

Memo



TO: Conservation Commission Members
FROM: Kate Homet, Associate Environmental Planner
CC: Peter Britz, Planning & Sustainability Director
DATE: April 5, 2024
SUBJ: April 10, 2024 Conservation Commission Meeting

**0 Maplewood Avenue
City of Portsmouth, Owner
Assessor Map 124, Lot 2, Map 125 Lot 19, Map 157 Lot 2-1 and Map 164 Lot 4**

According to *Article 10 Section 10.1017.650* the applicant must satisfy the following conditions for approval of this utility project.

1. The proposed project is in the public interest.

This is part of an overall project to separate the existing combined sewer overflow systems in downtown Portsmouth and provide additional capacity for stormwater in the downtown. This separation is in the public interest as it will be separating stormwater principally originating from the Fleet, Congress and Vaughn Areas from entering the sewer lines, which will reduce the likelihood of sewer overflow into tidal waters during heavy precipitation and storm events. The term combined sewer system overflow means that when there is a large enough storm, the stormwater flow is too much for the combined system and the system overflows combined sewer and stormwater flow into the river and into the South Mill Pond. With separated systems, the likelihood of this combined overflow flowing into the tidal waters would now be much lower during heavy storm events. In addition, the additional capacity will provide protection from future heavy rainfall flooding events.

2. Design, construction, and maintenance methods will utilize best management practices to minimize any detrimental impact of such use upon the wetland and will include restoration of the site as nearly as possible to its original grade condition and vegetated state.

The use of erosion control measures where excavation is proposed along with the use of silt booms within the pond will help to mitigate any sediment and debris entering the pond. The restoration of the bank through a living shoreline project including expanded saltmarsh areas will help restore the nearby marsh population while working to protect that shoreline. The long-term success of this restoration area is crucial to the safety of that bank and the historic graveyard just beyond it.

3. No alternative feasible route exists which does not cross or alter a wetland or have a less detrimental impact on a wetland.

This overflow system has been in place since the 1970's and is directly connected to an existing system of properties and drain manholes that exist all over the downtown. The best placement for the addition

of an upgraded line is parallel to the existing line. The applicants are proposing to offset the permanent impacts to the wetland (outfall headwall and stone riprap) with the planting of salt marsh species to strengthen the bank.

4. Alterations of natural vegetation or managed woodland will occur only to the extent necessary to achieve construction goals.

To construct the new line, existing pavement, lawn, dirt and marsh areas will be disturbed to dig the trench and construct the infrastructure. Maintenance and replacement of the line in the future will likely require that no trees or large vegetation be planted directly over the piping. If possible, all areas disturbed within the buffer that is not marsh should be replanted with a wetland buffer seed mix.

Recommendation: Staff recommends **approval** of this wetland conditional use permit to the Planning Board with the following stipulations:

1. In accordance with Section 10.1018.40 of the Zoning Ordinance, applicant shall install permanent wetland boundary markers. We suggest that these markers are placed along the 25' vegetative buffer at intervals of every 50' along the City-owned property. These must be installed prior to the start of any construction. These can be purchased through the City of Portsmouth Planning and Sustainability Department.
2. A long-term maintenance schedule and plan be included in the permit application and submitted to the Planning & Sustainability Department that commits to long-term maintenance of the marsh restoration area and a commitment to ensuring a marsh migration pathway for marsh needs on City-owned land.
3. A note will be added to the plans stating that all soil and plant material excavated on site shall be removed and disposed of off-site, as recommended by the Environmental Services report.
4. All necessary approvals from involved property owners will be acquired prior to the issuance of a City building permit and prior to any associated approvals from the New Hampshire Department of Environmental Services.