



The State of New Hampshire
Department of Environmental Services

Robert R. Scott, Commissioner

June 27, 2023



57

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

REQUESTED ACTION

Approve Michael J. Cleary Revocable Trust's request to perform the following work on Little Bay in Durham pursuant to NH Department of Environmental Services (NHDES) Wetlands Bureau permit #2022-01789, and in accordance with RSA 482-A:3. Comments submitted by the Durham Conservation Commission, stating no concerns with the project as proposed, are included in the enclosed documents.

Impact 578 square feet (SF) of tidal wetland to construct an extension to an existing tidal docking structure consisting of a 4 foot by 35 foot fixed pier connected to a 3 foot by 46 foot ramp connected to a 10 foot by 30 foot float secured with helical chain moorings. The overall length of this docking structure, seaward of the highest observable tide line, is 233 feet, on 135 feet of frontage along Little Bay in Durham.

NHDES imposed the following conditions as part of this approval:

1. All work shall be done in accordance with the approved plans dated May 2022, and revised through November 21, 2022, by Ambit Engineering, Inc., and received by the NH Department of Environmental Services (NHDES) on November 29, 2022, in accordance with Env-Wt 307.16.
2. This permit shall not be effective until the permittee records this permit at the Strafford County Registry of Deeds as required by RSA 482-A:3, VI. Any limitations or conditions in the permit so recorded shall run with the land beyond the expiration of the permit. The permittee shall provide the NHDES with a copy of the permit stamped by the registry with the book and page and date of receipt, in accordance with New Hampshire Administrative Rule Env-Wt 314.02(b) and (c).
3. Pile installation shall occur between November 15 and March 15, to protect anadromous fish as required by Env-Wt 307.06.
4. The ramp and float portions of residential tidal docks shall be seasonal and removed from the water during the non-boating season, in accordance with Env-Wt 606.06(b).
5. Tidal docking installation shall be done by barge or upland to prevent the driving of construction equipment in or through tidal waters/wetlands or on the bottom of the inter-tidal zone, in accordance with Env-Wt 606.05(b).
6. Tidal docking construction shall be done in accordance with the standard conditions in Env-Wt 307.
7. Heavy equipment shall not be operated in any jurisdictional area unless specifically authorized by this permit, in accordance with Env-Wt 307.15(a).

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29 Hazen Drive • PO Box 95 • Concord, NH 03302-0095
NHDES Main Line: (603) 271-3503 • Subsurface Fax: (603) 271-6683 • Wetlands Fax: (603) 271-6588
TDD Access: Relay NH 1 (800) 735-2964

8. In accordance with Env-Wt 307.03(h), equipment shall be staged and refueled outside of jurisdictional areas and in accordance with Env-Wt 307.15.
9. In accordance with Env-Wt 307.03(g)(1), the person in charge of construction equipment shall inspect such equipment for leaking fuel, oil, and hydraulic fluid each day prior to entering surface waters or wetlands or operating in an area where such fluids could reach groundwater, surface waters, or wetlands.
10. In accordance with Env-Wt 307.03(g)(2), the person in charge of construction equipment shall repair any leaks prior to using the equipment in an area where such fluids could reach groundwater, surface waters, or wetlands.
11. In accordance with Env-Wt 307.03(g)(3) and (4), the person in charge of construction equipment shall maintain oil spill kits and diesel fuel spill kits, as applicable to the type(s) and amount(s) of oil and diesel fuel used, on site so as to be readily accessible at all times during construction; and train each equipment operator in the use of the spill kits.

EXPLANATION

NHDES approved this project on May 17, 2023. NHDES supported its decision with the following findings:

1. This project is classified as a major project per Rule Env-Wt 606.17(a)(1), for all new overwater structure construction in tidal waters/wetlands.
2. On July 28, 2022, the Department received correspondence from the NH Fish and Game Department (NHF&G) dated June 6, 2022, stating that "[w]ith work occurring during the normal [November 15- March 15 federal] dredge window we do not anticipate any impact to the [protected anadromous fish species]."
3. On July 28, 2022, the Department received correspondence from the Natural Heritage Bureau (NHB) dated July 18, 2022, stating that "NHB has no further comments following our review of the materials provided."
4. NHDES finds that the project as approved and conditioned will not have an unreasonable adverse impact on the value of such areas as sources of nutrients for finfish, crustacea, shellfish and wildlife of significant value, nor will it damage or destroy habitats and reproduction areas for plants, fish and wildlife of importance.
5. On July 27, 2022, the Department received correspondence from the Durham Conservation Commission stating, "The Durham Conservation Commission has no concerns with the application. "
6. On July 8 2022, the applicant obtained a statement from the Pease Development Authority, Division of Ports and Harbors regarding the projects impact on navigation and passage stating, "[w]e examined the proposed site and found that the structure will have no negative effect on navigation in the channel," per Rule Env-Wt 603.09.
7. On January 4, 2023, the Department received notarized written consent, signed by the property owner and the affected abutting property owner authorizing the boat docking facility to be located closer than 20 feet from an abutter's property line tidal waters as required in accordance with RSA 482-A:3, XIII,(c).
8. Per Rule Env-Wt 313.01(a)(5), and as required by RSA 482-A:11, II, this permit for work to dredge or fill will not 'infringe on the property rights or unreasonably affect the value or enjoyment of property of abutting owners'.
9. NHDES finds that the requirements for a public hearing, as established in RSA 482-A, do not apply as the project will not have a significant environmental impact, as defined in New Hampshire Administrative Rule Env-Wt 104.19, on the resources protected by RSA 482-A, and, is not of substantial public interest, as defined in New Hampshire Administrative Rule Env-Wt 104.32.

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Page 3 of 3

10. The Department finds that the project as proposed and conditioned meets the requirements of RSA 482-A and the Wetlands Program Code of Administrative Rules Chapters Env-Wt 100-1000. No waivers of RSA 482-A or the Wetlands Program Code of Administrative Rules Chapters Env-Wt 100-1000 were requested or approved under this permit action.

NHDES Wetlands Bureau permit #2022-01789 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.

A handwritten signature in black ink, appearing to read "Robert R. Scott", is written over a horizontal line.

Robert R. Scott
Commissioner



**STANDARD DREDGE AND FILL
WETLANDS PERMIT APPLICATION**
Water Division/Land Resources Management
Wetlands Bureau



Check the Status of your Application

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

APPLICANT'S NAME: Michael J. Cleary Revocable Trust TOWN NAME: Durham

	COMPLETE Administrative JUN 22 2022 Only	Administrative Use Only	File No: <u>2022-01789</u>
			Check No: <u>4342</u>
			Amount: <u>\$1,826.00</u>
			Initials: <u>RS</u>

A person may request a waiver of the requirements in Rules Env-Wt 100-900 to accommodate situations where strict adherence to the requirements would not be in the best interest of the public or the environment but is still in compliance with RSA 482-A. A person may also request a waiver of the standards for existing dwellings over water pursuant to RSA 482-A:26, III(b). For more information, please consult the Waiver Request Form.

SECTION 1 - REQUIRED PLANNING FOR ALL PROJECTS (Env-Wt 306.05; RSA 482-A:3, I(d)(2))
 Please use the Wetland Permit Planning Tool (WPP.T), the Natural Heritage Bureau (NHB) DataCheck Tool, the Aquatic Restoration Mapper, or other sources to assist in identifying key features such as priority resource areas (PRAs), protected species or habitats, coastal areas, designated rivers, or designated prime wetlands.

Has the required planning been completed?	<input checked="" type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Does the property contain a PRA? If yes, provide the following information:	<input checked="" type="checkbox"/> Yes <input checked="" type="checkbox"/> No
<ul style="list-style-type: none"> Does the project qualify for an Impact Classification Adjustment (e.g. NH Fish and Game Department (NHF&G) and NHB agreement for a classification downgrade) or a Project-Type Exception (e.g. Maintenance or Statutory Permit-by-Notification (SPN) project)? See Env-Wt 407.02 and Env-Wt 407.04. 	<input checked="" type="checkbox"/> Yes <input checked="" type="checkbox"/> No
<ul style="list-style-type: none"> Protected species or habitat? <ul style="list-style-type: none"> If yes, species or habitat name(s): <u>sparsely vegetated intertidal system, subtidal system, Atlantic sturgeon (Acipenser oxirinchus), shortnose sturgeon (Acipenser brevirostrum)</u> NHB Project ID #: <u>22-1975</u> 	<input checked="" type="checkbox"/> Yes <input checked="" type="checkbox"/> No
• Bog?	<input checked="" type="checkbox"/> Yes <input checked="" type="checkbox"/> No
• Floodplain wetland contiguous to a tier 3 or higher watercourse?	<input checked="" type="checkbox"/> Yes <input checked="" type="checkbox"/> No
• Designated prime wetland or duly-established 100-foot buffer?	<input checked="" type="checkbox"/> Yes <input checked="" type="checkbox"/> No
• Sand dune, tidal wetland, tidal water, or undeveloped tidal buffer zone?	<input checked="" type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Is the property within a Designated River corridor? If yes, provide the following information:	<input checked="" type="checkbox"/> Yes <input checked="" type="checkbox"/> No
<ul style="list-style-type: none"> Name of Local River Management Advisory Committee (LAC): 	

irm@des.nh.gov or (603) 271-2147

NHDES Wetlands Bureau, 29 Hazen Drive, PO Box 95, Concord, NH 03302-0095

www.des.nh.gov

<ul style="list-style-type: none"> A copy of the application was sent to the LAC on Month: <input type="checkbox"/> Day: <input type="checkbox"/> Year: <u>N/A</u> 	
For dredging projects, is the subject property contaminated? <ul style="list-style-type: none"> If yes, list contaminant: <input type="checkbox"/> 	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Is there potential to impact impaired waters, class A waters, or outstanding resource waters?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

For stream crossing projects, provide watershed size (see WPPT or Stream Stats):
N/A

SECTION 2 - PROJECT DESCRIPTION (Env-Wt 311.04(ii))
 Provide a brief description of the project and the purpose of the project, outlining the scope of work to be performed and whether impacts are temporary or permanent. DO NOT reply "See attached" please use the space provided below.

The project proposes a tidal flogging structure extension consisting of a 4' x 35' fixed wood pier extension leading to a 3' x 16' gangway and a 10' x 30' float totaling 578 sq-ft of permanent impact to tidal wetland. Overall structure length will be 233 feet on 135' feet of frontage along Little Bay.

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

ADDRESS: <u>26 Cedar Point Road</u>
TOWN/CITY: <u>Durham</u>
TAX MAP/BLOCK/LOT/UNIT: <u>Map 12 Lot 1-15</u>
US GEOLOGICAL SURVEY (USGS) TOPO MAP WATERBODY NAME: <u>Little Bay</u> <input checked="" type="checkbox"/> N/A
(Optional) LATITUDE/LONGITUDE in decimal degrees (to five decimal places): <u>X: 1,200,750.1726° North</u>

Y: 230,245-5671 West		
SECTION 4 - APPLICANT (DESIRED PERMIT HOLDER) INFORMATION (Env-Wt 311.04(a))		
If the applicant is a trust or a company, then complete with the trust or company information.		
NAME: Michael J. Cleary Revocable Trust		
MAILING ADDRESS:		
TOWN/CITY:	STATE:	ZIP CODE:
EMAIL ADDRESS:		
FAX:	PHONE:	
ELECTRONIC COMMUNICATION: By initialing here: [initials], I hereby authorize NHDES to communicate all matters relative to this application electronically.		
SECTION 5 - AUTHORIZED AGENT INFORMATION (Env-Wt 311.04(c))		
<input checked="" type="checkbox"/> N/A		
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 ADDRESS: sdr@ambitengineering.com		
FAX:	PHONE: 603-430-9282	
ELECTRONIC COMMUNICATION: By initialing here: <i>SR</i> , I hereby authorize NHDES to communicate all matters relative to this application electronically.		
SECTION 6 - PROPERTY OWNER INFORMATION (IF DIFFERENT THAN APPLICANT) (Env-Wt 311.04(b))		
If the owner is a trust or a company, then complete with the trust or company information.		
<input checked="" type="checkbox"/> Same as applicant		
NAME:		
MAILING ADDRESS:		
TOWN/CITY:	STATE:	ZIP CODE:
EMAIL ADDRESS:		
FAX:	PHONE:	
ELECTRONIC COMMUNICATION: By initialing here: [initials], I hereby authorize NHDES to communicate all matters relative to this application electronically.		

SECTION 7 - RESOURCE SPECIFIC CRITERIA ESTABLISHED IN Env-Wt 400, Env-Wt 500, Env-Wt 600, Env-Wt 700, OR Env-Wt 900 HAVE BEEN MET (Env-Wt 313.01(a)(3))

Describe how the resource-specific criteria have been met for each chapter listed above (please attach information about stream crossings, coastal resources, prime wetlands, or non-tidal wetlands and surface waters):

Please see attached narrative.

SECTION 8 - AVOIDANCE AND MINIMIZATION

Impacts within wetland jurisdiction must be avoided to the maximum extent practicable (Env-Wt 313.03(a)). * Any project with unavoidable jurisdictional impacts must then be minimized as described in the Wetlands Best Management Practice Techniques For Avoidance and Minimization and the Wetlands Permitting: Avoidance, Minimization and Mitigation Fact Sheet. For minor or major projects, a functional assessment of all wetlands on the project site is required (Env-Wt 311.03(b)(10)). *

Please refer to the application checklist to ensure you have attached all documents related to avoidance and minimization, as well as functional assessment (where applicable). Use the Avoidance and Minimization Checklist, the Avoidance and Minimization Narrative, or your own avoidance and minimization narrative.

*See Env-Wt 311.03(b)(6) and Env-Wt 311.03(b)(10) for shoreline structure exemptions.

SECTION 9 - MITIGATION REQUIREMENT (Env-Wt 311:02)

If unavoidable jurisdictional impacts require mitigation, a mitigation pre-application meeting must occur at least 30 days but not more than 90 days prior to submitting this Standard Dredge and Fill Permit Application.

Mitigation Pre-Application Meeting Date: Month: Day: Year:

N/A - Mitigation is not required

SECTION 10 - THE PROJECT MEETS COMPENSATORY MITIGATION REQUIREMENTS (Env-Wt 313.01(a)(1)c)

Confirm that you have submitted a compensatory mitigation proposal that meets the requirements of Env-Wt 800 for all permanent unavoidable impacts that will remain after avoidance and minimization techniques have been exercised to the maximum extent practicable: I confirm submittal.

N/A - Compensatory mitigation is not required

SECTION 11 - IMPACT AREA (Env-Wt 311.04(g))

For each jurisdictional area that will be/has been impacted, provide square feet (SF) and, if applicable, linear feet (LF) of impact, and note whether the impact is after-the-fact (ATF; i.e., work was started or completed without a permit).

For intermittent and ephemeral streams, the linear footage of impact is measured along the thread of the channel. *Please note, installation of a stream crossing in an ephemeral stream may be undertaken without a permit per Rule Env-Wt 309.02(d), however other dredge or fill impacts should be included below.*

For perennial streams/ivers, the linear footage of impact is calculated by summing the lengths of disturbances to the channel and banks.

Permanent impacts are impacts that will remain after the project is complete (e.g., changes in grade or surface materials).

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

JURISDICTIONAL AREA		PERMANENT			TEMPORARY		
		SF	LF	ATF	SF	LF	ATF
Wetlands	Forested Wetland			<input checked="" type="checkbox"/>			<input checked="" type="checkbox"/>
	Scrub-shrub Wetland			<input checked="" type="checkbox"/>			<input checked="" type="checkbox"/>
	Emergent Wetland			<input checked="" type="checkbox"/>			<input checked="" type="checkbox"/>
	Wet Meadow			<input checked="" type="checkbox"/>			<input checked="" type="checkbox"/>
	Vernal Pool			<input checked="" type="checkbox"/>			<input checked="" type="checkbox"/>
	Designated Prime Wetland			<input checked="" type="checkbox"/>			<input checked="" type="checkbox"/>
	Duly-established 100-foot Prime Wetland Buffer			<input checked="" type="checkbox"/>			<input checked="" type="checkbox"/>
Surface Water	Intermittent / Ephemeral Stream			<input checked="" type="checkbox"/>			<input checked="" type="checkbox"/>
	Perennial Stream or River			<input checked="" type="checkbox"/>			<input checked="" type="checkbox"/>
	Lake / Pond			<input checked="" type="checkbox"/>			<input checked="" type="checkbox"/>
	Docking - Lake / Pond			<input checked="" type="checkbox"/>			<input checked="" type="checkbox"/>
	Docking - River			<input checked="" type="checkbox"/>			<input checked="" type="checkbox"/>
Banks	Bank - Intermittent Stream			<input checked="" type="checkbox"/>			<input checked="" type="checkbox"/>
	Bank - Perennial Stream / River			<input checked="" type="checkbox"/>			<input checked="" type="checkbox"/>
	Bank / Shoreline - Lake / Pond			<input checked="" type="checkbox"/>			<input checked="" type="checkbox"/>
Tidal	Tidal Waters			<input checked="" type="checkbox"/>			<input checked="" type="checkbox"/>
	Tidal Marsh			<input checked="" type="checkbox"/>			<input checked="" type="checkbox"/>
	Sand Dune			<input checked="" type="checkbox"/>			<input checked="" type="checkbox"/>
	Undeveloped Tidal Buffer Zone (TBZ)			<input checked="" type="checkbox"/>			<input checked="" type="checkbox"/>
	Previously-developed TBZ			<input checked="" type="checkbox"/>			<input checked="" type="checkbox"/>
	Docking - Tidal Water	578		<input checked="" type="checkbox"/>			<input checked="" type="checkbox"/>
TOTAL		578					

SECTION 12 - APPLICATION FEE (RSA 482-A:3, 1)

<input checked="" type="checkbox"/> MINIMUM IMPACT FEE: Flat fee of \$400.			
<input checked="" type="checkbox"/> NON-ENFORCEMENT RELATED, PUBLICLY-FUNDED AND SUPERVISED RESTORATION PROJECTS, REGARDLESS OF IMPACT CLASSIFICATION: Flat fee of \$400 (refer to RSA 482-A:3, 1(c) for restrictions).			
<input checked="" type="checkbox"/> MINOR OR MAJOR IMPACT FEE: Calculate using the table below:			
Permanent and temporary (non-docking):	SF	x \$0.40 = \$	[]
Seasonal docking structure:	438 SF	x \$2.00 = \$	876.00
Permanent docking structure:	140 SF	x \$4.00 = \$	560
Projects proposing shoreline structures (including docks) add \$400 = \$			400
		Total = \$	1836
The application fee for minor or major impact is the above calculated total or \$400, whichever is greater = \$ []			

SECTION 13 - PROJECT CLASSIFICATION (Env-Wt 306.05)
 Indicate the project classification.

<input type="checkbox"/> Minimum Impact Project	<input type="checkbox"/> Minor Project	<input checked="" type="checkbox"/> Major Project
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SECTION 14 - REQUIRED CERTIFICATIONS (Env-Wt 311.11)

Initial each box below to certify:

Initials: 	To the best of the signer's knowledge and belief, all required notifications have been provided.
---------------	--

Initials: 	The information submitted on or with the application is true, complete, and not misleading to the best of the signer's knowledge and belief.
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Initials: 	<p>The signer understands that:</p> <ul style="list-style-type: none"> The submission of false, incomplete, or misleading information constitutes grounds for NHDES to: <ol style="list-style-type: none"> Deny the application. Revoke any approval that is granted based on the information. If the signer is a certified wetland scientist, licensed surveyor, or professional engineer licensed to practice in New Hampshire, refer the matter to the joint board of licensure and certification established by RSA 310-A:1. The signer is subject to the penalties specified in New Hampshire law for falsification in official matters, currently RSA 641. The signature shall constitute authorization for the municipal conservation commission and the Department to inspect the site of the proposed project, except for minimum impact forestry SPN projects and minimum impact trail projects, where the signature shall authorize only the Department to inspect the site pursuant to RSA 482-A:6, II.
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Initials: 	If the applicant is not the owner of the property, each property owner signature shall constitute certification by the signer that he or she is aware of the application being filed and does not object to the filing.
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SECTION 15 - REQUIRED SIGNATURES (Env-Wt 311.04(d); Env-Wt 311.11)

SIGNATURE (OWNER): 	PRINT NAME LEGIBLY: 	DATE:
SIGNATURE (APPLICANT, IF DIFFERENT FROM OWNER): 	PRINT NAME LEGIBLY: 	DATE:
SIGNATURE (AGENT, IF APPLICABLE): <i>Steven Riker</i>	PRINT NAME LEGIBLY: Steven D. Riker	DATE: 6/16/2022

SECTION 16 - TOWN/CITY CLERK SIGNATURE (Env-Wt 311.04(f))

As required by RSA 482-A:3, I(a)(1), 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.

TOWN/CITY CLERK SIGNATURE: <i>Rachel M. Drane, Deputy</i>	PRINT NAME LEGIBLY: Rachel M. Drane, Deputy
TOWN/CITY: <i>Burnham</i>	DATE: <i>6/16/2022</i>

6 November, 2017

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 Michael Cleary Revocable Trust at 26 Cedar Point Road Durham, NH 03824

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

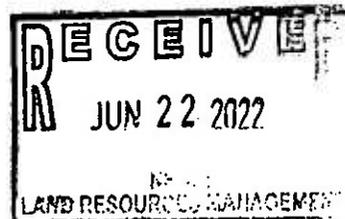
Riverside & Pickering Marine Contractors, Inc.
Ambit Engineering, Inc.

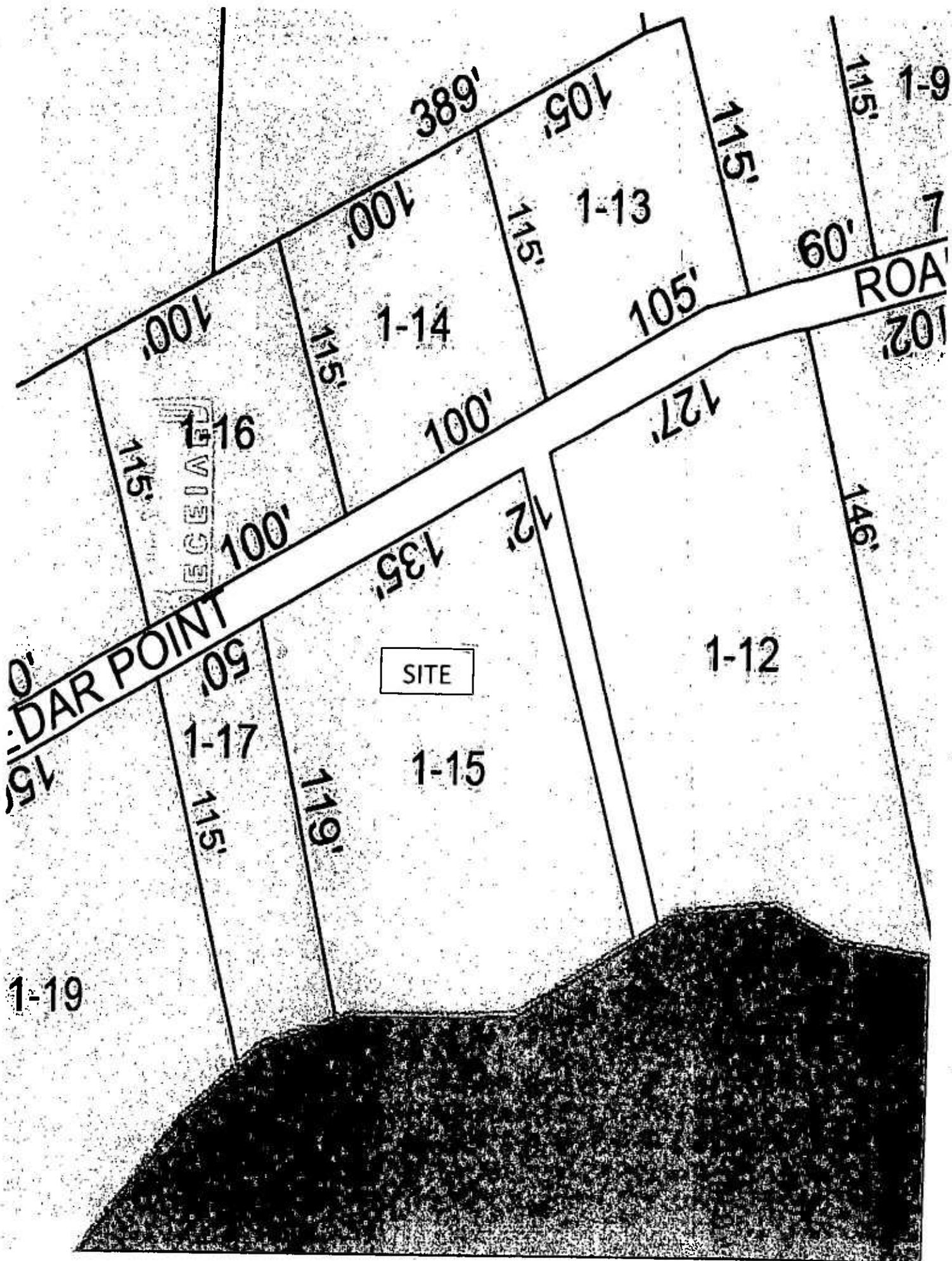
Are individually authorized to represent us as our agents in the approval process.
Please feel free to call me if there is any question regarding this authorization.

Sincerely,

Michael Cleary Trustee

Michael Cleary Revocable Trust
Michael Cleary, Trustee
26 Cedar Point Road
Durham, NH 03824





SITE

DAR POINT

ROAD

1-19

1-12

1-15

1-13

1-14

1-16

1-17

389'

105'

115'

115'

1-9

7

60'

100'

115'

100'

105'

102'

127'

146'

127'

135'

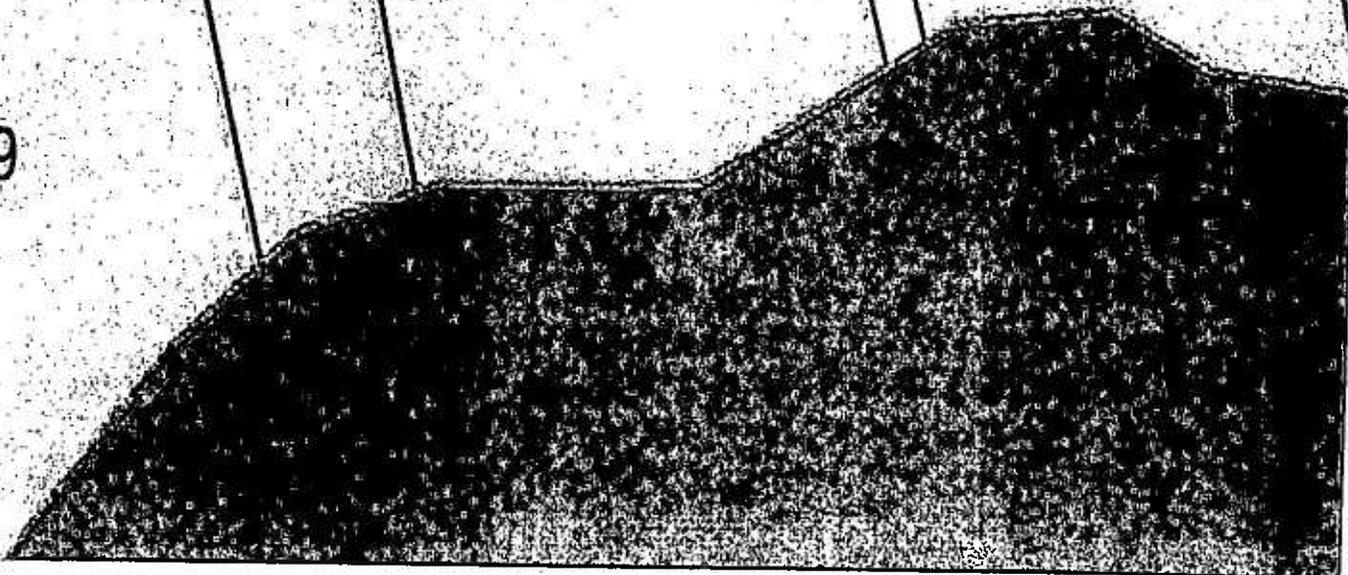
100'

115'

150'

50'

119'

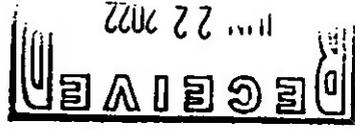


Map by NH GRANIT



Legend

- ▬ State
- - - County
- City/Town

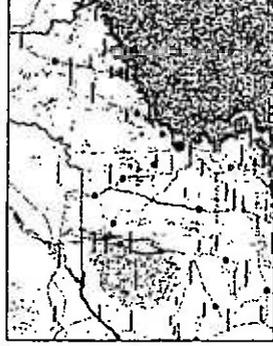


Map Scale
1: 25,977

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Map Generated: 1/16/2018



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.



Durham Conservation Commission
Town of Durham
8 Newmarket Road
Durham, NH 03824-2898
Phone (603) 868-8064
mbehrendt@ci.durham.nh.us
www.ci.durham.nh.us

Ms. Kristin Duclos
New Hampshire Department of Environmental Services – Wetlands Bureau
P.O. Box 95
Concord, NH 03302-0095

Re: Wetlands Application – 26 Cedar Point Road Dock Extension

Dear Ms. Duclos,

The Durham Conservation Commission reviewed the Standard Dredge and Fill Permit application for extension of a dock at 26 Cedar Point Road in Durham, NH at its meeting on July 25, 2022.

The Durham Conservation Commission has no concerns with the application. Please feel free to contact me if you have any questions.

Sincerely,

Michael Behrendt
Town Planner
Town of Durham

cc: Steve Riker, Ambit Engineering

ABUTTER'S LIST

JN 2552.31

Michael Cleary Revocable Trust

26 Cedar Point Road

Durham, NH

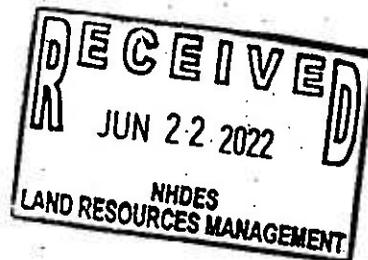
MAP	LOT	NAME(S)	PO BOX	STREET ADDRESS	CITY/STATE/ZIP
12	1-17	Edward Williams			
12	1-12	Douglas E. Clark			

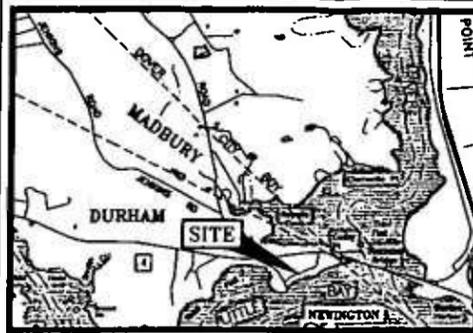
Engineer **Ambit Engineering, Inc.**
Applicant/Owner **Civil Engineers & Land Surveyors**

12 1-15 **Michael J. Cleary Revocable Trust**

200 Griffin Road, Unit 3 Portsmouth, NH 03801

26 Cedar Point Road Durham, NH 03824





LOCATION MAP SCALE 1"=2,000'

LEGEND:

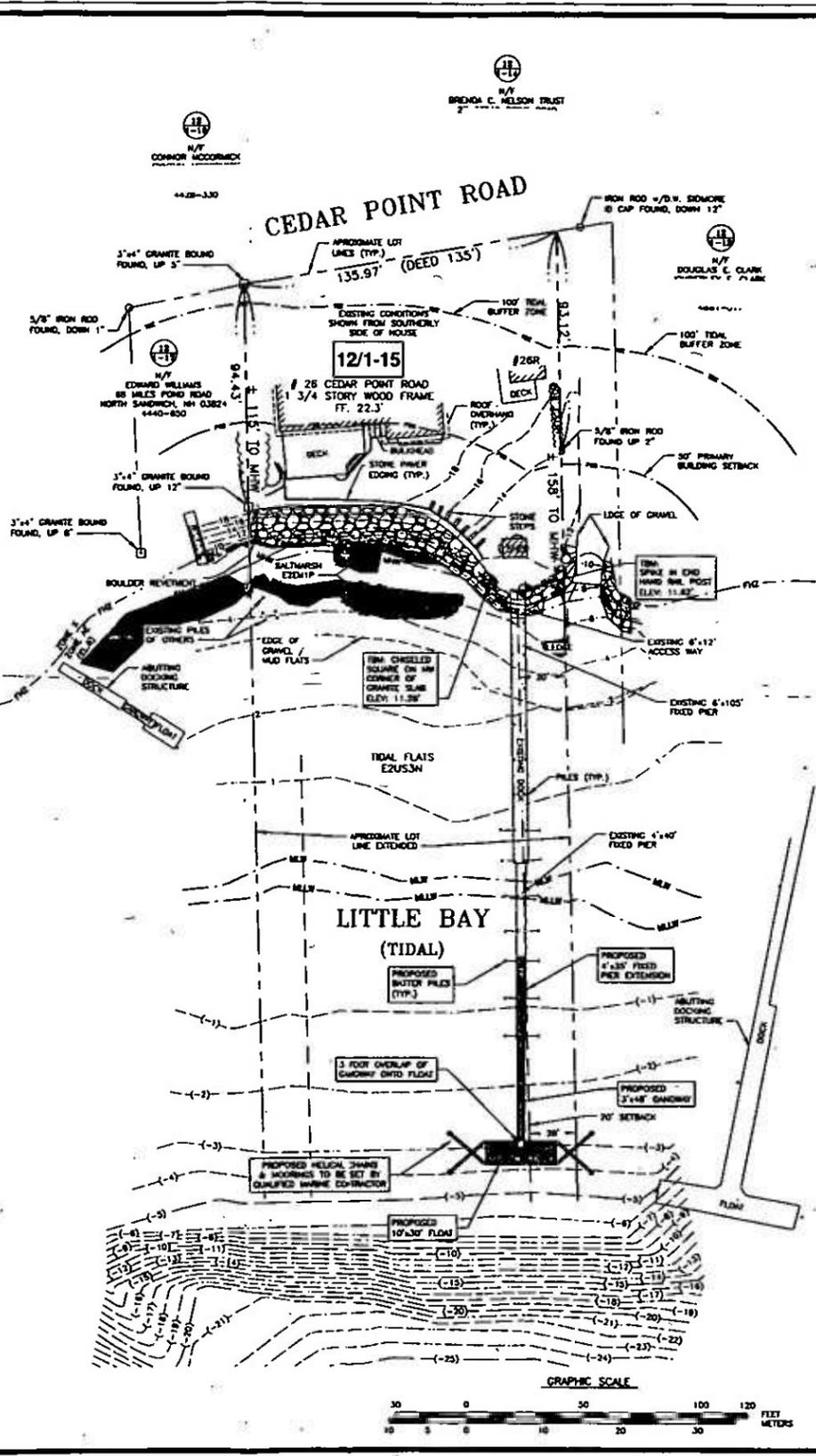
EXISTING	PROPOSED	HOW OR FORMERLY RECORD OF PRIVATE SURVEYING COUNTY REGISTRY OF DEEDS MAP 11 / LOT 21
N/F		
RP		
SCRD		
⊕		
○ RR SPK FND	○ RR SPK SET	ROUND SPICE FOUND/SET
○ IR FND	○ IR SET	IRON ROD FOUND/SET
○ IP FND	○ IP SET	IRON PIPE FOUND/SET
○ DH FND	○ DH SET	DRILL HOLE FOUND/SET
□ HSB FND		HOOT BOUND FOUND
□ TB FND		TOWN BOUND FOUND
□ BND +/-DH	□ BND +/-DH	BOUND +/- DRILL HOLE
		HIGHEST OBSERVABLE TIDE LINE
		MEAN HIGH WATER
		OVERHEAD ELECTRIC WIRES
		CONTOUR
		SPOT ELEVATION
		EDGE OF PAVEMENT (EP)
		WOODS / TREE LINE
		UTILITY POLE (+/-) (UT)
		EDGE OF WETLAND FLAGGING SWAMP / MARSH
		ELEVATION
		EP
		FF
		FINISHED FLOOR
		BM
		MARK
		TM
		TEMPORARY BENCHMARK
		TP
		TYPICAL
		LSA
		LANDSCAPED AREA

WETLAND NOTES:

- HIGHEST OBSERVABLE TIDE LINE DELINEATED BY STEVEN D. RIKER, CWS ON 11/29/2017 IN ACCORDANCE WITH THE FOLLOWING STANDARDS:
 - 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, NORTHEAST AND NORTHWEST REGION, VERSION 2.0, JANUARY 2012.
 - FIELD INDICATORS OF HYDRIC SOILS IN THE UNITED STATES, VERSION 6.1, USDA-NRCS, 2017 AND (FOR DISTURBED SITES) FIELD INDICATORS FOR IDENTIFYING HYDRIC SOILS IN NEW ENGLAND, VERSION 4, NEWPOC WETLANDS WORK GROUP (2017).
 - NATIONAL LIST OF PLANT SPECIES THAT OCCUR IN WETLANDS: NORTHEAST (REGION 1), USFWS (MAY 1988).
 - CLASSIFICATION OF WETLANDS AND DEEPWATER HABITATS OF THE UNITED STATES, USFW MARIAL FWS/OBS-79/31 (1997).
 - "IDENTIFICATION AND DOCUMENTATION OF VERNAL POOLS IN NEW HAMPSHIRE" (1997), NEW HAMPSHIRE FISH AND GAME DEPARTMENT.
- WETLAND FLAGS WERE FIELD LOCATED BY AMBIT ENGINEERING, INC.

"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."

John R. Chagnon
 JOHN R. CHAGNON, LLS #738 DATE



FEBRUARY 2007
 PLAN 90-38
 MAGNETIC PER SCRD

AMBIT ENGINEERING, INC.
 Civil Engineers & Land Surveyors
 880 Griggs Road - Unit 3
 Portsmouth, N.H. 03801-7114
 Tel: (603) 438-8222
 Fax: (603) 438-8210

RIVERSIDE & CLARK ENGINEERS
 MARINE CONTRACTORS

- NOTES:**
- PARCEL IS SHOWN ON THE TOWN OF DURHAM ASSESSOR'S MAP 12 AS LOT 1-13.
 - OWNERS OF RECORD: MICHAEL A. CLEARY REVOCABLE TRUST MICHAEL J. CLEARY TRUSTEE
 - A PORTION OF THE PARCEL IS IN A SPECIAL FLOOD HAZARD AREA ZONE AE (EL-8) AS SHOWN ON FIRM PANEL 33017003-00C EFFECTIVE DATE SEPTEMBER 30, 2015.
 - EXISTING LOT AREA: 0.31 ACRES (PER ASSESSOR)
 - PARCEL IS LOCATED IN RESIDENCE COASTAL (RC) ZONING DISTRICT AND IS SUBJECT TO THE SHORELAND PROTECTION OVERLAY DISTRICT.
 - DIMENSIONAL REQUIREMENTS:
 MIN. LOT AREA: 150,000 SF
 FRONTAGE: ROAD: 300 FEET
 SHORELAND: 200 FEET
 SETBACKS: FRONT: 30 FEET
 SIDE: 30 FEET
 REAR: 30 FEET
 MAXIMUM STRUCTURE HEIGHT: 30 FEET
 MAXIMUM IMPERVIOUS COVERAGE: 20%
 - THE PURPOSE OF THIS PLAN IS TO SHOW THE DOCKING STRUCTURE ON A PORTION OF SAH MAP 12 LOT 1-13 IN THE TOWN OF DURHAM.
 - VERTICAL DATUM: MEAN LOWER LOW WATER (MLLW), BASIS OF VERTICAL DATUM IS NAD 83 BENCHMARK 133-0410, REDUCTION FROM NAVD83 TO MLLW BASED ON NOAA STATION 8420411, DONALD COOCHOO BENCH. MLLW BEING 3.8' LOWER THAN 0 NAVD83. MLLW LINE AS SHOWN IS AT ELEV. 7.30 MLLW.
 - THE LIMIT OF WORK IS TO BE CLEARLY UNDERSTOOD WITHIN THE JURISDICTIONAL AREAS PRIOR TO THE COMMENCEMENT OF CONSTRUCTION.

RECEIVED
 NOV 29 2022
 ENVIRONMENTAL SERVICES
 BY NH DES WETLANDS BUREAU

CLEARY RESIDENCE
 26 CEDAR POINT ROAD
 DURHAM, N.H.

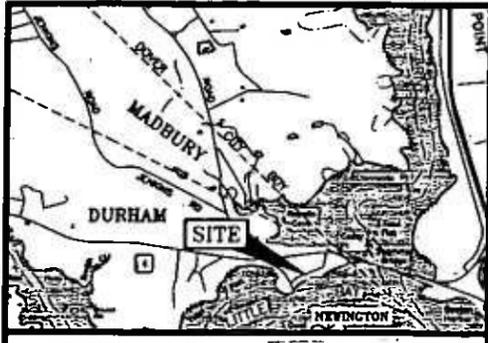
NO.	DESCRIPTION	DATE
1	ADD FEMA FHZ	11/21/22
0	ISSUED FOR COMMENT	5/13/22



SCALE 1" = 30' MAY 2022

NHDES DOCK PERMIT PLAN

C2



LOCATION MAP SCALE 1"=2,000'

LEGEND:

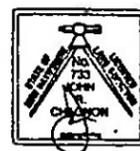
N/F	HOW OR FORMERLY
RP	RECORD OF PROBATE
SCRD	STRAFFORD COUNTY REGISTRY OF DEEDS
MAP 11 / LOT 21	
SPK FND	RAILROAD SPIKE FOUND/SET
IR FND	IRON ROD FOUND/SET
IP FND	IRON PIPE FOUND/SET
OH FND	DRILL HOLE FOUND/SET
MB FND	WOOD BOUND FOUND
TB FND	TOWN BOUND FOUND
MBD +/- OH	BOUND +/- DRILL HOLE
	HIGHEST OBSERVABLE TIDE LINE
	MEAN HIGH WATER
	OVERHEAD ELECTRIC WIRES
100	CONTOUR
87.3	SPOT ELEVATION
	EDGE OF PAVEMENT (EP)
	WOODS / TREE LINE
	UTILITY POLE (+/- DUM)
	EDGE OF WETLAND FLAGGING
SWAMP / MARCH	
EL	ELEVATION
EP	EDGE OF PAVEMENT
F.F.	FINISHED FLOOR
INVT	INVERT
TBM	TEMPORARY BENCHMARK
TYL	TYPICAL
LSA	LANDSCAPED AREA
1	PHOTO LOCATION

WETLAND NOTES:

- HIGHEST OBSERVABLE TIDE LINE DELINEATED BY STEVEN D. RIKER, CWS ON 11/29/2017 IN ACCORDANCE WITH THE FOLLOWING STANDARDS:
 - 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: NORTH-CENTRAL AND NORTHEAST REGION, VERSION 2.0, JANUARY 2012.
 - 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, NEWIPCC WETLANDS WORK GROUP (2017).
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 - CLASSIFICATION OF WETLANDS AND DEEPWATER HABITATS OF THE UNITED STATES, USFWS MANUAL FWS/OBS-79/31 (1997).
 - "IDENTIFICATION AND DOCUMENTATION OF VERNAL POOLS IN NEW HAMPSHIRE" (1997), NEW HAMPSHIRE FISH AND GAME DEPARTMENT.
- WETLAND FLAGS WERE FIELD LOCATED BY AMBIT ENGINEERING, INC.

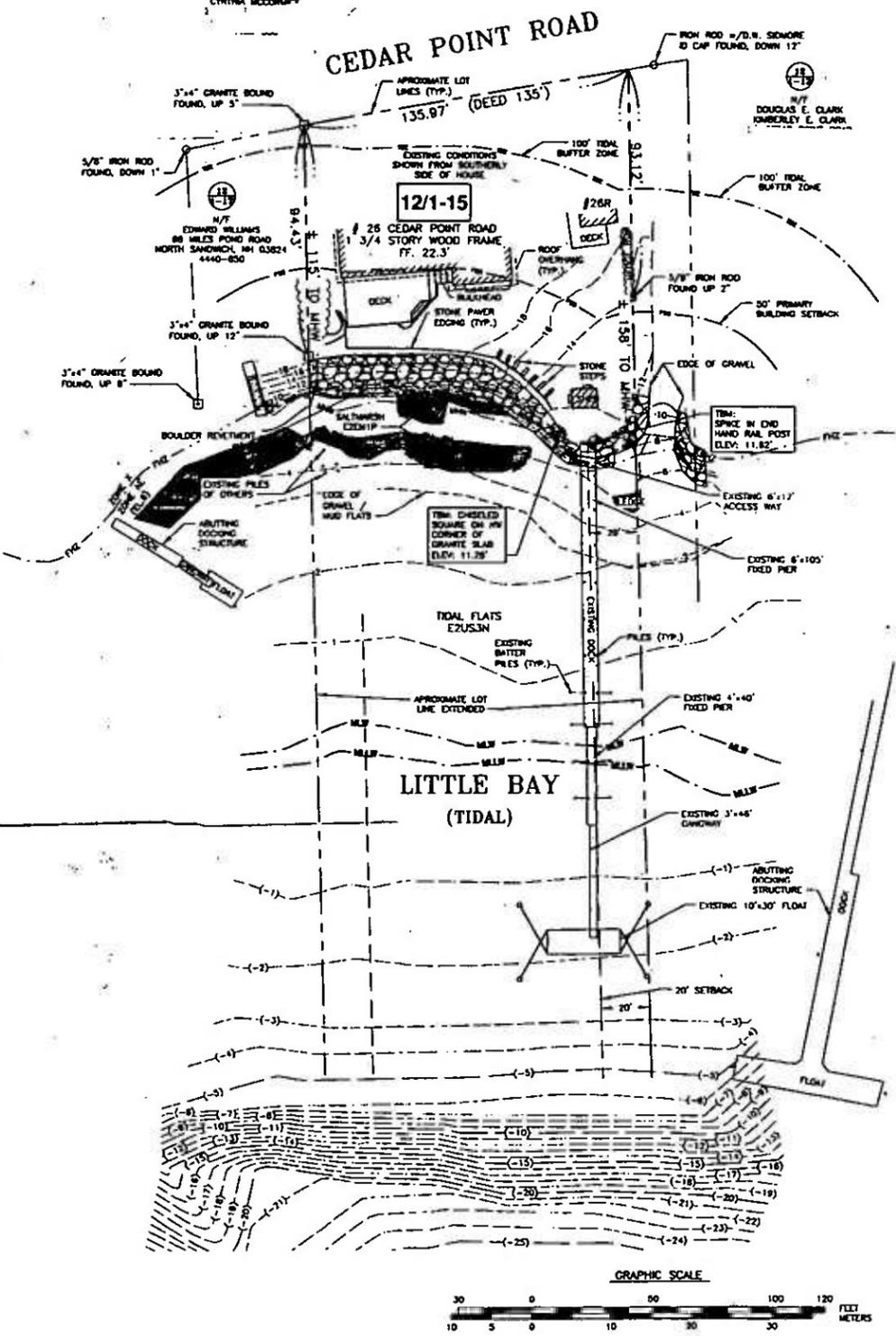
"I CERTIFY THAT THIS PLAN WAS PREPARED UNDER MY DIRECT SUPERVISION, THAT IT IS THE RESULT OF A FIELD SURVEY BY THIS OFFICE AND HAS AN ACCURACY OF THE CLOSED TRAVERSE THAT EXCEEDS THE PRECISION OF 1:15,000."

John R. Chagnon 11-21-22
 JOHN R. CHAGNON, LLS #738 DATE



PLAN REFERENCES:

- EXISTING CONDITIONS PLAN PREPARED FOR DAVID GERARD AND MARIA BOWDEN-GERARD TAX MAP 12 LOT 1-9 33 CEDAR POINT ROAD TOWN OF DURHAM COUNTY OF STRAFFORD STATE OF NEW HAMPSHIRE, PREPARED BY MCNEANEY SURVEY ASSOCIATES, INC. DATED MARCH 20, 2007. S.C.R.D. PLAN 90-58.



AMBIT ENGINEERING, INC.
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 Fax: (603) 436-2318



- NOTES:**
- PARCEL IS SHOWN ON THE TOWN OF DURHAM ASSESSOR'S MAP 12 AS LOT 1-15.
 - OWNERS OF RECORD: MICHAEL J. CLEARY REVOCABLE TRUST MICHAEL J. CLEARY TRUSTEE
 - A PORTION OF THE PARCEL IS IN A SPECIAL FLOOD HAZARD AREA ZONE AE (1.0) AS SHOWN ON FIRM PANEL 3301700340E EFFECTIVE DATE SEPTEMBER 30, 2015.
 - EXISTING LOT AREA: 0.31 ACRES (PER ASSESSOR)
 - PARCEL IS LOCATED IN RESIDENCE COASTAL (RC) ZONING DISTRICT AND IS SUBJECT TO THE SHORELAND PROTECTION OVERLAY DISTRICT.
 - DIMENSIONAL REQUIREMENTS:

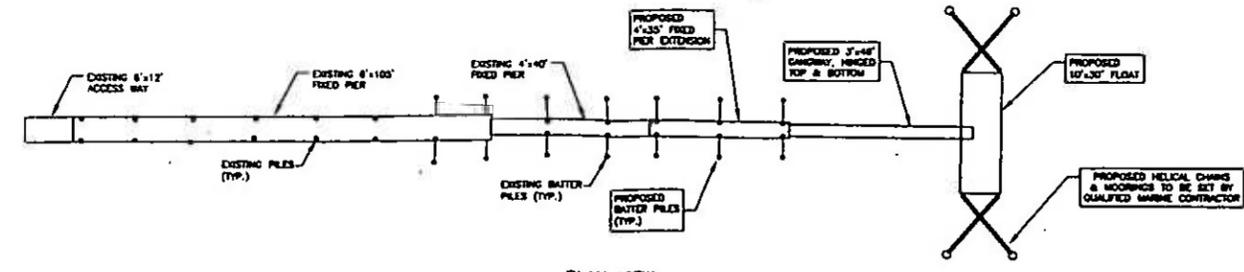
MIN. LOT AREA:	150,000 SF
FRONTAGE: ROAD	300 FEET
SHORELAND	200 FEET
FRONT SETBACKS:	30 FEET
SIDE	50 FEET
REAR	50 FEET
MAXIMUM STRUCTURE HEIGHT:	30 FEET
MAXIMUM IMPERVIOUS COVERAGE:	20%
 - THE PURPOSE OF THIS PLAN IS TO SHOW THE EXISTING CONDITIONS ON A PORTION OF TAX MAP 12 LOT 1-15 IN THE TOWN OF DURHAM.
 - VERTICAL DATUM: MEAN LOWER LOW WATER (MLLW). BASIS OF VERTICAL DATUM IS 191 FOOT BENCHMARK 133-0410, REDUCTION FROM NHWOD TO MLLW BASED ON HIGH STATION 8429111, DOVER, COCHOCOD RIVER, MLLW BEING 3.95' LOWER THAN 0 NAVODS. MHW LINE AS SHOWN IS AT ELEV. 7.30 MLLW.
 - CEDAR POINT ROAD IS REFERENCED IN THE SUBJECT PARCEL, AND ABUTTING DEEDS, AS AN EIGHTEEN FOOT RIGHT OF WAY, FOR THE PURPOSE OF ESTABLISHING THE BOUNDARIES OF THE PARCEL, THIS WIDTH WAS HELD. RIGHTS OF THE PUBLIC MAY EXIST OVER THE TRAVELED PORTION OF CEDAR POINT ROAD WITHIN THE BOUNDARIES OF THE SUBJECT PARCEL.
 - ENTIRE PARCEL IS WITHIN THE PROTECTED SHORELAND.

CLEARY RESIDENCE
 26 CEDAR POINT ROAD
 DURHAM, N.H.

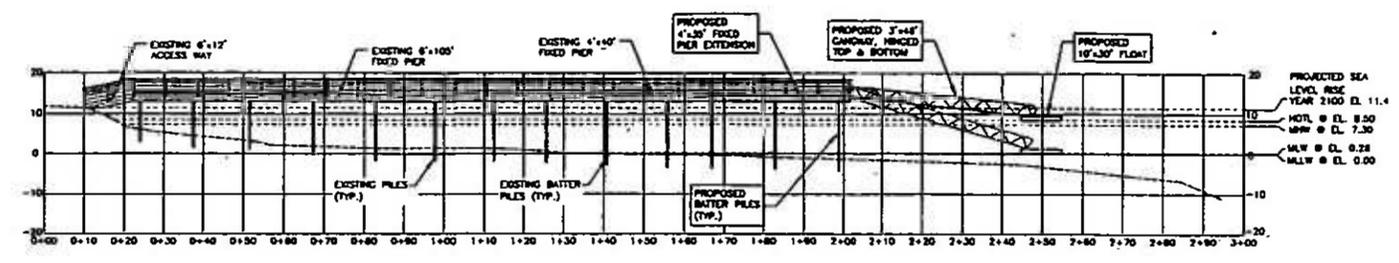
NO.	DESCRIPTION	DATE
1	ADD FEMA FHZ	11/21/22
0	ISSUED FOR COMMENT	5/13/22



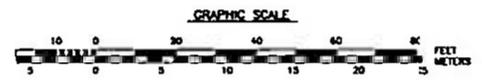
SCALE 1" = 30' MAY 2022
 EXISTING CONDITIONS PLAN C1



PLAN VIEW



DOCK ELEVATION
PROPOSED PIER, GANGWAY & FLOAT



- 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).

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ENVIRONMENTAL SERVICES
NEW HAMPSHIRE WETLANDS BUREAU

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) MOBILIZATION 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) PILING WILL BE MECHANICALLY DRIVEN BY A CRANE ELIMINATING ANY EXCAVATION FOR INSTALLATION OF THE PILING. PILING ARE DRIVEN TO REFUSAL.
- 7) PILING 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 CORP AND NHDES AUTHORIZES AS SECONDARY IMPACTS. IF NOT SPECIFICALLY AUTHORIZED BY USACE AND NHDES, ANY UNAUTHORIZED FILL OR SECONDARY IMPACT TO WETLANDS MAY BE CONSIDERED AS A VIOLATION OF THE CWA. UNLESS SPECIFICALLY AUTHORIZED USACE 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. CORRODIOUS 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 PILED 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 450 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 8-11 ABOVE:
- I. IN-WATER NOISE LEVELS SHALL NOT >167dB SEL RE 100% OR 200dB PEAK RE 10% AT A DISTANCE >10M FROM THE PILE BEING INSTALLED, AND
 - II. IN-WATER NOISE LEVELS >155dB PEAK RE 10% 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 10%) MUST BE PROVIDED BETWEEN WORK DAYS.

WORK SITE RESTORATION

UPON COMPLETION OF CONSTRUCTION, ALL DISTURBED WETLAND AREAS SHALL BE PROPERLY STABILIZED. ANY TIED 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 LOWER 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 PHASED CONSTRUCTION, VEGETATED FILTER STRIPS, GEOTEXTILE SILT FENCES, STORMWATER RETENTION 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., EPH FOR SPAWNING ADULTS) CAN BE OBTAINED FROM THE NMFS WEBSITE AT: WWW.NMFS.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 HWL.

ENVIRONMENTAL FUNCTIONS AND VALUES

THE PERMITTEE SHALL MAKE EVERY REASONABLE EFFORT TO 1) CARRY OUT THE CONSTRUCTION OR OPERATION OF THE WORK AUTHORIZED BY USACE 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/](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.

CLEARY RESIDENCE
26 CEDAR POINT ROAD
DURHAM, N.H.

NO.	DESCRIPTION	DATE
1	LENGTH OF PROFILE	11/21/22
0	ISSUED FOR COMMENT	5/13/22



SCALE: 1"=20'/2" MAY 2022

DOCK DETAILS **D1**