

Findings of Fact | Wetland Conditional Use Permit

City of Portsmouth Planning Board

Date: July 18, 2024

Property Address: 224 Broad Street

Application #: LU-23-179

Decision: Approve Deny Approve with Conditions

Findings of Fact:

Per RSA 676:3, I: The local land use board shall issue a final written decision which either approves or disapproves an application for a local permit and make a copy of the decision available to the applicant. **The decision shall include specific written findings of fact that support the decision. Failure of the board to make specific written findings of fact supporting a disapproval shall be grounds for automatic reversal and remand by the superior court upon appeal, in accordance with the time periods set forth in RSA 677:5 or RSA 677:15, unless the court determines that there are other factors warranting the disapproval.** If the application is not approved, the board shall provide the applicant with written reasons for the disapproval. If the application is approved with conditions, the board shall include in the written decision a detailed description of all conditions necessary to obtain final approval.

In order to grant Wetland Conditional Use permit approval the Planning Board shall find the application satisfies criteria set forth in the Section 10.1017.50 (Criteria for Approval) of the Zoning Ordinance.

	Zoning Ordinance Sector 10.1017.50 Criteria for Approval	Finding (Meets Criteria for Approval)	Supporting Information
1	<i>1. The land is reasonably suited to the use activity or alteration.</i>	Meets Does Not Meet	The existing site has a steep slope which has been directing stormwater into and around the existing home, instead of towards the adjacent wetland. The proposed stormwater controls will involve some regrading of the lawn and the redirection of stormwater away from the home and through an underdrain to outlet underneath the expanded deck. This proposed deck will have ¾" spaced decking and will have crushed stone underneath for infiltration.
2	<i>2. There is no alternative location outside the wetland buffer that is feasible and reasonable for the proposed use, activity or alteration.</i>	Meets Does Not Meet	The majority of this property is within the 100 ft. buffer. The existing home is within the buffer and experiencing impacts of stormwater and ponding on the property. The applicant is proposing to address these issues with new stormwater controls and the addition of plantings, while working to reduce the impervious surface where possible.

	Zoning Ordinance Sector 10.1017.50 Criteria for Approval	Finding (Meets Criteria for Approval)	Supporting Information
3	<i>3. There will be no adverse impact on the wetland functional values of the site or surrounding properties.</i>	Meets Does Not Meet	The applicant is proposing to redirect stormwater directly through an underdrain and into a crushed stone area to slow infiltration. This should improve the flooding conditions for the home while directing the flow closer to the wetland with an option for infiltration into the soil.
4	<i>4. Alteration of the natural vegetative state or managed woodland will occur only to the extent necessary to achieve construction goals.</i>	Meets Does Not Meet	The applicant is proposing to maintain all existing trees and vegetation. In addition, the applicant will be improving the vegetation on site by planting a native micro-clover lawn in addition to planting beds and multiple trees and shrubs.
5	<i>5. The proposal is the alternative with the least adverse impact to areas and environments under the jurisdiction of this section.</i>	Meets Does Not Meet	While the applicant is proposing an expansion of the home within the buffer, the expansion is occurring in the direction opposite of the wetland and will be compensated with a reduction in existing impervious. There are plans for overall improvements to the buffer including landscaping and reseeding the lawn with a micro-clover seed mix.
6	<i>6. Any area within the vegetated buffer strip will be returned to a natural state to the extent feasible.</i>	Meets Does Not Meet	The applicant is proposing to stay completely outside of the 25' vegetated buffer.
7	<u>Other Board Findings:</u>		

Katelyn Kwoka
224 Broad St.
Portsmouth, NH 03801

Rick Chellman, Chair
Planning Board
City of Portsmouth

July 19, 2024

Dear Mr. Chellman:

Please find enclosed our application for an amendment to the original site plan that was filed on behalf of the condominium association at Broad Street, which includes our unit, 224 Broad. We are asking for a minor expansion of the footprint of our home to address a leaking sunroom roof and accompanying renovation. These changes occur in the wetland buffer, so a Wetlands Conditional Use Permit is required. Conservation Commission unanimously approved our application.

To speak to the Wetland CUP requirements, please see the following:

- The land is reasonably suited to the alteration because it is a flat patch on the far side of existing impervious surface, outside of the natural path of flow to the wetland.
- There is no alternate location outside of the wetland buffer because our existing home is located inside the buffer in its entirety.
- There will be no adverse impact on the wetland functional values because of the location of the expansion and the natural topography.
- Alteration of the natural vegetative state is minimal and the total expansion of the impervious footprint is minor to create the least impact.
- The proposal is the alternative with the least adverse impact to environments in the wetland jurisdiction because it is located outside of the natural topographical flow to the wetland and on the far side of existing impervious surface.
- Any area within the vegetated buffer strip will be returned to a natural state or improved by the vegetation and planting plan reviewed and recommended by the Conservation Commission.

Thank you,



Katelyn Kwoka

PARK BROAD FINANCIAL LLC
224 Broad St.
Portsmouth, NH 03801

Rick Chellman, Chair
Planning Board
City of Portsmouth

July 19, 2024

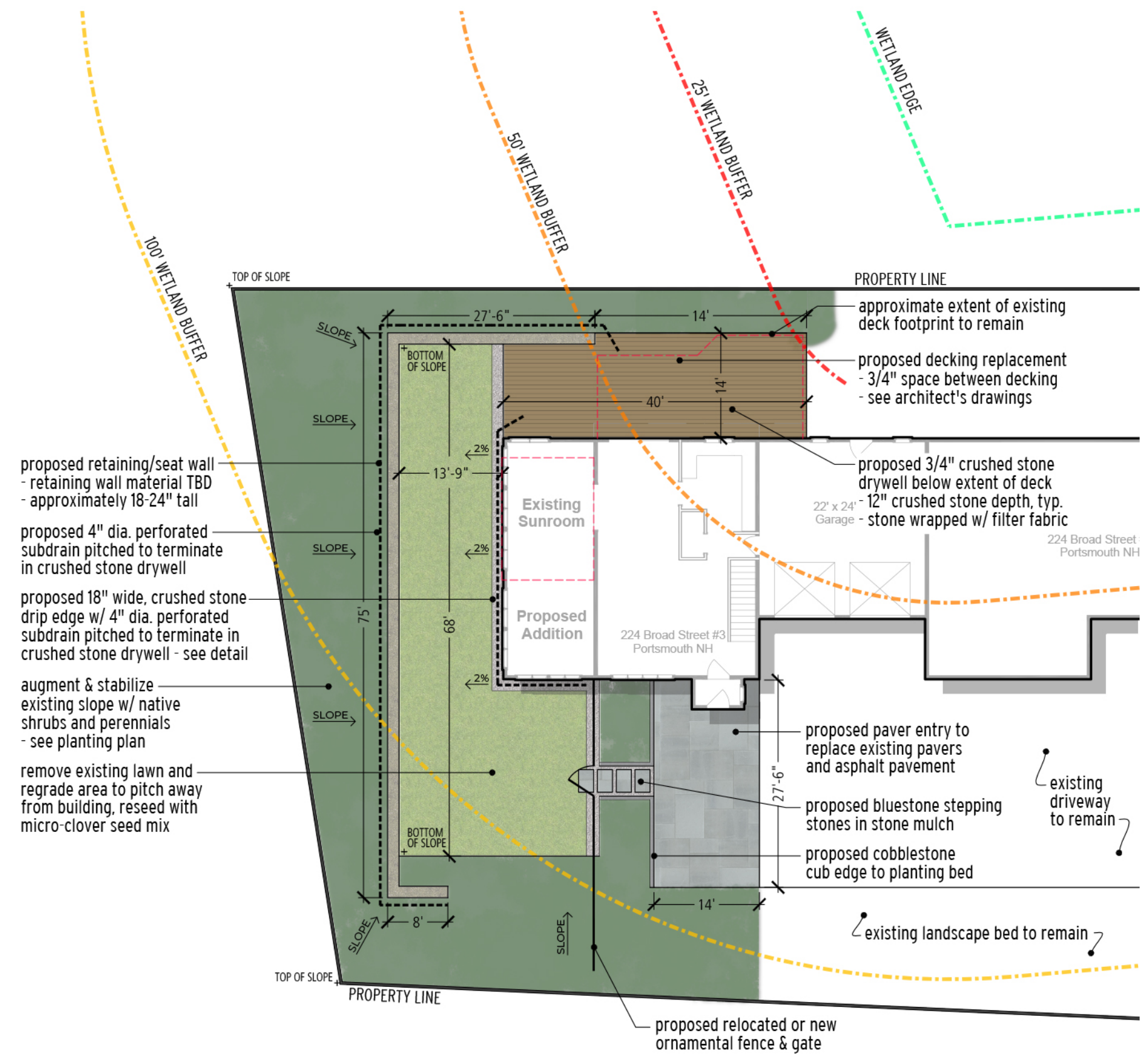
Dear Mr. Chellman:

Attached are the plans for some landscaping improvements and an addition to the property at 224 Broad St. We understand that technically these changes require an amendment to the original site plan that was filed on behalf of the condominium association. As the President of the condominium association, we consent to the application being submitted by the owners at 224 Broad and have no objections to the changes being proposed. We believe these changes will be an improvement to the existing vegetation on site at 224 Broad St.

Thank you,



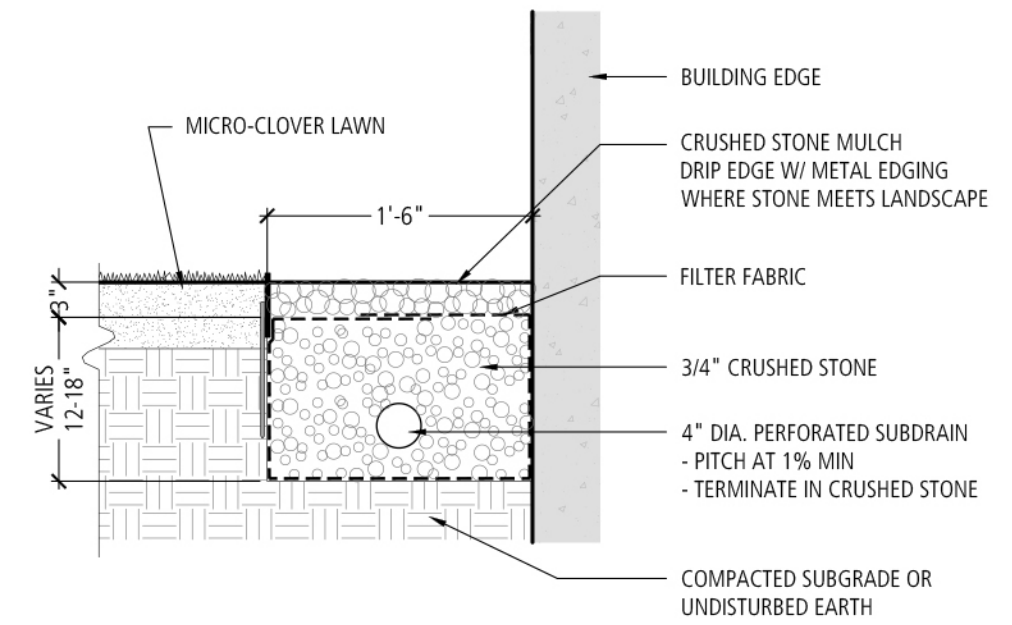
Dianna Brenneman



Existing to be Removed	Area
Existing Sunroom	192 SF
Existing Pavement (pavers/asphalt)	491 SF

Proposed Improvements	Area
Proposed Sunroom Addition	384 SF
Proposed Deck Expansion	200 SF
Proposed Pavement (pavers)	401 SF
Proposed Planting Bed	2,385 SF
Proposed Micro-clover Lawn	1,115 SF

Table: Existing to be Removed Area & Proposed Improvements Area



Detail: Proposed Crushed Stone Drip Edge w/ Perforated Subdrain
Scale: Not to Scale

Proposed Landscape Plan



NOT FOR CONSTRUCTION

Trees

Quantity	Symbol	Size	Scientific Name	Common Name	Size & Comments
3	AG	7-8'	<i>Amelanchier grandiflora</i> 'Autumn Brilliance'	Serviceberry	15-25' - native, white flowers, edible fruit, brilliant red-orange fall foliage
2	MD	2.5 CAL	<i>Malus domestica</i> 'Gala'	Apple Tree	15-20' - white flowers spring, deep green foliage, apples in fall

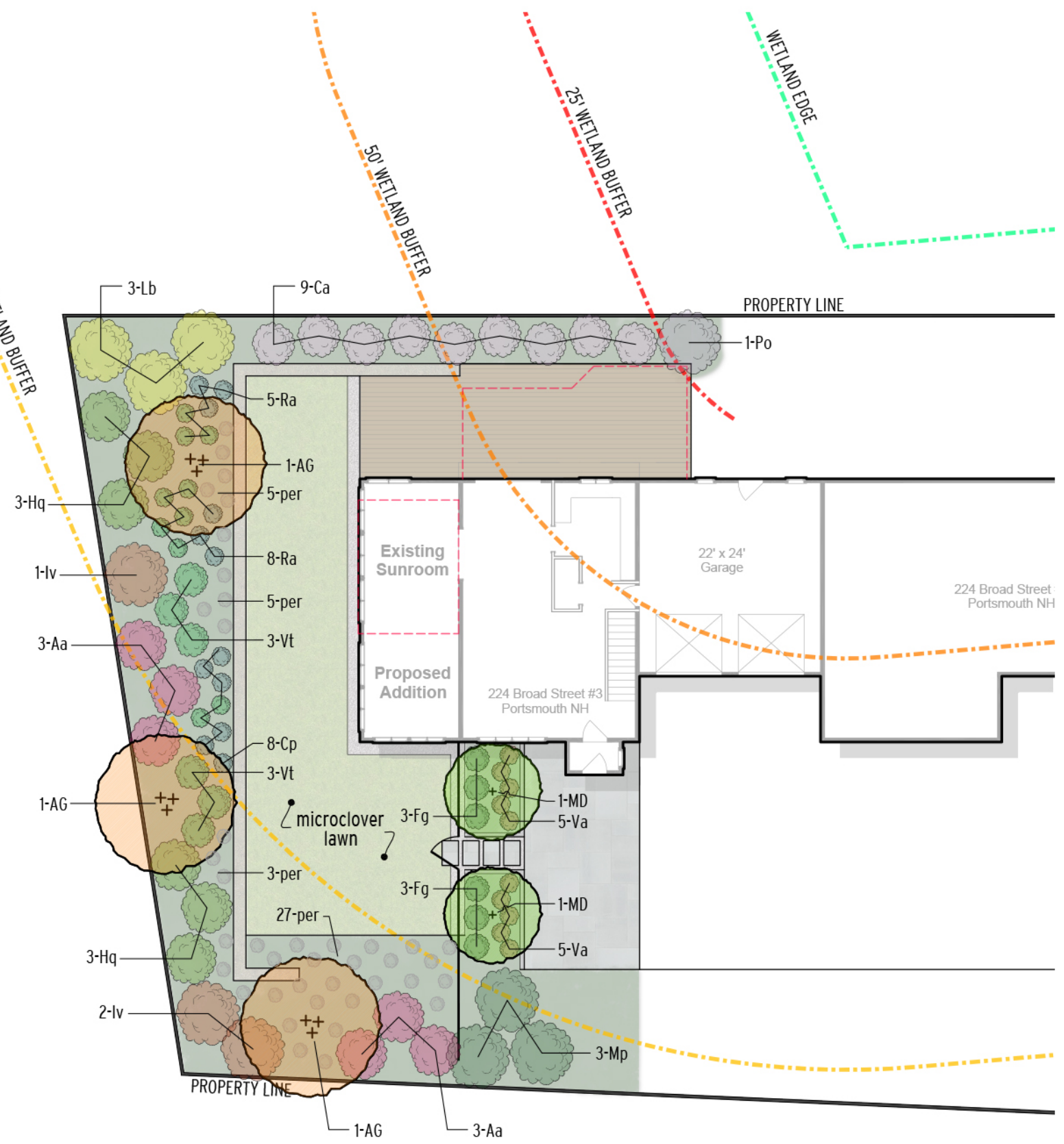
Shrubs

Quantity	Symbol	Size	Scientific Name	Common Name	Size & Comments
6	Aa	3 GAL	<i>Aronia melanocarpa</i>	Black Chokeberry	5' - native, white flowers spring, edible fruit, brilliant autumn foliage
8	Cp	1 GAL	<i>Comptonia peregrina</i>	Sweet Fern	4' - native, colonizing deciduous shrub with fragrant fern-like leaves
10	Ca	3 GAL	<i>Clethra alnifolia</i>	Summersweet	6' - native, fragrant white flowers
6	Fg	3 GAL	<i>Fothergilla gardenii</i>	Dwarf Fothergilla	3' - native, compact, fragrant white flowers, multicolor autumn foliage
6	Hq	3 GAL	<i>Hydrangea quercifolia</i> 'Alice'	Oakleaf Hydrangea	6' - native, compact, abundant large white flowers turn pink with maturity
3	Iv	3 GAL	<i>Ilex verticillata</i> 'Winter Red'	Winterberry	6' - native, heavy fruiting, large, intense red berries, dark green foliage
3	Lb	3 GAL	<i>Lindera benzoin</i>	Spicebush	8' - native, light green leaves turn yellow autumn, yellow flowers
3	Mp	3 GAL	<i>Morella pensylvanica</i>	Northern Bayberry	8-10' - native, wide, upright, glossy green aromatic foliage
1	Po	3 GAL	<i>Physocarpus opulifolius</i>	Common Ninebark	6-10' - native, upright, exfoliating bark, purple foliage with white flowers
13	Ra	1 GAL	<i>Rhus aromatica</i> 'Gro-Low'	Sumac	2-3' - native, green leaves, scarlet-orange autumn, aromatic yellow flowers
10	Va	1 GAL	<i>Vaccinium angustifolium</i>	Lowbush blueberry	12" - native, groundcover, edible fruit, red deciduous autumn foliage
6	Vt	3 GAL	<i>Viburnum trilobum</i> 'Bailey Compact'	American Cranberrybush	5' - native, green leaves, white flowers, edible fruit, brilliant red autumn foliage

Perennials & Groundcovers

Quantity	Symbol	Size	Scientific Name	Common Name	Size & Comments
40 per					
5	ah	1 GAL	<i>Amsonia hubrechtii</i>	Blue Star	36" - native, bluer flowers, dark green needle foliage, yellow autumn
5	an	1 GAL	<i>Aster novae-angliae</i> 'Purple Dome'	New England Aster	18" - native, dwarf, semidouble bright purple flowers, heavy bloomer
10	dp	1 GAL	<i>Dennstaedtia punctilobula</i>	Hay Scented Fern	20" - native, fast growing groundcover, lacy fragrant fronds
5	ep	1 GAL	<i>Echinacea purpurea</i> 'Kims Knee High'	Coneflower	18" - native, dwarf, clear pink flowers
5	ls	1 GAL	<i>Liatris spicata</i> 'Kobold'	Gayfeather	24" - native, spikes of lilac-mauve flowers
5	md	1 GAL	<i>Monarda didyma</i> 'Raspberry Wine'	Wild Bergamot	3-4' - native, clear wine-ed flowers, mildew resistant
5	rf	1 GAL	<i>Rudbeckia fulgida</i> 'Fulgida'	Black-eyed Susan	2-3' - native, deep yellow daisy like flowers w/ black centers

Proposed Plant List



Proposed Planting Plan