

**CITY OF PORTSMOUTH, NEW HAMPSHIRE
CONSERVATION COMMISSION**



**MEETING MINUTES
WEDNESDAY, AUGUST 12, 2026, 4 pm
City Hall Council Chambers, 1 Junkins Ave., Portsmouth**

For the Zoom recording:

<https://www.youtube.com/live/AzXceFQY5Xw?si=LvjM5mUR6GqNrOdm>

[Timestamp 7:57] Meeting called to order at 4:05 pm. Roll Call:

MEMBERS PRESENT: Chair Samantha Collins; Vice Chair Barbara McMillan, Talia Sperduto, Lynn Vaccaro, Brian Gibb, Jessica Blasko, Oliver Chag

MEMBERS ABSENT: Stewart Sheppard, Alice Carey

STAFF PRESENT: Kate Homet; Environmental Planner

[Timestamp 8:03] I. APPROVAL OF MINUTES – On a motion by Gibb seconded by Blasko the minutes for the July 8, 2026 were approved, with Chag abstaining as he did not attend the July meeting.

[Timestamp 8:40] II. DREDGE AND FILL – MINIMUM EXPEDITED IMPACT

On a motion by Blasko, seconded by Gibb the Commission voted unanimously to move the last Agenda item forward:

Dredge and Fill – Minimum Expedited Impact

400 Little Harbor Road

Assessor's Map 203 Lot 8

Society for the Protection of New Hampshire Forests (SPNHF), Owner

Dylan Summers, Stewardship Project Manager for the SPNHF appeared before the Commission to explain two changes in the application to repair a degraded section of the walking trail at Creek Farm:

- The decision to connect the two sections of raised trail to form a continuous path to assist with maintenance and ensure the middle section does not become a new low spot/muddy area; and
- The decision to move the project materials temporary stockpile area back so that none of it falls within the 100' buffer.

[Timestamp: 11:36-12:20] Summers told the Commission that the Planning Board had approved these two changes and that the owner was not required to come back to the Conservation Commission with the new information and for the CUP to be signed. Note: This unprecedented action was discussed again by the Commission near the end of the meeting [timestamp 2:13:31].

Vaccaro noted that the water level will change over the next decades and asked that SPNHF keep an eye on the trail and allow some water to flow through. SPNHF commented that the repaired trail will raise the level a minimal 4-6" and that they do plan to monitor it.

[Timestamp: 17:48] On a motion by Blasko seconded by McMillan the commission voted unanimously to approve and sign the CUP dredge and fill application for the owner at 400 Little Harbor Road. Chair Collins signed the permit.

[Timestamp 19:13]

WETLAND CONDITIONAL USE PERMIT APPLICATIONS (OLD BUSINESS)

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

Staff Memo description: 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.

Sherrie Trefry, VHB with Eversource representatives appeared before the Commission and explained changes that had been made to the project plan since the Site Walk. These changes are also reflected in the DES permit application:

- To remove the proposed gravel impacts to the wetland buffers for 12 of the structures, and replace those with temporary upland matting instead to provide safe and stable access for Eversource and their contractors to complete the proposed work. Structures #21 and 24 will maintain gravel access but these are completely outside the buffer;
- To move Structure #15 30 feet back to provide a safe setback from a newly developed roadway. Will use upland matting for that installation.

[Timestamp 22:58] Chair Collins expressed her thanks to Eversource for listening to the Commission's concerns by making no permanent impact on the wetland by using temporary matting. McMillan also thanked the applicant for those changes.

[Timestamp: 23:40] On a motion by Blasko, seconded by Chag, the Commission voted unanimously to approved the Wetland Conditional Use Permit for E194 Utility Right-of-Way.

[Timestamp: 24:17]

WETLAND CONDITIONAL USE PERMIT APPLICATIONS (NEW BUSINESS)

Peverly Hill Road 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

STATE WETLAND BUREAU APPLICATIONS (OLD BUSINESS)
Dredge and Fill – Major Impact
550 Peverly Hill Road

Staff Memo description: 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. 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.

Brian Colburn, Project Manager and Christine Perron, CWS Regional Environmental Manager from McFarland Johnson appeared, along with DPW staff Eric Eby, City Engineer for Roads, Parking and Transportation and Dave Desfosses, Project Manager.

Chair Collins noted that following the site walk, the Commission had asked that the project plans be color coded to indicate impacted wetlands areas and asked Colburn to explain. He said the two colors – yellow and blue – indicated temporary and permanent easements, respectively but that the oval hatching indicated permanent wetland impact areas and the cross-hatched area showed the permanent wetland buffer impact (mostly already pavement). The dotted line is temporary wetland impact.

[Timestamp: 29:43] There was extensive discussion of the width of the sidepath and landscaped grass buffer, especially on the west side, where there is currently no development between Moffatt and Sage, as well as pockets on the east side.

Sidewalk on east is 5' – minimum for ADA and winter maintenance. Side path is 10' except for a short distance reduced to 8'.

[Timestamp 33:35] Colburn indicated the culverts for amphibian (e.g. Blandings turtles) crossings. Vaccaro and Sperduto expressed concern that a 15" pipe, especially when filled with water on occasion, was sufficient. Collins and McMillan wondered if grates for light and ventilation would improve the culverts' purpose. Collins asked if curb cuts or a sloped curb might give better access. Colburn explained the vertical curb is proven better at protecting pedestrians from vehicles jumping the curb. Vertical curb allows utility poles within 18' while a sloped curb requires poles to be set back 6'. He expressed concern that a tip down would confuse pedestrians into thinking that was a crossing area.

[Timestamp: 41:39] McMillan asked about the landscape buffer and street trees. Colburn advised that the 4' width is required for the poles (every 200') and that trees (salt-resistant and

not too tall) would be planted to provide shade cover for pedestrians. DPW Desfosses confirmed that the City's arborists will select the appropriate trees for the location and care for them. He also said the sidewalk and sidepath widths is to accommodate winter maintenance. McMillan expressed concern about the amount of salting on Portsmouth streets and Desfosses explained that the salters are computer calibrated to apply varying amounts of salt: for example, more where there is less sun on the road.

[Timestamp: 48:20] McMillan asked whether wildflower mix might be used and Desfosses agreed that in areas the City maintains and where the adjacent homeowner agrees, wildflower mix can be used rather than the standard park grass.

[Timestamp: 49:25] Colburn confirmed the landscaped 2' strip, across from YMCA, was eliminated and the 4' strip on the sidepath side is reduced to 2'. Collins noted this is one of the most sensitive wetland areas in the plan.

[Timestamp: 53:20] Vaccaro noted that this was the first time the Commission had the chance to discuss the project and appreciated that other discussions have taken place over the 10-year period to bring this project, requested by the public to reduce vehicle speed on the corridor and to accommodate bicycles and pedestrians more safely, forward. She asked if the Peverly Hill Road access will connect to other areas. Eby explained the intention is to link across Lafayette to the proposed Elwyn Road side path (as far as Harding), to link at the end of Sage Road (with signage added) to the Greenway/Rail Trail (serving The Plains ballfield and skatepark) and from West Road to the Community Campus – also connected eventually to the Greenway.

[Timestamp: 55:20] McMillan asked about narrowing and Colburn explained the project background reviewed many options and their impacts were considered. The project currently follows American Association of Highway Officials and is Federally funded through NHDOT so must follow Federal Highway Design guidance and that the 10' width is the minimum for safety on the sidepath. He and Eby commented that any narrowing would not likely be approved by NHDOT.

[Timestamp: 59:26] McMillan asked about water under the road. Desfosses discussed culvert treatment to handle the two streams Peverly Brook and Sagamore beneath the road where flooding occurred 25 years ago.

[Timestamp: 1:02:12] Perron confirmed the State Wetland permit covers the same information and is currently under review by NHDES.

[Timestamp: 1:02:49] McMillan asked about plantings at the gravel wetland. Colburn said a row of arbor vitae will be planted at the back of the property. Perron commented on the upland wetland and intent it to keep herbaceous. Desfosses confirmed that the City will maintain access to the gravel wetland by mowing in the fall to keep the 20' wide pipeline path clear. DES requires the City to manage invasives. Wildflower mix would be fine for back slope.

[Timestamp 1:07:31] Blasko made the motion, seconded by McMillan to approve the CUP for Peverly Hill Road with the following stipulations:

1. That the CUP be signed and stamped by the wetland scientist;
2. That educational signage about the wetlands sensitivity be placed along the sidepath in lieu of the placards usually required;
3. That a wildflower seed mix be used where possible in the vegetative strip and on the back slope of the gravel wetland;

4. That the project consider a curb cut or sloped curb at the amphibian crossings

[Timestamp 1:10:10] Collins asked if targeted areas might have sloped curb: 245-50 and 243-52 (sections 6, 7 and 8). Desfosses suggested a chamfered curb – although it is more expensive -- rather than sloped in the amphibian crossing areas. The area will have utility poles and would require guy wires if alternating across the street. Vaccaro suggested an increase to 18" culverts. McMillan expressed concern that these projects are constantly breaking up turtle crossings, but understands that in this case the road interference already exists.

[Timestamp 1:22:32] Additional stipulations:

5. Chamfered curbing in sections 245-50 and 243-52 and same lengths on the opposite side
6. Remove the 2' landscaped strip at the Banfield intersection

[Timestamp: 1:25:50] The Commission voted unanimously to grant the Conditional Use Permit for the Peverly Hill Road project.

[Timestamp 1:26:08] Blasko moved and McMillan seconded the approval of the State Wetland permit. The Commission voted unanimously in favor.]

[Timestamp: 1:26:48]

WETLAND CONDITIONAL USE PERMIT APPLICATIONS (NEW BUSINESS)

**124 Heritage Avenue
Assessor's Map 284 Lot 8
124 Group Inc, Owner
LU-26-61 224**

STATE WETLAND BUREAU APPLICATIONS (NEW BUSINESS)

Dredge and Fill – Major Impact

Staff Memo: 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.

Neil Hansen, Tighe and Bond Project Manager, Stephanie Tetreault wetlands scientist and representatives from Gather appeared before the Commission to request the City CUP and approval of the NHDES Wetlands permit to be submitted in the next week or so. Received guidance from TAC and the Planning Commission. Prime wetland is across the street. Small piece not associated with the garden project within the wetland buffer and will remove pavement and cleanup. Other impacts are in garden location with the new ADA impact. Minor regarding at culvert and small stretch of curb, curb cut and pre-treatment inlet area to direct stormwater.

[Timestamp 1:30:12] Hansen said that a condition of approval from TAC is to pave area around the small catch basin on the edge of the roadway. Also added is the planting plan around the garden: berries and pollinator wildflower seed around garden, raspberry/blackberry patch. 8' walkway between swale and plantings.

[Timestamp: 1:33:00] McMillan asked about the catch basin turret. Hansen explained it allows flow from the side to direct and screen runoff. Study shows a minimal (0.01-0.02 increase in volume), resulting from the slight increase in impervious surface from the ADA ramp.

[Timestamp 1:35:01] Paving 40 s.f. area around catch basin to reduce roadside gravel, etc, going into the basin.

[Timestamp 1:38:20] On a motion by Blasko, second by Chag, the Commission voted unanimously to approve the CUP for 124 Heritage Ave. Vaccaro asked to add the stipulation that educational information in the garden area, in lieu of boundary markers, note the proximity of the wetlands and describing the sensitivity of the swale be added. Blasko and Collins expressed thanks to the application on working to make the project happen. [Vote at 1:40:49]

[Timestamp: 1:40:45] On a motion by Blasko seconded by Sperduto the Commission voted unanimously to approve the NHDES wetland dredge and fill application.

[Timestamp: 1:41:31]

WETLAND CONDITIONAL USE PERMIT APPLICATIONS (NEW BUSINESS)

Cate Street

Assessor's Map 173 Lot 3

Rezma Shrestha & Mark Esposito, Owners

LU-26-106

Mark Esposito appeared before the Commission to explain the rehabilitation plan. Previous owner used heavy equipment leaving compressed soil and industrial waste. 8' slope draining into foundation. 250 sf. Regrade to get 10' off foundation. Little wetland impact. Planting on the border. Western edge clearing Norway maples and planting arbor vitae. Will clean up construction debris and replant with native within 2-3 years.

[Timestamp: 1:45:27] McMillan noted tree planting on the bottom of the plan might not be at the top of the bank and recommended no planting or excavation below the top of the bank as that might necessitate DES permitting.

[Timestamp: 1:47:51] McMillan moved and Blasko second the motion to approve the 224 Cate Street CUP with the stipulation that there be no excavation below the top of the bank. Vaccaro added the stipulation that wetlands markers be placed at the boundary of the wetland. The Commission approved unanimously.

[Timestamp: 1:48:47]

WETLAND CONDITIONAL USE PERMIT APPLICATIONS (NEW BUSINESS)

579 Sagamore Avenue

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.

Kim Rogers, property owner and Tidewatch Condominium Association representative appeared before the Commission to discuss new plantings to replace the tree removed in the 'no-cut' buffer. He plans to plant 3 trees, red maple or yellow birch as recommended by arborist Mitch Lee/Lee Tree and 8 one-gallon bayberry or juniper shrubs.

[Timestamp: 1:52:36] Collins recommended 2" caliper – as large as possible without needing heavy equipment,

[Timestamp: 1:53:53] McMillan recommended a watering, maintenance plan. Homet suggested a 1 year after planning survival rate. If less than 80% survival rate, then City asked to replant and submit a plan after the 2nd year.

[Timestamp 1:55:55]

On a motion by Blasko second by Chag the Commission recommended approval with the following stipulations:

- The owner complete 1- and 2-year tree survival reports
- The trees by 2: caliper or larger
- The owner maintain the trees for survival with weeding and watering
- The owner install wetlands placards on the affected stretch along the 25' wetlands buffer to avoid this from happening again

[1:58:43] The Commission voted unanimously in favor with Vaccaro noting the area is a very special location with its wetlands and pond.

[Timestamp: 1:59:31]

IV. OTHER BUSINESS Capital Improvement Plan (CIP) - Requests

Homet asked that the Commissioners consider whether and what CIP requests to include before the September 18, 2026 deadline.

Previous suggestions:

- Vernal pool update, previously included by timing extended
- Citywide prime wetlands update from 15 years ago, although many areas have been mapped as part of development projects. But areas not mapped eg. Commerce Way, Moffatt St.
- Adding to the land acquisition fund, now \$300,000 after depletion by purchase Cavaretta property. Used to have an annual \$500,000/yr addition.

Suggested the Commissioners discuss/brainstorm other ideas such as an Open Space study and relevant items on the Sustainability Committee list at their September meeting.

Blasko suggested a shoreline study to consider stabilizing or reconstructing the marsh as a buffer. Vaccaro mentioned the Jones Avenue cap and possible solar project. Collins noted including items in the CIP can gain broader support.

[Timestamp: 2:13:31]

Blasko returned to the problematic precedent of the Planning Board approval of 400 Little Harbor Road without directing the applicant to return to the Commission. Homet said the process is that after a project goes from the Commission to the Planning Board the staff compares the versions for any changes. The Planning Board approved a plan with changes without referring back to the Commission. This impact is a 25' x 5' additional impact on the wetland buffer that may have been significant enough to change the fee. If not the full Commission, Planning should have notified the Chair or Vice Chair because the Commission might not have agreed with the change. Gibb noted it is important to explain the Commission's concern about the precedent of creating a situation where there was a discrepancy. The Planning Board has the authority and the Commission makes recommendations but Planning

might alert the Chair of changes to avoid any problems if the two are not in synch.

After discussing options, the Commission agreed to ask staff to send a memo to Planning Board, with copy to the Chair.

V. ADJOURNMENT 6:16 pm

DRAFT