




CITY OF PORTSMOUTH

Community Development Department
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Memo

TO: Conservation Commission Members
FROM: Peter Britz, Environmental Planner 
DATE: March 2, 2017
SUBJ: March 8, 2017 Conservation Commission Meeting

390 New Castle Avenue Conditional Use Permit Application

This is an application for Mark Hepp LLC for raising and improvements to the main structure and garage with new steps and landing, removal of a portion of a gravel parking area and wetland buffer 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 work proposed by the applicant is mainly to protect the two buildings from impacts due to coastal flooding with some improvements to the vegetated buffer along the shoreline. The land is suited to the proposed work.
- 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 a redevelopment of an existing site to provide better flood protection for the buildings. Given the small size of this lot there is no other location feasible for the proposed work.
- 3. There will be no adverse impact on the wetland functional values of the site or surrounding properties.* If the erosion control measures included on the plan are followed the temporary impacts will be reduced. The long term benefits of the plantings and removal of gravel area should have small net benefit on the site and surrounding properties.
- 4. Alteration of the natural vegetative state or managed woodland will occur only to the extent necessary to achieve construction goals.* This application plans to replace gravel with lawn area and convert a portion of lawn area to wetland buffer plantings with native vegetation which should result in enhanced natural vegetation on the site.
- 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 and should result in a small net benefit to the wetland buffer.

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

**315 Banfield Road
St. Patrick Academy Conditional Use Permit Application**

This is an application for Hope for Tomorrow Foundation and the Foundation for Seacoast Health for installing a new sewer line to connect the proposed school to the sewer system that services the Foundation for Seacoast Health.

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 work proposed by the applicant is to connect to the City of Portsmouth Sewer system using a cross-country route to an existing sewer connection at the Foundation for Seacoast Health. The applicant has, to the extent possible, utilized an existing previously disturbed area through the wetland buffer to locate the new sewer line. Utilizing this previously disturbed route is a reasonable approach to providing wastewater treatment system to the proposed school. However, the plan does not clearly show where the proposed sewer line is in existing trail and where it requires new disturbance in the buffer.

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 for the new sewer line was selected over constructing a new line along Banfield Road or installing a septic system. Using the previously disturbed stone dust path is the preferred alternative to the other two alternatives.

3. *There will be no adverse impact on the wetland functional values of the site or surrounding properties.* If the erosion control measures included on the plan are followed the temporary impacts will be reduced. The areas in the trail will return to trail once the sewer line is in. The areas of undisturbed or naturally vegetated buffer will need the most care in replanting and future monitoring to insure that invasive species are controlled after the project is complete.

4. *Alteration of the natural vegetative state or managed woodland will occur only to the extent necessary to achieve construction goals.* This application plans to install the sewer line following an existing trail. This is the best approach to reducing impacts to natural vegetation. Where natural vegetation is disturbed the disturbance should be temporary but care should be taken to return the same or equivalent topsoil over the sewer line so that it revegetates naturally.

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 but care must be taken in the construction of the sewer line and stone wall to reduce impacts to the wetland buffer. The temporary impacts can be reduced with the use of erosion control measures such as installation and management of a silt sock. The longterm impacts can be controlled by insuring that the natural vegetation which returns over the new sewer line is free of invasive plants to provide similar buffer function to what is there today.

Recommendation: Staff recommends approval of the Conditional Use Permit with two stipulations:

- 1) The applicant provide an plan showing where the sewer line will be installed clearly showing where the line is in the path and where there is new buffer impact in undisturbed buffer area. This plan should include construction details describing what measures will be taken to insure invasive species don't repopulated the site.
- 2) The applicant provide a plan showing the location of the proposed stone wall and a detail for how it will be constructed.