

# Memo



TO: Conservation Commission Members  
FROM: Kate Homet, Environmental Planner; Peter Britz, Director of Planning & Sustainability  
DATE: April 4, 2025  
SUBJ: April 9, 2025 Conservation Commission Meeting

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**80 FW Hartford Drive  
Julian Frey  
Assessor Map 269 Lot 46**

This application is for proposed groundwork within the 100' wetland buffer of a site undergoing restoration work. This proposal calls for the removal of existing tree stumps and the excavation of soil within the buffer to install a rain garden to manage stormwater on the property.

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

According to the most recent wetland delineation, only a portion of the tree stumps and proposed rain garden fall within the 100' buffer. In addition, the previous removal of trees has created ponding issues and a rain garden with native wetland buffer plantings may be a suitable replacement for the tree stumps as long as stormwater can be directed towards it for filtration and release into the wetland buffer.

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

The applicant has chosen an area where ponding occurs, but it may be helpful to provide a topographic plan of the area to ensure that this is the best placement for infiltration and release of filtered stormwater.

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

The previous removal of the trees in this area have had a clear impact on the water retention in this area and the removal of stumps may further impact the function of this area, but the installation of a rain garden with suitable soils, filtration materials and plants may have a positive impact on the current ponding issues.

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

This project proposes the reintroduction of vegetation to an area that previously lost trees. This vegetation would come in the form of a rain garden but would still increase the existing vegetation in this area of the buffer.

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

This proposal aims to improve an area where trees were previously cut. The installation of a rain garden will help to absorb and filter stormwater entering the wetland if installed properly and in an area appropriate for channeling water into. More information on the proposed rain garden location may be needed in order to determine if it will be successful.

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

This is not proposed as part of this project. The current 25' buffer appears to be existing forest so revegetation is not applicable/necessary in this case.

**Recommendation:** Staff recommends approval of this wetland conditional use permit to the Planning Board with the following conditions to be completed before submission to the Planning Board:

1. It is recommended that the applicant provide a cross-section of the proposed rain garden with proposed elevations of the rain garden and the surrounding area. In addition, the applicant shall clearly mark on the plans the exact location and dimensions of the proposed rain garden.
2. In accordance with Section 10.1018.40 of the Zoning Ordinance, applicant shall permanently install wetland boundary markers, which may be purchased through the City of Portsmouth Planning & Sustainability Department. Markers are to be placed along the 25' vegetative buffer at 50-foot intervals and must be installed prior to the start of any construction.