

Memo



TO: Conservation Commission Members
FROM: Kate Homet, Environmental Planner/Sustainability
Coordinator
DATE: August 6, 2026
SUBJ: August 12, 2026 Conservation Commission Meeting

E194 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 45,531 s.f. of temporary wetland buffer impacts and 37,390 s.f. of temporary wetland impacts for equipment access, work pad placement and 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. Applicant has committed to temporary impacts only and will no longer be utilizing permanent gravel roadways, as previously proposed.

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.

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.

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

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 permanently installed at the entrance of each temporary roadway access point that leads into a wetland and/or wetland buffer. Applicant shall show the proposed locations for these markers on the final plan set.

**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 498 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, the installation of a new mounted sign, riprap apron and riprap dissipation area, and the addition of new granite curbing.

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 shall install 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.

**Peverly Hill Side Path Project
City R.O.W. and Assessor's Map 243 Lots 52 and 53, Map 242 Lots 3 and 4, Map 244 Lots 10-A and
10-B, Map 235 Lot 7 and Map 255 Lot 2
City of Portsmouth, Applicant
LU-26-104**

This application is for the reconstruction of an approximately 1-mile section of Peverly Hill Road between West Road and Middle Road (NH Route 33). This project consists of improving drainage infrastructure, improving and curbing existing travel lanes, and installing a sidewalk and multi-use path for alternative modes of transportation. This work is to take place within the City's R.O.W. as well as a handful of private properties. On private properties, this project is proposing 970 s.f. of permanent wetland impacts, 2,488 s.f. of temporary wetland impacts, 21,419 s.f. of permanent wetland buffer impacts and 7,294 s.f. of temporary wetland buffer impacts. Please note, City R.O.W. improvements are exempt from a wetland conditional use permit under Article 10.1016.10 (2) of the City of Portsmouth Zoning Ordinance.

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

This area of roadway does not have existing stormwater treatment and has wetlands on both sides of the road. This project proposes capturing that stormwater and allowing it to infiltrate through two sediment basins and a large gravel wetland that will consist of a mix of gravel and wetland plantings, allowing for filtration and a slow release into the prime wetland system of Sagamore Creek.

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

This project aims to improve public safety and increase alternative modes of transportation (encouraging walking and cycling) in this part of Portsmouth. Other alternatives have not proven possible, and the placement of the proposed gravel wetland has been kept as far from the prime wetland edge as possible. Due to constraints such as easements and working with private property owners, the current plan is the alternative that pulls the most impacts from the wetlands and buffers along the road while allowing a public interest project to traverse through private property.

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

This project proposes a large amount of both permanent and temporary impacts within the wetland and wetland buffer. The improvements to drainage and filtration of stormwater should help improve the water quality entering the neighboring wetland systems and the reseeding of disturbed areas should help to stabilize soils. The applicant should use native wetland and wetland buffer seed mixes in all wetland and wetland buffer disturbed areas. Applicant must demonstrate if the NHDOT slope seed mix is appropriate for a NH wetland and/or wetland buffer.

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

This project will be altering existing vegetation in some areas. The applicant proposes two different seed mixes to be utilized for replanting. In areas where appropriate, the applicant should consider the installation of native trees and shrubs in addition to the seed mixes.

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 large amount of both permanent and temporary impacts within the wetland and wetland buffer. The applicant is proposing that the capturing and filtration of stormwater off of Peverly Hill Road helps offset these impacts by improving the water quality of the surrounding wetland systems and buffers.

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

This application does not delineate the vegetated buffer strip on all sections of the roadway therefore it is difficult to interpret the direct impacts to the 25' vegetated buffer strip. Applicant should clearly delineate this and describe mitigation proposed within those areas (if applicable).

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

1. In lieu of the requirements of Section 10.1018.40 of the Zoning Ordinance to permanently install wetland boundary markers, applicant shall install an educational sign at some point along the new stretch of the sidewalk or multi-use path with a brief description of the environmental sensitivity of the area, the neighboring prime wetland and how this transportation project improved water quality entering into these systems. As part of this signage, a City of Portsmouth Wetland Boundary Placard shall be included on the signpost for education purposes.
2. Applicant must demonstrate if the NHDOT slope seed mix is appropriate for a NH wetland and/or wetland buffer. If deemed not appropriate by the Conservation Commission, applicant shall put a note on plans to reseed roadway edges with a preferred New England wet mix.

**224 Cate Street
Assessor's Map 173 Lot 3
Rezma Shrestha & Mark Esposito, Owners
LU-26-106**

This application is for landscape work adjacent to Hodgson Brook which includes regrading, stormwater control, soil aeration, tree removal, soil cleanup and stabilization work and planting. The applicant is proposing to regrade and reseed approximately 250 s.f. of the wetland buffer to remove existing rutting and alleviate drainage issues. In addition, the applicant is proposing to remove dead ash trees and maple trees with weak branches and replant with a mix of native trees and shrubs. As part of this landscape work, the applicant will also be aerating their existing lawn area to help alleviate soil compaction issues.

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

This wetland buffer has previously been disturbed and just recently has had an area of the buffer planted for restoration. The applicant has noted how some areas of soil on the property are unhealthy, along with some existing plants, which makes further restoration and careful landscape planning critical to maintaining a healthy wetland buffer.

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

A majority of this property is within the wetland buffer of Hodgson Brook and much of the landscaped area falls within the City's 'no-cut' vegetated buffer which is 40' from the edge of the wetland in this case. This landscaping work should add additional vegetation to this vegetated buffer and further help to stabilize the bank and protect the brook.

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

This proposal hopes to increase the functional values of the site through increasing the health of the wetland buffer and soils through replanting and soil remediation work.

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

Alteration of the natural vegetative state will occur through removal of trees, regrading, stormwater upgrades and soil remediation. The applicant is proposing to offset these alterations by introducing new plantings and improving soil health.

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 areas of temporary impact from soil disruption and tree removal, but the applicant is proposing to offset those impacts through replanting and improving soil health.

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

Applicant is proposing new plantings and spot repairs of existing soil within the 40' vegetated buffer strip. This should enhance the natural state of this buffer.

Recommendation: Staff recommends **approval** of this application to the Planning Board as presented.

**579 Sagamore Avenue – Common Area
Assessor's Map 223 Lot 30
Tidewatch Condominium Association, Owner
LU-26-103**

This application is for an after-the-fact permit to remediate the loss of a mature beech tree within the vegetated 'no-cut' wetland buffer. The applicant is proposing to introduce new plantings within three areas of the 25' buffer to help stabilize the area – this includes the planting of red maple trees, yellow birch trees and northern bayberry shrubs.

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

The applicant has removed a mature tree within the 25' vegetated buffer. This activity is not allowed within this buffer area and the applicant now proposes to remediate their actions through replanting.

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

This is for an after-the-fact permit to mitigate the impacts of tree removal in a restricted area. Replanting of native trees and shrubs should occur close to the wetland resource, as is proposed here, in order to strengthen the wetland buffer.

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

Any time vegetation is removed from within 25' of a wetland edge, the positive impacts of a wetland buffer could diminish. The replanting of this area will help to mitigate the adverse impacts that have already occurred.

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

The natural vegetative state has already been altered. This application proposes necessary mitigation to offset this alteration.

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

This proposal is intending to mitigate existing adverse impacts.

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

This proposal aims to mitigate the removal of an existing tree within the vegetated buffer strip through replanting.

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

1. To prevent further unauthorized vegetation removal, the applicant shall install permanent wetland boundary markers along the 25' vegetated buffer. It is recommended that these markers be placed every 50' within the area of impact (between units 7 and 8).