



CITY OF PORTSMOUTH

Community Development Department
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Memo

TO: Conservation Commission Members
FROM: Peter Britz, Environmental Planner 
DATE: September 6, 2018
SUBJ: September 12, 2018 Conservation Commission Meeting

The conditional use permit application for 198 Essex Avenue was on the agenda from the June 11 meeting of the Conservation Commission. The application was postponed to this meeting at the applicant's request.

198 Essex Avenue

This application is to install a garden shed on the property located completely within the wetland buffer.

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 shed is proposed to be located in an area that is partially lawn and given its small size of 216 square feet with no foundation the area is reasonably suited to the proposal.
- 2. There is no alternative location outside the wetland buffer that is feasible and reasonable for the proposed use, activity or alteration.* The location of the shed is within a lawn and brush area and is reasonable given nearly the entire property is located within the wetland buffer.
- 3. There will be no adverse impact on the wetland functional values of the site or surrounding properties.* The proposed shed should not create any adverse impacts to adjacent properties.
- 4. Alteration of the natural vegetative state or managed woodland will occur only to the extent necessary to achieve construction goals.* There will need to be lawn and some brush cleared to install the shed.
- 5. The proposal is the alternative with the least adverse impact to areas and environments under the jurisdiction of this section.* The proposed shed if constructed on blocks and constructed where lawn and brush exist can be constructed to not have any greater impacts than the existing lawn.
- 6. Any area within the vegetated buffer strip will be returned to a natural state to the extent feasible.* The applicant has stated they were interested in removing invasive species and planting native vegetation. However, no specific locations have been shown on the plan.

Recommendation: Staff recommends approval of the application as presented.

1047 Banfield Road

This application is to install an addition to a garden shed on the property a portion of which is located within the wetland buffer.

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 shed addition is located in a grass/yard area and is approximately 85 feet from the edge of wetland. Given the proposed design removal of pavement, rain barrel and plantings this addition is reasonable within the buffer.
- 2. There is no alternative location outside the wetland buffer that is feasible and reasonable for the proposed use, activity or alteration.* This project is an addition to an existing shed which requires the location requested.
- 3. There will be no adverse impact on the wetland functional values of the site or surrounding properties.* The proposed shed should not create any adverse impacts to adjacent properties.
- 4. Alteration of the natural vegetative state or managed woodland will occur only to the extent necessary to achieve construction goals.* There will be no clearing of natural woodland to expand the existing shed.
- 5. The proposal is the alternative with the least adverse impact to areas and environments under the jurisdiction of this section.* The proposed shed addition if constructed as proposed on blocks and constructed where lawn is currently should not have any greater impacts than the existing shed.
- 6. Any area within the vegetated buffer strip will be returned to a natural state to the extent feasible.* The applicant has stated that they plan to remove an area of approximately 200 square feet of existing pavement, install some plantings and rain barrels to reduce impacts in the buffer.

Recommendation: Staff recommends approval of the application as presented.