

Findings of Fact | Wetland Conditional Use Permit

City of Portsmouth Planning Board

Date: November 20, 2025

Property Address: 224 Broad Street

Application #: LU-23-179

Decision: Approve with Conditions

Findings of Fact:

Per RSA 676:3, I: The local land use board shall issue a final written decision which either approves or disapproves an application for a local permit and make a copy of the decision available to the applicant. **The decision shall include specific written findings of fact that support the decision. Failure of the board to make specific written findings of fact supporting a disapproval shall be grounds for automatic reversal and remand by the superior court upon appeal, in accordance with the time periods set forth in RSA 677:5 or RSA 677:15, unless the court determines that there are other factors warranting the disapproval.** If the application is not approved, the board shall provide the applicant with written reasons for the disapproval. If the application is approved with conditions, the board shall include in the written decision a detailed description of all conditions necessary to obtain final approval.

In order to grant Wetland Conditional Use permit approval the Planning Board shall find the application satisfies criteria set forth in the Section 10.1017.50 (Criteria for Approval) of the Zoning Ordinance.

	Zoning Ordinance Sector 10.1017.50 Criteria for Approval	Finding (Meets Criteria for Approval)	Supporting Information
1	<i>1. The land is reasonably suited to the use activity or alteration.</i>	Meets	The existing site has a steep slope which has been directing stormwater into and around the existing home, instead of towards the adjacent wetland. The proposed stormwater controls will involve some regrading of the lawn and the redirection of stormwater away from the home and through an underdrain to outlet underneath the expanded deck. This proposed deck will have $\frac{3}{4}$ " spaced decking and will have crushed stone underneath for infiltration.
2	<i>2. There is no alternative location outside the wetland buffer that is feasible and reasonable for the proposed use, activity or alteration.</i>	Meets	The majority of this property is within the 100 ft. buffer. The existing home is within the buffer and experiencing impacts of stormwater and ponding on the property. The applicant is proposing to address these issues with new stormwater controls and the addition of plantings, while working to reduce the impervious surface where possible.

	Zoning Ordinance Sector 10.1017.50 Criteria for Approval	Finding (Meets Criteria for Approval)	Supporting Information
3	<i>3. There will be no adverse impact on the wetland functional values of the site or surrounding properties.</i>	Meets	The applicant is proposing to redirect stormwater directly through an underdrain and into a crushed stone area to slow infiltration. This should improve the flooding conditions for the home while directing the flow closer to the wetland with an option for infiltration into the soil.
4	<i>4. Alteration of the natural vegetative state or managed woodland will occur only to the extent necessary to achieve construction goals.</i>	Meets	The applicant is proposing to maintain all existing trees and vegetation. In addition, the applicant will be improving the vegetation on site by planting a native micro-clover lawn in addition to planting beds and multiple trees and shrubs.
5	<i>5. The proposal is the alternative with the least adverse impact to areas and environments under the jurisdiction of this section.</i>	Meets	While the applicant is proposing an expansion of the home within the buffer, the expansion is occurring in the direction opposite of the wetland and will be compensated with a reduction in existing impervious. There are plans for overall improvements to the buffer including landscaping and reseeding the lawn with a micro-clover seed mix.
6	<i>6. Any area within the vegetated buffer strip will be returned to a natural state to the extent feasible.</i>	Meets	The applicant is proposing to stay completely outside of the 25' vegetated buffer.
7	<u>Other Board Findings:</u>		

PARK BROAD FINANCIAL LLC
224 Broad St.
Portsmouth, NH 03801

Samantha Collins, Chair
Conservation Commission
City of Portsmouth

November 14, 2023

Dear Mrs. Collins:

Attached are the plans for some landscaping improvements and an addition to the property at 224 Broad St. We understand that technically these changes require an amendment to the original site plan that was filed on behalf of the condominium association. As the President of the condominium association, we consent to the application being submitted by the owners at 224 Broad and have no objections to the changes being proposed. We believe these changes will be an improvement to the existing vegetation on site at 224 Broad St.

Thank you,

Dianna Brenneman



City of Portsmouth, New Hampshire

Wetland Conditional Use Permit Application Checklist

This wetland conditional use permit application checklist is a tool designed to assist the applicant in the planning process and for preparing the application for Conservation Commission and Planning Board review. The checklist is required to be uploaded as part of your wetland conditional use permit application to ensure a full and complete application is submitted to the Planning and Sustainability Department and to the online portal. A pre-application conference with a member of the Planning and Sustainability Department is encouraged as additional project information may be required depending on the size and scope of the project. The applicant is cautioned that this checklist is only a guide and is not intended to be a complete list of all wetland conditional use permit requirements. Please refer to Article 10 of the City of Portsmouth Zoning Ordinance for full details.

Applicant Responsibilities: Applicable fees are due upon application submittal to the Planning Board (no fees are required for Conservation Commission submission). The application will be reviewed by Planning and Sustainability Department staff to determine completeness. Incomplete applications which do not provide required information for the evaluation of the proposed site development shall not be provided review by the Conservation Commission or Planning Board.

Name of Applicant: Katelyn Kwoka (Broad St Trust) Date Submitted: 9/23/25

Application # (in City's online permitting): _____

Site Address: Broad St Condo Assn Map: 23 Lot: 179

☒	Required Items for Submittal	Item Location (e.g. Page or Plan Sheet/Note #)
☒	Complete application form submitted via the City's web-based permitting program	N/A
☒	All application documents, plans, supporting documentation, this checklist and other materials uploaded to the application form in OpenGov in digital Portable Document Format (PDF) . One hard copy of all plans and materials shall be submitted to the Planning and Sustainability Department by the published deadline.	5-11

☒	Required Items for Submittal	Item Location (e.g. Page/line or Plan Sheet/Note #)
☒	Basic property and wetland resource information. (10.1017.21)	8-11
☐	Additional information required for projects proposing greater than 250 square feet of permanent or temporary impacts. (10.1017.22)	N/A
☐	Demonstrate impacts as they relate to the criteria for approval set forth in Section 10.1017.50 (or Section 10.1017.60 in the case of utility installation in a right-of-way). (10.1017.23)	N/A
☒	Balance impervious surface impacts with removal and/or wetland buffer enhancement plan. (10.1017.24)	5

☒	Required Items for Submittal	Item Location (e.g. Page/line or Plan Sheet/Note #)
☒	Wetland buffer enhancement plan. (10.1017.25)	5
☐	Living shoreline strategy provided for tidal wetland and/or tidal buffer impacts. (10.1017.26)	N/A
☒	Stormwater management must be in accordance with Best Management Practices including but not limited to: 1. <i>New Hampshire Stormwater Manual, NHDES, current version.</i> 2. <i>Best Management Practices to Control Non-point Source Pollution: A Guide for Citizens and City Officials, NHDES, January 2004.</i> (10.1018.10)	5
☒	Vegetated Buffer Strip slope of greater than or equal to 10%. (10.1018.22)	5
☐	Removal or cutting of vegetation, use of fertilizers, pesticides and herbicides. (10.1018.23/10.1018.24/10.1018.25)	N/A
☐	All new pavement within a wetland buffer shall be porous pavement. (10.1018.31)	N/A
☐	An application that proposes porous pavement in a wetland buffer shall include a pavement maintenance plan. (10.1018.32)	N/A
☐	Permanent wetland boundary markers shall be shown on the plan submitted with an application for a conditional use permit and shall be installed during project construction. (10.1018.40)	N/A
☒	Requested Items for Submittal	Item Location (e.g. Page or Plan Sheet/Note #)
☒	A narrative/letter addressed to the Conservation Commission Chair (if recommended to Planning Board then an additional narrative addressed to the Planning Board Chair at that time) describing the project and any proposed wetland and/or wetland buffer impacts. Please visit the WCUP instruction page for further application instructions.	1
☐	If New Hampshire Department of Environmental Services (NHDES) Standard Dredge and Fill Permit is required for this work, please provide this permit application at the same time as your submission for a Wetland Conditional Use Permit.	N/A

Applicant's Signature: Katelyn Kwoka Date: 9/23/25

Katelyn Kwoka
224 Broad St.
Portsmouth, NH 03801

September 23, 2025

Correspondence

Conservation Commission, Chair
1 Junkins Ave.
Portsmouth, NH 03801

To Whom it May Concern:

Attached please find a resubmission of our previously approved permit. So sorry, we missed the extension date by a week! We appreciated your thoughtful review and have all the same intentions for the project.

We would really appreciate a reapproval so we can schedule the work for the spring.

Thank you very much for your consideration.

Very truly yours,

A handwritten signature in cursive script that reads "Katelyn Kwoka".

Katelyn Kwoka

Katelyn Kwoka
224 Broad St.
Portsmouth, NH 03801

September 5, 2025

Correspondence

To Whom it May Concern:

Attached please find a resubmission of our previously approved permit. So sorry, we missed the extension date by a week! We would really appreciate a reapproval so we can schedule the work for the spring.

Thank you very much for your consideration.

Very truly yours,

A handwritten signature in cursive script that reads "Katelyn Kwoka".

Katelyn Kwoka

Katelyn Kwoka
224 Broad St.
Portsmouth, NH 03801

Rick Chellman, Chair
Planning Board
City of Portsmouth

July 19, 2024

Dear Mr. Chellman:

Please find enclosed our application for an amendment to the original site plan that was filed on behalf of the condominium association at Broad Street, which includes our unit, 224 Broad. We are asking for a minor expansion of the footprint of our home to address a leaking sunroom roof and accompanying renovation. These changes occur in the wetland buffer, so a Wetlands Conditional Use Permit is required. Conservation Commission unanimously approved our application.

To speak to the Wetland CUP requirements, please see the following:

- The land is reasonably suited to the alteration because it is a flat patch on the far side of existing impervious surface, outside of the natural path of flow to the wetland.
- There is no alternate location outside of the wetland buffer because our existing home is located inside the buffer in its entirety.
- There will be no adverse impact on the wetland functional values because of the location of the expansion and the natural topography.
- Alteration of the natural vegetative state is minimal and the total expansion of the impervious footprint is minor to create the least impact.
- The proposal is the alternative with the least adverse impact to environments in the wetland jurisdiction because it is located outside of the natural topographical flow to the wetland and on the far side of existing impervious surface.
- Any area within the vegetated buffer strip will be returned to a natural state or improved by the vegetation and planting plan reviewed and recommended by the Conservation Commission.

Thank you,



Katelyn Kwoka

PARK BROAD FINANCIAL LLC
224 Broad St.
Portsmouth, NH 03801

Rick Chellman, Chair
Planning Board
City of Portsmouth

July 19, 2024

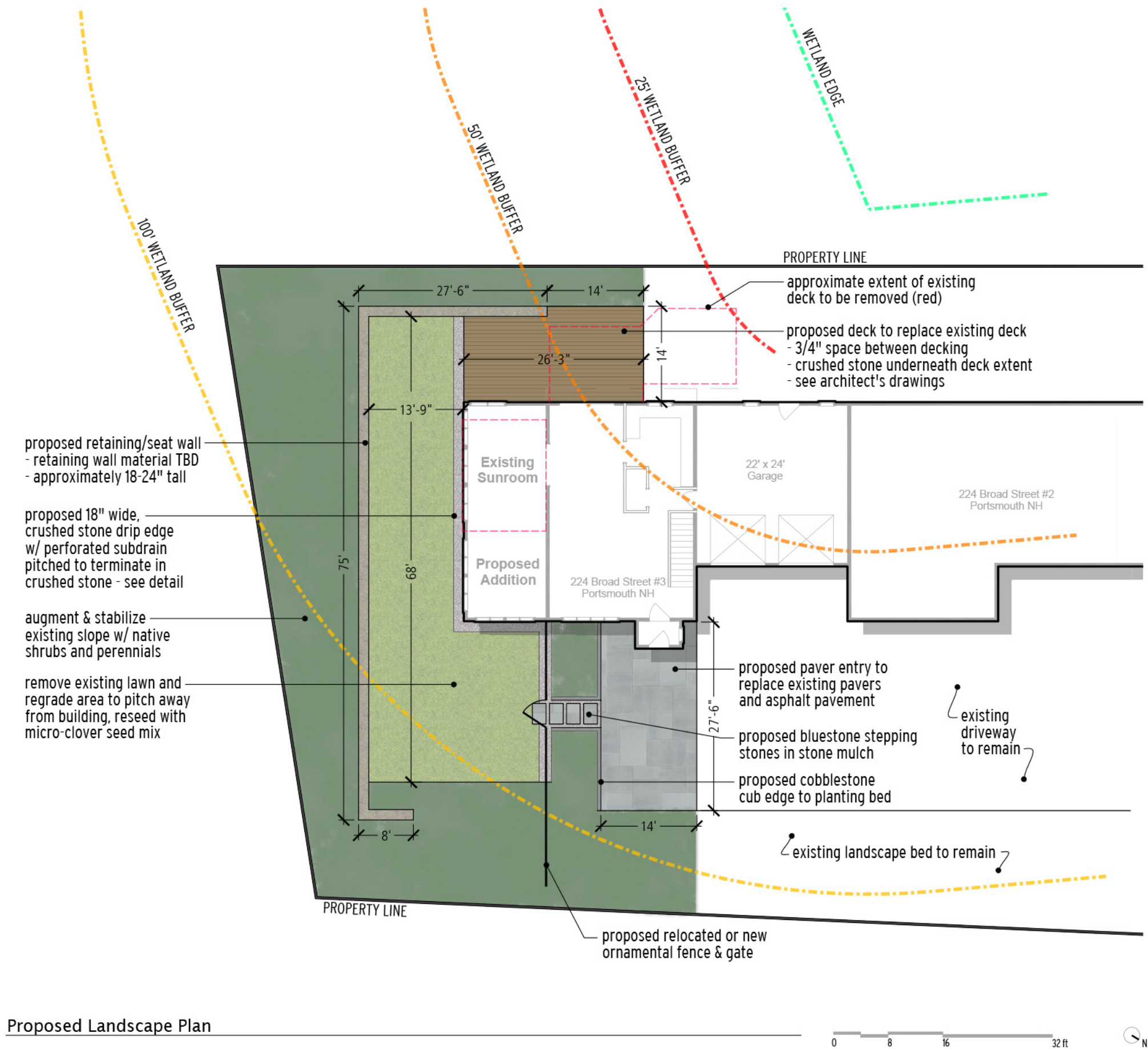
Dear Mr. Chellman:

Attached are the plans for some landscaping improvements and an addition to the property at 224 Broad St. We understand that technically these changes require an amendment to the original site plan that was filed on behalf of the condominium association. As the President of the condominium association, we consent to the application being submitted by the owners at 224 Broad and have no objections to the changes being proposed. We believe these changes will be an improvement to the existing vegetation on site at 224 Broad St.

Thank you,

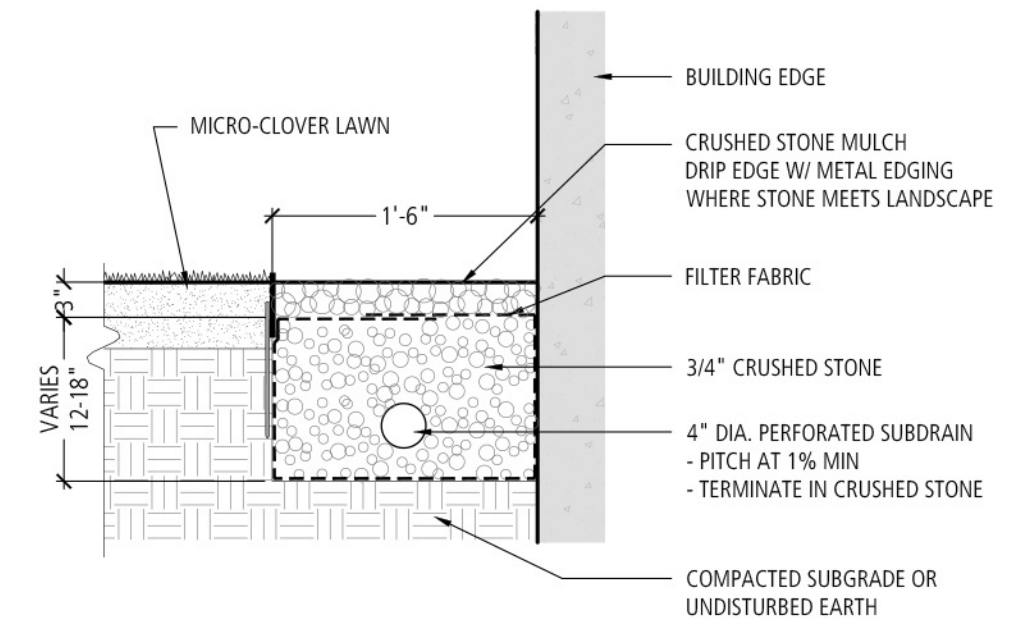
A handwritten signature in black ink, appearing to read "Dianna Brenneman", with a long horizontal flourish extending to the right.

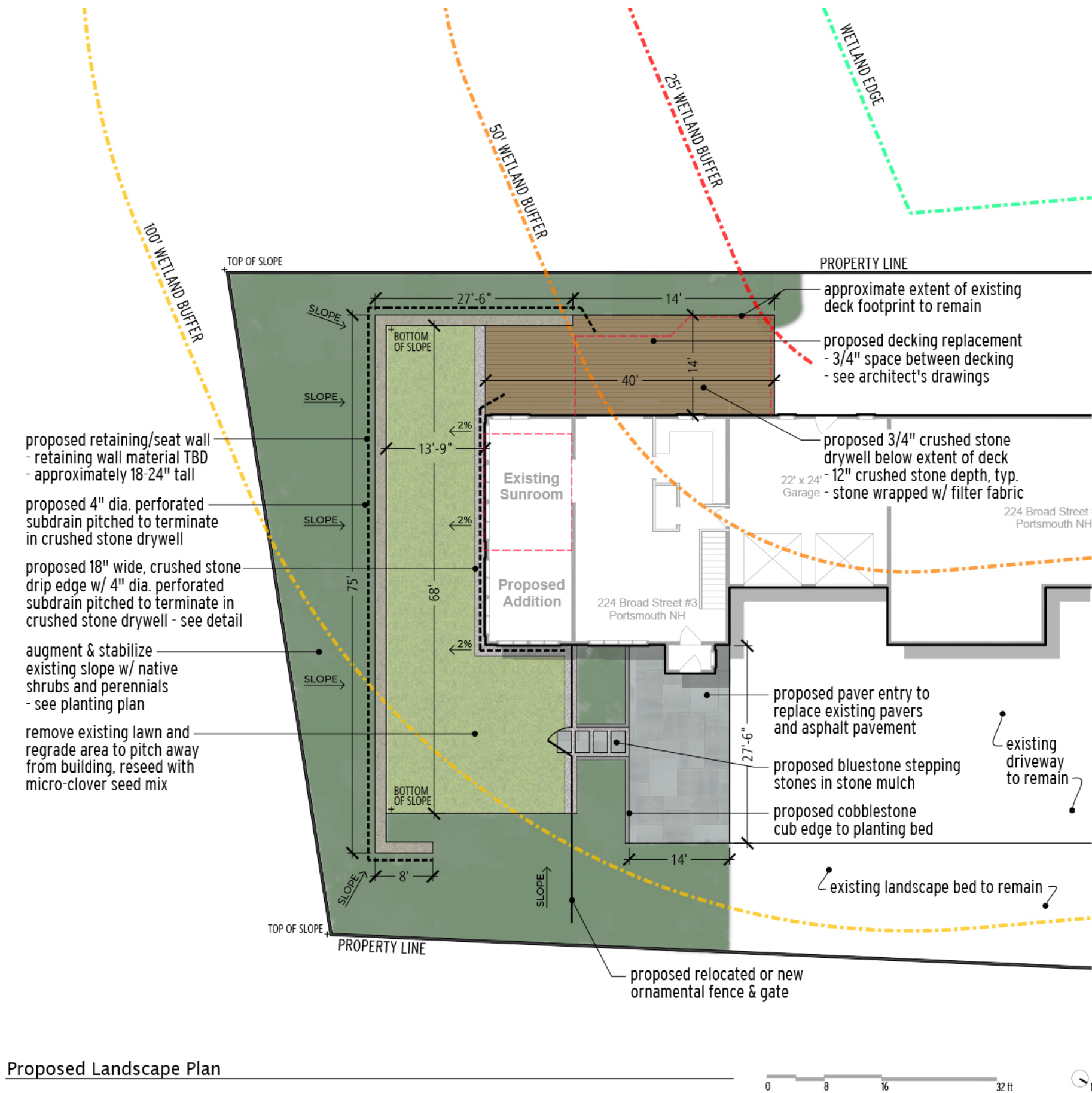
Dianna Brenneman



Existing to be Removed	Area	Proposed Improvements	Area
Existing Sunroom	192 SF	Proposed Sunroom Addition	384 SF
Existing Deck	286 SF	Proposed Deck	367.5 SF
Existing Pavement (pavers/asphalt)	491 SF	Proposed Pavement (pavers)	401 SF
		Proposed Planting Bed	2,385 SF
		Proposed Micro-clover Lawn	1,115 SF

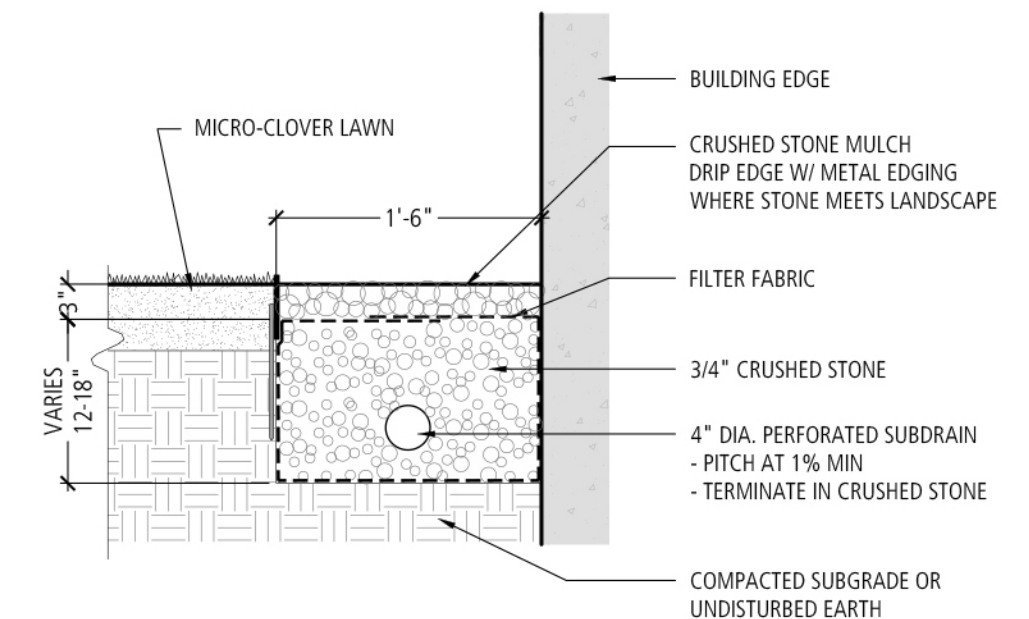
Table: Existing to be Removed Area & Proposed Improvements Area



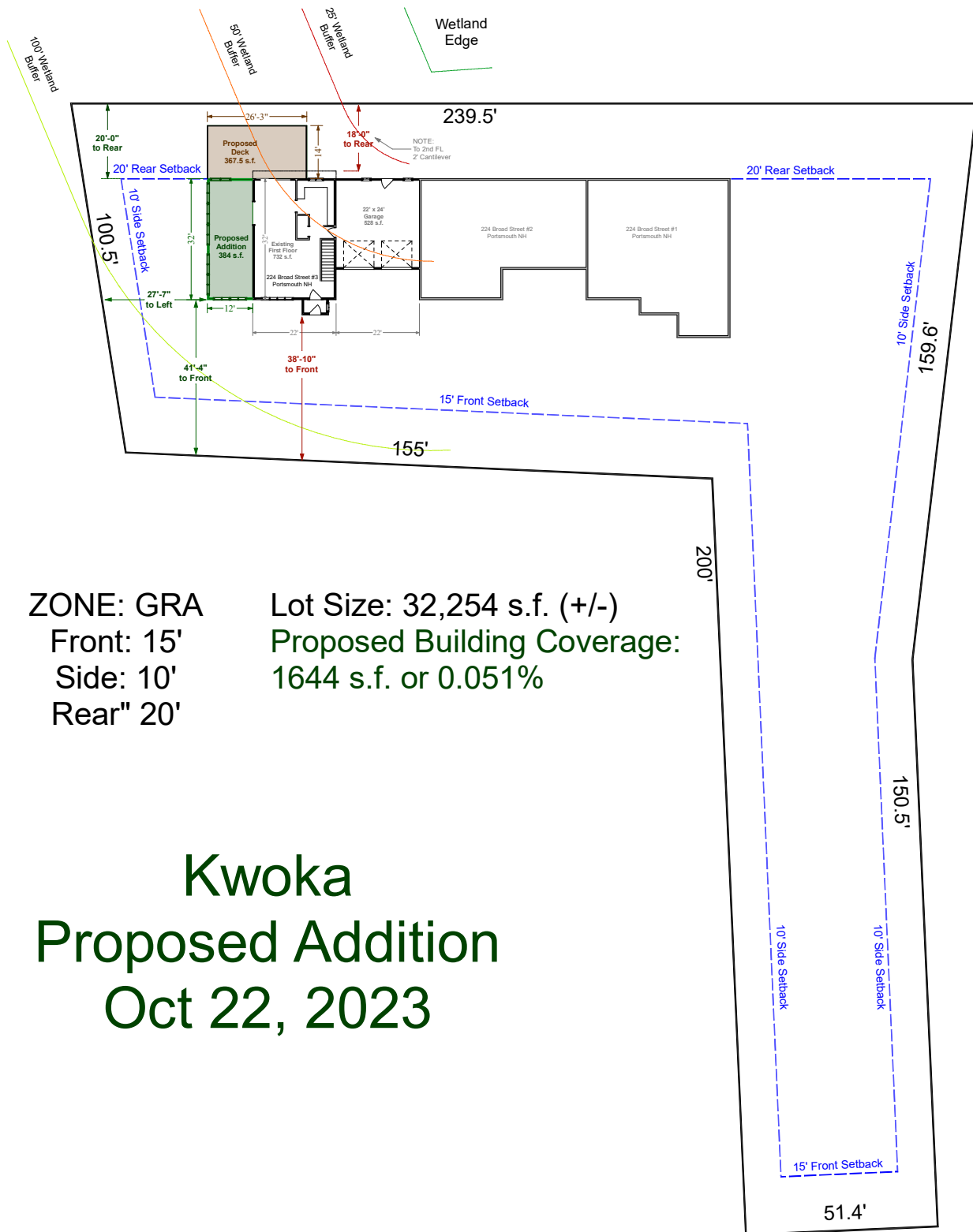


Existing to be Removed	Area	Proposed Improvements	Area
Existing Sunroom	192 SF	Proposed Sunroom Addition	384 SF
Existing Pavement (pavers/asphalt)	491 SF	Proposed Deck Expansion	200 SF
		Proposed Pavement (pavers)	401 SF
		Proposed Planting Bed	2,385 SF
		Proposed Micro-clover Lawn	1,115 SF

Table: Existing to be Removed Area & Proposed Improvements Area



Proposed Landscape Plan

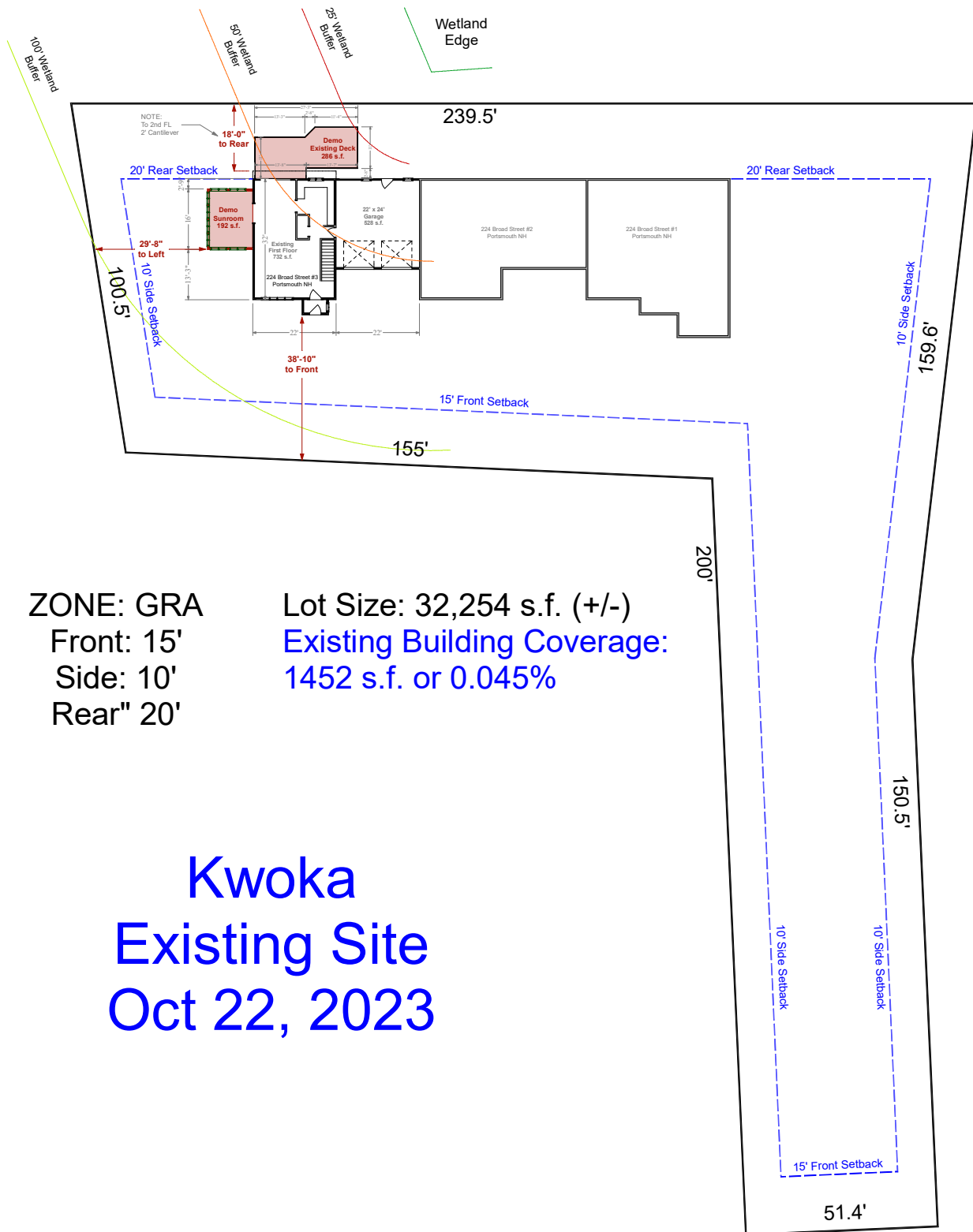


ZONE: GRA
Front: 15'
Side: 10'
Rear: 20'

Lot Size: 32,254 s.f. (+/-)
Proposed Building Coverage:
1644 s.f. or 0.051%

Kwoka Proposed Addition Oct 22, 2023

Scale: 1" = 40'-0"
(On Letter)

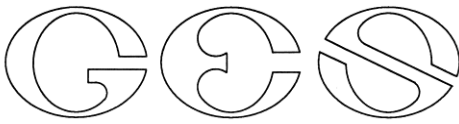


ZONE: GRA
 Front: 15'
 Side: 10'
 Rear: 20'

Lot Size: 32,254 s.f. (+/-)
 Existing Building Coverage:
 1452 s.f. or 0.045%

Kwoka
 Existing Site
 Oct 22, 2023

Scale: 1" = 40'-0"
 (On Letter)



GOVE ENVIRONMENTAL SERVICES, INC.

May 19, 2022

Subject: Wetland Delineation Report
224 Broad Street, Portsmouth, NH

Dear Rebecca Kwoka,

Per your request, this letter is to verify that Gove Environmental Services, Inc., performed a site inspection to identify wetlands on and adjacent the subject property located on Tax Map 131 Lots 13 on 224 Broad Street in Portsmouth, NH. Wetlands were evaluated utilizing the following standards:

1. *US Army Corps of Engineers Regional Supplement to the Corps of Engineers Wetland Delineation Manual: Northcentral and Northeast Region*, Technical Report ERDC/EL TR-12-1 (January 2012).
2. *Field Indicators for Identifying Hydric Soils in New England – Version 4*, June 2020. New England Hydric Soils Technical Committee.
3. *US Army Corps of Engineers National Wetland Plant List*, 2018.
4. *Classification of Wetlands and Deepwater Habitats of the United States*. USFW Manual FWS/OBS-79/31 (1979).

Brenden Walden performed the site inspection on 5/19/2022. The Subject property was reviewed in its entirety with careful attention paid to the area outlined southwest of the property on the City of Portsmouth's GIS website as being a wetland with a 100ft buffer that encroaches onto the property. During the site review the limit of this wetland was identified using the methods and standards above. The boundary of this large isolated wetland (greater than 10,000SF) was demarked using pink survey flagging labeled Wetland Delineation and numbered 1 start – 7 stop. This wetland is a typical seacoast forested swamp with a scrub shrub understory, hydric soils present along the boundary met the A11 criteria. No jurisdictional wetlands were identified within the fenced yard space area of the subject property. Given the proximity of the wetland to the residential dwelling it is likely that the City of Portsmouth's 100ft wetland buffer will encroach onto some or all of the subject property. The limit of that encroachment should be determined by field surveying the delineated wetland boundary.

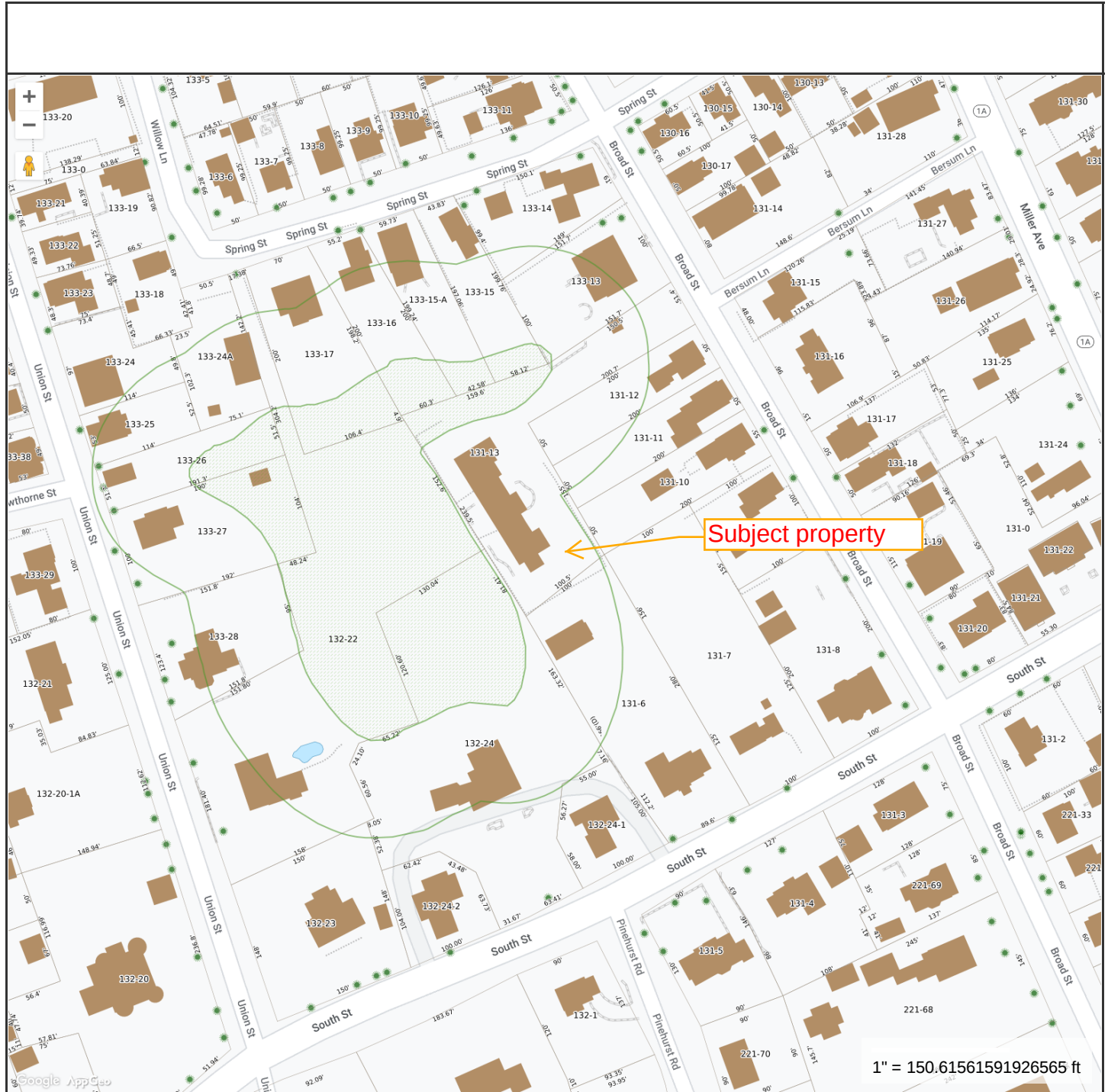
This concludes the wetland delineation report. If I can be of further assistance, please feel free to contact me at (603) 778-0644.

Sincerely,

Brenden Walden
Business Manager & Wetland Scientist
Gove Environmental Services, Inc.

Enc. Portsmouth GIS
Granitview Maps: Wetland Sketch

8 Continental Dr Unit H, Exeter, NH 03833-7507
Ph (603) 778 0644 / Fax (603) 778 0654
www.gesinc.biz
info@gesinc.biz



**MAP FOR REFERENCE ONLY
NOT A LEGAL DOCUMENT**

City of Portsmouth, NH makes no claims and no warranties, expressed or implied, concerning the validity or accuracy of the GIS data presented on this map.

Geometry updated 3/9/2022
Data updated 3/9/2022

Print map scale is approximate.
Critical layout or measurement
activities should not be done using
this resource.

Map Theme Legends

Wetlands

-  Wetlands
-  100ft Wetlands Buffer

City of Portsmouth

Map by NH GRANIT



Legend

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Map Scale

1: 1,000



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Map Generated: 5/19/2022

Notes

