



Memo

TO: Conservation Commission Members
FROM: Peter Britz, Environmental Planner
DATE: December 3, 2021
SUBJ: December 8, 2021 Conservation Commission Meeting

0 Vaughn Street North Mill Pond Greenway Park

This application was before the Commission in October and postponed to a work session in November. At the worksession members stated their preference for a smaller boardwalk at the Park a trail which would not have gravel shoulders. The construction of the trail would have grass up to the edge but maintain the ten foot travel surface. Finally the Commission voted to protect any trees greater than 6 inches in diameter. You have been provided an amended plan which takes into consideration these requests. Below is a review of how this project meets the criteria of Article 10 Section 10.1017.50 based on the new plan.

1. The land is reasonably suited to the use activity or alteration.

The proposed project is in an area which is in need of restoration due to the large amount of debris and invasive vegetation. A restoration and public access project is well suited to his location.

2. There is no alternative location outside the wetland buffer that is feasible and reasonable for the proposed use, activity or alteration.

The entire property is within the 100' wetland buffer therefore there is no location outside of the buffer that is feasible for this work.

3. There will be no adverse impact on the wetland functional values of the site or surrounding properties.

This project is planned as a restoration project therefore there are no adverse impacts proposed but a number of improvements to the 100' 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 no construction on this site other than a porous pavement shared use path and a low boardwalk with openings for light and plants. There will be intertidal structural support for the living shoreline component as well. The goal of the project is to restore the site and to provide flood resilience on the site.

5. The proposal is the alternative with the least adverse impact to areas and environments under the jurisdiction of this section.

This is a restoration project which not only restores the site but is responsive to future climate impacts providing resilience to the 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 restore a tidal wetland buffer area to a more natural state through plantings or native vegetation protection of the shoreline from erosion and monitoring for future protection.

Recommendation: Staff recommends approval of this project as presented.

300 Gosling Road: Gosling, Borthwick and Greenland Road

This is a transmission pole replacement project with work throughout the Portsmouth transmission corridor between Gosling and Greenland Road. The Site crosses through residential, commercial, and rural properties, as well as three public roads including Gosling Road, Borthwick Avenue, and Greenland Avenue. Work in the right of way is proposed in upland shrublands and wetland emergent and scrub-shrub habitats. In total, the proposed project requires approximately 98,984 sq. ft. of temporary wetland impact for equipment access and work pad placement. The proposed project also proposes 25,224 sq. ft. of temporary buffer impact in uplands for access and work pad placement.

According to *Article 10 Section 10.1017.650* the applicant must satisfy the following conditions for approval of this utility project.

1. *The proposed project is in the public interest.* The project is necessary to support electricity demand in the region.
2. *Design, construction, and maintenance methods will utilize best management practices to minimize any detrimental impact of such use upon the wetland and will include restoration of the site as nearly as possible to its original grade condition and vegetated state.* The applicant has stated that the work will be conducted in accordance with NHDES Best Management Practices Manual for Utilities in and Adjacent to Wetlands and Waterbodies (March 2019). Prior to placement of timber mats the applicant has stated they will inspect the mats to insure cleanliness to prevent spread of invasive plants and upon completion of work once timber mats are removed the area will be stabilized with straw and restored using a native herbaceous seed mix.
3. *No alternative feasible route exists which does not cross or alter a wetland or have a less detrimental impact on a wetland.* The applicant has chosen the only routes available to access the replacement poles but the applicant has selected access designed to utilize existing historical access routes where possible to minimize impacts.
4. *Alterations of natural vegetation or managed woodland will occur only to the extent necessary to achieve construction goals.* Generally the vegetation is expected to return to its original configuration after the timber mats are removed. However, there will be some vegetation removed exactly where the structure replacement is proposed to occur.

Recommendation: Staff believes the applicant has provided a work plan which is best suited to the nature of the work required to maintain the utility lines in this corridor and recommends this application be approved as proposed.

**960 Sagamore Avenue
Sagamore Corner, LLC, Owner**

This application is proposing to redevelop the site of the Golden Egg Restaurant. A new six unit apartment building is proposed with 5 exterior and sixteen internal parking spaces. The majority of the new exterior parking lot and driveway will be constructed with porous pavement and a subsurface treatment system is proposed to treat roof runoff. 750 square feet of impervious surface is being removed from the buffer with a proposal for a 10ft x10ft porous patio in the buffer.

1. The land is reasonably suited to the use activity or alteration.

This property is fairly close to a small wetland in the rear. The applicant has taken steps remove all of the impervious surface in the buffer and has provided a method to treat stormwater which will not impact the wetland area.

2. There is no alternative location outside the wetland buffer that is feasible and reasonable for the proposed use, activity or alteration.

The proposed lot is fairly compact and they have created a design which reduces the impact in the buffer while providing for the housing goals of the project.

3. There will be no adverse impact on the wetland functional values of the site or surrounding properties.

This project as designed has a net reduction of impervious surface in the buffer which should reduce impacts to the adjacent wetland area. There is a small amount of grading proposed in the buffer which is shown on the grading plan.

4. Alteration of the natural vegetative state or managed woodland will occur only to the extent necessary to achieve construction goals.

There does not appear to be areas of vegetation in the buffer impacts. There is some upland vegetation which will be removed in the location of the driveway. There does not appear to be new plantings proposed in the buffer other than lawn around the proposed porous patio.

5. The proposal is the alternative with the least adverse impact to areas and environments under the jurisdiction of this section.

The applicant has taken steps to reduce the impact in the buffer from what is there today and has addressed stormwater treatment with this application as well. This application as proposed reduces the impacts within the 100' wetland buffer.

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

The applicant is proposing to restore some areas of impervious surface in the buffer to porous pavement/pavers. In addition there is some grading in the buffer but no plantings shown in these areas other than lawn. Staff believes native groundcover or grasses along with some buffer plantings such as shrubs could be added to the plan to enhance the functions and values of the adjacent wetland.

Recommendation: Staff recommends approval of this project with the addition of some buffer plantings.

**12 Ruth Street
Mill Pond Property Trust, Ownere Avenue
Sagamore Corner, LLC, Owner**

This is an application to install a new subsurface propane tank and a pad for a new heat pump system which are both proposed in order to replace an aging oil tank and oil heating system. The new concrete pad for the heat pump is a new impact of 20 square feet in the tidal wetland buffer. The other impacts are largely temporary for the gas line and buried propane tank.

1. The land is reasonably suited to the use activity or alteration.

The entire house is located within the 100' tidal wetland buffer. This proposal is to create a small impact for a concrete pad and temporary impact for an underground tank and supply line all in a lawn area adjacent to the house. The land/lawn area is suited for the proposed impact.

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 proposed the most suitable location for this work given it needs to be near the house and the entire house is in the buffer.

3. There will be no adverse impact on the wetland functional values of the site or surrounding properties.

This project as designed should have no adverse impact on the wetland functional value of the tidal wetland area. The small concrete pad will create a small amount of runoff but that will be easily infiltrated in the lawn and vegetation around the house.

4. Alteration of the natural vegetative state or managed woodland will occur only to the extent necessary to achieve construction goals.

There is only impacts to a lawn area which are largely temporary.

5. The proposal is the alternative with the least adverse impact to areas and environments under the jurisdiction of this section.

The proposed impacts are fairly minor but necessary to install an new energy system for the home.

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

The applicant is proposing to the areas of lawn which are going to be disturbed by this project.

Recommendation: Staff recommends approval of this project as proposed.