

The State of New Hampshire
Department of Environmental Services

Thomas S. Burack, Commissioner

*Celebrating 25 Years of Protecting
 New Hampshire's Environment*

December 28, 2012

Her Excellency, Governor Margaret Wood Hassan
 and The Honorable Council
 State House
 Concord, NH 03301

REQUESTED ACTION

Approve Dover Point Properties Development LLC's request to perform the following work on the Piscataqua River, in Dover. File # 2012-02467. This project will not have significant impact on or adversely affect the values of the Piscataqua River.

Construct a tidal docking structure consisting of a 4 ft. x 30 ft. permanent pier to a 6 ft. x 45 ft. permanent pier connecting to a 4 ft. x 40 ft. ramp connecting to a 6 ft. x 30 ft. float and a 10 ft. x 40 ft. float, with an overall structure length of 150 ft., providing three slip on 181 ft. of frontage on the Piscataqua River.

The Department imposed the following conditions as part of this approval:

1. All work shall be in accordance with plans by Watermark Planning & Permits dated August 27, 2012, as received by the Department on September 11, 2012.
2. Any future work in jurisdiction as specified in RSA 482-A on this property will require a new application and approval by the Department of Environmental Services ("DES") Wetlands Bureau.
3. This permit shall not be effective until recorded at the Strafford County Registry of Deeds office by the permittee. A copy of the recorded permit shall be submitted to the DES Wetlands Bureau prior to construction.
4. Appropriate siltation, erosion and turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.
5. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
6. Construction of this tidal docking structure consisting of a 4 ft. x 30 ft. permanent pier to a 6 ft. x 45 ft. permanent pier connecting to a 4 ft. x 40 ft. ramp connecting to a 6 ft. x 30 ft. float and a 10 ft. x 40 ft. float, with an overall structure length of 150 ft., providing three slip on 181 ft. of frontage on the Piscataqua River and shall be the only dock structure on this water frontage.
7. Work shall be done during low tide.
8. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to surface waters and wetlands.
9. Work shall be conducted in a manner that avoids excessive discharges of sediments to fish spawning areas.
10. The float shall be constructed such as to rest on float stops to suspend the flotation drums off the substrate at low tides.

www.des.nh.gov

29 Hazen Drive • PO Box 95 • Concord, NH 03302-0095
 (603) 271-3503 • TDD Access: Relay NH 1-800-735-2964

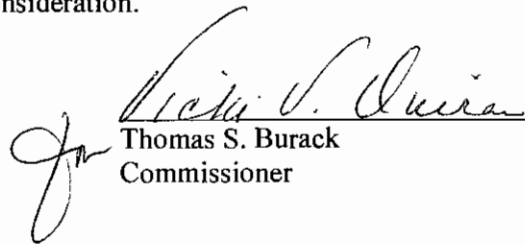
EXPLANATION

The DES Wetlands Bureau approved this project on November 26, 2012. DES supported its decision with the following findings:

1. This is a major impact project per Administrative Rule Wt 303.02(a), projects in sand dunes, tidal wetlands, or bogs, except for the repair of existing structures pursuant to Wt 303.04(v).
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01. There is currently no docking structure on the property to provide access to the water.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03. The decking of the dock shall have a minimum of a 1:1 ratio of deck height to width as appropriate, and shall have 3/4-inch spacing between the decking planks.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(a) and (c), Requirements for Application Evaluation, has been considered in the design of the project. NH Natural Heritage Bureau (NHB) has no record of sensitive species within the vicinity of the project. This project has been reviewed by the Pease Development Authority Division of Ports and Harbors which determined that the project would have no negative effect on navigation, per letter dated November 1, 2012.
5. This dock is consistent with other tidal dock approvals in the seacoast.
6. DES staff field inspections on November 2, 2012 and November 5, 2012 found that the site is accurately represented in the application.
7. The Dover Conservation Commission did not submit comments on this application.
8. In accordance with RSA 482-A:8, DES finds that the requirements for a public hearing do not apply as the permitted project is not of substantial public interest, and will not have a significant impact on or adversely affect the values of the estuarine resource, as identified under RSA 482-A:1.

Application file documents are being forwarded to the Governor and Executive Council in connection with their consideration of this matter pursuant to RSA 482-A:3,II.(a) as it is a major project in public waters of the state.

We respectfully submit this request for your consideration.


Thomas S. Burack
Commissioner

DES copy original photos attached



THE STATE OF NEW HAMPSHIRE
DEPARTMENT OF ENVIRONMENTAL SERVICES
LAND RESOURCES MANAGEMENT
WETLANDS BUREAU

29 Hazen Drive, PO Box 95, Concord, NH 03302-0095
Phone: (603) 271-2147 Fax: (603) 271-6588

Website: <http://des.nh.gov/organization/divisions/water/wetlands/index.htm>

Permit Application Status: <http://des.nh.gov/onestop/index.htm>



WETLANDS PERMIT APPLICATION

File No. 2012-02467	Check No. 4571	Amount \$1,848.00	Initials Enk
RECEIVED Administrative Use Only SEP 11 2012 DEPARTMENT OF ENVIRONMENTAL SERVICES	COMPLETE Administrative Use Only SEP 11 2012	Administrative Use Only	Administrative Use Only

1. **REVIEW TIME:** If you do not know your project's review time, refer to Attachment A to determine if your project's review time is Standard or Expedited.

☒ Standard Review (Minimum, Minor or Major Impact)

☐ Expedited Review (Minimum Impact)

2. **PROJECT LOCATION:** A separate application must be filed with each municipality that jurisdictional impacts will occur in.

ADDRESS: 56 Shore Lane

TOWN/CITY: Dover

TAX MAP: L

BLOCK: 000

LOT: 89G

UNIT:

LOCATION COORDINATES (If known): 043°09'05.37N – 070°50'05.51"W

☐ Latitude/Longitude ☐ UTM ☐ State Plane

3. ☒ **PROPERTY OWNER** or ☒ **APPLICANT INFORMATION** (check all that apply). If the applicant is not the property owner, please attach property owner information and the necessary permission from the property owner granting the applicant permission to act on their behalf.

NAME: Dover Point Properties Development, LLC

EMAIL or FAX:

PHONE: 603-231-5427

MAILING ADDRESS: 2025 Woodbury Ave

TOWN/CITY: Newington

STATE: NH

ZIP CODE: 03801

By initialing here, I, hereby authorize DES to communicate all matters relative to this application electronically (RSA 482-A:3, XIV (b)) :

4. **AGENT INFORMATION:**

NAME: Paul W. Goodwin

COMPANY: Watermark Planning & Permits

EMAIL or FAX: 603-524-8100 Fax pwg@docksource.com

PHONE: 603-293-4000

MAILING ADDRESS: PO Box 6840

TOWN/CITY: Laconia

STATE: NH

ZIP CODE: 03247

By initialing here, I, hereby authorize DES to communicate all matters relative to this application electronically (RSA 482-A:3, XIV (b)) :

5. PROPERTY OWNER / APPLICANT / AUTHORIZED AGENT: A letter of authorization from the applicant is required, if the

By signing the application, I am certifying that:

1. All abutters have been identified in accordance with RSA 482-A:3, I and Env-Wt 100-900.
2. I have read and provided the required information outlined in Env-Wt 302.04 for the applicable project type.
3. I have read and understand Env-Wt 302.03 and have chosen the least impacting alternative.
4. Any structure that I am proposing to repair/replace was either previously permitted by the Wetlands Bureau or would be considered grandfathered per Env-Wt 101.44.
5. I have submitted a copy of the application materials to the NH State Historic Preservation Officer.
Link: <http://www.nh.gov/nhdhr/review/> (Copy link to your web browser)
6. I authorize the municipal conservation commission to inspect the site of the proposed project.
7. I have reviewed the information being submitted and that to the best of my knowledge the information is true and accurate.
8. I understand that the wilful submission of falsified or misrepresented information to the New Hampshire Department of Environmental Services is a criminal act, which may result in legal action.
9. I am aware that the work I am proposing may require additional state, local or federal permits.
10. The mailing addresses I have provided are up to date and appropriate for receipt of DES correspondence. DES will not forward returned mail.

Signature of Applicant or Authorized Agent

OWNER

Print name legibly

Date

William C McCrellan

8/30/12

APPLICANT/ AGENT APPLICATION SUBMITTAL DIRECTIONS:

1. If sought for Expedited Review, obtain the Conservation Commissions signature (ONLY required for Expedited Review; Standard Review Applications do NOT require the Conservation Commission's signature);
2. Submit the original application form and materials, four copies, application fee and any required municipal fees (authorized by RSA 482-A:3, I) to the town/city clerk for the REQUIRED town /city clerk's signature and mailing via certified mail to DES. Municipal fees means an administrative fee not to exceed \$10 plus the cost of postage by certified mail.

6. TOWN/CITY CLERK SIGNATURE: This section is to be completed by the Town/City Clerk

As required by Chapter 482-A:3 (amended 1991), I hereby certify that the applicant has filed five application forms, five detailed plans, and five USGS location maps with the town/city indicated below and I have received and retained certified postal receipts (or copies) for all abutters identified by the applicant.

Signature of Town/City Clerk

Print name legibly

Date

Town/City

Karen J Lavertu

Karen J. Lavertu

9/10/12

Dover

TOWN CLERK SUBMITTAL & MAILING DIRECTIONS:

Per RSA 482-A:3, I(d):

1. If sought by the APPLICANT, after the Conservation Commissions signature has been obtained (ONLY required for Expedited Review; Standard Review Applications do NOT require the Conservation Commission's signature);
2. Collect from the applicant the postal receipts demonstrating that all abutters and the Local Advisory Committee were sent proper notice;
3. Collect any administrative fees, not to exceed \$10 plus the cost of postage by certified mail (RSA 482-A:3, I).
4. Immediately sign the original application and four copies in the signature space provided in the space above;
5. Retain one copy of the application form and all attachments that will remain with the town/city clerk and will be made reasonably accessible to the public;
6. Immediately distribute a copy of the application with attachments to the municipal Conservation Commission, the local governing body (Board of Selectmen or Town/City Council), and the Planning Board in accordance with RSA 482-A:3, I; and
7. IMMEDIATELY send (DO NOT HOLD FOR OTHER MUNICIPAL REVIEWS) the original application materials and filing fee, by CERTIFIED MAIL to the NHDES Wetlands Bureau at the address indicated on the front of this application.

7. CONSERVATION COMMISSION SIGNATURE: * Only required for Expedited Review Applications

Expedited Review Applications ONLY require that the Conservation Commission signature is obtained prior to submitting the final application to the Town/City Clerk for signature and mailing to the NHDES Wetlands Bureau. The Conservation Commission is not required to sign. If the Conservation Commission does not sign this statement for any reason, then the application is not eligible for expedited review and shall be reviewed in the standard review time.

The signature below certifies that the municipal conservation commission has reviewed this application, and: 1) waives its right to intervene per RSA 482-A:11; 2) believes that the application and submitted plans accurately represent the proposed project; and 3) has no objection to permitting the proposed work.

Authorized Commission Signature

Print name legibly

Date

8. **RELATED FILES/APPROVALS:** If applicable, indicate files and approvals that are related to the proposed project or project site. Link to all NHDES Programs, Bureaus and Units: <http://des.nh.gov/programs/index.htm> (Copy link to your web browser)

Wetlands Bureau (enforcement, emergency authorizations): _____

Wetlands Bureau (approvals, denials): _____

Shoreland/ Alteration of Terrain/ Subsurface: _____

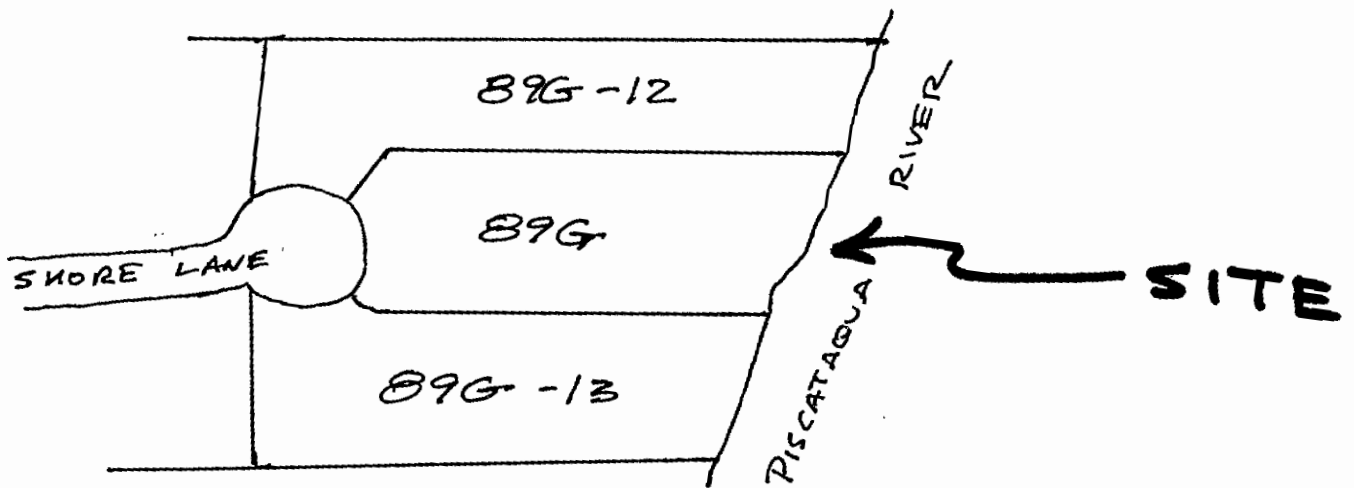
Other: _____

9. **PROJECT DESCRIPTION:** Provide a brief description of the project, outlining the scope of work to be performed, including the area of impact (square feet) of permanent impacts, temporary impacts (impacts that are not intended to remain after the project is completed), and after-the-fact impacts (work completed prior to receipt of this application by DES) to each jurisdictional area that will be impacted (wetlands, streams, rivers, lakes/ponds, prime wetland/buffer, tidal waters, salt marsh, sand dune, [upland] tidal buffer zone & docking structures). Docking structures provide the square footage of seasonal docking structures and permanent docking structures. Please provide only a brief project description as instructed above and attach additional sheets to provide other information requirements, but do NOT reply "See Attached" in the space provided below.

Construct a tidal docking system consisting of a fixed pier 4 ft x 30 ft (120 sq ft) connected to a fixed pier 6 ft x 45 ft (270 sq ft) with a 4 ft x 40 ft seasonal ramp (160 sq ft) to a 6 ft x 30 ft seasonal landing float (180 sq ft) connected in a "L" to a 10 ft x 40 ft (400 sq ft) seasonal dock float.

10. **APPLICATION REQUIREMENTS:** This application will be returned to you if items outlined in A – I.1 are not provided. If applicable items outlined in I.2 – L are not provided, you may receive a letter requesting the outstanding information. Please note that a DES request letter is a courtesy and applications that do not include the required information may be denied. If you do not know your impact category, refer to Attachment A to determine your project is minimum or minor/major impact. Copy links to your web browser.

- ☐ A. Is the project within a ¼ mile of a designated river? <http://des.nh.gov/organization/divisions/water/wmb/rivers/designriv.htm>
☐ Y ☒ N. If yes: 1. Indicate river: _____
2. As required by RSA 482-A:3,I(d)(2), I have notified the Local River Advisory Committee (<http://des.nh.gov/organization/divisions/water/wmb/rivers/lac/index.htm>) by sending a copy of the complete application and supporting materials via certified mail on: Month: ____ Day: ____ Year: ____
- ☒ B. Applicant/Agent and Town/City Clerk signatures, no.'s 5 & 6 on pg. 2 of this form (Env-Wt 501.02(a) & 505.01(i))
- ☒ C. Narrative of the project description, no. 9 above (Env-Wt 501.02(a) & 505.01(i))
- ☒ D. Documentation from the Department of Resources and Economic Development's Natural Heritage Bureau (NHB) indicating that NHB has reviewed your project. Documentation can be obtained online at: https://www2.des.state.nh.us/nhb_datacheck/ or by phone (603) 271-2215 x 323. Please attach the REQUIRED letter/memo and map provided by NHB.
- ☒ E. Attach a U. S. Geological Survey topographic map upon which the property lines and project limits have been outlined (surveyed property boundaries not required). The map must be at an unaltered scale of 1:24,000 or 1" = 2,000 feet (1:25,000 metric map). (Env-Wt 501.02(a)(4) & 505.01(g))
Topographic Map Links: <http://des.nh.gov/organization/divisions/water/wetlands/categories/technical.htm>
- ☒ F. Attach legible and labeled color photographs clearly depicting the jurisdictional areas to be impacted, the resource outside of impact area, any shoreline structures and culvert inlet/outlets (Env-Wt 501.02(a)(3) & 505.01(i))
- ☒ G. Attach drawing(s)/plan(s) (including a construction sequence) showing additional data requirements listed in Env-Wt 501.02(a)(2) & 505.01(h). See no. 11 on pg.'s 4 & 5 for drawing/plan requirements.
- ☒ H. Attach application fee, check or money order payable to: "Treasurer-State of NH" (RSA 482-A:3,I & Env-Wt 505.01(c))
- Minimum Impact (Standard & Expedited Review): Flat fee of \$ 200 OR
 - Minor or Major Impact (Standard Review): Complete the minor & major application fee table on the next page of this form.



TAXMAP - L
DOVER, NH

DOVER PT. PROPERTIES
DOVER, NH



New Hampshire Natural Heritage Bureau

To: Paul Goodwin
29 Gilford East Drive
Gilford, NH 03249

Date: 7/16/2012

From: NH Natural Heritage Bureau

Re: Review by NH Natural Heritage Bureau of request dated 7/16/2012

NHB File ID: NHB12-1848

Applicant: Dover Point Properties
Development, LLC

Location: Tax Map(s)/Lot(s): L-89G
Dover

Project Description: const. perm. fixed pier to ramp and floats for dockage

The NH Natural Heritage database has been checked for records of rare species and exemplary natural communities near the area mapped below. The species considered include those listed as Threatened or Endangered by either the state of New Hampshire or the federal government. We currently have no recorded occurrences for sensitive species near this project area.

A negative result (no record in our database) does not mean that a sensitive species is not present. Our data can only tell you of known occurrences, based on information gathered by qualified biologists and reported to our office. However, many areas have never been surveyed, or have only been surveyed for certain species. An on-site survey would provide better information on what species and communities are indeed present.

This report is valid through 7/15/2013.



MAP OF PROJECT BOUNDARIES FOR NHB FILE ID: NHB12-1848



ABUTTER LIST

- #L - 89G: Dover Point Properties Development, LLC - SITE
- #L-89G-012: Dover Point Properties Development, LLC
2025 Woodbury Avenue
Newington, NH 03801
- #L-89G-013: Dover Point Properties Development, LLC
2025 Woodbury Avenue
Newington, NH 03801

NOTE: One notice was sent as the Owner and abutters are the same entity.

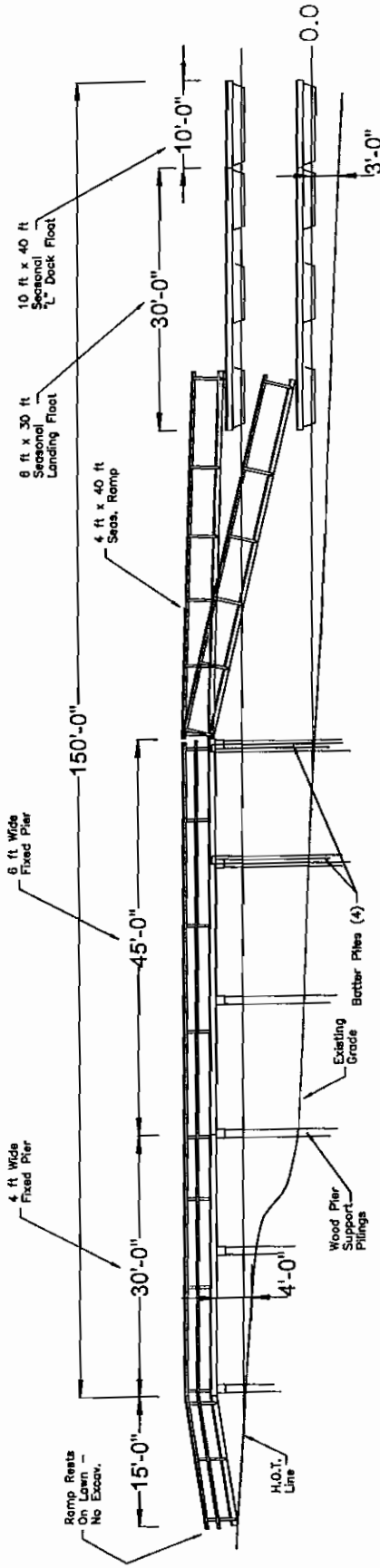
9596 4800 0000 0084 3598

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Return Receipt Fee (Endorsement Required)	
Restricted Delivery Fee (Endorsement Required)	

LAKEPORT NH, 03246
Postmark
SEP 7 2012
U.S. POSTAL SERVICE

DOVER POINT PROPERTIES DEVELOPMENT, LLC
2035 WOODBURY, AVE.
NEWINGTON, NH 03801

DOCK PROFILE:



DOVER PT. PROP. DEV., LLC

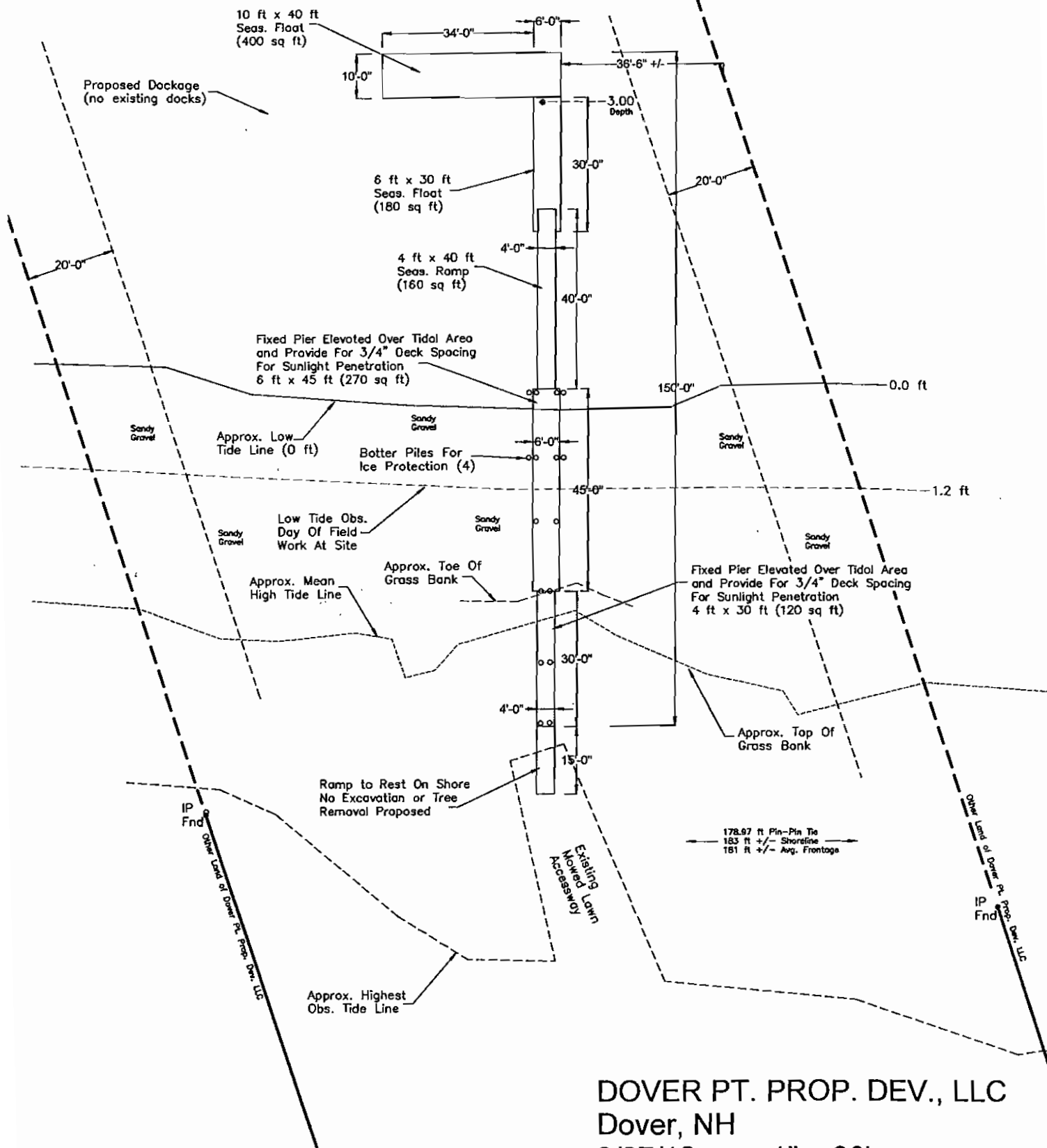
Dover, NH

8/27/12 1" = 20'

Construction Sequence:

1. Mobilize Equipment To Site Via Barge
2. Install Siltation/Turbidity Controls
3. Drive Piling, Cut & Cap
4. Frame & Deck Fixed Pier
5. Install Railings
6. Deliver & Install Seasonal Ramp, Landing Float, and "L" Float
7. Remove Siltation/Turbidity Controls Upon Stabilization Of Site.

PISCATAQUA RIVER



DOVER PT. PROP. DEV., LLC
Dover, NH
8/27/12 1" = 30'



Watermark Planning & Permits
Laconia, New Hampshire
(603) 293-4000/Fax (603) 524-8100