

Noble's Island Condominiums Deck Replacement Existing Application LU-20-236

TO: Portsmouth Planning Department
FROM: Leonard Lord
COPY: Michael Street
DATE: April 27, 2021

Tighe & Bond, representing Noble Island Condominiums, is pleased to present the following information for review and approval by the conservation commission and planning board. Noble's Island Condominiums is proposing to replace its degraded cantilevered ground floor decks with new decks within the same footprint and with no expansion of use.

Project Description

The proposed project is located on Noble's Island at 500 Market Street in a highly developed area near the Portsmouth working waterfront. The project area has a long history of residential and commercial use, but was redeveloped for the current uses in the early 1980's. The Noble's Island Condominiums consist of three buildings that sit above the Piscataqua River. Four additional commercial buildings with parking lots are also located on the parcel. The intensive development has resulted in nearly 83% impervious surfaces and an extensively armored riprap perimeter. A wetland impact permit was obtained for the site in 1997 to restabilize the riprap and reduce the slope from 1:1 to 1.25:1 (NHDES #1997-00089).

The proposed project is needed to address the safety of the residents of the Noble's Island Condominiums. Each building includes 12-foot wide decks off the ground floor that extend toward the Piscataqua River. The decks are currently cantilevered and supported by rusting steel beams. The proposed deck replacements will be confined to the same footprint as the existing decks but, unlike the existing design, will incorporate concrete piers as supports.

Inland Wetlands

There are no inland wetlands on the parcel.

Impacted Jurisdictional Areas

Replacement of the decks will involve 27+/- square feet (sf) of permanent impacts at grade and within the existing deck footprint for the concrete piers. Temporary impacts associated with excavation and placement of the piers are estimated to result in up to 1,240 sf of soil disturbance. All work will be completed within the 100-foot tidal buffer zone, with no direct wetland impacts.

Distance to the Wetland

At the closest point, the deck repairs will be approximately five feet horizontally of the Highest Observable Tide Line (Building A) but will also be four feet above it vertically. Proper erosion and sediment controls will be in place (silt socks) and no work will be completed past the upper edge of the riprap slope. See attached figures.

Total Buffer Area on the Lot

Total buffer area on the lot is approximately 70,000 square feet.

Project Representatives

Agent/Wetland Scientists

Leonard Lord, Tighe & Bond, LLord@TigheBond.com,
Jeremy Degler, Tighe & Bond, JDegler@TigheBond.com
177 Corporate Avenue, Portsmouth, NH 03801.

Owner

Noble's Island Condominium Association, David Porter, President
c/o Michael Street, CP Management, MichaelS@CPManagement.com
11 Court Street, Exeter, NH 03833

Project Plans

Plans meeting the requirements Section 10.1017.20 of the Portsmouth Zoning Ordinance are attached in the NHDES permit application.

Functional Assessment

A functional assessment was not required as part of NHDES permitting, so a separate assessment is attached to this memo.



WETLANDS FUNCTIONAL ASSESSMENT WORKSHEET

Water Division/Land Resource Management
Wetlands Bureau



[Check the Status of your Application](#)

RSA/Rule: RSA 482-A / Env-Wt 311.03(b)(10); Env-Wt 311.10

APPLICANT LAST NAME, FIRST NAME, M.I.: Noble's Island Condominiums

As required by Env-Wt 311.03(b)(10), an application for a standard permit for minor and major projects must include a functional assessment of all wetlands on the project site as specified in Env-Wt 311.10. This worksheet will help you compile data for the functional assessment needed to meet federal (US Army Corps of Engineers (USACE); if applicable) and NHDES requirements. Additional requirements are needed for projects in tidal area; please refer to the [Coastal Area Worksheet \(NHDES-W-06-079\)](#) for more information.

Both a desktop review and a field examination are needed to accurately determine surrounding land use, hydrology, hydroperiod, hydric soils, vegetation, structural complexity of wetland classes, hydrologic connections between wetlands or stream systems or wetland complex, position in the landscape, and physical characteristics of wetlands and associated surface waters. The results of the evaluation are to be used to select the location of the proposed project having the least impact to wetland functions and values (Env-Wt 311.10). This worksheet can be used in conjunction with the [Avoidance and Minimization Written Narrative \(NHDES-W-06-089\)](#) and the [Avoidance and Minimization Checklist \(NHDES-W-06-050\)](#) to address Env-Wt 313.03 (Avoidance and Minimization). If more than one wetland/ stream resource is identified, multiple worksheets can be attached to the application. All wetland, vernal pools, and stream identification (ID) numbers are to be displayed and located on the wetlands delineation of the subject property.

SECTION 1 - LOCATION (USACE HIGHWAY METHODOLOGY)

ADJACENT LAND USE: Condominiums with lawns and parking lots

CONTIGUOUS UNDEVELOPED BUFFER ZONE PRESENT? ☐ Yes ☒ No

DISTANCE TO NEAREST ROADWAY OR OTHER DEVELOPMENT (in feet): <10 ft

SECTION 2 - DELINEATION (USACE HIGHWAY METHODOLOGY; Env-Wt 311.10)

CERTIFIED WETLAND SCIENTIST (if in a non-tidal area) or QUALIFIED COASTAL PROFESSIONAL (if in a tidal area) who prepared this assessment: Leonard Lord, PhD, CWS

DATE(S) OF SITE VISIT(S): March 15, 2021

DELINEATION PER ENV-WT 406 COMPLETED? ☒ Yes ☐ No

CONFIRM THAT THE EVALUATION IS BASED ON:

- ☒ Office and
☒ Field examination.

METHOD USED FOR FUNCTIONAL ASSESSMENT (check one and fill in blank if "other"):

- ☒ USACE Highway Methodology.
☒ Other scientifically supported method (enter name/ title): NH Method, 2015("NHM" for Ecological Integrity Eval)

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SECTION 3 - WETLAND RESOURCE SUMMARY (USACE HIGHWAY METHODOLOGY; Env-Wt 311.10)	
WETLAND ID: <input type="text"/>	LOCATION: (LAT/ LONG) <input type="text"/> / <input type="text"/>
WETLAND AREA: N/A	DOMINANT WETLAND SYSTEMS PRESENT: Mudflats
HOW MANY TRIBUTARIES CONTRIBUTE TO THE WETLAND? 0	COWARDIN CLASS: E2US3N
IS THE WETLAND A SEPARATE HYDRAULIC SYSTEM? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No if not, where does the wetland lie in the drainage basin? <input type="text"/>	IS THE WETLAND PART OF: <input type="checkbox"/> A wildlife corridor or <input type="checkbox"/> A habitat island? IS THE WETLAND HUMAN-MADE? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
IS THE WETLAND IN A 100-YEAR FLOODPLAIN? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	ARE VERNAL POOLS PRESENT? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No (If yes, complete the Vernal Pool Table)
ARE ANY WETLANDS PART OF A STREAM OR OPEN-WATER SYSTEM? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	ARE ANY PUBLIC OR PRIVATE WELLS DOWNSTREAM/ DOWNGRADIENT? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
PROPOSED WETLAND IMPACT TYPE: Buffer only	PROPOSED WETLAND IMPACT AREA: N/A
SECTION 4 - WETLANDS FUNCTIONS AND VALUES (USACE HIGHWAY METHODOLOGY; Env-Wt 311.10)	
<p>The following table can be used to compile data on wetlands functions and values. The reference numbers indicated in the "Functions/ Values" column refer to the following functions and values:</p> <ol style="list-style-type: none"> 1. Ecological Integrity (from RSA 482-A:2, XI) 2. Educational Potential (from USACE Highway Methodology: Educational/Scientific Value) 3. Fish & Aquatic Life Habitat (from USACE Highway Methodology: Fish & Shellfish Habitat) 4. Flood Storage (from USACE Highway Methodology: Floodflow Alteration) 5. Groundwater Recharge (from USACE Highway Methodology: Groundwater Recharge/Discharge) 6. Noteworthiness (from USACE Highway Methodology: Threatened or Endangered Species Habitat) 7. Nutrient Trapping/Retention & Transformation (from USACE Highway Methodology: Nutrient Removal) 8. Production Export (Nutrient) (from USACE Highway Methodology) 9. Scenic Quality (from USACE Highway Methodology: Visual Quality/Aesthetics) 10. Sediment Trapping (from USACE Highway Methodology: Sediment /Toxicant Retention) 11. Shoreline Anchoring (from USACE Highway Methodology: Sediment/Shoreline Stabilization) 12. Uniqueness/Heritage (from USACE Highway Methodology) 13. Wetland-based Recreation (from USACE Highway Methodology: Recreation) 14. Wetland-dependent Wildlife Habitat (from USACE Highway Methodology: Wildlife Habitat) <p>First, determine if a wetland is suitable for a particular function and value ("Suitability" column) and indicate the rationale behind your determination ("Rationale" column). Please use the rationale reference numbers listed in Appendix A of USACE <i>The Highway Methodology Workbook Supplement</i>. Second, indicate which functions and values are principal ("Principal Function/value?" column). As described in <i>The Highway Methodology Workbook Supplement</i>, "functions and values can be principal if they are an important physical component of a wetland ecosystem (function only) and/or are considered of special value to society, from a local, regional, and/or national perspective". "Important Notes" are to include characteristics the evaluator used to determine the principal function and value of the wetland.</p>	

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FUNCTIONS/ VALUES	SUITABILITY (Y/N)	RATIONALE (Reference #)	PRINCIPAL FUNCTION/VALUE? (Y/N)	IMPORTANT NOTES
1	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Ecological Integrity (from NHM): 3,4,5,6	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Highly developed buffer, filling, impaired water quality
2	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Education Potential: N/A	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	No access
3	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Fish & Aquatic Life: 1, 4	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Mudflat supports fish, shellfish, waterfowl. Impaired water quality and no shellfish harvesting
4	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Flood Storage: N/A	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
5	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Groundwater Recharge (only): N/A	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
6	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Noteworthiness (RTE):	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	No rare species per NHB DataCheck
7	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Nutrient Trapping/Retention: N/A	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
8	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Production Export: 1,4,5,6,10	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Export of nutrients as food and in sediments but low ecological integrity
9	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Scenic Quality: 2,6,8,	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Scenic vistas surrounded by highly developed areas.
10	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Sediment Trapping: N/A	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
11	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Shoreline Anchoring: N/A	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Riprap at project site
12	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Uniqueness/Heritage: 1,3,14,17,19,22, 27	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Contributes to the character of the area. Scenic views in urban setting. Low ecological integrity.
13	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Wetland Based Recreation: 2,5,7,8,9,10,	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Provides boating and fishing opportunities. Somewhat offset by low ecological integrity.
14	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Water Dependent Wildlife: 8,12,18,21,	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Mudflats are important for wildlife habitat. Somewhat offset by low ecological integrity

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Wetlands were delineated by Tighe & Bond Environmental Scientist Leonard Lord, PhD, NHCWS #14, on March 15, 2021. Criteria for wetland determinations were based on those outlined in the *Corps of Engineers Wetlands Delineation Manual, Technical Report Y-87-1* (January 1987), and the *Regional Supplement to the Corps of Engineers Wetland Delineation Manual: Northcentral and Northeast Region* (January 2012). Determination of the Highest Observable Tide Line (HOTL) was made in accordance with Env-Wt 622.23 of the NH Wetlands Bureau rules.

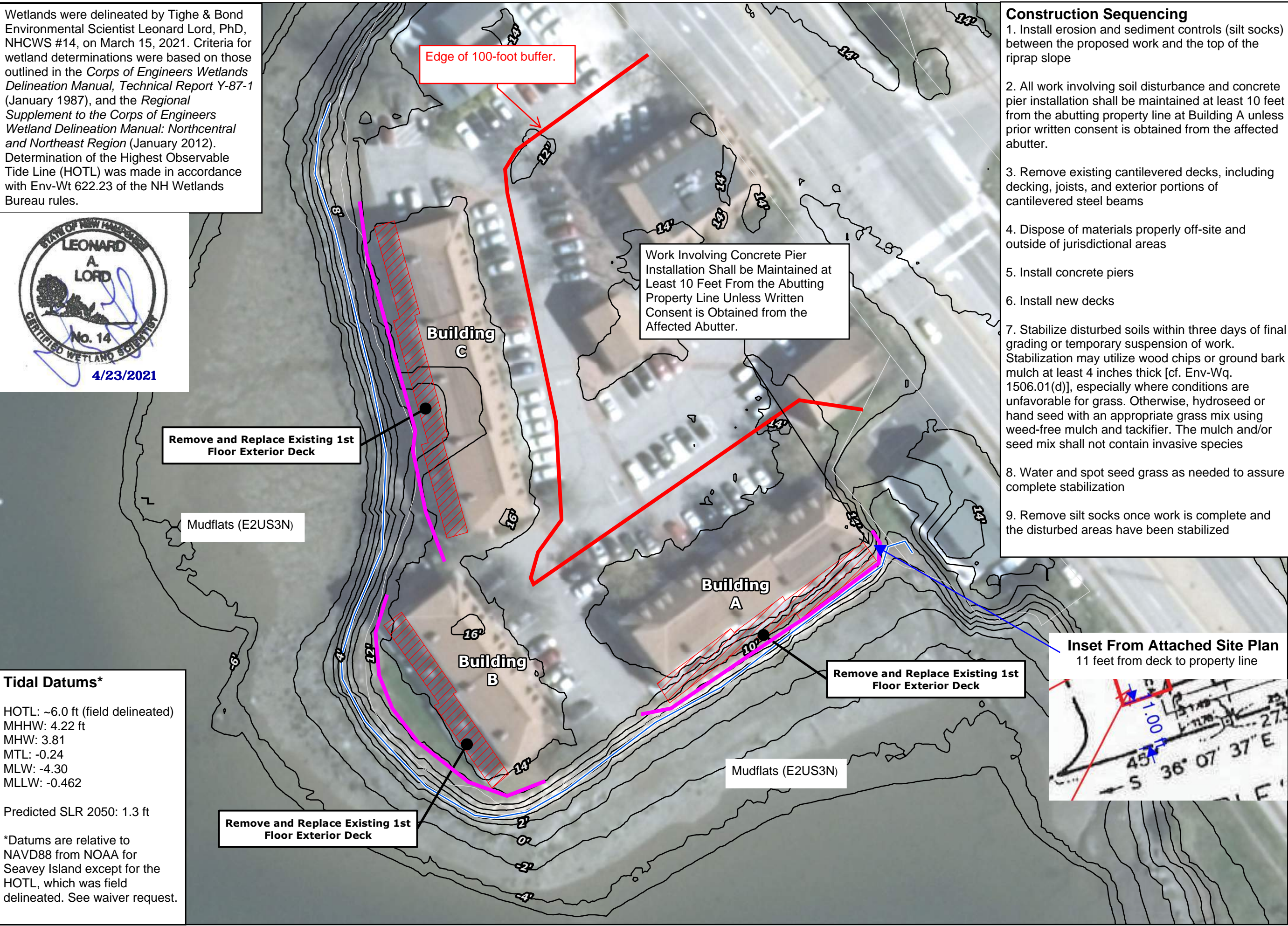


Tidal Datums*

HOTL: ~6.0 ft (field delineated)
MHHW: 4.22 ft
MHW: 3.81
MTL: -0.24
MLW: -4.30
MLLW: -0.462

Predicted SLR 2050: 1.3 ft

*Datums are relative to NAVD88 from NOAA for Seavey Island except for the HOTL, which was field delineated. See waiver request.

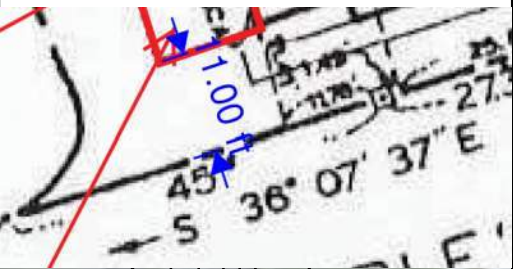


Construction Sequencing

1. Install erosion and sediment controls (silt socks) between the proposed work and the top of the riprap slope
2. All work involving soil disturbance and concrete pier installation shall be maintained at least 10 feet from the abutting property line at Building A unless prior written consent is obtained from the affected abutter.
3. Remove existing cantilevered decks, including decking, joists, and exterior portions of cantilevered steel beams
4. Dispose of materials properly off-site and outside of jurisdictional areas
5. Install concrete piers
6. Install new decks
7. Stabilize disturbed soils within three days of final grading or temporary suspension of work. Stabilization may utilize wood chips or ground bark mulch at least 4 inches thick [cf. Env-Wq. 1506.01(d)], especially where conditions are unfavorable for grass. Otherwise, hydroseed or hand seed with an appropriate grass mix using weed-free mulch and tackifier. The mulch and/or seed mix shall not contain invasive species
8. Water and spot seed grass as needed to assure complete stabilization
9. Remove silt socks once work is complete and the disturbed areas have been stabilized

Work Involving Concrete Pier Installation Shall be Maintained at Least 10 Feet From the Abutting Property Line Unless Written Consent is Obtained from the Affected Abutter.

Inset From Attached Site Plan
11 feet from deck to property line

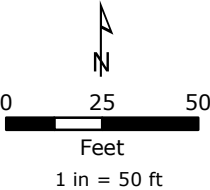


**FIGURE 2
EXISTING CONDITIONS**

LEGEND

- Highest Observable Tide Line
- 2-foot Contour
- Deck
- Approximate Parcel Boundary
- Silt Sock Erosion Control

LOCUS MAP



NOTES

1. Orthophotography courtesy of NH GRANIT (2015).
2. 2-foot contours generated from 2014 coastal bare earth LIDAR DEM. DEM downloaded from NH GRANIT.

**Noble Island
Condominium Association
Deck Replacement Project
500 Market Street
Portsmouth, New Hampshire**

March 2021

