



CITY OF PORTSMOUTH

Community Development Department
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Memo

TO: Conservation Commission Members
FROM: Peter Britz, Environmental Planner 
DATE: June 9, 2017
SUBJ: June 14, 2017 Conservation Commission Meeting

185 Edmond Avenue

This is a drainage improvement project to repair a drainage line connecting two wetland/drainage areas.

According to *Article 10 Section 10.1017.50* the applicant must satisfy the following conditions for approval of this project.

1. *The land is reasonably suited to the use activity or alteration.* The impacts proposed from this project are all temporary. A new headwall will be installed along with new sections of pipe and a new drainage catchbasin where the drain pipe changes direction. The area is suited to the activity since it is where the existing drainage currently is located.
2. *There is no alternative location outside the wetland buffer that is feasible and reasonable for the proposed use, activity or alteration.* Given that this is all replacement work and all temporary impacts this is the most reasonable location for the work.
3. *There will be no adverse impact on the wetland functional values of the site or surrounding properties.* Given the temporary nature of this project there will be no adverse impact from this project.
4. *Alteration of the natural vegetative state or managed woodland will occur only to the extent necessary to achieve construction goals.* The project is primarily within a lawn area which does include several small trees and lilac bushes. The trees and lilac bushes that are located over the existing drainage pipe or in the area where the excavator needs to access the site will be relocated upon completion of the project.
5. *The proposal is the alternative with the least adverse impact to areas and environments under the jurisdiction of this section.* The proposed project requires only temporary impacts.
6. *Any area within the vegetated buffer strip will be returned to a natural state to the extent feasible.* The applicant will be planting a wetland seed mix on the bank closest to the wetland.

Recommendation: Staff recommends approval of this project as proposed.

135 Corporate Drive

This is a project on the Pease Tradeport to construct a portion of a new headworks building and a section of new pavement to provide access to this building partially in the wetland buffer. As such the Wetland Regulations from

the Pease Zoning Ordinance must be complied with. These regulations, including the criteria for approval, have been provided for your use. Just like a Conditional Use Permit in the City the Conservation Commission is making a recommendation to the Planning Board.

According to the Pease Development Authority Zoning Ordinance Part 304-A Pease Wetland Protection section 304-A.08 Conditional Use Permitting (f) Criteria for Approval the applicant must satisfy the following conditions for approval of this project.

1. *The land is reasonably suited to the use.* The impacts proposed from this project are located to the maximum extent possible outside of the wetland buffer and the majority of the area is either existing buildings and pavement or lawn.
2. *There is no alternative location outside the wetland buffer that is feasible and reasonable for the proposed use.* This is a project to improve the function of the Pease wastewater treatment plant. The applicant has worked to minimize impacts on the project and the site is reasonably suited to accommodate the development proposed.
3. *There will be no adverse impact on the wetland functional values of the site or surrounding properties.* The design of the project includes infiltration of stormwater and new plantings which will should offset the impact of the new pavement and building in the wetland buffer.
4. *Alteration of the natural vegetative state or managed woodland will occur only to the extent necessary to achieve construction goals.* There is a fairly small area of existing lawn converted to pavement from this project. It is the minimum required to complete the project.
5. *The proposal is the alternative with the least adverse impact to areas and environments under the jurisdiction of this section.* The applicant has selected an alternative that reduced the amount of pavement necessary to complete the project with a design that utilized as much previously disturbed area of the site as possible.

Recommendation: Staff recommends approval of this project as proposed.

244 South Street

This is an application for conditional use for impacts in the wetland buffer from the construction of a new pervious driveway and a new addition in the buffer with 236 square feet of impervious building in the buffer and 267 square feet of pervious driveway in the buffer for a total of 503 square feet of new permanent impact in the buffer. In addition there is also temporary impact proposed from grading in the buffer. The applicant is proposing drywell areas to infiltrate the runoff from the new roof area as well as a new buffer enhancement area at the rear of the site.

According to Article 10 Section 10.1017.50 the applicant must satisfy the following conditions for approval of this project.

1. *The land is reasonably suited to the use activity or alteration.* The impacts proposed from this project are required for the applicant to construct an addition and provide access to a new garage in the addition. The area where the work is proposed is lawn and the applicant has taken measures to infiltrate stormwater.
2. *There is no alternative location outside the wetland buffer that is feasible and reasonable for the proposed use, activity or alteration.* The proposed changes are intended to accommodate an addition and new driveway area to access the new addition in the rear of the house. Given the proximity of the house to the street and the side property line this is the only area where the house can be expanded.
3. *There will be no adverse impact on the wetland functional values of the site or surrounding properties.* The applicant has taken steps to reduce the impacts of the new impervious areas through the use of pervious driveway materials and dry wells for stormwater infiltration and porous driveway materials. In addition, the

applicant has added pervious sidewalk area outside the buffer and a new buffer enhancement area of 622 square feet with native plantings.

4. *Alteration of the natural vegetative state or managed woodland will occur only to the extent necessary to achieve construction goals.* The project will result in the loss of some lawn area but not natural woodland.

5. *The proposal is the alternative with the least adverse impact to areas and environments under the jurisdiction of this section.* The proposed project has been designed to reduce impacts through the use of porous pavement, the addition of drywells to infiltrate the stormwater and a buffer enhancement area with native plantings.

6. *Any area within the vegetated buffer strip will be returned to a natural state to the extent feasible.* A vegetated buffer strip of 622 square feet has been included at the rear of the property increasing the area of natural buffer from approximately 30 feet to approximately 40 feet.

Recommendation: Staff recommends approval of this project as proposed.

62 & 76 Northwest Street

The Jackson House has designed a project to direct stormwater to a drainage swale and level spreader within 100' of the North Mill Pond. The project location has been selected to avoid archeological resources near the house. The design of the project includes site grading and installation of a level spreader.

According to *Article 10 Section 10.1017.50* the applicant must satisfy the following conditions for approval of this project.

1. *The land is reasonably suited to the use activity or alteration.* The area where the swale and level spreader are proposed in the buffer is existing lawn and suitable for the installation of the proposed swale and level spreader.

2. *There is no alternative location outside the wetland buffer that is feasible and reasonable for the proposed use, activity or alteration.* The proposed location was selected due to constraints on the site from archeological resources.

3. *There will be no adverse impact on the wetland functional values of the site or surrounding properties.* The proposed grading will dissipate stormwater velocities and should not impact the site or surrounding properties.

4. *Alteration of the natural vegetative state or managed woodland will occur only to the extent necessary to achieve construction goals.* The project will result in a slightly different grade but essentially the same amount of open space and pervious area.

5. *The proposal is the alternative with the least adverse impact to areas and environments under the jurisdiction of this section.* The proposed project amounts to a fairly modest amount of grading in a lawn area within the 100' wetland buffer.

6. *Any area within the vegetated buffer strip will be returned to a natural state to the extent feasible.* A vegetated buffer strip approximately 30 feet wide currently exists on the property and is not proposed to be disturbed.

Recommendation: Staff recommends approval of this project as proposed.

Oriental Gardens – Woodbury Avenue

Oriental Gardens is proposing to upgrade and maintain an existing drainage swale and remove some unnecessary sewer infrastructure. The work proposed is in an existing drainage swale and under a lawn area.

According to *Article 10 Section 10.1017.50* the applicant must satisfy the following conditions for approval of this project.

2. *The land is reasonably suited to the use activity or alteration.* The swale area is an existing drainage swale and the applicant is proposing to add rip rap to the outlet to reduce the velocity of flow in the drainage channel thereby reducing sediment transport. This is largely a maintenance project. The other aspect of the project is to remove a tank and piping from the wetland buffer in a lawn area which will be a temporary impact.

2. *There is no alternative location outside the wetland buffer that is feasible and reasonable for the proposed use, activity or alteration.* Since the drainage swale, tank and pipe are existing there is no alternative location for the work.

3. *There will be no adverse impact on the wetland functional values of the site or surrounding properties.* The proposed project should help deduce sediment to the wetland area at the rear of the site at the outlet of this swale.

4. *Alteration of the natural vegetative state or managed woodland will occur only to the extent necessary to achieve construction goals.* The project is proposing to prune existing vegetation along the length of the swale to allow future maintenance.

5. *The proposal is the alternative with the least adverse impact to areas and environments under the jurisdiction of this section.* The proposed project is necessary to maintain the drainage from the site and the addition of the rip rap outlet should reduce any adverse sediment impacts. The removal of the sewer infrastructure is necessary as it is not necessary to allow the sewer to function.

6. *Any area within the vegetated buffer strip will be returned to a natural state to the extent feasible.* The applicant is proposing to prune vegetation along the swale but this area will remain naturally vegetated. The lawn area will remain to allow future access to clean out the drainage swale.

Recommendation: Staff recommends approval of this project as proposed.

250 McKinley Road

This is a project to make site improvements to the rear of the property including drainage improvements and plantings.

According to *Article 10 Section 10.1017.50* the applicant must satisfy the following conditions for approval of this project.

1. *The land is reasonably suited to the use activity or alteration.* The applicant's yard is lawn sloped to the wetland area. He is proposing to reduce the slope and build a berm to slow water running off his property into the wetland area. In addition, the project calls for a rain garden to collect the water from a sump pump. This carefully designed project is reasonable for this property.

2. *There is no alternative location outside the wetland buffer that is feasible and reasonable for the proposed use, activity or alteration.* This is the only area where the work in the buffer is feasible to slope water away from the house and infiltrate stormwater.

3. *There will be no adverse impact on the wetland functional values of the site or surrounding properties.* With the installation of the rain garden and berm with plantings this project should enhance the wetland values at the rear of his property.

4. *Alteration of the natural vegetative state or managed woodland will occur only to the extent necessary to achieve construction goals.* The applicant is proposing to add plantings through this project.

5. *The proposal is the alternative with the least adverse impact to areas and environments under the jurisdiction of this section.* This project is proposed in order to move water away from the house and to protect the values of the adjacent wetland. The applicant has provided appropriate stormwater treatment and if constructed as designed should result in an enhancement to water quality reaching the wetland bordering his property.

6. *Any area within the vegetated buffer strip will be returned to a natural state to the extent feasible.* The applicant is proposing to add buffer plantings at the rear of his property where there is currently lawn resulting in an improvement in buffer vegetation from the existing condition.

Recommendation: Staff recommends approval of this project as proposed.

288 Peverly Hill Road

This is a project to construct a nine unit residential condominium as a planned unit development. The buildings and site development are all out of the buffer. The conditional use application is to review removal of existing buildings in the buffer. Additionally because this is a Planned Unit Development (PUD) Section 10.727.22 applies to this project which says: *The Planning Board shall afford the Conservation Commission an opportunity to comment on the particulars of a proposed PUD, including but not limited to the natural features of the parcel and how these may be impacted by the proposed project.*

According to *Article 10 Section 10.1017.50* the applicant must satisfy the following conditions for approval of this project.

1. *The land is reasonably suited to the use activity or alteration.* The conditional use permit application is proposing removal of an existing shed and concrete slab along with debris which has been dumped throughout the buffer. The land is suited by the alteration as it will allow for greater conservation use of the property.

2. *There is no alternative location outside the wetland buffer that is feasible and reasonable for the proposed use, activity or alteration.* The proposed conditional use permit is to enhance the buffer by removing debris.

3. *There will be no adverse impact on the wetland functional values of the site or surrounding properties.* The removal of debris from the property should enhance the functional values of the surrounding properties.

4. *Alteration of the natural vegetative state or managed woodland will occur only to the extent necessary to achieve construction goals.* The applicant proposing to remove some vegetation to clear a path to the building to be removed. This path will be seeded with a conservation seed mix upon completion of the project.

5. *The proposal is the alternative with the least adverse impact to areas and environments under the jurisdiction of this section.* This project is proposed in order to enhance the wetland buffer and conservation area for future residents.

6. *Any area within the vegetated buffer strip will be returned to a natural state to the extent feasible.*

The removal of the existing shed will enhance the buffer. The applicant is proposing to allow the entire buffer to remain a natural area.

Recommendation: Staff recommends approval of the Conditional Use Permit as proposed.

PUD review: As stated above the Conservation Commission has the opportunity to review the site plan and comment on the particulars of the proposed PUD. This project has been reviewed by the City's Technical Advisory Committee as part of the Site Plan Review process. As part of that process the applicant has worked with staff to enhance the stormwater treatment, to expand the landscape plan and to improve traffic circulation of the site. The applicant is planning on putting the rear of the property into a conservation easement so the values of the rear of the site will be maintained. Any comments or input the Conservation Commission makes at the meeting on June 14th will be forwarded to the Planning Board for their review of the Site Plan Review process.

299 Vaughn Street

This is a project to construct a hotel a small portion of which is within the 100' wetland buffer. While a site walk was taken to go over the community space that is not the subject of this application. The applicant is not responsible for designing the community space. It will be a city process to design that space and will come before the Commission when that process moves ahead.

According to *Article 10 Section 10.1017.50* the applicant must satisfy the following conditions for approval of this project.

1. *The land is reasonably suited to the use activity or alteration.* The area in question was previously approved as a parking lot which the City currently operates. This project will convert that parking lot into a hotel. The buffer area will be converted from parking to a mix of building, parking and rain garden. Given the reduction in impervious surface on this urban lot the land is reasonably suited to the proposed use.

2. *There is no alternative location outside the wetland buffer that is feasible and reasonable for the proposed use, activity or alteration.* The applicant has reduced the impact in the buffer by converting impervious surface to rain garden.

3. *There will be no adverse impact on the wetland functional values of the site or surrounding properties.* The design of this project will see an overall reduction in impervious surface which should not create an adverse impact on the functional values of the site.

4. *Alteration of the natural vegetative state or managed woodland will occur only to the extent necessary to achieve construction goals.* The applicant is not proposing to impact any buffer vegetation with this proposal.

5. *The proposal is the alternative with the least adverse impact to areas and environments under the jurisdiction of this section.* This project is proposing to reduce the amount of impervious surface in the buffer which is a less impacting alternative than the existing site.

6. *Any area within the vegetated buffer strip will be returned to a natural state to the extent feasible.* The applicant is proposing to add an expanded rain garden in the buffer in place of impervious parking spaces. While the expanded rain garden is not a natural buffer strip the addition of plants to the buffer where there is pavement now will result in improved buffer function.

Recommendation: Staff recommends approval of this project as proposed.