

Findings of Fact | Wetland Conditional Use Permit

City of Portsmouth Planning Board

Date: April 16, 2026

Property Address: 323 Jones Avenue

Application #: LU-26-28

Decision: Approve Deny Approve with Conditions

Findings of Fact:

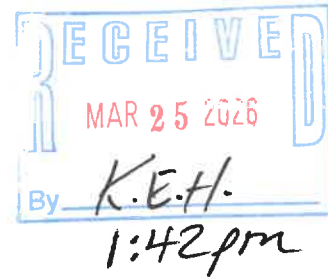
Per RSA 676:3, I: The local land use board shall issue a final written decision which either approves or disapproves an application for a local permit and make a copy of the decision available to the applicant. **The decision shall include specific written findings of fact that support the decision. 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 Does Not Meet	This lot is already a developed lot and is suited to the use of exterior stairs.
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 Does Not Meet	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	<i>3. There will be no adverse impact on the wetland functional values of the site or surrounding properties.</i>	Meets Does Not Meet	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

	Zoning Ordinance Sector 10.1017.50 Criteria for Approval	Finding (Meets Criteria for Approval)	Supporting Information
			before it flows into the adjacent wetland.
4	4. Alteration of the natural vegetative state or managed woodland will occur only to the extent necessary to achieve construction goals.	Meets Does Not Meet	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	5. The proposal is the alternative with the least adverse impact to areas and environments under the jurisdiction of this section.	Meets Does Not Meet	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	6. Any area within the vegetated buffer strip will be returned to a natural state to the extent feasible.	Meets Does Not Meet	It appears as though the vegetated buffer strip is not being disturbed with this project.
7	<u>Other Board Findings:</u>		

Peter L Evans
323 Jones Ave
Portsmouth, NH 03801
603-957-0134
tontof16@comcast.net



Dear Planning Committee,

This letter is in regards to my proposed stairs (new construction) which will be located on the South side of my house. These stairs will be used as the "primary" entry/exit into my ADU, which is waiting approval from the building department and is also dependent of your approval of these stairs. The current room that will be converted to an ADU is above my garage and is approximately 1100 square feet. To bring this room into current local compliance of 750 square feet I will be adding a few walls to change the configuration of this room along with changing the primary entry/exit points of this room. If you have any further questions please feel free to contact me.

Respectfully,



Pete Evans



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: PETE EVANS Date Submitted: _____


Application # (in City's online permitting): LU-26-28

Site Address: 323 Jones Avenue Map: 222 Lot: 72

<input checked="" type="checkbox"/>	Required Items for Submittal	Item Location (e.g. Page or Plan Sheet/Note #)
<input checked="" type="checkbox"/>	Complete application form submitted via the City's web-based permitting program	
<input checked="" type="checkbox"/>	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.	

<input checked="" type="checkbox"/>	Required Items for Submittal	Item Location (e.g. Page/line or Plan Sheet/Note #)
<input checked="" type="checkbox"/>	Basic property and wetland resource information. (10.1017.21)	
<input checked="" type="checkbox"/>	Additional information required for projects proposing greater than 250 square feet of permanent or temporary impacts. (10.1017.22)	
<input type="checkbox"/>	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)	
<input type="checkbox"/>	Balance impervious surface impacts with removal and/or wetland buffer enhancement plan. (10.1017.24)	

<input checked="" type="checkbox"/>	Required Items for Submittal	Item Location (e.g. Page/line or Plan Sheet/Note #)
<input type="checkbox"/>	Wetland buffer enhancement plan. (10.1017.25)	
<input type="checkbox"/>	Living shoreline strategy provided for tidal wetland and/or tidal buffer impacts. (10.1017.26)	N/A
<input checked="" type="checkbox"/>	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)	
<input type="checkbox"/>	Vegetated Buffer Strip slope of greater than or equal to 10%. (10.1018.22)	N/A
<input type="checkbox"/>	Removal or cutting of vegetation, use of fertilizers, pesticides and herbicides. (10.1018.23/10.1018.24/10.1018.25)	N/A
<input type="checkbox"/>	All new pavement within a wetland buffer shall be porous pavement. (10.1018.31)	N/A
<input type="checkbox"/>	An application that proposes porous pavement in a wetland buffer shall include a pavement maintenance plan. (10.1018.32)	N/A
<input checked="" type="checkbox"/>	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)	
<input checked="" type="checkbox"/>	Requested Items for Submittal	Item Location (e.g. Page or Plan Sheet/Note #)
<input checked="" type="checkbox"/>	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.	
<input type="checkbox"/>	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:  Date: 3/2/26



Property Information

Property ID 0222-0072-0000
Location 323 JONES AVE
Owner EVANS PETER L RV TR (1/2 INT)



**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 10/23/2025

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

323 Jones Avenue



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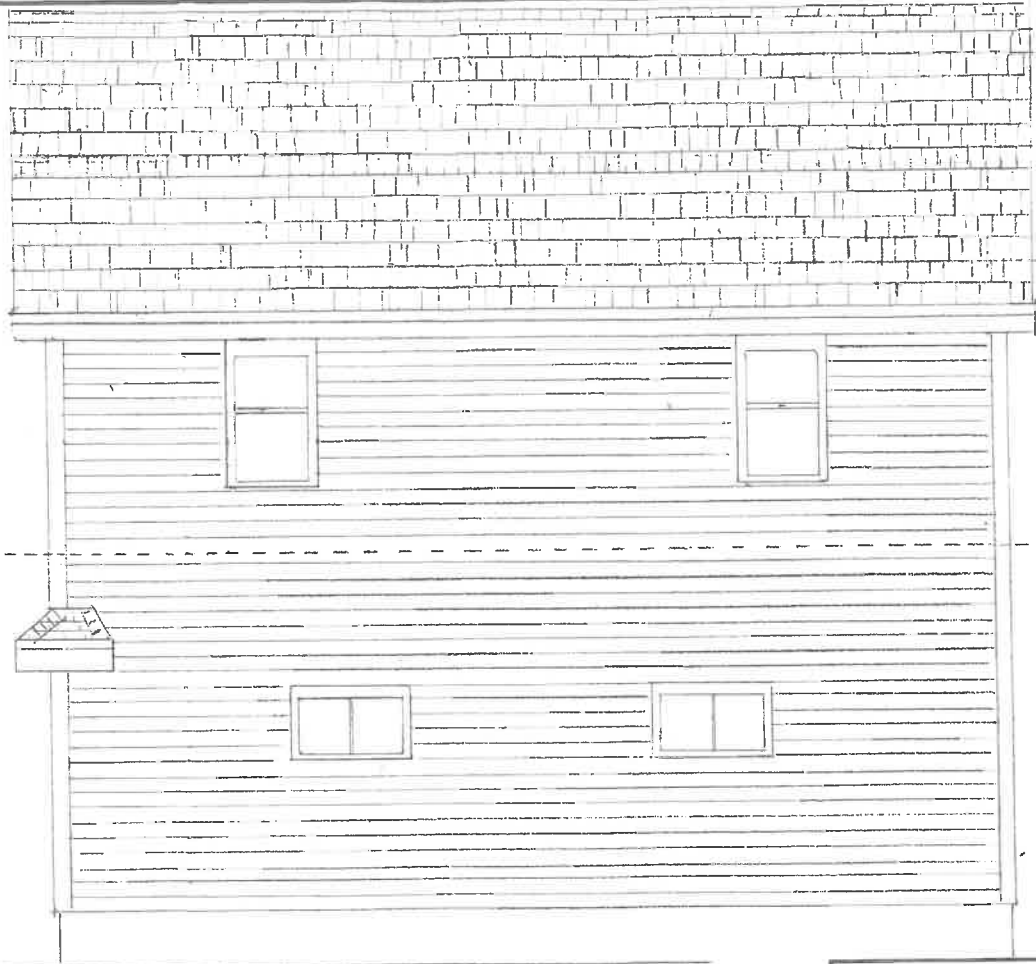


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Existing CONDITIONS.

Pete EVANS 323 JONES AVE, Portsmouth, N.H		
SCALE: NTS	APPROVED BY:	DRAWN BY TPM
DATE: 10/4/25		REVISED
NEW Exterior Staircase		
Existing Conditions Plan.		DRAWING NUMBER A-1

Existing second
Floor Elevation →



Pete Evans 323 JONES AVE, PORTSMOUTH, NH

SCALE: NTS

APPROVED BY:

DRAWN BY JPM

DATE: 10/4/25

REVISED

NEW EXTERIOR STAIRCASE

SIDE ELEVATION PLAN

DRAWING NUMBER

A-3



Notes:

Porch Roof

Double 2x10 Support Beam
 2x8 Rafters, 5/8" Sheathing, Trim and Roofing
 TO Match Existing Home

Stairs/Landings

2x8 PT Landings, 16" OC, Triple 2x10 PT Beams
 4x4 and 6x6 PT Support Posts
 2x12 PT Stair Stringers
 Composite Decking, Vinyl Rail Systems
 PVC Risers, Skirts, Post Wraps

Concrete Piers

10" CAST-IN-Place Concrete Piers (Big FOOT BASES)
 4" Below Grade

Existing Attached Garage

Pete Evans 323 Jones Ave. Portsmouth, NH		
SCALE: NTS	APPROVED BY:	DRAWN BY TPM
DATE: 10/4/25		REVISED
NEW Exterior Stair Case		
FRONT Elevation Plan		DRAWING NUMBER A-2