

**MINUTES OF  
REGULAR MEETING  
CONSERVATION COMMISSION**

**1 JUNKINS AVENUE  
PORTSMOUTH, NEW HAMPSHIRE  
CONFERENCE ROOM "A"**

**3:30 P.M.**

**November 14, 2007**

**MEMBERS PRESENT:** Chairman Steve Miller; Vice Chairman James Horrigan; Members, Allison Tanner, Barbara McMillan, Eva Powers; and Richard Adams

**MEMBERS ABSENT:** Alternate Mary Ann Blanchard, Brian Wazlaw, Skye Maher,

**ALSO PRESENT:** Peter Britz, Environmental Planner

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**I. STATE WETLANDS PERMIT APPLICATIONS**

- A. Standard Dredge and Fill Application  
13 Salter Street  
Paul H. White Realty Trust, Jean H. White Revocable Trust of  
1992, Janet L. White-Nay Revocable Trust of 1992, owners

Attorney Bernard Pelech was present to speak on behalf of the applicant. He explained that the structure was currently a five or six unit apartment house. He said that it was an old colonial gambrel that had been added on to a number of times. It has no garage and presently, all of the tenants park in a gravel area between the house and Pickering's Creek. As many as eight vehicles are there at one time. Attorney Pelech said that there was no protection for the wetlands in that location. He further explained that the new owner would like to convert the structure to a single family residence with an apartment over the garage. He said that the area at the rear of the building would be loamed and seeded and the gravel would be removed. A treatment swale would be placed along the bank to help with sheet flow. Attorney Pelech pointed out that the only new impact within the 50 foot setback was a corner of the proposed addition. He explained that they would not only need approval from the State but from the City's zoning board and the Historic District Commission as well. He felt it was a good proposal because it was a benefit to Pickering's Creek and the City.

Attorney Pelech introduced Mr. Matt Landry from MSC who would be available to answer any questions.

Ms. Tanner asked what the square footage of impervious area to be created. Mr. Landry replied that he did not have the figure with him. He said that the total impact area was 6,500 square feet and most of that was the removal of the gravel area and the installation of the treatment swale.

Mr. Horrigan asked if the treatment swale ran the whole width of the property. Mr. Landry replied yes, the treatment swale would be about 140 feet long.

Mr. Horrigan asked about an area of the ground around the parking lot which was a bit higher. Mr. Landry said that they would shave that area down to create a sheet flow that would run into the swale. He added that it would then flow into the creek at the western part of the property.

Mr. Horrigan asked about the proposed paved driveway in front of the proposed garage. He asked if the pavement could be a pervious surface. Mr. Landry said that it could be considered. Mr. Horrigan said that the City was beyond what it should have with impervious surfaces.

Mr. Horrigan asked if there was a possibility of introducing natural vegetation on part of the lot. Mr. Landry replied that they had intended to use grass but they could consider other plantings.

Chairman Miller asked for details on the swale. Mr. Landry replied that it would be a grass swale. Chairman Miller said that he agreed with Mr. Horrigan and suggested that they consider other plantings. He added that he liked the pulling out of the gravel parking area as it would help to improve the water quality.

Chairman Miller indicated that porous asphalt and porous concrete were two good technologies for the driveway. Ms. Tanner suggested pavers for the driveway as well.

Ms. McMillan said that she was not sure why they were proposing the treatment swale. Mr. Landry explained that currently half of the site including roof drainage and drainage from the driveway is flowing into Pickering's Creek with minimal treatment. He said that the swale will catch most of that water and treat it as it runs through and create cleaner water.

Mr. Horrigan stated that the site does slope and creates a water run off problem. He was worried that it may erode the bank. Mr. Landry pointed out that the grade was .02 percent and so it would be a very slow runoff.

Mr. Adams said that some good comments have been made. He added that it was refreshing to see a project that shows progress instead of regression.

Chairman Miller asked if they would be working right down to the rip rap area. Mr. Landry replied yes. Chairman Miller cautioned them about the potential for erosion during construction.

Chairman Miller asked if there were any more questions for the applicant. Hearing none, he asked for a motion.

Ms. Tanner made a motion to recommend approval of the application to the State Wetlands Bureau. The motion was seconded by Mr. Adams. Chairman Miller asked for discussion.

Mr. Horrigan said that he would like to add that a pervious surface be considered for the driveway. He also said that he would like to recommend the use of native vegetation in addition

to grass in the swale area. Chairman Miller added that the swale be maintained to prevent erosion.

Chairman Miller called for the vote.

The motion to recommend approval of the application to the State Wetlands Bureau with the following stipulations passed by a unanimous (5-0) vote.

- 1) That the applicant considers a pervious driveway instead of a paved driveway.
- 2) That the applicant considers adding natural vegetation to the swale.
- 3) That the swale be maintained to prevent erosion.

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Ms. Powers arrived at this point in the meeting.

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**II. CONDITIONAL USE PERMITS**

- A. 333 Borthwick Avenue  
Portsmouth Regional Hospital  
Assessor Map 240, Lot 2-1  
Portsmouth Regional Hospital, owner

Mr. Patrick Crimmins and Mr. Greg Mikolaities of Appledore Engineering, Mr. Bill Duffy, representative of Portsmouth Regional Hospital, and Ms. Adele Fiorillo of NHSC, Inc. were present to speak to the application.

Mr. Crimmins stated that the hospital is proposing significant expansions that are vital to the increase in population and the growth of health care in the Seacoast community.

Mr. Crimmins explained that there are three impact areas. The areas were outlined in yellow on the site plan. The first expansion area was a 3,450 square foot expansion for a new wing. He said that the addition was not in the buffer but the parking configurations and emergency exit and entrance drives will increase the impervious surface by 722 square feet.

Mr. Crimmins said that the second expansion area was 1,889 square feet and the entire expansion fell within the 100 foot buffer.

The third area involved a more significant area for site work. Mr. Crimmins said that they were proposing 3,659 square feet of the expansion that falls within the buffer area.

Mr. Crimmins said that to account for the increase in impervious areas, they were proposing to construct an underground detention area. He pointed out on the site map where it would be located. He added that above the detention area there was a jurisdictional wetland area that will require State Dredge and Fill approval. The size of the wetland is 1,062 square feet. Mr.

Crimmins said that currently it is a small, manmade detention area. He said that it needed to be filled as a result of the reconfiguring of the loading area.

Mr. Crimmins stated that with the three expansion areas, they are proposing water quality units to provide water quality treatment. He explained that a water quality unit was basically a holding tank that has baffles inside of it. It collects the water, allows sediment to settle out and then slowly releases the water out.

Mr. Crimmins said that as a result of Mr. Britz's recommendation letter, NH Soils, Inc. went to the site to look for any possible enhancement areas. He explained that as a result of that inspection, they were proposing four buffer enhancement areas totaling approximately 8,000 square feet.

Ms. Adele Fiorillo explained the enhancements of the buffer areas. She said that they are mostly cattail drainages which are good. There were some phragmites out there, not just on the hospital site but everywhere else as well. She felt that would be too difficult to remove the phragmites successfully. She said that there are landscape features associated with the wetlands already. Ms. Fiorillo explained that there are single standing trees where infilling could occur. They would infill the areas with low growing shrubs, not soil. She gave the Commission a list of shrub species that would do very well in that area. She added that buffer enhancement was appropriate but wetland enhancement was not feasible.

Ms. Powers observed that the trees in the area have mounded mulch around them. She did not think that was not a recommended procedure. Ms. Fiorillo said that she had seen that also and said it must be to keep the grass from growing into the tree area. She said that where they plant new trees, they should "well" the mulch instead of mounding it. Mr. Adams offered additional information on how to mulch.

Mr. Horrigan commented that he did not see an existing swale on the plan. He pointed out that the Commission had a proposal recently from a natural gas company for the same area. Mr. Britz pointed out that the wetland transitions from a ditch into a wetland.

Mr. Horrigan asked which way the water flowed. Mr. Duffy stated that the water comes from the other side of Borthwick Avenue. Mr. Horrigan asked if there would be buffer enhancements in that area. Ms. Fiorillo replied that there was an edge of pavement and a mowed apron which varies in thickness before the slope that goes into the wetland. She explained that in that area there was essentially nothing that could be done. She pointed out that one area by the entrance to the emergency room was doing a fairly good job. Chairman Miller asked if they were proposing buffer enhancements where there was currently grass. Ms. Fiorillo replied yes.

Mr. Horrigan commented that there was an incredible amount of paved surface between the proposed expansion of area 2 and 3. He thought it would be nice to have pervious surface. Mr. Duffy explained that they have to have impervious surface because it is around the oxygen tanks and there are flammability issues. He added that the loading dock in that area is their main location for unloading supplies and is heavily traveled with very large trucks. Mr. Horrigan said that the new pervious surfaces can hold a lot of weight. He felt it was something to think about.

Chairman Miller asked the applicant to review again the water flow from the existing and the proposed plans. Mr. Crimmins explained in great detail the water flow and drainage on the site. Chairman Miller said that he was searching for ways to improve upon the proposal. He pointed out that on Borthwick Avenue, it is a sea of impervious cover and the watershed down stream struggles from that. Mr. Mikolaities explained that high ground water is an issue. He added that they were open to suggestions.

Ms. McMillan wondered if it was time for a green roof. She thought that it was an ideal situation since there was a lot of flat roof. Ms. Tanner thought it was a reasonable suggestion. Chairman Miller explained that a green roof reduces the volume of run off. Ms. Powers added that it also reduces air conditioning consumption in the summer and heating consumption in the winter.

Ms. Powers asked how many stories high the proposed buildings would be. Mr. Duffy replied they would be increasing them by one story with expanded footprints. He explained that they are restricted from going higher.

Mr. Horrigan asked where the gas pipeline would be going. Mr. Duffy showed him on the plans where it would be located. He said that it would not interfere with their proposed plans.

Ms. Powers proposed that the Commission not approve the plans without a green roof. She said that they are looking at a proposal that is right up against a wetland. Ms. Tanner agreed and she also suggested another alternative which was to recommend reducing the impervious areas.

Mr. Duffy asked if an acceptable option would be to add rain gardens as a way to treat water run off. Ms. Powers did not think that would be equivalent. Ms. Tanner said that she would be willing to look at a plan that had rain gardens in it. She felt that the current proposal was just more of the same. She thought the Commission needed to make the statement that they are serious about protecting the ideas of sustainability. She felt this proposal did not go far enough.

Ms. McMillan asked the applicant if they had any opposition to the green roof concept. Mr. Duffy said that some of the roofs they have now would not work with a roof garden. The roofs would have to be reinforced. He said that it was not impossible but added that it would translate into dollars. Ms. McMillan pointed out that City Hall in Manchester put one on their roof. It was the container type that did not require any structural changes to the roof. She said that the cost was minimal, about \$10,000. Mr. Duffy replied that it was worth looking at. Mr. Mikolaities asked if it could be considered for the new roofs only. Chairman Miller replied that he assumed they were thinking of the new proposed areas.

Ms. Powers said that she was hearing that pervious pavement was expensive. Mr. Duffy said that his concern was not that it was expensive, it was because of the oxygen tanks and the heavy loads of the trucks. It has to be concrete around the oxygen tanks because asphalt is flammable.

Chairman Miller stated that he understands the constraints of the site, the cost of health care, and Mr. Duffy's and Ms. Power's comments. He said that they are currently working on the ordinance and trying to include some of these suggestions for the future.

Ms. Powers said that she did not want to see the Commission approve the plan with conditions that can be dropped. She wanted to wait for a revised plan.

Ms. Tanner asked Chairman Miller if the high water table was a problem with pervious pavement. Chairman Miller said that sometimes it is. Water that moves through the porous pavement is stored down in the gravel below. It can be a problem if the ground water is high.

Ms. Tanner wondered if some of the impervious pavement could be changed to pervious. Mr. Britz stated that it sounded like the Commission was at the point of designing the project for the applicant. He asked the Commission if they would like them to come back with a revised plan taking into consideration the suggestions they have made.

Mr. Mikolaities said that they would have the architect take a look at the plan and see what they can do with regards to green roofs. He said they would like to come back for the next meeting.

Ms. Tanner stated that anything that would involve more porous pavement would be fine. Mr. Mikolaities replied that he would be more confident with some type of paver with a sand sub base.

Mr. Adams said that he understood the applicant's interest in safeguarding the bottom line. He added that it is fairly easy to quantify the cost on the applicant's end but it was not so easy to quantify the cost to the environment. He pointed out that the Commission was there to advocate for the environment. He said that he would favor approval with more pervious surface and green roofs.

Mr. Horrigan clarified that he was talking about the possibility of using pervious surface around the utility area. Mr. Duffy said that they can look at that area too.

Ms. McMillan made a motion to postpone the application to the December 12, 2007 meeting. The motion was seconded by Ms. Tanner. The motion to postpone the application to the December 12, 2007 meeting passed by a unanimous (6-0) vote.

### **III. APPROVAL OF MINUTES**

October 10, 2007

It was moved, seconded, and passed unanimously (6-0) to approve the minutes as presented.

### **IV. OTHER BUSINESS**

Mr. Britz informed the Commission that there was another Planning Board meeting concerning the RDI-PUD coming up in December. He stated that there was no reason for the Commission to attend, as the Planning Board felt they have satisfied the environmental component to the project.

#### **IV. ADJOURNMENT**

At 5:00 p.m., it was moved, seconded, and passed unanimously to adjourn the meeting.

Respectfully submitted,

Liz Good  
Conservation Commission Secretary

These minutes were approved at the Conservation Commission meeting on December 12, 2007.