Findings of Fact | Wetland Conditional Use Permit City of Portsmouth Planning Board

Date: <u>June 18, 2025</u>

Property Address: 185-187 Wentworth Road

Application #: <u>LU-25-2</u>

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.

1	Zoning Ordinance Sector 10.1017.50 Criteria for Approval 1. The land is reasonably suited to the use activity or alteration.	Finding (Meets Criteria for Approval) Meets Does Not Meet	A majority of this work is proposed for previously disturbed areas that need remediation done to remove contaminants from the wetland system. The existing salt marsh is not a suitable site for excavation work but the necessity of removing the PCBs and the associated replanting of the marsh should create a better outcome for the health of the wetland resource in this location if it can be properly maintained.
2	2. There is no alternative location outside the wetland buffer that is feasible and reasonable for the proposed use, activity or alteration.	Meets Does Not Meet	This is EPA-mandated remediation work that must occur to reduce existing PCB levels on site. It cannot occur anywhere else outside of the buffer.

	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	This proposal aims to remove existing toxins from the wetland and buffer system that currently exist and bring in clean topsoil and seed for the growth of the marsh. While the temporary impacts may be harmful, the outcome will create a healthier environment for all. To minimize impacts from construction, significant erosion controls are needed as part of this project.
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 remediation project only proposes the removal of vegetation to the extent necessary to remove the impacted soil and cap.
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 proposal appears to be the most efficient way to clean up the PCB contaminants currently in the soils of this wetland and buffer resource. Without remediation, this site will continue to be adversely impacted from the contaminants. The applicant should ensure that any contaminated soils are properly covered if left on site at any time during the project period or afterwards.
6	6. Any area within the vegetated buffer strip will be returned to a natural state to the extent feasible.	Meets Does Not Meet	While riprap is proposed for the bank immediately above the HOTL, the area between the bank and the proposed concrete cap will be loamed and hydroseeded as well as planted with a variety of trees and shrubs. The applicant should ensure that a wetland buffer seed mix is used through the 100' wetland buffer for seeding, not just wildlife-compatible mix.
7	Other Board Findings:		



May 20, 2025 File No. 2021-075

Peter Stith
Planning Manager
Planning & Sustainability Department
Rick Chellman, Chair
Portsmouth Planning Board
1 Junkins Ave, 3rd Floor
Portsmouth, NH 03801

Subject: 185-187 Wentworth Road, Portsmouth, NH

Wetlands Conditional Use Permit Application (WCUPA) LU-25-2

Marina Restoration Project

Dear Sirs:

On behalf of the Project Applicant/our client Sea Level LLC, Aries Engineering LLC is submitting this letter in hard copy and electronic copy for the subject project. The electronic copy will be uploaded to the portsmouthnh.portal.opengov.com. This letter is intended to supplement the CUPA, and consists of the following:

- Cover Letter to the Planning & Sustainability Department and Planning Board;
- Completed Wetlands CUPA Checklist, required since March 2025 for CUPA applications brought before the Planning Board;
- An Addendum, which identifies specific items in the CUPA originally submitted January 8, and supplemented through January 30, 2025, that have necessarily been modified to respond to a) a March 14, 2025 decision letter by the Conservation Commission, containing four (4) Stipulations; and b) a verbal request made by the Portsmouth Planning Board Technical Advisory Committee (TAC) at its May 6, 2025 meeting, to confirm that the location of the existing 15 inch diameter drainage pipe which traverses the property and discharges into the wetlands area, will not be covered by the proposed concrete cap. Each of these four Stipulations are specifically addressed below in narrative text and/or the attached Addendum with revised Engineering Sheets provided as needed. The location of the pipeline has been identified on revised Engineering Sheet 5 also attached, based on field geophysical investigation conducted by Aries/GPRS on May 15, 2025.
- 1. **Stipulation No. 1**. Applicant shall receive all necessary permissions from NHDOT and the contributing abutting landowners as applicable prior to plugging or abandoning any of the existing 15" drainage pipe. Further, please provide a drainage plan and calculation analysis for the rerouting of flow entering this pipe. This shall occur prior to Planning Board approval and may need review from TAC. Any proposed ground disturbance within a jurisdictional wetland or wetland buffer due to future rerouting or removal of the existing pipe shall require a separate wetland conditional use permit from the City.
 - **Applicant Response**: This Stipulation will no longer apply because our team proposes to modify its design concept so that the existing drainage pipe will not be plugged or otherwise modified. Originally, our team was concerned that discharge flow and velocity from the pipe would negatively affect the proposed wetland grass plantings. However, a field review of the pipe inlet's relatively small surface service area and monitoring of the pipe's discharges after each significant March and April rainfall events have persuaded the Applicant that a negligible effect will result from this pipe on the area of future wetland grass plantings. March and April represent two of the five months sequentially with the highest average annual levels of precipitation, according to weather-and-climate.com.
- 2. **Stipulation No. 2**. All areas to be loamed and seeded shall receive a wetland buffer conservation seed mix or equivalent.

Applicant Response: the CUPA has been modified to reflect this, see Addendum.

3. **Stipulation No. 3.** In accordance with Section 10.1018.40 of the Zoning Ordinance, applicant shall permanently install wetland boundary markers, which may be purchased through the City of Portsmouth Planning & Sustainability Department. Markers are to be placed along the edge of the gravel parking area near the restoration area at 50-foot intervals and must be installed prior to the start of any

construction.

Applicant Response: These markers shall be installed upon completion of the proposed work, and the Addendum reflects this.

4. **Stipulation No. 4**. Applicant shall clearly delineate on the site plan and provide a detailed description of the proposed grassed swale. This should include dimensions, materials, depth, etc.

Applicant Response: Revised Engineering Sheet 5, attached to Addendum, reflects this stipulation.

Please let us know if you have any questions.

Sincerely,

Aries Engineering, LLC

Stephen J. Graham, P.E. Director of Engineering

Stephen Napohom

Cc: Jay Johonnett, PE, Aries

Tom Reis, Sea Level LLC Rick Kowalski, PG, Aries Drew Olehowski, Haley & Ward Sam Hayden, Haley & Ward

Attachments: Wetlands CUPA Checklist

CUPA Addendum

Haley and Ward Memorandum, April 29, 2025

Revised Engineering Sheet 5 & New Engineering Sheet 5A

Revised WPA Appendix J, Coastal Resource Worksheet, Part 4, Operations Monitoring and

Maintenance Plan (OMMP), Attachment CC Revised WPA Addendum S, Site Calculations

ConCom Letter, March 14, 2025

TAC Letter, May 8, 2025



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: Sea Level, LLC	Date Submitted: May 21, 2025	
Application # (in City's online permitting): LU-25-2		
Site Address:185-187 Wentworth Rd, Portsmouth, N	NH 201 12 Map:Lot:	

\square	Required Items for Submittal	Item Location
		(e.g. Page or
		Plan Sheet/Note #)
/	Complete <u>application</u> form submitted via the City's web-based	Online Application (OA) 4 20 0F Comp. Dr. 4 5
	permitting program	OnLine Application (OA), 1-30-25 Cupa, Pg 4-5
	All application documents, plans, supporting documentation, this	4 00 05 0
Ľ	checklist and other materials uploaded to the application form in	1-30-25 Cupa, Pg 5-6
	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.	

Ø	Required Items for Submittal	Item Location (e.g. Page/line or Plan Sheet/Note #)
'	Basic property and wetland resource information. (10.1017.21)	OnLine Application (OA), 1-30-25 Cupa, Pg 4-5
	Additional information required for projects proposing greater than 250 square feet of permanent or temporary impacts. (10.1017.22)	1-30-25 Cupa, Pg. 5
'	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)	1-30-25 Cupa, Pg 5-6
	Balance impervious surface impacts with removal and/or wetland buffer enhancement plan. (10.1017.24)	See 1-30-25 Cupa, Pg. 6

M	Required Items for Submittal	Item Location (e.g. Page/line or Plan Sheet/Note #)
	Wetland buffer enhancement plan. (10.1017.25)	1-30-25 Cupa, Pg. 6
V	Living shoreline strategy provided for tidal wetland and/or tidal buffer impacts. (10.1017.26)	1-30-25 Cupa, Pg 6-7
'	Stormwater management must be in accordance with Best Management Practices including but not limited to: 1. New Hampshire Stormwater Manual, NHDES, current version. 2. Best Management Practices to Control Non-point Source Pollution: A Guide for Citizens and City Officials, NHDES, January 2004. (10.1018.10)	1-30-25 Cupa, Pg 7
	Vegetated Buffer Strip slope of greater than or equal to 10%. (10.1018.22)	1-30-25 Cupa, Pg 7
	Removal or cutting of vegetation, use of fertilizers, pesticides and herbicides. (10.1018.23/10.1018.24/10.1018.25)	1-30-25 Cupa, Pg 7-8
/	All new pavement within a wetland buffer shall be porous pavement. (10.1018.31)	1-30-25 Cupa, Pg 8
'	An application that proposes porous pavement in a wetland buffer shall include a pavement maintenance plan. (10.1018.32)	1-30-25 Cupa, Pg 8
'	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)	5-20-25 Ltr, Pg 1
Ø	Requested Items for Submittal	Item Location (e.g. Page or Plan Sheet/Note #)
'	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.	1-30-25 Cupa, Pg 1
'	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.	1-30-25 Cupa, Pg 1

Applicant's Signature:	 Date:	

ADDENDUM TO CUPA

This Addendum to the CUPA submitted January 8, 2025 and revised and resubmitted January 30, 2025 identifies information which supersedes in the specified sections below, the existing text or drawings in the existing CUPA. Page numbers refer to the number of the page of the pdf document.

- Pg 2 Cover Letter, Page 2, Section 1.0, Item 2 F: Deleted, the stormwater discharge pipe will no longer be plugged.
- Pg 2 Cover Letter, Page 2, Section 3.0, 2nd bullet, AND Pg 11 Wetland Permit Application (WPA) Pg 1, Section 2.0, Project Description, Item 2c; AND Pg 118 WPA Appendix J, Coastal Resource Worksheet, Section 1, Second Paragraph. After first sentence, add:
- "Also, 260 SF of the 770 SF level upland graded areas from 11 to 14.5 ft elevation will after 6-inch soil cap installation, be covered by up to 15 inches of revetment, which is an erosion control stone of 6-inch diameter."
- Pg 62 WPA Appendix E, Engineering Project Plans, Drawings & Sheets: Sheet 5 is now replaced, and is attached to this document. It has been changed to address the 4 Stipulations of ConCom's March 14, 2025 Letter and include the location of the existing 15 in diameter drainage pipeline. New Sheet 5A is also attached, which presents a new cross section detail of a portion of Sheet 5's Section B-B'. Note that for any site plan information differing between Sheets 5 and 7, Sheet 5 information will prevail. Both Sheets 5 and 5A have been stamped by the Applicant's NH Professional Engineer.
- Pg 139 WPA Appendix J, Coastal Resource Worksheet, Part 3, change the sentence fragment "tall fescue...and birdsfoot trefoil" to "wetlands seed mix".
- Pg 140 WPA Appendix J, Coastal Resource Worksheet, Part 3, Item 1. Change "4-8" to "11" CY.
- Pg 148 WPA Appendix J, Coastal Resource Worksheet, Part 4, Operations Monitoring and Maintenance Plan, Pg 2, 2nd paragraph, Lines 4-5, substitute "south to north" for "east to west". In Line 5, after "via sheet flow to", delete rest of paragraph, and add "a revetment erosion control area consisting of 15 inches of 6-inch diameter stone which interfaces with the riprap rock/stone layer". The rationale for this change is that the underground stormwater retainage system proposed in the CUPA is no longer feasible nor required, due to a) unsuitable soils having been found in its proposed location from an April 2025 soil boring exploration by a NH-licensed Septic System Evaluator from Haley and Ward, civil engineers; b) the impact which would occur from installation of the proposed underground stormwater retainage system to the existing storm drain pipe, whose location was field determined in the soil boring program; and c) upon further evaluation by Haley and Ward to address stormwater requirements, the proposed alternative stormwater management approach (revetment) to handle runoff from the proposed 5,000 square foot concrete pad is practical and compliant with regulations.
- Pg 155 WPA Appendix J, Coastal Resource Worksheet, Part 4, Operations Monitoring and Maintenance Plan (OMMP), 2nd bullet, Stormwater Collection System, is deleted.
- Pg 164 WPA Appendix J, Coastal Resource Worksheet, Part 4, Operations Monitoring and Maintenance Plan (OMMP), in the OMMP Inspection Form, Attachment CC, second item, delete "Level Spreader (N & W End of Concrete Cap) And,"

Pg 165 WPA Appendix J, Coastal Resource Worksheet, Part 4, Operations Monitoring and Maintenance Plan (OMMP), 1st bullet, delete "Stormwater Packaged System. A revised OMMP Inspection Form, Attachment CC, is attached which supersedes the existing form.

Pg 243 WPA Appendix O, Attachment A, Major and Minor Projects, Section I.VI Floodplain Wetlands, Line 5. Delete "Sheet flow runoff from the concrete cap will be controlled by two feet of 2 inch stone installed around south and west perimeter edge with underdrain routed to packaged underground stormwater treatment system to treat and intercept runoff directed from this 2% sloped pad, see Sheets 4 and 5"; and delete Line 9 "Note that a 15 inch storm drain pipe discharging into this blind cove from the state/city roadways east of and outside the project area, will be capped with a 5 ft concrete plug, once the origin of that pipe is terminated by others and approved by regulators."

Pg 249 Appendix P, Envt WT 311.06, ConCom Comments. Comments have been received on this WPA as noted in the Cover Letter, on March 14, 2025 from ConCom, and on May 8, 2025 from TAC, both attached.

Pg 258 Appendix S, Calculations. A revised sheet is attached here which supersedes the existing page of calculations.



MEMO

To: Tom Reis, Sea Level LLC

Stephen Graham, Aries Engineering LLC

From: Drew Olehowski, PE

Re: 185-187 Wentworth Road | Wetlands Conditional Use Permit Application, Marina

Restoration Project, Stormwater Management Supplement

Date: April 9, 2025

Haley Ward, Inc. (Haley Ward) has been retained by Aries Engineering LLC (Aries Engineering) and Sea Level LLC (Sea Level) to provide engineering design and permitting services related to stormwater management for the proposed 185-187 Wentworth Road Marina Restoration project. This memorandum is to be considered a supplement to the Wetlands Conditional Use Permit Application currently undergoing review by the City of Portsmouth Planning Department.

Per the letter sent from Kate Homet, Environmental Planner, and Petr Stith, Planning Manager, Chair of Technical Advisory Committee, to Sea Level dated February 21, 2025, it was identified that the proposed development triggers Site Plan review per Section 1.2.1 of the City's Site Plan Regulations. This letter explains further that Site Plan review is required due to the proposed rerouting of an existing city-owned storm drain, and the installation of a concrete cap. The Applicant is requesting an exemption from Site Plan review by way of being classified as a "small impact" development. On February 25, 2025, a letter was sent from Aries Engineering to the individuals identified above demonstrating why the "small impact" designation is applicable to the proposed development. This memorandum serves to bolster the justification provided for item 1.2.2(c) (an increase in the lot's impervious surfaces by 500 or more feet,) as well as to comment on the necessity for the development to adhere to the City's Stormwater Management Ordinances, specifically Section 2.5.4.3(i) and Section 7.0 of the Site Plan Regulations, should the "small impact" exemption not be granted.

As described in more detail within the Wetlands Conditional Use Permit Application (WCUP,) the project generally consists of the environmental remediation of the property located at 185-187 Wentworth Road (the "Site"). Other than remediation-specific activities, changes/improvements to the Site are limited to the conversion of an approximately 5,000 square foot gravel boat storage pad to a concrete "cap." This cap will continue to be used for boat storage.



As mentioned above, this "alteration" triggers the need for Site Plan review. Applicable stormwater management standards of the Site Plan Ordinance include Section 2.5.4.3(i) and Section 7.0. Should the City uphold the applicability of the Site Plan Ordinance, a waiver for these stormwater-related sections would be requested. In general, the goal of these standards is to prevent adverse stormwater runoff impacts related to new development; these impacts may include flooding on abutting properties, degradation of the water quality of downstream waterways, or impacts to natural resources/groundwater. The nature of the proposed development makes any of these outcomes unlikely, for the following reasons:

- 1. There will be no significant increase in stormwater runoff volumes leaving the property. Runoff volumes are directly related to the "cover types" found on the Site. Under existing conditions, the subject area is entirely compacted gravel, which mimics an impervious surface. Haley Ward performed a test pit in the gravel area in April 2025 and found the soils to be generally impermeable. A copy of this test pit log is attached. Under proposed conditions, this gravel area will be converted to concrete, which is also an impermeable cover type. There is no discernable difference between compacted gravel and concrete as related to runoff volumes, especially for small sites such as this.
- 2. There will be no significant alterations in existing stormwater runoff flow paths, or resultant changes in "Summation points." Under existing conditions, the gravel pad generally slopes from south to north, generally with slopes between 0-7 percent. After sheeting over this pad for approximately 60 feet, the terrain steepens to a 1:1 slope along the bank of a wetland/Sagamore Creek. Under proposed conditions, the gravel pad will be replaced with a concrete pad which has been designed to mimic existing conditions. The concrete pad will pitch from south to north, at a flatter grade of 3%. Runoff will be maintained as sheet flow along this pad before discharging to the wetland side slopes, which we are proposing to stabilize via rip rap armoring. Overall, the drainage scheme is improved via this armoring, and a flattening of the Site's slope. The only summation point is the wetland to the north of the Site, which will remain unaltered.
- The proposed use of this Site will remain unchanged from the existing conditions.
- 4. No salt is currently used on the Site, which will continue under the proposed conditions.

Haley Ward has carried out an initial investigation into what would be needed to satisfy the City's stormwater ordinances, should they apply, and a waiver not be granted. Due to Site constraints that include wetlands, resource buffers, undisturbed areas, and capped contamination areas, stormwater treatment Best Management Practices (BMP) would be limited to surface features with a small footprint in combination with underground detention systems. This type of BMP would be unfavorable due to the following:

1. Flow performing as "sheet" flow into adjacent wetlands would be captured and channelized via a structural BMP. Channelization of flow is more likely to result in erosion of downstream areas. In this case, the downstream areas are wetlands that we do not want to negatively impact. As mentioned above, the soils in this area are generally low-permeability and discharge from the BMP via infiltration is not an option.

Wentworth Road Memo | 04.09.2025 | 5010185.2625 | Page 2



- 2. There is an existing city-owned storm drain pipe in the most efficient stormwater treatment location. The use of a BMP in this area would require the City to relocate/modify their storm drain.
- 3. Potential disturbance of underground contaminated areas through the use of the needed underground detention system.

If you have any further comments or questions, please contact our office.

Sincerely,

Haley Ward, Inc.

Drew Olehowski, P.E. Project Manager

DJO/jok Attachment PAGE __ OF __ L_ FORM F Rev. 07/11a **DETAILED DESCRIPTION OF** SOIL PROFILE / CLASSIFICATION INFORMATION SUBSURFACE CONDITIONS AT PROJECT SITES **Project Name: Applicant Name:** Project Location (municipality): 185 Wentworth Road 5010185.2625 **Portsmouth NH** Exploration Symbol # ▼ Test Pit □ Boring □ Probe Exploration Symbol # _ ☐ Test Pit ☐ Boring ☐ Probe " Organic horizon thickness Ground surface elev. __ " Organic horizon thickness Ground surface elev. " Depth of exploration or to refusal " Depth of exploration or to refusal Redox Features Consistency Color Redox Features Sand granular/friable 2.5Y 5/6 None Fill, many angula cobbles througho Joamy sand granular/friable Fill. many angular cobbles througho 10YR 4/3 None 10-Depth below mineral soil surface (inches) 10 Depth below mineral soil surface (inches) loamy sand granular/friable 2.5Y 5/6 None Fill, many angular cobbles througho 20. 20 None gravely coarse granular/friable 10YR 3/6 Fill, many angular cobbles throughout 30 40 Silt loam massive, firming Possible fill from historic dredging None 50 groundwater table at 65' top of Stormwater drainage pige at 46 60 60 Soil Classification Soil Classification Slope S.E. ☐ Groundw S.E. é N/A 0 - 2N/A ☐ Restrictive Laye * Details * ☐ Bedrock Profile Condition Percent Profile Condition Percent Soil Series/Phase Name: Hydrologic Soil Series/Phase Name: Hydrologic S.S S.S ☐ Hydric ☐ Hydric Soil Soil N/A * Non-hydric DD ☐ Non-hydric Soil Group Soil Group Exploration Symbol # ☐ Test Pit ☐ Boring ☐ Probe ☐ Test Pit ☐ Boring ☐ Probe Exploration Symbol # " Organic horizon thickness Ground surface elev. " Organic horizon thickness Ground surface elev. _ " Depth of exploration or to refusal " Depth of exploration or to refusal Consistency Color Redox Features 0 Depth below mineral soil surface (inches) Depth below mineral soil surface (inches) 10 10 20 20-30 30-40 40 50 50 60 60 Soil Classification Slope Limiting Factor Slope Soil Classification Details by S.E. ☐ Groundwater ☐ Groundwater ☐ Restrictive Layer * Condition Profile Percent Condition Percent Profile Soil Series/Phase Name: Hydrologic Soil Series/Phase Name:

INVESTIGATOR INFORMATION AND SIGNATURE Signature 4/4/2025 Cert/Lic/Reg. # Sam Hayden PWS 321 ☐ Licensed Site Evaluator ☐ Certified Soil Scientist ☐ Certified Geologist ☐ Professional Engineer

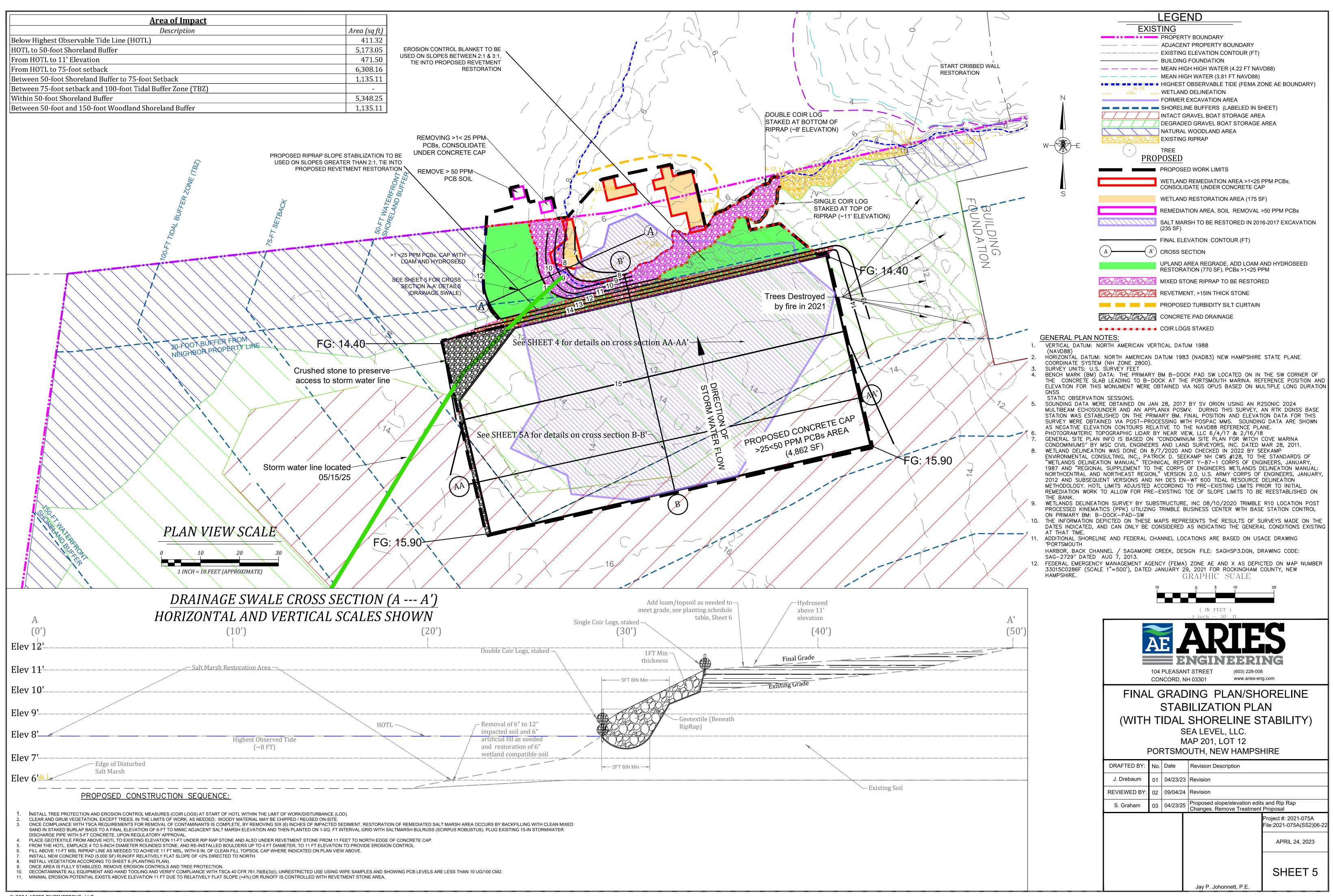
Soil Group

☐ Hydric

□ Non-hydric

S.S.

1





104 PLEASANT STREET CONCORD, NH 03301

(603) 228-008 www.aries-eng.com

FINAL GRADING PLAN/SHORELINE STABILIZATION PLAN (WITH TIDAL SHORELINE STABILITY)

SEA LEVEL, LLC.
MAP 201, LOT 12
PORTSMOUTH, NEW HAMPSHIRE

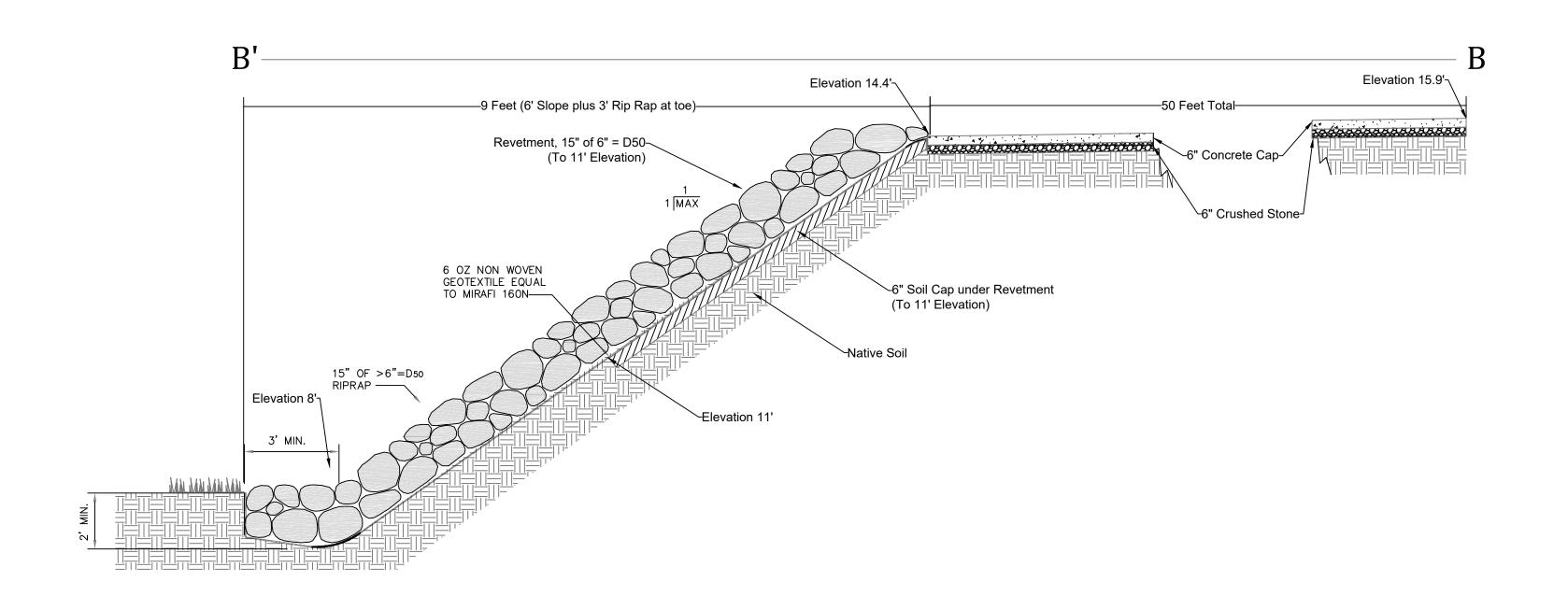
DRAFTED BY:	No.	Date	Revision Description	
J. Drebaum 01 04/23/23		04/23/23	Revision	
REVIEWED BY: 02 09/04/24		09/04/24	Revision	
S. Graham	03	04/23/25	Proposed slope/elevation edits and Rip Rap Changes. Remove Treatment Proposal	



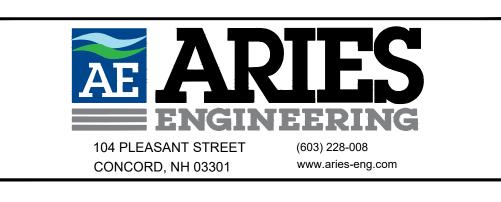
Project #: 2021-075A File:2021-075A(SS2)06-22

APRIL 24, 2023

SHEET 5



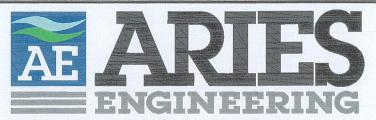
RIP RAP AND REVETMENT SLOPE STABILIZATION DETAIL NTS



FINAL GRADING PLAN/PAD GRADING DETAIL FOR RIPRAP AND REVETMENT

SEA LEVEL, LLC. MAP 201, LOT 12 PORTSMOUTH, NEW HAMPSHIRE

DRAFTED BY:	No.	Date	Revision Description	
J. Drebaum				
REVIEWED BY:				
S. Graham				
				Project #: 2021-075A File:2021-075A(SS2)06-22
				APRIL 23, 2025
				SHEET 5A
			Jay P. Johonnett, P.E.	



104 PLEASANT STREET CONCORD, NH 03301 (603) 228-008 www.aries-eng.com

FINAL GRADING PLAN/PAD GRADING DETAIL FOR RIPRAP AND REVETMENT

SEA LEVEL, LLC.
MAP 201, LOT 12
PORTSMOUTH, NEW HAMPSHIRE

DRAFTED BY:	No.	Date	Revision Description
J. Drebaum			
REVIEWED BY:			
S. Graham			

JAY JOHONNETT No. 14110

JAY P. Johonnett, P.E.

Project #: 2021-075A File:2021-075A(SS2)06-22

APRIL 23, 2025

SHEET 5A

APPENDIX J, Part 4

ATTACHMENT CC OPERATIONS MONITORING AND MAINTENANCE (OMM) PLAN

Inspection Checklist

Sea Level, LLC 185-187 Wentworth Rd, Portsmouth, NH

BMP / System	Minimum Inspection Frequency	Minimum Inspection Requirement	Maintenance Threshold	Inspection Completed? (yes/no)
Stabilized Construction Entrance	Quarterly	Inspect adjacent roadway for sediment tracking Inspect gravel stone for sediment accumulation	Sweep adjacent roadways as soon as sediment is tracked Top dress with additional stone when necessary to prevent tracking	
Concrete Cap (reinforced cement)	Quarterly	Inspect accumulated sediment level, rips, and tears; and concrete surfaces for spalling or cracks	Repair or replace damaged Sections of spreader or cap Remove and dispose of accumulated sediment once level reaches 1/3 of barrier height	
Gravel Base	Annually	Inspect gravel for ruts and depth	Replace gravel as necessary, regrade as necessary to maintain design grades, remove any accumulated gravel washed from roadway	
Litter/Trash Removal	Routinely	Inspect dumpsters, outdoor waste receptacles area, and yard areas.	Site will be free of litter/trash.	
Deicing Agents	N/A	N/A	Use agents approved by ConCom as the primary agent for roadway safety during winter.	

BMP / System	Minimum Inspection Frequency	Minimum Inspection Requirement	Maintenance Threshold	Inspection Completed? (yes/no)
Revetment	Annually	Check for sediment accumulation & clogging.	More than 12" sediment depth	
Grass Lined Drainage Swale, Final Cover Area (Low Occupancy)	Spring and Fall and after every 3" of rain or greater in a 24- hour period, as needed	huildun	Remove excess sediment and any trash/debris. Loss of vegetation > 10 % of Final Cover or Drainage Swale Loss of > 1 in of total 6 in Final Cover	
Annual Report	1 time per year	Submit Annual Report to EPA, Other agencies upon request	EPA Requirement	

Ins	pection	Notes:

Inspector:
Date of Inspection:
Date of Repairs:
Repairs Verified By:

APPENDIX S Update 4/23/25 Portsmouth Marina

185-187 Wentworth House Road, Portsmouth, NH

180-187 Went	lworth House Roa	a, Portsmouth, NH	
Entity	SQFT		
Buildings	931.5		
	824.1		
	474.69		
	1136.6		
	4100		
	444.85		
	103.2		
	493.22		
	1001.19		
	182.5		
	95.16		
	4799.76		
Total	14586.77		
Entity	SQFT		
Pavement	2464.64	1189.32	
	2.0.01	1275.32	
Fatitus.	COLL	12/3.32	
Entity	SQFT		
Leachfield	6684.72		
Other Permeable Surfaces (Lawn etc)	14401.8899	5036.8111	
		2015.4271	
		2405.6524	
		3441.3926	
		1204.2673	
		298.3394	
Property Boundary Area as shown in CAD File	131660.4931		3.022497
Gravel, Intact Gravel, Degraded Gravel, Riprap, Current Rip Rap,			
	400000 4500		
Woodland, Buldings, Pavement, Permeable Areas	130603.4586		
_			
Woodland, Buldings, Pavement, Permeable Areas Remaining SQFT = Water+ Saltmarsh areas	130603.4586		
Remaining SQFT = Water+ Saltmarsh areas	1057.0345		
Remaining SQFT = Water+ Saltmarsh areas Entity	1057.0345 SQFT		
Remaining SQFT = Water+ Saltmarsh areas Entity Salt Marsh Restoration	1057.0345 SQFT 236.12		
Remaining SQFT = Water+ Saltmarsh areas Entity Salt Marsh Restoration Future RipRap*	1057.0345 SQFT 236.12 432.629		
Remaining SQFT = Water+ Saltmarsh areas Entity Salt Marsh Restoration Future RipRap* Current RipRap	1057.0345 SQFT 236.12 432.629 130.455		
Remaining SQFT = Water+ Saltmarsh areas Entity Salt Marsh Restoration Future RipRap*	1057.0345 SQFT 236.12 432.629		
Remaining SQFT = Water+ Saltmarsh areas Entity Salt Marsh Restoration Future RipRap* Current RipRap	1057.0345 SQFT 236.12 432.629 130.455	409.77	
Remaining SQFT = Water+ Saltmarsh areas Entity Salt Marsh Restoration Future RipRap* Current RipRap Future Revetment	SQFT 236.12 432.629 130.455 304.093	409.77 363.57	
Remaining SQFT = Water+ Saltmarsh areas Entity Salt Marsh Restoration Future RipRap* Current RipRap Future Revetment Upland Area Regrade	1057.0345 SQFT 236.12 432.629 130.455 304.093 773.34		
Remaining SQFT = Water+ Saltmarsh areas Entity Salt Marsh Restoration Future RipRap* Current RipRap Future Revetment Upland Area Regrade Wetland Restoration	1057.0345 SQFT 236.12 432.629 130.455 304.093 773.34		
Remaining SQFT = Water+ Saltmarsh areas Entity Salt Marsh Restoration Future RipRap* Current RipRap Future Revetment Upland Area Regrade Wetland Restoration Proposed Concrete	1057.0345 SQFT 236.12 432.629 130.455 304.093 773.34 175.2 5000		
Remaining SQFT = Water+ Saltmarsh areas Entity Salt Marsh Restoration Future RipRap* Current RipRap Future Revetment Upland Area Regrade Wetland Restoration Proposed Concrete Concrete Drainage	1057.0345 SQFT 236.12 432.629 130.455 304.093 773.34 175.2 5000 63.32	363.57	
Remaining SQFT = Water+ Saltmarsh areas Entity Salt Marsh Restoration Future RipRap* Current RipRap Future Revetment Upland Area Regrade Wetland Restoration Proposed Concrete	1057.0345 SQFT 236.12 432.629 130.455 304.093 773.34 175.2 5000	363.57 29126.6909	
Remaining SQFT = Water+ Saltmarsh areas Entity Salt Marsh Restoration Future RipRap* Current RipRap Future Revetment Upland Area Regrade Wetland Restoration Proposed Concrete Concrete Drainage	1057.0345 SQFT 236.12 432.629 130.455 304.093 773.34 175.2 5000 63.32	363.57	
Remaining SQFT = Water+ Saltmarsh areas Entity Salt Marsh Restoration Future RipRap* Current RipRap Future Revetment Upland Area Regrade Wetland Restoration Proposed Concrete Concrete Drainage	1057.0345 SQFT 236.12 432.629 130.455 304.093 773.34 175.2 5000 63.32	363.57 29126.6909	
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Remaining SQFT = Water+ Saltmarsh areas Entity Salt Marsh Restoration Future RipRap* Current RipRap Future Revetment Upland Area Regrade Wetland Restoration Proposed Concrete Concrete Drainage Intact Gravel (Red Hatch) Degraded Gravel (Green Hatch) Gravel Drive (Black Dots)	1057.0345 SQFT 236.12 432.629 130.455 304.093 773.34 175.2 5000 63.32 35006.8907 14557.6824 31973	363.57 29126.6909 5880.1998 4210.3537 213.739	
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Remaining SQFT = Water+ Saltmarsh areas Entity Salt Marsh Restoration Future RipRap* Current RipRap Future Revetment Upland Area Regrade Wetland Restoration Proposed Concrete Concrete Drainage Intact Gravel (Red Hatch) Degraded Gravel (Green Hatch) Gravel Drive (Black Dots)	1057.0345 SQFT 236.12 432.629 130.455 304.093 773.34 175.2 5000 63.32 35006.8907 14557.6824 31973	363.57 29126.6909 5880.1998 4210.3537 213.739	
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Remaining SQFT = Water+ Saltmarsh areas Entity Salt Marsh Restoration Future RipRap* Current RipRap Future Revetment Upland Area Regrade Wetland Restoration Proposed Concrete Concrete Drainage Intact Gravel (Red Hatch) Degraded Gravel (Green Hatch) Gravel Drive (Black Dots) Woodland Blue Hatch Area Outside of 50' Offset (Part of Concrete and Gravel) Sheet 5 Calcs Below HOTL Hotl to 50' (Rip, Regrade, Cncrete, Drain, - Area Outside HOTL to 11' Elev (RipRap only) HOTL to 75' Setback (Rip, Regrade, Cncrete, Drain) 50' to 75' Setback (Part of Concrete and Drain)	1057.0345 SQFT 236.12 432.629 130.455 304.093 773.34 175.2 5000 63.32 35006.8907 14557.6824 31973 10364.7816 1135.11 411.32 5134.179 432.629 6269.289 1135.11	363.57 29126.6909 5880.1998 4210.3537 213.739	
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Remaining SQFT = Water+ Saltmarsh areas Entity Salt Marsh Restoration Future RipRap* Current RipRap Future Revetment Upland Area Regrade Wetland Restoration Proposed Concrete Concrete Drainage Intact Gravel (Red Hatch) Degraded Gravel (Green Hatch) Gravel Drive (Black Dots) Woodland Blue Hatch Area Outside of 50' Offset (Part of Concrete and Gravel) Sheet 5 Calcs Below HOTL Hotl to 50' (Rip, Regrade, Cncrete, Drain, - Area Outside HOTL to 11' Elev (RipRap only) HOTL to 75' Setback (Rip, Regrade, Cncrete, Drain) 50' to 75' Setback (Part of Concrete and Drain)	1057.0345 SQFT 236.12 432.629 130.455 304.093 773.34 175.2 5000 63.32 35006.8907 14557.6824 31973 10364.7816 1135.11 411.32 5134.179 432.629 6269.289 1135.11	363.57 29126.6909 5880.1998 4210.3537 213.739	

Note: Tax map says property = 3.07 acres

by part of Proposed Revetment SF

^{*}Proposed Rip Rap number lowered by Approximately 30 SF, replaced

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CITY OF PORTSMOUTH

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

CONSERVATION COMMISSION

March 14, 2025

Sea Level LLC P.O. Box 4094 Portsmouth, New Hampshire 03801

RE: WCUP request for property located at 187 Wentworth House Road, Portsmouth, NH (LU-25-2)

Dear Property Owner:

The Conservation Commission, at its regularly scheduled meeting of Wednesday, March 12, 2025, considered your application for a Wetland Conditional Use Permit for the required remediation of PCBs by the EPA and associated impacts within a tidal wetland and previously disturbed wetland buffer. The remediation will remove 175 s.f. of sediment from existing salt marsh down to a depth of 1 ft as well as an adjacent section of 235 s.f. of fill to be removed down to a depth of 6 in. To restore these excavated areas, this project proposes to add 6 in of sand in the first removal area with the addition of saltmarsh bulrush plugs. In the upper portion of the marsh area and above the HOTL, salt tolerant grass mix is proposed as well as boulder armoring and stone riprip for bank stability. Additional proposed impacts to the buffer include the removal of 0.5 cubic yards of soil in two different buffer locations down to 1 ft in depth, with one of these areas proposed to be covered with a geotextile liner and 5,000 s.f. concrete cap. All other areas impacted by PCBs in the wetland buffer will receive 6 in of clean topsoil and vegetation. Other buffer work includes the reuse of existing gravel for boat storage activities and the plugging of an existing storm drain. Said property is shown on Assessor Map 201 Lot 12 and lies within the Waterfront Business (WB) District. As a result of said consideration, the Commission voted to recommend approval of this application to the Planning Board with the following stipulations:.

1. Applicant shall receive all necessary permissions from NHDOT and the contributing abutting landowners as applicable prior to plugging or abandoning any of the existing 15" drainage pipe. Further, please provide a drainage plan and calculation analysis for the rerouting of flow entering this pipe. This shall occur prior to Planning Board approval and may need review from TAC.

Any proposed ground disturbance within a jurisdictional wetland or wetland buffer due to future rerouting or removal of the existing pipe shall require a separate wetland conditional use permit from the City.

- 2. All areas to be loamed and seeded shall receive a wetland buffer conservation seed mix or equivalent.
- 3. In accordance with Section 10.1018.40 of the Zoning Ordinance, applicant shall permanently install wetland boundary markers, which may be purchased through the City of Portsmouth Planning & Sustainability Department. Markers are to be placed along the edge of the gravel parking area near the restoration area at 50-foot intervals and must be installed

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prior to the start of any construction.

4. Applicant shall clearly delineate on the site plan and provide a detailed description of the proposed grassed swale. This should include dimensions, materials, depth, etc.

This matter will be placed on the agenda for the Planning Board meeting scheduled for **Thursday, April 17, 2025**. 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, March 26, 2025.

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:

Jay Johonnett, Project Engineer, Aries Engineering Steve Graham, Project Engineer, Aries Engineering

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CITY OF PORTSMOUTH

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

TECHNICAL ADVISORY COMMITTEE

May 8, 2025

Tom Reis Sea Level LLC P.O. Box 4094 Portsmouth, New Hampshire 03801

RE: Requesting exemption from Site Review approval for property located at 187 Wentworth House Rd, Portsmouth, NH (LU-25-2)

Dear Property Owner:

The Technical Advisory Committee, at its regularly scheduled meeting of Tuesday, May 6, 2025, considered your application for consideration that the proposed stormwater alterations and the installation of a concrete cap at the existing commercial site be exempted from requiring Site Review approval. Said property is shown on Assessor Map 201 Lot 12 and lies within the Waterfront Business (WB) District. As a result of said consideration, the Committee voted to **postpone** the application to the June meeting.

This matter will be placed on the agenda for the Technical Advisory Committee meeting scheduled for **Tuesday**, **June 3**, **2025**. One (1) hard copy of any revised plans and supporting reports and exhibits as well as an updated electronic file (in a PDF format) must be filed in the Planning Department by **Wednesday**, **May 21**, **2025**.

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

Very truly yours,

Reter But

Peter Britz,

Planning and Sustainability Director

CC:

Jay Johonnett, Project Engineer, Aries Engineering Steve Graham, Project Engineer, Aries Engineering

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Summary of Underground Utility Locating

Prepared For: ARIES Engineering

Prepared By:
Daniel Pacheco
dan.pacheco@gprsinc.com
Project Manager-Boston
617.455.5121
May 18, 2025



May 18, 2025

ARIES Engineering

Attn: Stephen Graham

Email: sgraham@aries-eng.com

Site: 187 Wentworth Rd. Portsmouth, NH 03801

We appreciate the opportunity to provide this report for our work completed on May 15, 2025.

PURPOSE

The purpose of the project was to search for an underground storm drainage line within the project boundaries provided by the client. The scope of work consisted of a single location measuring approximately 175 linear feet. The client marked the end pipe outlet location prior to our scanning and our markings were then placed onto the surface using spray paint and flags.

EQUIPMENT

- Underground Scanning GPR Antenna. The antenna with frequencies ranging from 250 MHz-450 MHz is mounted in a stroller frame which rolls over the surface. The surface needs to be reasonably smooth and unobstructed to obtain readable scans. Obstructions such as curbs, landscaping, and vegetation will limit the feasibility of GPR. The data is displayed on a screen and marked in the field in real time. The total depth achieved can be as much as 8' or more with this antenna but can vary widely depending on the types of materials being scanned through. Some soil types such as clay may limit maximum depths to 3' or less. As depth increases, targets must be larger in order to be detected, and non-metallic targets can be especially difficult to locate. Depths provided should always be treated as estimates as their accuracy can be affected by multiple factors. For more information, please visit: Link
- Electromagnetic Pipe Locator. The EM locator can passively detect the electromagnetic fields from live AC power or from radio signals travelling along some conductive utilities. It can also be used in conjunction with a transmitter to connect directly to accessible, metallic pipes or tracer wires. A current is sent through the pipe or tracer wire at a specific frequency and the resulting EM field can then be detected by the receiver. A utility's ability to be located depends on a variety of factors including access to the utility, conductivity, grounding, interference from other fields, and many others. Depths provided should always be treated as estimates as their accuracy can be affected by multiple factors. For more information, please visit: Link
- Traceable Rodder. The rodder has a copper wire encased in fiberglass. The line is pushed through accessible pipes before placing a current on the wire which is then traced from the surface. The maximum traceable depth is 10' depending on the soil conditions and the maximum distance is 300'. The line can be pushed through a pipe with direct access such as a sewer line at a cleanout or a storm drain catch basin. It may not be able to be pushed through deeper pipes within manholes and conduits will not be accessed by GPRS. The signal cannot be located through metallic pipes. For more information, please visit: Link
- **GPS.** This handheld GPS unit offers accuracy down to .39 inches; however, the accuracy will depend on the satellite environment and obstructions and should not be considered survey-grade. Features can be collected as points, lines, or areas and then exported into Google Earth or overlaid on a CAD drawing. For more information, please visit: <u>Link</u>

PROCESS

The process typically begins with using the EM pipe locator to locate pipes or utilities throughout the scan area. First, the transmitter is used to connect to and trace any visible risers, tracer wires, or accessible, conductive utilities if there is an exposed, metallic surface. The areas are then swept with the receiver to detect live power or radio frequency signals. Locations and depths are painted or flagged on the surface. Depths cannot always be provided depending on the location method and can be prone to error.

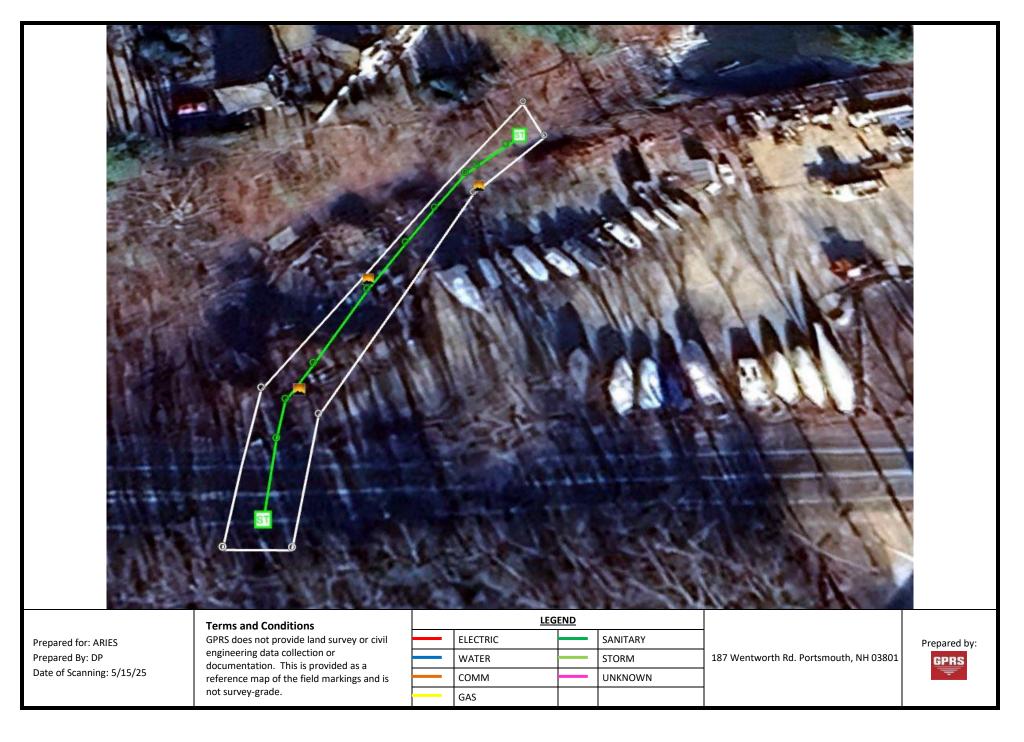
Initial GPR scans were then collected to evaluate the data and calibrate the equipment. Based on these findings, a scanning strategy is formed, typically consisting of scanning the entire area in a grid with 3–4-foot scan spacing to locate any potential utilities that were not found with the pipe locator. The GPR data is viewed in real time and anomalies in the data are located and marked on the surface along with their depths using spray paint, pin flags, etc.

LIMITATIONS

Please keep in mind that there are limitations to any subsurface investigation. The equipment may not achieve maximum effectiveness due to soil conditions, above ground obstructions, reinforced concrete, and a variety of other factors. No subsurface investigation or equipment can provide a complete image of what lies below. Our results should always be used in conjunction with as many methods as possible including consulting existing plans and drawings, exploratory excavation or potholing, visual inspection of above-ground features, and utilization of services such as One Call/811. Depths are dependent on the dielectric of the materials being scanned so depth accuracy can vary throughout a site. Relevant scan examples were saved and will be provided in this report.

FINDINGS

The subsurface conditions at the time of the scanning allowed for maximum GPR depth penetration of 6-7 feet in most areas. The drainage pipe was able to be located using either the GPR or EM pipe locator. The traceable rodder was used from both ends of the drainage pipe. The drainpipe starts on the South side of Wentworth Road and drains into Sagamore Creek. The following pages will provide a further explanation of the findings.





Inlet from Wentworth Rd.

Using Traceable Rodder at Inlet.





Wide-Shot of Inlet.

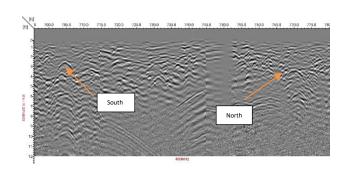
There were many obstructions, but the signal could still be traced and mapped.

GPR Data Screenshots and Photos

187 Wentworth Rd. Portsmouth, NH 03801



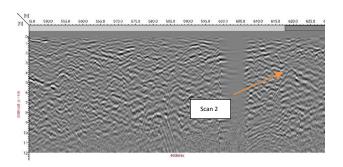




GPR Scanning North side of Wentworth Rd.

Data shot South and North of Wentworth Rd.





Scan 2.

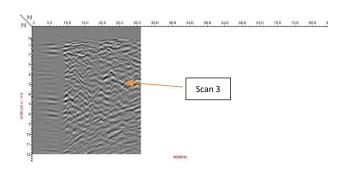
Data shot from Scan 2.

GPR Data Screenshots and Photos

187 Wentworth Rd. Portsmouth, NH 03801







Scan 3 Area.

Data shot from Scan 3 Area.





Same data set using Google Earth map from 2018. Little easier to see surrounding area compared to the 2025 map.

Outlet in Sagamore Creek.

GPR Data Screenshots and Photos

187 Wentworth Rd. Portsmouth, NH 03801



CLOSING

GPRS, Inc. has been in business since 2001, specializing in underground storage tank location, concrete scanning, utility locating, and shallow void detection for projects throughout the United States. I encourage you to visit our website (www.gprsinc.com) and contact any of the numerous references listed.

GPRS appreciates the opportunity to offer our services, and we look forward to continuing to work with you on future projects. Please feel free to contact us for additional information or with any questions you may have regarding this report.

Signed,

Daniel Pacheco

Daniel Pacheco Project Manager—Boston



Direct: 617.455.5121

dan.pacheco@gprsinc.com

www.gprsinc.com

Reviewed,

Sean Parker Area Manager—Boston



Direct: 617.372.6695

sean.parker@gprsinc.com

www.gprsinc.com