Perry Silverstein
25 Market Street
P.O. Box 91
Portsmouth, NH 03802
(603) 767-1210

1/15/2025

To the Planning Board:
From: Perry Silverstein
RE: Comments on the development project at 1,21 (15) Congress

Members of the Planning Board:

My name is Perry Silverstein. I currently have twenty rental units in Portsmouth and am an abutter to yet another McNabb project that is overtaxing the downtown, and specifically parking is a major concern.

Of the twenty units I lease, all within a stone's throw of this new McNabb project, five are residential. In the 30 years leasing downtown I have never had somebody living in any of my apartments without a car. Any argument made by Mr. McNabb that his proposed project of high-end residents and businesses will not have cars is absurd. There are no grocery stores or pharmacies etc... downtown. They need cars.

Parking is always a primary concern for every residential tenant, and every business downtown depends on available parking for their staff and customers. My tenants which are retailers, restaurants, office tenants, and residential tenants, all struggle to find on-street parking at night and have trouble finding parking in the municipal lot by the pond. The parking garage is often full, and there is often a waiting list to get a parking pass. And NO, those who live in this area of the City do not want to walk to their apartments from the Foundry garage with their laundry, groceries, etc... Would you?

Providing only 21 parking spaces, and it will need more than 53 spaces, seems ludicrous to me based on my experience. Please note that he will also be getting the 5 parking spaces on High Street as part of his 'gift' to pay for infrastructure improvements, and take spaces in the overhang area of the parking garage for trash dumpsters. That is some gift! Not.

Please do the math and figure out how much this is really going to cost the City when his tenants take potentially 50 parking passes in the Hanover garage which only has 600 spaces.

Please keep in mind the existing residents and businesses when you make this decision.

Thank you for your attention.
Sincerely
Perry Silverstein

From:	Kate Waldwick
To:	Planning - Info - Shr
Cc:	Bryn Waldwick
Subject:	Planning Board Public Comment: Congress Street Project
Date:	Wednesday, January 15, 2025 4:30:08 PM

Dear City Planning Board,

I am requesting that the planning board reject the parking CUP for the Congress St project. If the planning board approves this CUP, it is passing the cost of parking directly onto residents to subsidize developers' projects.

In the near past, the city had an independent parking assessment done which indicated that parking downtown was running on average at 95% utilization and recommended that the city will need to start a site search for a new parking garage given how constrained parking is downtown. This will clearly be an expensive endeavor on behalf of the city.

In 2024, the city also recently completed property tax reassessments, which showed that the city's tax burden has significantly shifted onto residents as compared to commercial and developers. This means that any new project the city takes on, like building a new parking garage, will be paid for by residents of the city.

Putting these two pieces of information together, one can see that by allowing developers to not have to pay to develop their own parking for their projects, the planning board is essentially asking residents to have to pick up the load, as these new developments will exacerbate the documented parking shortages.

Thank you for your service to the city and its residents.

Sincerely,
Kathryn "Kate" Waldwick
Bryn Waldwick

From: Veda Clark
To: Planning - Info - Shr
Subject: 635 Sagamore development
Date: Thursday, December 19, 2024 5:04:34 PM
Importance: High

Planning Board-

Many of us at Tidewatch respectfully request that the plans for 635 development be sent back to ZBA for review.

- The plan has changed substantially from the original plan reviewed by ZBA.
- The required stopping distance line of sight has not been met. This puts the general public at risk. Most importantly to Tidewatch, this is already a VERY DANGEROUS intersection and puts all of us at risk as we come and go out of Tidewatch.
- Drainage is a big issue for Tidewatch. 635 sits on a ledge. After substantial changes and dynamiting of the ledge, can you guarantee to us there will not be drainage issues. Will the City of Portsmouth pay for mitigation for Tidewatch, after we are all flooded?
- The removal of the ledge in this environmentally sensitive area abutting the creek could be disastrous to wildlife.

Please, send this project back to ZBA for review.

Respectfully,
Veda Ferlazzo Clark | VFClark@comcast.net | 617-429-3808

From: Suzan Harding
To: Planning - Info - Shr
Subject: Re: Sagamore Ave
Date: Friday, December 20, 2024 6:12:21 AM

To the planning board,
Very disappointed in your passing the Maflouzi project through without seeming to consider abutters concerns for driveway planned next to abutter with worries about water draining to her basement, I realize you don't care about uprooting the land and mature trees in the name of blasting apart ecosystems but you didn't address abutters concerns about what blasting could do to the structure of 576 Sagamore house built in 1827. You didn't seem to have any concern regarding my traffic safety worries or explain how adding traffic in this dense area will not be an issue. It seemed it was already decided you were approving before we spent our evening waiting until the end to speak.
Not one neighbor surrounding this project is for it. I guess Greene has the money and power.

I was encouraged by your concerns regarding the Luster King and you seemed to have concerns about the degree of blasting there.
I am happy you will do a site review to address traffic safety. Those of us who live here and actually have to get in and out of our driveways already have problems with site lines and stop lines. I have people right on my bumper when turning in my driveway because they fly over the hill.

You took away the bit of off street parking I did have, to make a curb and then a swath of grass that now I am expected to go out to the street to mow? Or will the city do this as it is apparently city property. I had no say in the planting of grass rather than a ground cover that would not require mowing.

Sincerely disappointed
Suzan Harding

On Wed, Dec 18, 2024 at 8:37 AM Suzan Harding <suzanharding@gmail.com> wrote:

> I am writing, once again to express my strong opposition to BOTH the Luster King and Maflouzi overdevelopment projects. Both on agenda for Thursday. As an abutted, my concerns are :
>
> Traffic safety - as planned, there will be at least 8 more cars coming out of Luster King and at least 6 from Maflouzi, not including additional delivery vehicles. As anyone who has experienced the challenges of getting in and out of a driveway on this road, can you just imagine being squeezed between these two properties with all of this additional traffic? I don't know how this is safe. It's too much! So, for the record should accidents occur.
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> Blasting- there are many issues addressed by my neighbors regarding what this level of disruption to the land can do, uprooting trees and soil, flooding, drainage etc, but my issue is with living through this level of unnecessary noise and destruction. I have dealt with the hammering of solid granite in front of my house. It was brutal! But, I understood it was necessary for pipes for water and sewer. These development projects are NOT necessary, it is greed driven. Blasting needs to be avoided. Readjust plans.

10.233.23 Granting the variance would do substantial justice. YES • The project would have no effect on anything across the street or at Tidewatch because one wouldn't even see the properties. The justification to approve was inaccurate in the original approval and is now even less justifiable. One simply needs to walk the site to understand that the statement "because one wouldn't even see the properties." is completely inaccurate. This objection is created by the significant modifications the developer made based on traffic line of site requirements. The units are clearly visible from both across the street and the TW road. Further, the developer took additional liberty in adding walk out basements to the two units that backup to TW in this new proposal. There is no substantial justice especially for the TW residents and taxpayers. These residents will bear the inequitable risk of watershed problems, and the potential of significant water runoff as evidenced by the substantial engineering and drainage designs. From what I read of the independent engineering review; the engineer had concerns about the project. Based on these facts the whole project should go back to the ZBA for reconsideration and be denied in its current form. 10.233.24 Granting the variance would not diminish the values of surrounding properties. YES • The project would have no effect on anything across the street or at Tidewatch because one wouldn't even see the properties. • The project would not alter the essential characteristics of the neighborhood because the large lot could not reasonably be subdivided based on its irregular shape and street frontage. Based on the significant change to the unit layout and roads this criterion can no longer be justified. The units can clearly be seen from Sagamore Ave and the TW road. The second bullet above is not relevant to this criterion. As that second bullet states, the lot cannot reasonably be sub-divided. It is not only because of its shape but also it is a 1.94 acre granite hilltop abutting watershed areas and neighbors below. Based on this fact the whole project should go back to the ZBA for reconsideration and be denied in its current form.
As you have witnessed in past meetings, there is a strong group of neighbors who care about our homes and are vehemently opposed to these overdevelopment projects and urge you to please consider our requests to hold off on these projects until adjustments are made.

Sincerely,
Suzan Harding
594 Sagamore Ave.

From: sugarmag91@comcast.net
To: Planning - Info - Shr
Subject: Planning Board Site Lusterking Cluster , 635 Sagamore Avenue for the PB meeting December 19th
Date: Wednesday, December 18, 2024 1:01:59 PM

Hello Planning Board:
I am an abutter of the above proposed development, residing at 579 Sagamore Ave unit #91. In preparation for my comments and questions tomorrow at the 7 pm meeting, could you please have the following available on the public viewing screen?
1) The **original** C2 development diagram presented to the ZBA
2) The most recent and latest C3 diagram
Thank you so much,
Elyse Gallo
cell: 603-978-2802

From: Suzan Harding
To: Planning - Info - Shr
Subject: Re: Sagamore Ave
Date: Friday, December 20, 2024 6:12:21 AM

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Sincerely,
Suzan Harding
594 Sagamore Ave.

From: Ann Hartman
To: Planning - Info - Shr
Subject: 635 Sagamore Avenue Luster Cluster
Date: Wednesday, December 18, 2024 12:58:42 PM

To the Planning Board:

I direct your attention to the NH Department of Business and Economic Affairs handbook for Planning Boards.

It discusses in detail the duties of Planning Boards when considering denial of an application.

It states that in addition to adhering to regulations, the Board can exercise their independent judgment and knowledge of the area.

The handbook goes on to cite examples of the exercise of independent judgment and knowledge of the area in denial of an application if:

> **The proposal cannot adequately address the legitimate concerns raised at the public hearing, such as drainage, traffic, or other health or safety issues.**

We respectfully ask that you hear the legitimate concerns raised consistently- for several years now- about those exact, very specific issues with special emphasis in this case on all three: drainage achieved only by extensive engineering, exacerbating an already challenging traffic configuration, and the safety and wisdom of extensive blasting.

Thank you for your consideration.

Ann Hartman
579 Sagamore Avenue

From: Lennie Mullaney
To: Planning - Info - Shr
Subject: 635 Sagamore Ave Cluster
Date: Tuesday, December 17, 2024 5:01:32 PM

To the Planning Board

I have serious concerns about the project 635 Sagamore Ave.
1. The density is too great. Yes, TideWatch condos are more in number. However, our roads and parking allow for visitors, contractors and homeowners to navigate safely. There is plenty of off street parking and the roads are safe for pedestrians, bicyclists and dog walkers.
I don't believe the same can be said for the Luster King project. My husband, dog and I walk that hill, in the summer we bike it, and the site line will be greatly reduced by the lack of parking provided in the new development. Will Sagamore Ave be safe for bicyclists and pedestrians with the additional cars right at the crest of the hill pulling in and out? It is already difficult, at certain times of the day, to enter or exit Tidewatch now, as it is.

2. I am concerned about water drainage. TideWatch has many granite outcroppings and a few little brooks. We are downhill from Luster King. Any runoff from the development is going to increase the ground saturation, possibly cause icy roads in the winter, and create more breeding places for disease carrying mosquitoes. The large houses and impervious paved surfaces above will force water to run downhill into Tidewatch.

3. The statement that Tidaewatch residents won't be able to see the new houses is fantasy. They will loom over us, some with walkout basements, trees will be cut down (loss of roots also increases water runoff). The houses have been placed closer to our property line than the original plan. Of course we will see the development!

I am not a "Not in My Backyard" person. Portsmouth needs more affordable housing. This project is not that and it has been engineered for maximum profits for the developer. The impact on Tidewatch will be detrimental. I believe the Planning Board must review the plan and reduce the number of housing units allowed. The developers claim that would be a hardship due to the shape of the land and granite subsurface. That was known when they purchased the property. Therefore, it is not a hardship. It is an excuse.

Lennie Mullaney
579 Sagamore Ave Unit 52
Portsmouth, NH 03801
603-828-4556
www.lenniemullaney.com

From: Susan von Hemert
To: Planning - Info - Shr
Subject: Planning Meeting re: Sagamore Luster King Project
Date: Tuesday, December 17, 2024 9:51:23 PM

We strongly believe this project should not go forward for the following reasons:

- The plan has changed so substantially that the project should go back to the ZBA for reconsideration; they have now added walkout basements which would require even more blasting that could harm our development's basements and water supplies from our wells.
- The fact that the required stopping distance line of sight has not been met puts the general public at risk as well as the city from a liability ; Sagamore is a very busy road and having cars entering and exiting without good sight is a danger
- Finally, the risk imposed on the abutters related to a potential failure of the over engineered drainage is not supporting the ZBA's approval criteria
    - 10.233.21 Granting the variance would not be contrary to the public interest.
    - 10.233.23 Granting the variance would do substantial justice.
    - 10.233.24 Granting the variance would not diminish the values of surrounding properties.

There is absolutely no guarantee that the homeowners association will support this expensive drainage solution in the future, putting the city and our development at risk.

Susan and Phil von Hemert, Tidewatch 42
Sent from my iPad

From:	Peter M. Wissel
To:	Planning - Info - Shr
Subject:	Public Hearing Scheduled for December 19, 2024, 635 Sagamore Avenue
Date:	Monday, December 16, 2024 2:40:07 PM

To: Members of the Planning Board

The application to develop 635 Sagamore Avenue (the “Luster Cluster”) has been conditionally recommended for approval by TAC. The scope of TAC’s review was limited to narrowly defined technical specifications. Those specifications cannot hope to anticipate real-word conditions. In this case the gap between technical requirements and real-world conditions warrants rejection of the proposal by the Planning Board.

The following considerations impact Site Plan Review Regulations Section 2.9 Evaluation Criteria 2, 3, 11, 12, 15 and 18.

Mitigation of all the undesirable outcomes mentioned below can be achieved by limiting the development to a single unit.

Criteria 2, 11, and 12 address traffic controls and safety.

The minimum site stopping distance requirement is not met.

The minimum site stopping distance in the proposal is the distance in the northbound lane between the approach to the crest of Sagamore Avenue and the entrance of the private driveway. The northbound required site stopping distance is 244 feet. Only 228 feet is provided. The application does not address the more significant risk - the inadequate actual site stopping distance between the northbound lane approach to the crest of Sagamore Avenue and the rear bumper of a vehicle stopped in the northbound lane waiting to make a left-hand turn into the Luster Cluster’s private driveway. The site stopping distance in that case is at least one car length less than 228 feet or approximately 212 feet. If one or more vehicles are stopped behind the turning vehicle due to heavy traffic moving in either direction, the site stopping distance would be less than 180 feet. A driver approaching the stopped vehicle or vehicles would have to stand on the brakes to avoid or minimize the impact of a collision. In the event of such a collision an aggressive personal injury lawyer would not hesitate to sue the City of Portsmouth for failing to take any reasonable measures to minimize the known risk of a collision. The cost of a legal defense and potential loss of a suit would be borne by the City and its taxpayers.

Regrettably the topography of the site limits engineering solutions. However, risks to the users of Sagamore Avenue can be mitigated if the amount of traffic entering and exiting the site is minimized. The volume of traffic is not limited to the residents. It includes delivery vehicles from FEDEX, UPS, USPS, Amazon, food delivery and local shops, service vehicles for HVAC maintenance, cable, plumbers, electricians, landscaping vehicles with and without trailers, etc.

Mitigation of this risk can be achieved by limiting the development to a single residential unit which would result in fewer vehicles entering and exiting the private driveway.

The developer of the Luster Cluster has posited that the proposed development improves safety relative to the existing condition. That is based on statistical estimates of traffic volume which are by their nature uncertain. That four units will generate more traffic entering and exiting the property than would a single unit is a certainty. The safety of the users of Sagamore Avenue should take priority over the density of the proposed development.

Criterion 15 addresses usable and functional open space

Inadequate on-site parking is not viable for residents.

The proposal requires "NO PARKING" signs in the private driveway to allow access for large emergency vehicles. Where are visitors supposed to park? Parking in the Sagamore Avenue bike lane is prohibited. (see parking notes below).

The situations where inadequate parking comes into play are numerous. Where will realtors park for an open house when one or more units is listed for sale? If any unit owner wants to host a summer barbeque, open house, family holiday dinner, dinner party, newcomers club meeting, birthday party, bridal or baby shower, wake or invite friends over to watch a sporting event in their media room, etc. where will they park? Where will a landscape vehicle with or without a trailer park or service vehicles for HVAC maintenance, the cable provider, plumbers, electricians, other technicians, etc.? The development plan is simply not viable.

Mitigation can be achieved by limiting the development to a single unit which would allow ample space to provide adequate on-site parking.

Criterion 3 addresses stormwater management practices.

The Stormwater Management System will ultimately fail. The burdensome inspection regimen imposes a prohibitive potential liability on unit owners, the City of Portsmouth and its taxpayers and imposes unnecessary risk on abutters.

The proposed development will direct less storm water toward Sagamore Avenue and more storm water toward abutters – Tidewatch. The developer proposes a stormwater management system to mitigate the additional runoff. The system would rely on infiltration to absorb the additional runoff and slowly release it. Numerous tests were conducted to assure that such a system should be effective in theory. None of those tests addressed winter conditions in Portsmouth where the ground freezes to a depth of 4 feet. The whole property becomes an impervious surface. An infiltration system is not effective in those real-world conditions. When the ground is frozen and it rains the runoff will flow unimpeded directly down the hill - very fast in a freezing rain.

The system requires regular inspection and maintenance. Monthly inspections are required as per the Stormwater Management Operations and Maintenance Manual that is part of the approval package. Who is qualified to perform the inspections and

will have the financial resources to take on the liability for the cost of a system failure that could be attributed to a an inadequately performed inspection? If the inspections are performed by a unit owner, would that owner or the Luster Cluster condominium association be liable? Can they obtain insurance to cover those costs? Would the premium be affordable? At one TAC meeting it was proposed that a landscape company perform the inspections. Are landscape companies qualified to perform inspections? Can a landscape company obtain insurance against the failure of an employee to conduct an adequate inspection that results in the failure of the system?

TAC has required that a report of the monthly inspections be submitted to the City of Portsmouth Department of Public Works. That imposes a cost on the City of Portsmouth and its taxpayers. To be effective more is required of the DPW than simply filing a report every month. If the report is not critically reviewed every month, the City could be potentially liable for the cost of a system failure due to negligence. Was the inspection performed by a qualified person? Was an inspection actually performed, or did someone simply check off a series of boxes? The review itself will require time that a DPW employee could have used for the benefit the City's general population and not to serve the narrow interests of a single private property. There will likely be regular requests for copies of the monthly inspection reports by abutters. What happens if a report is not submitted as required? Will the burden of monitoring compliance also fall upon the City? What remedies will be required for non-compliance or a failed inspection? Who will bear the cost of a system failure if the Luster Cluster condominium association does not have sufficient financial resources?

Mitigation of these undesirable outcomes can be achieved by limiting the proposed development to a single unit located near the footprint of the existing structures on the property. That would preserve the existing contours of the site and avoid the necessity for a complex stormwater management system.

<u>Criterion 18 addresses landscaping</u>

The proposed landscaping plan will not provide an adequate buffer between the Luster Cluster and Tidewatch which will adversely affect the market value of Tidewatch units.

It is highly likely that more prospective buyers of a Tidewatch unit would prefer a view of the existing naturally wooded hillside of mature pine trees and rock outcroppings than the looming backsides of condo units on raised foundations. Fewer prospective buyers translates to lower market value.

The plan anticipates screening the proposed units with new plantings of various species of pine trees. That plan will be ineffective. The young pine trees will screen the unsightly raised basements but not the upper stories of the units. The mature pines currently growing naturally on the hillside have no needle bearing branches from the ground up to a height of about 10 feet. Assuming the pines that are meant to screen the view of the units show the same pattern in maturity, they will fail to screen the raised foundations.

Mitigation of this outcome can be achieved by limiting the proposed

development to a single unit located near the footprint of the existing structures on the property.

Respectfully yours,

Peter M. Wissel
579 Sagamore Ave., Unit 75
Portsmouth, NH

Parking Notes:

The NH Drivers Manual Issued by the NH DMV states: *…. Do not stop, park, or drive on a designated bicycle path or lane unless you are entering or leaving an alley or driveway, performing official duties, directed by a police officer or an emergency situation exists.*

That statement summaries provisions of 2023 New Hampshire Revised Statutes which establish that a bike lane is portion of a roadway and that no person shall park a vehicle that impedes the use of roadway. Specifically:

Title XX – Transportation, Chapter 230 - State Highways
Section 230:74 - Definitions. - III. "Bicycle lane" means a portion of a roadway which has been designated for the preferential or exclusive use of bicycles…, and

Title XXI - Motor Vehicles, Chapter 265 - Rules of the Road, Section 265:37-b - Avoidance of Lane Blockage. - I. No person shall stop or park a vehicle in such manner as to impede or render dangerous the use of the roadway by others except to avoid a collision, at the direction of an authorized official, or in the event of a mechanical breakdown.

From: Suzan Harding
To: Planning - Info - Shr
Subject: Sagamore Ave
Date: Wednesday, December 18, 2024 8:37:37 AM

I am writing, once again to express my strong opposition to BOTH the Luster King and Maflouzi overdevelopment projects. Both on agenda for Thursday. As an abutted, my concerns are :

Traffic safety - as planned, there will be at least 8 more cars coming out of Luster King and at least 6 from Maflouzi, not including additional delivery vehicles. As anyone who has experienced the challenges of getting in and out of a driveway on this road, can you just imagine being squeezed between these two properties with all of this additional traffic? I don't know how this is safe. It's too much! So, for the record should accidents occur.

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Sincerely,
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594 Sagamore Ave.

635 Sagamore Road – Luster Cluster

The following photos show the view of the current building from the Tidewatch Road.

The current distance from the east property line to the existing building (in photo) is approximately 130' and from the south it is approximately 160'. The new plan has the new houses (which are much higher) approximately 80' and 50' respectfully. How can such a material change in the position of houses on the lot not have to go back to the ZBA for reassessment and approval. Especially, because the ZBA stated you would not even see the buildings from the road. That is clearly not true.

See below;

635 Sagamore Road – Luster Cluster

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See below;

Site Plan Review 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.

1. Compliance with all City Ordinances and Codes and these regulations.

2. Provision for the safe development, change or expansion of use of the site.

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.

While there is an over engineered system in place that has been reviewed by TAC they had significant concerns about it working as planned. Additionally, to potentially manage storm water onsite the developer put a large unsightly retention pond right on the property lines of two abutters which is clearly visible from the neighbors properties. Again, something the ZBA did not see in the plan they reviewed.

4. Adequate protection for the quality of groundwater.

5. Adequate and reliable water supply sources.

6. Adequate and reliable sewage disposal facilities, lines, and connections.

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.

8. Adequate provision for fire safety, prevention and control.

9. Adequate protection of natural features such as, but not limited to, wetlands.

While the wetlands are just far enough away from this project, any failure of the drainage system could have an adverse effect on the adjacent wetlands.

10. Adequate protection of historical features on the site.

11. Adequate management of the volume and flow of traffic on the site and adequate traffic controls to protect public safety and prevent traffic congestion.

12. Adequate traffic controls and traffic management measures to prevent an unacceptable increase in safety hazards and traffic congestion off-site.

First, the required line of sight distance for safe stopping – is not met. Putting drivers, pedestrians and cyclists at risk. The projects roads are all marked for no parking for emergence equipment maneuverability. That means all contractors and guests will not have a place to park. They will likely try and park on Sagamore Ave. making the line of sight issue even worse and there is no parking in designated bike paths which is right in front of the proposed condo road.

13. Adequate insulation from external noise sources.

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.

Site Plan Review Regulations 16 November 2020

15. Provision of usable and functional open spaces of adequate proportions, including needed recreational facilities that can reasonably be provided on

the site.

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.

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.

For the same reasons as 12 above this is not met. Any radon released from blasting will funnel downhill to the neighbors properties.

18. Adequate quantities, type or arrangement of landscaping and open space for the provision of visual, noise and air pollution buffers.

The proposed buffers will not adequately block the structures from neighbors view.

19. Compliance with applicable City approved design standards.

3.3.2 Accessway and Driveway Design and Location

1. Accessways and driveways shall, where practical, have an all-season safe sight distance (according to AASHTO standards) in both directions along the public street. Where only a lesser sight distance is obtainable, no more than one accessway per single parcel shall be allowed.

This is condo road is clearly servicing 4 units. The developer used a condo structure to get around the ordinance. The practical reality is that the road will be servicing the equivalent of parcels. That is clearly dangerous and not keeping with this regulation.

2. Accessways and driveways shall be located no closer than fifty (50) feet to the curb line of an intersecting street.

3. Driveways shall be limited to one per lot

This cluster is not in the spirit of the ordinance “1 unit per acre” and by extension not complying with this requirement.

Line of sight distance is still not adequate and compliant with regulations. That is dangerous and potentially irresponsible.

This alone may be why this area was zoned the way it was.

2.2.2 TAC Responsibilities

TAC shall make recommendations to the Planning Board for approval or disapproval of all site plan review applications.

While TAC has reviewed (over a long period of time) and approved the technical aspects of the project, they stated they did not like it. We simply ask Planning Board members to vote to disapprove this proposed plan for all the reasons we have brought to this process and all the concerns that TAC has stated. It is not unreasonable for the abutters and surrounding citizens to have their best interest upheld by all of you. A simple vote to disapprove this plan and suggest the developer come back with a more reasonable and safer plan is all we are asking of you. We represent more than 100 tax payers as opposed to one developer.

Just because something can be done does not mean it should be done.

Thank you

From: Tim McNamara
To: Planning - Info - Shr
Subject: TAC Commentary
Date: Wednesday, December 18, 2024 1:10:11 PM

Planning Board Members,

In your preparation for the meeting Thursday evening I am asking you to please review just 2.5 minutes of the youtube recording of the last TAC meeting (https://www.youtube.com/watch?v=A-I7IQHEtkk). It will give you some valuable information and context for your consideration of this project.

In an effort to be respectful of your time I suggest you start the video at 42:50.

You will hear Dave Desfosses, Construction Technical Supervisor, and Peter Britz, Director of Planning and Sustainability comment on the project. Having been in all of those TAC meetings I believe it is fair to say other members of TAC felt the same way - but I do not want to speak for them.

Dave Desfosses (DD) stated - "I am certainly not in love with this project. I've been out to the site several times, we've reviewed the storm water design 5 times"..."as it sits and I will tell you that technically the project meets the conditions of the site review ordinance, it doesn't mean it is a good idea, it does mean that the planning board (PB) should necessarily approve it"... we are kind of held to recommending this to the PB so they can inturn review whether it is appropriate or not and that is their role versus our role." "so I will make the recommendation - as much as it pains me to do so"

Peter Britz stated - "so yeah, I would say that these ya know these projects ... you are trying to put a lot on this site..." "along the lines of the variances" (I brought that up in the TAC meeting) "that is something the PB could say you need to go back to the board of adjustment." Dave D. then stated - "certainly, they could and they certainly should look at it" Peter B stated - 'if it goes beyond what they think was appropriate they can take it up."

Please view the video - it takes just a few minutes.

Thank you,

Tim

--
Tim McNamara
617 413 4884

November 4, 2024

To: planning@cityofportsmouth.com

Dear City Planning Board,

Thank you for welcoming our group of concerned abutters from 579 Sagamore Avenue to your monthly meetings. I regret that I am unable to attend tomorrow's meeting in person, but I would like to share some important information regarding our concerns about the proposed development at 635 Sagamore Avenue.

I have created a Dropbox link containing photos, videos, and a map that illustrate the storm runoff we experience between the structures housing units 48-47-46 and 45-44-43 during normal rainfall conditions. This information highlights the significant volume of water that flows through our area, and I am concerned that the addition of four new structures will exacerbate this issue.

https://www.dropbox.com/scl/fo/7va67rg2rtrt8yko7e8n8/ABhf8tMEfLfgTPoL5P92uZs?rlkey=qaziz7q3d2k95ztecoc67zxpt&st=0khtlg8h&dl=0

Additionally, we have noted several changes to the proposed project since its approval by the ZBA, including:

- Visibility and siting of the houses
- Drainage considerations
- Positioning of retaining walls

We also believe that the project overcrowds the site, and the current design of the driveway will lead to safety issues due to the blind approach for vehicles entering from Sagamore Avenue.

I urge you to take these concerns into account during your discussions. If you encounter any issues accessing the Dropbox files, please let me know, and I am happy to provide the information on physical media.

Thank you for your attention to this matter.

Kind regards,

Amanda Ahn
579 Sagamore Avenue, Unit 47