



The State of New Hampshire
Department of Environmental Services



676

Robert R. Scott, Commissioner

October 06, 2023

119

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

REQUESTED ACTION

Approve ADL 325 Little Harbor Road Trust's request to perform the following work on Piscataqua River in Portsmouth pursuant to NH Department of Environmental Services (NHDES) Wetlands Bureau permit #2022-00789, and in accordance with RSA 482-A:3. Comments submitted by the Portsmouth Conservation Commission, stating their approval of the project as proposed, are included in the enclosed documents. There are no abutters within 100 feet in any direction of proposed shoreline impact for this project in accordance with Env-Wt 102.04 .

Impact 40 square feet (SF) of previously developed upland tidal buffer zone and 949 SF of tidal wetland to remove an existing tidal docking structure and construct a new tidal docking structure consisting of a 6 foot by 65 foot fixed pier connected to a 4 foot by 50 foot ramp connected to a 16 foot by 25 foot float with associated piles. The overall length of this docking structure, seaward of the highest observable tide line, is 123.8 feet, on approximately 3,800 feet of frontage on Lady Isle (Belle Isle) along the Piscataqua River in Portsmouth.

NHDES imposed the following conditions as part of this approval:

1. All work shall be done in accordance with the approved plans dated March 7, 2022, and revised through April 7, 2023, by TF Moran, Inc., and last received by the NH Department of Environmental Services (NHDES) on April 28, 2023, in accordance with Env-Wt 307.16.
2. This permit shall not be effective until the permittee records this permit at the Rockingham County Registry of Deeds. 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).

www.des.nh.gov

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 August 29, 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 April 28, 2023, the Department received correspondence from the NH Fish and Game Department (NHF&G) dated July 21, 2022, and February 24, 2022, stating that provided the proposed work is performed after November 15th and best management practices are utilized, the NHF&G Marine Division "confirms that this project will not adversely affect [the protected anadromous fish species]."
3. 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.
4. On May 3, 2022, the Department received correspondence from the Portsmouth Conservation Commission stating that the Commission recommended the approval of the project.
5. On February 24, 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.
6. The Department finds that this permit for work to dredge or fill will not 'infringe on the property rights or unreasonably affect the vale or enjoyment of property of abutting owners' and thus meets Rule Env-Wt 313.01(a)(5), and RSA 482-A:11, II.
7. On April 28, 2023, NHDES received a request to waive Rule Env-Wt 606.06(d), to relieve the applicant from the requirement to demonstrate that a proposed residential tidal dock is the least impacting alternative by showing that the subject property is not already served by an existing residential tidal dock at the property.
8. On July 21, 2023, NHDES received a request to waive Rule Env-Wt 606.06(k)(1), to relieve the applicant from the requirement to limit the density of residential tidal docks on the frontage to one structure that meets the property line setback established in RSA 482-A:3, XIII(a) on each frontage.

9. The department finds that the documentation provided by the applicant provides clear and convincing evidence that granting the waivers will not result in either an avoidable adverse impact on the environment or natural resources of the state; an avoidable adverse impact on public health or public safety; nor any impact on abutting properties that is more significant than that which would result from complying with the rule; or a statutory requirement being waived; and any benefit to the public or the environment from complying with the rule is outweighed by the operational or economic costs to the applicant, and thus, that the requirements of Env-Wt 204.05 have been met, and therefore, the requested waivers are granted.
10. 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.
11. 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.

NHDES Wetlands Bureau permit #2022-00789 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



**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: ADL 325 Little Harbor Road Trust TOWN NAME: **Portsmouth**

RECEIVED MAR 31 2022 LAND RESOURCES MANAGEMENT	INCOMPLETE Administrative MAR 31 2022 Only	COMPLETE Administrative APR 01 2022 Only	File No: 2022-00189 Check No: 5918's 8 Amount: 3,164.00 Initials: PSH
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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 305.05, RSA 482-A:3, I(d)(2))
Please use the Wetland Permit Planning Tool (WPPin), the Natural Heritage Bureau (NHB) Data Check 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 type="checkbox"/> No
Does the property contain a PRA? If yes, provide the following information:	<input checked="" type="checkbox"/> Yes <input 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 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): Marshelder, Atlantic Sturgeon, Shortnose Sturgeon NHB Project ID #: NHB21-0381 	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Bog?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Floodplain wetland contiguous to a tier 3 or higher watercourse?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Designated prime wetland or duly-established 100-foot buffer?	<input 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 type="checkbox"/> No
Is the property within a Designated River corridor? If yes, provide the following information:	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
<ul style="list-style-type: none"> Name of Local River Management Advisory Committee (LAC): N/A A copy of the application was sent to the LAC on Month: Day: Year: 	

For dredging projects, is the subject property contaminated? • If yes, list contaminant: N/A	<input checked="" type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Is there potential to impact impaired waters, class A waters, or outstanding resource waters?	<input checked="" 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. W. 3:110.1(f))	
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.	
Temporarily impact 27 SP and permanently impact 34 SP of the Previously Developed Upland Tidal Buffer Zone and Temporarily impact 305 SP and permanently impact 64 SP of Tidal Surface Waters for the purpose of replacing an existing residential dock structure with a new residential dock structure. Total impact area = 989 Square Feet	
SECTION 3- PROJECT LOCATION	
Separate wetland permit applications must be submitted for each municipality within which wetland impacts occur.	
ADDRESS: 325 Little Harbor Road	
TOWN/CITY: Rossmore, NH	
TAX MAP/BLOCK/LOT/UNIT: Tax Map 205, Lot 2	
US GEOLOGICAL SURVEY (USGS) TOPO MAP WATERBODY NAME: Piscataqua River	
<input checked="" type="checkbox"/> N/A	
(Optional) LATITUDE/LONGITUDE in decimal degrees (to five decimal places):	43.05725° North 70.74591° West

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

SECTION 4 - APPLICANT (DESIRED PERMIT HOLDER) INFORMATION (Env. V. 3110.1(b))
 If the applicant is a trust or a company, then complete with the trust or company information.

NAME: **ADL 325 Little Harbor Road Trs**

MAILING ADDRESS: _____

TOWN/CITY: _____ STATE: _____ ZIP CODE: _____

EMAIL ADDRESS: _____

FAX: _____ PHONE: _____

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

SECTION 5 - AUTHORIZED AGENT INFORMATION (Env. V. 3110.4(b))
 N/A

LAST NAME, FIRST NAME, M.I.: **Aube, Jason, R**

COMPANY NAME: **JPMoran, Inc**

MAILING ADDRESS: **170 Commerce Way, Suite 102**

TOWN/CITY: **Portsmouth** STATE: **NH** ZIP CODE: **03801**

EMAIL ADDRESS: **aube@jpmoran.com**

FAX: _____ PHONE: **603-431-7777**

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

SECTION 6 - PROPERTY OWNER INFORMATION (IF DIFFERENT THAN APPLICANT) (Env. V. 3110.4(b))
 If the owner is a trust or a company, then complete with the trust or company information.
 Same as applicant

NAME: _____

MAILING ADDRESS: _____

TOWN/CITY: _____ STATE: ZIP CODE: _____

EMAIL ADDRESS: _____

FAX: _____ PHONE: _____

ELECTRONIC COMMUNICATION: By initialing here **RA**, 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 supplemental information entitled, "SECTION 7 - Resource Specific Criteria"

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 90 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)(4))

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. W. 311:0-6)

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. W. 309:02(d), however other dredge or fill impacts should be included below. For perennial streams/ rivers, 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"/>
	Scrub-shrub Wetland					<input checked="" type="checkbox"/>
	Emergent Wetland					<input checked="" type="checkbox"/>
	Wet Meadow					<input checked="" type="checkbox"/>
	Vernal Pool					<input checked="" type="checkbox"/>
	Designated Prime Wetland					<input checked="" type="checkbox"/>
	Duly-established 100-foot Prime Wetland Buffer					<input checked="" type="checkbox"/>
Surface Water	Intermittent / Ephemeral Stream					<input checked="" type="checkbox"/>
	Perennial Stream or River					<input checked="" type="checkbox"/>
	Lake / Pond					<input checked="" type="checkbox"/>
	Docking - Lake / Pond					<input checked="" type="checkbox"/>
	Docking - River					<input checked="" type="checkbox"/>
Banks	Bank - Intermittent Stream					<input checked="" type="checkbox"/>
	Bank - Perennial Stream / River					<input checked="" type="checkbox"/>
	Bank / Shoreline - Lake / Pond					<input checked="" type="checkbox"/>
Tidal	Tidal Waters					<input checked="" type="checkbox"/>
	Tidal Marsh					<input checked="" type="checkbox"/>
	Sand Dune					<input checked="" type="checkbox"/>
	Undeveloped Tidal Buffer Zone (TBZ)					<input checked="" type="checkbox"/>
	Previously-developed TBZ	15			27	<input checked="" type="checkbox"/>
	Docking - Tidal Water	642			805	<input checked="" type="checkbox"/>
TOTAL	657			832		<input checked="" type="checkbox"/>

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

<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): <input checked="" type="checkbox"/> SF × \$0.40 = \$ <input type="text"/>
Seasonal docking structure: 598 SF × \$2.00 = \$ <input type="text"/>
Permanent docking structure: 805 SF × \$4.00 = \$ <input type="text"/>
Projects proposing shoreline structures (including docks) add \$400 = \$ <input type="text"/>
Total = \$ <input type="text"/>
The application fee for minor or major impact is the above calculated total or \$400, whichever is greater = \$ <input type="text"/>

SECTION 13 - PROJECT CLASSIFICATION (Env. W/ 306:05)
 Indicate the project classification.

Minimum Impact Project
 Minor Project
 Major Project

SECTION 14 - REQUIRED CERTIFICATIONS (Env. W/ 311:11)

Initial each box below to certify:

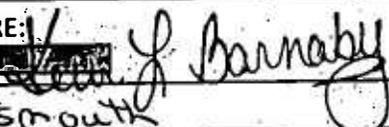
Initials: 	To the best of the signer's knowledge and belief, all required notifications have been provided.
Initials: 	The information submitted on or with the application is true, complete, and not misleading to the best of the signer's knowledge and belief.
Initials: 	The signer understands that: <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.
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.

SECTION 15 - REQUIRED SIGNATURES (Env. W/ 311:04(d)) (Env. W/ 311:11)

SIGNATURE (OWNER): 	PRINT NAME LEGIBLY: Stephen H. Roberts, Trustee	DATE: 3/22/2022
SIGNATURE (APPLICANT, IF DIFFERENT FROM OWNER): 	PRINT NAME LEGIBLY: Anthony D'lorenzo	DATE: 3/22/2022
SIGNATURE (AGENT, IF APPLICABLE): 	PRINT NAME LEGIBLY: Jason Aube	DATE: 3/21/2022

SECTION 16 - TOWN/CITY CLERK SIGNATURE (Env. W/ 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: 	PRINT NAME LEGIBLY: Kelli L. Barnaby
TOWN/CITY: Portsmouth	DATE: March 24, 2022



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.

City of Portsmouth 2019 Rural Tax Maps

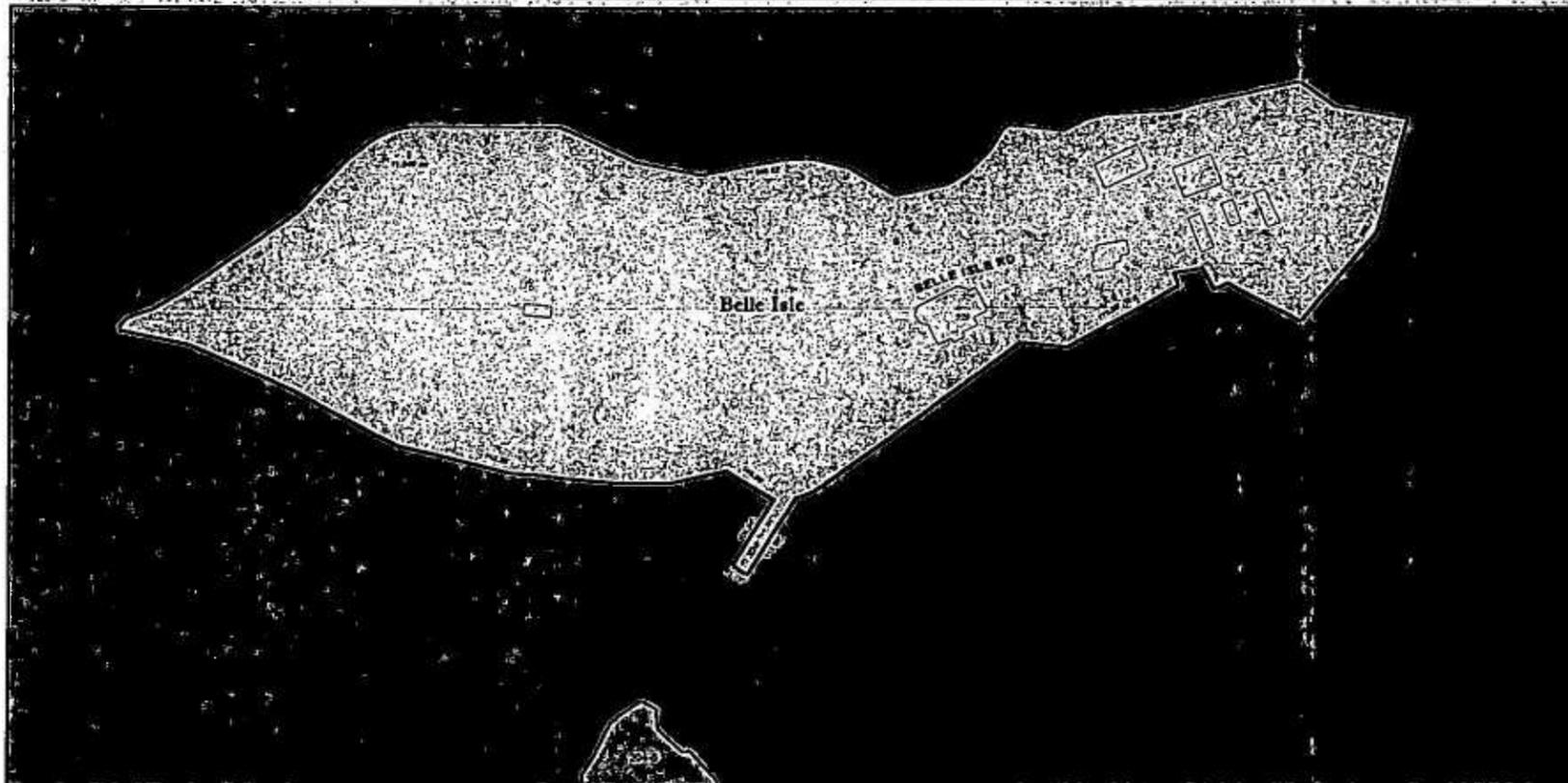
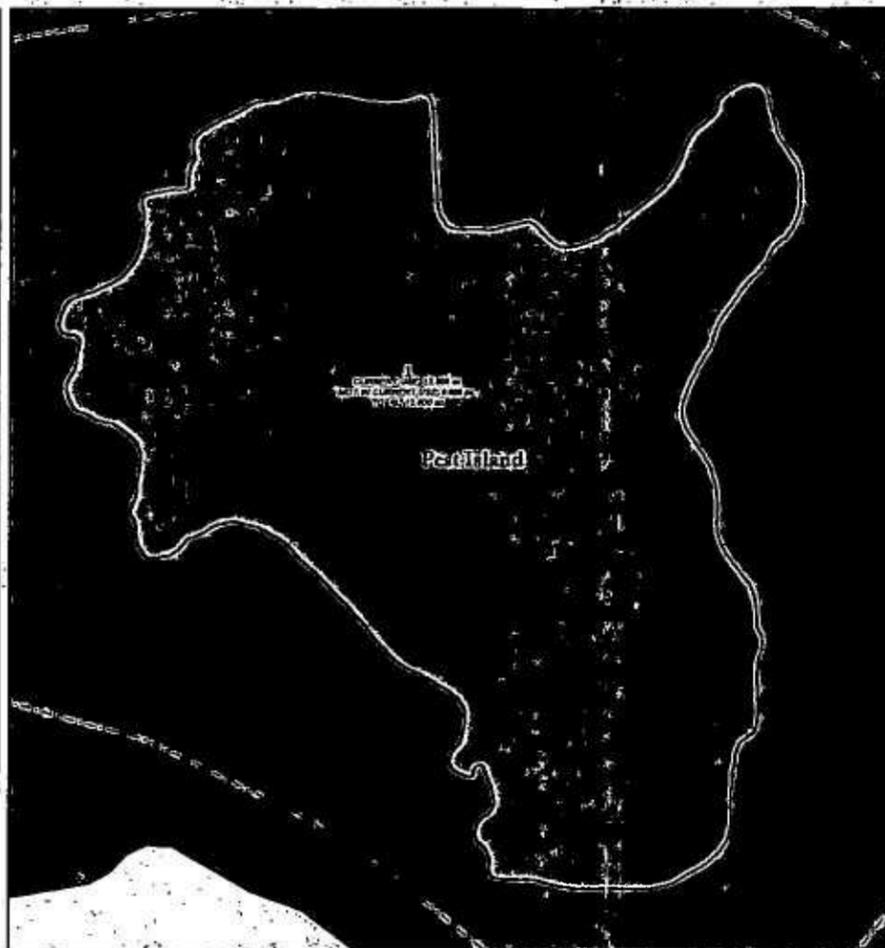
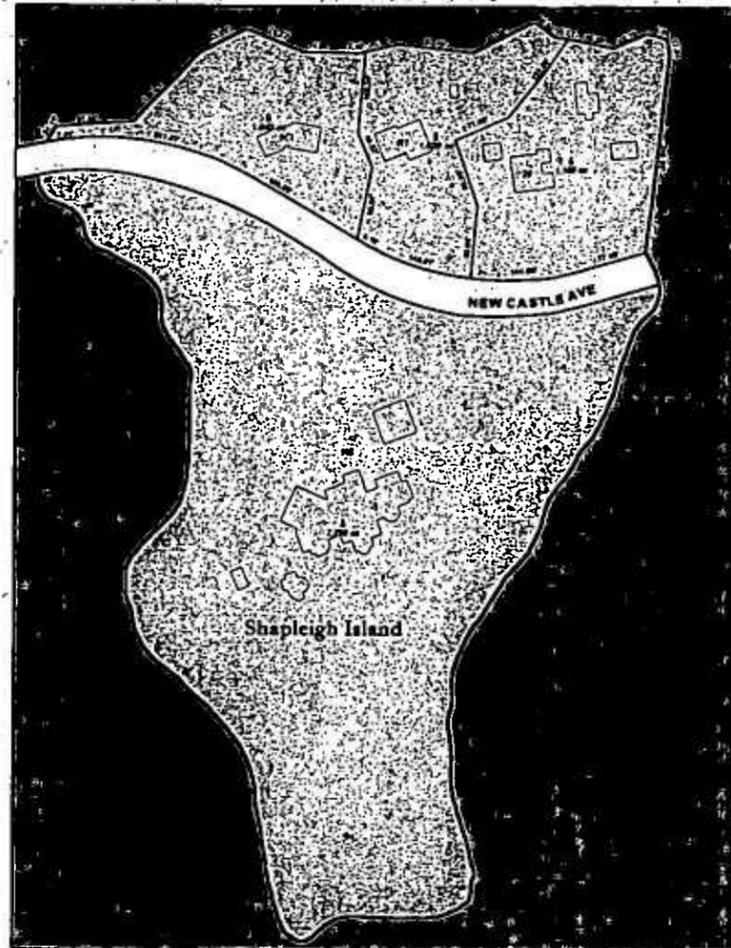


Maps 201-298

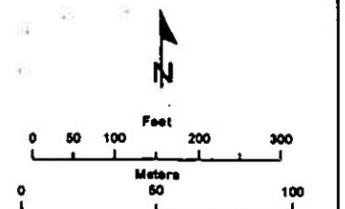
Tax Map Legend	
7-6A	Lot or Lot-Unit Number
2.56 ac	Parcel Area in Acres
25	Address Number
223-127	Parcel Number from a Neighboring Map
=	Parcel Line Dimension
SIMS AVE	Street Name
Piscataqua River	Water Body
☐	Cemetery
▨	Parcel Assigned to the Current Map
▩	Parcel from Another Map (please refer to the appropriate map)
■	Water
■	Parcel in Current Use
—	Line Between Parcels
—	Line Between Parcel and Right of Way
—	Line Between Parcel and Water
- - -	City Line
- - - - -	New Hampshire Air National Guard (NHANG) Boundary
- - - - -	Pease International Tradeport Boundary
—	Structure (2006 data)
—	Swimming Pool (2006 data)
—	Railroad Track



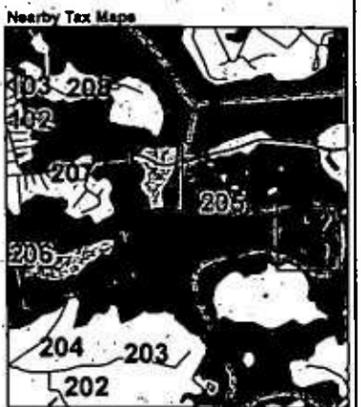
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NHDES
LAND RESOURCES MANAGEMENT



- Partial Legend**
 See the cover sheet for the complete legend.
- 7-5A Lot or lot-unit number
 - 2.36 ac Parcel area in acres (ac) or square feet (sf)
 - 77 Address number
 - 225-137 Parcel number from a neighboring map or Parcel line description
 - SIMS AVE Street name
 - Parcel/Parcel boundary
 - Parcel/ROW boundary
 - Water boundary
 - Structures (2006 data)
 - Parcel covered by this map
 - Parcel from a neighboring map (see other map for current status)



This map is for assessment purposes only. It is not intended for legal description or conveyance. Parcels are mapped as of April 1. Building footprints are 2006 data and may not represent current structures. Streets appearing on this map may be paper (unbuilt) streets. Lot numbers take precedence over address numbers. Address numbers shown on this map may not represent posted or legal addresses.



Portsmouth, New Hampshire
 2020
Tax Map 205

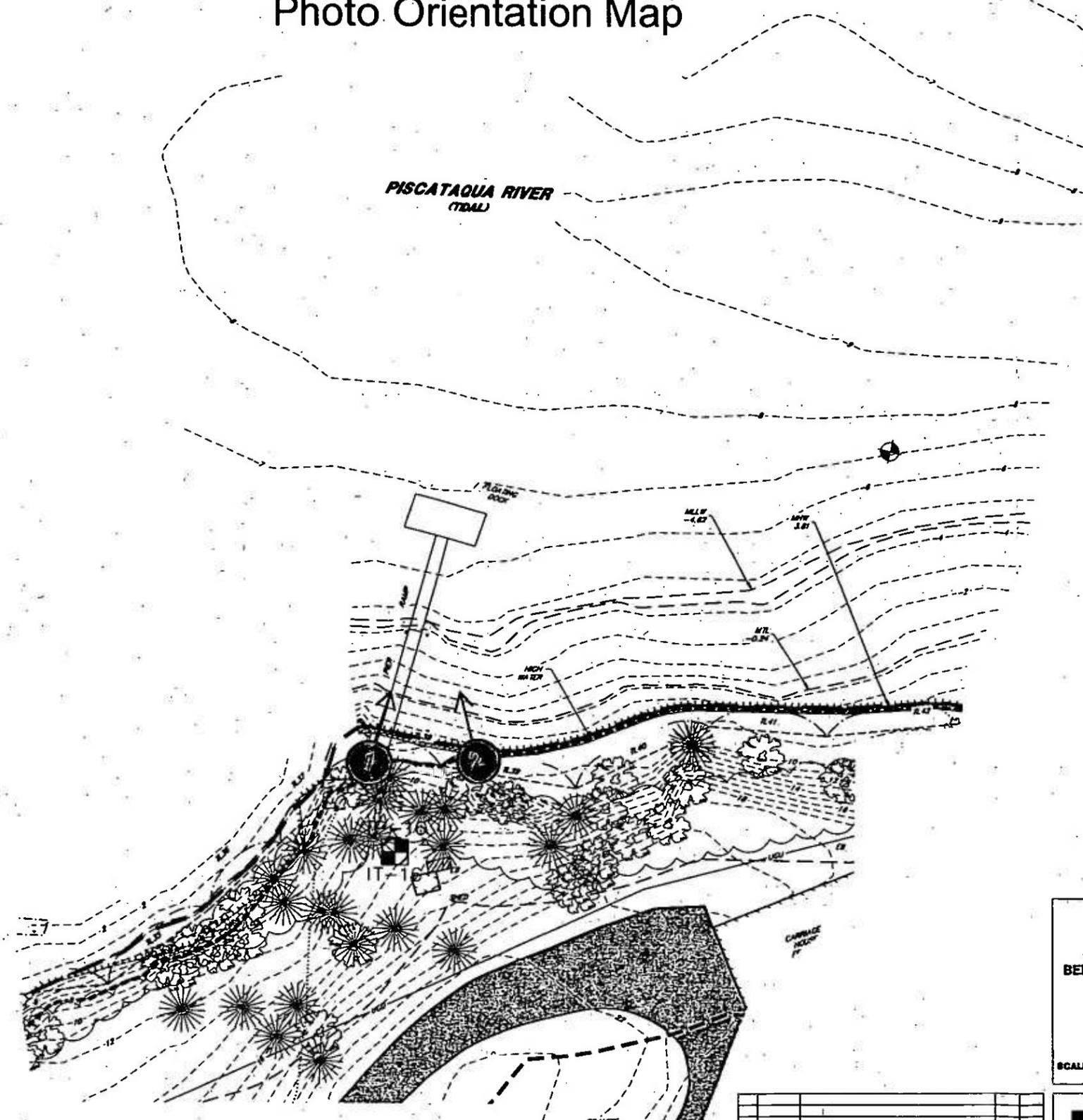
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 LAND RESOURCES MANAGEMENT

Photo Orientation Map



LEGEND:

BK.2262, PG.2763	BOOK NO./PAGE NO.
DI	DIMPLE IRON
ELEV.	ELEVATION
EP	EDGE OF PAVEMENT
FF	FISHED FLOOR
HPPE	HIGH-DENSITY POLYETHYLENE
NET	NEW ENGLAND TELEPHONE
PSNH	PUBLIC SERVICE COMPANY OF NEW ENGLAND
RORD	ROCKINGHAM COUNTY REGISTER OF DEEDS
SMH	SEWER MANHOLE
UQU	UNDERGROUND UTILITIES
TBM	TEMPORARY BENCH MARK
TL	TREE LINE
OU	OVERHEAD UTILITIES
EC	EXISTING CONTOUR
LSM	LIMIT OF SALT MARSH
UQU	UNDERGROUND UTILITIES
SFM	SEWER FORCE MAIN LINE
WL	WATER LINE
WS	WATER SERVICE
HO	HIGHEST OBSERVABLE TIDE LINE
HW	HIGH WATER
FZL	FLOOD ZONE LINE
UP	UTILITY POLE
DT	DECIDUOUS TREE
CT	CONIFEROUS TREE
MW	MONITORING WELL
SMH	SEWER MANHOLE
SC	SEPTIC COVER
HY	HYDRANT
WS	WATER SHUT OFF
TR	TRANSFORMER
EP	ELECTRIC PEDESTAL
EM	ELECTRIC METER
EB	ELECTRIC BOX
QP	QUIET POLE/WIRE
TS	TEST BORE
WF	WETLAND FLAG
PA	PAVEMENT
SM	SALT MARSH
WA	WATER



- NOTES:**
- THE PROPERTY IS LOCATED IN THE RURAL ZONE.
 - THE PROPERTY IS OWNED BY THE STATE OF NEW HAMPSHIRE BETWEEN THE HIGH WATER ELEVATION OF MAP 205 LOT 2 & MAP 207 LOTS 14 & 15.
 - THE PROPERTY IS GRAPHICALLY LOCATED IN FLOOD HAZARD ZONE AE (ZL8) AND ZONE X (AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN), AS SHOWN ON NATIONAL FLOOD INSURANCE PROGRAM (NFIP) FLOOD INSURANCE RATE MAP (FIRM), ROCKINGHAM COUNTY, NEW HAMPSHIRE, PANEL 276, MAP NUMBER 3301300276, EFFECTIVE DATE: MAY 17, 2000.
 - THIS PLAN IS PREPARED FOR:
THE ADL 325 LITTLE HARBOR ROAD TRUST
STEPHEN H. ROBERTS, ESQ., TRUSTEE
127 PARROTT AVENUE
PORTSMOUTH, NH 03801
RORD BK.2628 PG.1244
 - HIGHEST OBSERVABLE TIDE LINE (HOTL) AND SALT MARSH DEPICTED WERE DELINEATED BY MARC JACOBS, CERTIFIED WETLAND SCIENTIST ON MAY 24, 2019. SALT MARSH WAS DELINEATED BASED UPON THE EXTENT OF ROOTED EMERGENT SALT-TOLERANT VEGETATION OBSERVED DURING LOW TIDE. HOTL WAS DELINEATED BASED UPON THE CODE OF ADMINISTRATIVE RULES, NH DEPARTMENT OF ENVIRONMENTAL SERVICES - WETLANDS BUREAU - DRY WT 100-900, ESPECIALLY DRY-WT 101.49. COPIES OF SITE PLANS WHICH OBTAIN THE DELINEATION THAT HAVE BEEN REVIEWED BY THE WETLAND SCIENTIST ARE INDIVIDUALLY STAMPED, SIGNED AND DATED. THIS NOTE HAS BEEN CUSTOMIZED FOR THIS PROJECT.
 - THE CONTRACTOR SHALL CONTACT "DIG SAFE" 72 HOURS PRIOR TO COMMENCING CONSTRUCTION. CALL 1-888-344-7233. THE BEST AVAILABLE INFORMATION WAS USED TO DETERMINE THE LOCATION, SIZE AND ELEVATION OF EXISTING UTILITIES. THE EXACT SIZE AND LOCATION OF UTILITIES SHALL BE CONFIRMED IN THE FIELD BY THE CONTRACTOR PRIOR TO COMMENCING CONSTRUCTION. IT IS ALSO THE CONTRACTOR'S RESPONSIBILITY TO ANTICIPATE CONFLICTS AND REPAIR EXISTING UTILITIES AS NECESSARY TO COMPLETE THE WORK AT NO ADDITIONAL COST TO THE OWNER. THE CONTRACTOR SHALL COORDINATE TERMINATION OF ALL UTILITIES WITH THE APPROPRIATE UTILITY COMPANY.
 - ALL USES AND CONSTRUCTION SHALL COMPLY WITH RSA 483-B, THE SHORELAND WATER QUALITY PROTECTION ACT (SWQPA). REFERENCE IS ALSO MADE TO ARTICLE 10 SECTION 10.1018 OF THE PORTSMOUTH ZONING ORDINANCES WHICH SPECIFIES THE PERMITTED USES IN THE 100' TIDAL BUFFER ZONE SHOWN HEREON.
 - HORIZONTAL DATUM IS NAD83(2011). VERTICAL DATUM IS NAVD83 (GEOID12B).
 - THE PURPOSE OF THIS PLAN IS TO SHOW THE EXISTING FEATURES BETWEEN PLEASANT POINT AND BELLE ISLE AND THE EXISTING MUNICIPAL WATER AND SEWER LINES AT PLEASANT POINT DRIVE.
 - FIELD SURVEY COMPLETED BY TODD C. EMERSON, ERIC J. SALOWICH & RYAN C. KAULBACH IN APRIL & JUNE 2019 USING A TOPCON DS103, TOPCON HYPER GPS UNIT AND TOPCON FCS3000 DATA COLLECTOR.
 - EXCISEMENTS, RIGHTS, AND RESTRICTIONS SHOWN OR IMPLIED ARE THOSE WHICH WERE FOUND DURING RESEARCH PERFORMED AT THE ROCKINGHAM COUNTY REGISTER OF DEEDS. OTHER RIGHTS, EASEMENTS, OR RESTRICTIONS MAY EXIST WHICH A TITLE EXAMINATION OF SUBJECT PARCEL(S) WOULD DETERMINE.
 - THE BOUNDARY LINE OF MAP 205 LOT 2 IS THE HIGH WATER LINE SHOWN HEREON.

- PLAN REFERENCES:**
- TAX MAP 205 LOT 2 BELLE ISLE / ANA LADY ISLE EXISTING CONDITIONS 325 LITTLE HARBOR ROAD PORTSMOUTH, NEW HAMPSHIRE COUNTY OF ROCKINGHAM OWNED BY THE ADL 325 LITTLE HARBOR ROAD TRUST BY MSC A DIVISION OF TFMORAN, INC., DATED JULY 22, 2018. PLAN IS NOT RECORDED.
 - TAX MAP 207 LOT 15 WETLAND PERMIT PLAN EXISTING CONDITIONS 70 PLEASANT POINT DRIVE PORTSMOUTH, NEW HAMPSHIRE COUNTY OF ROCKINGHAM OWNED BY DONNA LYNN TAMAROFF BY MSC A DIVISION OF TFMORAN, INC., DATED JUNE 23, 2018. PLAN IS NOT RECORDED.

RECEIVED
MAR 31 2022
NHDES
LAND RESOURCES MANAGEMENT

I CERTIFY THAT THIS SURVEY AND PLAN WERE PREPARED BY THOSE UNDER MY DIRECT SUPERVISION AND ARE THE RESULT OF A FIELD SURVEY CONDUCTED IN APRIL 2019, DECEMBER 2020 AND MARCH 2021. THIS SURVEY CONFORMS TO THE ACCURACY REQUIREMENTS OF AN URBAN SURVEY OF THE NEW HAMPSHIRE CODE OF ADMINISTRATIVE RULES OF THE BOARD OF LICENSURE FOR LAND SURVEYORS.
I FURTHER CERTIFY THAT THIS SURVEY IS CORRECT TO THE BEST OF MY PROFESSIONAL KNOWLEDGE, AND THE FIELD TRAVERSE SURVEY EXCEEDS A PRECISION OF 1:15,000.

LICENSED LAND SURVEYOR

DATE



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This plan is not effective unless signed by a duly authorized officer of TFMoran, Inc.

CONTACT DIG SAFE 72 BUSINESS HOURS PRIOR TO CONSTRUCTION



REV.	DATE	DESCRIPTION	DR	CK

TAX MAP 205 LOT 2
EXISTING CONDITIONS
BELLE ISLAND/PISCATAQUA RIVER/PLEASANT POINT
PORTSMOUTH, NEW HAMPSHIRE
COUNTY OF ROCKINGHAM
OWNED BY
THE ADL 325 LITTLE HARBOR ROAD TRUST
SCALE: 1" = 20' (22"x34")
1" = 50' (17"x17")
FEBRUARY 8, 2022

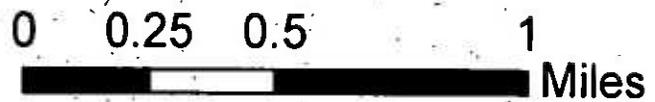
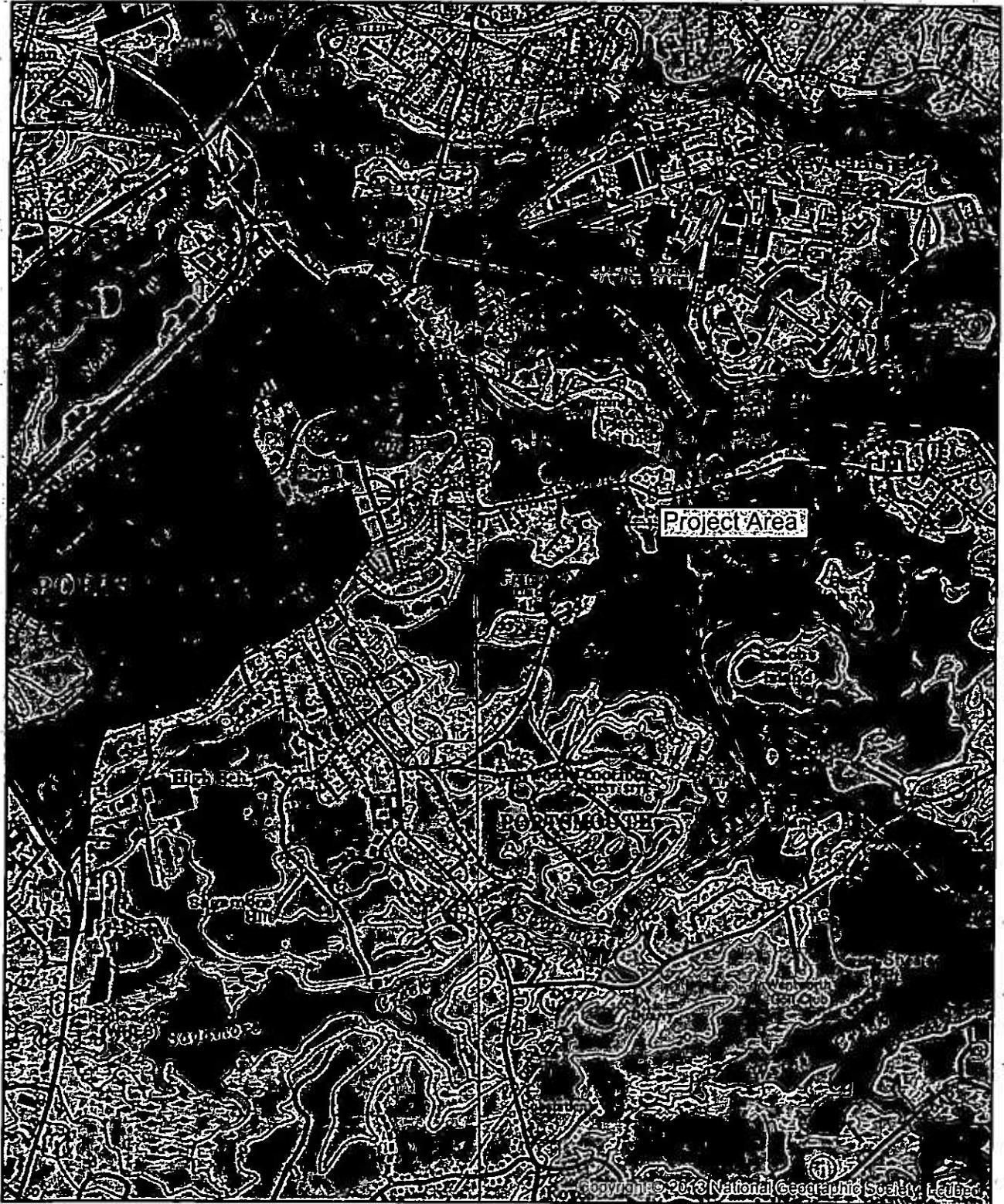
TFM
Civil Engineers
Structural Engineers
Traffic Engineers
Land Surveyors
Landscape Architects
Scientists
170 Commerce Way, Suite 102
Portsmouth, NH 03801
Phone (603) 431-2222
Fax (603) 431-0810
www.tfmoran.com

47099.01 DR PS
CADPRL S-01

File 03_2022 - 5:10pm C:\Users\cmorand\OneDrive\0308-01 Draft Existing Conditions.dwg

USGS Map of Project Area

Scale = 1:24,000





CITY OF PORTSMOUTH

Community Development Department
(603) 610-7281

Planning Department
(603) 610-7216

CONSERVATION COMMISSION

April 29, 2022

TO: DES Wetlands – Coastal Region
222 International Drive, Suite 175
Portsmouth, NH 03801

Attn: Permit Coordinator

RE: Standard Dredge and Fill Application

MEETING DATE: April 13, 2022

CONSTRUCTION SITE: 325 Little Harbor Road

This Commission recommends approval of the cited project.

This Commission requests the statutory 40-day delay in order to allow for further investigation of the project. (See below)

This Commission recommends denial of the cited project for the reasons.

Other

After due deliberation, the Commission voted to recommend approval of the State Wetlands Bureau Application as presented.

FOR THE COMMISSION:

Sincerely,

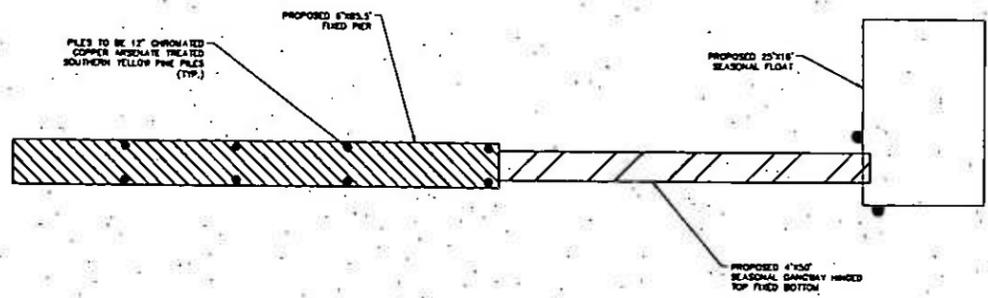

Barbara McMillan, Chair
Conservation Commission

cc: Peter Britz, Environment Planner/Sustainability Coordinator
Jason R. Aube, T.F. Moran

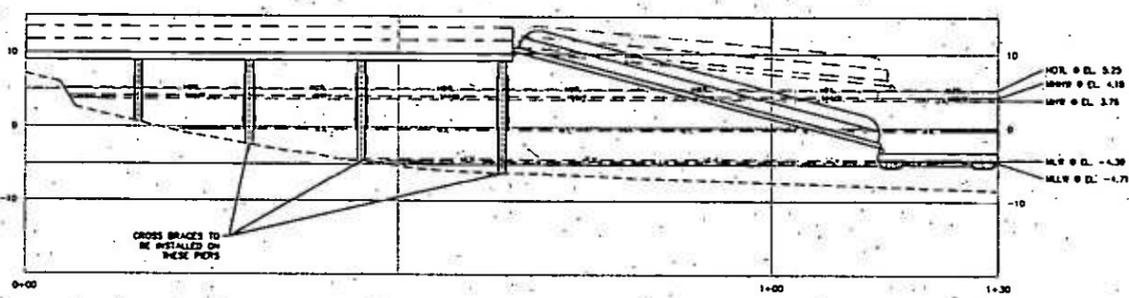
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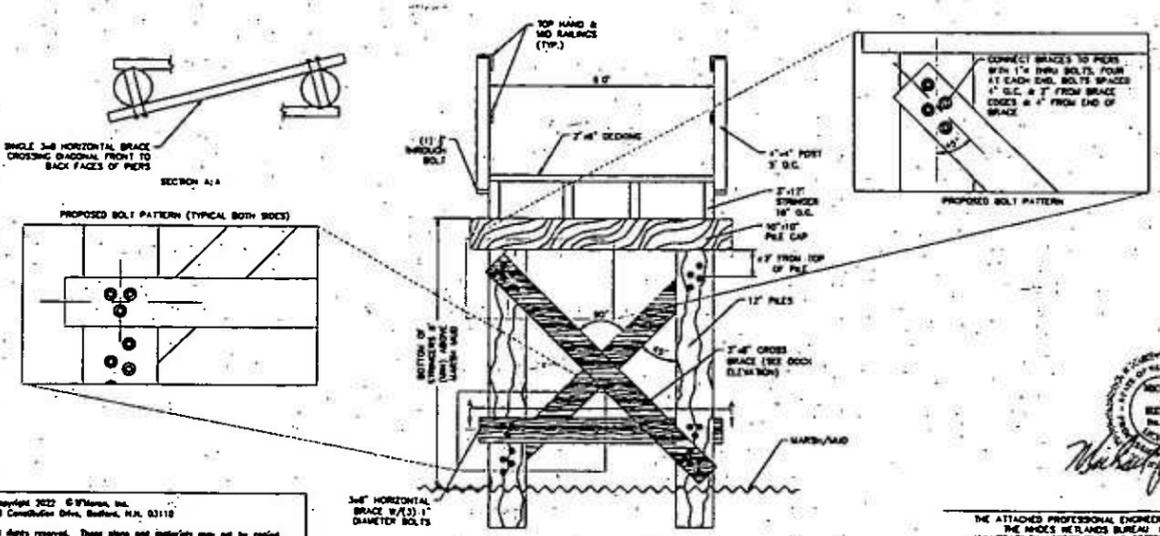
ENVIRONMENTAL SERVICES
"BY NH DES WETLANDS BUREAU"



PROPOSED DOCK PLAN



PROPOSED DOCK ELEVATION



PROPOSED PIER DETAIL NTS

TIDAL ELEVATIONS		
	2022	2050 PROJECTION
MHW	4.18	7.13
MHW	3.75	6.71
MFL	0.11	1.61
MLW	-1.39	-1.34
MLLW	-1.71	-1.74

TIDAL ELEVATIONS ARE BASED ON NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION (NOAA) STATION 8428888, BAYVIEW ISLAND, NH AND AS USED WITHIN THE SCOPE OF HAMPDEN VULNERABILITY ASSESSMENT PREPARED BY THE NEWHAMPTON PLANNING COMMISSION, SEPTEMBER, 2013 AND INCLUDED WITH THE WETLANDS PERMIT APPLICATION. ELEVATIONS ARE BASED ON THE NORTH AND SOUTH VERTICAL DATUM OF 1988 (NVD88/SVD88).

- SEQUENCE OF CONSTRUCTION**
1. AT LEAST 48-HOURS PRIOR TO COMMENCING THE CONSTRUCTION ACTIVITIES, THE PROPERTY OWNER, OR THEIR AGENT, WILL NOTIFY NHDES VIA THE SUBMITTAL OF CONSTRUCTION NOTIFICATION FORM.
 2. MOBILIZATION OF CRANE BARGE, PUMP BOAT, WORK BOAT, MATERIALS, AND PREFABRICATED COMPONENTS, INCLUDING THE GANTRY AND FLOAT WILL BE TRANSFERRED TO THE PROJECT AREA.
 3. THE BARGE WILL BE POSITIONED ADJACENT TO THE EXISTING DOCKING STRUCTURE AND BEYOND THE LIMITS OF ANY EXISTING VEGETATION.
 4. THE PROJECT WILL COMMENCE AT LOW TIDE TO MINIMIZE EROSION AND TURBIDITY.
 5. THROUGH A MECHANICAL VIBRATORY METHOD, THE EXISTING PILES AND DECORING WILL BE REMOVED AND LOADED ON THE BARGE.
 6. USING THE SAME MECHANICAL VIBRATORY TECHNIQUE, THE NEW PILES WILL BE DRIVEN UNTIL REFUSAL. EACH NEW PILE WILL BE LOCATED AS DEPICTED ON THE APPROVED PLANS ASSOCIATED WITH THE APPROVED NHDES WETLANDS PERMIT.
 7. ONCE THE PILES ARE SET, THEY ARE CUT AND BEAM CAPS ARE INSTALLED AND THE DECORING IS INSTALLED.
 8. THE GANTRY AND THE FLOAT IS LIFTED FROM THE BARGE AND SECURED TO THE PERMANENT DOCKING STRUCTURE.
 9. ANY DISTURBED SOILS WITHIN THE PROPOSED UPLAND TOTAL BUFFER ZONE WILL BE SEEDED WITH A SHORELINE SEED MIX THAT INCLUDES SPECIES TOLERANT OF SALT AND SANDY SOILS.
 10. UPON COMPLETION OF THE PROJECT, THE PROPERTY OWNER, OR THEIR AGENT, WILL NOTIFY NHDES VIA THE COMPLETION OF CONSTRUCTION NOTICE AND CERTIFICATE OF COMPLIANCE FORM.

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

UNLESS SPECIFICALLY AUTHORIZED BY USAGE 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 TIDAL WETLANDS

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

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

- SEASONAL RESTRICTIONS**
1. PILES INSTALLED IN-THE-DRY DURING LOW WATER OR IN-WATER BETWEEN NOV. 15TH - MARCH 15TH, OR
 2. MUST BE DRILLED AND PHINED TO LODGE, OR
 3. VIBRATORY HAMMERS USED TO INSTALL ANY SIZE AND QUANTITY OF WOOD, CONCRETE OR STEEL PILES, OR
 4. IMPACT HAMMERS LIMITED TO ONE HAMMER AND 450 PILES INSTALLED/DAY WITH THE FOLLOWING WOOD PILES OF ANY SIZE, CONCRETE PILES 6 INCHES DIAMETER, STEEL PILES 12-INCHES DIAMETER IF THE HAMMER IS 1,000 LBS. AND A WOOD CUSHION IS USED BETWEEN THE HAMMER AND STEEL PILE FOR 2-4 ABOVE.
 5. IN-WATER NOISE LEVELS SHALL NOT EXCEED 187dB SEL RE 1/16" AT A DISTANCE 30M FROM THE PILE BEING INSTALLED AND
 6. IN-WATER NOISE LEVELS 215dB PEAK RE 1/16" SHALL NOT EXCEED 12 CONSECUTIVE HOURS ON ANY GIVEN DAY AND A 12-HOUR RECOVERY PERIOD (I.E. IN-WATER NOISE BELOW 125dB PEAK RE 1/16") MUST BE PROVIDED BETWEEN WORK DAYS.

WATER 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 OF SPECIES OF INVASIVE PLANT SPECIES IN DISTURBED AREA 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 STRAP 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. 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.

SEDIMENTATION AND EROSION CONTROL

ADEQUATE SEDIMENTATION AND EROSION CONTROL 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 PREVENT EROSION AND RETAIN SEDIMENT ON-SITE DURING AND AFTER CONSTRUCTION. THEY SHALL BE CAPABLE OF PREVENTING EROSION, OR COLLECTING SEDIMENT, SUSPENDED AND FLOTTING 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 ANADROMOUS AND MIGRATORY BIRD SPAWNING AREAS, DURING SPAWNING OR SPAWNING 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 MADONSON-STEVENS FISHERY CONSERVATION AND MANAGEMENT ACT (16 C.F.R. 17.03) CAN BE OBTAINED FROM THE HMP'S WEBSITE AT WWW.HMPONLINE.COM/HCS.

INSPECTIONS

THE PERMITTEE SHALL ALLOW THE CORP 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 CORP AND NHDES MAY ALSO REQUIRE POST-CONSTRUCTION ENGINEERING DRAWINGS FOR COMPLETED WORK, AND POST-DREDGING SURVEY DRAWINGS FOR ANY SPAWNING WORK.

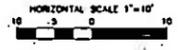
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THE ATTACHED PROFESSIONAL ENGINEER (PE) STAMP IS LIMITED TO THE REQUIREMENTS OF THE NHDES WETLANDS BUREAU RELATIVE TO THE ANALYSIS OF THE COASTAL VULNERABILITY ASSESSMENT AND DETERMINATION THE PROPOSED DOCKING STRUCTURE WILL NOT BREAK FREE AS A RESULT OF WIND FORCES ENCOUNTERED DURING STORM SURGES UP TO AND INCLUDING THE ONE PERCENT ANNUAL CHANCE EVENT. THIS PE STAMP DOES NOT COVER STRUCTURE DESIGN WHICH IS BEING PERFORMED BY OTHERS.



NO.	DATE	REVISIONS	BY	CHK
1	4/7/2022	REVISED PER NHDES COMMENTS	JJC	JJC
2	4/14/2022	REVISED PER NHDES COMMENTS	JJC	JJC

SITE DEVELOPMENT PLANS

TAX MAP 205 LOT 2
DOCK DETAILS
 LADY ISLE
 325 LITTLE HARBOR ROAD, PORTSMOUTH, NH
 OWNED BY & PREPARED FOR
 ADL 325 LITTLE HARBOR ROAD TRUST

T=20' (11"x17")
 SCALE: T=10' (22"x34")

MARCH 7, 2022

Seacoast Division
TFM
 Civil Engineers
 Structural Engineers
 Traffic Engineers
 Land Surveyors
 Landscape Architects
 Surveyors

176 Congress Way, Suite 102
 Portsmouth, NH 03801
 Phone (603) 431-7222
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