

Findings of Fact | Wetland Conditional Use Permit

City of Portsmouth Planning Board

Date: 9-17-26

Property Address: Peverly Hill Side Path

Application #: LU-26-104

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.

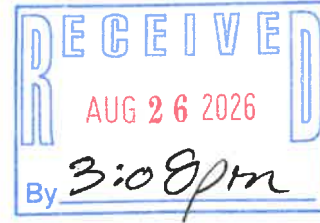
In order to grant Wetland Conditional Use permit approval the Planning Board shall find the application satisfies criteria set forth in the Section 10.1017.50 (Criteria for Approval) of the Zoning Ordinance.

	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 area of roadway does not have existing stormwater treatment and has wetlands on both sides of the road. This project proposes capturing that stormwater and allowing it to infiltrate through two sediment basins and a large gravel wetland that will consist of a mix of gravel and wetland plantings, allowing for filtration and a slow release into the prime wetland system of Sagamore Creek.
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 aims to improve public safety and increase alternative modes of transportation (encouraging walking and cycling) in this part of Portsmouth. Other alternatives have not proven possible, and the placement of the proposed gravel wetland has been kept as far from the prime wetland edge as possible. Due to constraints such as easements and working with private property owners, the current plan is the alternative that pulls the most impacts from the wetlands and buffers along the road while allowing a

	Zoning Ordinance Sector 10.1017.50 Criteria for Approval	Finding (Meets Criteria for Approval)	Supporting Information
			public interest project to traverse through private property.
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	This project proposes a large amount of both permanent and temporary impacts within the wetland and wetland buffer. The improvements to drainage and filtration of stormwater should help improve the water quality entering the neighboring wetland systems and the reseeding of disturbed areas should help to stabilize soils. The applicant should use native wetland and wetland buffer seed mixes in all wetland and wetland buffer disturbed areas. Applicant must demonstrate if the NHDOT slope seed mix is appropriate for a NH wetland and/or wetland buffer.
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 be altering existing vegetation in some areas. The applicant proposes two different seed mixes to be utilized for replanting. In areas where appropriate, the applicant should consider the installation of native trees and shrubs in addition to the seed mixes.
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 project proposes a large amount of both permanent and temporary impacts within the wetland and wetland buffer. The applicant is proposing that the capturing and filtration of stormwater off of Peverly Hill Road helps offset these impacts by improving the water quality of the surrounding wetland systems and buffers.
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 delineate the vegetated buffer strip on all sections of the roadway therefore it is difficult to interpret the direct impacts to the 25' vegetated buffer strip. Applicant should clearly delineate this and describe mitigation proposed within those areas (if applicable).
	<u>Other Board Findings:</u>		

August 26, 2026

City of Portsmouth Planning Board
1 Junkins Avenue
Portsmouth, NH 03801



**Wetland Conditional Use Application
Peverly Hill Road (LU-26-104)**

Dear Members of the Planning Board,

This memorandum responds to the five conditions included with the Portsmouth Conservation Commission's August 14, 2026 recommendation for approval of the Wetland Conditional Use Application for the Peverly Hill Road reconstruction project. Each condition has been addressed separately in the project plan set, as summarized below.

Condition 1: Chamfered curbing with a slope of 45 degrees or less shall be shown on the plans and installed along Map 243, Lot 50 and Map 243, Lot 52, and along the same section on the opposite side of the street.

Response: *Sections of 4-inch reveal, 3-inch by 3-inch beveled granite curbing have been added to the plan set. The curbing is shown on Impervious Areas Sheet 7 and Typical Sections Sheet 9 and will be included in the Construction Drawings.*

Condition 2: The landscaped strip shall be removed along the island at the corner of Banfield and Peverly Hill Road.

Response: *The landscaped strip has been removed at the island at the corner of Banfield Road and Peverly Hill Road, and the revision is reflected on all applicable plan sheets.*

Condition 3: Wetland delineation shall be stamped, signed and dated by an NH CWS.

Response: *Christine J. Perron's NHCWS stamp has been applied to the first sheet of the plan set.*

Condition 4: Applicant shall note on plans all areas of disturbance to be reseeded shall be seeded with a native New England wildflower mix, unless private property owners say otherwise for their own individual parcels.

Response: *A note requiring a New England wildflower mix has been added to all Vegetation Disturbance sheets and will be included in the Construction Drawings.*

Condition 5: In lieu of the requirements of Section 10.1018.40 of the Zoning Ordinance to permanently install wetland boundary markers, applicant shall install an educational sign at some point along the new stretch of the sidewalk or multi-use path with a brief description of the environmental sensitivity of the area, the neighboring prime wetland and how this transportation project improved water quality entering into these systems. As part of this signage, a City of Portsmouth Wetland Boundary Placard shall be included on the signpost for education purposes.

Response: *A note identifying the location of the educational sign has been added to the Impervious Area plans at approximately Station 108+65 RT and will be included in the Construction Drawings.*

Based on the revisions noted above, the five conditions included in the Conservation Commission's recommendation have been addressed in the plan set and will be carried forward into the Construction Drawings where applicable.

Please let us know if additional information is needed.

Sincerely,



Christine J. Perron
Regional Environmental Manager



CITY OF PORTSMOUTH

Planning & Sustainability
Department
1 Junkins Avenue
Portsmouth, New
Hampshire 03801
(603) 610-7216

CONSERVATION COMMISSION

August 14, 2026

City of Portsmouth
680 Peverly Hill Road
Portsmouth, New Hampshire 03801



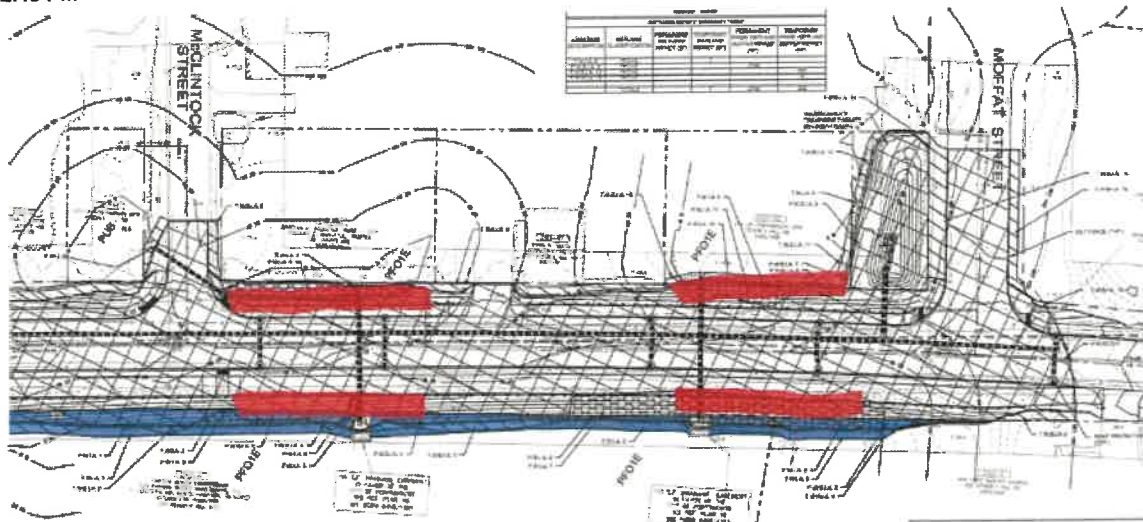
RE: Wetland Conditional Use Application for work along Peverly Hill Road (LU-26-104)

Dear Applicant:

The Conservation Commission, at its regularly scheduled meeting of **Wednesday, August 12, 2026**, considered your application for the reconstruction of an approximately 1-mile section of Peverly Hill Road between West Road and Middle Road (NH Route 33). This project consists of improving drainage infrastructure, improving and curbing existing travel lanes, and installing a sidewalk and multi-use path for alternative modes of transportation. This work is to take place within the City's R.O.W. as well as a handful of private properties. On private properties, this project is proposing 970 s.f. of permanent wetland impacts, 2,488 s.f. of temporary wetland impacts, 21,419 s.f. of permanent wetland buffer impacts and 7,294 s.f. of temporary wetland buffer impacts. Please note, City R.O.W. improvements are exempt from a wetland conditional use permit under Article 10.1016.10 (2) of the City of Portsmouth Zoning Ordinance. Said property is shown on Assessor City R.O.W. and Assessor's Map 243 Lots 52 and 53, Map 242 Lots 3 and 4, Map 244 Lots 10-A and 10-B, Map 235 Lot 7 and Map 255 Lot 2 and lies within the Single Residence A (SRA), Single Residence B (SRB), Municipal (M), Natural Resource Protection (NRP), Gateway Center (G2), and Industrial (I) districts. As a result of said consideration, the Commission voted to **recommend approval** of this application to the Planning Board with the following conditions:

Prior to submission to the Planning Board:

1. Chamfered curbing with a slope of 45 degrees or less shall be shown on plans and shall be installed in the stretch of the roadway along Map 243 Lot 50 and Map 243 Lot 52, and in the same stretch on the opposite side of the street. See red area in attached plan.



2. The landscaped strip shall be removed along the island at the corner of Banfield and Peverly Hill Road.

3. Wetland delineation shall be stamped, signed and dated by a NH CWS.

4. Applicant shall note on plans all areas of disturbance to be reseeded shall be seeded with a native New England wildflower mix, unless private property owners say otherwise for their own individual parcels.

Prior to project completion:

5. In lieu of the requirements of Section 10.1018.40 of the Zoning Ordinance to permanently install wetland boundary markers, applicant shall install an educational sign at some point along the new stretch of the sidewalk or multi-use path with a brief description of the environmental sensitivity of the area, the neighboring prime wetland and how this transportation project improved water quality entering into these systems. As part of this signage, a City of Portsmouth Wetland Boundary Placard shall be included on the signpost for education purposes.

This matter will be placed on the agenda for the Planning Board meeting scheduled for **Thursday, September 17, 2026**. One (1) hard copy of any revised plans and/or exhibits as well as an updated electronic file (in a PDF format) must be filed in the Planning & Sustainability Department and uploaded to the online permit system no later than Wednesday, August 26, 2026.

The minutes and audio recording of this meeting are available by contacting the Planning & Sustainability Department.

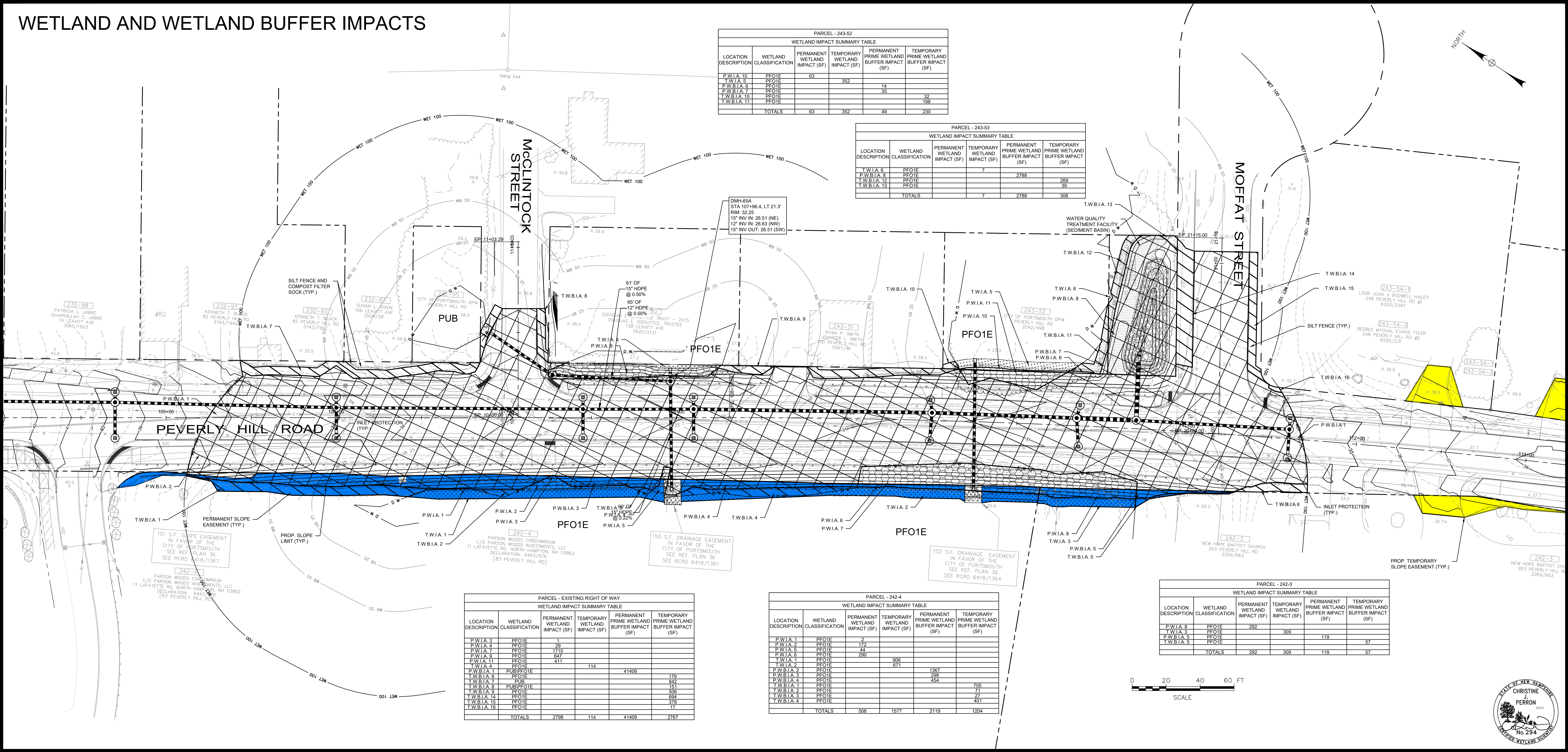
Very truly yours,

Samantha Collins, Chair
Conservation Commission

cc:

Peter Rice, Director of Public Works, City of Portsmouth
Christine Perron, Applicant, McFarland Johnson

WETLAND AND WETLAND BUFFER IMPACTS



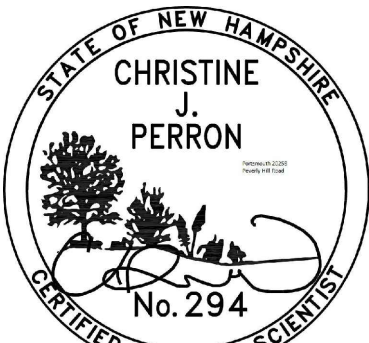
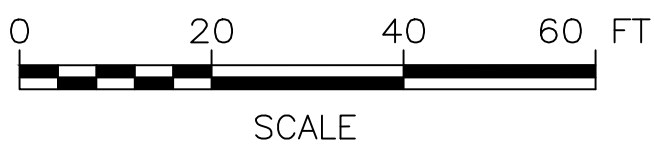
PARCEL - 243-52					
WETLAND IMPACT SUMMARY TABLE					
LOCATION DESCRIPTION	WETLAND CLASSIFICATION	PERMANENT WETLAND IMPACT (SF)	TEMPORARY WETLAND IMPACT (SF)	PERMANENT PRIME WETLAND BUFFER IMPACT (SF)	TEMPORARY PRIME WETLAND BUFFER IMPACT (SF)
P.W.I.A. 10	PFO1E	63	352		
T.W.B.I.A. 5	PFO1E			14	
P.W.B.I.A. 6	PFO1E			35	
T.W.B.I.A. 10	PFO1E				32
T.W.B.I.A. 11	PFO1E				198
TOTALS		63	352	49	230

PARCEL - 243-53				
WETLAND IMPACT SUMMARY TABLE				
LOCATION DESCRIPTION	WETLAND CLASSIFICATION	PERMANENT WETLAND IMPACT (SF)	TEMPORARY WETLAND IMPACT (SF)	PERMANENT PRIME WETLAND BUFFER IMPACT (SF)
T.W.I.A. 6	PFO1E		7	
P.W.I.A. 8	PFO1E			2788
T.W.B.I.A. 12	PFO1E			269
T.W.B.I.A. 13	PFO1E			39
TOTALS			7	2788

PARCEL - EXISTING RIGHT OF WAY					
WETLAND IMPACT SUMMARY TABLE					
LOCATION DESCRIPTION	WETLAND CLASSIFICATION	PERMANENT WETLAND IMPACT (SF)	TEMPORARY WETLAND IMPACT (SF)	PERMANENT PRIME WETLAND BUFFER IMPACT (SF)	TEMPORARY PRIME WETLAND BUFFER IMPACT (SF)
P.W.I.A. 3	PFO1E	1			
P.W.I.A. 4	PFO1E	29			
P.W.I.A. 7	PFO1E	1710			
P.W.I.A. 9	PFO1E	647			
P.W.I.A. 11	PFO1E	411			
T.W.I.A. 4	PFO1E		114		
P.W.B.I.A. 1	PUB/PFO1E			41409	
T.W.B.I.A. 6	PUB				179
T.W.B.I.A. 7	PUB				842
T.W.B.I.A. 8	PUB/PFO1E				151
T.W.B.I.A. 9	PFO1E				506
T.W.B.I.A. 14	PFO1E				694
T.W.B.I.A. 15	PFO1E				378
T.W.B.I.A. 16	PFO1E				17
TOTALS		2798	114	41409	2767

PARCEL - 242-4				
WETLAND IMPACT SUMMARY TABLE				
LOCATION DESCRIPTION	WETLAND CLASSIFICATION	PERMANENT WETLAND IMPACT (SF)	TEMPORARY WETLAND IMPACT (SF)	PERMANENT PRIME WETLAND BUFFER IMPACT (SF)
P.W.I.A. 1	PFO1E	2		
P.W.I.A. 2	PFO1E	172		
P.W.I.A. 5	PFO1E	44		
P.W.I.A. 6	PFO1E	290		
T.W.I.A. 1	PFO1E		906	
T.W.I.A. 2	PFO1E		671	
P.W.B.I.A. 2	PFO1E			1367
P.W.B.I.A. 3	PFO1E			298
P.W.B.I.A. 4	PFO1E			454
T.W.B.I.A. 1	PFO1E			705
T.W.B.I.A. 2	PFO1E			71
T.W.B.I.A. 3	PFO1E			27
T.W.B.I.A. 4	PFO1E			401
TOTALS		508	1577	2119

PARCEL - 242-3					
WETLAND IMPACT SUMMARY TABLE					
LOCATION DESCRIPTION	WETLAND CLASSIFICATION	PERMANENT WETLAND IMPACT (SF)	TEMPORARY WETLAND IMPACT (SF)	PERMANENT PRIME WETLAND BUFFER IMPACT (SF)	TEMPORARY PRIME WETLAND BUFFER IMPACT (SF)
P.W.I.A. 8	PFO1E	292			
T.W.I.A. 3	PFO1E		309		
P.W.B.I.A. 5	PFO1E			119	
T.W.B.I.A. 5	PFO1E				57
TOTALS		292	309	119	57



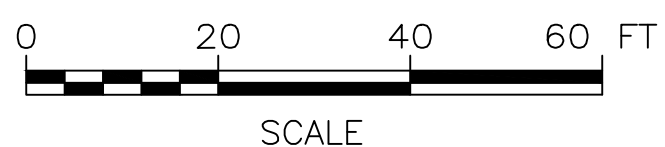
PARCEL - 244-10-A					
WETLAND IMPACT SUMMARY TABLE					
LOCATION DESCRIPTION	WETLAND CLASSIFICATION	PERMANENT WETLAND IMPACT (SF)	TEMPORARY WETLAND IMPACT (SF)	PERMANENT PRIME WETLAND BUFFER IMPACT (SF)	TEMPORARY PRIME WETLAND BUFFER IMPACT (SF)
P.W.B.I.A. 12	PEM1E/PFO1E			968	
T.W.B.I.A. 25	PEM1E/PFO1E				336
TOTALS				968	336

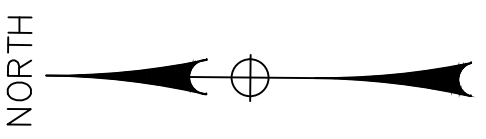
PARCEL - 244-10-B					
WETLAND IMPACT SUMMARY TABLE					
LOCATION DESCRIPTION	WETLAND CLASSIFICATION	PERMANENT WETLAND IMPACT (SF)	TEMPORARY WETLAND IMPACT (SF)	PERMANENT PRIME WETLAND BUFFER IMPACT (SF)	TEMPORARY PRIME WETLAND BUFFER IMPACT (SF)
P.W.I.A. 14	PEM1E/PFO1E	40			
T.W.I.A. 8	PEM1E/PFO1E		54		
P.W.B.I.A. 13	PEM1E/PFO1E/R2UB3			2473	
T.W.B.I.A. 26	PEM1E/PFO1E				492
T.W.B.I.A. 27	PEM1E/PFO1E/R2UB3				527
TOTALS		40	54	2473	1019

PARCEL - 253-7					
WETLAND IMPACT SUMMARY TABLE					
LOCATION DESCRIPTION	WETLAND CLASSIFICATION	PERMANENT WETLAND IMPACT (SF)	TEMPORARY WETLAND IMPACT (SF)	PERMANENT PRIME WETLAND BUFFER IMPACT (SF)	TEMPORARY PRIME WETLAND BUFFER IMPACT (SF)
P.W.B.I.A. 14	R2UB3/PSS1E			1809	
T.W.B.I.A. 28	R2UB3/PSS1E				61
TOTALS				1809	61

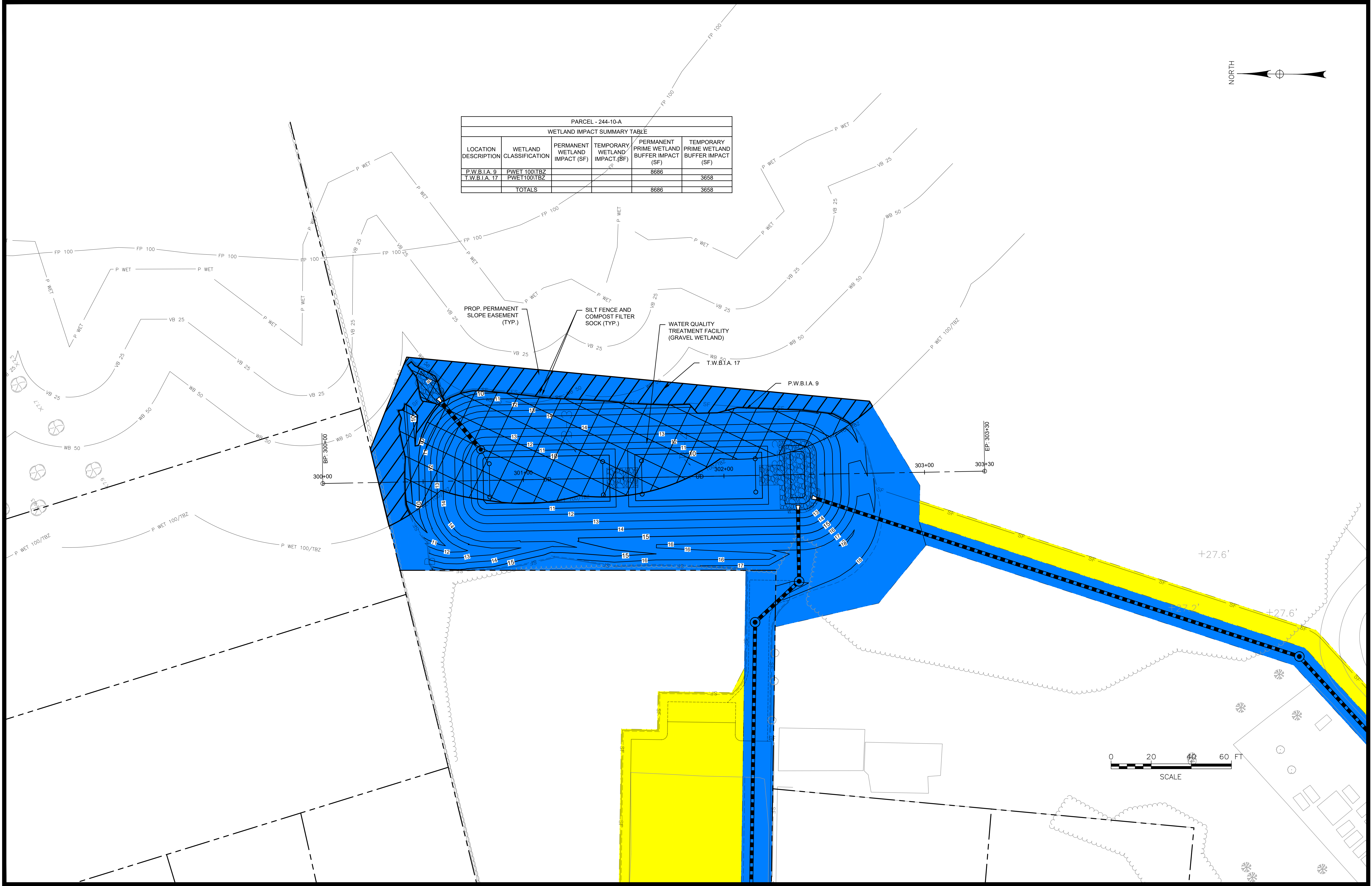
PARCEL - 255-2					
WETLAND IMPACT SUMMARY TABLE					
LOCATION DESCRIPTION	WETLAND CLASSIFICATION	PERMANENT WETLAND IMPACT (SF)	TEMPORARY WETLAND IMPACT (SF)	PERMANENT PRIME WETLAND BUFFER IMPACT (SF)	TEMPORARY PRIME WETLAND BUFFER IMPACT (SF)
P.W.I.A. 12	PSS1E	67			
T.W.I.A. 6	PSS1E		189		
P.W.B.I.A. 11	PSS1E/PEM1E/PFO1E			1645	
T.W.B.I.A. 18	PSS1E/PEM1E/PFO1E				720
T.W.B.I.A. 19	PSS1E				299
T.W.B.I.A. 20	PSS1E				84
TOTALS		67	189	1645	1103

PARCEL - EXISTING RIGHT OF WAY					
WETLAND IMPACT SUMMARY TABLE					
LOCATION DESCRIPTION	WETLAND CLASSIFICATION	PERMANENT WETLAND IMPACT (SF)	TEMPORARY WETLAND IMPACT (SF)	PERMANENT PRIME WETLAND BUFFER IMPACT (SF)	TEMPORARY PRIME WETLAND BUFFER IMPACT (SF)
P.W.I.A. 13	PSS1E	66			
T.W.I.A. 7	PSS1E		137		
P.W.B.I.A. 10	PSS1E/PEM1E/PFO1E/R2UB3			32110	
T.W.B.I.A. 21	PSS1E				353
T.W.B.I.A. 22	PSS1E				320
T.W.B.I.A. 23	PSS1E				170
T.W.B.I.A. 24	PSS1E				175
TOTALS		66	137	32110	1018

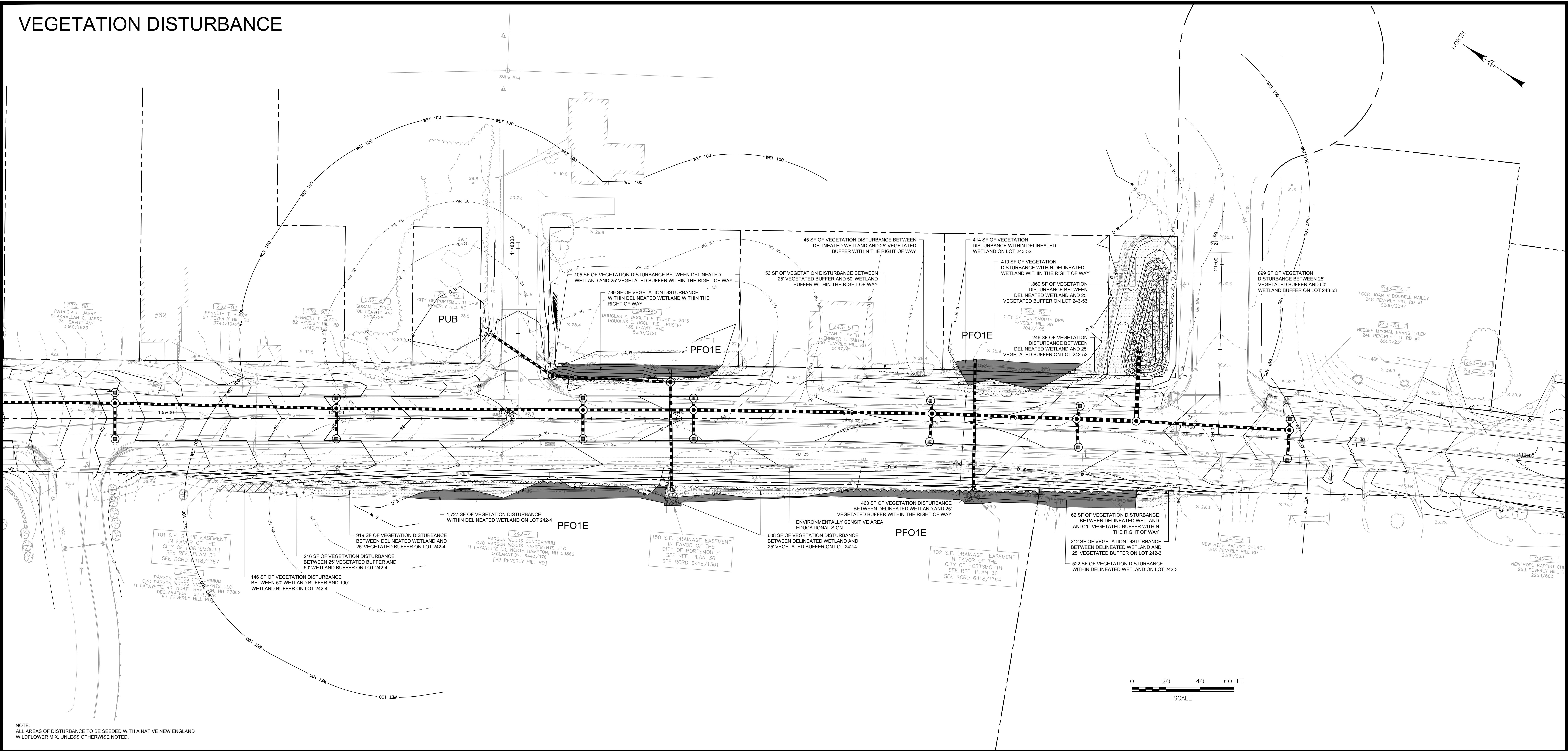




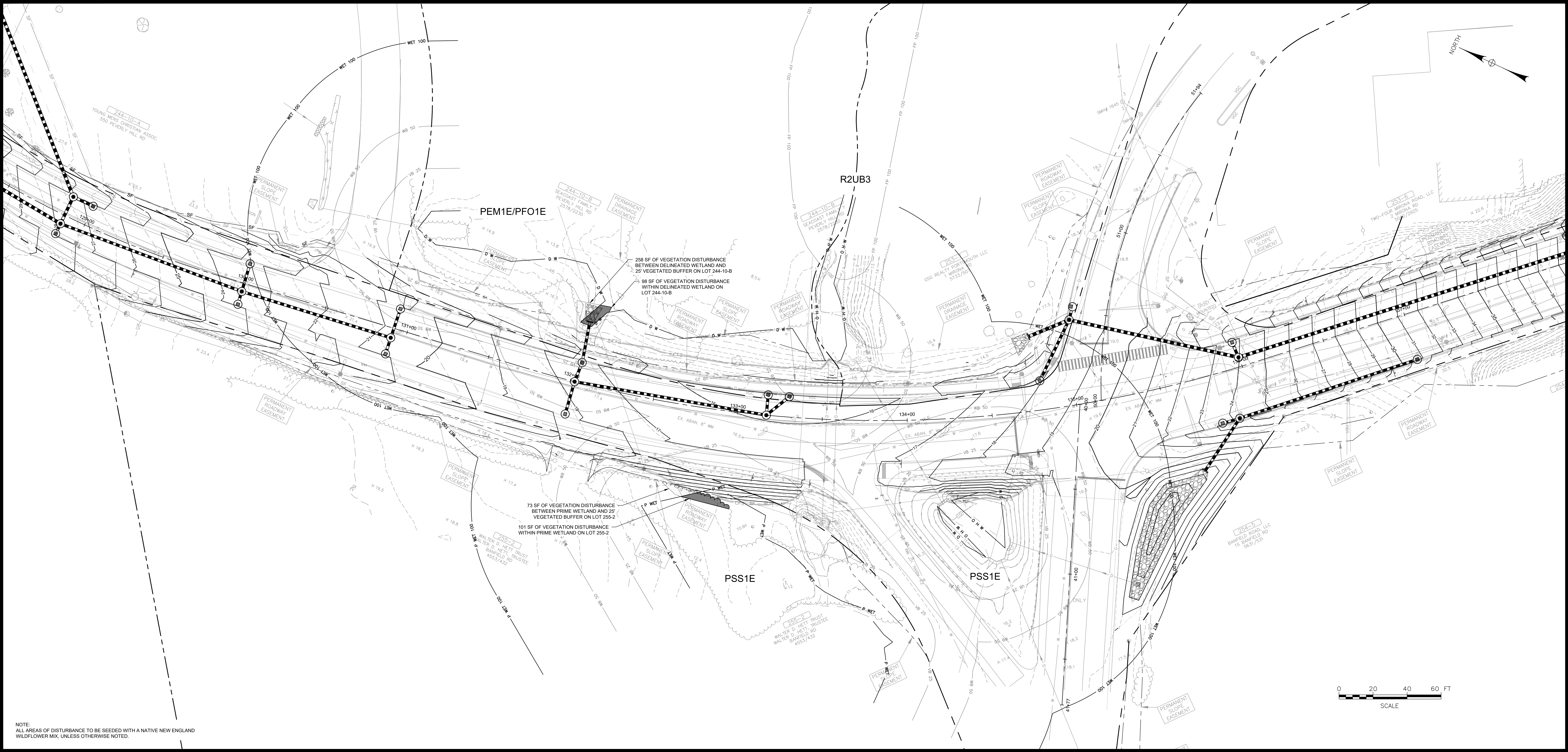
PARCEL - 244-10-A				
WETLAND IMPACT SUMMARY TABLE				
LOCATION DESCRIPTION	WETLAND CLASSIFICATION	PERMANENT WETLAND IMPACT (SF)	TEMPORARY WETLAND IMPACT (SF)	PERMANENT PRIME WETLAND BUFFER IMPACT (SF)
P.W.B.I.A. 9	PWET 100/TBZ			8686
T.W.B.I.A. 17	PWET 100/TBZ			3658
TOTALS				8686



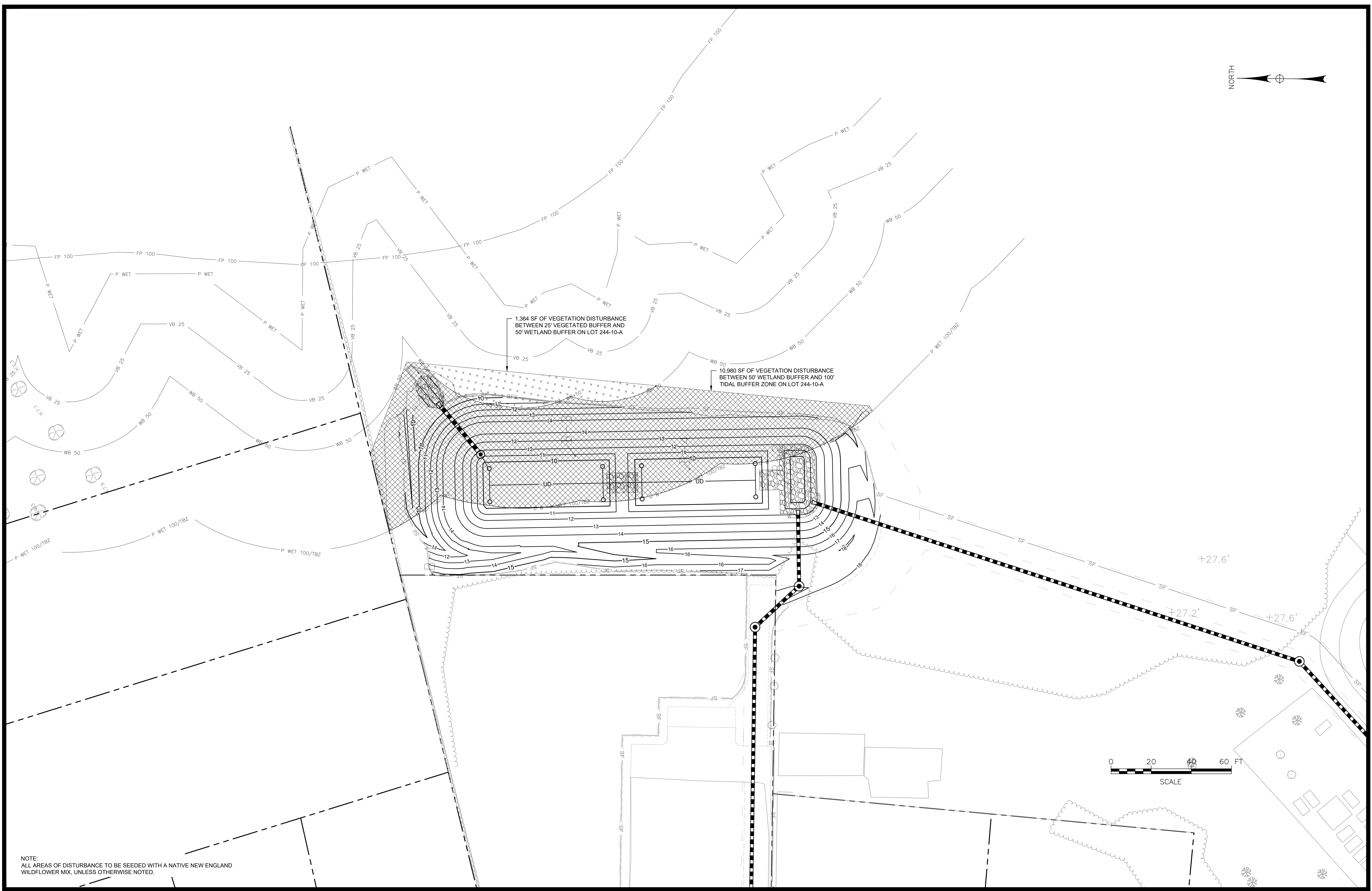
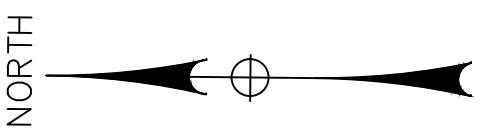
VEGETATION DISTURBANCE



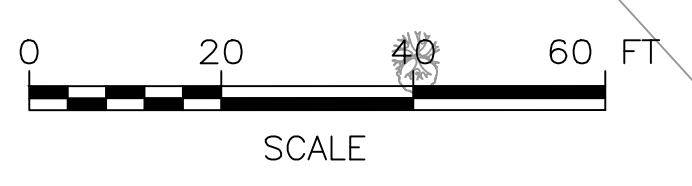
NOTE:
ALL AREAS OF DISTURBANCE TO BE SEEDED WITH A NATIVE NEW ENGLAND
WILDFLOWER MIX, UNLESS OTHERWISE NOTED.

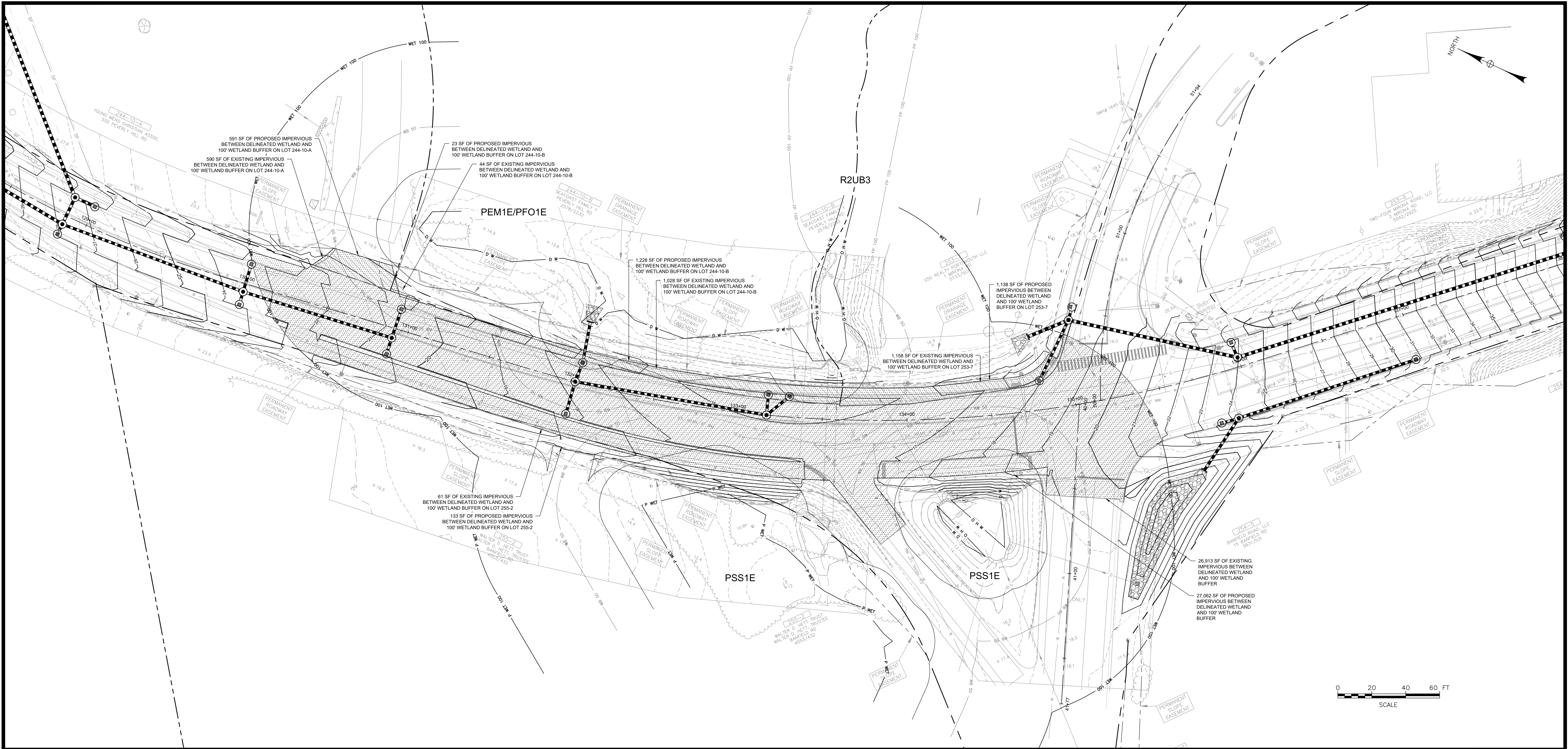


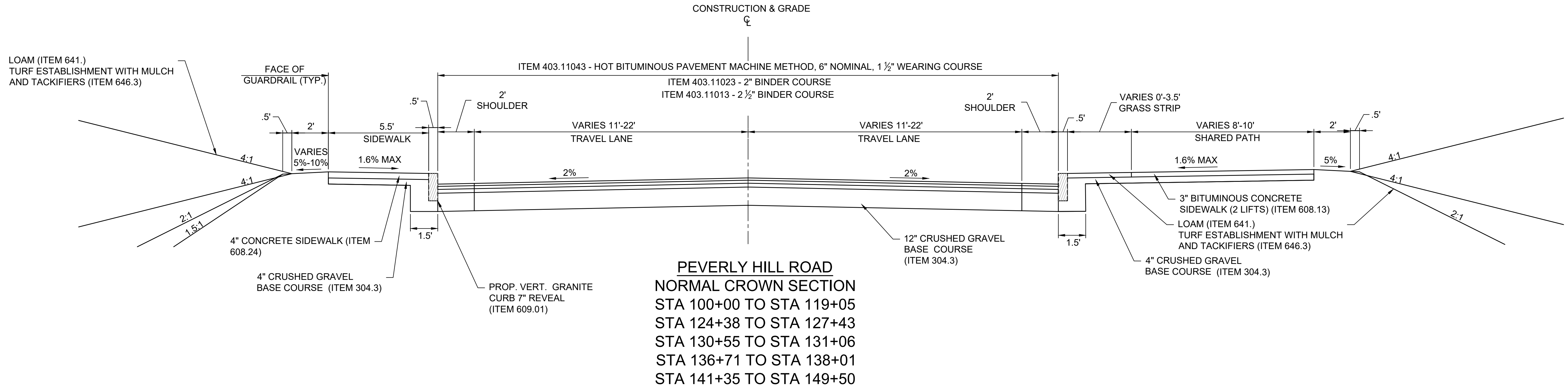
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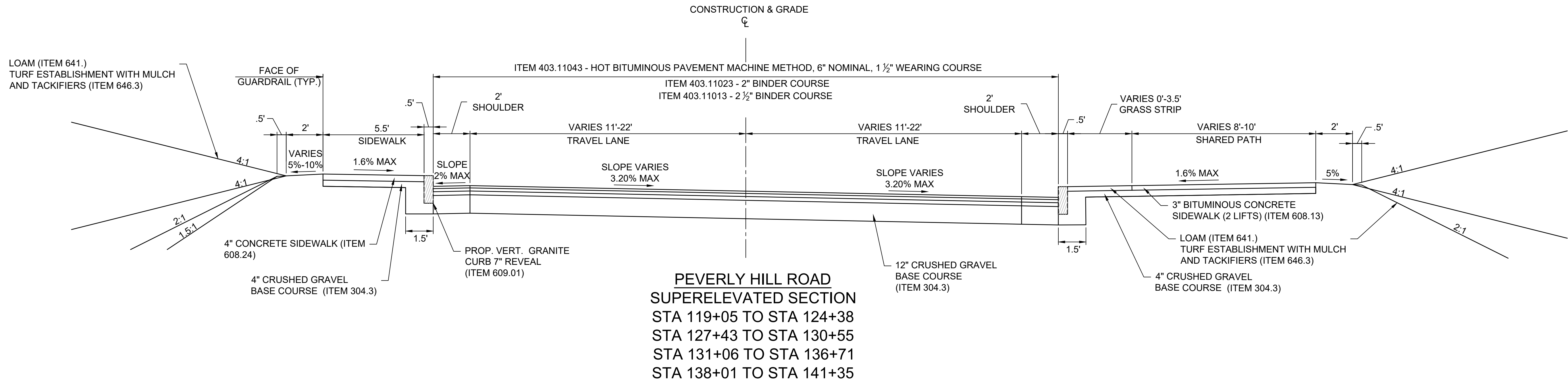
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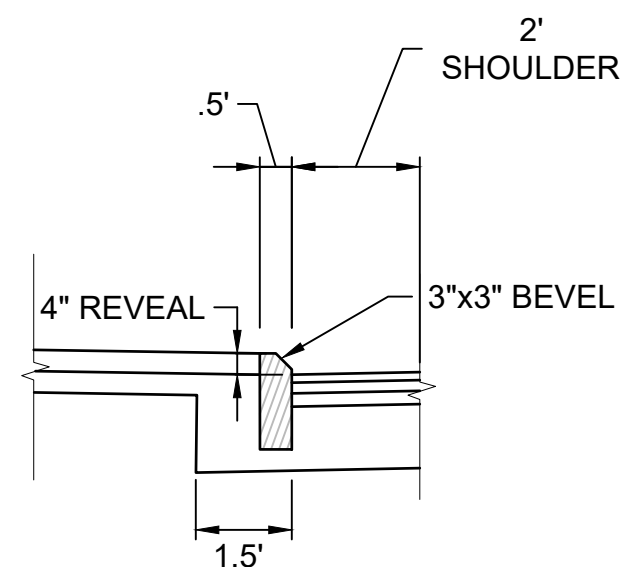




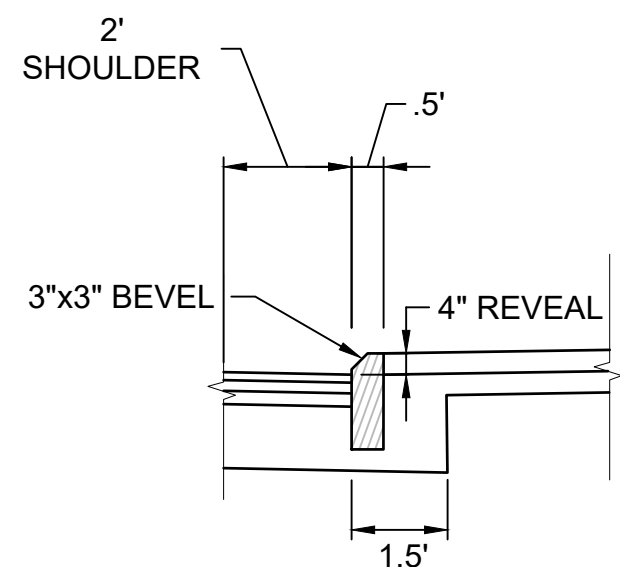
**PEVERLY HILL ROAD
NORMAL CROWN SECTION**
STA 100+00 TO STA 119+05
STA 124+38 TO STA 127+43
STA 130+55 TO STA 131+06
STA 136+71 TO STA 138+01
STA 141+35 TO STA 149+50



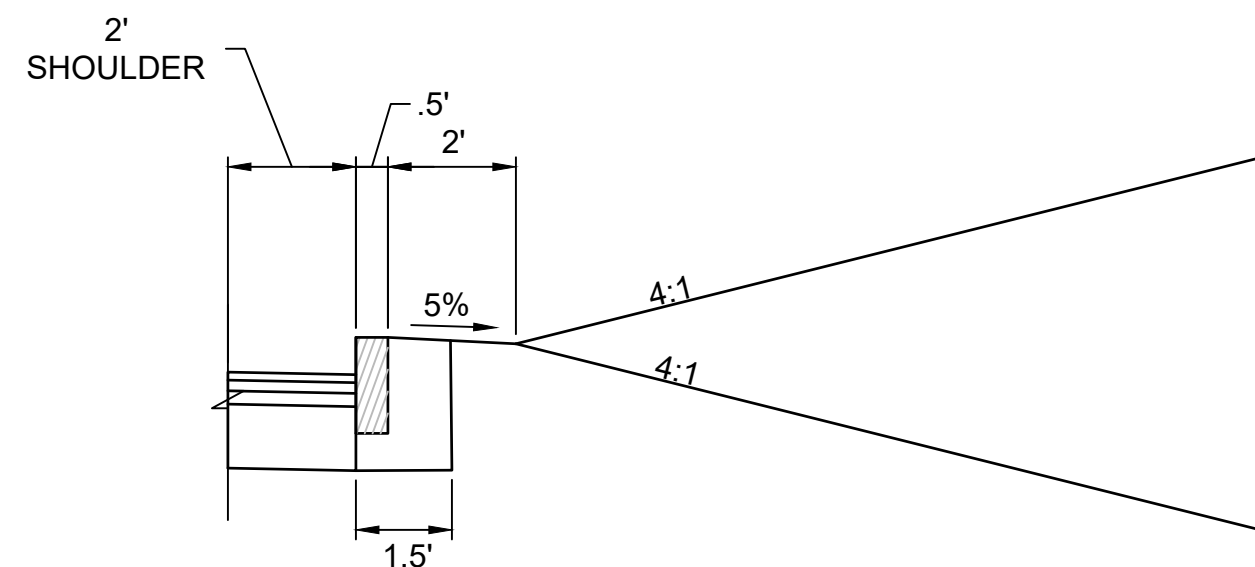
**PEVERLY HILL ROAD
SUPERELEVATED SECTION**
STA 119+05 TO STA 124+38
STA 127+43 TO STA 130+55
STA 131+06 TO STA 136+71
STA 138+01 TO STA 141+35



**PEVERLY HILL ROAD
LEFT CURB**
STA 107+36 TO STA 108+44
STA 109+64 TO STA 110+47



**PEVERLY HILL ROAD
RIGHT CURB**
STA 107+36 TO STA 108+44
STA 109+64 TO STA 110+47



**PEVERLY HILL ROAD
RIGHT CURB**
STA 135+18 TO STA 149+50

PERMIT PLANS

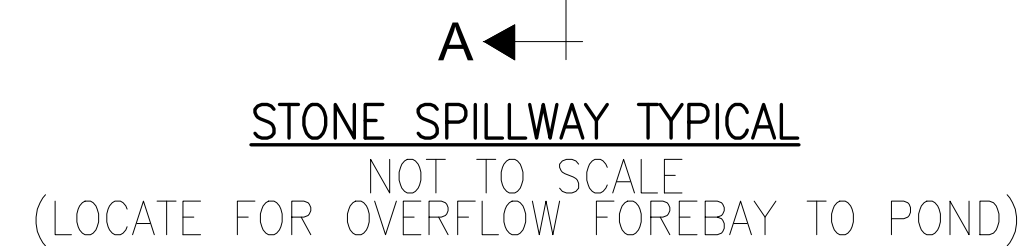
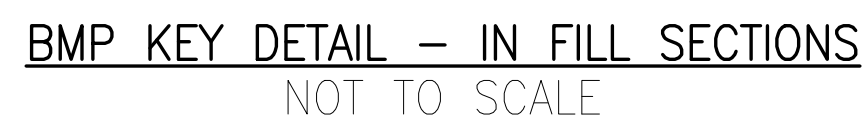
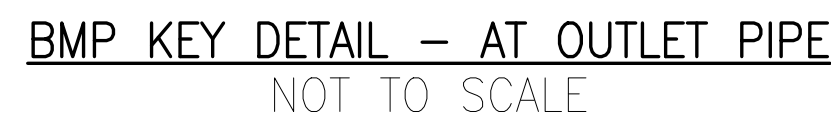


McFarland Johnson

53 REGIONAL DRIVE
CONCORD, NH 03301

REV	DATE	DESCRIPTION	BY

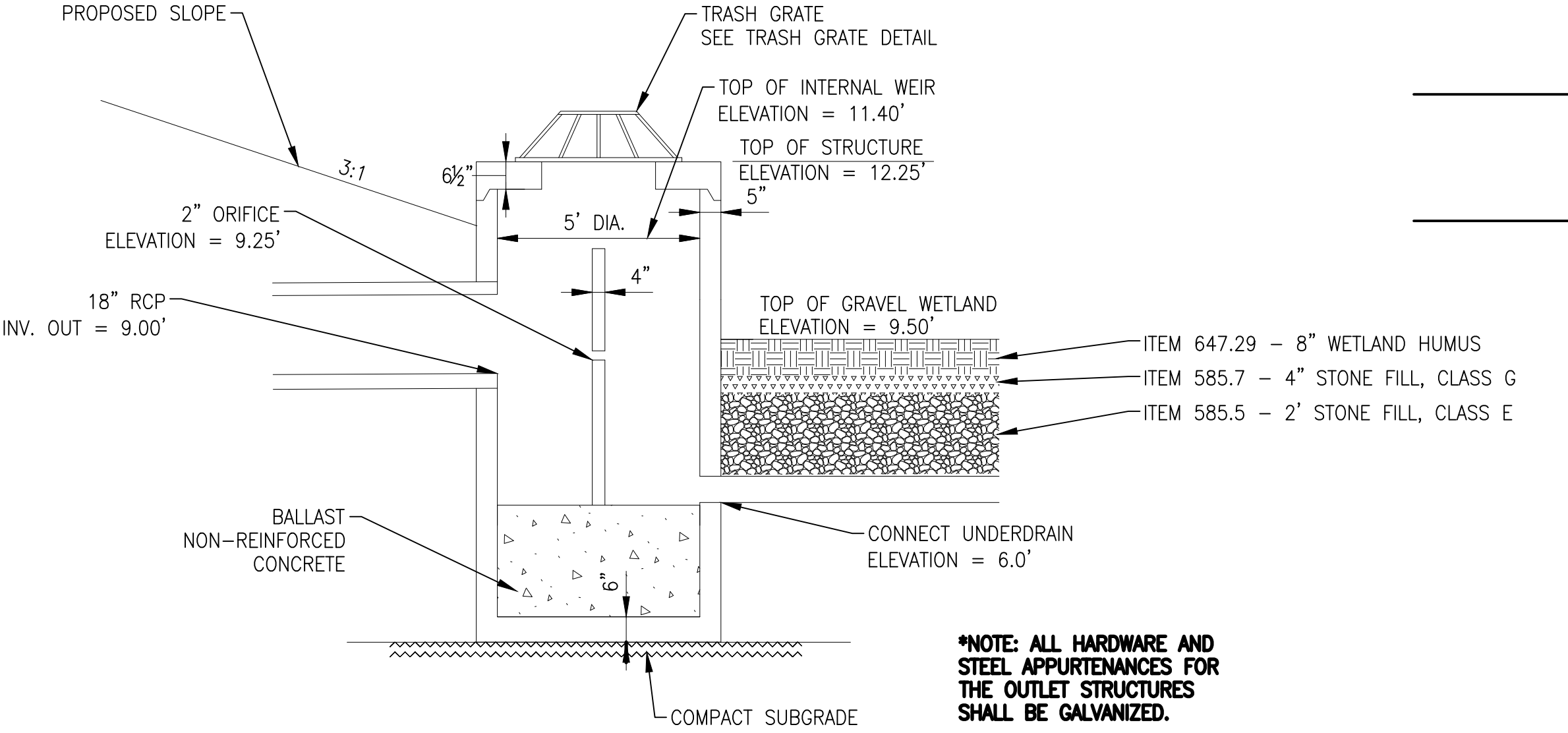
CITY OF PORTSMOUTH PORTSMOUTH, NEW HAMPSHIRE		
PEVERLY HILL ROAD RECONSTRUCTION		
TYPICAL SECTIONS		
SCALE: AS SHOWN	DESIGN: MKM	9 9 OF 13
DRAWN: MAD	PROJECT: 18082.01	
CHECKED: CJP	DATE: AUGUST 2026	



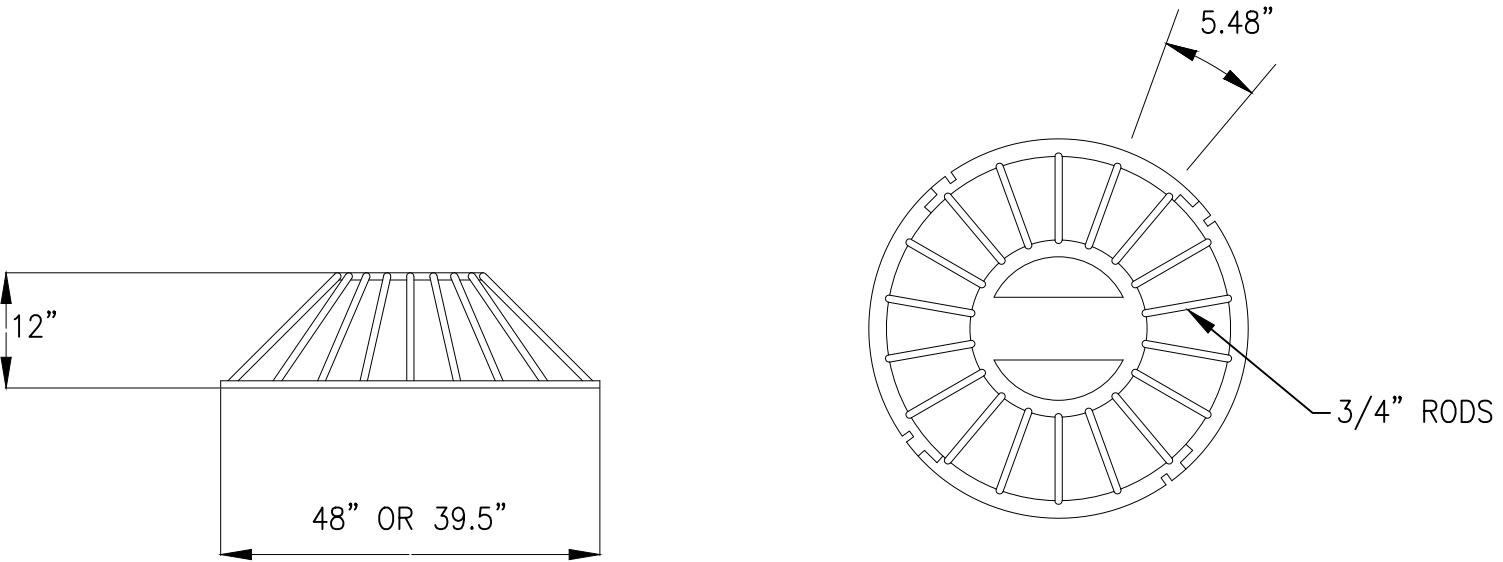
NOTE: ELEVATION OF STONE FILL VARIES BASED ON
INDIVIDUAL BMP, SEE BMP PLANS FOR ELEVATION

PERMIT PLANS

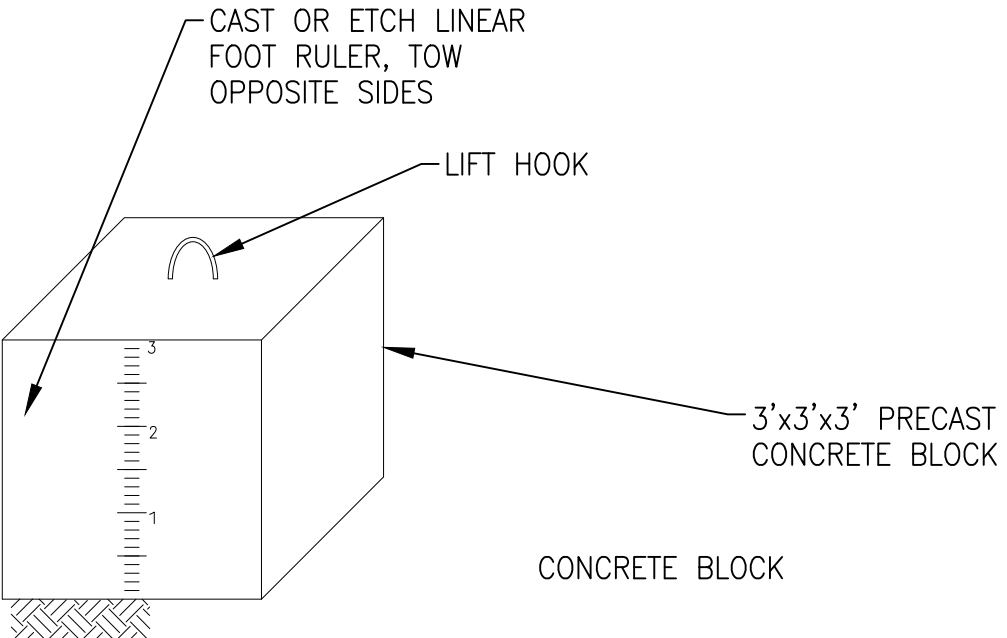
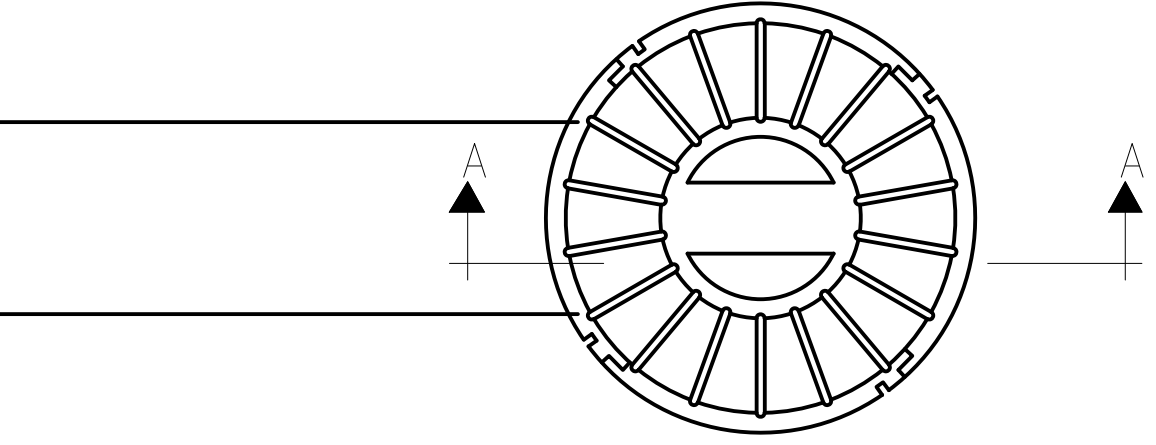
10
OF 13



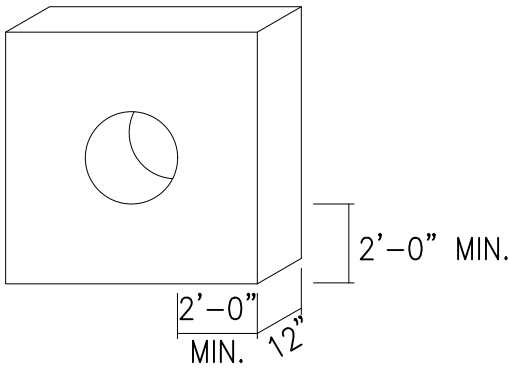
SECTION A-A
ITEM 604.910x – OUTLET CONTROL STRUCTURES SCHEMATIC
NOT TO SCALE



CONE TRASH GRATE DETAIL
NOT TO SCALE
SUBSIDIARY TO ITEM 609.91X



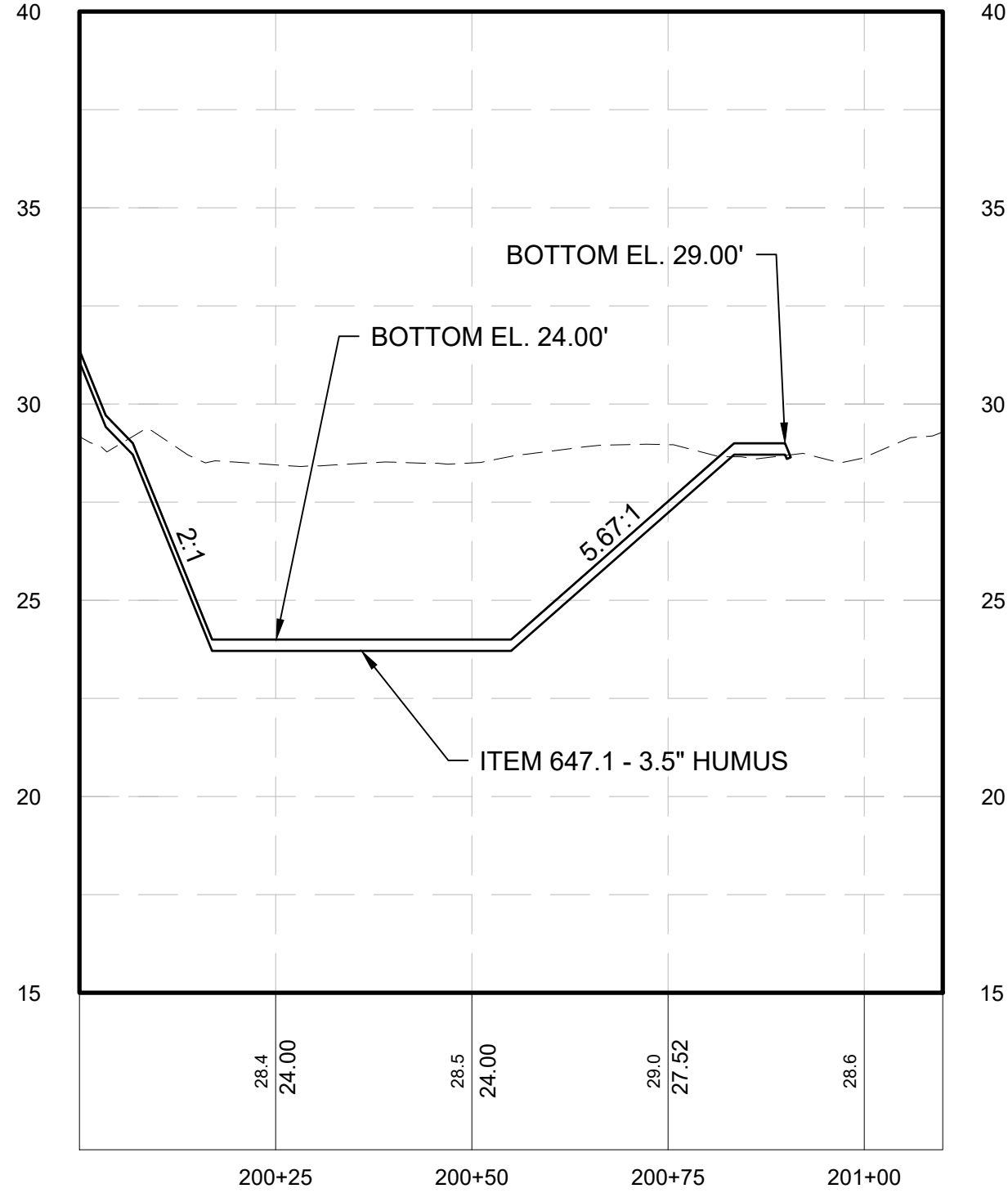
SEDIMENT SUMP MEASURING BLOCK
NOT TO SCALE



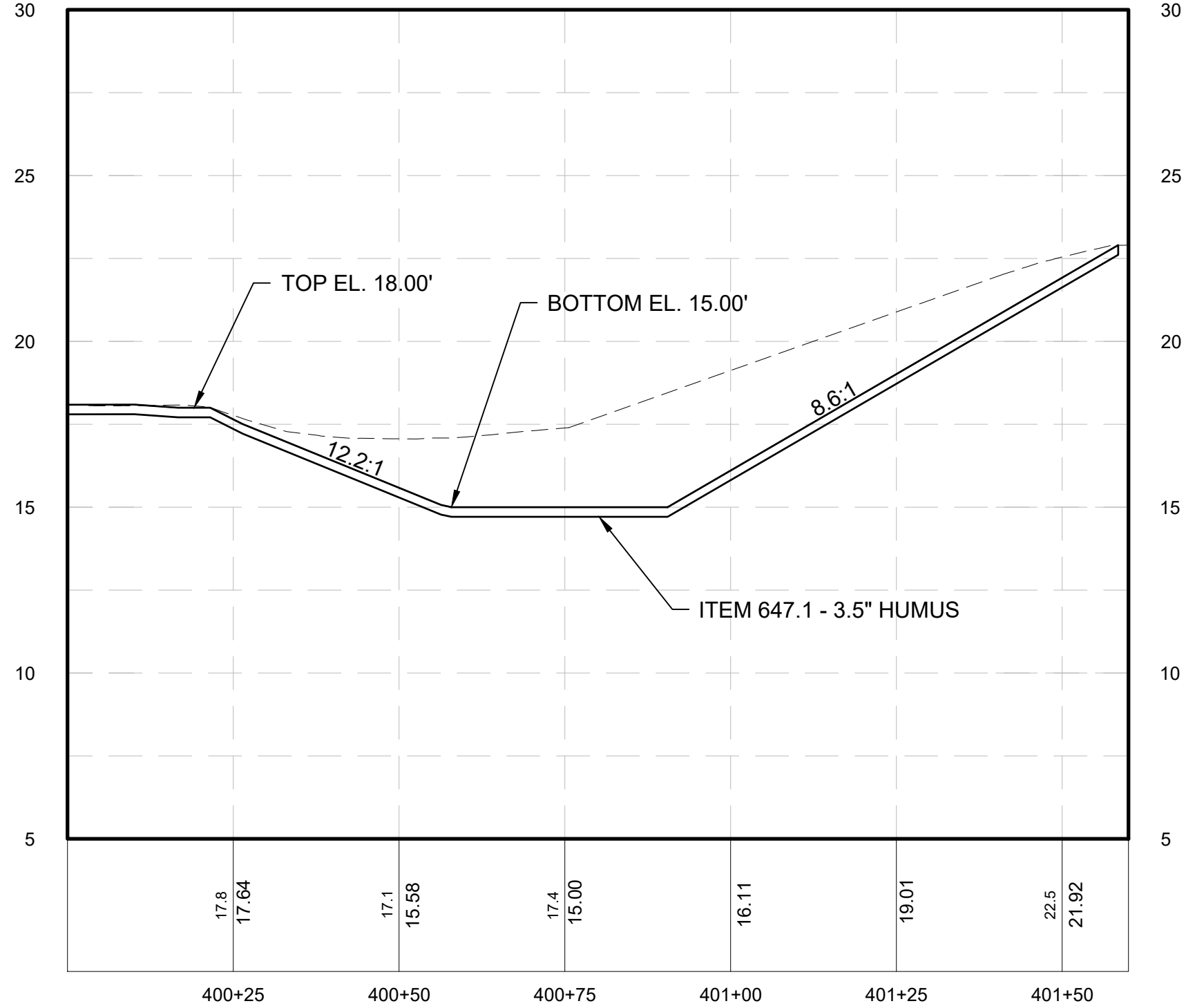
CAST-IN-PLACE
CONCRETE CLASS 'A' COLLAR
(SUBSIDIARY TO PIPE)
ANTI-SEEP COLLAR
NOT TO SCALE

PERMIT PLANS

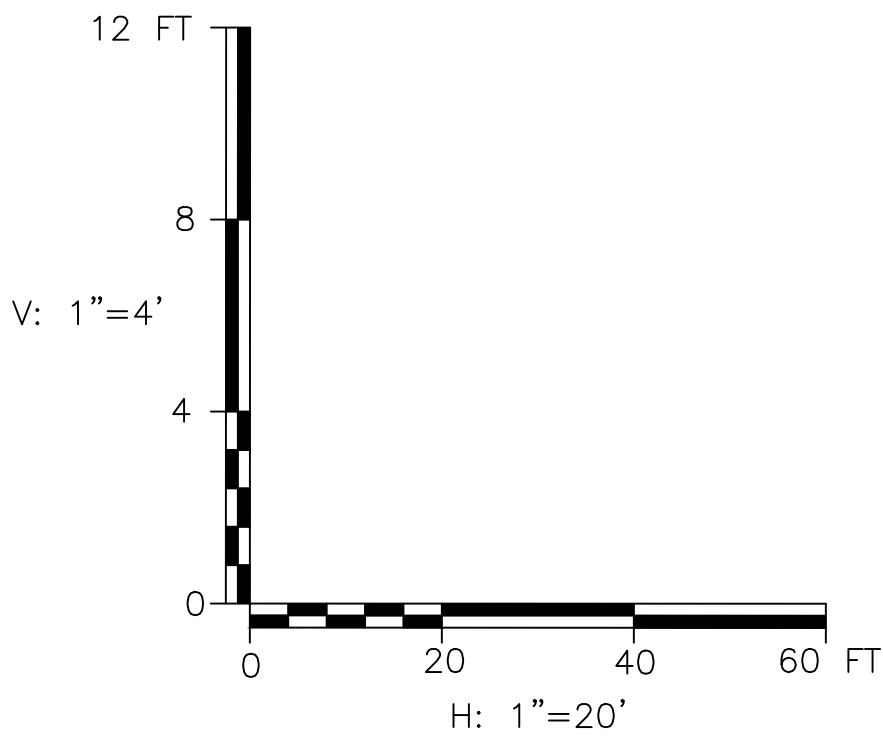
					CITY OF PORTSMOUTH PORTSMOUTH, NEW HAMPSHIRE PEVERLY HILL ROAD RECONSTRUCTION			
	REV	DATE	DESCRIPTION	BY	BMP DETAILS			
	McFarland Johnson 53 REGIONAL DRIVE CONCORD, NH 03301							
SCALE: AS SHOWN					DESIGN: MKM		11 11 OF 13	
DRAWN: MAD					PROJECT: 18082.01			
CHECKED: CJP		DATE: AUGUST 2026						



MOFFAT STREET BMP PROFILE



BANFIELD ROAD BMP PROFILE



PERMIT PLANS

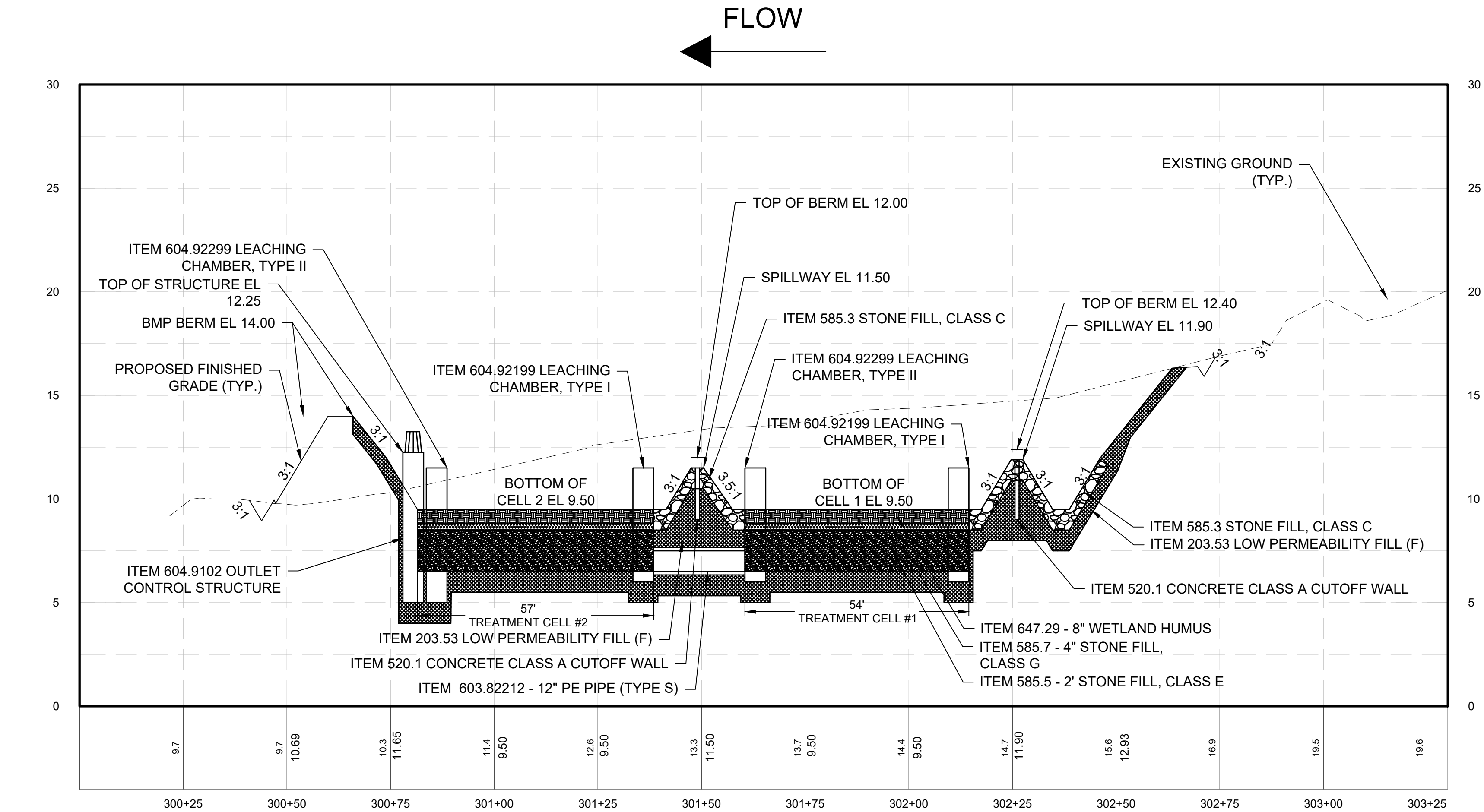


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CONCORD, NH 03301

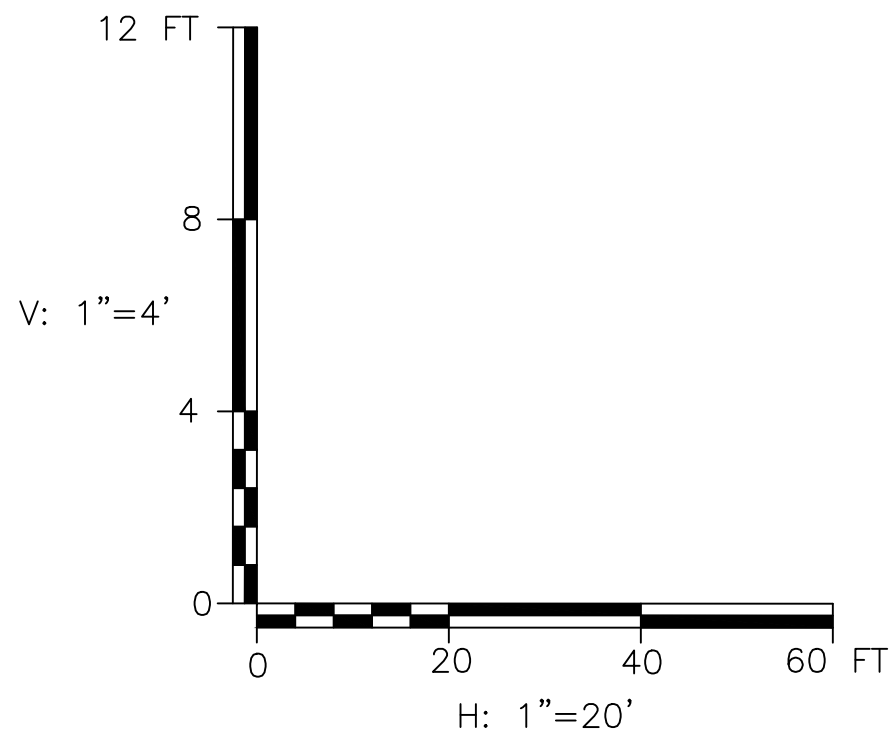
CITY OF PORTSMOUTH PORTSMOUTH, NEW HAMPSHIRE		
PEVERLY HILL ROAD RECONSTRUCTION		
BMP PROFILE SHEET		
SCALE: AS SHOWN	DESIGN: MKM	12 12 OF 13
DRAWN: MAD	PROJECT: 18082.01	
CHECKED: CJP	DATE: AUGUST 2026	

WATER SURFACE ELEVATIONS			
WQV	Q ₂	Q ₁₀	Q ₅₀
10.55	12.44	12.70	12.89

GROUNDWATER DATA	
ID	GROUNDWATER ELEVATION
B-1	7.0
B-2	8.0
B-3	7.0
B-4	9.0



YMCA BMP PROFILE



PERMIT PLANS

					CITY OF PORTSMOUTH PORTSMOUTH, NEW HAMPSHIRE						
					PEVERLY HILL ROAD RECONSTRUCTION						
					BMP PROFILE SHEET						
	REV	DATE	DESCRIPTION	BY							
	 McFarland Johnson 53 REGIONAL DRIVE CONCORD, NH 03301				SCALE: AS SHOWN			DESIGN: MKM			13 13 OF 13
					DRAWN: MAD			PROJECT: 18082.01			
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