

Memo



TO: Conservation Commission Members
FROM: Kate Homet, Environmental Planner; Peter Britz, Director of Planning & Sustainability
DATE: June 5, 2025
SUBJ: June 11, 2025 Conservation Commission Meeting

**15 Marjorie Street
Reichl Family Revocable Trust
Assessor Map 232 Lot 41**

This application is for home improvements including the construction of an 18 x 34' sunroom/covered porch, the construction of a 20 x 32' addition, the construction of a new driveway, garden areas and the installation of an approx. 120' retaining wall to support native landscaping and improve site grading with the addition of fill to level out the existing elevation in the rear yard.

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

This application requests expanding impervious surface areas within the wetland buffer in an area directly upslope of the wetland resource as well as fill to regrade a slope within 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.

This property is almost entirely within the wetland buffer. There is no feasible location outside the buffer, but the proposal could move the driveway, retaining wall and additions further from the wetland resource and/or reduce the impact size.

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

The encroachment of the home, driveway and retaining wall closer to the wetland may have an adverse impact on the health of the wetland. Applicant should highlight areas of existing stormwater flow onsite and proposed flow. In addition, applicant needs to highlight the exact area, amount and material proposed for fill within the buffer area. This should also be accompanied by a profile drawing to better understand how the fill will be installed and at what heights.

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

This project proposes removing some vegetation within the buffer in order to build the new addition, porch, driveway, garden/patio area and retaining wall. Applicant should consider removing or rerouting the proposed driveway turn around to push those impacts and that of the retaining wall further from the wetland edge. In addition, alteration will occur with the installation of fill and regrading of the buffer areas which is

currently a mix of lawn and dense vegetation. The regrading of the area closest to the wetland resource could have significant impacts on wetland health, drainage and stormwater filtration.

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

This proposal is not the alternative with the least adverse impact. This proposal appears to show a net increase of impervious surfaces within the wetland buffer and new impervious surfaces, fill and structures up against the wetland edge. This proposal appears to be very intrusive to the wetland buffer and alternatives could include pulling additions, the driveway and the retaining wall further from the wetland, limiting or eliminating the need for fill, shrinking the addition sizes and/or moving the new addition areas into the setbacks and further outside of the wetland.

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

It is hard to distinguish the exact amount of impacts to the vegetated buffer strip but it appears that the retaining wall and driveway may cut through this area which will be permanent impacts along with the addition of fill for regrading purposes. The applicant should consider revegetating and not disturbing the 25' wetland buffer. Any proposed plantings and seed mixes should be native and either wetland buffer or conservation-friendly.

Recommendation: Staff recommends postponement of this wetland conditional use permit in order to give the applicant more time to address the following:

1. Details on the proposed fill – such as volume, area, material, depth, etc. Please also provide a detail sheet and/or side profile of the proposed fill.
2. Applicant should explore alternative layout plans to reduce impact numbers within the 100' wetland buffer.

City of Portsmouth – On Behalf of:

**15 Marjorie Street
Reichl Family Revocable Trust
Assessor Map 232 Lot 41**

AND

**49 Marjorie Street
Alison Decotis & Travis Munsey
Assessor 232 Lot 37**

This application is for the installation of a new 6" sewer service on the property of 15 Marjorie Street to redirect flow to a new pump station's collection area. The existing service must be abandoned prior to the removal of the existing sewer main which crosses 150 Greenleaf Ave. The property's existing driveway, which crosses the property at 49 Marjorie Street, will be demolished and re-vegetated. A new driveway will be constructed at 49 Marjorie Street above the proposed sewer service. Additionally, a 12" culvert will be installed under the proposed driveway. The project proposes a permanent wetland buffer disturbance of 2,248 s.f. with a combined permanent and temporary wetland buffer disturbance of 5,437 s.f. This is an improvement project being performed by the City of Portsmouth on private property.

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

Due to aging infrastructure, these sewer lines need to be upgraded and/or replaced in order to ensure the safety of the neighborhood, soils, groundwater, and local ecosystems. The land already has an existing driveway which will be removed and replaced in a new location with a pervious material.

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

The existing sewer infrastructure already travels through the wetland buffer which means that any repair or replacement work has to occur within the buffer. This is a critical line for servicing the home at 15 Marjorie Street.

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

The sewer replacement will serve as temporary disturbance while the permanent disturbance will be in the removal and rebuilding of the driveway. If the pervious driveway can be properly maintained, minimal adverse impact should occur to the wetland.

- 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 revegetation of areas that are temporarily disturbed and permeability for those that are permanent disturbances.

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

This proposal appears to be necessary infrastructure upgrades which have minimized the amount of permanent disturbance to the wetland buffer. If not upgraded, the potential for sewer failure on this property could create a detrimental impact to the wetland resource.

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

This project proposes minimal impact to the vegetated buffer strip, all temporary disturbance areas are to be revegetated and all permanent disturbance areas are to be porous.

Recommendation: Staff recommends approval of this wetland conditional use permit as presented to the Planning Board.

**505 US Route 1 Bypass
Giri Portsmouth 505 Inc.
Assessor Map 234 Lot 5**

This project is for the installation of four new electric vehicle charging stations within the parking lot of the property. This would include creating and/or re-striping eight parking spaces and installing the necessary equipment and utility connections needed. This work will occur within the wetland buffer of Hodgson Brook and includes the removal of 958 s.f. of existing asphalt and converting to a grassed area. It also includes 173 s.f. of permanent impacts to an existing landscape section within the buffer to install the transformer and concrete pads. In total, this project will reduce the net impervious on site by 785 s.f.

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

The existing site is asphalt and is reasonably suited for the installation of such infrastructure.

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

The EV chargers could be placed further away from the wetland buffer or outside of the buffer altogether but the applicant is already removing impervious and shifting the new infrastructure further from the brook.

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

The brook is already a heavily impacted resource and bolstering its buffer is critical to its protection. The removal of pavement between the proposed chargers and the brook will help to reclaim a bit of the wetland buffer. It is recommended that this area receive dense native wetland buffer vegetation/plantings to further protect the brook.

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

This project proposes alterations with the construction of new transformers and concrete pads but plans to remove existing pavement and replant may help offset those impacts.

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

This proposal has minimal impact to the wetland resource due to the overall gain of pervious surfaces within the buffer.

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

The exact impacts to the 25' vegetated buffer are not calculated but the removal of 785 s.f. of pavement from the buffer and the installment of seed mix and/or plantings will be an improvement.

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

1. 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 permanently installed as a part of this after the fact permit.

2. Applicant shall use only a native conservation or native wetland buffer seed mix within the wetland buffer area. In addition, applicant should consider adding plantings along with the seeded area to bolster the vegetated buffer strip.