

# Memo



TO: Conservation Commission Members  
FROM: Kate Homet, Environmental Planner/Sustainability  
Coordinator; Peter Britz, Director of Planning &  
Sustainability  
DATE: March 6, 2026  
SUBJ: March 11, 2026 Conservation Commission Meeting

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**323 Jones Avenue  
Peter Evans & Julie Myers Revocable Trust, Owner  
Assessor's Map 222 Lot 72**

This application is for the construction of a set of exterior stairs to access an ADU above an existing garage. This set of stairs is proposed to be built within the wetland buffer and will create approximately 96 s.f. of impact.

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

This lot is already a developed lot and is suited to the use of exterior stairs.

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 proposing a set of stairs closer to the wetland than the existing structure. There may be an alternative location but it still would not be outside of the wetland buffer.

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

The proposed work appears to be simple and the concurring impacts to the wetland buffer would stem from temporary construction impacts and then stormwater runoff through the new structure. To ensure no adverse impacts, applicant should consider a spacing size of at least ¼ or ½” for any stair materials such as boards and decking. In addition, the applicant should consider installing vegetation and/or crushed stone beneath the stairs to help slow down and filter stormwater before it flows into the adjacent wetland.

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

This project does not propose any vegetation alteration. If vegetation or existing lawn is to be removed as part of this project, applicant should consider replacing in kind.

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 minor impact that could be mitigated through actions such as planting native wetland buffer species and taking into account stormwater permeability when constructing the staircase.

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 not being disturbed as part of this project. Applicant shall confirm this.

**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 that markers be placed along the 25' vegetative buffer at 50-foot intervals.
2. Applicant shall consider planting native wetland buffer species below the proposed staircase or between the proposed staircase and wetland resource to help slow and filter runoff from the structure.
3. Applicant shall construct the staircase with at least ¼ - ½" spacing between any boards to allow for permeability.

**400 Little Harbor Road  
Society for the Protection of New Hampshire Forests, Owner  
Assessor's Map 203 Lot 8**

This application is for the construction of two sections of currently eroded and degraded shoreline trails at the Creek Farm property. The construction methods propose using a turnpike trail construction method which imports fill material to establish a raised trail surface above the existing trail. In addition to multiple layers of fill and multiple fill types and drainage materials, a shallow ditch will also be constructed on each side of the new trail construction to drain water from the structure. This new construction will rebuild 270 linear feet of eroded trail at approximately 5 feet wide, resulting in an estimated 1,350 s.f. of total permanent impact area.

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

This property is already full of trails and is heavily utilized by the public. The areas of proposed construction are already used as trails.

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 proposing to re-establish existing trail sections that are within the wetland buffer. These areas are already heavily trafficked by the public. This project aims to reduce the erosion, flooding and sediment transport that currently occurs which impacts the adjacent wetland resource.

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

The proposed work aims to reduce the erosion, flooding and sediment transport that currently occurs which impacts the adjacent wetland resource. Although new fill is being brought in, it should help stabilize the trail areas which will prevent runoff and erosion issues in the future.

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

Applicant is proposing to remove invasives in some areas while also avoiding tree removal where possible. In areas where impacts to trees cannot be avoided, applicant is proposing building on top of roots. Any trees to be removed shall be noted on plans with their exact location, height and species.

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

This project proposes impacting an area that is already in trail use. While it involves bringing in additional materials and fill, this project should prevent further damage to the wetland buffer and wetland resource through the mitigation of flooding, erosion and sediment transport.

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

The proposed plans do not appear to show vegetative impacts within the 25' wetland buffer. Applicant shall confirm this and show on plans any proposed removal areas or impact areas (including invasive removal areas) and the 25' wetland buffer line.

**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 that markers be placed along the 25' vegetative buffer at 50-foot intervals.
2. Applicant shall include an additional plan showing exact areas of invasives to be removed along with exact trees to be removed and their location, height and species. If any additional vegetation is to be removed within the wetland buffer (shrubs, grasses, herbaceous cover, etc.) it shall be located on the plan.
3. Applicant shall update current site plan to show the proposed silt soxx locations, the 25' wetland buffer line and the exact locations of the proposed leadoff ditches.
4. Applicant shall update current site plan with the stamp, signature and date of delineation from the NH Certified Wetland Scientist that performed the shown wetland delineation.
5. Applicant shall identify on plan what the dashed area below represents:

