

Findings of Fact | Wetland Conditional Use Permit

City of Portsmouth Planning Board

Date: October 15, 2026

Property Address: 400 Little Harbor Road

Application #: LU-26-68

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 project seeks to replace a non-compliant set of stairs leading from an entryway with a compliant landing and new set of stairs. This will increase the impervious cover in this area by a small amount and is necessary for complying with the building code. It will replace an existing set of stairs that is within the same area.
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	AThis location is already an existing entry/exit for the building that is within the 100' wetland buffer. There is no reasonable alternative for redesigning and constructing an egress elsewhere in the building.

	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 Does Not Meet	The proposed work is minimal and should not create any adverse impacts to the wetland functional values of the site. Erosion controls should be installed prior to construction to minimize runoff into the resource. The addition of new wetland buffer plantings could help to mitigate nutrient and sediment runoff in the long-term.
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 Does Not Meet	This project will only be performing construction in a previously developed area where existing stairs are currently sitting. No vegetation removal is being proposed.
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 Does Not Meet	This proposal is to improve an existing entry/exit for safety compliance and is greatly minimizing any impact to the jurisdictional areas. There is no alternative location outside of the wetland buffer that can be easily transformed for this purpose.
6	<i>6. Any area within the vegetated buffer strip will be returned to a natural state to the extent feasible.</i>	Meets Does Not Meet	This application does not propose impacts within the 25' vegetated buffer strip.
7	<u>Other Board Findings:</u>		

Project Narrative:

Conditional Use Permit-Inland Wetland Buffer

Creek Farm – Education Center new landing and stairs

Tax Map 203, Lot 8

400A Little Harbor Road, Portsmouth, NH

Dear Rick Chellman

Wednesday the 9th of August the Conservation Commission gave the Forest Society a favorable recommendation for CUP LU – 26- 26 application. The two stipulations outlined in the September 9, 2026 Conservation Commission memo have been met and is available for review in the portal.

The Society for the Protection of New Hampshire Forests is proposing to replace an existing set of stairs and sliding door with a new landing with stairs and an out swing door with a separate side light to conform with current egress requirements. This work will take place at the Education Center located at Creek Farm. The Education Center is two story structure roughly measuring 32' 11" by 57' 3". The Education Center serves as a place for outreach and Education for the community.

The new landing and not more than four stairs will be +/- 55 SQFT. Replacing the existing stairs +/- 13 SQFT adding +/- 42 SQFT of impervious surface.

The new landing and stairs will be supported by four 6" by 6" PT posts connected to four Sona tubes, 48" BY10" dia, filled with concrete with Simpson metal connectors. The last step will rest on a cement landing roughly 12" by 60". Spacing between deck boards will be 1/4" and 3/4" stone will beneath the landing and stairs.

The landing frame will be constructed with 2" by 8" PT boards, 16" on center. Three 4" by 4" PT posts will be installed at the three corners for railing support. The railing will be 42" tall made with PT 2" by 4" boards on edge and PT spindles to be 3 1/2" apart with a 2" by 6" PT board cap. The decking will be 5/4" by 6" PT deck boards fastened with screws with a 1/4" gap.

New stairs are approximately the same as the landing and comprised of 5 stair stringers with PT decking, screwed. Railings will be on both sides of the stairs and attached to 4" by 4" PT posts. The railings will be constructed to the same detail as the railing on the landing . An additional small railing will be installed on one side of the railing to meet code requirements.

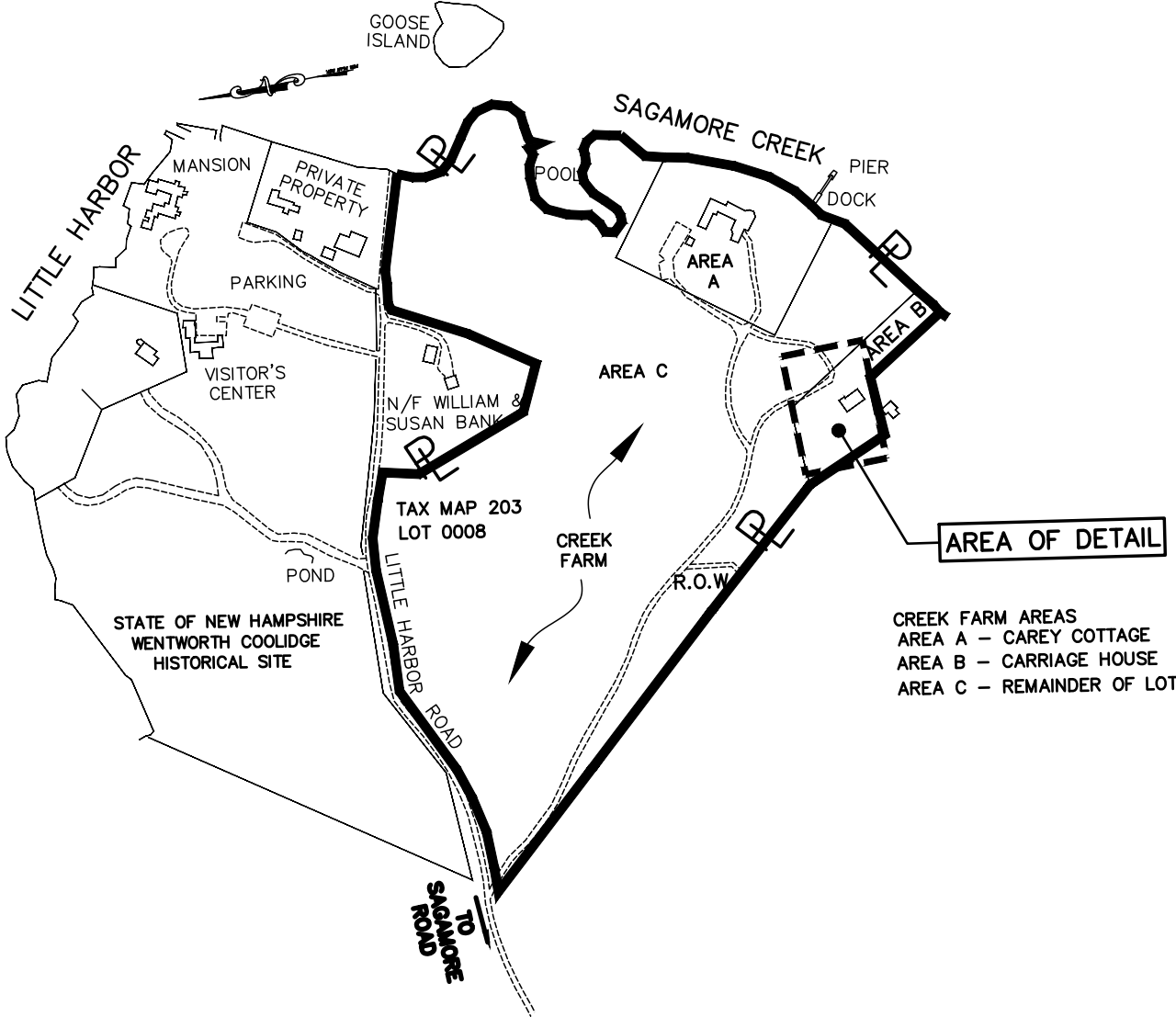
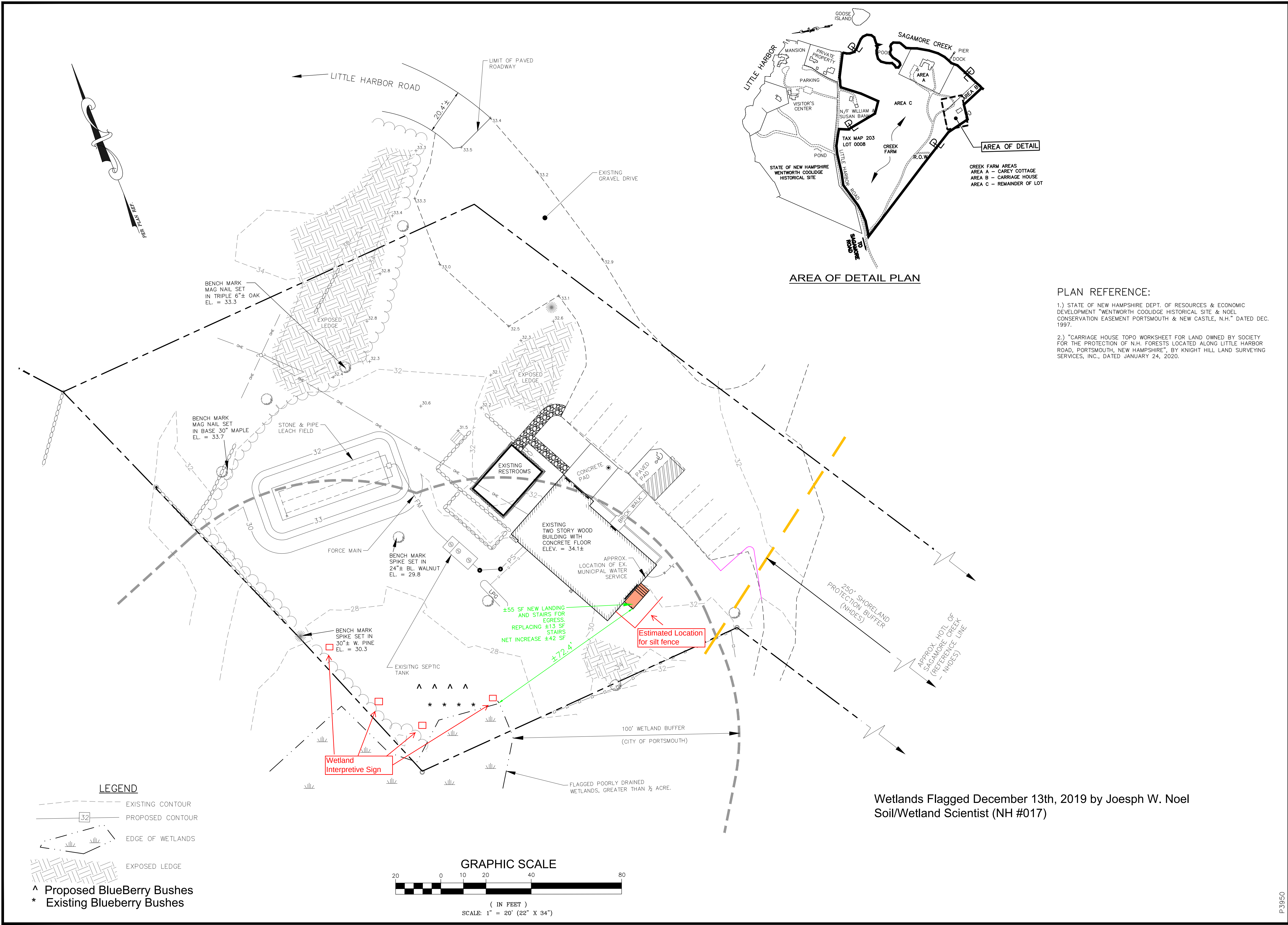
All fasteners are code compliant.

The existing sliding door will be replaced with a 36" outswing door with tempered glass and a fixed panel 28" by 72" with tempered glass.

Sincerely,

Carl Murphy, Facility Manager

Forest Society



PLAN REFERENCE:

1.) STATE OF NEW HAMPSHIRE DEPT. OF RESOURCES & ECONOMIC DEVELOPMENT "WENTWORTH COOLIDGE HISTORICAL SITE & NOEL CONSERVATION EASEMENT PORTSMOUTH & NEW CASTLE, N.H." DATED DEC. 1997.

2.) "CARRIAGE HOUSE TOPO WORKSHEET FOR LAND OWNED BY SOCIETY FOR THE PROTECTION OF N.H. FORESTS LOCATED ALONG LITTLE HARBOR ROAD, PORTSMOUTH, NEW HAMPSHIRE", BY KNIGHT HILL LAND SURVEYING SERVICES, INC., DATED JANUARY 24, 2020.

133 Court Street
(603) 433-2335

Portsmouth, NH 03801
www.altus-eng.com

NOT FOR CONSTRUCTION

ISSUED FOR: **PERMITTING**

ISSUE DATE: **JULY 27, 2026**

REVISIONS	
NO.	DESCRIPTION
0	INITIAL SUBMISSION

DRAWN BY: _____ EDW

APPROVED BY: _____ EDW

DRAWING FILE: 3950STAIRS.DWG

SCALE:
(22"x34") 1" = 20'
(11"x17") 1" = 40'

OWNER/APPLICANT:
SOCIETY FOR THE PROTECTION OF N.H. FORESTS

54 PORTSMOUTH ST.
CONCORD, NH 03302

PROJECT:
PROPOSED STAIRS AND LANDING AT THE CARRIAGE HOUSE CREEK FARM

400 LITTLE HARBOR ROAD
PORTSMOUTH, NH
TAX MAP 203, LOT 08

TITLE:
AMENDED SITE PLAN

SHEET NUMBER:
1 of 1

P3950

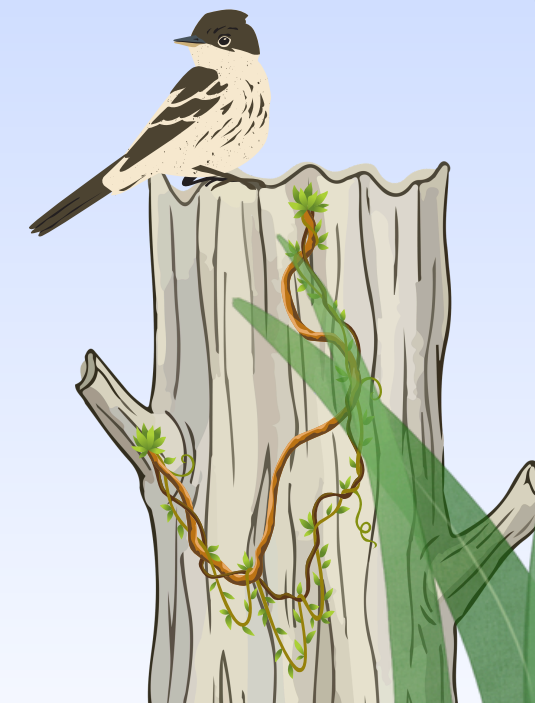
What is a Wetland?

Wetlands are some of the most biodiverse habitats in North America- characterized by a year-round body of water or water saturated ground cover.

They aren't only homes for the generalist species, who can thrive in a variety of spaces, but specialists, who thrive in a specific habitat with specific resources. Because they are resource dense, relatively mild, and have lots of places to hide, they also make great nurseries during reproductive seasons.

Wetlands come in all shapes and sizes. They can be small, large, thin, and wide. They can also be freshwater, saltwater, or somewhere in between - both in the forest and by the sea!

When you stand by a wetland, the diversity is clear! Species of all sorts are in the water, on land, in the trees and bushes, and in the air!



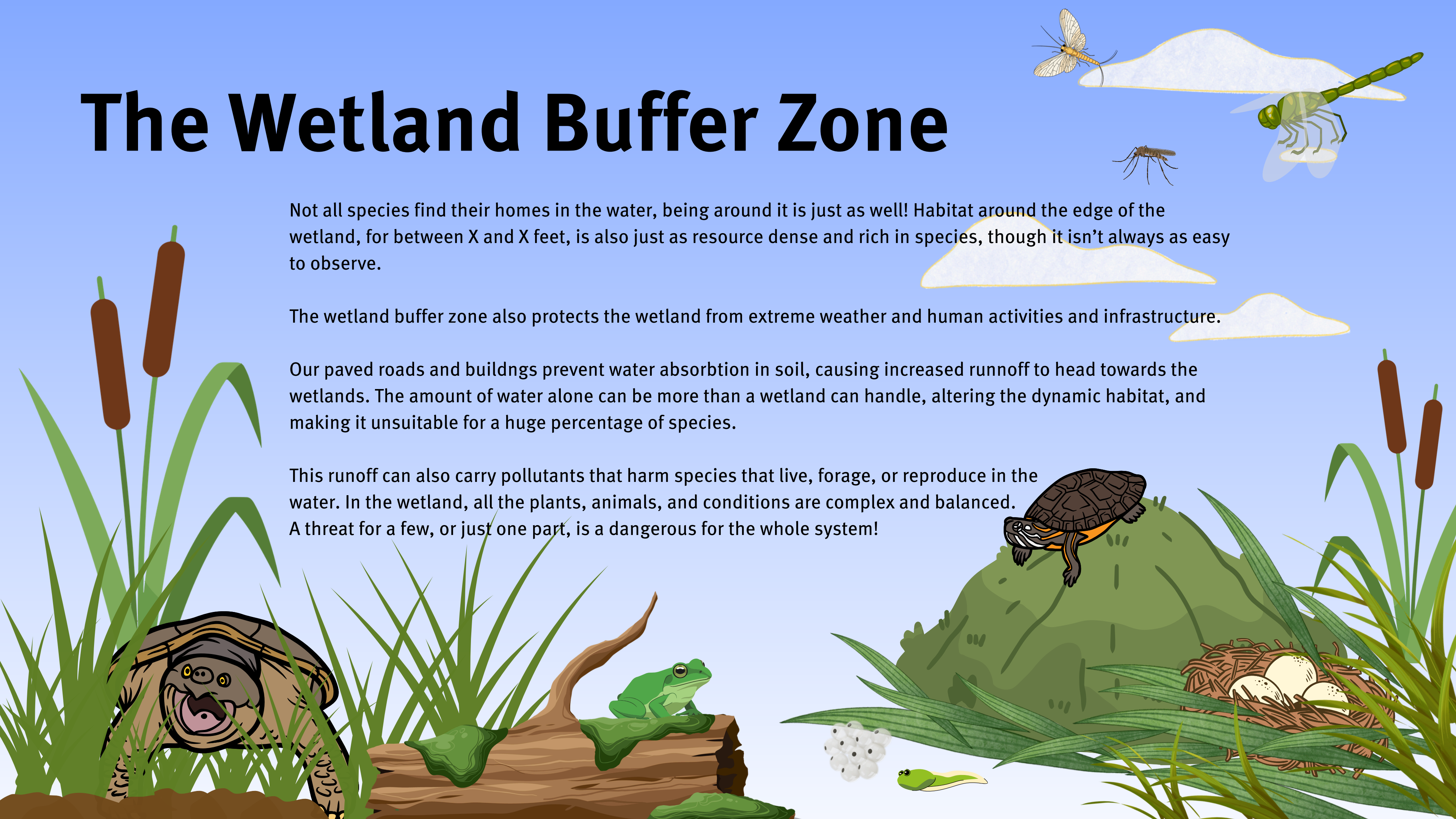
The Wetland Buffer Zone

Not all species find their homes in the water, being around it is just as well! Habitat around the edge of the wetland, for between X and X feet, is also just as resource dense and rich in species, though it isn't always as easy to observe.

The wetland buffer zone also protects the wetland from extreme weather and human activities and infrastructure.

Our paved roads and buildings prevent water absorption in soil, causing increased runoff to head towards the wetlands. The amount of water alone can be more than a wetland can handle, altering the dynamic habitat, and making it unsuitable for a huge percentage of species.

This runoff can also carry pollutants that harm species that live, forage, or reproduce in the water. In the wetland, all the plants, animals, and conditions are complex and balanced. A threat for a few, or just one part, is a danger for the whole system!

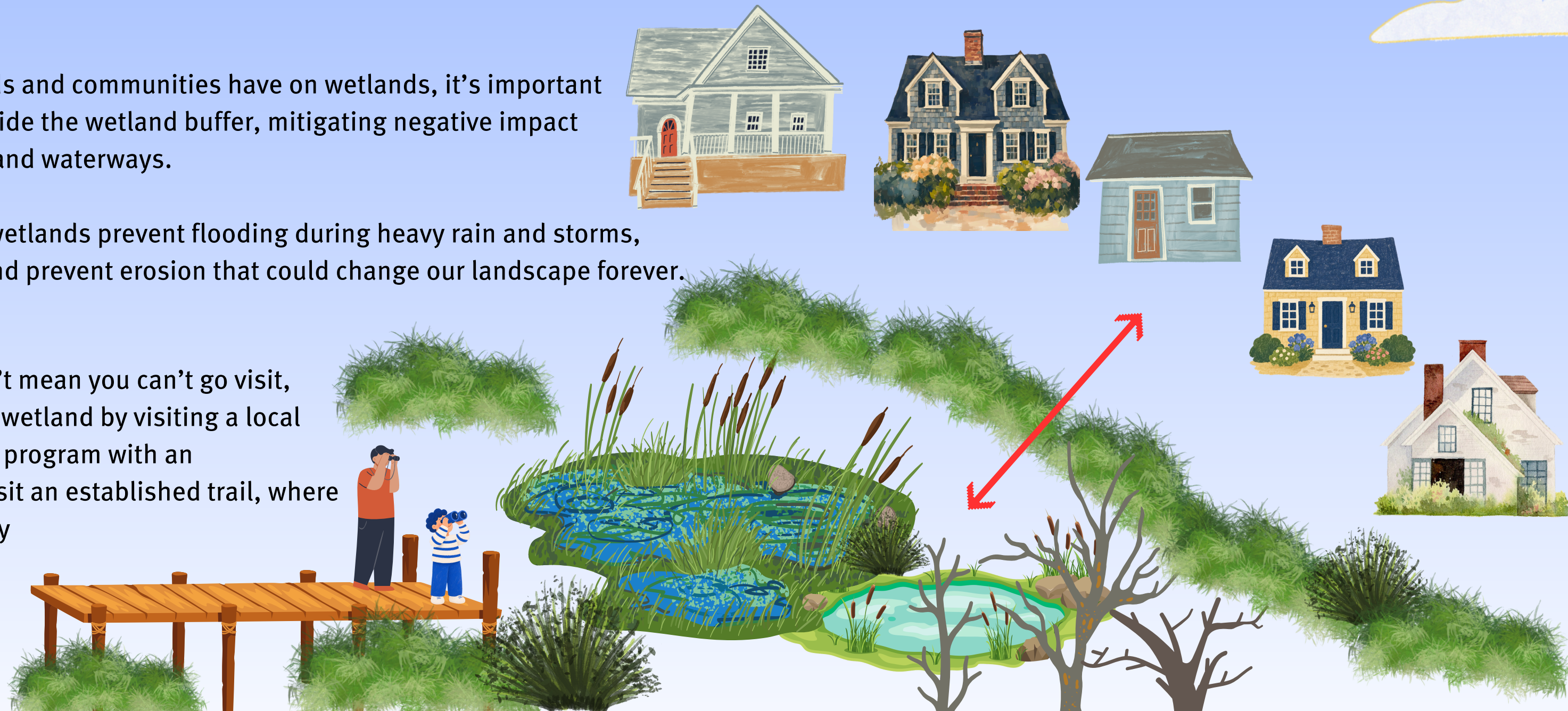


Conservation and Resilience Through Wetland Protection

Because of the effect our roads and communities have on wetlands, it's important for us to ensure we build outside the wetland buffer, mitigating negative impact on our local plants, animals, and waterways.

In return, diverse, protected wetlands prevent flooding during heavy rain and storms, keep pest populations low, and prevent erosion that could change our landscape forever.

Protecting the wetland doesn't mean you can't go visit, though! Get to know your local wetland by visiting a local education center, attending a program with an environmental educator, or visit an established trail, where you can observe wildlife safely for you and them!



Protecting our Wetlands

Protecting the wetland buffer zone not only prevents flooding in our communities, but prevents damage to the wetland. A massive variety of species live in the water, air, grasses, and brush. Many also don't live their entire lives in the wetland, but reproduce there. It's absolutely critical habitat, and we're happy to protect it!

Our roads, homes, and businesses prevent water from reaching the ground when it rains, causing more and more to run towards the wetlands!

This excess water runoff can quickly be much more than the wetlands can handle, and they often carry pollutants that can damage the fragile and complex ecosystem.

The wetland buffer zone, filled with tall grasses, woody plants, and small trees, slows and absorbs the excess water runoff.

