

Memo



TO: Conservation Commission Members
FROM: Kate Homet, Environmental Planner/Sustainability
Coordinator; Peter Britz, Director of Planning &
Sustainability
DATE: July 2, 2026
SUBJ: July 8, 2026 Conservation Commission Meeting

**124 Heritage Avenue
Assessor's Map 284 Lot 8
124 Group Inc, Owner
LU-26-61**

This application is for the construction of a new garden area within the 100' wetland buffer and a prime wetland buffer. This project includes the construction of a new garden area with raised beds, the installation of an ADA accessible ramp, stormwater conveyance modifications, lighting and landscaping. Overall, this project proposes an increase of approximately 419 s.f. of impervious surface within the wetland buffer due to the new ramp.

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

The land proposed for the new garden beds and associated site improvements is an existing lawn with stormwater infrastructure. The land is currently across a street and a driveway from the wetland resources and has drainage conveyances through existing underground systems. The proposed use is an increase in landscaping and gardening along with a slight increase in impervious surfaces – this should increase foot traffic in the area but drainage improvements will help to protect what is running downstream to the wetlands.

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 mostly impervious due to its industrial uses and this is the only location on site that has the proper conditions suitable to gardening and an outdoor classroom. The majority of this project's impacts are temporary to the wetland buffer with the exception of the new ADA accessible ramp.

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

It appears that this site has stormwater drainage flowing through it that connects to the wetland adjacent as well as the prime wetland across the street. This will be restored as a grass-lined swale as part of this project and the addition of native shrubs and seed mixes should help to filter any runoff on this site that previously traveled across the existing lawn.

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

This project appears to be altering an existing grass lawn area and the disturbed project area is proposed to be seeded with native seed mixes and planted with native shrubs to help improve the vegetation within this section of the wetland buffer.

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

This proposal does include an increase in impervious surfaces to the wetland buffer but the inclusion of native plantings, seed mixes, and improvements to the existing stormwater system draining to the wetland should help to limit any adverse impacts from this construction.

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

This application does not propose impacts within the 25' vegetated buffer strip.

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

1. In lieu of the requirements of Section 10.1018.40 of the Zoning Ordinance to permanently install wetland boundary markers, applicant should consider an educational sign in the new garden area or area of the swale describing the sensitivity of the adjacent wetlands and the importance of the filtration of stormwater runoff into the revived grassed-swale.

E94 Utility Right-of-Way
Assessor's Map 239 Lot 18, Map 239 Lot 16, Map 238 Lot 20, Map 237 Lot 56,
Map 236 Lot 34, Map 240 Lot 2-1, Map 240 Lot 2-2001, Map 240 Lot 3 and Map
240 Lot 3
Public Service of New Hampshire d/b/a Eversource Energy, Owner
LU-26-90

This is a utility structure maintenance project with work throughout the Portsmouth transmission corridor on the existing E194 transmission line. The purpose of this work is to replace 12 existing wood utility pole structures with steel to increase the long-term viability of the lines. The proposed steel poles will be approximately 5-10' higher than the existing wooden poles. Work in the Right-of-Way is proposed in vegetated areas along with commercially-developed sites. This project proposes 37,390 s.f. of temporary wetland impacts and 33,483 s.f. of permanent wetland buffer impacts for equipment access and work pad placement and all upland impacts will be permanent to allow for future access to facilitate maintenance and repairs.

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.

The project is necessary to maintain existing corridor powerlines with upgraded support poles.

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 applicant has stated that wooden timber matting will be used to minimize the soil disturbance of wetlands and sensitive areas. To limit permanent impacts, applicant should continue to utilize timber matting due to its proven success as a temporary access measure. Permanent impervious access is not preferred within these sensitive environments.

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

The applicant appears to have chosen the routes with the least amount of impact to access the replacement poles, but the areas that will have permanent gravel access roads do not appear to be the least adverse impact option. The continued use of temporary timber-matting structures across all jurisdictional wetland and wetland buffer sites in Portsmouth must be considered as an alternative.

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

The majority of vegetation is expected to return to its original configuration after the timber mats are removed. However, there will be some loss of vegetation where the proposed permanent access roads are proposed.

Recommendation: Staff recommends this application be postponed in order to address eliminating permanent access impacts.