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The State of New Hampshire AUG12'20 AM10:08 DAS

Department of Environmental Services

Robert R. Scott, Commissioner

63

August 11, 2020

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

REQUESTED ACTION

Approve Avishai and Orly Shachar's request to perform the following work on Cocheco River in Dover. File # 2019-03877. This project will not have significant impact on or adversely affect the values of Cocheco River.

Impact 246 square feet within the undeveloped upland tidal buffer zone for construction of a 3 foot by 82-foot elevated, light-transmitting access ramp and staircase. In addition, impact 920 square feet of tidal wetland to construct a tidal docking structure consisting of a 3-foot by 140-foot permanent fixed pier and a 3-foot by 50-foot seasonal pier section (supported by 5 sets of piles) connected by a 3-foot by 50-foot seasonal ramp and a 10-foot by 20-foot float. The overall structure length seaward of the highest observable tide line is 257 feet, providing one slip on 718 feet of frontage along the Cochecho River.

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 Tidal Ecological Consultants dated November 01, 2019, and revised through June 05, 2020, last received by the NH Department of Environmental Services (NHDES) on June 05, 2020.
2. 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 NHDES Wetlands Bureau prior to construction.
3. Not less than 5 state business days prior to starting work authorized by this permit, the permittee shall notify the NHDES Wetlands Bureau Pease office and the local conservation commission in writing of the date on which work under this permit is expected to start.
4. Any future work in jurisdiction as specified in RSA 482-A on this property will require a new application and approval by the NHDES Wetlands Bureau.
5. This permit does not authorize removal of trees or saplings, excavation, grading or filling within the undeveloped tidal buffer zone.
6. No person undertaking any activity shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards in RSA 485-A and New Hampshire Administrative Rule Env-Wq 1700.

7. Construction of this tidal docking structure consisting of a 3 foot by 82-foot elevated, light-transmitting access ramp and staircase through undeveloped tidal buffer zone connected to a 3-foot by 140-foot permanent fixed pier, a 3-foot by 50-foot seasonal pier section, a 3-foot by 50-foot seasonal ramp and a 10-foot by 20-foot float, with an overall structure length seaward of the highest observable tide line of 257 feet, providing one boat slip on 718 feet of frontage along the Cochecho River in Dover shall be the only dock structure on this water frontage.
8. The height of the pier's decking over the surface of the tidal wetland at normal high tide shall be a minimum of 4 feet.
9. Decking shall have at least 1-inch spacing to provide sufficient sunlight penetration and rainfall to underlying vegetation.
10. The seasonal structures, including but not limited to the seaward pier section, ramp and float, shall be removed during the non-boating season and stored on the existing pier or in an upland location.
11. Construction of the dock shall occur from a barge equipped with a crane, at low tide, to reduce potential impacts to the estuarine intertidal wetlands.
12. 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.
13. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to surface waters and wetlands.
14. Work shall be conducted in a manner that avoids excessive discharges of sediments to fish spawning areas.
15. All construction-related debris shall be properly disposed of outside of the areas subject to RSA 482-A.

EXPLANATION

The NHDES approved this project on July 05, 2020. The NHDES supported its decision with the following findings:

1. This is a Major Project per New Hampshire 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 has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the NHDES' jurisdiction per New Hampshire Administrative Rule Env-Wt 302.03.
3. The dock is the minimum length necessary to provide reasonable access at this location. The float will not rest on the substrate at low tide.
4. The structure has been designed with a narrower width and less than half of the number of piles relative to a traditional tidal docking structure. Pile bents will be composed of fiberglass material and spaced 50-feet apart. The decking will be composed of light-transmitting material. The access ramp/stairway will be elevated on posts and also composed of light-transmitting material to support underlying vegetation.
5. Further, the applicant will be utilizing a barge and crane to complete construction of the dock from the water and pile locations have been designed to minimize impacts to the underlying vegetation.
6. No tree or shrub removal, excavation, grading or filling will be required to install the access way.
7. The applicant has demonstrated by plan and example that each factor listed in New Hampshire Administrative Rule Env-Wt 302.04(a) and (c), Requirements for Application Evaluation, has been considered in the design of the project.

8. The NH Natural Heritage Bureau (NHB) has record of an exemplary natural community and threatened or endangered vertebrate species within the vicinity of the project (NHB19-3598).
9. In correspondence dated March 16 and 17, 2020, the NHB and the NH Fish & Game Department determined that, with revisions to the design and conditions incorporated into this permit, there would be no adverse impact the natural community as a result of this project.
10. The NHDES staff field inspection on June 26, 2020 found that the site is accurately represented in the application.
11. 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 estuarine resource, as identified under RSA 482-A:1.
12. In correspondence dated December 16, 2019, the Pease Development Authority, Division of Ports and Harbors, determined that the project would have no negative effect on navigation in the channel.
13. In correspondence dated January 21, 2020, the Dover Conservation Commission recommended approval of the project, as proposed.
14. In correspondence dated October 20, 2019, a letter of authorization was signed by the permittee, allowing his/her agent to act on their behalf through the permitting process.
15. In correspondence dated December 09, 2019, the New Hampshire Division of Historical Resources found that the project, as proposed, will have no effect on any potential nearby historical resources.

Application file documents are being forwarded to the Governor and the 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 request your approval of this item.

Robert R. Scott
Commissioner

NHDES-W-06-012

WETLANDS PERMIT APPLICATION

Water Division/ Wetlands Bureau
Land Resources Management

NEW HAMPSHIRE DEPARTMENT OF Environmental Services

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

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

RECEIVED
DEC 13 2019
NHDES
LAND RESOURCES MANAGEMENT

Administrative Use Only

COMPLETE
Administrative Use Only
DEC 17 2019

Administrative Use Only

File No.: 2019-03877
Check No.: 1063
Amount: $3080.00
Initials: KB

1. REVIEW TIME: Indicate your Review Time below. To determine review time, refer to Guidance Document A for instructions.

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

2. MITIGATION REQUIREMENT:
If mitigation is required, a Mitigation Pre-Application meeting must occur prior to submitting this Wetlands Permit Application. To determine if mitigation is required, please refer to the Determine if Mitigation is Required Frequently Asked Questions.

Mitigation Pre-Application Meeting Date: Month: __ Day: __ Year: ____
☒ N/A - Mitigation is not required

3. PROJECT LOCATION:
Separate wetland permit applications must be submitted for each municipality within which wetland impacts occur.

ADDRESS: 98 Three Rivers Farm Road			TOWN/CITY: Dover
TAX MAP: N	BLOCK: 3	LOT: 3	UNIT:
USGS TOPO MAP WATERBODY NAME: Cocheco River ☐ NA			STREAM WATERSHED SIZE: ☒ NA
LOCATION COORDINATES (If known): N:250123.39 E: 1207165.25 TMGS NH NAD83			☐ Latitude/Longitude ☐ UTM ☒ State Plane

4. 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 docking structure proposed will be a 3ft wide by 140ft long permanent pier leading to a 3ft wide by 50ft removable (seasonal) pier section where a 3ft wide by 50ft long seasonal gangway will attach to a 10ft long by 20ft wide seasonal moored float.

5. SHORELINE FRONTAGE:

☐ N/A This does not have shoreline frontage. SHORELINE FRONTAGE: **717.5 FT**

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 (Env-Wt 101.89).

6. RELATED NHDES LAND RESOURCES MANAGEMENT PERMIT APPLICATIONS ASSOCIATED WITH THIS PROJECT:
Please indicate if any of the following permit applications are required and, if required, the status of the application.
To determine if other Land Resources Management Permits are required, refer to the Land Resources Management Webpage.

Permit Type	Permit Required	File Number	Permit Application Status
Alteration of Terrain Permit Per RSA 485-A:17	☐ YES ☒ NO	____	☐ APPROVED ☐ PENDING ☐ DENIED
Individual Sewerage Disposal per RSA 485-A:2	☐ YES ☒ NO	____	☐ APPROVED ☐ PENDING ☐ DENIED
Subdivision Approval Per RSA 485-A	☐ YES ☒ NO	____	☐ APPROVED ☐ PENDING ☐ DENIED
Shoreland Permit Per RSA 483-B	☐ YES ☒ NO	____	☐ APPROVED ☐ PENDING ☐ DENIED

7. 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 19 - 3598

☐ This project is within a Designated River corridor. The project is within ¼ mile of: _____; and date a copy of the application was sent to the Local River Management Advisory Committee: Month: __ Day: __ Year: ____
☒ N/A – This project is not within a Designated River corridor.

8. APPLICANT INFORMATION (Desired permit holder)

LAST NAME, FIRST NAME, M.I.: **Shachar, Avishai and Orly**			
TRUST / COMPANY NAME:	MAILING ADDRESS:		
TOWN/CITY:		STATE:	ZIP CODE: 03820
EMAIL or FAX: * **See agent info**	PHONE: ***See agent info**		

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

9. 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.

10. AUTHORIZED AGENT INFORMATION

LAST NAME, FIRST NAME, M.I.: **Taylor, Zachary**	COMPANY NAME: **Tidal Ecological Consultants, LLC.**		
MAILING ADDRESS: **6 Spinney Creek Road**			
TOWN/CITY: **Eliot**		STATE: **ME**	ZIP CODE: **03903**
EMAIL or FAX: **zach.tidal@gmail.com**	PHONE: **207-451-7205**		

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

11. 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 National Historic Preservation Act (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 NHDES 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.
12. The mailing addresses I have provided are up to date and appropriate for receipt of NHDES correspondence. NHDES will not forward returned mail.

⇨ Property Owner Signature	Zachary Taylor, Owner's Agent Print name legibly	11/29/2019 Date

MUNICIPAL SIGNATURES

12. 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

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 be reviewed in the standard review time frame.

13. 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.

⇨	Print name legibly	Town/City	Date
Susan Mistretta	Susan Mistretta	Dover	12-11-19

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.

14. 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 completed.*

Intermittent Streams: *linear footage distance of disturbance is measured along the thread of the channel.*

Perennial Streams/ Rivers: *the total linear footage distance is calculated by summing the lengths of disturbance to the channel and each bank.*

JURISDICTIONAL AREA	PERMANENT Sq. Ft. / Lin. Ft.	TEMPORARY Sq. Ft. / Lin. Ft.
Forested wetland	☐ ATF	☐ ATF
Scrub-shrub wetland	☐ ATF	☐ ATF
Emergent wetland	☐ ATF	☐ ATF
Wet meadow	☐ ATF	☐ ATF
Intermittent stream channel	/ ☐ ATF	/ ☐ ATF
Perennial Stream / River channel	/ ☐ ATF	/ ☐ ATF
Lake / Pond	/ ☐ ATF	/ ☐ ATF
Bank - Intermittent stream	/ ☐ ATF	/ ☐ ATF
Bank - Perennial stream / River	/ ☐ ATF	/ ☐ ATF
Bank - Lake / Pond	/ ☐ ATF	/ ☐ ATF
Tidal water	/ ☐ ATF	/ ☐ ATF
Salt marsh	☐ ATF	☐ ATF
Sand dune	☐ ATF	☐ ATF
Prime wetland	☐ ATF	☐ ATF
Prime wetland buffer	☐ ATF	☐ ATF
Undeveloped Tidal Buffer Zone (TBZ)	☐ ATF	☐ ATF
Previously-developed upland in TBZ	☐ ATF	☐ ATF
Docking - Lake / Pond	☐ ATF	☐ ATF
Docking - River	☐ ATF	☐ ATF
Docking - Tidal Water	420 ☐ ATF	500 ☐ ATF
Vernal Pool	☐ ATF	☐ ATF
TOTAL	420 /	500 /

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

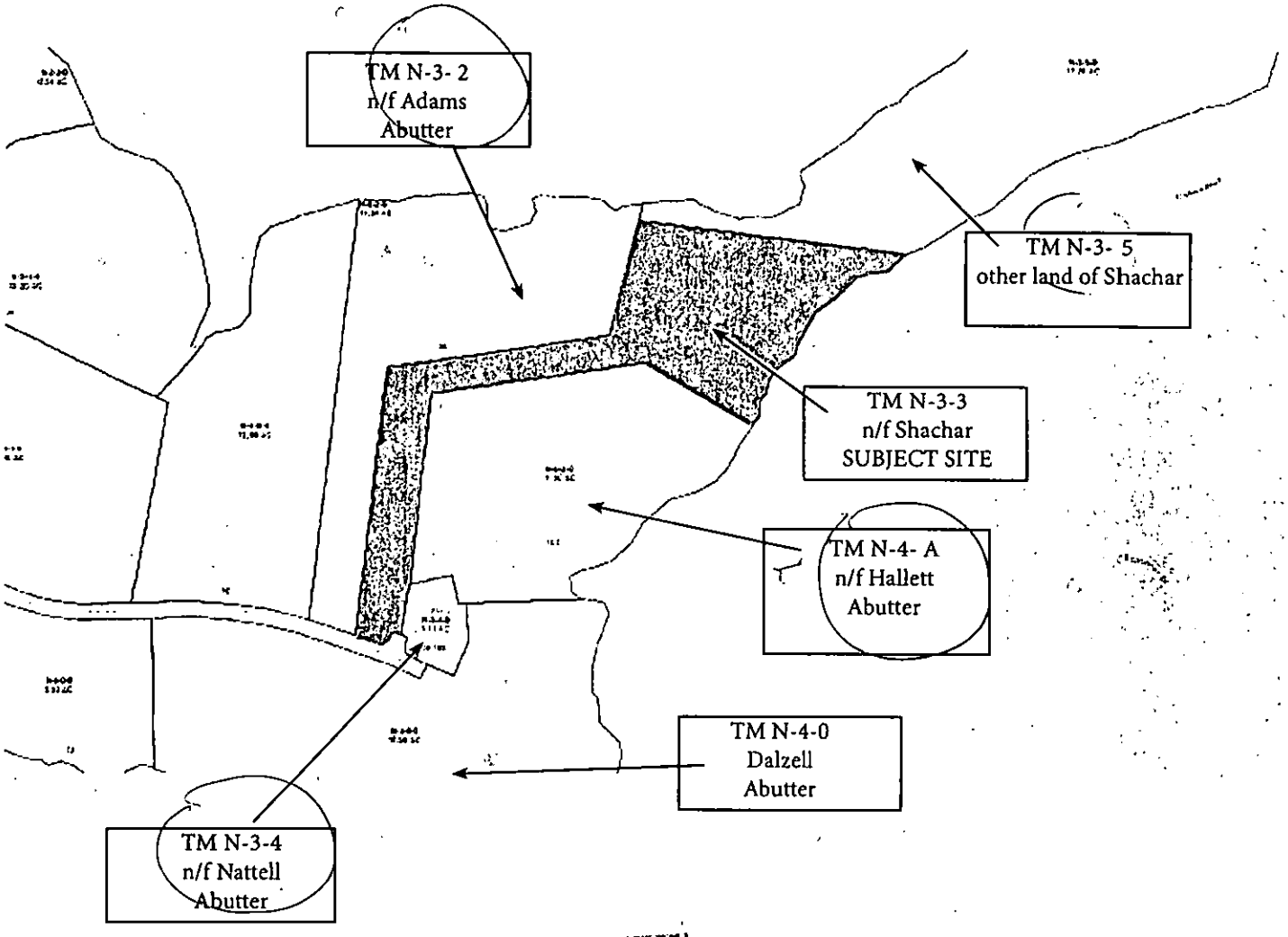
☐ Minimum Impact Fee or Fee for Non-enforcement related, publicly-funded and supervised restoration projects, regardless of impact classification (see RSA 482-A:3, 1(c)): Flat fee of $ 400

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

Permanent and Temporary (non-docking)	_____ sq. ft.	X $0.40 =	$ _____
Temporary (seasonal) docking structure:	500 sq. ft.	X $2.00 =	$ 1000
Permanent docking structure:	420 sq. ft.	X $4.00 =	$ 1680
Projects proposing shoreline structures (including docks) add $400 =			$ 400
Total =			$ 3080
The Application Fee is the above calculated Total or $400, whichever is greater =			$ 3080

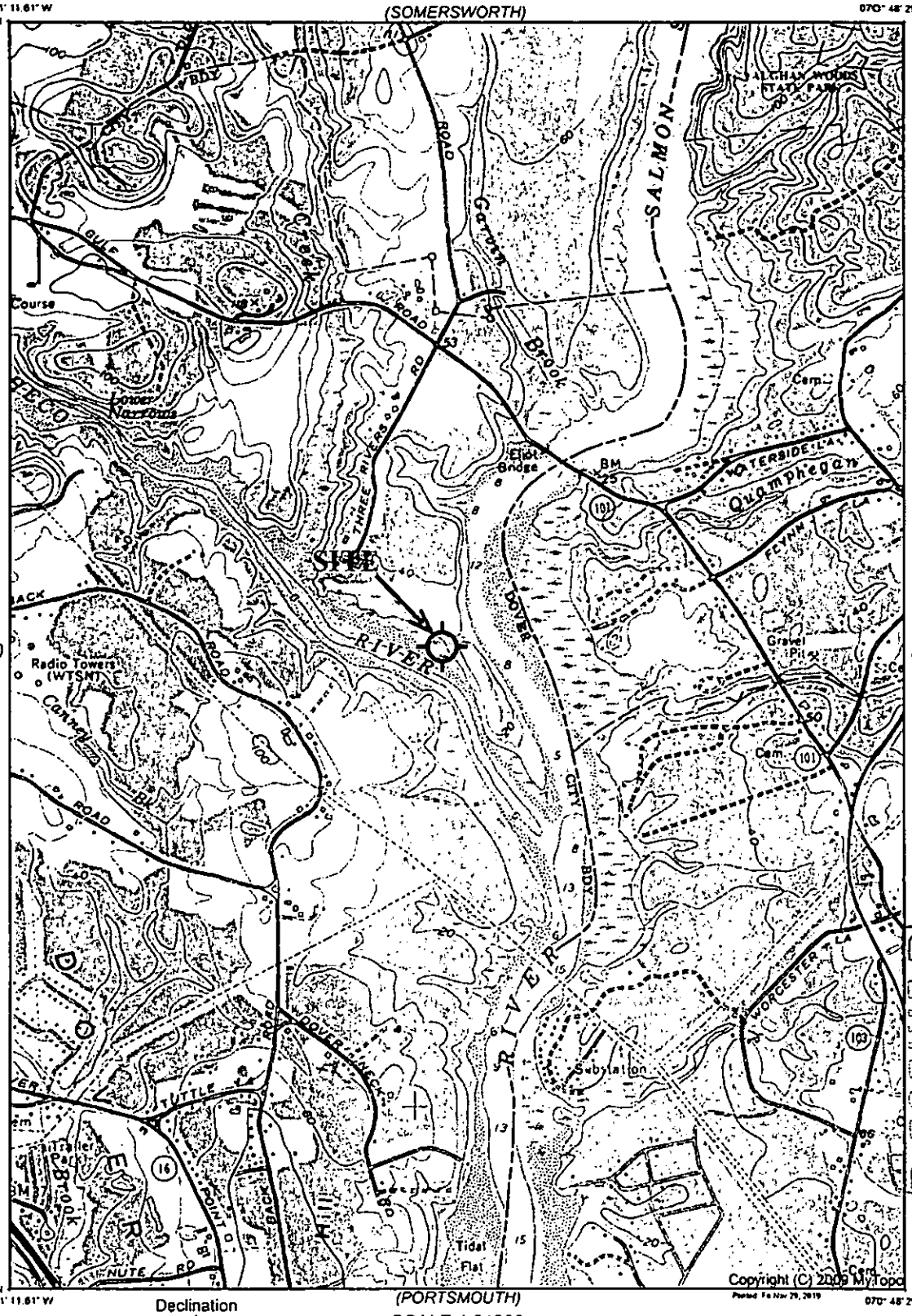
TIDAL ECOLOGICAL CONSULTANTS

TAX MAP - §4.4

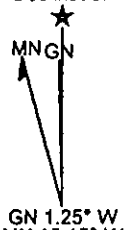


TOPOGRAPHIC SITE MAP – §4.2

DOVER EAST QUADRANGLE
NEW HAMPSHIRE
TOPOGRAPHIC SERIES



Declination



GN 1.25° W
MN 15.45° W

SCALE 1:24000

0 1 MILE
0 1000 YARDS
0 1 KILOMETER

CONTOUR INTERVAL 20 FEET
NATIONAL GEODETIC VERTICAL DATUM 1929

Produced by MyTopo Terrain Navigator
Topography based on USGS 1:24,000 maps

North American 1983 Datum (NAD83)
Polyconic Projection

To place on the predicted North American 1927 move the projection lines 10M N and 40M E

RECEIVED
DEC 13 2019
NHDES
LAND RESOURCES MANAGEMENT

Parcel info:

Avishai and Orly Shachar

98 Three Rivers Farm Rd.
Dover, NH 03820

TIDAL ECOLOGICAL CONSULTANTS

CONFIDENTIAL – NH Dept. of Environmental Services review

Memo

NH Natural Heritage Bureau
NHB Datacheck Results Letter

To: Zachary Taylor, Tidal Ecological Consultants, LLC
6 Spinney Creek Road
Eliot, ME 03903

From: Amy Lamb, NH Natural Heritage Bureau
Date: 11/12/2019 (valid for one year from this date)
Re: Review by NH Natural Heritage Bureau
NHB File ID: NHB19-3598 Town: Dover Location: Tax Maps: N-3-3-0
Description: Construction of a new tidal docking structure. There will be a permanent fixed pier running out to a seasonal gangway and float. Pier to be built with long spans to reduce number of piling bents and light transmitting decking increase ambient light under the pier and minimize impact from shading.
cc: Kim Tuttle

As requested, I have searched our database for records of rare species and exemplary natural communities, with the following results.

Comments: Please provide a plan sheet showing wetland impacts and a narrative description detailing why the selected location is the least impacting alternative. Please send site photos of proposed dock location if available.

Natural Community	State[1]	Federal	Notes
Low brackish riverbank marsh	--	--	Threats to these communities are primarily alterations to the hydrology of the wetland (such as ditching or tidal restrictions that might affect the sheet flow of tidal waters across the intertidal flat) and increased input of nutrients and pollutants in storm runoff.

Vertebrate species	State[1]	Federal	Notes
Atlantic Sturgeon (*Acipenser oxyrinchus*)	T	T	Contact the NH Fish & Game Dept and the US Fish & Wildlife Service (see below).
Bald Eagle (*Haliaeetus leucocephalus*)	SC	T	Contact the NH Fish & Game Dept and the US Fish & Wildlife Service (see below).
Shortnose Sturgeon (*Acipenser brevirostrum*)	E	E	Contact the NH Fish & Game Dept and the US Fish & Wildlife Service (see below).

[1]Codes: "E" = Endangered, "T" = Threatened, "SC" = Special Concern, "--" = an exemplary natural community, or a rare species tracked by NH Natural Heritage that has not yet been added to the official state list. An asterisk (*) indicates that the most recent report for that occurrence was more than 20 years ago.

Contact for all animal reviews: Kim Tuttle, NH F&G, (603) 271-6544.

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

Department of Natural and Cultural Resources
Division of Forests and Lands
(603) 271-2214 fax: 271-6488

DNCR/NHB
172 Pembroke Rd.
Concord, NH 03301

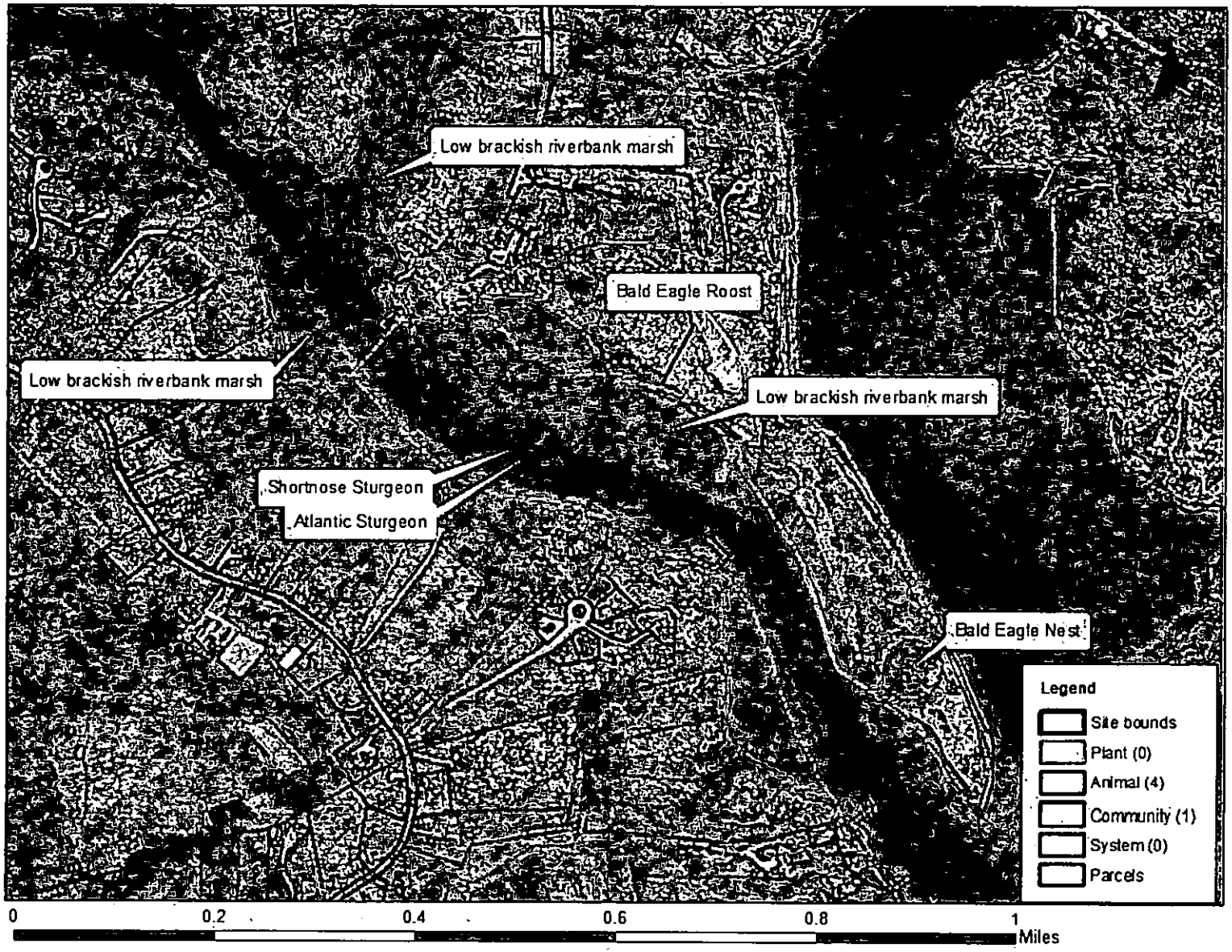
Memo

species. An on-site survey would provide better information on what species and communities are indeed present.

Department of Natural and Cultural Resources
Division of Forests and Lands
(603) 271-2214 fax: 271-6488

DNCR/NHB
172 Pembroke Rd.
Concord, NH 03301

NHB19-3598


Low brackish riverbank marsh
Bald Eagle Roost
Low brackish riverbank marsh
Low brackish riverbank marsh
Shortnose Sturgeon
Atlantic Sturgeon
Bald Eagle Nest
Legend
Site bounds
Plant (0)
Animal (4)
Community (1)
System (0)
Parcels
0
0.2
0.4
0.6
0.8
1
Miles

New Hampshire Natural Heritage Bureau - Community Record

Low brackish riverbank marsh

Legal Status		Conservation Status	
Federal:	Not listed	Global:	Not ranked (need more information)
State:	Not listed	State:	Critically imperiled due to rarity or vulnerability

Description at this Location

Conservation Rank: Fair quality, condition and/or landscape context ('C' on a scale of A-D).
Comments on Rank: --

Detailed Description: *2004: Dominant species are Spartina alterniflora (smooth cord-grass), Amaranthus cannabinus (water hemp), and Typha angustifolia (narrow-leaved cattail). Less frequent are Lemna minor (lesser duckweed), Polygonum hydropiper (water-pepper), Argentina egedii (coastal silverweed), Eleocharis parvula (small spike-rush), Ranunculus cymbalaria (seaside crowfoot), Lilaeopsis chinensi*

General Area: *2004: This low marsh lies adjacent to a sparsely or narrowly vegetated* ***high brackish tidal riverbank marsh****. The high tidal riverbank is often an unvegetated zone grading into the adjacent upland. Some characteristic species are Solidago sempervirens (seaside goldenrod) and Spartina pectinata (fresh-water cord-grass). Along most of the riverbank community, moderate residential and commercial development occu*

General Comments: --

Management Comments: *2004: Several invasive species occur on the higher margins of the riverbank community, especially at the west end nearest downtown Dover. They include Lythrum salicaria (purple loosestrife), Phalaris arundinacea (reed canary-grass), Rorip*

Location

Survey Site Name: *Cocheco River Narrows*
Managed By: *Great Bay Megasite*

County: *Strafford*
Town(s): *Dover*
Size: *94.2 acres* *Elevation:*

Precision: *Within (but not necessarily restricted to) the area indicated on the map.*

Directions: *Cocheco River downstream of downtown Dover. 2004: The tidal riverbank marsh extends from downtown Dover (beginning downstream of Washington Street) to the mouth of the Cocheco. For the tidal marsh nearest downtown Dover, park at Henry Law Park. For the tidal marsh 0.75 miles eastward, from Henry Law Avenue, turn north onto access road to baseball fields. Park in lot for baseball fields and walk NE, across power line corridor, to Cocheco River. 1988: Tidal wetlands and shores along Cocheco River between upper and lower narrows, due east and just downstream of downtown Dover.*

Dates documented

First reported: *1988-09-13* *Last reported:* *2004-09-23*

TIDAL ECOLOGICAL CONSULTANTS

LIST OF ABUTTERS NOTIFIED - §5.1.1

Abutter	Certified Mail #
TM# N-3-2 Adams Kevin F Revocable Trust 1/26/1993 Adams Kevin F Trustee	7015 0640 0004 8925 4713
TM# N-4-0 Dalzell Mark Houston Trustee Dalzell Mark Houston Revocable Living Tr	7015 0640 0004 8925 4706
TM# N-3-4 Nattell Daniel	7015 0640 0004 8925 4669
TM# N-3-5 Other land of Shachar Avishai & Orly (7/13) Heirs Of Rollins Estate (6/13)	n/a
TM# N-4-A Hallett Elizabeth Ashton & Hallett Helen Hallett Michael Rollins And Friedman Mel	7015 0640 0004 8925 4720

Sequence of Construction:

1. Mobilization of a crane barge, push boat work skiff, materials and prefabricated components such as the pier spans, gangway and float to the site via approved access. Most of the work will be from the crane barge.
2. Mobilization of equipment trucks to the site. This is primarily for the daily transport of the crew during construction and the transportation of hand tools. However, most construction will be completed by crane barge. Construction time on site is anticipated to only be a few days. No tracked equipment is proposed to be utilized in the TBZ or tidal wetland.
3. Layout of the docking structure will be completed.
4. The barge will be brought into position alongside the proposed location of the new dock. The pilings will be install utilizing a vibratory pile driving system designed to minimize ecological impact from foot traffic in the substrate and noise during pile installation. All pile driving will be performed at period to minimize sedimentation.
5. Pilings are then cut and beam caps are installed.
6. The pier spans are will then be brought in and anchored to the piling sets.
7. Once the pier is complete the gangway and float are brought into position and installed.
8. Once the positioning has been determined for the float the float moorings will be installed utilizing helical anchors and heavy duty galv chain.
9. After the dock is complete the proposed access will be constructed. The design of the access will utilize a combination of removable pre-fabricated aluminum steps and ramps on the stepper section as well as just using the natural, unmodified tidal buffer zone terrain on the sections that are not as steep. The aluminum sections will be anchored using standard aluminum pipe footings.

Discharges, Avoidance, Minimization and Mitigation:

Discharges of dredged or fill material into waters of the U.S. and any secondary impacts shall be avoided and minimized to the maximum extent practicable. Permittees may only fill those jurisdictional wetlands and waterways that the Corp and NHDES authorizes to be filled and impact those areas that the Corps and NHDES authorizes as secondary impacts. If not specifically authorized by USACOE and NHDES, any unauthorized fill or secondary impact to wetlands may be considered as a violation of the CSPA.

Unless specifically authorized USACOE and NHDES, no work shall drain a water of the U.S. by producing a conduit for water on or below the surface.

Heavy Equipment in Wetlands:

Heavy equipment other than fixed equipment (drill rigs, fixed cranes, etc.) working in wetlands shall not be stored, maintained or repaired in wetlands, unless it is less environmentally damaging otherwise, and as much as possible shall not be operated within the intertidal zone. Where construction requires heavy equipment operation in wetlands, the equipment shall either have low ground pressure (<3 PSI), or shall not be located directly on wetland soils and vegetation; it shall be placed on swamp mats that are adequate to support the equipment in such a way as to minimize disturbance of the wetland soil and vegetation. Swamp mats are to be placed in the wetland from the upland or from equipment positioned on swamp mats when working within a wetland. Dragging swamp mats into position is prohibited. Other support structures that are less impacting and are capable of safely supporting equipment may be used with written Corps and NHDES authorization. Similarly, not using mats during frozen, dry or other conditions may be allowed with written corps and NHDES authorization. An adequate supply of spill containment equipment shall be maintained on site. Corduroy roads and swamp/construction mats are considered as fill whether they're installed temporarily or permanently.

Work Site Restoration:

1. Upon completion of construction, all disturbed wetland areas shall be properly stabilized. Any seed mix shall contain only plant species native to New England.
2. The introduction or spread of invasive plant species in disturbed areas is prohibited.
3. In areas of authorized temporary disturbance, IF trees are cut, they shall be cut at ground level and not uprooted in order to prevent disruption to the wetland soil structure and allow stump sprouts to revegetate the work areas, unless otherwise authorized.

   *Note that no trees were proposed to be removed for this project.
4. Wetlands areas where permanent disturbance is not authorized shall be restored to their original condition and elevation, which under no circumstances shall be higher than the pre-construction elevation. Original condition means careful protection and/or removal of existing soil and vegetation, and replacement back to the original location such that the original soil layering and vegetation schemes are approximately the same, unless otherwise authorized.

Sedimentation and Erosion Control:

Adequate sedimentation and erosion control management measures, practices and devices, such as passed construction, vegetated filter strips, geotextile silt fences, stormwater detention and infiltration systems, sediment detention basins, or other devices shall be installed and properly maintained to reduce erosion and retain sediment on-site during and after construction. They shall be capable of preventing erosion, of collecting sediment, suspended and floating materials, and or filtering fine sediment. The disturbed areas shall be stabilized, and these devices shall be removed upon completion of the work. The sediment collected by these devices shall be removed and placed at an upland location, in a manner that will prevent its later erosion into a waterway or wetland. All exposed soil and other fills shall be permanently stabilized at the earliest practicable date.

Spawning Areas:

Discharges of dredged or fill material, and/or suspended sediment producing activities in fish and shellfish spawning or nursery areas, or amphibian and migratory bird breeding areas, during spawning or breeding seasons shall be avoided. Impacts to these areas shall be minimized to the maximum extent practicable during all times of the year. Information on spawning habitat for species managed under the Magnuson-Stevens Fishery Conservation and Management Act (I.E. EFH for Spawning Adults) can be obtained from the NMFS Website at: www.nero.noaa.gov/HCD.

Storage of Seasonal Structures:

Coastal structures such as pier sections, floats, gangways, etc. that are removed from the waterway for a portion of the year (often referred to as seasonal structures) shall be stored in an upland location, located above Highest Observable Tide Line (HOTL) and not in tidal wetlands. These seasonal structures may be stored on the fixed, pile-supported portion of the structure that is seaward of HOTL. This is intended to prevent structures from being stored on the marsh substrate and the substrate seaward of HOTL.

Time of Year Work Window and Noise Restrictions:

1. Piles installed in-the-dry during low water or in-water between Nov. 8th -Apr. 9th OR
2. Must be drilled and pinned to ledge, OR
3. Vibratory hammers used to install any size and quantity of wood, concrete, or steel piles, OR
4. Impact hammer limited to one hammer and <30 piles installed/day with the following: Wood piles of any size, concrete piles 18-inches diameter, or steel piles 12-inches diameter IF the hammer is 3000 lbs. and a wood cushion is used between the hammer and the steel pile.

For 2 and 4 above:

I. In-water noise levels shall not >187dB SEL RE 1µPasr 206dB Peak RE 1µPapk distance >10m from the pile being installed, AND

II. In-water noise levels >155dB Peak RE 1µPa shall not exceed 12 consecutive hours on any given day and a 12 hour recovery period (I.E., in-water noise below 155dB Peak RE 1µPa) must be provided between work days.

Inspections:

The permittee shall allow the Corps and NHDES to make periodic inspections at any time deemed necessary in order to ensure that the work is being or has been performed in accordance with the terms and conditions of this permit. The Corps and NHDES may also require post-construction engineering drawings for completed work, and post-dredging survey drawings for any dredging work.

Environmental Functions and Values:

The permittee shall make every reasonable effort to 1) Carry out the construction or the operation of the work authorized by USACOE and NHDES herein in a manner that minimizes adverse impacts on fish, wildlife and natural environmental values, and 2) Prohibit the establishment or spread of plant species identified as non-native invasive species by any federal or state agency. See the section on invasive species at http://www.nae.usace.army.mil/regulatory/ for control methods.

Date: 11-1
Drawn By:
Checked By:

Avishai & Orly Shachar
SD&F FOR NEW DOCK

Address: ___ Approved: ___ Da
Map & Lot #: N/2-3 Drawing Scale: NOTED Title: ___ Job Ot

6 SPINNEY CREEK RD.
ELIOT, ME 03903

O: 207-451-7205

E: zach.tidal@gmail.com

TIDAL ECOLOGICAL CONSULTANTS

REVISIONS:

Date	Description	Apprd.
3/1/20	PLANS REVISED FOR RFAI 2-4-20	
6/5/20	PLANS REVISED FOR RFAI 4-20-20	

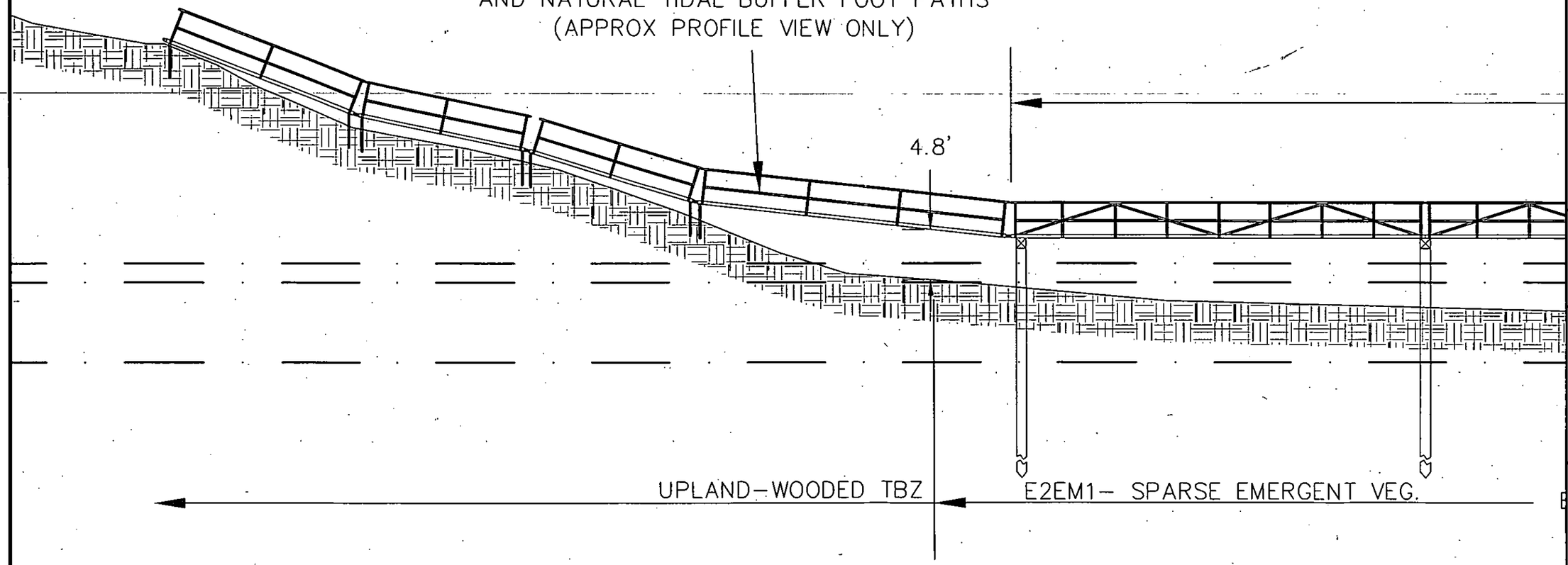
File #:

Sheet: 3 of: 4

1. Plan entitled 'Tidal Topographic Survey Prepared for Avishai and Orly Shachar, Tax Map N, Lot No. 3-3 Three Rivers Farm Road, City of Dover, County of Strafford, State of New Hampshire. Plan By McEaneaney Survey Associates, Inc. located at 24 Chestnut Street, Dover, NH 03820. Plan Dated July 19th 2019.

ELEVATION DETAIL
(DETAIL E-3)
Scale: 1"=10'

+/-82 LINEAL FEET OF 3FT WIDE ACCESS
(+/-246SF) COMPRISED OF COMBINATION
OF REMOVABLE ALUMINUM STAIRS/RAMPS
AND NATURAL TIDAL BUFFER FOOT PATHS
(APPROX PROFILE VIEW ONLY)



Date: 11-1-
Drawn By:
Checked By: ZT

Avishai & Orly Shachar
SD&F FOR NEW DOCK

Address: THREE RIVERS FARM RD. City: DOVER, NH Approved: Date:
Map & Lot #: N/3-3 Drawing Scale: NOTED Title: Job Class

6 SPINNEY CREEK RD.
ELIOT, ME 03903
O: 207-451-7205
E: zach.tidal@gmail.com

TIDAL ECOLOGICAL CONSULTANTS

REVISIONS			
Date	Description	Apprd.	
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6/5/20	PLANS REVISED FOR RPWI 4-20-20		

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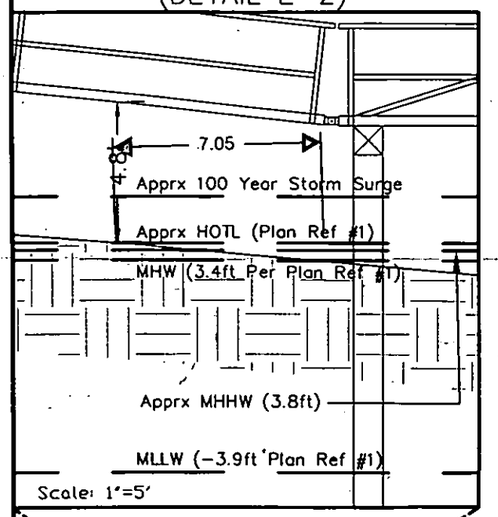
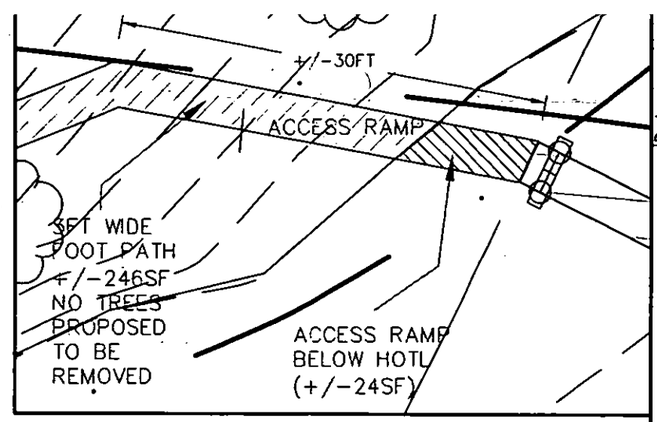
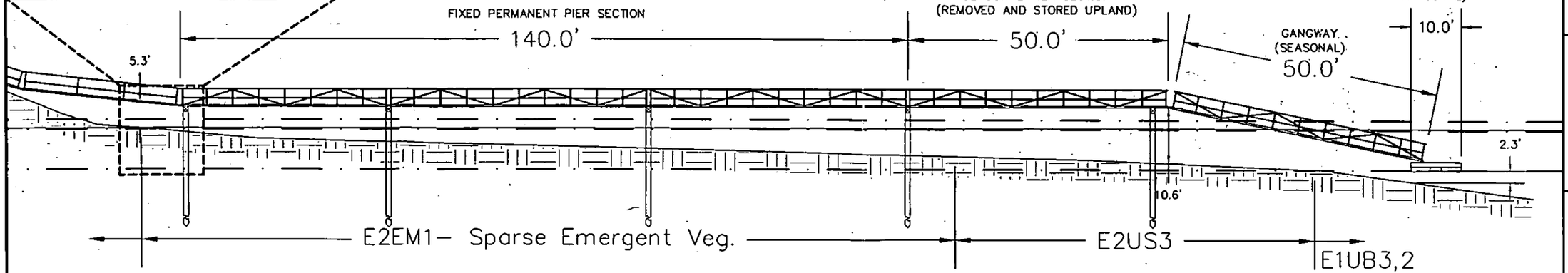
TIDE AND FLOOD HEIGHT (DETAIL E-2)



Scale: 1"=5'





PROPOSED CONDITIONS- ELEVATION DETAIL (DETAIL E-1)

Scale: 1"=20'

Avishai & Orly Shachar
SD&F FOR NEW DOCK

Date: 11-1-
Drawn By:
Checked By: Z

Address: THREE RIVERS FARM RD City: DOVER NH Approved: Date:
Map & Lot #: N/3-3 Drawing Scale: NOTED Title: Job Class:

6 SPINNEY CREEK RD.
ELIOT, ME 03903
O: 207-451-7205
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TIDAL ECOLOGICAL CONSULTANTS

REVISIONS

Date	Description	Apprd.
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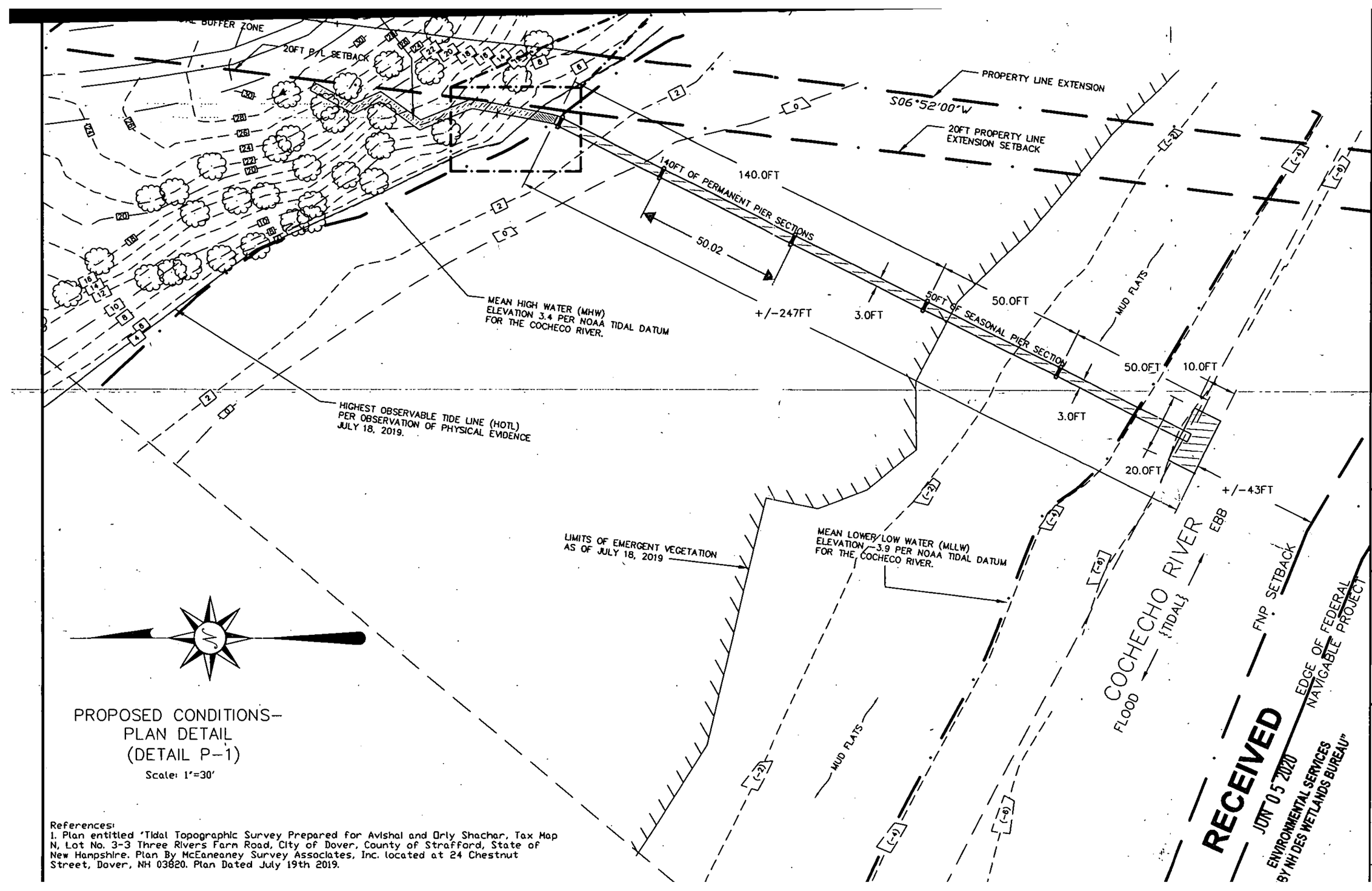

PROPOSED CONDITIONS–
PLAN DETAIL
(DETAIL P–1)
Scale: 1"=30'

References:
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RECEIVED
JUN 05 2020
ENVIRONMENTAL SERVICES
BY NH DES WETLANDS BUREAU

Date: 11-1-19
Drawn By: ZT
Checked By: ZT

Avishai & Orly Shachar
SD&F FOR NEW DOCK

Address: 3 THREE RIVERS FARM RD. City: DOVER, NH Approved: Date:
Map & Lot #: N/3-3 Drawing Scale: NOTED Title: Job Class:

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File #:

NHDES-P-WETLANDS-PBN