



The State of New Hampshire
**Department of Environmental
Services**



80
Becker

Robert R. Scott, Commissioner

March 15, 2018

His Excellency, Governor Christopher T. Sununu
and The Honorable Council
State House
Concord, NH 03301

REQUESTED ACTION

Approve Alan and Donna Perkins' request to perform the following work on Little River, in North Hampton. File # 2017-02207. This project will not have significant impact on or adversely affect the values of the Little River.

Impact a total of 1,120 square feet of estuarine salt marsh to include 680 square feet of temporary impact and 440 square feet of permanent impact for the construction and installation of a 6 foot x 60 foot permanent pier leading to a 5 foot x 16 foot float, on the Little River, with approximately 505 feet of frontage.

The New Hampshire Department of Environmental Services (NHDES) imposed the following conditions as part of this approval:

1. All work shall be in accordance with plans by MSC a division of TF Moran, Inc. dated July 21, 2017 and revised December 1, 2017 as received by the NH Department of Environmental Services (NHDES) Wetlands Bureau on December 1, 2017.
2. Any future work in jurisdiction as specified in RSA 482-A on this property will require a new application and approval by the NHDES.
3. This permit shall not be effective until recorded at the Rockingham County Registry of Deeds office by the permittee. Prior to starting work under this permit, the permittee shall submit a copy of the recorded permit to the NHDES by certified mail, return receipt requested.
4. Not less than 5 state business days prior to starting work authorized by this permit, the permittee shall notify the NHDES and the North Hampton Conservation Commission in writing of the date on which work under this permit is expected to start.
5. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction and shall remain in place until the area is stabilized.
6. The float shall be fitted with float stops or similar structure so that the float will have minimal contact with the underlying intertidal area.
7. The height of the pier decking over the surface of the tidal marsh at normal high tide shall equal the width of the decking.
8. Work shall be done during low tide.
9. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to surface waters and wetlands.
10. Construction equipment shall have specialized low ground pressure tracks, which impact less than four pounds per square inch when loaded, or the permittee shall use timber or plywood mats beneath machines when driving over wetland areas.

11. Timber or plywood mats shall be used in all areas of the marsh where construction equipment is required to travel or turn.
12. Weight distribution mats shall be placed and removed by lifting and lowering with the boom arm of a backhoe or excavator and shall not be dragged over the surface of the marsh.
13. All weight distribution mats shall be removed from the marsh as soon as practicable but no more than 7 days from when the equipment that uses the mats is removed.
14. All equipment shall be removed from the marsh surface at the end of each workday as well as during all spring tide periods and all forecast coastal storm events.
15. Work shall be conducted in a manner that avoids excessive discharges of sediments to fish spawning areas.
16. The seasonal float shall be removed during the non-boating season and stored on the existing pier or in an upland location.
17. Upon completion of work all construction materials, weight distribution mats, erosion/ siltation controls and any debris shall be removed entirely and the marsh surface restored to pre-construction conditions.
18. A monitoring report with photos taken along the entire project from established locations shall be submitted to the NHDES at the end the first growing season and by September 30th.
19. Upon review of the monitoring report and subsequent field inspections, the NHDES will determine whether additional remediation / restoration is required to assure the successful reestablishment of the salt marsh vegetation.

EXPLANATION

The NHDES Wetlands Bureau approved this project on February 14, 2018. The NHDES supported its decision with the following findings:

1. This is a major impact project per Administrative Rule Env-Wt 303.02(a), projects in sand dunes, tidal wetlands, or bogs, except for the repair of existing structures pursuant to Env-Wt 303.04(v).
2. The applicant proposes to gain access to the Little River for private recreational use, therefore, the need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01
3. The pier location will not shade nor adversely impact the of salt marsh vegetation below as the decking will be 6 feet over the surface of the marsh, therefore, 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 Env-Wt 302.03, as potential impacts have been avoided to the maximum extent practicable and any unavoidable impacts have been minimized.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) and (c), Requirements for Application Evaluation, has been considered in the design of the project.
5. The applicant has an average of 505 linear feet of frontage along the Little River.
6. The applicant proposes one boat slip on this frontage per Rule Env-Wt 402.13, Frontage Over 75'.
7. No comments were submitted from the NHFG Nongame and Endangered Wildlife Program or the Natural Heritage Bureau.
8. This dock is consistent with other tidal dock approvals in the seacoast.
9. The NH Division of Historical Resources found "No Historic Properties Affected."

10. In a letter dated January 22, 2018, the NH PDA Division of Ports and Harbors stated, "[w]e examined the proposed site and found that the structure will have no negative effect on navigation."
11. On August 9, 2017, the North Hampton Conservation Commission (the Commission) submitted a letter to the NHDES stating, "The Commission has no objections for the proposed project with the following conditions:
 - a. The project is executed consistent with the plans presented to the Conservation Commission on August 8, 2017.
 - b. The plan complies with all NHDES Land Resources Management Wetlands Bureau requirements and regulations for projects located within tidal wetlands."
12. In response to the letter from the Commission, NHDES finds the conditions and findings in this approval satisfy their conditions.
13. The NHDES personnel inspected the property and proposed location of the structures and determined the plans supplied with the application accurately reflect site conditions.
14. In accordance with RSA 482-A:8, the NHDES 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 marine and estuarine resources, 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.



Robert R. Scott
Commissioner



WETLANDS PERMIT APPLICATION

Land Resources Management

Wetlands Bureau

Check the status of your application: www.des.nh.gov/onestop



RSA/Rule: RSA 482-A/ Env-Wt 100-900

	File No.: 2017-02207
	Check No.: 1610
	Amount: 1,216
	Initials: S/R

1. REVIEW TIME:
Indicate your Review Time below. Refer to Guidance Document A for instructions.

Standard Review (Minimum, Minor or Major Impact) Expedited Review (Minimum Impact only)

2. PROJECT LOCATION:
Separate applications must be filed with each municipality that jurisdictional impacts will occur in.

ADDRESS: **4 Dancer's Image Lane** TOWN/CITY: **North Hampton**

TAX MAP: **6** BLOCK: LOT: **2-4** UNIT:

USGS TOPO MAP WATERBODY NAME: **Little River** NA STREAM WATERSHED SIZE: NA

LOCATION COORDINATES (if known): **1,219,022; 168,828** Latitude/Longitude UTM State Plane

3. PROJECT DESCRIPTION:
Provide a brief description of the project outlining the scope of work. Attach additional sheets as needed to provide a detailed explanation of your project. DO NOT reply "See Attached" in the space provided below.

The project proposes construction of a 6'x 60' wooden boardwalk with 5'x 16' float at its end. This project is located within the Tidal Wetlands. The boardwalk will be built on pilings and will provide at a minimum 6' of clearance over the existing vegetated surface. The total permanent disturbance within the Tidal Wetlands is 440 s.f. and the total temporary disturbance is 680 s.f.

4. SHORELINE FRONTAGE

NA This lot has no shoreline frontage. **SHORELINE FRONTAGE: 505'**

Shoreline frontage is calculated by determining the average of the distances of the actual natural navigable shoreline frontage and a straight line drawn between the property lines, both of which are measured at the normal high water line.

5. RELATED PERMITS, ENFORCEMENT, EMERGENCY AUTHORIZATION, SHORELAND, ALTERATION OF TERRAIN, ETC.

Shoreland Permit By Notification dated October 2013

6. NATURAL HERITAGE BUREAU & DESIGNATED RIVERS:
See the Instructions & Required Attachments document for instructions to complete a & b below.

a. Natural Heritage Bureau File ID: NHB 17 - 1699

b. Designated River the project is in ¼ miles of: _____ ; and
date a copy of the application was sent to the Local River Management Advisory Committee: Month: ___ Day: ___ Year: ___

NA

7. APPLICANT INFORMATION (Desired permit holder)LAST NAME, FIRST NAME, M.I.: **Alan W. & Donna M. Perkins**

TRUST / COMPANY NAME:

MAILING ADDRESS: [REDACTED]

TOWN/CITY: **North Hampton**STATE: **NH**ZIP CODE: **03862**

EMAIL or FAX: [REDACTED]

PHONE: [REDACTED]

ELECTRONIC COMMUNICATION: By initialing here: _____, I hereby authorize NHDES to communicate all matters relative to this application electronically

8. PROPERTY OWNER INFORMATION (If different than applicant)

LAST NAME, FIRST NAME, M.I.:

TRUST / COMPANY NAME:

MAILING ADDRESS:

TOWN/CITY:

STATE:

ZIP CODE:

EMAIL or FAX:

PHONE:

ELECTRONIC COMMUNICATION: By initialing here _____, I hereby authorize NHDES to communicate all matters relative to this application electronically

9. AUTHORIZED AGENT INFORMATIONLAST NAME, FIRST NAME, M.I.: **Corey Colwell**COMPANY NAME: **MSC a division of TFMoran, Inc.**MAILING ADDRESS: **170 Commerce Way, Suite 102**TOWN/CITY: **Portsmouth**STATE: **NH**ZIP CODE: **03801**EMAIL or FAX: **ccolwell@mscengineers.com**PHONE: **(603) 431-2222**ELECTRONIC COMMUNICATION: By initialing here see, I hereby authorize NHDES to communicate all matters relative to this application electronically**10. PROPERTY OWNER SIGNATURE**

See the Instructions & Required Attachments document for clarification of the below statements

By signing the application, I am certifying that:

1. I authorize the applicant and/or agent indicated on this form to act in my behalf in the processing of this application, and to furnish upon request, supplemental information in support of this permit application.
2. I have reviewed and submitted information & attachments outlined in the Instructions and Required Attachment document.
3. All abutters have been identified in accordance with RSA 482-A:3, I and Env-Wt 100-900.
4. I have read and provided the required information outlined in Env-Wt 302.04 for the applicable project type.
5. I have read and understand Env-Wt 302.03 and have chosen the least impacting alternative.
6. 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 101.47.
7. I have submitted a Request for Project Review (RPR) Form (www.nh.gov/nhdhr/review) to the NH State Historic Preservation Officer (SHPO) at the NH Division of Historical Resources to identify the presence of historical/ archeological resources while coordinating with the lead federal agency for NHPA 106 compliance.
8. I authorize NHDES and the municipal conservation commission to inspect the site of the proposed project.
9. I have reviewed the information being submitted and that to the best of my knowledge the information is true and accurate.
10. I understand that the willful submission of falsified or misrepresented information to the New Hampshire Department of Environmental Services is a criminal act, which may result in legal action.
11. I am aware that the work I am proposing may require additional state, local or federal permits which I am responsible for obtaining.



Property Owner Signature

Alan Perkins

Print name legibly

7/25/17

Date

shoreland@des.nh.gov or (603) 271-2147
 NHDES Wetlands Bureau, 29 Hazen Drive, PO Box 95, Concord, NH 03302-0095
www.des.nh.gov

MUNICIPAL SIGNATURES

11. CONSERVATION COMMISSION SIGNATURE

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.

	Print name legibly	Date
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DIRECTIONS FOR CONSERVATION COMMISSION

1. Expedited review ONLY requires that the conservation commission's signature is obtained in the space above.
2. Expedited review requires the Conservation Commission signature be obtained **prior** to the submittal of the original application to the Town/City Clerk for signature.
3. The Conservation Commission may refuse to sign. If the Conservation Commission does not sign this statement for any reason, the application is not eligible for expedited review and the application will reviewed in the standard review time frame.

12. TOWN / CITY CLERK SIGNATURE

As required by Chapter 482-A:3 (amended 2014), I hereby certify that the applicant has filed four application forms, four detailed plans, and four USGS location maps with the town/city indicated below.

	Susan Buchanan	North Hampton	7/24/17
Town/City Clerk Signature	Print name legibly	Town/City	Date

DIRECTIONS FOR TOWN/CITY CLERK:

Per RSA 482-A:3, I

1. For applications where "Expedited Review" is checked on page 1, if the Conservation Commission signature is not present, NHDES will accept the permit application, but it will NOT receive the expedited review time.
2. IMMEDIATELY sign the original application form and four copies in the signature space provided above;
3. Return the signed original application form and attachments to the applicant so that the applicant may submit the application form and attachments to NHDES by mail or hand delivery.
4. IMMEDIATELY distribute a copy of the application with one complete set of attachments to each of the following bodies: the municipal Conservation Commission, the local governing body (Board of Selectmen or Town/City Council), and the Planning Board; and
5. Retain one copy of the application form and one complete set of attachments and make them reasonably accessible for public review.

DIRECTIONS FOR APPLICANT:

1. Submit the single, original permit application form bearing the signature of the Town/ City Clerk, additional materials, and the application fee to NHDES by mail or hand delivery.

13. IMPACT AREA:

For each jurisdictional area that will be/has been impacted, provide square feet and, if applicable, linear feet of impact

Permanent: impacts that will remain after the project is complete.

Temporary: impacts not intended to remain (and will be restored to pre-construction conditions) after the project is complete.

JURISDICTIONAL AREA	PERMANENT Sq. Ft. / Lin. Ft.	ATF	TEMPORARY Sq. Ft. / Lin. Ft.	ATF
Forested wetland		<input type="checkbox"/>		<input type="checkbox"/>
Scrub-shrub wetland		<input type="checkbox"/>		<input type="checkbox"/>
Emergent wetland		<input type="checkbox"/>		<input type="checkbox"/>
Wet meadow		<input type="checkbox"/>		<input type="checkbox"/>
Intermittent stream		<input type="checkbox"/>		<input type="checkbox"/>
Perennial Stream / River	/	<input type="checkbox"/>	/	<input type="checkbox"/>
Lake / Pond	/	<input type="checkbox"/>	/	<input type="checkbox"/>
Bank - Intermittent stream	/	<input type="checkbox"/>	/	<input type="checkbox"/>
Bank - Perennial stream / River	/	<input type="checkbox"/>	/	<input type="checkbox"/>
Bank - Lake / Pond	/	<input type="checkbox"/>	/	<input type="checkbox"/>
Tidal water	/	<input type="checkbox"/>	/	<input type="checkbox"/>
Salt marsh		<input type="checkbox"/>		<input type="checkbox"/>
Sand dune		<input type="checkbox"/>		<input type="checkbox"/>
Prime wetland		<input type="checkbox"/>		<input type="checkbox"/>
Prime wetland buffer		<input type="checkbox"/>		<input type="checkbox"/>
Undeveloped Tidal Buffer Zone (TBZ)		<input type="checkbox"/>		<input type="checkbox"/>
Previously-developed upland in TBZ		<input type="checkbox"/>		<input type="checkbox"/>
Docking - Lake / Pond		<input type="checkbox"/>		<input type="checkbox"/>
Docking - River	80	<input type="checkbox"/>		<input type="checkbox"/>
Docking - Tidal Water	360	<input type="checkbox"/>	680	<input type="checkbox"/>
TOTAL	440 /		680 /	

14. APPLICATION FEE: See the Instructions & Required Attachments document for further instruction

Minimum Impact Fee: Flat fee of \$ 200

Minor or Major Impact Fee: Calculate using the below table below

Permanent and Temporary (non-docking) 680 sq. ft. X \$0.20 = \$ 136

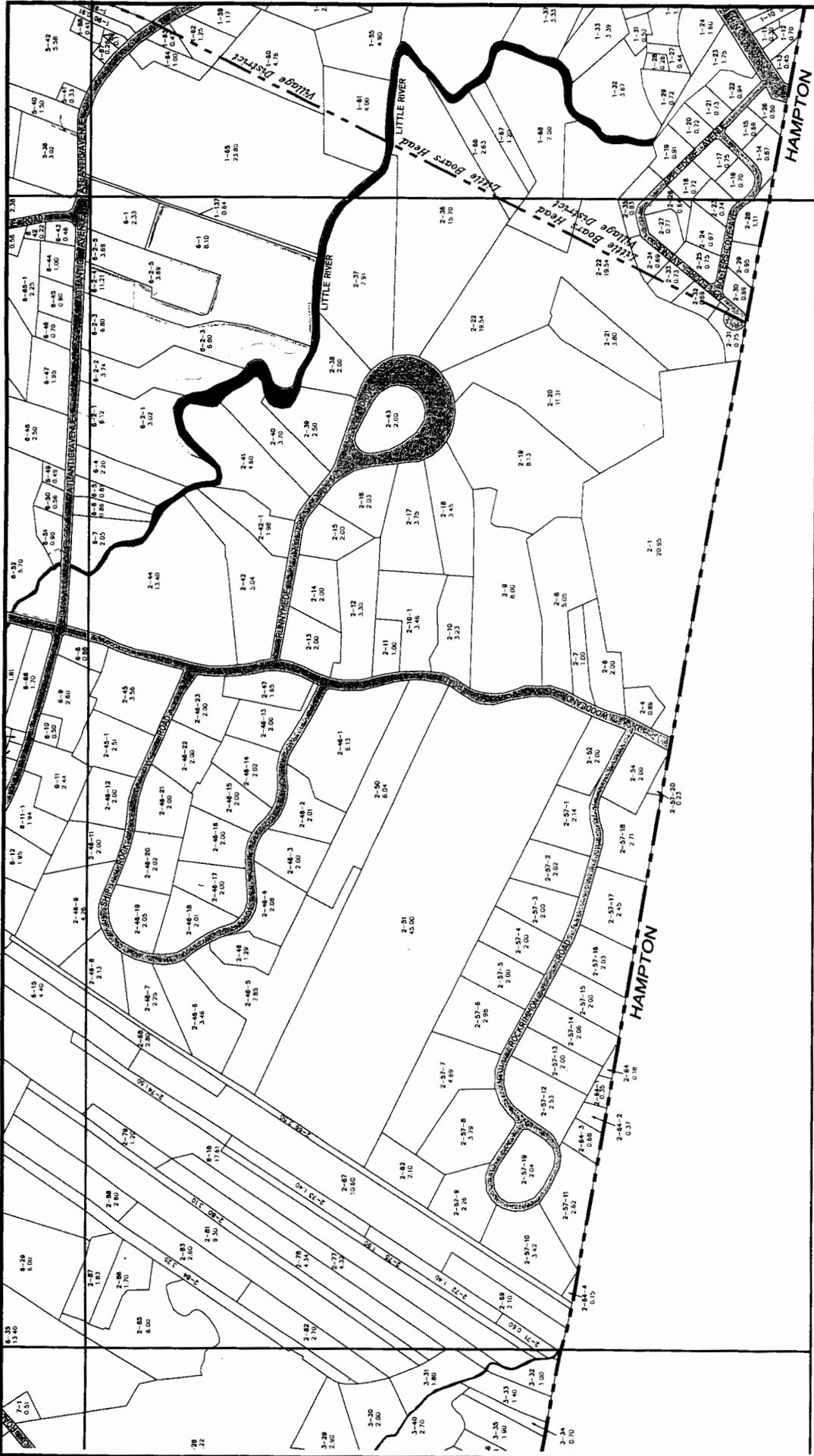
Temporary (seasonal) docking structure: _____ sq. ft. X \$1.00 = \$

Permanent docking structure: 440 sq. ft. X \$2.00 = \$ 880

Projects proposing shoreline structures (including docks) add \$200 = \$ 200

Total = \$ 1,216

The Application Fee is the above calculated Total or \$200, whichever is greater = \$ 1,216



LAST REVISED: JULY 2015
 DIGITIZED BY THE ROCKFORD PLANNING COMMISSION FROM
 A TRACING OF THE ORIGINAL TOWN MAP BY EDWARD M. SMITH,
 1870. THIS MAP IS REPRODUCED BY
 JAMES VERRA AND ASSOCIATES, INC.
 THE TOWN OF NORTH HAMPTON, NEW HAMPSHIRE.

ACREAGE IS IN BLUE
 LOTS ARE IN BLACK
 --- CONVEYANCE ROW ESM:
 --- CONVEYANCE ROW ESM:
 --- INKDOT ROW ESM:

**ASSESSOR'S MAP OF THE TOWN OF
 NORTH HAMPTON, NEW HAMPSHIRE**

THIS MAP IS TO BE USED FOR ASSESSING
 PURPOSES ONLY, NOT FOR THE
 CONVEYANCE OF REAL ESTATE.

MAP UPDATED BY
 JAMES VERRA AND ASSOCIATES, INC.
 101 SHATTUCK WAY, SUITE 8
 NEWINGTON, NEW HAMPSHIRE 03801-7876
 1-603-436-3557

23	22	21	20
19	18	17	16
15	14	13	12
11	10	9	8
7	6	5	4
3	2	1	1

Scale: 1" = 500'



SCALE: 1"=24,000'

PROJECT NO. 47137.00 DATE: July 21, 2017	TAX MAP 6 LOT 2-4 PROPERTY OF ALAN W. AND DONNA M. PERKINS COUNTY OF ROCKINGHAM NORTH HAMPTON NEW HAMPSHIRE	USGS MAP <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 10%;">REV.</th> <th style="width: 10%;">DATE</th> <th style="width: 80%;">DESCRIPTION</th> </tr> </thead> <tbody> <tr><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td></tr> </tbody> </table> DRAWN BY: JD CHECKED BY: JCC	REV.	DATE	DESCRIPTION													MSC <small>A Division of TPI/Heery, Inc.</small> Civil Engineers, Structural Engineers Traffic Engineers, Land Surveyors Landscape Architects & Scientists PHONE: 603-431-2222 570 COMMERCE HWY FAX: 603-431-0910 SUITE 402 www.mscenr.com PORTSMOUTH, NH 03801
REV.	DATE	DESCRIPTION																



NEW HAMPSHIRE NATURAL HERITAGE BUREAU
NHB DATACHECK RESULTS LETTER

To: Irina Donskaia, MSC a division of TFMoran, Inc.
170 Commerce Way, Suite 102

Portsmouth, NH 03801

From: NH Natural Heritage Bureau

Date: 6/7/2017 (valid for one year from this date)

Re: Review by NH Natural Heritage Bureau of request submitted 6/2/2017

NHB File ID: NHB17-1699

Applicant: Irina Donskaia

Location: North Hampton
Tax Maps: TAX MAP 6 LOT 2-4

Project Description: Project proposes to construct a wooden boardwalk and float

The NH Natural Heritage database has been checked by staff of the NH Natural Heritage Bureau and/or the NH Nongame and Endangered Species Program 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.

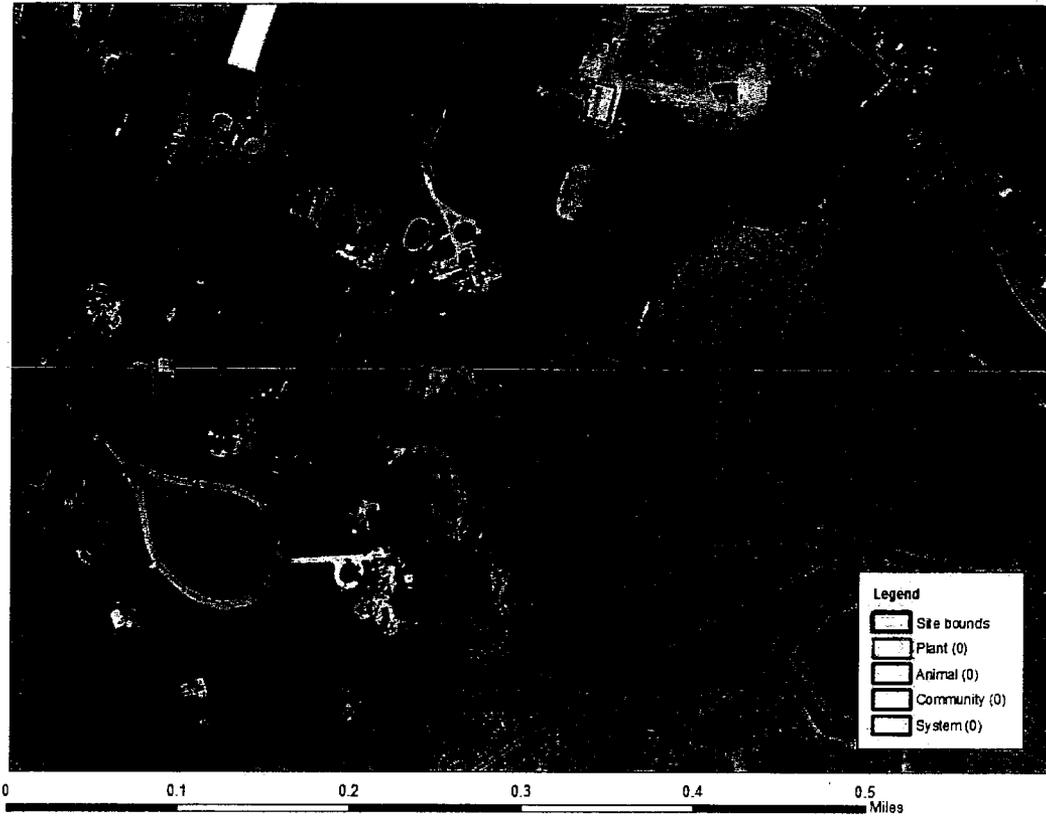
It was determined that, although there was a NHB record (e.g., rare wildlife, plant, and/or natural community) present in the vicinity, we do not expect that it will be impacted by the proposed project. This determination was made based on the project information submitted via the NHB Datacheck Tool on 6/2/2017, and cannot be used for any other project.



NEW HAMPSHIRE NATURAL HERITAGE BUREAU
NHB DATA CHECK RESULTS LETTER

MAP OF PROJECT BOUNDARIES FOR: NHB17-1699

NHB17-1699





Civil Engineers
 Structural Engineers
 Traffic Engineers
 Land Surveyors
 Landscape Architects
 Scientists

Abutters List

Alan W. & Donna M. Perkins
 4 Dancer's Image Lane
 North Hampton, NH 03862

Date: July 18, 2017
 Project #: 47137.00

Assessors Map		Abutter Name	Mailing Address
Map	Lot		
LOCUS 6	2-4	Alan W. & Donna M. Perkins	[REDACTED] North Hampton, NH 03862
1	137	O' Thurston Agri Trust	[REDACTED] North Hampton, NH 03862
2	37	James P. Carolan & Gail Vanhoy	[REDACTED] North Hampton, NH 03862
2	38	Southwick Family Revocable Trust 2015	[REDACTED] North Hampton, NH 03862
6	1	Thurston Farms Realty Trust	[REDACTED] North Hampton, NH 03862
6	2-3	Judith A. Jellinek Revocable Trust	[REDACTED] North Hampton, NH 03862
6	2-5	Same as Map 6 Lot 2-4	
Surveyor/Engineers		MSC, a division of TFMoran, Inc. 170 Commerce Way – Suite 102 Portsmouth, NH 03801	
Wetland Scientist		Joseph W. Noel P.O. Box 174 South Berwick, ME 03908	

