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The State of New Hampshire

Department of Environmental Services

Robert R. Scott, Commissioner

133

May 16, 2023

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

REQUESTED ACTION

Approve Cynthia and Robert Durkee's request to perform the following work on Piscataqua River in New Castle pursuant to NH Department of Environmental Services (NHDES) Wetlands Bureau permit #2019-01311, and in accordance with RSA 482-A:3. No comments were submitted by the New Castle Conservation Commission regarding the project as proposed.

Impact a total of 505 square feet of tidal resources to include 475 square feet of tidal waters and 30 square feet of previously-developed 100-foot tidal buffer zone to construct a new 3 foot x 10 foot accessway, 3 foot x 60 foot pier, 3 foot x 35 foot ramp, and a 9.5 foot x 20 foot float with an overall structure length seaward of highest observable tide line 110.5 feet, providing two slips on 45 feet of frontage on Mill Pond as part of the Piscataqua River Back Channel.

NHDES imposed the following conditions as part of this approval:

1. All work shall be in accordance with the following plans by Ambit Engineering, Inc. dated January 2019 and revised through September 9, 2022 as received by the NH Department of Environmental Services (NHDES) on October 25, 2022.
2. This permit shall not be effective until recorded at the Rockingham 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 New Castle 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 the removal of trees or saplings within the waterfront buffer that would result in a tree and sapling point score below the minimum required per RSA 483-B:9, V, (a)(2)(D)(iv).
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. The seasonal structures, including but not limited to the gangway and float, shall be removed during the non-boating season and stored on the existing pier or in an upland location.

8. Appropriate siltation, erosion, and turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain in place until the area is stabilized.
9. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to surface waters and wetlands.
10. Work shall be conducted in a manner that avoids excessive discharges of sediments to fish spawning areas.
11. Work shall occur in tidal waters during the dredge window, which is between November 15 and March 15.
12. All construction-related debris shall be properly disposed of outside of the areas subject to RSA 482-A.
13. Construction equipment shall be inspected daily for leaking fuel, oil, and hydraulic fluid prior to entering surface waters or wetlands or operating in an area where such fluids could reach groundwater, surface waters, or wetlands.
14. The permittee's contractor shall maintain appropriate oil/diesel fuel spill kits on site that are readily accessible at all times during construction, and shall train each operator in the use of the kits.
15. All refueling of equipment shall occur outside of surface waters or wetlands during construction. Machinery shall be staged and refueled in upland areas only.
16. Construction of the dock shall occur from land, or from a barge and crane if land-based construction is not feasible, to reduce potential impacts to the salt marsh and intertidal zone.
17. The height of the pier's decking over the surface of the tidal marsh at normal high tide shall equal the width of the decking. Decking shall have 3/4-inch spacing between the decking planks.
18. The float shall be fitted with a float stop or similar structure so that the float will have minimal contact with the underlying intertidal area.

EXPLANATION

NHDES approved this project on March 28, 2023. 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. This application for wetlands impacts was filed with NHDES prior to December 15, 2019, and therefore, has been reviewed and approved in accordance with the Wetlands Program Code of Administrative Rules Chapters Env-Wt 100 - 900 in effect at the time of filing.
3. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
4. 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. The dock is the minimum length necessary to provide access at this location, and float stops will prevent the dock from sitting on the mudflat at low tide.
5. 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.
6. NH Natural Heritage Bureau ("NHB") has record of sensitive species occurring within the project vicinity, and NHB and the NH Fish and Game Dept. Marine Division do not expect impacts to the species by the project.
7. With respect to the proposal's impact on navigation, the design has been reviewed by the Pease Development Authority, Division of Ports and Harbors, who, per letter dated September 15, 2022, determined that the project would have no negative effect on navigation in the channel.
8. The New Castle Conservation Commission did not submit comments to NHDES on the application.

9. This dock is consistent with other tidal dock facility approvals in the seacoast.
10. Pursuant to RSA 482-A:8, Env-Wt 202, and Env-C 205.03, NHDES held a public hearing on February 3, 2023.
11. Pursuant to Env-Wt 402.04 and as required by RSA 482-A:3, XIII(a), the applicant has received consent from the abutter and complied with RSA 482-A:3, XIII(c).

NHDES Wetlands Bureau permit #2019-01311 application documents are enclosed for review by the Governor and the Executive Council in consideration of this request and in accordance with RSA 482-A:3, II(a), as it is a major project located in New Hampshire public waters.

We respectfully request your approval of this item.

Robert R. Scott
Commissioner

NHDES-W-06-012

NEW HAMPSHIRE DEPARTMENT OF Environmental Services

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

WETLANDS PERMIT APPLICATION

Land Resources Management
Wetlands Bureau

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

RECEIVED Administrative MAY 06 2019 Only NHDES LAND RESOURCES MANAGEMENT	COMPLETE Administrative MAY 06 2019 Only	Administrative Use Only	File No: 2019-01311
			Check No: 2659
			Amount: $762.00
			Initials: DB

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: **51A Laurel Lane**		TOWN/CITY: **New Castle**	
TAX MAP: **11**	BLOCK:	LOT: **26**	UNIT:
USGS TOPO MAP WATERBODY NAME: **Piscataqua River** ☐ NA		STREAM WATERSHED SIZE: ☒ NA	

LOCATION COORDINATES (If known): **X:1,235,636.6685 Y: 208,905.3369** State Plane ☐ Latitude/Longitude ☐ UTM ☒

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 386 sq. ft. of permanent impact to tidal wetland and 40 sq. ft. of permanent impact to the previously developed 100' Tidal Buffer Zone for construction of a docking structure consisting of a 4' x 10' accessway, a 4' x 24' fixed wood pier, a 3' x 30' aluminum gangway, and a 10' x 20' float (overall structure length 64') providing two slips on 45 +/- feet of frontage along the Piscataqua River.

4. SHORELINE FRONTAGE

☐ NA This lot has no shoreline frontage. SHORELINE FRONTAGE: **45 feet**

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.

DES Shoreland: 2012-02891 DES Wetland: 2012-03201

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 18 - 3181 .

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.: **Durkee, Robert M. & Cynthia A.**			
TRUST / COMPANY NAME:	MAILING ADDRESS:		
TOWN/CITY		STATE:	ZIP COD
EMAIL or FAX.	PHONE		
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 INFORMATION			
LAST NAME, FIRST NAME, M.I.: **Riker, Steven, D.**	COMPANY NAME: **Ambit Engineering, Inc.**		
MAILING ADDRESS: **200 Griffin Road, Unit 3**			
TOWN/CITY: **Portsmouth**		STATE: **NH**	ZIP CODE: **03801**
EMAIL or FAX: **sdr@ambitengineering.com**	PHONE: **603-430-9282**		
ELECTRONIC COMMUNICATION: By initialing here SR, 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.

Agent-See Authorization Property Owner Signature	Steven D. Riker Print name legibly	4 / 16 / 2018 Date

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

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.

⇨ Priscilla Hodgkins	Priscilla Hodgkins	New Castle	4-22-15
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.	TEMPORARY Sq. Ft. / Lin. Ft.
Forested wetland	☐ ATF	☐ ATF
Scrub-shrub wetland	☐ ATF	☐ ATF
Emergent wetland	☐ ATF	☐ ATF
Wet meadow	☐ ATF	☐ ATF
Intermittent stream	☐ ATF	☐ ATF
Perennial Stream / River	/ ☐ ATF	/ ☐ ATF
Lake / Pond	/ ☐ ATF	/ ☐ ATF
Bank - Intermittent stream	/ ☐ ATF	/ ☐ ATF
Bank - Perennial stream / River	/ ☐ ATF	/ ☐ ATF
Bank - Lake / Pond	/ ☐ ATF	/ ☐ ATF
Tidal water	386 / ☐ 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	40 ☐ ATF	☐ ATF
Docking - Lake / Pond	☐ ATF	☐ ATF
Docking - River	☐ ATF	☐ ATF
Docking - Tidal Water	☐ ATF	☐ ATF
TOTAL	426 /	/

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)	sq. ft.	X $0.20 =	$
Temporary (seasonal) docking structure:	290 sq. ft.	X $1.00 =	$ 290.00
Permanent docking structure:	136 sq. ft.	X $2.00 =	$ 272.00
Projects proposing shoreline structures (including docks) add $200 =			$ 200.00
		Total =	$ 762.00
The Application Fee is the above calculated Total or $200, whichever is greater =			$

3 August, 2018

To Whom It May Concern:

RE: State of New Hampshire DES Wetlands Bureau Standard Dredge and Fill application for proposed docking structure within the previously developed 100' Tidal Buffer Zone and jurisdictional wetlands for *Robert Durkee*

This letter is to inform the State of New Hampshire DES and the Town of New Castle in accordance with State Law that the following entities:

Riverside & Pickering Marine Contractors
Ambit Engineering, Inc.

Are individually authorized to represent us as our agents in the approval process.

Please feel free to call us if there is any question regarding this authorization.

Sincerely,

Robert Durkee

SML-Pease.

NHDES-W-06-012

NEW HAMPSHIRE DEPARTMENT OF Environmental Services

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

RECEIVED AUG 08 2022 LAND RESOURCE MANAGEMENT

2019-01311
CK#12700
Amount $93.00
Date RS

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date a copy of the application was sent to the Local River Management Advisory Committee: Month: __ Day: __ Year: ____
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Temporary: Impacts not intended to remain (and will be restored to pre-construction conditions) after the project is complete.

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Scrub-shrub wetland	☐ ATF	☐ ATF
Emergent wetland	☐ ATF	☐ ATF
Wet meadow	☐ ATF	☐ ATF
Intermittent stream	☐ ATF	☐ ATF
Perennial Stream / River	/ ☐ ATF	/ ☐ ATF
Lake / Pond	/ ☐ ATF	/ ☐ ATF
Bank - Intermittent stream	/ ☐ ATF	/ ☐ ATF
Bank - Perennial stream / River	/ ☐ ATF	/ ☐ ATF
Bank - Lake / Pond	/ ☐ ATF	/ ☐ ATF
Tidal water	386 / ☐ ATF	/ ☐ ATF
Salt marsh	☐ ATF	☐ ATF
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Prime wetland	☐ ATF	☐ ATF
Prime wetland buffer	☐ ATF	☐ ATF
Undeveloped Tidal Buffer Zone (TBZ)	☐ ATF	☐ ATF
Previously-developed upland in TBZ	40 ☐ ATF	☐ ATF
Docking - Lake / Pond	☐ ATF	☐ ATF
Docking - River	☐ ATF	☐ ATF
Docking - Tidal Water	☐ ATF	☐ ATF
TOTAL	426 /	/

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

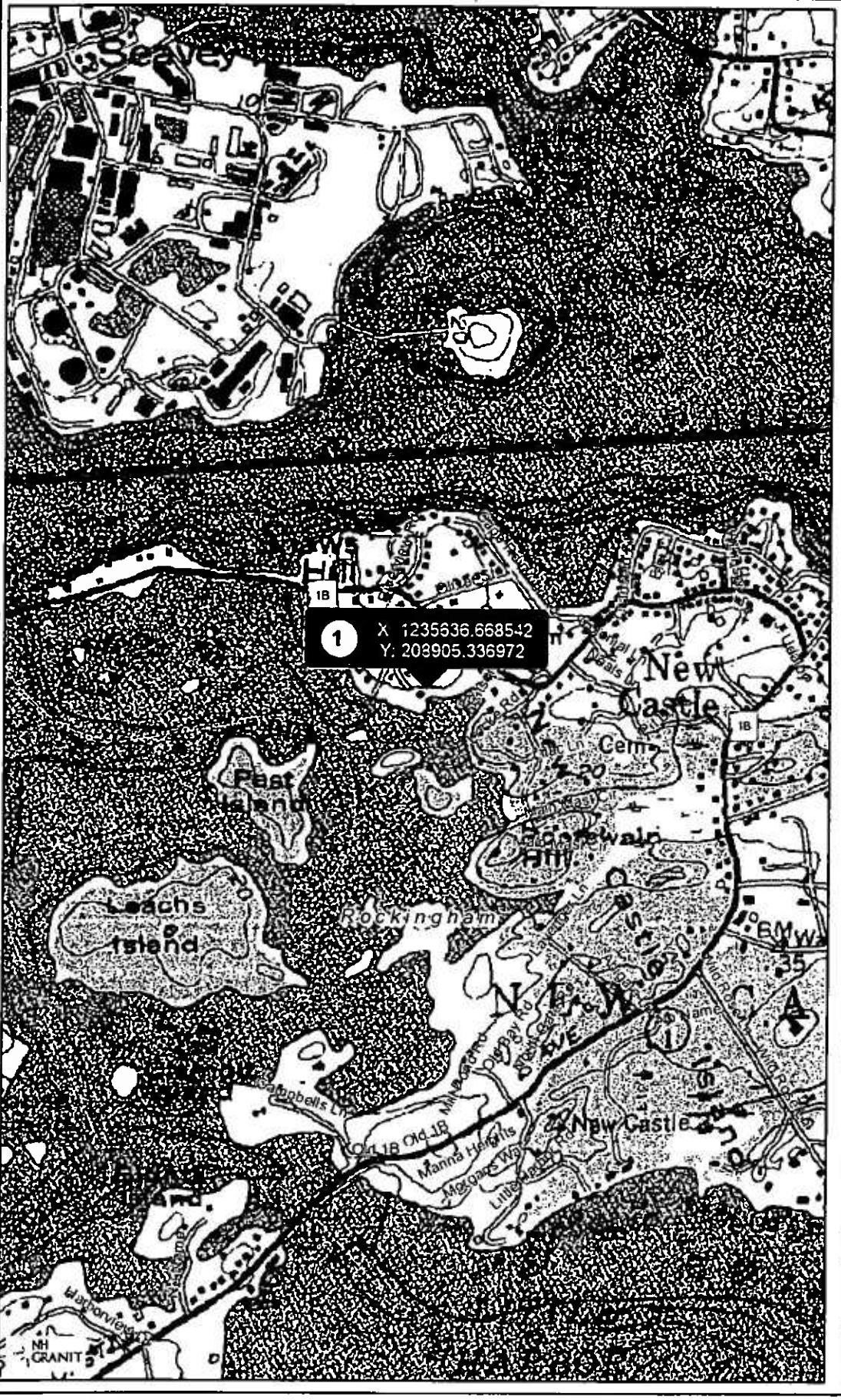
☐ Minimum Impact Fee: Flat fee of $ 200

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

Permanent and Temporary (non-docking)		sq. ft.	X $0.20 =	$	
Temporary (seasonal) docking structure:	295	**290** sq. ft.	X $1.00 =	**$ 290.00**	$295.00
Permanent docking structure:	280	**136** sq. ft.	X $2.00 =	**$ 272.00**	$560.00
Projects proposing shoreline structures (including docks) add $200 =				**$ 200.00**	
			Total =	**$ 762.00**	$855.00
The Application Fee is the above calculated Total or $200, whichever is greater =				$ $93.00 Balance Due	

GRISTMILL
LANE
SITE
LONG ROCK

Map by NH GRANIT



Legend

- State
- County
- City/Town

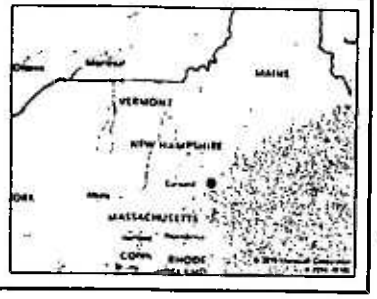
Map Scale

1: 12,988

© NH GRANIT, www.granit.unh.edu

Map Generated: 4/16/2019

Notes



The State of New Hampshire

Department of Environmental Services

Robert R. Scott, Commissioner

This application contains confidential information from the NH Natural Heritage Bureau (NHB) Datacheck tool provided by the NH Department of Natural and Cultural Resources, NHB. This information is being withheld from disclosure to the public.

Please direct all questions regarding the confidential information to Pamela G. Monroe, Legal Unit Administrator, NH Department of Environmental Services, at: pamela.g.monroe@des.nh.gov, or (603) 271-3137.

ABUTTER'S LIST

***Updated November 14, 2022 per New Castle Assessors Records**

JN 2552.65

Client: Robert & Cynthia Durkee

Project Address: 51A Laurel Lane, New Castle, NH

MAP	LOT	NAME(S)	PO BOX	STREET ADDRESS	CITY/STATE/ZIP
11	25	Paul J. & Donna Urbanek			
11	27	Baker Family Trust of 2016			
11	4	Ronald J. Pascale Rev Trust			
		Kathleen Rockwood Rev. Trust			
11	5	Marc I. Jacobs Revocable Trust			
		Marc I. Jacobs Trustee			
11	6	Benjamin M. Lannon Rev. Trust			
		Jane K. Lannon Rev. Trust			
11	7	Watters Family Rev. Trust			
		Ian & Linda Watters Trustee			
11	11	Kennedy Family Trust of 2017			
		Brooks & Mary Kennedy Trustees			
11	12	Nancy L. Hall Rev. Trust			
		Nancy L. Hall Trustee			
11	18	William F. McCarron			
11	24	Scott D. Pettis & Janet L. Sylvester			
11	23	Joanne L. Arsenault Irrev. Trust			
		Ernest & Joseph Arsenault Trustees			

SEQUENCE OF CONSTRUCTION

1) MOBILIZATION OF A CRANE BARGE, PUSH BOAT, WORK SKIFF, MATERIALS AND PREFABRICATED COMPONENTS SUCH AS THE GANGWAY AND FLOAT TO THE SITE VIA APPROVED ACCESS.
2) MOBILZATION OF EQUIPMENT TRUCKS TO THE SITE.
3) THE BARGE WILL BE POSITIONED ALONGSIDE THE PROPOSED LOCATION OF THE NEW DOCK AND WATERWARD OF ANY EMERGENT VEGETATION TO MINIMIZE IMPACTS
4) INSTALLATION OF THE SUB STRUCTURE WILL BE PERFORMED FROM A CRANE BARGE OR SKIFF TO REDUCE THE AMOUNT OF FOOT TRAFFIC IN THE INTERTIDAL AREA.
5) ALL WORK WILL BE PERFORMED AT LOW TIDE TO MINIMIZE SEDIMENTATION.
6) PILINGS WILL BE MECHANICALLY DRIVEN BY A CRANE ELIMINATING ANY EXCAVATION FOR INSTALLATION OF THE PILINGS. PILING ARE DRIVEN TO REFUSAL.
7) PILINGS ARE CUT AND BEAM CAPS ARE INSTALLED AND THE SUPER STRUCTURE OF THE PIER IS BUILT. MATERIALS ARE LIFTED FROM THE BARGE AND SET INTO POSITION BY THE CRANE.
8) ONCE THE PIER IS COMPLETE, THE GANGWAY AND FLOAT ARE BROUGHT INTO POSITION AND INSTALLED.

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 AND NHDES AUTHORIZES AS SECONDARY IMPACTS. IF NOT SPECIFICALLY AUTHORIZED BY USACOE AND AND NHDES, ANY UNAUTHORIZED FILL OR SECONDARY IMPACT TO WETLANDS MAY BE CONSIDERED AS A VIOLATION OF THE CWA.

- UNLESS SPECIFICALLY AUTHORIZED USACOE AND AND NHDES, NO WORK SHALL DRAIN A WATER OF THE U.S. BY PROVIDING A CONDUIT FOR WATER ON OR BELOW THE SURFACE.

HEAVY EQUIPMENT IN FRESH WATER 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 WETLAND SOIL AND VEGETATION. SWAMP MATS ARE TO BE PLACED IN THE WETLAND FROM THE UPLAND OR FROM EQUIPMENT POSITIONED ON SWAMP MATS IF 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.

TIME OF YEAR WORK WINDOW AND NOISE RESTRICTIONS

I. PILES INSTALLED IN-THE-DRY DURING LOW WATER OR IN-WATER BETWEEN NOV. 15TH – MARCH 15TH, OR
II. MUST BE DRILLED AND PINNED TO LEDGE, OR
III. VIBRATORY HAMMERS USED TO INSTALL ANY SIZE AND QUANTITY OF WOOD, CONCRETE OR STEEL PILES, OR
IV. IMPACT HAMMERS LIMITED TO ONE HAMMER AND <30 PILES INSTALLED/DAY WITH THE FOLLOWING: WOOD PILES OF ANY SIZE, CONCRETE PILES ≤18-INCHES DIAMETER, STEEL PILES 12-INCHES DIAMETER IF THE HAMMER IS ≤3000 LBS. AND A WOOD CUSHION IS USED BETWEEN THE HAMMER AND STEEL PILE.

FOR II-IV ABOVE:

I. IN-WATER NOISE LEVELS SHALL NOT >187dB SEL RE 1μPa OR 206dB PEAK RE 1μPa AT A 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.

WORK SITE RESTORATION

- UPON COMPLETION OF CONSTRUCTION, ALL DISTURBED WETLAND AREAS SHALL BE PROPERLY STABILIZED. ANY SEED MIX SHALL CONTAIN ONLY PLANT SPECIES NATIVE TO NEW ENGLAND.
- THE INTRODUCTION OR SPREAD OF INVASIVE PLANT SPECIES IN DISTURBED AREAS IS PROHIBITED.
- 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 TO ALLOW STUMP SPROUTS TO REVEGETATE THE WORK AREA, UNLESS OTHERWISE AUTHORIZED.
- WETLAND 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 AUTHORIZED.

SEDIMENTATION AND EROSION CONTROL

ADEQUATE SEDIMENTATION AND EROSION CONTROL MANAGEMENT MEASURES, PRACTICES AND DEVICES, SUCH AS PHASED 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 OF FILTERING FINE SEDIMENT. THE DISTURBED AREAS SHALL BE STABILIZED AND THESE DEVICES SHALL BE REMOVED UPON COMPLETION OF 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.

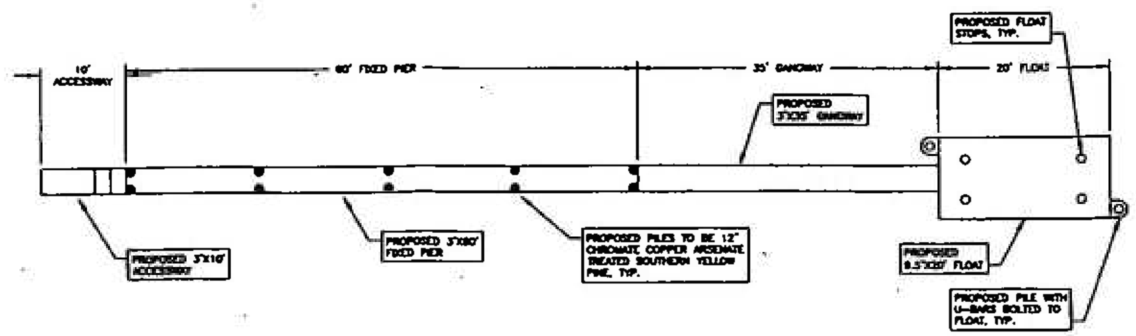
COASTAL STRUCTURES SUCH AS PIER SECTIONS, FLOATS, ETC., THAT ARE REMOVED FROM THE WATERWAY FOR A PORTION OF THE YEAR (OFTEN REFERRED TO AS SEASONAL STRUCTURES) SHALL BE STORED IN AN UPLAND LOCATION, LOCATED ABOVE HIGHEST OBSERVABLE TIDE LINE (HOTL) AND NOT IN TIDAL WETLANDS. THESE SEASONAL STRUCTURES 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 MHW.

ENVIRONMENTAL FUNCTIONS AND VALUES

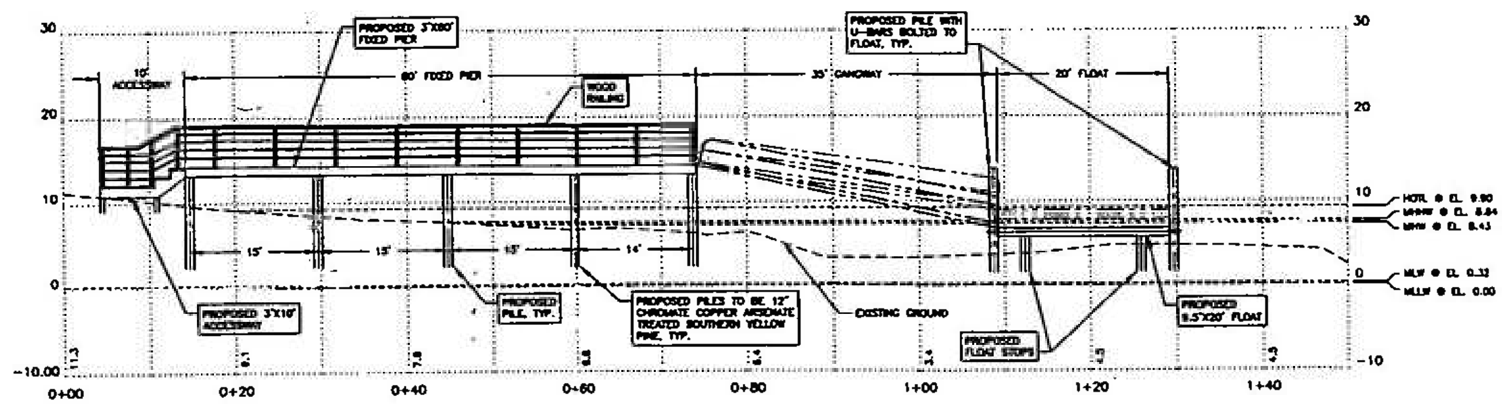
THE PERMITTEE SHALL MAKE EVERY REASONABLE EFFORT TO 1) CARRY OUT THE CONSTRUCTION OR OPERATION OF THE WORK AUTHORIZED BY USACOE AND NHDES HEREIN IN A MANNER THAT MINIMIZES ADVERSE IMPACTS ON FISH, WILDLIFE AND NATURAL ENVIRONMENTAL VALUES, AND 2) PROHIBIT THE ESTABLISHMENT OR SPREAD OF PLANT SPECIES 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.

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.



PROPOSED DOCK PLAN



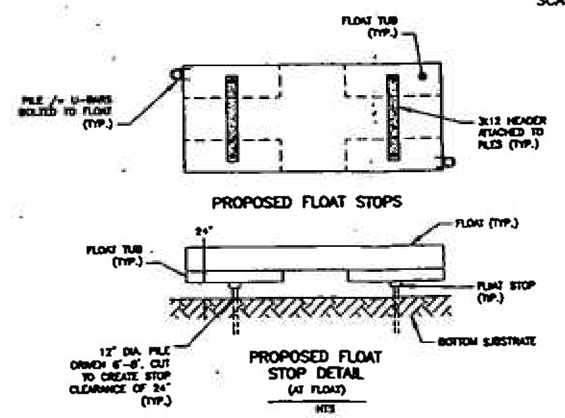
PROPOSED DOCK ELEVATION

PROPOSED PIER, GANGWAY & FLOAT w/ PILES

GRAPHIC SCALE

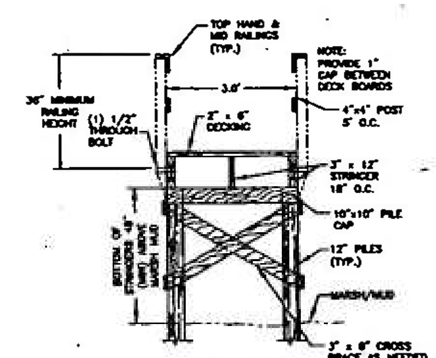
10 5 0 10 20 30 40 FEET
3 0 5 10 METERS

SCALE: 1" = 10'



FLOAT STOP DETAIL

NTS



NOTE: RAILING SHALL COMPLY WITH THE 2009 IBC SECTION R312.3 OPENING LIMITATIONS.

SECTION A-A (THROUGH PIER)

NTS

PROPOSED PIER DETAIL

NTS

RECEIVED OCT 25 2022 NHDES LAND RESOURCES MANAGEMENT

AMBIT ENGINEERING, INC.
Civil Engineers & Land Surveyors
200 Griffin Road - Unit 3
Portsmouth, N.H. 03801-7114
Tel (603) 430-9282
Fax (603) 436-2315

RIVERSIDE & PICKERING MARINE CONTRACTORS

NOTES:

1) THE CONTRACTOR SHALL NOTIFY DIG SAFE AT 1-888-DIG-SAFE (1-888-344-7233) AT LEAST 72 HOURS PRIOR TO COMMENCING ANY EXCAVATION ON PUBLIC OR PRIVATE PROPERTY.
2) UNDERGROUND UTILITY LOCATIONS ARE BASED UPON BEST AVAILABLE EVIDENCE AND ARE NOT FIELD VERIFIED. LOCATING AND PROTECTING ANY ABOVEGROUND OR UNDERGROUND UTILITIES IS THE SOLE RESPONSIBILITY OF THE CONTRACTOR AND/OR THE OWNER. UTILITY CONFLICTS SHOULD BE REPORTED AT ONCE TO THE DESIGN ENGINEER.
3) CONTRACTOR SHALL INSTALL AND MAINTAIN EROSION CONTROL MEASURES IN ACCORDANCE WITH THE "NEW HAMPSHIRE STORMWATER MANUAL, VOLUME 3, EROSION AND SEDIMENT CONTROLS DURING CONSTRUCTION. (NHDES DECEMBER 2008).
4) NUMBER OF PILES TO BE DRIVEN FOR DOCKING STRUCTURE NOT TO EXCEED 16 AS DEPICTED ON PROPOSED DOCK ELEVATION. ALSO NOTE TIME OF YEAR AND NOISE RESTRICTIONS FOR DRIVING OF PILES.

DURKEE RESIDENCE
51 A LAUREL LANE
NEW CASTLE, N.H.

NO.	DESCRIPTION	DATE
3	REDUCE ACCESSWAY & PIER WIDTH TO 3 FEET	9/9/22
2	REVISE DOCK CONFIGURATION	7/5/22
1	SECTION A.A	4/19/19
0	ISSUED FOR COMMENT	01/10/19

REVISIONS

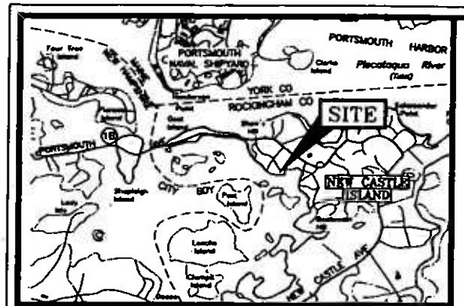
SCALE: AS SHOWN JANUARY 2019

DOCK DETAILS

D1

FB 247 PG 58

2552.65



LOCATION MAP SCALE: 1"=2000'

WETLAND IMPACT AREAS
IN S.P. FOR PROPOSED TIDAL DOCKING STRUCTURE

	PERMANENT IMPACT AREAS	DIMENSIONS
TIDAL WATERS WETLAND (E2US3N/E2EM1P)	475	(3'x60')(3'x35') (9.5'x20')
TIDAL BUFFER ZONE	30	(3'x10')
TOTAL	505	

PREVIOUS NHDES PERMIT APPROVALS:
DES WETLAND FILE: 2012-02891
DES SHORELAND FILE: 2012-03201

WETLAND NOTES:

1) HIGHEST OBSERVABLE TIDE LINE DELINEATED ON 8/20/18 BY STEVEN D. RIKER, CWS IN ACCORDANCE WITH THE FOLLOWING STANDARDS:
   A) U.S. ARMY CORPS OF ENGINEERS WETLANDS DELINEATION MANUAL. TECHNICAL REPORT Y-87-1 (JAN. 1987). AND REGIONAL SUPPLEMENT TO THE CORPS OF ENGINEERS WETLAND DELINEATION MANUAL: NORTHCENTRAL AND NORTHEAST REGION, VERSION 2.0, JANUARY 2012.
   B) FIELD INDICATORS OF HYDRIC SOILS IN THE UNITED STATES, VERSION 8.1, USDA-NRCS, 2017 AND (FOR DISTURBED SITES) FIELD INDICATORS FOR IDENTIFYING HYDRIC SOILS IN NEW ENGLAND, VERSION 4. NEWPCC WETLANDS WORK GROUP (2017).
   C) NATIONAL LIST OF PLANT SPECIES THAT OCCUR IN WETLANDS: NORTHEAST (REGION 1). USFWS (MAY 1988).
   D) CLASSIFICATION OF WETLANDS AND DEEPWATER HABITATS OF THE UNITED STATES. USFW MANUAL FWS/OBS-79/31 (1997).
   E) "IDENTIFICATION AND DOCUMENTATION OF VERNAL POOLS IN NEW HAMPSHIRE" (1997). NEW HAMPSHIRE FISH AND GAME DEPARTMENT.

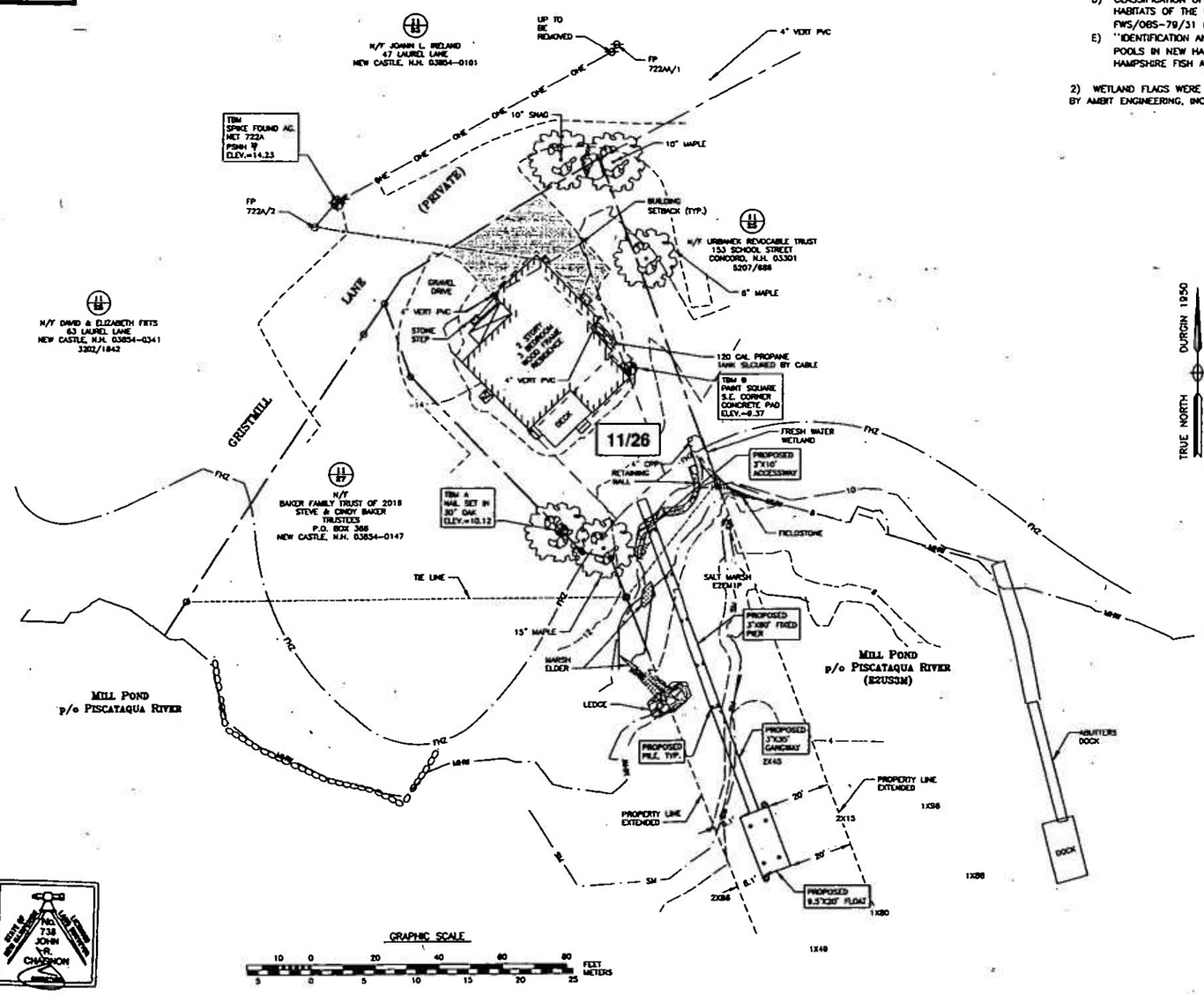
2) WETLAND FLAGS WERE FIELD LOCATED ON 10/14/2018 BY AMBIT ENGINEERING, INC.

AMBIT ENGINEERING, INC.
Civil Engineers & Land Surveyors
200 Griffin Road - Unit 3
Portsmouth, N.H. 03801-7114
Tel (603) 436-5225
Fax (603) 436-2318

RIVERSIDE MARINE & ENGINEERING CONTRACTORS

LEGEND:

N/F	NOW OR FORMERLY
RP	RECORD OF PROBATE
RCRD	ROCKINGHAM COUNTY REGISTRY OF DEEDS
11/21	MAP 11/LOT 21
RR SPK FND	RAILROAD SPIKE FOUND
IR FND	IRON ROD FOUND
IP FND	IRON PIPE FOUND
DH FND	DRILL HOLE FOUND
S	SEWER LINE
W	WATER LINE
OHW	OVERHEAD ELECTRIC/WIRES
100	CONTOUR
97x3	SPOT ELEVATION
EP	EDGE OF PAVEMENT (EP)
	WOODS / TREE LINE
	UTILITY POLE
WSO	WATER SHUT OFF/CURB STOP
G E W	METER (GAS, WATER, ELECTRIC)
EL.	ELEVATION
EP	EDGE OF PAVEMENT
FF	FINISHED FLOOR
INV	INVERT
TBM	TEMPORARY BENCH MARK
TYP	TYPICAL
℄	CENTERLINE
MHW	MEAN HIGH WATER
	EDGE OF GRAVEL



GRAPHIC SCALE
10 0 20 40 60 80 FEET
5 0 5 10 15 20 25 METERS

"I CERTIFY THAT THIS PLAN WAS PREPARED UNDER MY DIRECT SUPERVISION, THAT IT IS THE RESULT OF A FIELD SURVEY BY THIS OFFICE AND HAS AN ACCURACY OF THE CLOSED TRAVERSE THAT EXCEEDS THE PRECISION OF 1:15,000."

9.9.22
JOHN R. CHAGNON, LLS — DATE

STATE OF NEW HAMPSHIRE LICENSED LAND SURVEYOR No. 738 JOHN R. CHAGNON

RECEIVED OCT 25 2022 NHDES LAND RESOURCES MANAGEMENT

NOTES:

1) PROJECT LOCATION:
   31 A LAUREL LANE
   NEW CASTLE, N.H. 03854

   PARCEL I.D.:
   TAX MAP 11 / LOT 26
   OWNERS OF RECORD:
   ROBERT & CYNTHIA DURKEE
   P.O. BOX 502
   NEW CASTLE, NH 03854-0502
   ZONING DISTRICT:
   R-1 RESIDENTIAL DISTRICT

2) THE PURPOSE OF THIS PLAN IS TO SHOW THE EXISTING CONDITIONS ON A PORTION OF TAX MAP 11 LOT 26 IN THE TOWN OF NEW CASTLE AND SHOW A PROPOSED DOCK ON THE SITE.

3) THE CONTRACTOR SHALL NOTIFY DIG SAFE AT 1-888-DIG-SAFE (1-888-344-7233) AT LEAST 72 HOURS PRIOR TO COMMENCING ANY EXCAVATION ON PUBLIC OR PRIVATE PROPERTY.

4) UNDERGROUND UTILITY LOCATIONS ARE BASED UPON BEST AVAILABLE EVIDENCE AND ARE NOT FIELD VERIFIED. LOCATING AND PROTECTING ANY ABOVEGROUND OR UNDERGROUND UTILITIES IS THE SOLE RESPONSIBILITY OF THE CONTRACTOR AND/OR THE OWNER. UTILITY CONFLICTS SHOULD BE REPORTED AT ONCE TO THE DESIGN ENGINEER.

5) CONTRACTOR SHALL INSTALL AND MAINTAIN EROSION CONTROL MEASURES IN ACCORDANCE WITH THE "NEW HAMPSHIRE STORMWATER MANUAL, VOLUME 3, EROSION AND SEDIMENT CONTROLS DURING CONSTRUCTION. (NHDES DECEMBER 2008).

6) THE LIMIT OF WORK IS TO BE CLEARLY UNDERSTOOD WITHIN THE JURISDICTIONAL AREAS PRIOR TO THE COMMENCEMENT OF CONSTRUCTION.

7) PARCEL IS PARTIALLY IN FLOOD HAZARD ZONE AE (EL. 9) AS SHOWN ON FIRM PANEL 33015C0278E, EFFECTIVE MAY 17, 2005.

8) VERTICAL DATUM IS MEAN LOWER LOW WATER (MLLW). BASIS OF VERTICAL DATUM IS RM4 ON HISTORIC FIRM PANEL 3301390017B. REDUCTION FROM MEAN SEA LEVEL NGVD29 IS BASED ON NOAA STATION 8419870 SEAVEY ISLAND, PORTSMOUTH HARBOR, MLLW BEING 3.84' LOWER THAN 0.00 NGVD29.

DURKEE RESIDENCE
51 A LAUREL LANE
NEW CASTLE, N.H.

NO.	DESCRIPTION	DATE
2	MARSH ELDER, ACCESSWAY & PIER	9/9/22
1	REVISE BOUNDARY AND PROPERTY LINES EXTENDED, DOCK LENGTH	7/5/22.
0	ISSUED FOR COMMENT	4/8/19

REVISIONS

STATE OF NEW HAMPSHIRE JOHN R. CHAGNON No. 7931 LICENSED PROFESSIONAL ENGINEER

STATE OF NEW HAMPSHIRE STEVEN D. RIKER No. 219 CERTIFIED WETLAND SCIENTIST

SCALE: 1'=20' JANUARY 2019

NHDES DOCK PERMIT PLAN

C2

FB 247 PG 58

2552.65