

Bob and Sue Nalewajk  
350 Little Harbor Rd  
Portsmouth, NH 03801

September 18, 2019

Dexter Legg, Chair  
City of Portsmouth Planning Board  
1 Junkins Avenue  
Portsmouth, NH 03801

Re: Conditional Use Permit Amendment  
Tax Map 202, Lot 16  
350 Little Harbor Road  
Portsmouth, NH. 03801

Dear Mr. Legg:

This letter transmits a City of Portsmouth Conditional Use Permit Amendment request for an application previously approved by the Planning Board at its regularly scheduled meeting on September 15, 2016. This amendment is being requested as the approved project is nearly completed. The requested change is described below.

The installation of the permeable paver for the driveway has been completed without cutting out the ribbon. However, we would prefer to eliminate these ribbon cut-outs that were proposed in the CUP, for aesthetic reasons. These cutouts were to be planted with grass and are indicated as "lawn" inside the paver driveway on the northeast entry to the property. We like the look of the pavers as they are now installed and want to eliminate the lawn strips. Approximately 590 square feet of pavers would remain in the driveway, added to the 6444 square feet of driveway permeable pavers that were already approved. A landscaping plan and three pictures of the driveway are attached for your review.

Our engineer has explained to us that a continuous pervious paver surface, engineered to effectively absorb and infiltrate water, would be more permeable than a paver surface broken up by grass, as the grass requires an organic component, specifically soils that consist of fine grained mineral material which do not percolate stormwater as fast as a paver surface. This situation improves the permeability of the driveway, an environmental benefit to leave the driveway as is currently constructed.

While we are most concerned about the aesthetics of this request, in the long run, were we to keep the grass strip, it would add to the overall maintenance of the adjacent paver surface, having to remove organics from the joint spaces between the pavers. Additionally, these strips would require snow blowing (not plowing) in the winter for snow removal so that the organic material is not scraped away. One of our overall goals in this project has

been to keep maintenance of the paver product as simple as possible, so they function as intended into the future. Therefore, we would prefer to eliminate the ribbon cutout.

According to the City of Portsmouth Zoning Ordinance, Article 10.1017.50 Criteria for Approval, the proposed amendment will comply with the following criteria:

1. ***The land is reasonably suited to the use activity or alteration.*** The driveway was previously approved as reasonable for access to the property. Eliminating the ribbons in the pavers does not change its suitability.
2. ***There is no alternative location outside the wetland buffer that is feasible and reasonable for the proposed use, activity or alteration.*** This change is a minor landscape change and results in no additional alterations to the wetland buffer. If the approved plan were to be kept, additional construction would be required to install the ribbon cutouts.
3. ***There will be no adverse impact on the wetland functional values of the site or properties.*** The proposed change does not increase the originally approved area of disturbance and maintains the character of the previously approved project.
4. ***Alteration of the natural vegetative state or managed woodland will occur only to the extent necessary to achieve construction goals.*** The proposed amendment does not further alter the natural vegetative state or managed woodland than previously approved. The amendment is within the constructed driveway area.
5. ***The proposal is the alternative with the least adverse impact to areas and environments under the jurisdiction of this section.*** This proposal has less impact than the originally approved driveway design because an additional construction step has been eliminated – that of installing the ribbon cut-outs.
6. ***Any area within the vegetated buffer strip will be returned to a natural state to the extent feasible.*** Areas will be and have already largely already been returned to a natural vegetative state as the project is nearly complete.

Please feel free to call if you have any questions,

Sincerely,

Bob and Sue Nalewajk  
Property Owners

Encl.



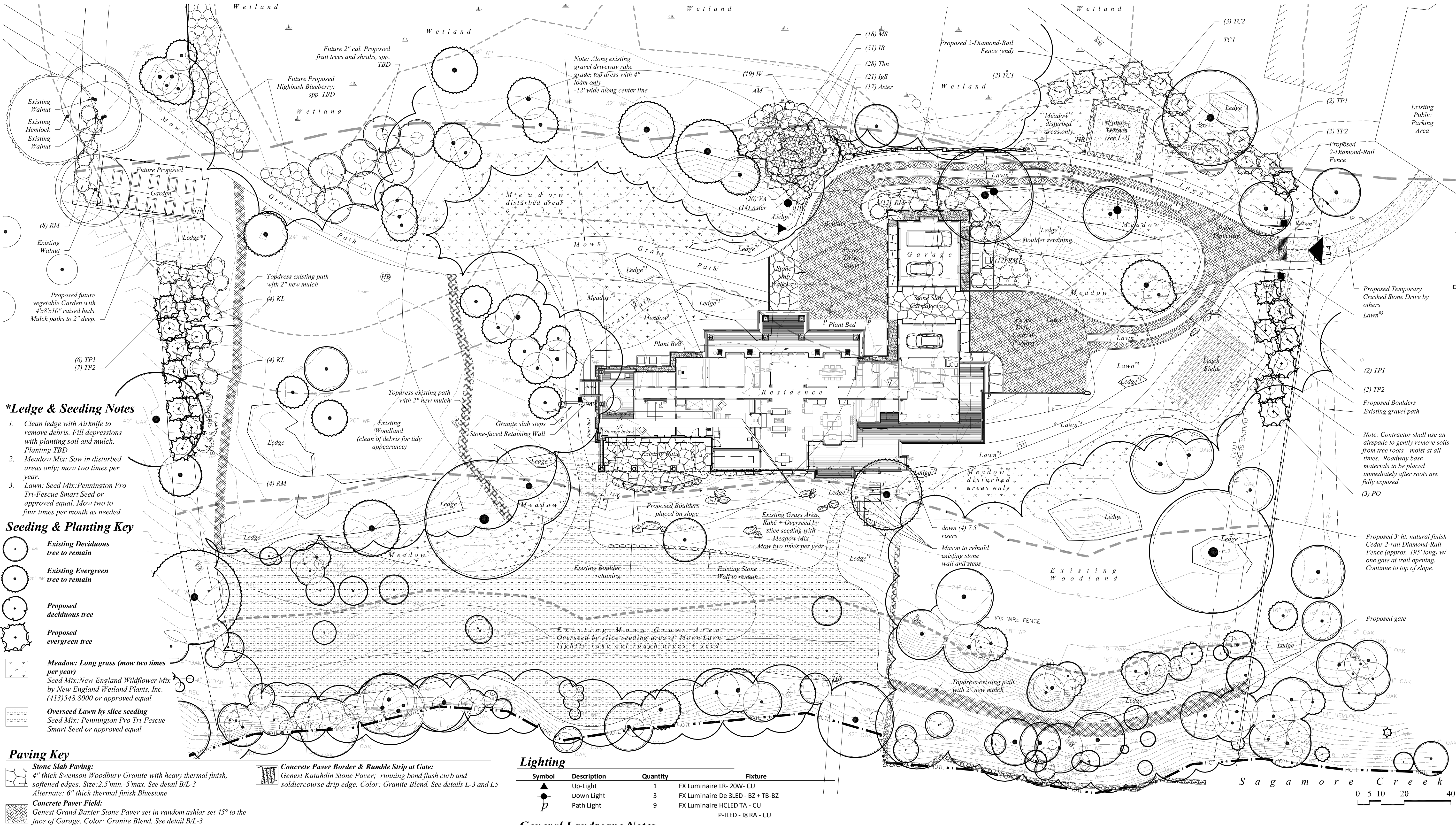












### \*Ledge & Seeding Notes

- Clean ledge with Airknife to remove debris. Fill depressions with planting soil and mulch. Planting TBD
- Meadow Mix: Sow in disturbed areas only; mow two times per year.
- Lawn: Seed Mix: Pennington Pro Tri-Fescue Smart Seed or approved equal. Mow two to four times per month as needed

### Seeding & Planting Key

- Existing Deciduous tree to remain
- Existing Evergreen tree to remain
- Proposed deciduous tree
- Proposed evergreen tree
- Meadow: Long grass (mow two times per year)  
Seed Mix: New England Wildflower Mix by New England Wetland Plants, Inc. (413)548.8000 or approved equal
- Overseed Lawn by slice seeding  
Seed Mix: Pennington Pro Tri-Fescue Smart Seed or approved equal

### Paving Key

- Stone Slab Paving:  
4" thick Swenson Woodbury Granite with heavy thermal finish, softened edges. Size: 2.5' min. - 5' max. See detail B/L-3  
Alternate: 6" thick thermal finish Bluestone
- Concrete Paver Field:  
Genest Grand Baxter Stone Paver set in random ashlar set 45° to the face of Garage. Color: Granite Blend. See detail B/L-3

### Plant List

TREES					
Symbol	Botanical Name	Common Name	Quantity	Size	Comments
Am	<i>Amelanchier canadensis</i>	Shadblow Serviceberry	1	7-8' ht.	B&B
PO	<i>Picea orientalis</i>	Oriental Spruce	3	10-12' ht.	B&B
TC1	<i>Tsuga canadensis</i>	Canadian Hemlock	3	12-14' ht.	B&B
TC2	<i>Tsuga canadensis</i>	Canadian Hemlock	3	14-16' ht.	B&B
SHRUBS					
Symbol	Botanical Name	Common Name	Quantity	Size	Comments
lgs	<i>Ilex glabra</i> 'Shamrock'	Shamrock Inkberry	21	3 gal	
IV	<i>Ilex verticillata</i> 'Southern Gentleman'	Southern Gentleman Winterberry	1	5 gal	male
IV	<i>Ilex verticillata</i> 'Winter Red'	Winter Red Winterberry	4	5 gal	female
KL	<i>Kalmia latifolia</i>	Mountain Laurel	8	4-5' ht.	heavy
RM	<i>Rhododendron maximum</i>	Rosebay Rhododendron	36	4-5' ht.	full
TP1	<i>Thuja plicata</i>	Giant Arborvitae	10	12-14' ht.	B&B
TP2	<i>Thuja plicata</i>	Giant Arborvitae	11	14-16' ht.	B&B
VA	<i>Vaccinium angustifolium</i>	Lowbush Blueberry	20	1 gal	
PERENNIALS, GROUNDCOVERS, VINES and ANNUALS					
Symbol	Botanical Name	Common Name	Quantity	Size	Comments
Aster	<i>Aster novae-angliae</i> 'Vibrant Dome'	Vibrant Dome New England Aster	31	1 gal	
IR	<i>Iris versicolor</i>	Blue Flag Iris	51	1 gal	
MS	<i>Matteuccia struthiopteris</i>	Ostrich Fern	18	1 gal	
Thn	<i>Thelypteris noveboracensis</i>	New York Fern	28	1 gal	

### Lighting

Symbol	Description	Quantity	Fixture
▲	Up-Light	1	FX Luminaire LR-20W-CU
●	Down Light	3	FX Luminaire De 3LED-BZ + TB-BZ
p	Path Light	9	FX Luminaire HCLD-TA-CU
			P-ILED-18 RA-CU

### General Landscape Notes

- Design is based on drawings by Doucet Survey dated October 30, 2016, Armit Engineering dated August 2016, and William Ross Architects dated July 15, 2016 and may require adjustment due to actual field conditions.
- The contractor shall follow best management practices during construction and shall take all means necessary to stabilize and protect the site from erosion.
- Erosion Control shall be in place prior to construction.
- Erosion Control to consist of Silt Sox shall be staked in place between the work and Water bodies, Wetlands and/or drainage ways prior to any construction.
- The Contractor shall verify layout and grades and inform the Landscape Architect or Client's Representative of any discrepancies or changes in layout and/or grade relationships prior to construction.
- It is the contractor's responsibility to verify drawings provided are to the correct scale prior to any bid, estimate or installation. A graphic scale bar has been provided on each sheet for this purpose. If it is determined that the scale of the drawing is incorrect, the landscape architect will provide a set of drawings at the correct scale, at the request of the contractor.
- Trees to Remain within the construction zone shall be protected from damage for the duration of the project by snow fence or other suitable means of protection to be approved by Landscape Architect or Client's Representative. Snow fence shall be located at the drip line at a minimum and shall include any and all surface roots. Do not fill or mulch on the trunk flare. Do not disturb roots. In order to protect the integrity of the roots, branches, trunk and bark of the tree(s) no vehicles or construction equipment shall drive or park in or on the area within the drip line(s) of the tree(s). Do not store any refuse or construction materials or portapots within the tree protection area.
- Location, support, protection, and restoration of all existing utilities and appurtenances shall be the responsibility of the Contractor.
- The Contractor shall verify exact location and elevation of all utilities with the respective utility owners prior to construction. Call DIGSAFE at 1-888-344-7233.
- The Contractor shall procure any required permits prior to construction.
- Prior to any landscape construction activities Contractor shall test all existing loam and loam from off-site intended to be used for lawns and plant beds using a thorough sampling throughout the supply. Soil testing shall indicate levels of pH, nitrates, macro and micro nutrients, texture, soluble salts, and organic matter. Contractor shall provide Landscape Architect with test results and recommendations from the testing facility along with soil amendment plans as necessary for the proposed plantings to thrive. All loam to be used on site shall be amended as approved by the Landscape Architect prior to placement.
- Contractor shall notify Landscape Architect or owner's representative immediately if at any point during demolition or construction a site condition is discovered which may negatively impact the completed project. This includes, but is not limited to, unforeseen drainage problems, unknown subsurface conditions, and discrepancies between the plan and the site. If a contractor is aware of a potential issue, and does not bring it to the attention of the landscape architect or owner's representative immediately, they may be responsible for the labor and materials associated with correcting the problem.

- The Contractor shall furnish and plant all plants shown on the drawings and listed thereon. All plants shall be nursery-grown under climatic conditions similar to those in the locality of the project. Plants shall conform to the botanical names and standards of size, culture, and quality for the highest grades and standards as adopted by the American Association of Nurserymen, Inc. in the American Standard of Nursery Stock. American Standards Institute, Inc. 230 Southern Building, Washington, D.C. 20005.
- A complete list of plants, including a schedule of sizes, quantities, and other requirements is shown on the drawings. In the event that quantity discrepancies or material omissions occur in the plant materials list, the planting plans shall govern.
- All plants shall be legibly tagged with proper botanical name.
- The Contractor shall guarantee all plants for not less than one year from time of acceptance.
- Owner or Owner's Representative will inspect plants upon delivery for conformity to Specification requirements. Such approval shall not affect the right of inspection and rejection during or after the progress of the work. The Owner reserves the right to inspect and/or select all trees at the place of growth and reserves the right to approve a representative sample of each type of shrub, herbaceous perennial, annual, and ground cover at the place of growth. Such sample will serve as a minimum standard for all plants of the same species used in this work.
- No substitutions of plants may be made without prior approval of the Owner or the Owner's Representative for any reason.
- All disturbed areas will be dressed with 6" of topsoil and planted as noted on the plans or seeded except plant beds. Plant beds shall be prepared to a depth of 12" with 75% loam and 25% compost.
- Trees, ground cover, and shrub beds shall be mulched to a depth of 2" with one-year-old, well-composted, shredded native bark not longer than 4" in length and 1/2" in width, free of woodchips and sawdust. Mulch for ferns and herbaceous perennials shall be no longer than 1" in length. Trees in lawn areas shall be mulched in a 5' diameter min. saucer. Color of mulch shall be black.
- In no case shall mulch touch the stem of a plant nor shall mulch ever be more than 3" thick total (including previously applied mulch) over the root ball of any plant.
- Landscape Architect is not responsible for the means and methods of the contractor.
- An automatic irrigation system shall be provided, contractor shall provide design/shop drawings for review and approval by Landscape Architect.