

**MINUTES  
CONSERVATION COMMISSION  
PORTSMOUTH, NH**

**Remote Meeting Via Zoom Conference Call**

To register in advance for this meeting, click on the link below or copy and paste this into your web browser:

[https://zoom.us/webinar/register/WN\\_AENF9SVQSh2udQrzqW71Tw](https://zoom.us/webinar/register/WN_AENF9SVQSh2udQrzqW71Tw)

*You are required to register in advance to join the meeting over Zoom, a unique meeting ID and password will be provided once you register. Public comments can be emailed in advance to [planning@cityofportsmouth.com](mailto:planning@cityofportsmouth.com). For technical assistance, please contact the Planning Department by email ([planning@cityofportsmouth.com](mailto:planning@cityofportsmouth.com)) or phone (603) 610-7296.*

Per NH RSA 91-A:2, III (b) the Chair has declared COVID-19 outbreak an emergency and has waived the requirement that a quorum be physically present at the meeting pursuant to the Governor’s Executive Order 2020-04, Section 8, as extended by Executive Order 2020-17, and Emergency Order #12, Section 3. Members will be participating remotely and will identify their location and any person present with them at that location. All votes will be by roll call.

**3:30 P.M.**

**September 09, 2020**

**MEMBERS PRESENT:** Chairman Barbara McMillan; Vice Chairman Samantha Collins; Members; Allison Tanner, Adrienne Harrison, Jessica Blasko,

**MEMBERS ABSENT:** Alternate Joseph O’Neill

**ALSO PRESENT:** Peter Britz, Environmental Planner/Sustainability Coordinator

.....  
**I. APPROVAL OF MINUTES**

A. August 12, 2020

Ms. Tanner noted that the correction to the July Minutes should be “Allison” not “Alison.” Ms. Tanner noted that on Page 3 of the August Minutes should say “there were concerns about the barrier” instead of “there was concerns about the barrier.”

Ms. Tanner moved to approve the August 12, 2020 Conservation Commission Minutes as amended, seconded by Vice Chairman Collins. The motion passed unanimously by a 5-0 vote.

**II. WORK SESSIONS**

A. Mill Pond Way/ McEachern Park

Mr. Britz commented that City Council recently designated this property as a park. It is at the end of Mill Pond Way. The site became a salt marsh restoration project when it became City property. It is now an established salt marsh. The park is mainly grass with some trees along the shore. The park is adjacent to another piece of property that was donated to the City and has more natural vegetation.

John Wyckoff provided a presentation. Mr. Wyckoff commented that the City has done some work to reestablish the shoreline. The land was obtained for the City in exchange for development rights for the large condo project that went in next door to it. The goal is to improve this land so people can enjoy it. The park is named to honor Paul McEachern. There is a gray birch that has recently been trimmed by the City Arborist, and suckers have been pulled around it. The plan is to put a large rock sign with the park name and date in that area. It will be 25 feet from the birch. There will also be a mulched bed to allow people to plant perennials in and a 4-foot long granite bench. Shrubs will be planted to screen the right side of the park. There will not be any fences or structures built. The City will help to cut back the invasive plants in the area. The suckers coming out of the crab apple tree will be trimmed. There are suckers coming off roots of tree and those will be trimmed. The smaller lot is mowed with an open shoreline. There will be 2 more benches on that side. There will also be a fish sculpture in the park.

Mr. Britz noted that the park would be installed and maintained by the City. The project needs to go through the land use process. So far, this project is adding benches and landscaping. If there was a canoe and kayak launch or parking, then they would need a permit. The DPW will make the vision a reality and maintain it. The Commission can provide feedback on the project. Mr. Wyckoff commented that the canoe/kayak launch is there already. There is a sign on a post at the beginning of the water and high tide mark that says, "please respect the pond." There has been boat action at the corner of the park for a long time. The thought is to keep it in that one spot. It is a 4-5-foot-wide impact. They will not pull out sea grass. The intent is to just localize the access.

Vice Chairman Collins commented that the plan looked good. The kayak entry area should not be too formalized, so it won't attract more use to it. The same thing would apply if parking was added in the future. They should be limiting use to those that can walk to the park and the surrounding neighborhoods. That would be best for the parcel.

Ms. Tanner commented that she liked the overall design and the fish sculpture.

Ms. Harrison agreed and appreciated that they were adding in native plantings. The more plantings the better.

Chairman McMillan agreed it was good to use native plantings. Right now, the park seems quiet. Chairman McMillan was concerned about trying to attract people from further away and agreed with Vice Chairman Collins' comments on the kayak launch. It would be good to do a site visit. Mr. Wyckoff agreed.

Chairman McMillan allowed for public comment.

Elizabeth Bratter commented that she liked the plan. Ms. Bratter suggested turning the fish sculpture to face Mill Pond Way, so when kids sit on it the water will be in the background. Also, instead of mulch they should just let grass grow in that area and mow as needed near the fish sculpture.

Chairman McMillan questioned if this project would be coming back with an application or if it was just a work session. Mr. Britz responded that the next step would be for him to work with Mr. Wyckoff and the City to see if a permit is needed. This plan may not need to come back for a permit. No vote is required today.

Ms. Blasko reiterated that there should be a plan for protecting the shoreline. The buffer should be dense to make sure people don't walk through that area. It may make sense to pull the benches and fish sculpture back a little bit to prevent people from walking in the plantings.

### III. STATE WETLAND BUREAU APPLICATIONS

1. City of Portsmouth Project  
City of Portsmouth, Owner  
Assessor Map 215, Lot 9; Map 214, Lot 3; Map 243, lot 6; Map 297, Lot 4; Map 297, Lot 11; Map 295, Lot 221  
*(This item was postponed at the August 12, 2020 meeting to the September 09, 2020 meeting.)*

**Request to Postpone**

Vice Chairman Collins moved to postpone the application to the October 2020 Conservation Commission Meeting, seconded by Ms. Blasko. The motion passed unanimously by a 5-0 vote.

2. City of Portsmouth Project- Peirce Island  
City of Portsmouth, Owner  
Assessor Map 208, Lot 1

Erik Meserve and Jeff Clifford from Altus Engineering spoke to the application. Mr. Meserve commented that the work for the treatment plant on Pierce Island is nearing completion. The project has three components to enhance the area that require a permit. The first is to raise a low portion of the road by 3 feet to provide access as sea levels are expected to rise. The second is to convert the former snow dump into a grass parking lot. The third is to extend the existing trail network along the northwest side of the island to make a complete loop around the plant.

Mr. Clifford commented that the work is on the east end of the island. They have met with DES because the work for the trail is within the undeveloped tidal buffer it is categorized as a major permit. It will be a 5-foot-wide trail with stone dust. There will be 890 sf of permanent impact. The project provides mitigation with 10 to 1 ratio plantings. The existing road is maintained to be accessible year-round. It periodically floods today. Most of this area is gravel and was formally used as a snow dump. It is now used as a staging area. The original application had that area going back to gravel. Now the plan is to permit it as a parking area. It will be enclosed

by a low wooden guardrail. The area will have reenforced turf. It will be  $\frac{3}{4}$  inches of crushed stone and 25% loam. The area will easily support vehicles and grow grass. The aisle will have concrete pavers with grass coming up between the pavers. DPW may need to use this as a turn around so the concrete aisle will support that. The roadway will be lifted 3 feet from the low point. There will be a 3 to 1 slope protected with revetment stone. A living shoreline is not appropriate in this location because of the wave strength. The roadway will move over to accommodate the slope. Over 9,050 sf of vegetation will be added. The heavy plantings will discourage folks from walking near sensitive areas. Runoff will go across the vegetated surface to provide treatment.

Ms. Tanner questioned if this area was still used for snow storage. Mr. Britz responded that it was not; it's stored out behind the Public Works building now.

Vice Chairman Collins questioned how the parking area would be maintained in the winter. Mr. Clifford responded that it will be reenforced turf area, so it can be plowed. There is no plan to plow the grass surface. Mr. Meserve added that there have been no discussions with DPW about plowing in the winter.

Ms. Tanner questioned if the roadway would be de-iced. It is a sensitive area, so using salt is not a good idea. Mr. Clifford responded that there would be no salt on the grassed surface. They have not discussed a plan for the roadway with DPW but will follow up.

Vice Chairman Collins questioned if the inner circle of the turnaround would be planted. Mr. Clifford responded that it would be planted with grasses. Vice Chairman Collins clarified that there would be no parking in there. Mr. Clifford confirmed that was correct. Vice Chairman Collins questioned if it would be protected with the guardrail. Mr. Clifford responded that there would be boulders there. Vice Chairman Collins noted that it would be nice to add some plantings in the turnaround instead of just grass.

Vice Chairman Collins commented that she was concerned about the amount of parking spaces; 55 spaces are a lot. This is a sensitive area. It would be good to limit amount of use this area gets. Half of the amount of the proposed parking would be good. The guardrail can be brought in away from the marsh if some of the parking is removed. Mr. Clifford confirmed that they will pass the comment on to DPW.

Vice Chairman Collins commented that the map shows a 5-foot opening at the south eastern corner. There is no trail there; they should not encourage off trail usage because it would degrade the area. Keep people on the designated paths.

Mr. Britz suggested adding signage for the dog park to guide people to the right access.

Chairman McMillan questioned how the road would be pitched. Mr. Clifford responded that it would be pitched to direct runoff to the grass area.

Chairman McMillan commented that it was hard to visualize how much work needs to be done out there for the trail. Mr. Clifford responded that the informal path was more visible before

treatment plant work. It has grown in quite a bit. The initial area of disturbance will be 12 feet wide to accommodate grading.

Chairman McMillan questioned if there was an inventory trees in the trail area. Mr. Clifford confirmed there was. The tree inventory was done by Normandeau Associates. Chairman McMillan commented that she was having a hard time with the trail because it is very close to the water and requires revetements to keep it stable. It would be good to do a site visit. Mr. Meserve responded that they could arrange a site visit.

Ms. Harrison moved to postpone the application to the October 2020 Conservation Commission Meeting, seconded by Ms. Tanner. The motion passed unanimously by a 5-0 vote.

3. 148 Brackett Road  
Pamela N, Blalock Trust Agreement, Pamela N. Blalock Trustee, Owner  
Assessor Map 206, Lot 18

Eric Sorry from Altus Engineering and Applicant Jack Blalock spoke to the application. Mr. Sorry commented that the two-parcel site is 1.4 acres and next to Little Harbor School. The property has a dock on Little Harbor. The site is currently experiencing some erosion. The proposal is to stabilize that erosion with a living shoreline. Dave Burdick from UNH has provided guidance on this. The whole section of lawn is wetland. The intent is to maintain the shoreline and redo the dock. Some of the proposal goes on the neighbor's land and they are fine with that. The plan is to install foot high mounds, replant the whole area, and add a rain garden. The wetland buffer impact will be 3,950 sf. The wetland impact is 9,750 sf. The planting plan includes low marsh plants, high marsh plants, mounds planted with a conservation mix and wildflower component, and a rain garden. The path for dock access is just a mowed path. The restoration and monitoring plan were prepared by Dave Burdick. As sea levels rise the marsh can colonize the mounds. The mounds have a 5 to 1 slope and are only 1 foot high. The mounds will slow runoff from the upland and allow it to filter into the rain garden.

Ms. Harrison questioned if the design would help with the geese on the property. Mr. Sorry responded that they will manage the geese with a temporary fence for the first couple of years to allow the plantings to get established.

Mr. Blalock commented that this was a historic home and the goal was to preserve the shoreline. The dock is a float connected to a concrete pad and ramp.

Vice Chairman Collins requested clarification that the dock design was not changing it was just getting parts replaced. Mr. Sorry confirmed that was correct. The goal is to try to reuse all materials with new concrete footings.

Chairman McMillan questioned why it was being stabilized at such a steep incline. Mr. Sorry responded that the detail was drawn to fit in the space. The slope was necessary to match the embankment grade. They don't want to cut existing vegetation. The intent is to match what's on there now. There will be no machinery past the dock during construction.

Chairman McMillan questioned if the pipe from City would be removed. Mr. Sorry responded that the pipe was staying. They will tie into it with the rain garden outlet.

Vice Chairman Collins commented that it would be good to do a site walk when it was done. Mr. Blalock confirmed that could happen.

Ms. Harrison questioned what the next steps would be if there was a failure. Mr. Sorry responded that they would let it fail and let the sea reclaim it. Everything out there is biodegradable. There will be two layers behind the rock they will last 3-4 years. They should get a good amount of vegetation growing in. If the slope above the rock failed and it slid into the water, then it would be repaired.

Chairman McMillan questioned if there was a maintenance plan. Mr. Sorry responded that they just got it from Dave Burdick today. It focuses mostly on monitoring and assessing through 2023. Chairman McMillan commented that it would be good to have this in the deed that it's a restoration area and needs to be maintained that way. Mr. Blacklock agreed.

Ms. Tanner moved to recommend approval of this application to the State Wetlands Bureau, seconded by Ms. Harrison with the following stipulations:

1. That the applicant provide a marsh failure plan in the event that the proposed marsh restoration project does not succeed as proposed.
2. The applicant provide a deed restriction to protect the restored marsh area from conversion back to a lawn area.

The motion passed unanimously by a 5-0 vote.

#### IV. CONDITIONAL USE PERMIT APPLICATIONS

1. 148 Brackett Road  
Pamela N, Blalock Trust Agreement, Pamela N. Blalock Trustee, Owner  
Assessor Map 206, Lot 18

Ms. Tanner moved to recommend **approval** of the Conditional Use Permit application to the Planning Board, seconded by Ms. Harrison with the following stipulations:

1. That the applicant provide a marsh failure plan in the event that the proposed marsh restoration project does not succeed as proposed.
2. The applicant provide a deed restriction to protect the restored marsh area from conversion back to a lawn area.

The motion passed unanimously by a 5-0 vote.

**V. OTHER BUSINESS**

Chairman McMillan questioned if anyone had any materials or webinars about living shorelines. It would be good to read more on it. Ms. Tanner responded that she could pass on some book titles on how to stabilize shorelines. Ms. Harrison added that DES's coastal program has materials too.

**VI. ADJOURNMENT**

Ms. Blasko moved to adjourn the meeting at 5:15 p.m., seconded by Vice Chairman Collins. The motion passed unanimously by a 5-0 vote.

Respectfully Submitted by,  
Becky Frey,  
Acting Recording Secretary