

Memo



TO: Conservation Commission Members
FROM: Kate Homet, Associate Environmental Planner
CC: Peter Britz, Planning & Sustainability Director
DATE: October 6, 2023
SUBJ: October 11, 2023 Conservation Commission Meeting

**0 Springbrook Circle
Springbrook Condominium Association
LU-23-157**

This application is requesting a Wetland Conditional Use Permit for the installation of a concrete sidewalk within the City's 100-ft wetland buffer. This sidewalk will connect an existing parking lot to an existing walkway. It is an additional of approximately 870 s.f. of impervious surface to the buffer, which consists of a 5' wide sidewalk that will be approximately 174' long. The applicant is proposing to install new plantings within the buffer to offset the impacts of the proposed impervious surface and will be installing a culvert where the sidewalk will cross over an existing drainage ditch.

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

The applicant is proposing to increase the impervious surface within the buffer. The existing surface is mowed lawn which connects to existing sidewalks. This area is already manicured and disturbed.

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 sidewalk to remove the impediment of residents walking from the overflow parking lot to their homes via the street. While there are alternative locations for the sidewalk, the applicant has selected the shortest route for the proposed sidewalk.

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

Any increase in impervious surface within the buffer will have an adverse impact on wetland health. The applicant is proposing to install more plantings near the building. The applicant should only plant native buffer plantings. In addition to plants by the building, they should also consider increasing the native buffer plantings along the edge of the pond.

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

The natural vegetative state will not be altered aside from the change of mowed grass to concrete sidewalk.

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

Applicant is proposing the location of the new sidewalk be a balance between staying far from the pond but not so close to the building that it could encroach upon residents' privacy. In doing so, they have proposed a location that appears to stay outside of the 25' buffer. Additional native buffer plantings and downcast lighting will help to minimize the impacts to the pond environment.

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

The proposed sidewalk appears to stay out of the 25' buffer. We recommend that the applicant enhance this area through additional native buffer plantings and potential phragmites/invasive species control.

Recommendation: Staff recommend approval of this application with the following 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. In addition to the planned plantings for Building #5, the applicant shall plant additional native buffer species along the pond to increase the vegetation within the 25' vegetative buffer.
3. Any plans for lighting of the proposed sidewalk shall include downcast lighting to limit the impact to the wetland ecosystem.
4. The applicant should make every effort to eliminate salt and other chemicals from their winter maintenance of the sidewalks near the pond.