# Memo

TO: Conservation Commission Members
FROM: Peter Britz, Environmental Planner
Kate Homet, Associate Environmental Planner
DATE: June 9, 2023
SUBJ: June 14, 2023 Conservation Commission Meeting

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**Site Address**
**325 Little Harbor Road**
**ADL 325 Little Harbor Road Trust, owner**
**Stephen H. Roberts. Esq. Trustee, co-owner**
**Assessor Map 205, Lot 2**
**(LU-23-81)**

Description:

This project proposes the construction of a new bridge for access to Lady Isle aka Belle Isle, with the demolition of the existing bridge proposed for after construction is complete. This project is required as heavy maintenance and construction vehicles need to access Lady Isle, and under the current bridge there are signs of degradation and failure. The proposed work will occur on private land and will cross over the Piscataqua River, putting this project within the City's wetland and buffer boundaries, as well as the tidal and shoreline buffers. This project proposes permanent impacts within the wetland buffer of 36,358 square feet and 3,443 square feet of permanent impacts within the tidal wetland. Re-grading and fill is needed to accommodate elevating the new bridge to a higher elevation to adapt to sea level rise. Restoration of existing salt marsh and Marsh Elder (Iva frutescens) species is also proposed.

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

The proposed site has an existing bridge connecting the mainland to Lady Isle, where a safe method of transport is needed to get residents, contractors, guests, etc. to the property and back from the mainland. The proposed project would construct a new bridge spanning a tidal water way connecting the island to the mainland with a higher elevation to increase resiliency to sea level rise, a lifespan of approximately 75 years, and an increased passage size to allow for improved tidal flow over what currently exists.

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

The existing and proposed bridge are within the City tidal wetlands and tidal buffer zone as well as State tidal wetlands and tidal buffer zone. To provide access to the Island any reconstruction, rehab work or new construction of the bridge must occur in these wetland and buffer areas.

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

Applicant has performed a study of the habitat underneath the current bridge and has deemed it not highly valuable. Surrounding impacts to salt marsh and Marsh Elder (Iva frutescens) habitats will be minimized

through the introduction of new plantings of salt marsh habitat (both low and high marsh) and replanting of existing Marsh Elder (Iva frutescens) in a more protected area.

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

This proposal will require regrading and filling the current private drive to increase the height of the road and proposed bridge. Additionally, the new location of the bridge will impact areas of existing vegetation. All impacted vegetation will be remediated through a restoration plan of new plantings on site.

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

Given the nature of the project, replacing the bridge in its current location would continue to cause scouring of the channel under the bridge and would impact the function of the waterway. Placement of the bridge further east would cause unwanted impacts to well-established salt marsh. The proposed placement on the west side of the existing bridge shows the least adverse impacts to the tidal waterway and salt marsh.

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

Applicant is proposing planting low and high marsh areas along the shoreline along with native buffer species between the shoreline/marsh and the road.

**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.

2. Applicant shall provide a monitoring report detailing the success of the planting plan one year after project completion and demonstrate compliance with the NHDES monitoring requirements when complete.

**Site Address**
**380 Greenleaf Avenue**
**Tanner Family Revocable Trust**
**Mark and Allison J. Tanner Trustees, owners**
**Assessor Map 243, Lot 63**
**(LU-23-62)**

Description:

This application proposes the construction of a new 20 x 20’ one-story garage on a residential property with various additions of native buffer plantings and areas of stormwater improvement to mitigate any impervious impacts from the garage. This property consists of a large wetland system and is also completely within the 100’ wetland buffer. The applicant is proposing to remove 885 square feet of impervious asphalt and place the garage on a portion of the area where impervious asphalt currently exists. The applicant is proposing a 2’ drip edge of crushed stone around the perimeter of the garage and 484 square feet of pervious pavers leading up to the garage where asphalt currently exists. Additional planting beds are proposed in areas of existing asphalt.

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

The applicant is proposing to build the garage on an area of already disturbed and impervious land within the buffer. The overall project will be reducing the amount of impervious surface on the property and will be infiltrating stormwater and further buffering the wetland through planting beds.

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

The entirety of this property is either within the wetland or the wetland buffer. There is no alternative location to build and the applicant is proposing to build in an existing disturbed area to minimize further impact to the buffer.

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

The applicant is proposing an overall reduction in impervious area to the site. This proposal will increase the number of plantings in the buffer while also helping to infiltrate and slow stormwater on the property due to added crushed stone drip edges.

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

The applicant is proposing no disturbance to the natural vegetative state on the property. The existing asphalt will be removed, and a garage and pervious pavers will be placed. Additional plantings will add to the vegetated buffer.

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

While the entire parcel is within wetland and buffer boundaries, the applicant is proposing to build in an area that is already impervious and will be significantly reducing existing impervious area while offsetting impacts with additional plantings, stormwater controls and pervious pavers.

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

The applicant is not proposing to disturb any area within the first 25’ of the wetland boundary. Disturbances within the buffer will be offset with the removal of asphalt, the addition of native buffer plantings and stormwater controls.

**Recommendation:** Staff recommends approval of this application as presented.