



CITY OF PORTSMOUTH

Community Development Department
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Memo

TO: Conservation Commission Members
FROM: Peter Britz, Environmental Planner *P. Britz*
DATE: March 12, 2019
SUBJ: March 13, 2019 Conservation Commission Meeting

43 Whidden

This application is to construct a porous paver driveway partially within the 100 foot tidal buffer zone. The proposal is to replace grass with a porous paver surface.

According to *Article 10 Section 10.1017.50* the applicant must satisfy the following conditions for approval of this project.

1. *The land is reasonably suited to the use activity or alteration.* The overall project proposes replacement of grass with porous pavers. The new pavers will infiltrate water where the lawn currently exists. Given there is currently parking there the proposal is reasonable.
2. *There is no alternative location outside the wetland buffer that is feasible and reasonable for the proposed use, activity or alteration.* The applicant is proposing porous parking where grass currently exists. This is the most feasible location for the proposed parking area.
3. *There will be no adverse impact on the wetland functional values of the site or surrounding properties.* The proposed project represents a replacement of grass for porous parking. Given the design of the porous pavers to replace grass there should be a slight improvement as the current condition often results in disturbance to the grass surface releasing sediment to runoff the site. The pavers will solve this problem and allow for a more stable parking surface.
4. *Alteration of the natural vegetative state or managed woodland will occur only to the extent necessary to achieve construction goals.* The design call for removal of lawn to be replaced with porous pavers. There are no trees or other natural vegetation proposed to be removed.
5. *The proposal is the alternative with the least adverse impact to areas and environments under the jurisdiction of this section.* Overall this proposal is a positive step to reduce impacts on the site and provide for a more stable parking surface.
6. *Any area within the vegetated buffer strip will be returned to a natural state to the extent feasible.* The proposal includes new porous pavement parking strip. There are no impacts proposed in the vegetated buffer strip or limited cut area.

Recommendation: Staff recommends approval of this application as presented.

428 Route 1 Bypass

This project proposes to redevelop existing lots for residential living space and includes office and retail space. The application includes stormwater management improvements and improvements to the buffer area adjacent to Hodgson Brook.

According to *Article 10 Section 10.1017.50* the applicant must satisfy the following conditions for approval of this project.

1. *The land is reasonably suited to the use activity or alteration.* The overall project proposes a reduction in impervious surface in the 100' wetland buffer zone, plans to remove invasive species and improve stormwater treatment on the site. The applicant has provided greater detail on the revised plans and the improvements to the buffer are clearly shown.
2. *There is no alternative location outside the wetland buffer that is feasible and reasonable for the proposed use, activity or alteration.* The existing project is to remove some of the paved area to outside of the wetland buffer and enhance the area along the edge of Hodgson Brook. This is conceptually positive and the revised plan shows where the proposed pavement removal will occur.
3. *There will be no adverse impact on the wetland functional values of the site or surrounding properties.* The proposed project represents a reduction in impervious surface and should result in an enhanced wetland buffer on the site due to the new buffer plantings on the bank of Hodgson Brook. The applicant has provided a detailed planting plan for both the stream buffer and site landscaping.
4. *Alteration of the natural vegetative state or managed woodland will occur only to the extent necessary to achieve construction goals.* The design calls for removing invasive species and other work along the bank of Hodgson Brook. Detailed plans have been provided showing where the buffer planting will occur and how the banks will be protected from erosion.
5. *The proposal is the alternative with the least adverse impact to areas and environments under the jurisdiction of this section.* Overall this project proposes a number of positive steps by reducing impervious surface on the site providing stormwater treatment where there is none today and providing native plantings in the wetland buffer. The revised plans show how the stormwater treatment will occur and how these areas will be planted.
6. *Any area within the vegetated buffer strip will be returned to a natural state to the extent feasible.* The proposal includes extensive invasive removal and native buffer plantings. A detailed plan is included as to how the invasive will be removed and how these areas will be planted.

Recommendation: Staff recommends approval of this application as proposed.

11 Sagamore Grove

This application is to grade a 675 square foot path and fill a previously excavated area of 1,175 square feet within the 100' tidal buffer zone.

According to *Article 10 Section 10.1017.50* the applicant must satisfy the following conditions for approval of this project.

1. *The land is reasonably suited to the use activity or alteration.* This project proposes a disturbance in the tidal buffer to grade a path and fill a depression in the rear yard. The work proposed is a temporary disturbance outside of the 50 vegetated buffer strip or no cut zone.

2. *There is no alternative location outside the wetland buffer that is feasible and reasonable for the proposed use, activity or alteration.* The applicant is proposing a temporary disturbance to improve the landscaping of their yard.
3. *There will be no adverse impact on the wetland functional values of the site or surrounding properties.* The proposed project is more than 50 feet back from the Highest Observable tide line and the direction of stormwater flow is away from the tidal area. There should be no impact on the functional wetland values from this work.
4. *Alteration of the natural vegetative state or managed woodland will occur only to the extent necessary to achieve construction goals.* The design call for temporary disturbance to construct a vegetated path and fill a surface depression in the yard. There are some small trees proposed for removal but all this work is outside of the vegetated buffer strip and limited cut area.
5. *The proposal is the alternative with the least adverse impact to areas and environments under the jurisdiction of this section.* Overall this proposal will result in a temporary impact to the tidal buffer zone and will be revegetated when complete with no new impervious surfaces proposed.
6. *Any area within the vegetated buffer strip will be returned to a natural state to the extent feasible.* The proposal includes temporary disturbance and will be revegetated when complete.

Recommendation: Staff recommends approval of this application as presented.