

Memo



TO: Conservation Commission Members
FROM: Peter Britz, Environmental Planner
Kate Homet, Associate Environmental Planner
DATE: December 8, 2022
SUBJ: December 14, 2022 Conservation Commission Meeting

Site Address
12 Regina Road
Edward and Kathleen Vieira, Owners
Assessor Map 225, Lot 29
(LU-22-221)

Description:

Applicant is requesting a wetland conditional use permit to install a new shed on their property. The proposed shed would be located completely within the 100' wetland buffer and adjacent to the existing driveway in an area of existing limited grass, weeds and tree roots.

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

Applicant is proposing to construct a new shed in an area of lawn just beyond the driveway. The shed itself will be 10 x 10' and will be placed on a crushed stone base that will be 12x12'. The size of the stone area will allow for infiltration of stormwater from the shed below the footprint area of the shed. The majority of this parcel is located within a 100' wetland buffer.

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

The majority of this lot is within the 100' wetland buffer, leaving no real alternative location outside of the buffer.

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

The small size of the shed, distance from the wetland and the infiltration proposed with the crushed stone will reduce any impacts due to the new impervious surface area of 144 square feet.

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

The applicants noted that prior to applying for a conditional use permit, they did not realize they would need permission for placing crushed stone and have already gone ahead with the fill of the stone base. They have noted that if necessary, they are prepared to remove the fill that has been placed. The shed is proposed to be located over an existing lawn area that has minimal grass and weeds. This work will amount to 144 square feet of new crushed stone in an area of lawn. The applicant is proposing to increase plantings in this area of the property by placing four or five blueberry bushes surrounding the shed to mitigate wetland buffer impacts.

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

Given the small size of the project, significant impacts are not expected. The placement of blueberry bushes, along with some additional buffer plantings would help to mitigate any impacts.

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

Applicant is not proposing any disturbance or changes to the 25' vegetated buffer strip.

Recommendation: Staff recommends approval of this application with the following stipulation:

1. In accordance with Section 10.1018.40 of the Zoning Ordinance, applicant shall install permanent wetland boundary markers during project construction. These can be purchased through the City of Portsmouth Planning and Sustainability Department.