

**REGULAR MEETING  
CONSERVATION COMMISSION**

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

**3:30 P.M.**

**JUNE 13, 2007**

**MEMBERS PRESENT:** Chairman Steve Miller; Members, Allison Tanner, Skye Maher, Barbara McMillan, Eva Powers; and Alternates Mary Ann Blanchard and Richard Adams

**MEMBERS ABSENT:** Vice Chairman James Horrigan and Brian Wazlaw

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

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**I. STATE WETLANDS PERMIT APPLICATIONS**

- A. Standard Dredge and Fill Application  
Market Street  
City of Portsmouth, owner

Mr. Ralph Gorrill of Gorrill-Palmer Consulting Engineers, Inc. spoke to the project. He said that the City has hired his firm to design pedestrian/ bicycle improvements on Market Street. The improvements would start at Michael Succi Drive and extend down to the Chamber of Commerce. He said that the scope of work involves removing a portion of the paved shoulder on Market Street and converting the 5 feet of existing pavement to a sidewalk. They will not be adding any additional pavement. They will be moving the curb line toward the center of the roadway to accommodate the sidewalk. They plan to make use of the existing close drainage system and will add a couple of catch basins because of the new curb location. Mr. Gorrill pointed out that all of the catch basins would tie into the existing catch basins along Market Street.

Mr. Gorrill introduced Mr. Dan Fenno of New Hampshire Soil Consultants, Inc., Mr. David Desfosses, and Ms. Deb Finnigan, both from the Department of Public Works.

Mr. Fenno talked about the environmental impacts of the project. He said that the whole project was within the tidal buffer zone and that there was no work proposed in the wetland area. He said that they were proposing to use bales of hay for silt control instead of a silt fence. He felt that the silt fence might cause more of a disturbance. Mr. Fenno added that there would be no endangered species impacted by the project.

Ms. Maher stated that she liked the fact that they would use the hay bales. She asked how the hay bales would be secured. Mr. Fenno replied that they would be butted up tightly against one another and secured with stakes to the ground. Ms. Maher asked for some clarifications with the plans. Mr. Gorrill said that there would be a five foot shoulder that would be the bike lane and then there would be a five foot sidewalk for pedestrians. There will be bike symbol pavement markers to mark the bike lane.

Ms. Maher asked if the bike lane would only be on one side of the road. Mr. Gorrill replied that it would be on both sides. On the one side of the road, there would be a bike lane from the Chamber of Commerce to Albacore Way. On the other side of the road, the bike lane extends from Michael Succi Drive down to the Port Authority.

Ms. McMillan asked about the disturbed areas. Mr. Fenno said that the total disturbed area was around 3,350 feet. Mr. Gorrill added that it would be temporary disturbance only. Mr. Fenno stated that they would be adding loam to make grade and adding curb in some areas.

Ms. Maher asked Ms. McMillan if there was anything other than grass that could be planted on the inclined areas. Ms. McMillan could not think of anything at that moment. Chairman Miller thought it might be nice to plant some native shrubs to enhance the bike path and stabilize the banking. Mr. Gorrill said that they are trying not to impact the embankments.

Ms. Powers asked if there would be any railings. Mr. Gorrill replied that there would be no physical barrier. He said that there was a vertical granite curb that would help to separate the pedestrians from the vehicular traffic.

Ms. Powers wondered if it was possible to use a wildflower or clover mix instead of grass in the disturbed areas. Ms. Tanner added that if it was grass it would have to be mowed. She thought it would be nice to plant something that was low maintenance. Mr. Desfosses interjected that they are over budget on the project but he felt that planting a wildflower mix would be a minimal cost.

Ms. McMillan asked about the use of socks versus hay bales. Ms. Maher said that socks would be the ideal thing to use but they are more expensive. She added that she was pleased with the hay bales. He thought that the price of using a sock would probably be the same. Ms. McMillan said that if it turns out to be appropriate, they should consider using it. Mr. Desfosses replied that they would talk with the consultants.

Chairman Miller asked if the Commission was ready to vote.

Ms. Tanner made a motion to recommend approval of the application. The motion was seconded by Ms. Maher.

Ms. Powers stated that she would like to amend the motion to include the stipulation that the applicant use a plant alternative that does not require mowing.

The motion to approve the application with the following stipulation passed by a unanimous (7-0) vote:

1) That the applicant uses a low growing ground cover that does not require mowing in the disturbed areas.

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B. Standard Dredge and Fill Application  
55 Salter Street  
Assessor Plan 102, Lot 32  
Margot L. Thompson, owner

No one was present to speak to the application. Mr. Britz told the Commission that this application had already received emergency approval from the State. It was for a sea wall that was failing.

Ms. Maher asked, for future applications, if there was a conversation the Commission should have with the DES and the applicants about how to best deal with these situations concerning deteriorating sea walls. She said that she would not like to see someone band aid a project in lieu of doing something appropriate. Chairman Miller said he would check into alternatives and construction methods. He added that he would speak with Dave Price as well to get advice.

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C. Standard Dredge and Fill Application  
75 Salter Street (Round Island)  
Assessor Plan 207, Lot 1  
Charles Lassen, owner

Ms. Anne Whitney, architect for the project, and Mr. Charles Lassen, owner, spoke to the application. She stated that the applicant would like to renovate the existing residence. She pointed out that in 1999 they received a permit to bring water and sewer to the island. The work stopped about 24 feet from the house and was never completed and the permit has expired. They would like to continue the existing line to the basement and hook up. She said that the trenches would be hand dug up to the building. Ms. Whitney pointed out that the existing transformer needs to be upgraded so they will be bringing that into the same location.

Ms. Whitney explained that the existing building was on a foundation and that there have been numerous additions that were built on piers. She said that they would like to get rid of three deck structures and a shed to consolidate the plan. The shed is located in a marsh area.

Ms. Whitney stated that on the west side of the building where the water and sewer lines will be coming in, they plan to construct a porch. The porch will wrap around and a ramp

structure will be constructed. She said that in the instances where they will be adding footprint, it will not be interior space. They will be doing some vertical expansion on the existing structure. She explained in detail the renovation plan.

Ms. Tanner asked that where the house was built on piers, would it remain on piers. Ms. Whitney replied yes, she thought one pier might have to be replaced. She pointed out that the residence has had several owners over the years and as a result, projects were started and never finished.

Ms. Blanchard asked how old the structure was. Mr. Lassen replied that the original structure was built in 1910 and the additions were in the 1980's.

Ms. Powers asked about the trees. Ms. Maher pointed out a tree and shrub that were very close to the structure. Ms. Whitney replied that they should not have to disturb the trees but if any have to be taken down, they would try to replace them.

Ms. Maher asked that when the shed was removed, should the posts be removed or should they be cut off at the surface of the marsh. Chairman Miller thought they should be cut off at the surface. Ms. Maher said she would add that as a stipulation.

Ms. Maher asked about covering over the area that would be hand dug. Ms. Whitney replied that they would be happy to plant it with natural vegetation. Ms. Maher said that they might want to consider the sock.

Ms. Powers asked if they planned to use fertilizers and pesticides. Ms. Whitney replied that they would not use pesticides. She added that the owner wants to keep everything natural.

Ms. McMillan asked if there would be gutters on the roof to collect the runoff. Ms. Whitney said they were not considering guttering the house at this point since it had a generous overhang. She added that the grade really drops away from the building.

Chairman Miller asked the Commission if they were ready to vote.

Mr. Adams made a motion to approve the application as presented. The motion was seconded by Ms. Tanner. Chairman Miller amended the motion to include the stipulation that the shed posts be cut at ground level and to consider reseeding with salt marsh grass.

The motion to approve the application with the following stipulations passed by a unanimous (7-0) vote:

1. That the posts left from the removal of the shed be cut at ground level
2. That the applicant considers planting salt marsh vegetation in its place.

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## II. OTHER BUSINESS

A. Update on site walk at 1800 Woodbury Avenue

Mr. Britz stated that a site walk was held on May 14, 2007. He said that the applicant has not submitted a new application as of yet.

Ms. Blanchard wanted the Commission to know that she went to the site on the first date which was cancelled at the last minute. She said that she had a chance to see what it was all about.

Ms. Powers said that the owners seemed very open to suggestions for the site. Ms. Maher asked if they had done anything about the downspouts yet. Chairman Miller said that he had not been out to the site lately to check.

Mr. Britz pointed out that they are currently in violation of the site plan because of the location of their dumpster. He said that they want to come back before the Conservation Commission to seek approval to relocate the dumpster.

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Chairman Miller stated that Dave Price called him about the Barbara Renner, Holt Landscaping project on South Mill Pond. He said that they went directly to Mr. Price for an emergency plan. Mr. Price explained to Chairman Miller that he read the Commission letter regarding the project and tried to cover those same concerns with his approval. Chairman Miller stated that he has not received anything official yet from Mr. Price regarding the project. Mr. Britz stated that he received an approval letter from DES for that project. He thought they had worked out a good plan.  
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Ms. McMillan reminded the Commission that the City is working on the ordinance changes right now and so they should begin to think of areas in Article VI that need strengthening. Ms. Blanchard felt this was very important. Mr. Britz felt the issues of vernal pools, the clearing of land and instituting gradations in the 100 foot buffer were some good areas to start with. Ms. Tanner felt that large parking lots and other things should be addressed as well. Ms. Maher said that pesticides should be addressed also.

Mr. Britz explained that the Planning Board is in charge of overseeing the process. He felt that as a Commission, they should have a work session to come up with specific issues of the Commission. He said that he would talk with David Holden.

Ms. Tanner suggested that they all make a list of concerns and then pool their ideas at a work session.

Ms. McMillan passed out some resource materials explaining different types of ordinances. She talked about the Storm Water Management Plan that had recently been completed by the City. She felt the Commission should have been a part of that process.

Chairman Miller agreed. Ms. Tanner stated that if it is environmental then the Commission should have some sort of input.

The Commission set the date of Wednesday, June 27 at 3:30 p.m. for the first work session.

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Mr. Britz updated the Commission on prime wetlands. He said that next week the Planning Board would be presented with the recommendations of the Conservation Commission. Mark West and Chairman Miller will be in attendance.

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

May 9, 2007

It was moved, seconded, and passed unanimously to approve the minutes as presented.

### **IV. ADJOURNMENT**

At 4:55 p.m., it was moved, seconded, and passed unanimously to approve the minutes as presented.

Respectfully submitted,

Liz Good  
Conservation Commission Secretary

These minutes were approved at the Conservation Commission Meeting on July 11, 2007.