.
- (2) Maximum **building height** for any **apartment building** or **mixed use building** shall not exceed 5 stories or 68 feet without a conditional use permit as provided for in Section 10.686.20 or 10.686.30.
- (3) Front, side, and rear **building setback** from **lot line** shall be a minimum of 10 feet.
- (4) Maximum **building coverage** shall not exceed 75%.
- (5) Minimum **open space coverage** shall be 10%.
- (6) The requirements of Sections 10.5B22.20, .30 and .40, 10.5B25, 10.5B33, and 10.5B71 shall not apply to land within the GNOD. Additionally, for a development site within the GNOD, no conditional use permit shall be required pursuant to Section 10.5B41.10.

10.683.20 Relationship to Other Provisions of this Zoning Ordinance

The provisions of this Article shall take precedence over all other provisions of the Zoning Ordinance that conflict with this Article.

10.684 Allowed Uses

In addition to the uses permitted in the underlying district, the following uses shall be permitted within the GNOD:

1. Single Family Dwelling
2. Two-Family Dwelling
3. Multifamily Dwelling
4. Assisted Living Facility
5. **Retail Sales** conducted within a **building**
6. **Restaurant**, place of public assembly or function room
7. **Personal Services**
8. Consumer services such as copy shop, bicycle repair, and pet grooming.
9. Health club, yoga studio, martial arts school or similar **use**.

10.685 Parking

In the GNOD, the provisions of Section 10.1112.62 shall apply, except that a conditional use permit to allow required **off-street parking** spaces on separate lots, whether in common ownership or separate ownership, shall not be required. The provisions of Section 10.1113 shall not apply to the GNOD.

10.686 Density Bonus Incentives

In order to encourage the development of multifamily housing with incentives including public realm improvements, streamlined parking requirements and increased heights, the following incentives are offered for buildings with residential and mixed use with residential in the GNOD.

10.686.10 Public Realm Improvements

In order to be eligible to construct more than four stories or 24 **dwelling units per building**, **public realm** improvements, as described in Section 10.5B73.20, must be provided. All **public realm** improvements shall be reviewed by the Planning Board as a part of site plan approval, and the Planning Board shall make written comments regarding the proposed public realm improvements to the Director of Planning and Sustainability. To the extent that the Planning Board's comments are not followed or incorporated into the Director of Planning and Sustainability's decision, the Director shall set forth findings relative to the Planning Board's comments.

All public realm improvements shall be subject to administrative approval by the Director of Planning and Sustainability. The Director of Planning and Sustainability shall review all proposed public realm improvements for compliance with Section 10.5B73.20, ensure that proposed public realm improvements are constructed to City standards, and are in the public interest. Public realm improvements under this section shall be permitted on a different lot than the development, and the remaining requirements of Section 10.5B73.20 (4) shall not apply to **public realm** improvements within the **GNOD**.

10.686.20 Workforce Housing or Payment in Lieu

In addition to compliance with Section 10.686.10, the Planning Board may grant a conditional use permit to construct more than five stories or more than 80 **dwelling units** per building. Such conditional use permit shall be subject to one of, or a combination of, the following:

- (1) Workforce Housing may be provided in accordance with Section 10.5B73.10.
- (2) A full or partial payment in lieu of workforce housing may be provided. The fee shall be established annually by the Fee Committee and the City Council in the fee schedule.

10.686.30 Land Transfer Option

In order to facilitate future development of below-market rate housing, there may be appropriate circumstances where applicants may convey real property to the City in lieu of or in conjunction with meeting the requirements of Section 10.686.20. However, recognizing the unique nature of land, not all property may be suitable or desirable for this purpose. Therefore, any real property offered to the City pursuant to this section shall be subject to acceptance by the City Council, and in accordance with the following.

- (1) In lieu of meeting the requirements of Section 10.686.20, an applicant may offer real property to the City. Any real property offered to the City shall be suitable for developing workforce housing of a size set forth in section 10.686.40 and shall not require a conditional use permit from the Planning Board. Instead, the conveyance shall be subject to approval and acceptance by the City Council. In exchange for transferring land to the City, the developer shall be permitted to construct buildings up to six stories and 80 feet in height, and to construct up to 120 units per building.
- (2) Any applicant must, at their own expense, provide a certificate of title and Phase one environmental report for any property offered to the City Council. All closing costs shall be borne by the applicant. The City Council may request any additional information regarding the offered real property or the proposed transfer, the preparation of which shall be by the applicant.
- (3) Prior to acceptance by the City Council, the Planning Board shall provide written comments to the City Council regarding the offered real property and its compliance with this Article. Any comments offered by the Planning Board shall be advisory in nature only, but the City Council shall, to the extent that the Planning Board's comments are not followed or incorporated into the City Council's decision, set forth findings relative to the Planning Board's comments.
- (4) The City Council shall not accept any real property offered if acceptance would subject the municipality to potential liability as an owner of property under the Comprehensive Environmental Response, Compensation and Liability Act of 1980, 42 U.S.C. section 9601 et seq., the Resource Conservation and Recovery Act, 42 U.S.C. section 6901 et

seq., RSA 147-A and 147-B, and any other federal or state environmental statute which imposes strict liability on owners for environmental impairment of the real estate involved.

- (5) In addition to the circumstances described in paragraph 2, the City Council may refuse to accept any offered real property whenever in its judgment acceptance and ownership of the real estate would subject the municipality to undesirable obligations or liability risks, including obligations under real estate covenants or obligations to tenants, or for any other reason would be contrary to the public interest.
- (6) For the first 20 acres of **Developable Upland** under this section as a part of a single project, the Developer shall convey at least 1 acre of **Developable Upland** to the City. For each 10 acres of **Developable Upland** over 20 acres to be developed under this section, the Developer shall convey at least one-half acre of additional **Developable Upland** to the City.
- (7) Any property acquired by the City pursuant to this section shall be primarily utilized for below-market rate housing. The City Council shall designate the appropriate method for procurement, development, form of ownership, disposition and administration of individual parcels of land acquired pursuant to this section.
- (8) Any land conveyed under this section shall be conveyed to the City may be conveyed as a condition subsequent to final Planning Board approval(s) and execution of the site review agreement, but in any event shall be conveyed prior to the issuance of a building permit for any project.
- (9) For purposes of clarity, if land is conveyed under this section, there shall be no further requirement to meet any specific percentage of workforce housing units as provided in Section 10.5B73.10

10.686.40 Transfer of Development Rights Acquired through Land Transfer

- (1) Land may be conveyed in conjunction with, or separately from a proposed development. In the event that a conveyance under this section exceeds the amount required in order to support a proposed development, or when land is conveyed separately from any proposed development, the developer or its assigns will receive future credit for a future project or projects in accordance with the standards set forth below.
- (2) If following any acceptance of real property by the City Council and successful transfer of fee ownership with warranted title, and if there is any excess acreage above what is necessary for an active project, the Director of Planning and Sustainability shall notify the Planning Board and the transferor of land of the amount of Land Credit the developer shall receive, which shall be memorialized in a Prospective Development Agreement, if appropriate, as defined below.

- (3) Contemporaneous with the conveyance of land, the City and the developer shall enter into a Prospective Development Incentive Agreement (PDIA), which shall specify the amount of land conveyed to the City, the amount if any used for a pending development, and the amount of excess land that may be credited toward a future project in accordance with this Article. Any excess land credit may only be used within the GNOD but may be sold or transferred without limitation. A sale or transfer of excess credits pursuant to this section is only valid upon written notice to the Director of Planning and Sustainability.
- (4) The maximum term of any PDIA shall not exceed fifteen (15) years, following which the rights to any unused incentive shall become null and void.
- (5) By entering into a PDIA under this section shall not be deemed to supersede or waive any of the other provisions of this Article or Article 5B or other applicable provisions of this Ordinance, nor shall any approval be considered to represent the granting of land use approval for any future **development**.
- (6) Future use of the excess land credit to support a future project shall require administrative approval of the Director of Planning and Sustainability, who shall certify to the Planning Board both the amount of land credit used as a part of a development and the remaining land credit pursuant to the PDIA.
- (7) Excess land credits may be used in full or partial replacement of the requirements set forth in section 10.686.20.

Developable Upland

Gross land area of property, less any public rights of way and any wetland or wetland buffer.

10.5B40.80

New number 4:

In the GNOD, the minimum community space coverage shall be equal to 10% of the total site area of the development site.

Effective upon passage.

C0960-006
August 22, 2024

Mr. Peter Britz
Director of Planning and Sustainability
City of Portsmouth Planning & Sustainability Department
1 Junkins Avenue
Portsmouth, New Hampshire 03801

Re: **Site Plan Review & Conditional Use Approvals Extension Request (LU-20-4)
Proposed Multi-Family Development, 105 Bartlett Street, Portsmouth, NH**

Dear Peter,

On behalf of Iron Horse Properties, LLC, we respectfully request to extend the Site Plan Review, Shared Parking and Wetland Conditional Use approvals that are set to expire on October 12, 2024, for an additional one (1) year.

If you have any questions or need any additional information, please contact me by phone at (603) 433-8818 or by email at NAHansen@tighebond.com.

Sincerely,

TIGHE & BOND, INC.



Patrick M. Crimmins, PE
Vice President



Neil A. Hansen, PE
Project Manager

Copy: Iron Horse Properties, LLC (via E-mail)

J:\C\C0960 Cathartes\C-0960-006 105 Bartlett Street\Report_Evaluation\Applications\City of Portsmouth\20240822_PB Extension\20240822 PB Approval Extension Request.docx



HOEFLE, PHOENIX, GORMLEY & ROBERTS, PLLC

ATTORNEYS AT LAW

127 Parrott Avenue | Portsmouth, NH, 03801
Telephone: 603.436.0666 | Facsimile: 603.431.0879 | www.hpgrlaw.com

August 26, 2024

HAND DELIVERED & Uploaded to Viewpoint

Rick Chellman, Chair
Portsmouth Planning Board
City Hall
1 Junkins Avenue
Portsmouth, NH 03801

Re: LU-23-144
Edgewood Center (928 S Street NH, LLC), Inn at Edgewood (KMF, LLC) and
DAV PAT, LLC.
928 & 936 South Street (Tax Map 221, Lots 87, 88, and 90)

Dear Mr. Chellman and Planning Board Members:

On behalf of the above-referenced parties, please accept this request for an extension to the Lot Line Approval issued by the Planning Board on September 21, 2023 (Exhibit A), extended on March 15, 2024 (Exhibit B), and due to expire on September 21, 2024.

The Planning board previously approved adjustment of the lot lines between the aforementioned parcels, which was sought as a condition of the sale of Edgewood finalized in 2002. The parties have been working diligently to complete all conditions. The mylar plan was submitted earlier this month (Copy attached as Exhibit C) and the legal department has approved the documents to be recorded establishing the Access, Fence, and Sign Easements shown on the Lot Line Adjustment Plan.

We understand that the plan and all documents, including deeds, easements, and the mortgagee's partial release must be recorded by September 21, 2024. We expect most of the parties' executed documents to be presented to the City within the week; however, we anticipate that the mortgagee's partial release may be delayed. Because the partial release must be completed and recorded prior to the conveyance to KMF, LLC, this may delay recording of all documents.

In an abundance of caution, we request a six (6) month extension of the previous approval to **March 21, 2025**. Please place this matter on the agenda for the September 19, 2024 Planning Board meeting.

Very truly yours,



R. Timothy Phoenix
Monica F. Kieser

cc: KMF, LLC
DAV PAT, LLC
928 S STREET NH, LLC

DANIEL C. HOEFLE	ALEC L. MCEACHERN	PETER V. DOYLE	STEPHEN H. ROBERTS 2007-2023
R. TIMOTHY PHOENIX	KEVIN M. BAUM	MONICA F. KIESER	OF COUNSEL:
LAWRENCE B. GORMLEY	JACOB J.B. MARVELLEY	STEPHANIE J. JOHNSON	SAMUEL R. REID
R. PETER TAYLOR	GREGORY D. ROBBINS	KAREN W. OLIVER	JOHN AHLGREN



CITY OF PORTSMOUTH

Planning Department
1 Junkins Avenue
Portsmouth, New
Hampshire 03801
(603) 610-7216

PLANNING BOARD

EXHIBIT A

October 2, 2023

Patricia Ramsey
928 S Street NH LLC
928 South Street
Portsmouth, New Hampshire 03801

RE: Preliminary and Final Subdivision approval for Lot Line Relocation for property located at 928 South Street (LU-23-144)

Dear Property Owner:

The Planning Board, at its regularly scheduled meeting of Thursday, September 21, 2023, considered your application for Preliminary and Final Subdivision approval for Lot Line Relocation as follows: Tax Map 221 Lot 88 increasing from 69,272 square feet and 165 feet of frontage to 102,228 square feet and 343 feet of frontage; Map 221 Lot 87 increasing from 505,739 square feet and 337 feet of frontage to 537,966 square feet and 120 feet of frontage; and Tax Map 221 Lot 90 decreasing in size from 284,452 square feet to 219,116 square feet with no change to street frontage. Said property is shown on Assessor Map 90 Lots 87, 88 & 90 and lies within the Single Residence B (SRB) District. As a result of said consideration, the Board voted 1) to grant the requested waivers to the Subdivision Standards from Section IX.1 Improvements and Installation Bonds. Specific circumstances relative to the subdivision, or conditions of the land in such subdivision, indicate that the waiver will properly carry out the spirit and intent of the regulations. 2) The Board voted to find that the Subdivision (Lot Line Revision) application meets the standards and requirements set forth in the Subdivision Rules and Regulations to adopt the findings of fact as presented, and 3) voted to **grant** Preliminary and Final Subdivision Approval with the following **conditions**:

- 3.1) *The subdivision plan, and any easement plans and deeds shall be recorded simultaneously at the Registry of Deeds by the City or as deemed appropriate by the Planning Department.*
- 3.2) *Property monuments shall be set as required by the Department of Public Works prior to the filing of the plat.*
- 3.3) *GIS data shall be provided to the Department of Public Works in the form as required by the City.*

The Board's decision may be appealed up to thirty (30) days after the vote. Any action taken by the applicant pursuant to the Board's decision during this appeal period shall be at the applicant's risk. Please contact the Planning Department for more details about the appeals process.

All conditions of subdivision approval, including recording of the plat as required by the Planning Department, shall be completed within six (6) months of the date of approval, unless an extension is granted by the Planning Director or the Planning Board in accordance with Section III.E of the Subdivision Rules and Regulations. If all conditions have not been

completed within the required time period, the Planning Board's approval shall be deemed null and void.

This subdivision approval is not final until the Planning Director has certified that the applicant has complied with the conditions of approval imposed by the Planning Board.

The Findings of Fact associated with this decision are available: attached here or as an attachment in the Viewpoint project record associated with this application and on the Planning Board Meeting website:

<https://www.cityofportsmouth.com/planportsmouth/planning-board/planning-board-archived-meetings-and-material>

The minutes and audio recording of this meeting are available by contacting the Planning Department.

Very truly yours,

A handwritten signature in black ink, appearing to read "Rick Chellman". The signature is stylized with large, sweeping loops and a long horizontal tail.

Rick Chellman, Chairman of the Planning Board

cc: Rosann Maurice-Lentz, City Assessor

R. Timothy Phoenix, Hoefle, Phoenix, Gormley & Roberts, PLLC
Eric Weinrieb, Altus Engineering, Inc.



CITY OF PORTSMOUTH

Planning & Sustainability
Department
1 Junkins Avenue
Portsmouth, New
Hampshire 03801
(603) 610-7216

EXHIBIT B

PLANNING BOARD

March 15, 2024

Patricia Ramsey
928 S Street NH LLC
928 South Street
Portsmouth, New Hampshire 03801

RE: Preliminary and Final Subdivision approval for Lot Line Relocation for property located at 928 South Street (LU-23-144)

Dear Property Owner:

I have reviewed the request for a six-month extension of the subdivision approval which was granted on September 21, 2023.

As a result of my review, I hereby grant a six-month extension of the subdivision.

This approval is granted subject to all stipulations of approval by the Planning Board and to all other requirements stated in the Planning Board letter of decision dated September 28, 2023.

Very truly yours,

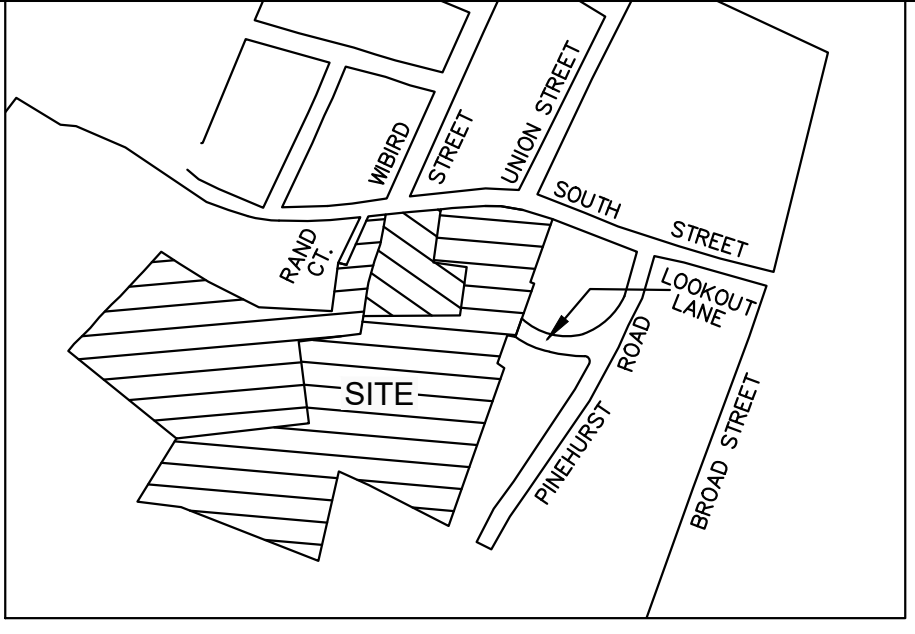
Peter Britz,
Planning and Sustainability Director

cc: Shanti Wolph, Chief Building Inspector
Rosann Maurice-Lentz, City Assessor
Peter H. Rice, Director of Public Works

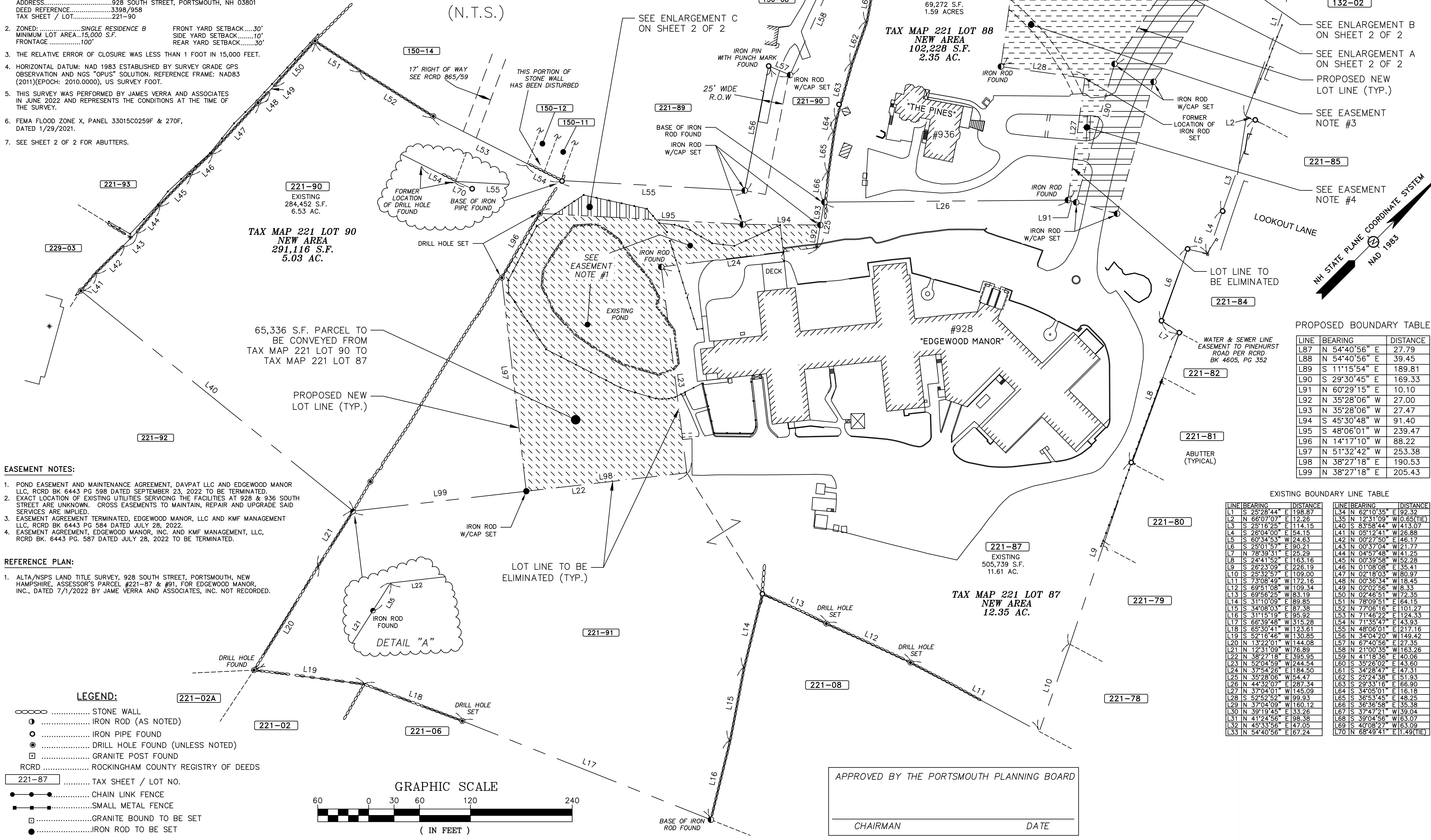
R. Timothy Phoenix, Hoefle, Phoenix, Gormley & Roberts, PLLC
Eric Weinrieb, Altus Engineering, Inc.

NOTES:

- OWNER OF RECORD.....928 S STREET NH LLC
ADDRESS.....1135 E VETERANS HIGHWAY, SUITE 1, JACKSON, NJ 08527
DEED REFERENCE.....6451/1752
TAX SHEET / LOT.....221-87 & 221-91
- OWNER OF RECORD.....KMF MANAGEMENT, LLC.
ADDRESS.....936 SOUTH STREET, PORTSMOUTH, NH 03801
DEED REFERENCE.....5682/483
TAX SHEET / LOT.....221-88
- OWNER OF RECORD.....DAVPAT, LLC.
ADDRESS.....928 SOUTH STREET, PORTSMOUTH, NH 03801
DEED REFERENCE.....3398/068
TAX SHEET / LOT.....221-90
- ZONED:.....SINGLE RESIDENCE B FRONT YARD SETBACK.....30'
MINIMUM LOT AREA.....15,000 S.F. SIDE YARD SETBACK.....10'
FRONTAGE.....100' REAR YARD SETBACK.....30'
- THE RELATIVE ERROR OF CLOSURE WAS LESS THAN 1 FOOT IN 15,000 FEET.
- HORIZONTAL DATUM: NAD 1983 ESTABLISHED BY SURVEY GRADE GPS OBSERVATION AND NGS "OPUS" SOLUTION. REFERENCE FRAME: NAD83 (2011)(EPOCH: 2010.0000), US SURVEY FOOT.
- THIS SURVEY WAS PERFORMED BY JAMES VERRA AND ASSOCIATES IN JUNE 2022 AND REPRESENTS THE CONDITIONS AT THE TIME OF THE SURVEY.
- FEMA FLOOD ZONE X, PANEL 33015C0259F & 270F, DATED 1/29/2021.
- SEE SHEET 2 OF 2 FOR ABUTTERS.



**LOCUS
(N.T.S.)**



EASEMENT NOTES:

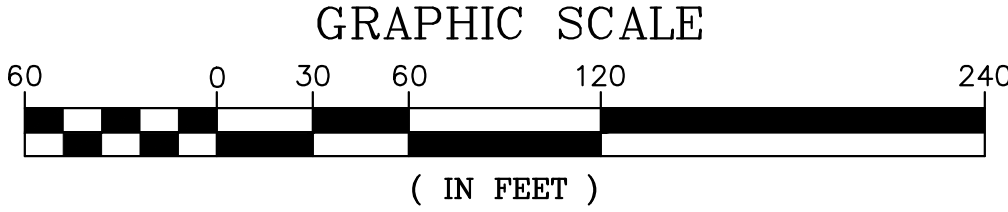
- POND EASEMENT AND MAINTENANCE AGREEMENT, DAVPAT LLC AND EDGEWOOD MANOR LLC, RCRD BK 6443 PG 598 DATED SEPTEMBER 23, 2022 TO BE TERMINATED.
- EXACT LOCATION OF EXISTING UTILITIES SERVICING THE FACILITIES AT 928 & 936 SOUTH STREET ARE UNKNOWN. CROSS EASEMENTS TO MAINTAIN, REPAIR AND UPGRADE SAID SERVICES ARE IMPLIED.
- EASEMENT AGREEMENT TERMINATED, EDGEWOOD MANOR, LLC AND KMF MANAGEMENT LLC, RCRD BK 6443 PG 584 DATED JULY 28, 2022.
- EASEMENT AGREEMENT, EDGEWOOD MANOR, INC. AND KMF MANAGEMENT, LLC, RCRD BK. 6443 PG. 587 DATED JULY 28, 2022 TO BE TERMINATED.

REFERENCE PLAN:

- ALTA/NSPS LAND TITLE SURVEY, 928 SOUTH STREET, PORTSMOUTH, NEW HAMPSHIRE, ASSESSOR'S PARCEL #221-87 & #91, FOR EDGEWOOD MANOR, INC., DATED 7/1/2022 BY JAME VERRA AND ASSOCIATES, INC. NOT RECORDED.

LEGEND:

-STONE WALL
-IRON ROD (AS NOTED)
-IRON PIPE FOUND
- ⊙.....DRILL HOLE FOUND (UNLESS NOTED)
-GRANITE POST FOUND
- RCRD.....ROCKINGHAM COUNTY REGISTRY OF DEEDS
- 221-87.....TAX SHEET / LOT NO.
-CHAIN LINK FENCE
-SMALL METAL FENCE
-GRANITE BOUND TO BE SET
-IRON ROD TO BE SET



PROPOSED BOUNDARY TABLE

LINE	BEARING	DISTANCE
L87	N 54°40'56" E	27.79
L88	N 54°40'56" E	39.45
L89	S 11°15'54" E	189.81
L90	S 29°30'45" E	169.33
L91	N 60°29'15" E	10.10
L92	N 35°28'06" W	27.00
L93	N 35°28'06" W	27.47
L94	S 45°30'48" W	91.40
L95	S 48°06'01" W	239.47
L96	N 14°17'10" W	88.22
L97	S 51°32'42" W	253.38
L98	N 38°27'18" E	190.53
L99	N 38°27'18" E	205.43

EXISTING BOUNDARY LINE TABLE

LINE	BEARING	DISTANCE	LINE	BEARING	DISTANCE
L1	S 25°28'44" E	198.87	L34	N 62°10'35" E	92.32
L2	N 66°07'07" E	12.26	L35	N 12°31'09" W	0.65(TIE)
L3	S 25°18'25" E	114.15	L40	S 83°58'44" W	413.07
L4	S 26°04'00" E	54.15	L41	N 05°12'41" W	26.88
L5	S 60°34'53" W	24.63	L42	N 00°27'50" E	46.17
L6	S 25°01'57" E	90.21	L43	N 00°37'04" W	21.77
L7	N 78°39'51" E	25.29	L44	N 04°57'48" W	41.25
L8	S 24°41'52" E	163.16	L45	N 00°39'58" W	52.28
L9	S 26°23'09" E	226.19	L46	N 01°08'08" E	35.41
L10	S 25°32'57" E	109.00	L47	N 02°18'03" W	80.97
L11	S 73°08'49" W	172.16	L48	N 00°36'34" W	18.45
L12	S 69°51'08" W	109.34	L49	N 02°02'56" W	8.33
L13	S 69°56'25" W	83.19	L50	N 02°46'51" W	72.35
L14	S 31°10'09" E	89.85	L51	N 78°09'51" E	64.15
L15	S 34°08'03" E	87.38	L52	N 77°06'16" E	101.27
L16	S 31°15'19" E	95.92	L53	N 71°48'22" E	124.33
L17	S 66°39'48" W	315.28	L54	N 71°35'47" E	43.93
L18	S 65°30'41" W	123.61	L55	N 48°06'01" E	217.16
L19	S 52°16'46" W	130.85	L56	N 34°04'20" W	149.42
L20	N 13°22'01" W	144.08	L57	N 67°40'56" E	27.35
L21	N 12°51'09" W	76.89	L58	N 21°00'35" W	163.26
L22	N 38°27'18" E	395.95	L59	N 41°18'36" E	40.06
L23	N 52°04'59" W	244.54	L60	S 35°26'02" E	43.60
L24	N 37°54'26" E	184.50	L61	S 34°28'47" E	47.31
L25	N 33°28'06" W	54.47	L62	S 25°24'38" E	51.93
L26	N 44°32'07" E	287.34	L63	S 29°53'18" E	66.90
L27	N 37°04'01" W	145.09	L64	S 34°05'01" E	16.18
L28	S 52°52'52" W	99.93	L65	S 36°53'45" E	48.25
L29	N 37°04'09" W	160.12	L66	S 36°36'58" E	35.38
L30	S 37°47'21" E	33.26	L67	S 37°47'21" E	39.04
L31	N 41°24'56" E	98.38	L68	S 39°04'56" W	63.07
L32	N 45°33'56" E	47.05	L69	S 40°08'27" W	63.09
L33	N 54°40'56" E	67.24	L70	N 68°49'41" E	11.49(TIE)

APPROVED BY THE PORTSMOUTH PLANNING BOARD
CHAIRMAN _____ DATE _____

ENGINEER:
ALTUS ENGINEERING
133 Court Street Portsmouth, NH 03801
(603) 433-2335 www.altus-eng.com

SURVEYOR:
JAMES VERRA & ASSOCIATES, INC.
LAND SURVEYORS
101 SHATTUCK WAY - SUITE 8 NEWINGTON, N.H. 03801-7876
603-436-3557
JOB NO: 23651-3

ISSUED FOR: RECORDING
ISSUE DATE: AUGUST 6, 2024

REVISIONS

NO.	DESCRIPTION	BY	DATE
0	INITIAL SUBMISSION	EDW	08/30/23
1	UPDATE EASEMENT NOTES	EDW	02/07/24
2	REV. L29, L30 & L67 B&D	EDW	02/09/24
3	RECORDING PLAN	EDW	08/06/24

DRAWN BY: RMB
APPROVED BY: EDW
DRAWING FILE: 4755-LLA.dwg

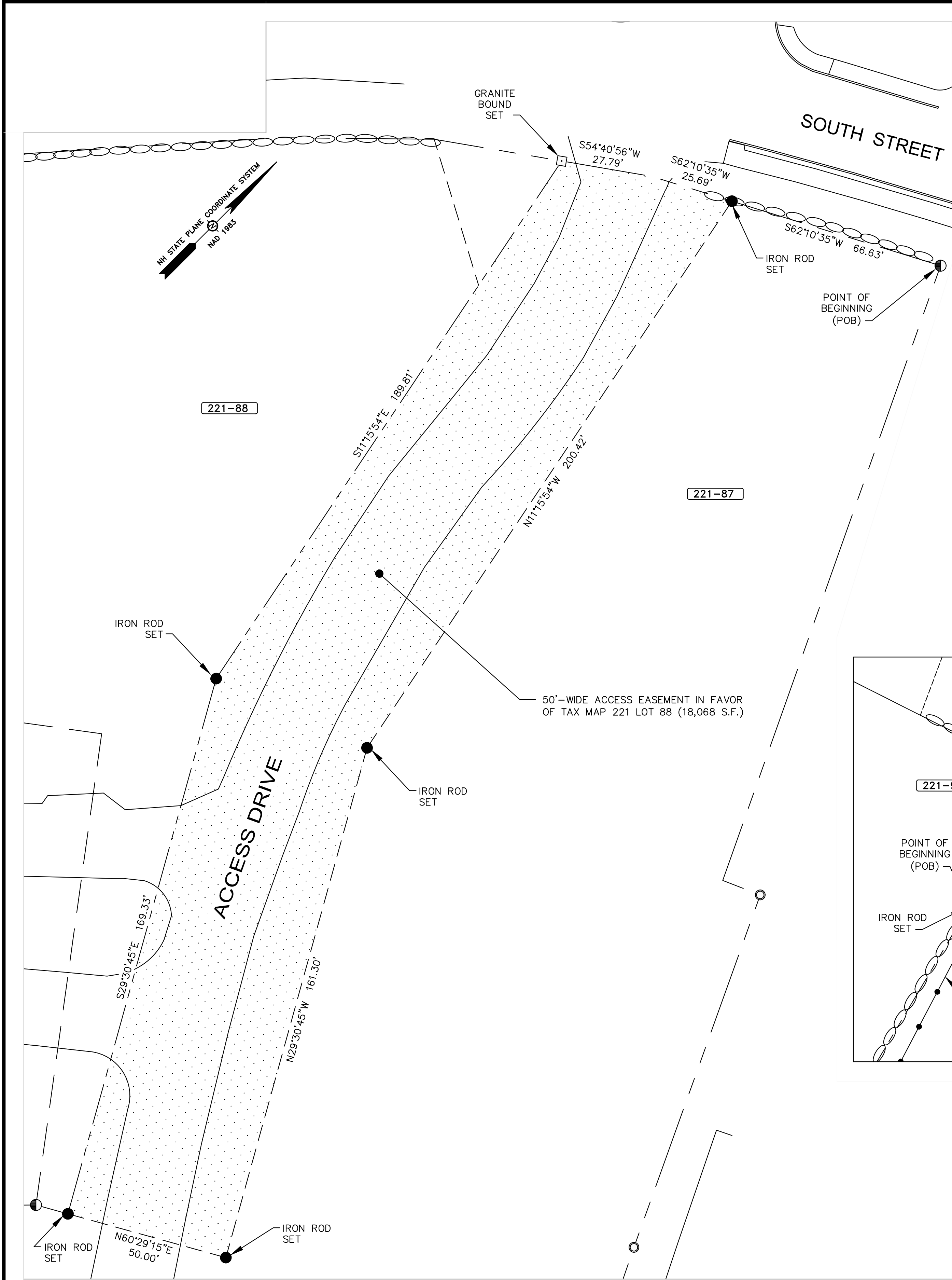
SCALE: (22"x34") 1" = 60'
(11"x17") 1" = 120'

OWNER/APPLICANTS:
928 S STREET NH LLC
1135 E VETERANS HIGHWAY SUITE 1
JACKSON, NJ 08527
KMF MANAGEMENT, LLC
936 SOUTH STREET
PORTSMOUTH, NH 03801

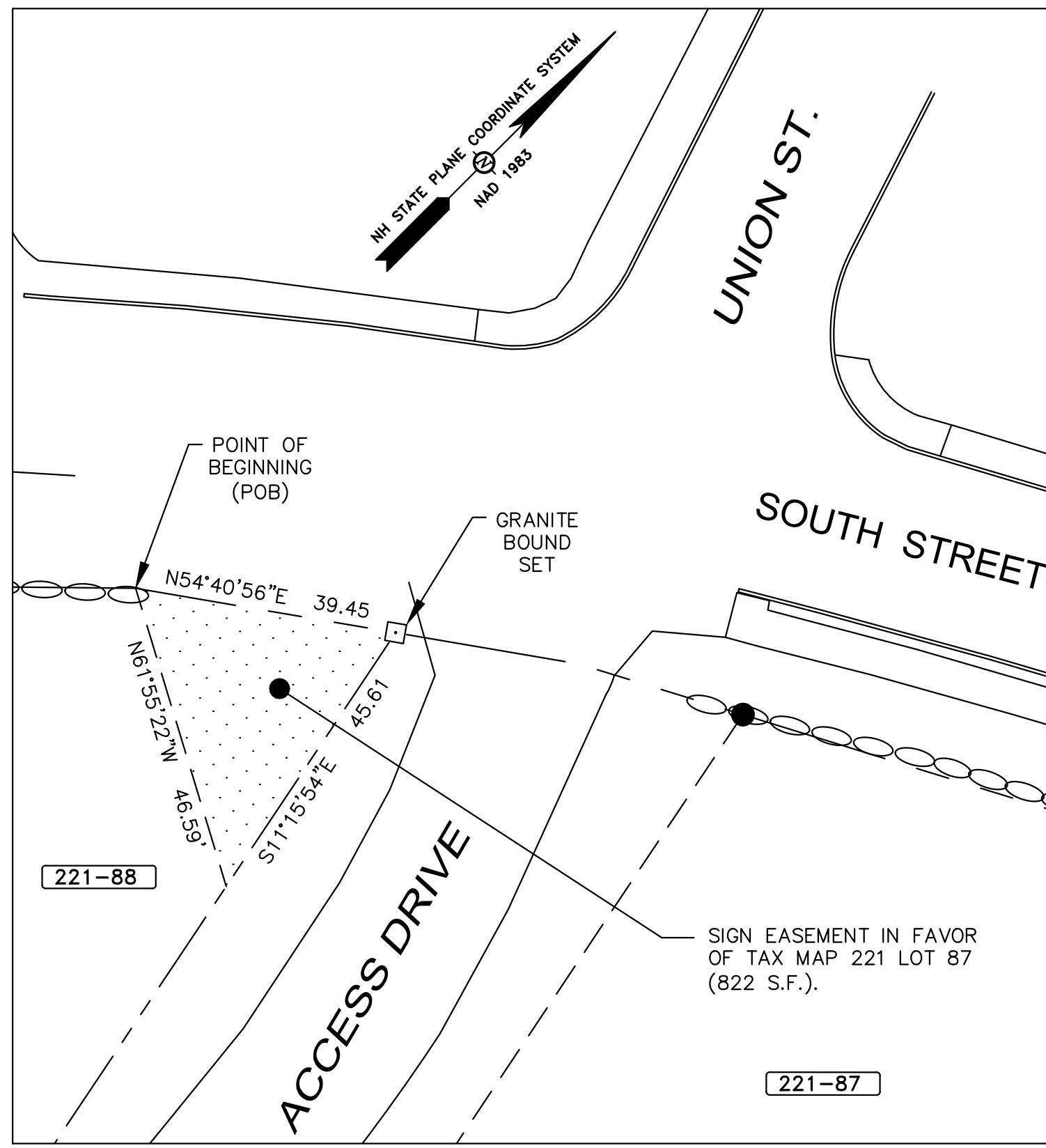
DAVPAT, LLC
928 SOUTH STREET
PORTSMOUTH, NH 03801
EXHIBIT C

PROJECT:
EDGEWOOD MANOR & THE PINES
TAX MAP 221 LOT 87, 88 & 90
928 & 936 SOUTH STREET
PORTSMOUTH, NH

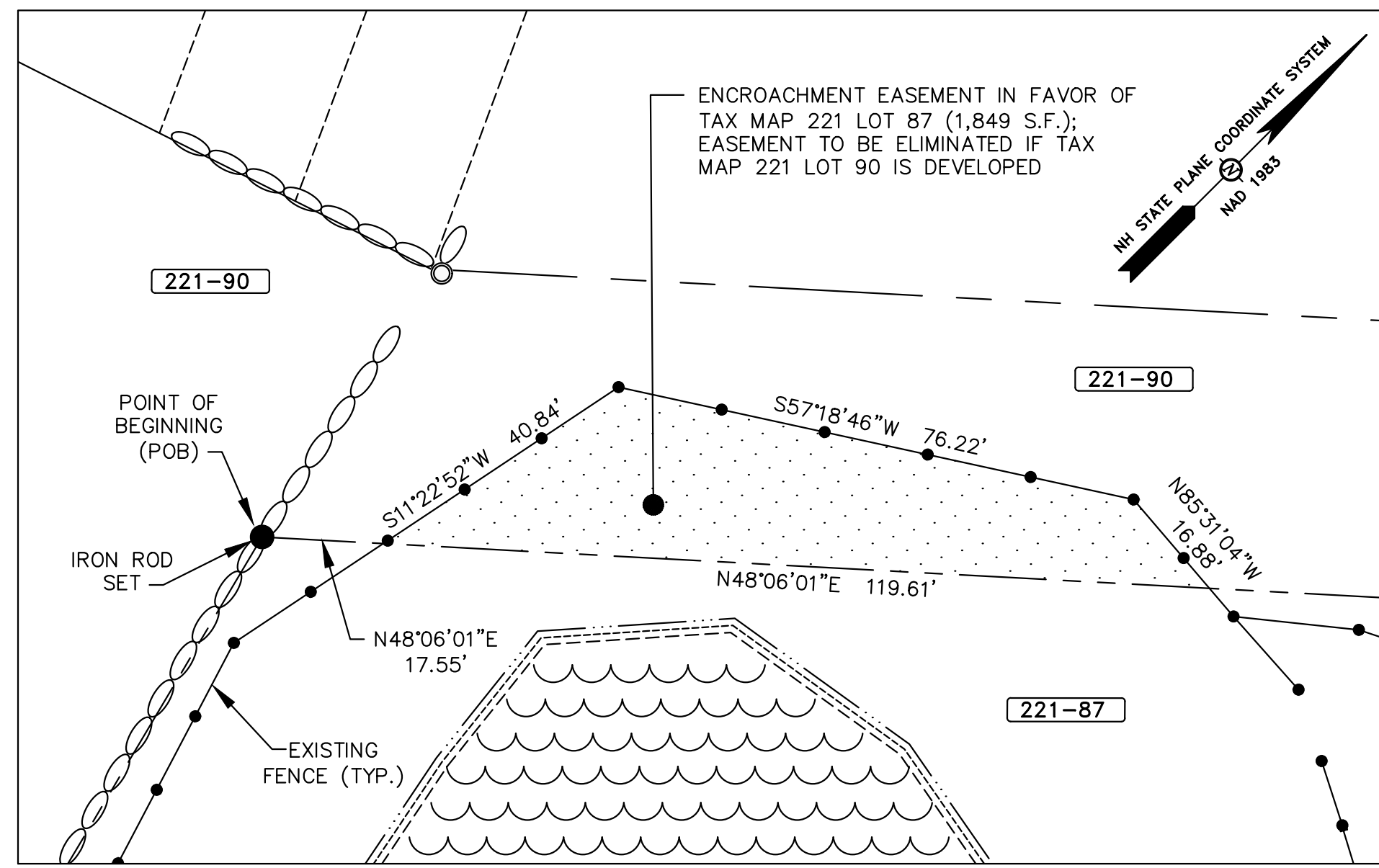
TITLE:
LOT LINE REVISION PLAN
SHEET NUMBER:
1 OF 2



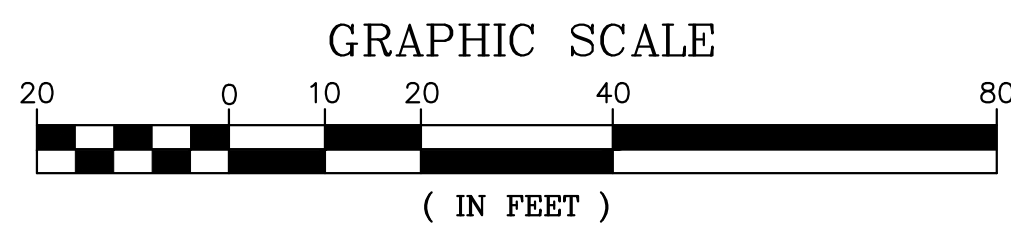
ENLARGEMENT A



ENLARGEMENT B



ENLARGEMENT C



APPROVED BY THE PORTSMOUTH PLANNING BOARD

CHAIRMAN _____ DATE _____

ABUTTERS LIST:

- APN 132-002 CYNTHIA PAGIULLI REVOCABLE TRUST CYNTHIA PAGIULLI TRUSTEE 826 SOUTH ST PORTSMOUTH, NH 03801 5509/1477 01/27/2014
- APN 132-005 (392 WIBIRD ST) 392 WIBIRD ST LLC 69 HUNKING ST PORTSMOUTH, NH 03801 6240/2079 02/23/2021
- APN 132-18 (929 SOUTH ST) HALLE LOUIS P HALLE TRACY C 929 SOUTH ST PORTSMOUTH, NH 03801 3169/0682 08/01/1996
- APN 132-019 (911 SOUTH ST #C) FREEDMAN WENDY M 911 SOUTH ST #C PORTSMOUTH, NH 03801 6089/857 03/03/2020
- APN 132-019 (911 SOUTH ST #A) BULL MATTHEW JOSEPH LAFLAMME HONORE J 911 SOUTH ST #A PORTSMOUTH, NH 03801 6145/2163 07/30/2020
- APN 132-019 (911 SOUTH ST #B) MILETKOV MIHAIL K BJELICIC-MILETKOV BOJANA 911 SOUTH ST #B PORTSMOUTH, NH 03801 5688/2480 01/29/2016
- APN 132-020-001 (889 SOUTH ST #1) BACH ROBERT M BACH JENNENE A 844 UNION ST PORTSMOUTH, NH 03801 4519/0221 07/25/2005
- APN 132-020-002 HOUGHTON JAMES B 889 SOUTH ST #2 PORTSMOUTH, NH 03801 3001/1689 08/20/1993
- APN 132-020-003 BOLSTER W JEFFREY REVOC TRUST OF 2017 BOLSTER W JEFFREY TRUSTEE 889 SOUTH ST UNIT 3 PORTSMOUTH, NH 03801 5899/0887 03/19/2018
- APN 132-020-004 LOCKWOOD MICHAEL JR & SHAUNNA 35 HODGDON WAY BLD A PORTSMOUTH, NH 03801 6400/1948 04/18/2022
- APN 132-020-005 MILLER WHITNEY SHAFFER RAIS 129 MARKET ST UNIT 3 PORTSMOUTH, NH 03801 6320/1879 08/26/2021
- APN 132-020-006 GAINTY LISA P 889 SOUTH ST UNIT 6 PORTSMOUTH, NH 03801 6016/1391 07/12/2019
- APN 132-23 (845 SOUTH ST) KODAL ALL SEMH REV TRUST KODAL A S & HENRY KODAL P TTEE 845 SOUTH ST PORTSMOUTH, NH 03801 6407/895 05/12/2022
- APN 150-008 LINDSAY J GEE ERIN HEFFRON 978 SOUTH ST PORTSMOUTH, NH 03801 5480/2796 09/20/2013
- APN 150-011 DANIELLE PRONESTI 1008 SOUTH ST PORTSMOUTH, NH 03801 6239/2733 02/22/202
- APN 150-012 WIDENER FAM REV TRUST OF 2018 WARREN L WIDENER & KATHRYN M CO-TRUSTEES 1020 SOUTH ST PORTSMOUTH, NH 03801 5904/0491 04/09/2018
- APN 150-014 GOUGH FAMILY REVOC TRUST P S & M L GOUGH TRUSTEES 1048 SOUTH ST PORTSMOUTH, NH 03801 5335/1584 07/16/2012
- APN 221-002 ROLAND R BERGERON LINDA A BERGERON 330 A JONES AVE PORTSMOUTH, NH 03801 2426/1110 11/10/1982
- APN 221-02A (OFF JONES AVE) CYNTHIA PAGIULLI REVOCABLE TRUST 680 PEVERLY HILL RD PORTSMOUTH, NH 03802 2368/0581
- APN 221-008 (188 JONES AVE) PORTSMOUTH SNF REALTY LLC C/O RECOVER-CARE 2420 KNAPP ST BROOKLYN, NY 11235 6201/2689 12/01/2020
- APN 221-078 PAUL M. HANSEN MICHELLE A LONG 150 PINEHURST RD PORTSMOUTH, NH 03801 5200/0596 03/10/201
- APN 221-079 MAGNANT MICHAEL J REVOC TRUST (50% INT) MAGNANT MICHAEL J TRUSTEE 140 PINEHURST RD PORTSMOUTH, NH 03801 5173/0337 12/07/2010
- APN 221-080 ENDRI K. TRAJANI ALLYSON E MELCHOR 124 PINEHURST RD PORTSMOUTH, NH 03801 5983/1515 03/01/2019
- APN 221-081 G & H PRONESTI FAMILY LIVING TRUST GUY A. PRONESTI, TRUSTEE 100 PINEHURST RD PORTSMOUTH, NH 03801 6397/1901 04/07/2022
- APN 221-082 (84 PINEHURST RD) ST JOHN'S CHURCH 100 CHAPEL STREET PORTSMOUTH, NH 03801 4544/1852 09/06/2005
- APN 221-084 MARK A. WEIDMAN REVOC TR 2016 (1/2 INT) MARK A. & ANNE S. WEIDMAN TRUSTEES 44 LOOKOUT LN PORTSMOUTH, NH 03801 5757/0350 09/29/2016
- APN 221-085 (45 LOOKOUT LN) ELIZABETH CAVANAGH TRUST OF 1991 C/O GOULSTON & STORRS PC 400 ATLANTIC AVE BOSTON, MA 02110 5953/2276 10/12/2018
- APN 221-087 (928 SOUTH ST) 928 S STREET NH LLC 1135 E VETERANS HIGHWAY SUITE 1 JACKSON, NJ 08527 6451/1752 2022-11-09
- APN 221-088 (936 SOUTH ST) KMF MANAGEMENT LLC 928 SOUTH ST PORTSMOUTH, NH 03801 5682/0483 12/31/2015
- APN 221-089 ROBBLEE FAMILY TRUST D. A. & L. A. ROBBLEE TRUSTEES 2 RAND CT PORTSMOUTH, NH 03801 5270/0857 12/12/2011
- APN 221-090 (962 SOUTH ST) DAVPAT LLC 928 SOUTH STREET PORTSMOUTH, NH 03801 3398/0958 06/11/1999
- APN 221-091 (NO STREET FRONTAGE) 928 S STREET NH LLC 1135 E VETERANS HIGHWAY SUITE 1 JACKSON, NJ 08527 6451/1752 2022-11-09
- APN 221-092 (NO STREET FRONTAGE) CITY OF PORTSMOUTH DPW 680 PEVERLY HILL RD PORTSMOUTH, NH 03802 2362/1663
- APN 221-093 WOOD FAMILY REVOCABLE TRUST ROGER F. & ELAINE M. WOOD TRUSTEE 1066 SOUTH ST PORTSMOUTH, NH 03801 6069/1008 12/23/2019
- APN 229-003 CITY OF PORTSMOUTH SCHOOL 1 JUNKINS AVE PORTSMOUTH, NH 03802 1985/0379

ENGINEER:

133 Court Street Portsmouth, NH 03801 (603) 433-2335 www.altus-eng.com

SURVEYOR:

JAMES VERRA & ASSOCIATES, INC.
LAND SURVEYORS

101 SHATTUCK WAY - SUITE 8 NEWINGTON, N.H. 03801-7876 603-436-3557

JOB NO: 23651-3

ISSUED FOR: RECORDING

ISSUE DATE: AUGUST 6, 2024

REVISIONS

NO.	DESCRIPTION	BY	DATE
0	INITIAL SUBMISSION	EDW	08/30/23
1	UPDATE SHEET 1 OF 2	EDW	02/07/24
2	RECORDING PLAN	EDW	08/06/24

DRAWN BY: _____ RMB

APPROVED BY: _____ EDW

DRAWING FILE: 4755-LLA.dwg

SCALE: (22"x34") 1" = 20'
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928 SOUTH STREET
PORTSMOUTH, NH 03801

PROJECT:

EDGEWOOD MANOR & THE PINES

TAX MAP 221
LOT 87, 88 & 90
928 & 936 SOUTH STREET
PORTSMOUTH, NH

TITLE:

LOT LINE REVISION PLAN

SHEET NUMBER:

2 OF 2