



April 7, 2017

Peter Britz
City of Portsmouth Planning Department
1 Junkins Ave
Portsmouth, NH 03801

Re: Borthwick Forest, LLC
Subject: Amendment to CUP Application

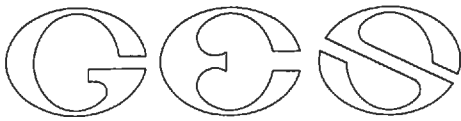
Dear Mr. Britz:

Please consider this letter as a supplement to the Conditional Use Permit (“CUP”) Application and Wildlife Report filed by the applicant, Borthwick Forest, LLC, on March 29, 2017, which clarifies information and data reported therein.

1. Wetland Buffer Impacts: The impacts to the buffer on the site have been summarized in the table below. The project is proposing 21,900 square feet (“sf”) of total disturbance. As noted below, 15,500 sf of this will be temporary impact. Of that 15,500 sf, 9,800 sf is for the temporary work associated with the grading for the proposed driveway/road. This area will be restored as noted in the restoration plan and sequence in the CUP Application. The remaining 5,800 sf of temporary impact will be for the restoration of the existing WBBX Road. While this is shown as a temporary impact it will be an asset to the site and the adjacent wetlands by restoring the upland buffer and protecting the wetland resource associated with it. The remaining 6,300 sf of disturbance is for permanent buffer impacts as needed for the proposed driveway/road into the site.

Impact Area	Temporary	Permanent
Proposed Road/Driveway		6,300 square feet
Proposed Road/Driveway Grading	9,800 square feet	
WBBX Road Restoration	5,800 square feet	
Total Buffer Impacts 21,900 square feet	15,600 square feet	6,300 square feet

2. Wetland Delineation: The original delineation on the site was done in the summer of 2013. That delineation was reviewed by Mark West, Lenny Lord and Mike Cuomo of the RCCD. Some changes were made in November of 2013 and those changes have been reflected on the plans that are currently submitted with the CUP Application.



3. Wetland Functions and Values: The functions and values assessment for the wetlands on site is based off of the original wetland delineation and reflects the functions and values of the systems on site. The functions and values outlined in the report did not change as a result of the wetland delineation changes, per peer review. The area noted in the wetland report with the functions and values assessment as Wetland Area D, has primary functions and values, per the USACE Highway Methodology Workbook Supplement, Wetland Functions and Values, A Descriptive Approach, of Floodflow Alteration, Sediment/Toxicant Retention and Nutrient Removal. Secondary functions and values are as a Wildlife Habitat.

4. 18" Culvert and November 2013 Delineation: This addresses notes on the plans submitted which now reflect the November 2013 wetlands delineation and this addresses the 18 inch culvert found between the two railroad tracks. (See attached amended notes exhibit and amended wetlands buffer exhibit.)

The Tighe & Bond Site Plans that were submitted in the CUP application had been revised to indicate that wetland delineation was "amended in November 2013". In reviewing the plan set we noticed that the Doucet Subdivision Plans which include the same note were not yet updated when we submitted the CUP. The Doucet Plans have since been updated. Attached is a sketch plan that shows this updated note on the subdivision plan. This will be carried forth on all subdivision plans submitted to the city for this project.

The second sketch shows the additional wetland buffer based on the Conservation Commission's observation during the site walk that the small pocket wetland located in between the tracks was connected by an 18" culvert. Thus, we added a buffer to this area. There are no additional buffer impacts resulting from this as the buffer is located outside the reserved ROW on the HCA parcel. Our understanding is the Conservation Commission confirmed during its site walk that there was no connectivity to the wetland on the east side of the railroad tracks located on HCA's property so the buffer is not applied at that location.

5. Vernal Pools: There are no vernal pools on the site. This can be for several reasons. Per the NH DES Wetland Bureau:

Typically, a vernal pool

- Forms in a shallow depression or basin;
- Holds water for at least 2 continuous months following spring ice-out;
- Cycles annually from flooded to dry conditions, although the hydroperiod, size, and shape of the pool might vary from year to year;
- Has no permanently flowing outlet;
- Lacks a viable fish population; and
- Supports one or more primary vernal pool indicators, or three or more secondary vernal pool indicators.

One area in question on the western side of the WBBX Road was observed with standing water on the site walk held on April 5, 2017. This area, as observed by this office and a member of the



GOVE ENVIRONMENTAL SERVICES, INC.

Portsmouth Conservation Commission, contained water that was only 4-6 inches deep. With that, GES Inc. explained that due to the shallow nature of this area, it would not have the necessary hydroperiod required for obligate vernal pool species to lay eggs and have them hatch, reach maturity and leave the pools. Additionally, further evidence of the lack of hydric soils, which can start to form in a as little as 2-4 weeks show that throughout the growing period and the rest of the year water is not "ponding" long enough. There are no areas on the site that meet the above characteristics or otherwise constitute vernal pools.

Please let me know if you have any questions.

Sincerely,

A handwritten signature in black ink, appearing to read 'L. Hurley', with a long horizontal flourish extending to the right.

Luke D. Hurley, CWS
Vice President
Gove Environmental Services, Inc.

8 Continental Dr Bldg 2 Unit H, Exeter, NH 03833-7526
Ph (603) 778 0644 / Fax (603) 778 0654
www.gesinc.biz
info@gesinc.biz

NOTES:

1. REFERENCE: TAX MAP 233, LOTS 112, 113
 TAX MAP 234, LOT 7-4A
 TAX MAP 240, LOT 2-2202
 TAX MAP 241, LOTS 25 & 26
2. COMBINED PARCEL AREA: LOT 112-0.732 AC.
 LOT 113-13.815 AC.
 LOT 7-4A-9.085 AC.
 LOT 2202-2-4.978 AC.
 LOT 25-22.807 AC.
 LOT 26-4.927 AC.
3. OWNER OF RECORD: TAX MAP 233, LOTS 112 (R.C.R.D. BOOK 4754, PAGE 626)
 TAX MAP 233, LOT 113 (R.C.R.D. BOOK 4754, PAGE 626)
 TAX MAP 241, LOT 25 (R.C.R.D. BOOK 4754, PAGE 626)
 TAX MAP 241, LOT 26 (R.C.R.D. BOOK 5670, PAGE 1115)
 BORTHWICK FOREST, LLC
 210 COMMERCE WAY, SUITE 300
 PORTSMOUTH, NH 03801
 R.C.R.D. BOOK 4754, PAGE 626

 TAX MAP 234, LOT 7-4A (R.C.R.D. BOOK 4400, PAGE 2048)
 TAX MAP 240, LOT 2-2202 (R.C.R.D. BOOK 5694, PAGE 310)
 HCA REALTY, INC.
 C/O DUCHARME MCMILLEN & ASSOC.
 PO BOX 80610
 INDIANAPOLIS, IN 46280
4. ZONE: OR (OFFICE RESEARCH) LOTS 112, 113, 7-4A, 2-2, 25 & 26

DIMENSIONAL REQUIREMENTS:

SRB

MIN. LOT AREA	15,000 SQ. FT.
MIN. FRONTAGE	100 FT.
MIN. FRONT SETBACK	30 FT.
MIN. SIDE SETBACK	10 FT.
MIN. REAR SETBACK	30 FT.
MAX. BUILDING HEIGHT	35 FT.
MAX. BUILDING COVERAGE	20%

WETLAND BUFFER: 100 FT.

5. FIELD SURVEY PERFORMED BY DOUCET SURVEY, INC., BETWEEN 2003 AND 2013. TRAVERSE ADJUSTMENTS BASED ON LEAST SQUARES ANALYSIS. AERIAL TOPOGRAPHY PROVIDED BY EASTERN TOPOGRAPHICS, INC.
6. JURISDICTIONAL WETLANDS DELINEATED BY GOVE ENVIRONMENTAL SERVICES, INC. DURING APRIL 2013 AND AMENDED IN NOVEMBER 2013. JURISDICTIONAL WETLANDS DELINEATED IN ACCORDANCE WITH 1987 CORPS OF ENGINEERS WETLANDS DELINEATIONS MANUAL, TECHNICAL REPORT Y-87-1.
7. FLOOD HAZARD ZONE: "X", PER FIRM MAP #3301390260E, DATED 5/17/05.
8. HORIZONTAL DATUM BASED ON NH STATE PLANE COORDINATE SYSTEM ZONE 1800 AS ESTABLISHED BY VERRA & ASSOCIATES IN MAY 2003.
9. VERTICAL DATUM IS BASED ON NGVD 29 PER NHDOT DISK R-50 (379-0150) ELEV.=33.24'.
10. THE INTENT OF THIS PLAN IS TO SHOW THE LOCATION OF BOUNDARIES IN ACCORDANCE WITH AND IN RELATION TO THE CURRENT LEGAL DESCRIPTION, AND IS NOT AN ATTEMPT TO DEFINE UNWRITTEN RIGHTS, DETERMINE THE EXTENT OF OWNERSHIP, OR DEFINE THE LIMITS OF TITLE.
11. DUE TO THE COMPLEXITY OF RESEARCHING ROAD RECORDS AS A RESULT OF INCOMPLETE, UNORGANIZED, INCONCLUSIVE, OBLITERATED, OR LOST DOCUMENTS, THERE IS AN INHERENT UNCERTAINTY INVOLVED WHEN ATTEMPTING TO DETERMINE THE LOCATION AND WIDTH OF A ROADWAY RIGHT OF WAY. THE EXTENT OF ISLINGTON STREET & BORTHWICK AVENUE AS DEPICTED HEREON IS BASED ON RESEARCH CONDUCTED AT THE PORTSMOUTH CITY CLERKS OFFICE AND ROCKINGHAM COUNTY REGISTRY OF DEEDS.
12. FINAL MONUMENTATION MAY BE DIFFERENT THAN THE PROPOSED MONUMENTATION SHOWN HEREON, DUE TO THE FACT THAT SITE CONDITIONS WILL DICTATE THE ACTUAL LOCATION AND TYPE OF MONUMENTS INSTALLED IN THE FIELD. PLEASE REFER TO EITHER THE "MONUMENTATION LOCATION PLAN" TO BE RECORDED OR CONTACT DOUCET SURVEY, INC. FOR CLARIFICATION OF MONUMENTS SET. (A RECORDED PLAN WILL BE PRODUCED AT THE DISCRETION OF DOUCET SURVEY, INC.).

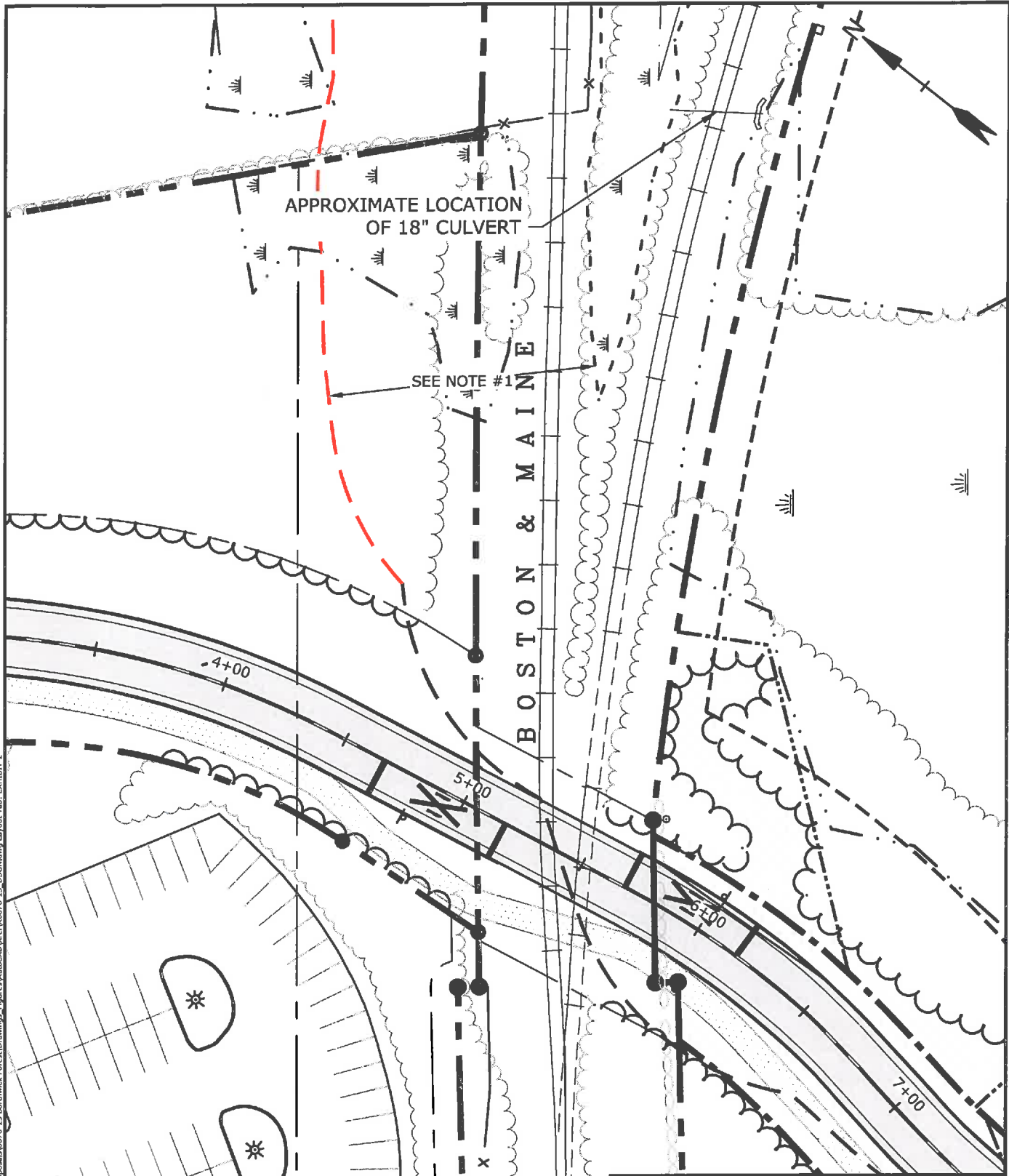
**PROPOSED SUBDIVISION ROAD &
 OFFICE BUILDING DEVELOPMENT
 PORTSMOUTH, NEW HAMPSHIRE**

AMENDED NOTES FOR
 LOT CONSOLIDATION & RESUBDIVISION
 PLAN LAND OF BORTHWICK, LLC
 (SHEET 2 OF 5)

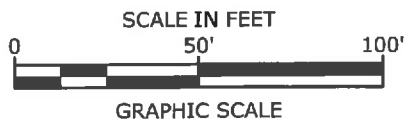
DATE:	04/10/2017
FILE:	K0076-13_DSGN.DWG
DRAWN BY:	CHL
CHECKED:	PMC
APPROVED:	GMM

Tighe & Bond
 Engineers | Environmental Specialists

Last Save Date: April 17, 2017, 3:06 PM by: CHL
 TAB File Location: J:\K\K0076_The Kane Company - General Proposals\0076-13 Borthwick Forest\Drawings\Figures\AutoCAD\Xref\K0076-13_DSGN.dwg Layout Tab: EXHIBIT-1



NOTE:
 1. AMENDED 100' WETLAND BUFFER PER SITE WALK WITH CONSERVATION COMMISSION ON APRIL 5, 2017



**PROPOSED SUBDIVISION ROAD & OFFICE BUILDING DEVELOPMENT
 PORTSMOUTH, NEW HAMPSHIRE**

**AMENDED WETLAND BUFFER LIMITS
 EXHIBIT**

DATE:	04/10/2017
FILE:	K0076-13_DSGN.DWG
DRAWN BY:	CML
CHECKED:	PMC
APPROVED:	GMM

Tighe & Bond
 Engineers | Environmental Specialists

Last Save Date: April 7, 2017, 12:29 PM By: CML
 Plot Date: Friday, April 07, 2017 Plotted By: Craig M. Lampton
 P&B File Location: J:\K0076 The Kerne Company - General Proposals\0076-13 Bordwick Forest\Drawings - Figures\AutoCAD\Xref\K0076-13_DSGN.dwg Layout Tab: EXHIBIT-2