



June 30, 2020

Dexter Legg, Chair
City of Portsmouth Planning Board
1 Junkins Avenue
Portsmouth, NH 03801

**Re: Wetland Conditional Use Permit Application
18 Dunlin Way
Tax Map 213, Lot 9
Portsmouth, NH**

Dear Mr. Legg:

Mission Wetland and Ecological Services, LLC (Mission), on behalf of the applicants, Matthew and Erica Nania (the “applicants”), is hereby submitting this Conditional Use Permit application for construction within the 100-foot buffer to jurisdictional wetlands in accordance with the City of Portsmouth Zoning Ordinance (ZO), Article 10.1017.10. The Nania family wishes to undertake home improvements for the continued enjoyment of their growing family during this current time period. Please refer to the attached Site Plan entitled “Proposed Porch Addition”, prepared by Millennium Engineering, Inc., dated June 24, 2020 (herein referred to as the “site plan”), the design rendering prepared by Diamond Hill Builders for reference, and project photolog for a depiction of the proposed project.

In accordance with the Section 10.1017.10 of the ZO, the wetland buffer is extrapolated from the boundary of the jurisdictional wetland which was delineated by Mission on April 29, 2020 in accordance with the Regional Supplement to the Corps of Engineers Wetland Delineation Manual: Northcentral and Northeast Region (Version 2 – TR-12-1, January 2012). The greater wetland is classified in accordance with the US Fish & Wildlife Service Classification of Wetlands and Deepwater Habitats of the United States (Cowardin, 1979) as a palustrine emergent wetland system with persistent vegetation that is seasonally flooded or saturated (PEM1E). The emergent wetland is located at low-lying areas at the toe of slope to the rear of the subject property, at the base of the railroad embankment, and within the Eversource Right-of-Way (ROW) utility corridor. This wetland is subject to perpetual disturbance by Eversource which conducts routine vegetation maintenance with heavy machinery and equipment on their utility corridors. The emergent wetland is supported by a high seasonal groundwater table and loamy sand soils exhibiting redoximorphic features. The vegetation in the wetland includes, but is not limited to, black willow (*Salix nigra*), silky dogwood (*Cornus amomum*), purple loosestrife (*Lythrum salicaria*), sensitive fern (*Onoclea sensibilis*), skunk cabbage (*Symplocarpus foetidus*), rough-stemmed goldenrod (*Solidago rugosa*), and jewelweed (*Impatiens capensis*). The immediate 25-foot vegetation buffer strip is vegetated with opportunistic herbaceous vegetation and shrubs including multi-flora rose (*Rosa multiflora*) and staghorn sumac (*Rhus typhina*). In addition, there are some ornamental

herbaceous plantings at the base of the existing deck and a planted holly shrub on the northeast portion of the parcel.

The functions and values of this routinely maintained emergent wetland include nutrient attenuation with the dense herbaceous plant community, sediment and toxicant retention, and wildlife habitat, which are limited as a result of the maintenance regime and lack of a substantial source of sediment and toxicant as a source from this upgradient residential development. There are no proposed impacts to this emergent wetland system.

The previously disturbed wetland buffer consists of maintained lawn grass within the confines of the existing stockade fence as well as the existing dwelling, a shed, a deck, and portions of the driveway and walkways. A portion of the 25-foot vegetated buffer strip is outside of the stockade fence area that delineates the portion of lawn that the Nania family wishes to maintain for their family. The functions and values of sediment and toxicant retention, nutrient removal, and wildlife habitat will be unaltered as a result of this project and the buffer will be improved with high value fruiting flowering shrubs with showy foliage, and opportunities for wildlife in the form of cover, nesting, and foraging throughout various seasons.

The following demonstrates compliance with Section 10.1017.50 of the City of Portsmouth ZO and criteria for issuance of a CUP and it outlines the measures that have been incorporated into the project in order to prevent a detrimental impact to the wetland buffer. The applicant has committed to incorporating Best Available Technologies in order to offset the minor encroachment within the previously disturbed wetland buffer. In addition, the applicant has also committed to enhancements to the existing 25-foot vegetated buffer strip.

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

This parcel of land is reasonably suited for the proposed home addition improvements. Abutting properties as well as other properties in this suburban residential neighborhood have undertaken similar home addition improvements of this scale.

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

The existing dwelling is located in the 100-foot buffer and there is no other feasible location for the proposed porch addition, deck, and patio associated with the home improvement project. Porch additions, decks, and patios are typically constructed in rear areas of the homes for privacy and configuration. In addition, there are no feasible locations to the sides of the existing dwelling given existing zoning setback limitations and proposed dimensions. A no-build alternative is not feasible as it precludes the applicant's project goals.

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

There will be no adverse impact on the wetland functional values of the site or surrounding properties. The mitigation components of the project incorporate Best Available

Technologies, including pervious pavers, infiltration strips, and ecological enhancements to the wetland buffer with the buffer enhancement area (refer to the site plans and Table 1. Buffer Enhancement Area Planting Schedule) which will enhance and improve the quality of the vegetated buffer strip and the wetland by extension. The infiltration strips will optimize groundwater infiltration with clean roof runoff. Customary Best Management Practices (BMPs), including a siltation sock will be implemented during construction activities. This will reduce the potential for siltation in the direction of the freshwater wetland.

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

This proposal is limited to areas that are previously disturbed in order to achieve the project goals of the Nania family. Moreover, there is no proposed impact to the 25-foot vegetated buffer strip. The applicant has limited the amount of permanent alteration in the wetland buffer to the extent practicable in order to achieve the project goals.

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

This proposal will not result in any adverse impacts to the areas under the jurisdiction of this section of the ZO. The installation of pervious pavers, the proposed deck, infiltration strip at the base of the porch addition, as well as enhancement of the buffer will more than offset the four foot encroachment in the direction of the wetland and 282 square foot (sf) increase in impervious surface. Pervious pavers (164 sf) and infiltration strips will optimize groundwater infiltration of stormwater and clean roof runoff and reduce the potential for concentrated, erosive, stormwater runoff in the direction of the freshwater wetlands during storm events. The proposal represents the least impacting alternative to the buffer zone while allowing for reasonable home addition improvements to the residential dwelling and project goals for the Nania family.

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

Other than installation (staking) of the silt sock for erosion and siltation control measures and manual planting of buffer enhancement shrubs, there is no disturbance or alteration of grades proposed to the 25-foot vegetated buffer strip. In fact, the quality of the vegetated buffer strip will be improved with the planting of valuable buffer enhancement shrubs as outlined in Table 1. As construction is concluded, all disturbed/exposed areas will be stabilized with a grass seed mix and straw to promote optimum stabilization.

The construction sequence of the project will generally follow these steps:

- Install erosion and siltation control sock and conduct maintenance, as required;
- Supply a dumpster and portable toilet for the job;
- Remove and deck; layout deck and addition, dig footings and install retaining wall;
- Frame the new section of porch addition and deck to code;
- Install stairs on deck and porch addition;

- Grub down the left lawn and incline to allow for a new block retaining wall;
- Install new retaining wall pre-engineered blocks;
- Install infiltration strips;
- Prepare and compact the subbase of patio per pervious paver specifications;
- Install Techo-blocs® (or equivalent) pervious pavers for patio;
- Remove all job-related trash from the property; and,
- Loam, seed, and mulch disturbed lawn area to promote optimum stabilization.

Table 1. Wetland Buffer Enhancement Area Planting Schedule

Shrub Species	Spacing Specifications	Aesthetic & Wildlife Function & Value
Serviceberry (<i>Amelanchier canadensis</i>)	Four (4) three to four-foot specimens, planted approximately XX-feet on center in areas devoid of woody vegetation.	Attractive early flowering large shrub with excellent value as summer food and cover for bluebird, cardinal, cedar waxwing, catbird, red squirrel, scarlet tanager, veery, and deer.
Maple-leaved Viburnum (<i>Viburnum acerifolium</i>)	Four (4) three to four-foot specimens, planted approximately XX-feet on center in areas devoid of woody vegetation.	Thicket forming shrub with creamy flowers and extremely colorful fall foliage and drupes. Drupes, twigs, and buds are excellent food for white-throated sparrow, hermit thrush, cardinal, bluebird, catbird, chipmunk, squirrels, and rabbit. Attracts native bees, butterflies, and moths.
Gray Dogwood (<i>Cornus racemosa</i>)	Four (4) three to four-foot specimens, planted approximately XX-feet on center in areas devoid of woody vegetation.	Fruits persistent to early winter provide cover, nesting sites, and fall food for wild turkey, ruffed grouse, northern flicker, downy woodpecker, eastern kingbird, catbird, robin, thrushes, cedar waxwing, cardinal, pine grosbeak, squirrels, rabbit, and deer.

*Plantstock may be obtained from Pierson Nurseries or New England Wetland Plants or bare root stock from NH State nursery.

The Buffer Enhancement Planting (BEP) planting area consists of an area approximately three feet wide and 301 sf and will generally follow the elevation 92' contour directly above the wetland boundary. The plantings of the BEP will provide additional wildlife habitat function and visual aesthetic value. The species indicated in Table 1, Wetland Buffer Enhancement Area Planting Schedule, include a diversity of shrubs with aesthetic and functional attributes. In addition to providing nesting, and cover opportunities, these species will produce showy inflorescences and fruiting bodies during a variety of periods during the growing season. The shrubs will provide wildlife habitat in the form of cover, nesting, and foraging. Seeds are of high value, especially as a food source for overwintering birds as well as small mammals and opportunistic herpetofauna. An additional goal of this enhancement planting is to complement the existing staghorn sumac community and halt the propagation of new multiflora rose shoots. The foliage and flowers will provide variation in color, cover, nesting, and foraging opportunities in different seasons throughout the year, including winter.

The applicant proposes pervious pavers and infiltration strips in the wetland buffer, which will facilitate optimum groundwater infiltration. Customary BMPs, including a siltation sock, will be incorporated into the construction phases of the project. The project components located within the wetland buffer have been designed to avoid impacts to the freshwater wetland and avoid adverse impacts to the wetland buffer and ensure the functions and values of the emergent wetland system will be preserved and the buffer will be enhanced. The proposed project keeps within the spirit and intent of the City of Portsmouth ZO. As such, the applicant requests that the City of Portsmouth Planning Board issue a CUP for the proposed project.

Respectfully Submitted,
Mission Wetland & Ecological Services, LLC.



Sergio Bonilla, PWS, CWS, CESSWI
Principal Wetland Ecologist

Cc: Matthew and Erica Nania, applicants

Chris Howlett, Diamond Hill Builders, LLC., electronic, via e-mail

Henry Boyd, Millennium Engineering, electronic, via e-mail

Peter Britz, Portsmouth Environmental Planner, electronic, via e-mail

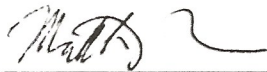
Matt and Erica Nania
18 Dunlin Way
Portsmouth New Hampshire 03801

June 15, 2020

To Whom it May Concern,

We hereby authorize Mission Wetland and Ecological Services, LLC (Mission) to be our agent concerning this Conditional Use Permit application for dwelling improvements located at 18 Dunlin Way and identified by the City of Portsmouth Assessor as Tax Map 213, Lot 9.

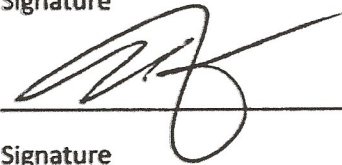
Sincerely,



Signature



Date



Signature



Date

Client Name: Matthew and Erica Nania		Site Location: 18 Dunlin Way (TM 213, Lot 9) Portsmouth, New Hampshire	Project No. 20-013
Photo No. 1	Date: 6/16/20		
Description: Facing west at the existing dwelling and lawn area for proposed home improvements.			

Photo No. 2	Date: 6/16/20
Description: Facing southwest at the existing dwelling and lawn area for proposed home improvements.	




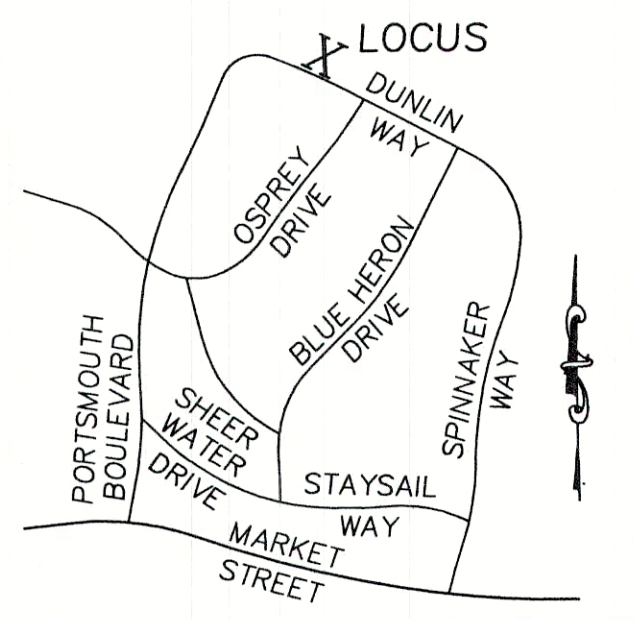
Client Name: Matthew and Erica Nania		Site Location: 18 Dunlin Way (TM 213, Lot 9) Portsmouth, New Hampshire	Project No. 20-013
Photo No. 3	Date: 4/29/20		
Description: Facing southeast at the frequently maintained emergent wetland system associated with the subject property.			

Photo No. 4	Date: 4/29/20
Description: Facing northwest along the rear portion of the property with the wetland within the maintained utility ROW with the railroad bed and area for buffer enhancement plantings.	

A photograph showing a dark wooden fence running along the left side of the frame. To the right of the fence is a field of dry grass and brush. In the background, there are trees and a utility pole. A small black dog is visible in the distance.



LOCUS MAP
NOT TO SCALE

WETLANDS DELINEATION BY
MISSION WETLAND &
ECOLOGICAL SERVICES, LLC
P.O. BOX 4028
PORTSMOUTH, NH 03802

IN ACCORDANCE WITH THE 1987 CORPS OF
ENGINEERS WETLANDS DELINEATION MANUAL,
AND THE 2012 REGIONAL SUPPLEMENT.

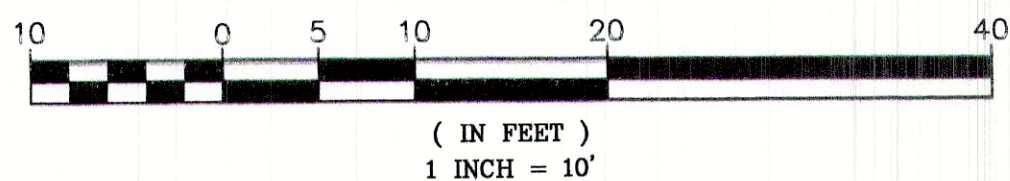


213
3
N/F
THOM GRAEME
212 MAYFIELD CIRLE
ALPHARETTA, GA 30009
BK. 3453 PG. 2213

LEGEND

- I.P. IRON PIPE
- I ROD IRON ROD
- FND. FOUND.
- 0/00 ASSESSORS MAP AND PARCEL
- UTILITY POLE
- W1 WETLAND FLAG
- WETLAND
- SS SILT SOXX

GRAPHIC SCALE

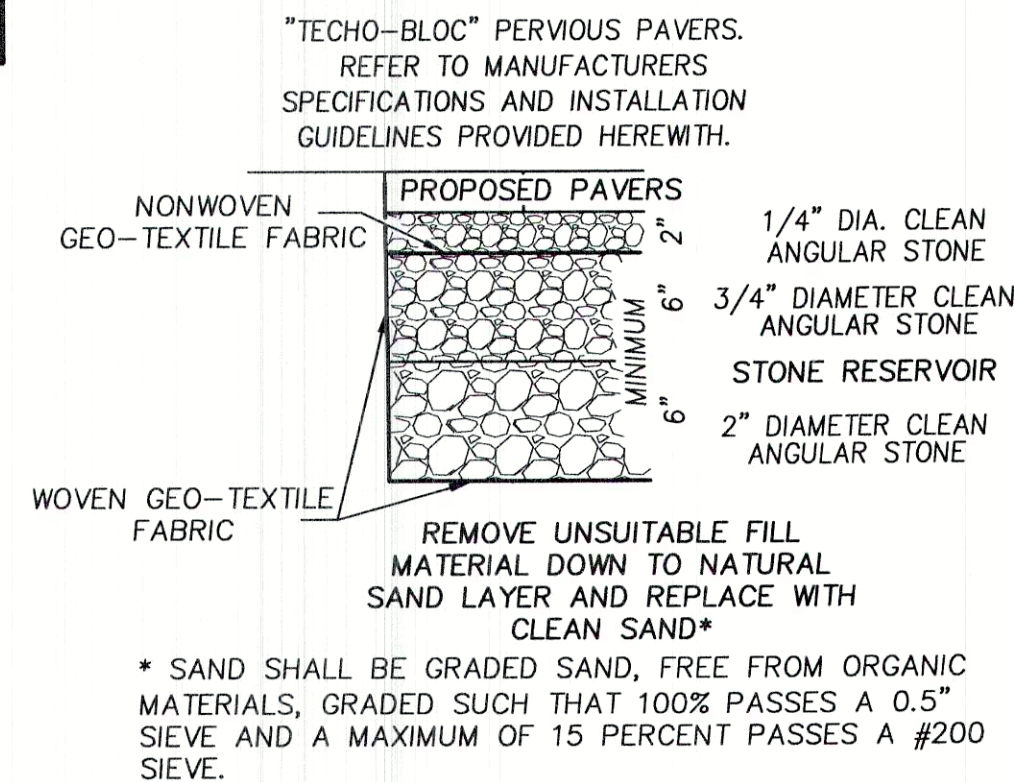


NOTES:

- THIS PLAN DOES NOT SHOW ANY UNRECORDED OR UNWRITTEN EASEMENTS WHICH MAY EXIST. A REASONABLE AND DILIGENT ATTEMPT HAS BEEN MADE TO OBSERVE ANY APPARENT VISIBLE USES OF THE LAND; HOWEVER, THIS DOES NOT CONSTITUTE A GUARANTEE THAT NO SUCH EASEMENTS EXIST.
- THIS PARCEL DOES NOT LIE WITHIN THE FLOOD ZONE, SEE F.I.R.M. COMMUNITY PANEL 33015C0259E DATE MAY 17, 2005.
- ELEVATIONS SHOWN HEREON ARE BASED ON AN ASSUMED DATUM.

"TECHO-BLOC" PERVIOUS

PAVER DETAIL NOT TO SCALE



PLAN REFERENCE

"LOT LINE RELOCATION PLAN
OSPREY LANDING DUNLIN WAY
PORTSMOUTH, NH" SCALE: 1"=50'
DATE: FEB. 1999
BY: CLD CONSULTING ENGINEERS
D-27029

PLANTING LEGEND

- SERVICEBERRY (AMELANCHIER CANADENSIS)
- MAPLE-LEAVED VIBURNUM (VIBURNUM ACERIFOLIUM)
- GRAY DOGWOOD (CORNUS RACEMOSA)

PLANTING BUFFER
AREA=302 S.F.

213
10
N/F
RAAD M. MUKHLIS
NADIA T. AL ABDULLA
20 DUNLIN WAY
PORTSMOUTH, NH 03802
BK. 5139 PG. 2569

SEE BUILDING PLANS FOR
DIMENSIONS AND DETAILS

DOOR SILL
EL.=101.1

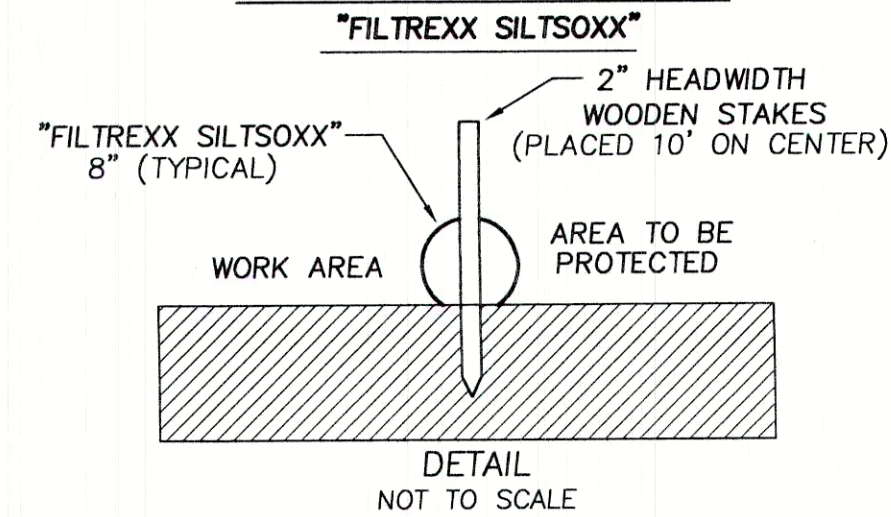
#18
EXISTING
DWELLING

GARAGE SLAB
EL.=101.1

213
8
N/F
DIPENTIMA REV. LIVING TRUST
RICHARD T. & CATHERINE R.
DIPENTIMA, TRUSTEES
16 DUNLIN WAY
PORTSMOUTH, NH 03802
BK. 4998 PG. 2776

213
4
N/F
DAVIS S. ROGERS &
CARLA D. ROGERS DECLARATION
OF TRUST
15 DUNLIN WAY
PORTSMOUTH, NH 03801
BK. 5539 PG. 0146

EROSION CONTROL



PEM1E
USFWS
WETLAND
CLASSIFICATION

214
1
N/F
GSP SCHILLER, LLC.
431 RIVER ROAD
BOW, NH 03304
BK. 5887 PG. 0823

RECORD OWNERS

213
9
NANIA FAMILY TRUST
MATTHEW J. & ERICA I. NANIA, TRUSTEES
18 DUNLIN WAY
PORTSMOUTH, NH 03801
BK. 6101 PG. 1761
14,199 S.F.
0.33 ACRES

EXISTING SEALED 2,987 S.F.=21.0% OF LOT AREA
OPEN SPACE 11,212 S.F.=79.0% OF LOT AREA
EXISTING BUILDING COVERAGE 1,910 S.F.=13.5% OF LOT AREA
INCLUDES ROOF OVERHANG, DECKS, STEPS AND SHED.

PROPOSED SEALED 3,269 S.F.=23.0% OF LOT AREA
OPEN SPACE 10,766 S.F.=75.8% OF LOT AREA

PROPOSED BUILDING COVERAGE 2,227 S.F.=15.7% OF LOT AREA
INCLUDES ROOF OVERHANG, DECKS, STEPS AND SHED.

ZONING DISTRICT

GRB

MINIMUM REQUIREMENTS

AREA	5,000 S.F.
FRONTAGE	80'
DEPTH	60'
MIN. LOT AREA/DWELLING UNIT	5,000 S.F.
MIN. OPEN SPACE	30%
MAX. BUILDING COVERAGE	25%
MAX. HEIGHT	35'/30'

BUILDING SETBACKS

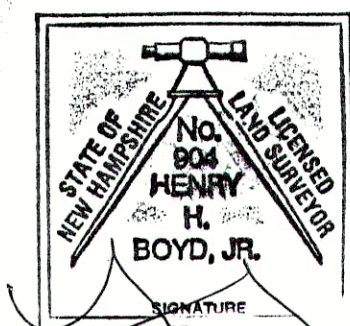
FRONT	5'
SIDE	10'
REAR	25'

REFER TO CITY OF PORTSMOUTH
ZONING ORDINANCE

I CERTIFY:

THAT THIS ACTUAL SURVEY WAS MADE
ON THE GROUND IN MAY OF 2020.

THAT THIS SURVEY CONFORMS TO THE
REQUIREMENTS FOR ACCURACY FOR
N.H. URBAN SURVEY.



LICENSED LAND SURVEYOR

DATE

PLAT OF LAND
IN
PORTSMOUTH, NH

SHOWING
A PROPOSED PORCH ADDITION
AT 18 DUNLIN WAY
(ASSESSORS MAP 213 LOT 9)

RECORD OWNERS

NANIA FAMILY TRUST
MATTHEW J. & ERICA I. NANIA TRUSTEES
18 DUNLIN WAY PORTSMOUTH, NH 03801

MILLENNIUM ENGINEERING INC.
ENGINEERS AND LAND SURVEYORS
P.O. BOX 745 13 HAMPTON ROAD EXETER, NH 03833
PHONE:(603)778-0528 FAX:(603)772-0689 WWW.MEI-NH.COM

SCALE: 1"=10'	DRWN. BY: R.S.G.	PROJECT: E202472
DATE: JUNE 24, 2020	CHKD. BY: H.H.B.	

NO.	DATE	DESCRIPTION	BY

D-27029

