

Memo



TO: Conservation Commission Members
FROM: Kate Homet, Environmental Planner/Sustainability
Coordinator; Peter Britz, Director of Planning &
Sustainability
DATE: February 5, 2026
SUBJ: February 11, 2026 Conservation Commission Meeting

**50 Clough Drive
City of Portsmouth, Owner
Assessor's Map 206 Lot 20**

This application is for an upgrade to the Portsmouth Little Harbor Elementary School playgrounds to create compliance with universally accessible (UA) standards while incorporating nature-based play. The current impervious surfaces within the 100' wetland buffer on this lot includes approximately 22,252 s.f. of impact. To renovate and reconstruct the two playground areas at the school, this project proposes a temporary impact of 10,274 s.f. to the wetland buffer area with total proposed final permanent impact of 17,968 s.f. to the wetland buffer area for soil disturbance, asphalt work, landscaping, installation of an ADA-compliant surface, installation of new structures and grading work. This project is proposing landscaping enhancements including 11 new trees, 46 planted shrubs and herbaceous native plant species and 34 herbaceous species within a newly constructed rain garden. This project occurs within the wetland buffer of a prime tidal wetland.

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

This lot is already a developed lot with existing playgrounds on site within the wetland buffer. This project proposes a decrease in impervious surfaces within the wetland buffer and is moving the main playground area further from the resource than the current structure.

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

This project is within a previously developed buffer where playgrounds currently exist. This project proposes pulling some of the existing impacted areas further from the salt marsh and reducing the overall impervious area.

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

The proposed work should reduce impervious surface within the buffer, pull impacts further from the resource, introduce new native vegetation and start to treat existing stormwater. This project appears to reduce existing adverse impacts to the resource and buffer.

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

This project proposes a large addition of new vegetation and planted trees which will increase the existing vegetation within the buffer.

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

This project proposes a reduction in impacts overall to the buffer and in some areas, pulls impacts further from the salt marsh. This appears to be a less impactful alternative to the current playground structures and includes new plantings and stormwater treatment where none exist today.

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

It appears as though the vegetated buffer strip is only being disturbed within the main playground project for loaming and seeding. Additional plantings are encouraged in this area of the buffer to ensure protection of the adjacent resource.

Recommendation: Staff recommends **approval** of this application to the Planning Board with the following condition:

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. It is recommended that markers be placed along the 25' vegetative buffer at 50-foot intervals.
2. Please provide a manufacturer detail on the bonded rubber safety surfaces that demonstrates permeability.
3. Applicant must go before the Trees and Public Greenery Committee for all tree removals/installations on municipal property. In addition, please update tree planting detail sheet to reflect the preferred planting method by the City Arborist (removal of wire and burlap from planting hole).

**500 Jones Avenue
Portsmouth Elks Lodge #97, Owner
Assessor's Map 227 Lot 1**

This application is for the replacement of an existing exterior deck, ADA-accessible ramp, and breezeway at the Portsmouth Elks Lodge. The project consists of an in-kind replacement within the existing footprint to address structural deficiencies, improve public safety, and provide ADA-compliant access. As a part of this project, the existing footings will be excavated and new footings are proposed. This project proposes an overall temporary disturbance of up to 2,248 s.f. for construction purposes with a total proposed permanent impact of approximately 52 s.f.

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

All work is proposed in areas of existing disturbance. All replacement work will be done in-kind with new impacts due to safety need for new structural footings.

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

All work is proposed in areas of existing disturbance and new impacts must occur (footings) to maintain safety and ADA requirements.

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

If applicant can install erosion controls and minimize soil erosion and bank disturbance during construction, little to no impacts should occur to the existing function of the wetland buffer.

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

It appears that this project does not propose any alteration of vegetation on site. If removal of existing vegetation is proposed, plans for additional landscaping on site should be provided to compensate for any loss of vegetation during construction.

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

This proposal has very minimal impact to the wetland buffer and constitutes construction in an already disturbed area of the wetland buffer. The addition of erosion controls should help mitigate any adverse impacts from construction.

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

It does not appear that the vegetated buffer strip is proposed to be disturbed as part of this project.

Recommendation: Staff recommends **approval** of this application 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. It is recommended for this location that wetland boundary markers be considered along the shoreline or in an area visible to property maintenance crews.

2. Property owner should consider leaving an area un-mowed, restricting an area to annual mowing, or planting a buffer along the top of the bank to increase the function of the wetland buffer on site.
3. Prior to the commencement of site work, erosion controls shall be installed on site. The location of proposed erosion controls shall be shown on the plans and a detail sheet shall be provided in the final application submission to the Planning Board.
4. Any rutting or soil disturbance due to construction activity and equipment shall be seeded and stabilized upon completion of work.

**0 Borthwick Avenue
Liberty Mutual Insurance Company, Owner
Assessor's Map 240 Lot 3**

This application is for proposed maintenance of a stormwater detention pond at the Liberty Mutual property along an existing paved parking lot. This project includes replacement of a failed 24" culvert along with removing 2 feet of sediment from the existing detention pond, unburying two existing culverts which will be cleaned and reset, and removing/trimming vegetation. The total surface area impacts within the wetland buffer include approximately 9,500 s.f. of temporary impacts for dredging work, 700 s.f. of wetland buffer disturbance for replacement of the culvert and 225 s.f. of direct prime wetland impacts.

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

This area is an existing stormwater detention pond with failing culverts and outlet infrastructure. This is considered maintenance work with the exception of a culvert replacement.

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

This area is an existing stormwater system that collects and releases stormwater coming from the parking lots across the street from Liberty Mutual. There is already significant stormwater infrastructure in place both beneath the parking lot and in the area of work that was put in place to remediate sheet flow from the parking lot into the wetland and wetland buffer. Moving to project to a new location outside of the buffer would create an even disturbance size to the buffer and wetland.

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

If the area of work is contained to the current extent and construction equipment and debris can be cleaned and moved off site to limit the spread of invasive species, it will reduce the risk of harm to the nearby prime wetland. Applicant should consider strict construction policies around this and explain how stormwater coming from the culvert will be filtered prior to entering the prime wetland.

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

Plans do not detail the current extent of vegetative state but propose trimming and removal of vegetation in an area outside of proposed dredging. Applicant should demonstrate the need for this removal and what the landscape intention is for this area.

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

The area of work appears to be minimized in order to avoid additional impacts to the prime wetland and wetland buffer. The restoration of the existing failing stormwater system should reduce current impacts from stormwater coming off the adjacent parking lot.

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

Proposed area of trimming appears to be within the vegetated buffer strip according to City maps (not clear in the provided delineation). Applicant should demonstrate the need for this removal and what the landscape intention is for this area.

Recommendation: Staff recommends **approval** of this application 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. It is recommended for this location that wetland boundary markers be considered along the edge of the pavement/top of bank to prevent foot traffic or unnecessary maintenance in the proposed area.
2. Applicant shall include a plan for invasive species removal. This should include details of how invasives will be disposed of.
3. Applicant shall provide a maintenance plan for this area of the parcel that details annual and long-term maintenance of the stormwater system. This should include required annual invasive species mitigation work. This plan shall be *entered into the chain of title for the property in a recorded document, approved by the Planning and Legal Departments, and recorded at the Rockingham County Registry of Deeds.*
4. Plans must be stamped, signed and dated by a NH Certified Wetland Scientist.
5. Applicant shall include information for existing and proposed snow storage and removal on site.
6. Applicant shall provide information on plans for removal and disposal of dredged materials.
7. Applicant shall include a construction note requiring contractor to clean equipment after work is completed to reduce the spread of invasives.
8. Applicant shall provide a cross-section detailing the elevation and materials within the existing detention pond and a separate cross-section for the proposed dredged detention pond.
9. Applicant shall distinguish between temporary and permanent impact numbers on plans for the jurisdictional wetland and wetland buffer areas. Temporary impacts should include areas of soil disturbance, construction pathways, vegetation trimming, vegetation removal, etc.