

Findings of Fact | Wetland Conditional Use Permit

City of Portsmouth Planning Board

Date: June 15, 2023

Property Address: 253 Odiorne Point Road

Application #: LU-23-36

Decision: Deny Approve Approve with Conditions

Findings of Fact:

Effective August 23, 2022, amended RSA 676:3, I now reads as follows: 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 the 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 location is currently inundated during precipitation and the principal structure along with the surrounding yard suffers from ponding damage and lack of infiltration. The proposed permeable pavers, replacement of clay soil, renovation of existing rock walls and installation of a new French drain should help to divert and better infiltrate stormwater into the wetland behind this home.
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	The entire backyard of this property is within the buffer and retains water during rain events. This area requires better stormwater mitigation and redirection in order to prevent further damage to the existing home.

	Zoning Ordinance Sector 10.1017.50 Criteria for Approval	Finding (Meets Criteria for Approval)	Supporting Information
3	3. There will be no adverse impact on the wetland functional values of the site or surrounding properties.	Meets/Does not Meet	The proposed project will be redirecting stormwater into the wetland and allowing for better infiltration with the loss of clay soils. Additionally, the applicant is proposing to remove invasive Phragmites from the wetland and will install native wetland plantings which should help with the overall health of the 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	The proposed new areas of impact will only occur over existing lawn. The applicant is proposing to remove invasives within the immediate wetland but will be replacing with native plantings.
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	Overall, the applicant has provided an alternative with a small impact to the wetland buffer and will be improving the health of the wetland through invasive removal and native plantings. The redirection of stormwater flow should help to infiltrate and slow stormwater as it reaches the wetland.
6	6. Any area within the vegetated buffer strip will be returned to a natural state to the extent feasible.	Meets/Does not Meet	The applicant is proposing to plant winterberry along the wetland edge where invasives currently exist. Additional buffer plantings could be useful surrounding the proposed patio area and along the extended walls to help slow stormwater.
7	<u>Other Board Findings:</u>		

253 Odiorne Point RD - 2023 - Extension of existing stone walls, a concrete slab addition under the deck, an expansion of a deck and the relocation of deck footings and stairs.

(/dashboard/projects/6783) Land Use Application

LU-23-36

Your Submission

Attachments

Guests (0)

- Preliminary Application Review
- Land Use Permit -- Planning Department Review and Fee Calculation
- Application Permit Fee
- Postage / Advertising Fees for BOA Meeting - 4/18/23
- Board of Adjustment Letter of Decision -- Postponement (no revisions)
- Board of Adjustment Letter of Decision -- Approval
- Conservation Commission Letter of Decision -- Wetland Conditional Use Permit
- Land Use Code Review
- Zoning Board of Adjustment Approval
- Conservation Commission Review
- Planning Board Conditional Use Permit (Wetlands) Approval
- Land Use Conditions of Approval Review
- Building Permit Issued

Your submission

Submitted Mar 19, 2023 at 10:26am

Contact Information

Ryan Mullen

Email address

rtmullen75@gmail.com

Phone Number

619-865-3660

Mailing Address

253 Odiorne Point Road , Portsmouth, NH 03801

Locations

1 location total

PRIMARY LOCATION



253 ODIORNE POINT RD
Portsmouth, NH 03801

Applicant Information

Please indicate your relationship to this project * 

A. Property Owner

Alternative Project Address

Alternative Project Address 

--

Project Type

Addition or Renovation: any project (commercial or residential) that includes an ADDITION to an existing structure or a NEW structure on a property that already has structure(s) on it

New Construction: any project (commercial or residential) that involves adding a NEW structure on a parcel that is currently VACANT. If there are any existing structures on the property (even if you are planning to remove them), you should select Addition and Renovation above

--

Minor Renovation: for projects in the Historic District only that involve a minor exterior renovation or alteration that does not include a building addition or construction of a new structure

--

Home Occupation: residential home occupation established in an existing residential dwelling unit and regulated by the Zoning Ordinance. Home Occupations are not allowed in the following Zoning Districts: Waterfront Business, Office Research, Industrial, or Waterfront Industrial

--

New Use/Change in Use: for a change of land use or an expansion to an existing use (e.g. addition of dwelling units) that includes no exterior work or site modifications

--

Temporary Structure / Use: only for temporary uses (e.g. tents, exhibits, events)

--

Demolition Only: only applicable for demolition projects that do not involve any other construction, renovation, or site work

--

Subdivision or Lot Line Revision: for projects which involved a subdivision of land or an adjustment to an existing lot line

--

Other Site Alteration requiring Site Plan Review Approval and/or Wetland Conditional Use Permit Approval

Sign: Only applies to signs requiring approval from a land use board (e.g. Historic Commission, Zoning Board of Adjustment)

--

Request for Extension of Previously Granted Land Use Approval

--

Appeal of an Administrative Decision or Request for Equitable Waiver

--

Zoning Information

Base Zoning District

Single Residence A (SRA)

Base Zoning District 2

--

Historic District

--

Flood Plain District

--

Downtown Overlay District

--

Osprey Landing Overlay District

--

Airport Approach Overlay District

--

Waterfront Use Overlay District

--

North End Incentive Overlay District

--

West End Incentive Overlay District

--

Highway Noise Overlay District

--

Application Type

Lot Line Revision (Planning Board)

--

Subdivision (Planning Board)

--

Amended Subdivision or Lot Line Revision Approval

--

Wetland Conditional Use Permit (Planning Board)

Amended Wetland Conditional Use Permit (Planning Board)

--

Accessory Dwelling Unit / Garden Cottage Conditional Use Permit (Planning Board)

--

Site Plan Review (Planning Board)

--

Amended Site Plan Review

--

Other Conditional Use Permit (Planning Board)

--

Variance (Zoning Board of Adjustment)



Special Exception (Zoning Board of Adjustment)

--

Historic District Certificate of Approval (Historic District Commission)

--

Request for Extension of Previously Approved Application

--

Appeal of Administrative Decision

--

Equitable Waiver

--

Are You Creating 1 or More New Dwelling Units?

--

Are You Converting Existing Dwelling Units Into Condos?

--

Project Description

Lot Area (s.f.)

87,120

Lot Area Source

City of Portsmouth MapGeo Program

Detailed Description of Proposed Work *

Description of Site: The residential property and single-family structure located at 253 Odiorne Point Road in Portsmouth, New Hampshire was constructed in the year 2000 and most recently purchased in November of 2022. Per the City of Portsmouth's MapGeo mapping program view, approximately ninety-five percent (95%) of the existing structure, the entire existing patio, the entire existing deck, and the entire existing deck stairway are within the one hundred (100) foot wetland buffer. Unfortunately, the unique location and positioning of the structure, the lack of effective drainage infrastructure, and the improper grading around the structure subjected the property to natural environmental stress that caused significant rainwater collection and which resulted in damage to the existing flagstone patio on grade, damage to the adjacent existing siding of the home, and damage to the piers of the existing deck and the existing deck stairway.

Proposed Construction: With the general objective of protecting the existing structure and property from additional rainwater damage; the property owner respectfully requests approval to improve the hardscape by extending two (2) existing rock walls, replacing the current damaged patio, and improving a stormwater drainage culvert. Additionally, the property owner proposes structural repairs and an extension to an existing exterior deck and a re-direction of the deck stairway. Lastly, the property owner proposes landscape improvements to improve rainwater drainage management and to remove an invasive species of phragmites reeds located in the wetland buffer and replacing those phragmites reeds with winterberry, a species of red colored holly native to eastern North America.

Brief Description of Existing Land Use *

Single family residence

Land Use Application Fee Calculation

Valuation of New Construction (\$)

17,500

Total Number of Dwelling Units

1

Area of disturbance in wetland or wetland buffer (s.f.)

2,500

Wetland Conditional Use Permit -- Impacted Jurisdictional Areas

Inland Wetland

Tidal Wetland

--

Inland Wetland Buffer

Tidal Wetland Buffer

--

Vernal Pool

--

Wetland or Wetland Buffer Activity

Total Area of Inland Wetland (both on and off the parcel) (Sq.Ft.)

43560

Total Area of Vernal Pool (both on and off the parcel) (Sq.Ft.)

0

Distance of proposed structure or activity to edge of wetland (ft.):

20

Wetland Buffer Total Area on Lot (Sq.Ft.)

31,556

Wetland Buffer Area to be Disturbed (Sq.Ft.)

2,500

Inland Wetland Total Area on Lot (Sq.Ft.)

43,553

Inland Wetland Area to be Disturbed (Sq.Ft.)

0

Vernal Pool Total Area on Lot (Sq.Ft.)

0

Vernal Pool Area to be Disturbed (Sq.Ft.)

0

Tidal Wetland Total Area on Lot (Sq.Ft.)

0

Tidal Wetland Area to be Disturbed (Sq.Ft.)

0

Zoning Board of Adjustment Application Check List

Application Type *

Variance or Special Exception from Land Use Requirements

I understand that I will need to submit labeled photos of existing conditions with this application *

I understand that I will need to submit a written statement with this application explaining how the request complies with the requirements of the Zoning Ordinance as provided in Article 2 (Section 10.233.20 for Variances, Section 10.232.20 for Special Exceptions) *

I understand that all plans / exhibits submitted with this application shall be 8.5" X 11" or 11" X 17" in size *

Project Representatives

Relationship to Project	If you selected "Other", please state relationship to project.	Full Name (First and Last)	...
Owner	--	Ryan Mullen	...

Plan Submission

I understand that this application will not be considered complete until I have provided the required plans and any additional submission requirements. I also understand that any hard copies as required by the Planning Department are required to be submitted prior to the application deadline. (You will be prompted at the next screen to upload your plans.) *

I have reviewed the application requirements provided on the Planning Department's web page -- www.cityofportsmouth.com/planportsmouth/land-use-applications-forms-and-fees. *

Acknowledgement

I hereby certify that as the applicant for permit, I am *

Owner of this property

If you selected "Other" above, please explain your relationship to this project. Owner authorization is required.

--

I certify that the information given is true and correct to the best of my knowledge. *

I understand that I am responsible for paying any applicable application fees and that I will be invoiced separately for legal and abutter notification costs as well. *

Is this property under condominium ownership?

--

I understand that it is the obligation of the applicant to submit adequate documents, plans, and exhibits to demonstrate compliance with the Zoning Ordinance. *

By signing below, I agree that this is equivalent to a handwritten signature and is binding for all purposes related to this transaction. *

Ryan T Mullen
Mar 19, 2023

INTERNAL USE -- Land Use Approvals

Historic District Commission

--

HDC Approval Granted

--
Zoning Board of Adjustment

--

BOA Approval Granted

--

Zoning Relief Required

--

Conservation Commission Review

--

Conservation Commission Review Completed

--

Conditional Use Permit (Wetlands)

--

Wetland CUP Granted

--

Conditional Use Permit (Other)

--

Other CUP Granted

--

Prelim. Concept. Consultation

--

Prelim. Concept. Consultation Completed

--

Design Review Phase

--

Design Review Phase Completed

--

Subdivision / Lot Line Revision

--

Subdivision / Lot Line Revision Granted

--

Site Plan Review

--

Site Plan Review Granted

--

Technical Advisory Committee Review

--

TAC Review Completed

--

Internal consistency review required ⓘ

--

Certificate of Use Required

--

Stipulations

--

Additional Planning Department Comments

--

City of Portsmouth, NH

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City of Portsmouth Land Use Application

253 Odiorne Point Road, Portsmouth, N.H.

PROJECT NARRATIVE:

Introduction: The residential property and single-family structure located at 253 Odiorne Point Road in Portsmouth, New Hampshire was constructed in the year 2000 and most recently purchased in November of 2022. Per the City of Portsmouth's MapGeo mapping program view (see Exhibit #1 below), approximately ninety-five percent (95%) of the existing structure, the entire existing patio, the entire existing deck, and the entire existing deck stairway are within the one hundred (100) foot wetland buffer, which is the area located between the light green lines in Exhibit #1 below. Unfortunately, the unique location and positioning of the structure, the lack of effective drainage infrastructure, and the improper grading around the structure subjected the property to significant natural environmental stress in the form of excessive rainwater collection, which resulted in damage to the existing flagstone patio on grade, damage to the adjacent existing siding of the home, and damage to the piers of the existing deck and the existing deck stairway.

Exhibit #1, City of Portsmouth MapGeo Satellite View of 253 Odiorne Point Road



Objective & Requested Approvals: With the general objective of protecting the existing structure and property from additional rainwater damage; the property owner respectfully requests the following two (2) approvals prior to initiating alterations in the form of repairs and improvements to the hardscape, the landscape, and the structure.

1. A Wetland Conditional Use Permit from the Planning Board to satisfy the City of Portsmouth Zoning Ordinance Section 10.241.22, which requires conditional use approval to complete alterations in a wetland or wetland buffer (Article 10, Section 10.1010 – Wetlands Protection).
2. A setback variance from the Zoning Board of Adjustment to allow for the following:
 1. The ninety (90) degree movement of the existing deck stairway that is currently located approximately thirty (30) feet from the property line and within the forty (40) foot setback, but which terminates in the patio area that is prone to rain water collection and situated adjacent to the wetland. The proposed deck stairway will be removed from the patio area and re-directed toward a side yard and away from wetland where it will terminate approximately thirty (30) feet from the property line.
 2. An approximate eighty-eight (88) square foot extension of the existing deck to support the ninety (90) degree movement of the existing deck stairway. The deck extension will be directed away from the wetland and it will terminate approximately thirty-five (35) feet from the property line, but within the forty (40) foot setback.

**City of Portsmouth Land Use Application
253 Odiorne Point Road, Portsmouth, N.H.**

**Exhibit #2
Photographs of Rainwater Collection**



Rainwater Collection Areas

Rainwater Damaged Siding at Grade

Rainwater Damaged Patio/Deck/Stairway



Photographs of Same Area From Opposite Direction

**Snow Melt Water Collection
After 03/14/2023 Snow Storm**

City of Portsmouth Land Use Application

253 Odiorne Point Road, Portsmouth, N.H.

Proposed Hardscape Alterations:

1. Extend an existing ten (10) foot long and four (4) foot high rock wall, which starts on the southeast corner of the residence to approximate twenty-five (25) feet in length and sloping downward to grade with the objective of diverting rainwater away from the residence and toward the wetland to avoid additional water damage to the structure and the hardscape. Construct granite steps in the extended rock wall to allow for pedestrian access between the lawn and patio areas. See the black line in Exhibit #3 below for the location of the proposed extended rock wall with integrated granite steps.
2. Extend an existing four (4) foot long rock wall on the southwest corner of the residence to approximately ten (10) feet in length with the objective of diverting the rainwater away from the residence and toward the wetland to avoid additional damage to the structure and to the hardscape. Construct granite steps in the rock wall to allow for pedestrian access between the driveway and the patio areas. See the pink line in Exhibit #3 below for the location of the proposed extended rock wall with integrated granite steps.
3. Remove the water damaged flagstone patio (see the green line in Exhibit #3) and twelve (12) to eighteen (18) inches of clay infused soil from the area under and surrounding the patio (see the light blue shaded area in Exhibit #3) and place the clay infused soil to the southeast side of the property and behind the extended twenty-five (25) foot long rock wall described above and identified below in Exhibit #3 as a black line. To ensure the existing French drains (identified by the orange lines below) are operable, the clay infused soil in the light blue shaded area will be replaced with a permeable crushed gravel base and permeable interlocking concrete patio pavers will be installed within the confines of the existing patio area, which is identified in green in Exhibit #3 below. A gas fire pit will be constructed and centered within the existing existing patio area. The fire pit will be approximately five (5) feet in diameter and will be constructed of blocks that match the pavers. A concrete slab will be poured under the deck to support a freestanding spa/hot tub. The concrete slab will not be noticeable, it will be surrounded by pavers, and it will measure approximately ten (10) feet by ten (10) feet.
4. Install a French drain gravel lined culvert along the southeast edge of the property where a natural culvert currently exists, but which does not effectively manage rainwater runoff. The objective of installing the French drain gravel lined culvert will be to effectively collect rainwater and divert that rainwater away from the residence and toward the wetland on the southwest portion of the property. An additional photograph of the location of natural culvert is included in the proposed landscape alterations section as Exhibit #6.

Exhibit #3, Proposed Hardscape Alterations



City of Portsmouth Land Use Application

253 Odiorne Point Road, Portsmouth, N.H.

Proposed Structure Alterations:

1. **Replace the existing deck support piers:** The existing deck support piers were undersized and damaged by rainwater. It's proposed the deck support piers be correctly sized and replaced.
2. **Move the existing deck stairway ninety (90) degrees:** The existing deck stairway currently terminates in the patio area that is adjacent to the wetland and prone to rainwater collection, which resulted in damage to the existing deck stairway. Additionally, the existing deck stairway terminates approximately thirty (30) feet from the property line and within the forty (40) foot setback. It's proposed the existing deck stairway be moved ninety (90) degrees away from the patio area and adjacent wetland and be positioned to terminate in the side yard approximately thirty (30) from the property line, but within the forty (40) foot setback. Please refer to Exhibit #4 for the locations of the existing and proposed deck stairway.
3. **Extend the existing deck to accommodate the movement of the existing deck stairway:** To accommodate the ninety (90) degree movement of the existing stairway and to prevent the obstruction of the walkout basement doorway (see Exhibit #5), it's proposed the the existing deck be extended along the southeast side of the structure by approximately eighty-eight (88) feet. The deck extension will be directed away from the wetland and it will terminate approximately thirty-five (35) feet from the property line, but within the forty (40) foot setback. Please refer to Exhibit #4 for the locations of the existing deck and proposed deck extension.

Exhibit #4, Proposed Structure Alterations



Exhibit #5, Walkout Basement Doorway



City of Portsmouth Land Use Application

253 Odiorne Point Road, Portsmouth, N.H.

Proposed Landscaping Alterations

1. Install permeable landscape fabric over the permeable crushed gravel base (described in item #3 of the proposed proposed hardscape alterations) within the light blue shaded area of Exhibit #3. Install topsoil over the landscape fabric, and then install sod to match the surrounding areas of grass.
2. Spread and sculpt the relocated clay infused soil (identified below in Exhibit #6 with the blue lines and described in item #3 of the proposed proposed hardscape alterations) away from the residence and toward the proposed French drain gravel lined culvert identified below in Exhibit #6 with a red line and as described in item #4 of the proposed proposed hardscape alterations.

Exhibit #6



3. Remove the invasive species of phragmites reeds identified by the yellow ovals in Exhibits #7 and #8 and located on the southwest side of the the residence by hand as suggested by the City of Portsmouth Planning Department. Replace the invasive species of phragmites reeds with winterberry, a species of red colored holly native to eastern North America and suggested by the City of Portsmouth Planning Department.

Exhibit #7



Exhibit #8



City of Portsmouth Land Use Application

253 Odiorne Point Road, Portsmouth, N.H.

Evaluation of Five (5) "Analysis Criteria"

1. 10.233.21: Approval of a wetland conditional use permit and a setback variance will not be contrary to the public interest
 - Justification: The property owner believes an approved wetland conditional use permit and setback variance would allow the property owner to complete alterations in the form of improvements to the hardscape, the landscape, and the structure with the general objective of protecting the existing structure and property from additional rainwater collection and damage. The proposed alterations will not be contrary to the public interest because the location of the proposed improvements are in the backyard of the residence, which is not easily visible from publicly accessible locations or the surrounding properties due to the topography of the property and the location of the structure. Furthermore, the proposed alterations will occur in the wetland buffer (not the wetland) and those proposed alterations will actually improve rainwater management as the rainwater travels from the side yards, through wetland buffer zone, and to the wetland without being diverted to public land, the surrounding properties, or collecting in the patio area of the residence and causing unsightly damage to the structure. Additionally, the property owner proposes removing an invasive species of phragmites reeds and replacing those phragmites reeds with winterberry, a species of red colored holly native to eastern North America, which will be inline with the public interest.
2. 10.233.22: The spirit of the Ordinance will be observed
 - Justification: An approved conditional use permit and setback variance would satisfy a reasonable social and moral consensus the property owner is respecting the both the importance of setbacks and the protection of wetland because the property owner is not proposing a decrease in the setback that currently exists, the property owner is simply proposing moving structures away from the wetland, and the property owner is not changing how the space in the wetland buffer will be utilized.
3. 10.233.23: Substantial justice will be done
 - Justification: An approved conditional use permit and setback variance would will allow the property owner to protect the existing structure and property from additional rainwater damage, while protecting the wetland and enjoying full use of the property thereby satisfying a standard of fairness and allowing for a substantial justice to be done.
4. 10.233.24: The values of surrounding properties will not be diminished
 - Justification: An approved conditional use permit and setback variance will not diminish the values of the surrounding properties because the proposed alterations will allow the property owner to repair the damaged exterior desk and stairway, replace a damaged patio area, improve rainwater management, and remove an invasive species of phragmites reeds and replace those phragmites reeds with winterberry, a species of red colored holly native to eastern North America. The property owner believes the proposed alterations will improve the values of surrounding properties.
5. 10.233.25: Literal enforcement of the provisions of the Ordinance would result in an unnecessary hardship.
 - Justification: If the provisions of the Zoning Ordinance were literally enforced, the property owner would be unable repair, improve, and protect the existing structure and property from additional rainwater damage. Consequently, the property owner would be unable to enjoy full use of the property and structure, and the property owner would be routinely burdened with expensive rainwater damage repairs which would result in unnecessary physical and financial hardship.

City of Portsmouth Land Use Application

253 Odiorne Point Road, Portsmouth, N.H.

Specific Information Requested for Conditional Use Permit

1. Description of site and proposed construction:
 - Description of Site: The residential property and single-family structure located at 253 Odiorne Point Road in Portsmouth, New Hampshire was constructed in the year 2000 and most recently purchased in November of 2022. Per the City of Portsmouth's MapGeo mapping program view (see Exhibit #1), approximately ninety-five percent (95%) of the existing structure, the entire existing patio, the entire existing deck, and the entire existing deck stairway are within the one hundred (100) foot wetland buffer, which is the area located between the light green lines in Exhibit #1. Unfortunately, the unique location and positioning of the structure, the lack of effective drainage infrastructure, and the improper grading around the structure subjected the property to natural environmental stress that caused significant rainwater collection and which resulted in damage to the existing flagstone patio on grade, damage to the adjacent existing siding of the home, and damage to the piers of the existing deck and the existing deck stairway.
 - Proposed Construction: With the general objective of protecting the existing structure and property from additional rainwater damage; the property owner respectfully requests approval to improve the hardscape by extending two (2) existing rock walls, replacing the current damaged patio, and improving a stormwater drainage culvert. Additionally, the property owner proposes structural repairs and an extension to an existing exterior deck and a re-direction of the deck stairway. Lastly, the property owner proposes landscape improvements to improve rainwater drainage management and to remove an invasive species of phragmites reeds located in the wetland buffer and replacing those phragmites reeds with winterberry, a species of red colored holly native to eastern North America.
2. Total area of inland wetland or vernal pool (both on and off the parcel):
 - On Parcel Inland Wetland Area: Approximately one (1) acre
 - Off Parcel Inland Wetland Area: Unknown
3. Impacted Jurisdictional Area:
 - Inland Wetland Buffer
4. Distance of proposed structure or activity to the edge of wetland:
 - Minimum Distance: Approximately 20 feet
 - Maximum Distance: Approximately 155 feet
5. Total wetland area and/or wetland buffer area on the lot:
 - Wetland Area: Approximately one (1) acre
 - Wetland Buffer: Approximately 31,556 square feet
6. Total wetland area and/or wetland buffer area to be disturbed on the lot:
 - Wetland Area: No wetland areas will be disturbed
 - Wetland Buffer: Approximately 2,500 square feet will be disturbed
7. Project Representative: Ryan T. Mullen, (619) 865-3660 - rtmullen75@gmail.com

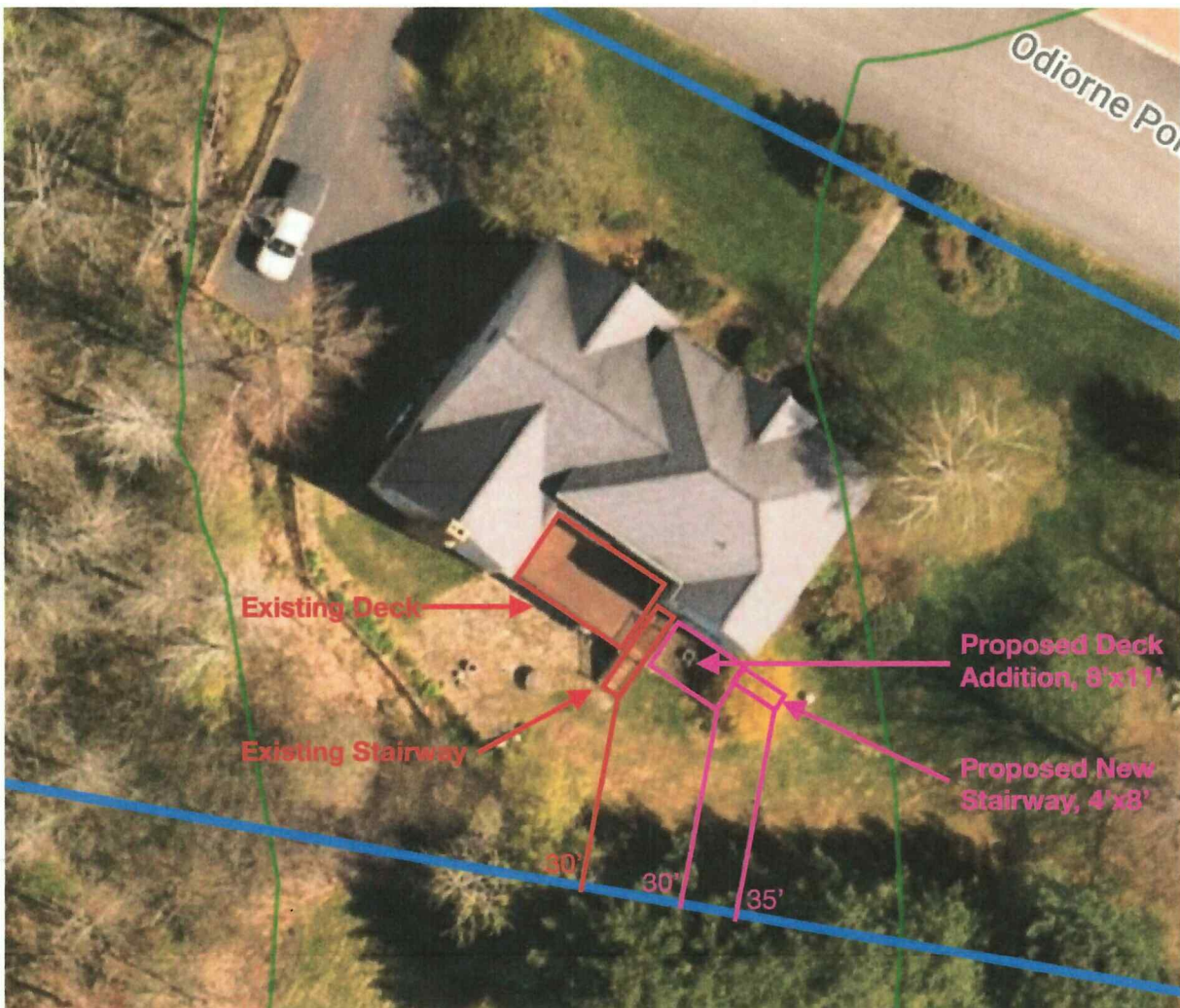
City of Portsmouth Land Use Application

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Structure - Visual Aid and Measurements Attachment

Proposed Structure Details

1. **Move the existing deck stairway ninety (90) degrees:** The existing deck stairway currently terminates in the patio area that is adjacent to the wetland and prone to rainwater collection, which resulted in damage to the existing deck stairway. Additionally, the existing deck stairway terminates approximately thirty (30) feet from the property line and within the forty (40) foot setback. It's proposed the existing deck stairway be moved ninety (90) degrees away from the patio area and adjacent wetland and be positioned to terminate in the side yard approximately thirty (30) from the property line, but within the forty (40) foot setback.
2. **Extend the existing deck to accommodate the movement of the existing deck stairway:** To accommodate the ninety (90) degree movement of the existing stairway and to prevent the obstruction of the walkout basement doorway, it's proposed the the existing deck be extended along the southeast side of the structure by approximately eighty-eight (88) feet. The deck extension will be directed away from the wetland and it will terminate approximately thirty-five (35) feet from the property line, but within the forty (40) foot setback.



City of Portsmouth Land Use Application

253 Odiorne Point Road, Portsmouth, N.H.

Proposed Hardscape Alterations - Distance to Wetlands Attachment

All of the proposed hardscape alterations are located within the wetland buffer. The proposed hardscape alterations are detailed below and their respective approximate distances from the wetland are identified.

Proposed Extension to Existing Rock Wall With Granite Steps
Distance to Wetland: 16'

Removal of Soil and Replacement of Crushed Gravel
Distance to Wetland: 16'

Existing Patio Area
Distance to Wetland: 30'

Fire pit
Distance to Wetland: 40'

Proposed Extension to Existing Rock Wall With Granite Steps
Distance to Wetland: 80'

Proposed Culvert w/ French Drain
Distance to Wetland: 60'



Proposed Extension to Existing Rock Wall With Granite Steps

Removal of Soil and Replacement of Crushed Gravel

Existing Patio Area

Fire pit

Existing French Drains

Proposed Extension to Existing Rock Wall With Granite Steps

Proposed Culvert w/ French Drain

City of Portsmouth Land Use Application LU-23-36

253 Odiorne Point Road, Portsmouth, N.H.

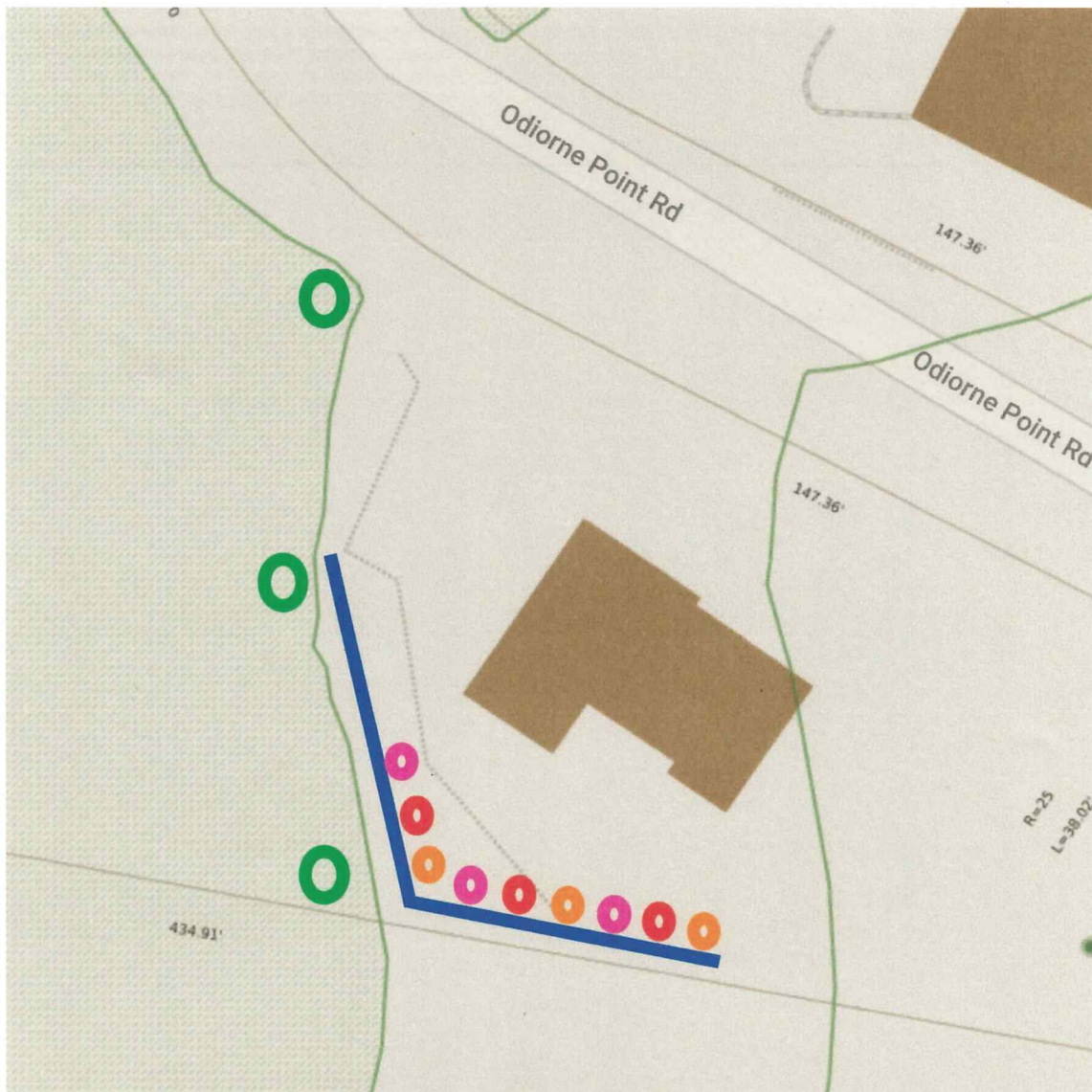
Revised Plans Detailing Conservation Commission Stipulations

Silt Fence and Silt Sock: Marked in Blue Line

Wetland Boundary Markers: Marked in Green Circles

Planting Site Plan

- Silky Dogwood: Marked in Pink Circles
- Winterberry: Marked in Red Circles
- Milkweed: Marked in Orange Circles



Note #1: No plantings shall be planted within the wetland itself, just the buffer, and no removal of invasive shall be performed within the wetland.

Note #2: The homeowner will follow NOFA land care management standards at the site.