

**REGULAR MEETING
CONSERVATION COMMISSION
1 JUNKINS AVENUE
PORTSMOUTH, NEW HAMPSHIRE
EILEEN DONDERO FOLEY COUNCIL CHAMBERS**

4:00 P.M.

December 10, 2025

MINUTES

MEMBERS PRESENT: Chair Samantha Collins; Vice Chair Barbara McMillan; Members: Jessica Blasko, Brian Gibb, Alice Carey, Alternates: Talia Spurduto, Oliver Chag

MEMBERS ABSENT: Stewart Sheppard, Lynn Vaccaro

STAFF PRESENT: Kate Homet; Environmental Planner

Chair Collins opened the meeting and introduced the draft November meeting minutes to be voted in and requested that T. Spurduto and O. Chag vote due to the absence of members S. Sheppard and L. Vaccaro.

I. APPROVAL OF MINUTES

1. November 13, 2025

Vice Chair McMillan made a motion to approve the minutes as presented. O. Chag seconded the motion. The motion passed unanimously (7-0).

II. WETLAND CONDITIONAL USE PERMIT APPLICATIONS (OLD BUSINESS)

1. 65 Onyx Lane
Assessor's Map 220 Lot 35
Mariya Kontsepolskaya & Ralph Minderhoud, Owners

[1:17] Beth Murch, a representative of Groundworks LLC, came to present this application on behalf of the property owner. Ms. Murch described that the property owners had reached out to an engineer due to settling issues with their home and it was determined that work would need to be done to add additional support to the foundation and home to prevent additional settling. Ms. Murch described the distance of this work from the jurisdictional wetlands and the square footage and depth of soil disturbance needed to install push piers against the foundation.

[2:23] The Commissioners then asked questions about construction access, existing topography, proposed stormwater and erosion controls, soil stockpiling and proposed drainage.

[5:51] J. Blasko made a motion to recommend approval of the application with the following

condition:

1. During the site work, if rain is forecasted, excavation piles shall be covered to limit runoff impacts to the adjacent wetland.

A. Carey seconded the motion. The Commission discussed the project further and asked the applicant further questions. The Commission then voted unanimously to approve the motion (7-0).

III. WETLAND CONDITIONAL USE PERMIT APPLICATIONS (NEW BUSINESS)

1. REQUEST TO POSTPONE
2299 Lafayette Road
Assessor's Map 272 Lot 4
Rye Port Properties LLC, Owner

[12:42] Ms. Homet discussed the reasons for the applicant requesting to postpone. J. Blasko made a motion to postpone this application to the January meeting. T. Sperduto seconded the motion. The motion passed unanimously (7-0).

IV. STATE WETLAND BUREAU APPLICATIONS (NEW BUSINESS)

1. Dredge and Fill – Major Impact
0 & 12 Ruth Street
Assessor's Map 143 Lots 9-1 and 16
Trenton & Denise Sensiba, Owners

[13:49] Jay Aube of TF Moran came to present this application on behalf of the property owner, Kerry McCoole, who was also in attendance. Mr. Aube described the purpose of the NHDES application to install two new docking structures on the North Mill Pond on two separate parcels. He went on to describe the proposed construction and the location of the new structures.

T. Sperduto excused herself from deliberating on this application.

[15:13] The Commission then asked the applicant and homeowner questions about the depth of water at high tide, the purpose of the dock, access type, the number of docks, the use of the undeveloped lot, nearby public access to the pond, the lack of existing dock structures on the pond, the difference in ownership stated on the application versus the deed, construction and installment plans, the timeline for construction, different access alternatives to avoid wetland impacts, the demonstrated need for docking structures and the waivers that are being requested from NHDES.

[35:44] The Commission then went into discussion about the application with J. Blasko stating her appreciation for the effort and thoughtfulness that was put into the designs but noted that this was a difficult application to consider due to a dock being requested on a lot with an undetermined use, the prevalence of nearby public access points to the pond, potential salt marsh degradation. J. Blasko then stated that at this time she was not sure she could vote to recommend approval of this to NHDES.

[37:11] J. Blasko made a motion to recommend denial of this application to NHDES. B. Gibb seconded the motion. The Commissioners then stated their opinions on the application and noted aspects of the application that they disagreed with. This included:

- *The need for the docks has not been adequately demonstrated:*
 - *There are multiple established public access points to North Mill Pond within close proximity to these properties where kayaks may be launched and other forms of recreation and enjoyment of the ecosystem can occur. These access points are currently used by nearby residents and abutters and one of the access points are just one lot away from the applicant. The use of designated access locations serves to consolidate recreational impacts to limited areas of the shoreline, thereby reducing disturbance and helping protect the integrity of the pond's fragile ecosystem as a whole.*
 - *The use of the undeveloped lot is undetermined and the need for a dock on this lot is not defined. Additionally, the regulatory and permitting history associated with this lot, including inadequate road frontage and prior state-level restrictions, will likely make future development prohibitively difficult.*
- *The installation and continued use of the docking structure would result in adverse impacts to the sensitive salt march and intertidal ecosystem.*
 - *These impacts include disturbance to mudflat and salt marsh habitats that function as important food sources and seasonal habitat for wildlife, including migratory bird species.*
 - *This application does not demonstrate the alternative with the least adverse impact to the salt marsh and freshwater wetland system on site.*
 - *The pond has a history of sediment contamination and the applicant has not demonstrated that contaminated sediments do not exist in the installation area and whether the dock installations will impact these sediments.*
 - *No docking structures currently exist within this tidal wetland resource south of the Maplewood Avenue Bridge and this installation could set a precedent.*
- *Construction of docks on North Mill Pond would provide limited functional benefit:*
 - *Boating access within this resource is inherently constrained by tidal fluctuation and shallow water depths, with extensive mudflats exposed during much of the tidal cycle. In addition, the recently replaced Maplewood Ave culvert does not allow for boats to pass through to and from larger waterbodies. The presence of historically contaminated sediments further limits the suitability of the pond for more intensive recreational use.*
 - *North Mill Pond is not navigable for a substantial portion of the tidal cycle, and extending dock length—such as the proposed dock at 12 Ruth Street—is unlikely to meaningfully improve access to deeper water, as water depths do not increase appreciably beyond the existing shoreline conditions.*

- *Without a ramp and float, the docks do not provide access to the water.*
- *This application does not demonstrate the least impacting alternative to the salt marsh and freshwater wetland system on site.*
 - *Using nearby boat access, or carrying kayaks and paddle boards across the salt marsh, would appear to be far less impacting than a permanent structure constructed with this tiddle salt marsh environment.*
 - *The dock on 12 Ruth Street is not located over the narrowest area of salt marsh. While relocating the dock further to the south would impact the freshwater wetland, it would have less impact to the higher functioning salt marsh.*
- *The applicant does not show temporary impacts in the tidal buffer zone for construction access and staging on the plan.*
 - *Due to a barge not being able to access the pond, the applicant stated dock construction will be performed in the shoreland.*
- *The Conservation Commission and concerned abutters have expressed concern that dock construction in this area could create a precedent encouraging additional development within this sensitive ecosystem.*
- *The public comment received by abutters raised concerns over the demonstrated need for these structures, the impacts to the ecosystem, the precedence these structures would set, and other concerns. These comments are included with the letter of decision to NHDES.*

A discussion continued between the applicant, property owner and Commission. The motion on the table was discussed and how the different voting outcomes could impact the decision. It was agreed that the comments that were listed by commissioners would be included as comments to reinforce their vote within their letter of decision sent to NHDES for this application. The motion passed unanimously (6-0) with T. Spurduto recusing.

2. Dredge and Fill – Major Impact
Marcy Street
Assessor's Map 104 Lot 3-3
City of Portsmouth, Owner

[51:39] Vincent Brigagliano of TF Moran and Peter Rice, Director of Public Works, came to present this application on behalf of the City. He noted that this application involved two main components, a riprap repair project and piling/pier repair project. He gave a background on the history of the work area and explained the needs for repairs and the construction needed to perform these repairs, along with the various wetland and buffer impacts needed and the proposed erosion controls.

[56:03] The Commission asked the applicant questions about the timing of this work, the materials to be used for the geotextile fabric, alternative fabric options, reuse or extension of the existing concrete blocks, how this project interacts with the master plan for the park and the

removal of existing materials and vegetation.

[1:00:25] J. Blasko made a motion to recommend approval of this application to NHDES as presented. B. Gibb seconded the motion. The motion passed unanimously (7-0).

V. OTHER BUSINESS

1. Work session date

Ms. Homet discussed the results of the poll for scheduling a date to work on edits to the Zoning Ordinance. It was decided that the Commission would discuss this under Other Business at the January meeting, time permitting. If more time is needed, the work session will be continued to the February regular meeting date under Other Business.

2. 2026 meeting calendar

Ms. Homet announced that she would be sending around a PDF calendar for 2026 that includes all of the scheduled meeting dates for the Commission.

She also announced that Commission member S. Sheppard would be absent from the December-March meetings due to a trip abroad.

VI. ADJOURNMENT

The meeting was adjourned at 5:09 p.m.