



Memo

TO: Conservation Commission Members
FROM: Peter Britz, Planning & Sustainability Director
Kate Homet, Associate Environmental Planner
DATE: July 7, 2023
SUBJ: July 12, 2023 Conservation Commission Meeting

**198 Essex Avenue
LU-23-88**

This application proposes to create two new additions to a residential home. One of these additions is mainly outside of the 100' wetland buffer and calls for the removal of an existing garage and breezeway proposed to be replaced with a new two-story garage and breezeway. Proposed additional impervious areas would not extend closer to the wetland than the existing structure. Additionally, a patio and deck space are proposed to be constructed as part of this addition. The second building addition (South) is an attached new family room. This addition would be located approximately 62 feet from the wetland and would be completely within the wetland buffer. Total proposed impervious impacts to the buffer (including both the north and south additions) will be 512 s.f. of added impact. The deck addition adds an additional 481 square feet of impact in the wetland buffer.

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

Nearly the entire parcel falls within the wetland buffer, with the wetland along the southern edge. None of the proposed additions lie within the wetland or vegetative buffer but do lie within the 100' buffer and require the transformation of some previously pervious areas to impervious.

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

Given that much of the property is within the buffer, there is no other reasonable location for the additions, with the garage addition existing almost entirely outside of the buffer.

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

The applicant is proposing to use erosion control measures during construction including materials like silt soxx and will be adding native plantings within the buffer. Additionally, the proposal includes removal of invasive species and the installation of rain barrels to slow runoff to the wetland.

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

This project is not proposing any construction within the 25' vegetative buffer but will be enhancing the buffer with various plantings as well as Northeast Wildflower seed mix. It is recommended that no grass or lawn should be introduced in this area, instead opting for grass alternatives wherever possible throughout the entire buffer.

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

This application proposes creating two additions, one mostly outside the buffer and one completely within the buffer but still 62' from the edge of the wetland. While this project will overall increase the amount of impervious surface within the buffer, the applicant proposes enhancing the buffer through conversion of existing lawn areas to natural areas along with new plantings which will help protect the buffer. Additionally, while the rain barrel will help with trapping excess stormwater runoff, additional mitigation techniques are recommended to slow down and infiltrate stormwater. For example, the applicant proposes a deck or patio which is to be 412 square feet in the buffer. Staff recommends that this be constructed to allow infiltration so new impervious surface is added. If a patio is constructed it should be made of porous pavers and if a deck is constructed it should allow infiltration with crushed stone below.

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

Applicant is proposing to convert 2,680 sf of lawn to natural area and continue to remove invasive species within the wetland buffer. As stated above, new buffer plantings are to be added to the vegetative buffer strip and staff recommend that no lawn is planted/seeded.

Recommendation: Staff recommends approval of the project with three stipulations:

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.
2. Applicant shall provide a report back to the Planning and Sustainability Department one year after vegetated buffer area has been planted, demonstrating at least an 80% survival rate of new plantings.
3. Proposed deck or patio should be constructed to allow infiltration.