

CITY OF DOVER

DOVER CONSERVATION COMMISSION – AGENDA

Meeting Type: Regular Meeting
Meeting Location: City Council Conference Room - 288 Central Avenue Dover NH
Meeting Date: Monday, June 10, 2024
Meeting Time: 5:30 pm

1. CALL TO ORDER AND ROLL CALL

2. CITIZEN’S FORUM

3. APPROVAL OF THE PRIOR MEETING MINUTES – May 13, 2024

4. OLD BUSINESS

5. NEW BUSINESS

- A.** City of Dover Conditional Use Permit and NHDES Standard Dredge and Fill Wetlands Permit for Benjamin Stockman, Assessor’s Map L, Lot 43-A, zoned R-20, located at 165 Spur Road. The Conditional Use Permit proposal is to conduct shoreline erosion repair creating 398 square feet of overlapping permanent impact to the Conservation District and 50-foot wetland buffer. The NHDES Standard Dredge and Fill Wetlands Permit proposal is to replace a tidal docking structure, in addition to the erosion repair, creating 1,026 square feet of permanent impact and 1,688 square feet of temporary impact.
- B.** Conceptual discussion of a Transfer of Development Rights (TDR) application for Trittech Engineering, (Owner: Stonearch Development, LLC), Assessor’s Map F, Lot 3, zoned R-40, located at 210 Tolend Road. Proposal is to purchase 33 TDR units (10 unrestricted and 23 size restricted) with a total of 53 units proposed. Should the Planning Board approve the TDR application, the project would then require approval of the following: City of Dover Site Plan, Conditional Use Permits, a NHDES Wetlands Permit and a NHDES Alteration of Terrain permit.
- C.** Introduction to Dover’s UNHSI Urban Forestry Fellow – John DesRoches
- D.** \$2,000 Conservation Fund Request to Support Open Lands Committee Outreach
- E.** Native Species Discussion
- F.** Conservation and Open Space Chapter Update

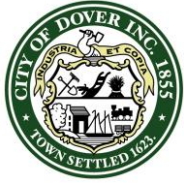
6. REPORT FROM THE CHAIR

- A.** Review of Correspondence Received From NH Department of Environmental Services

7. OTHER BUSINESS

- A.** Update from Forest Management Subcommittee

8. ADJOURNMENT



CITY OF DOVER

DOVER CONSERVATION COMMISSION – MINUTES

Meeting Type: Regular Meeting
Meeting Location: City Council Conference Room - 288 Central Avenue, Dover, NH
Meeting Date: Monday, May 13, 2024
Meeting Time: 5:30 pm

MEMBERS PRESENT: Bill Hunt (Chair), Kristen Murphy, Amy Kramer Perry, Abigail Lyon, Russ Warnock (Alternate)

Absent (Excused): Steve Fellows (Vice Chair), Robert Atwood (Secretary), Jake Geddes

Absent (Unexcused):

STAFF PRESENT: Jackson Kaspari – Resilience Manager

OTHERS PRESENT: Steve Haight, Mike Menary, Sarah Large, Kyle Pimental, Steve Herzog, Robert Schummrick, Councilor Williams

1. CALL TO ORDER AND ROLL CALL

The meeting was convened at 5:30 PM.

2. CITIZENS' FORUM

None

3. APPROVAL OF THE PRIOR MEETING MINUTES- April 8, 2024

K. Murphy moved to approve the minutes of April 8 as submitted. A. Lyon seconded. Vote: U/A

4. OLD BUSINESS:

None

5. NEW BUSINESS:

A. City of Dover Conditional Use Permit for H. J. Stabile & Son, Inc (Owner: Double Diamond Holdings North, LLC), Assessor's Map 15, Lot 40A-1, zoned G, located off of Fisher Street.

Proposal is to construct a townhouse condominium complex creating 16,250 square feet of wetland buffer impact and 6,329 square feet of overlapping impact to the Conservation District.

Steve Haight and Mike Menary, CivilWorks Engineering represented the applicant and presented the item. The proposal is a CUP for a condominium complex off Fisher St. He gave background on the application noting they have been before TRC a few times and the project has changed and reduced during the review process. He explained the differences and the current proposal.

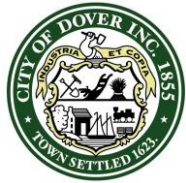
He highlighted details including:

- Drainage/ Treatment
- Sidewalk/ Pedestrian crossing
- Buffer/ Impacts

Committee members asked clarifying questions about the above topics.

Additional discussion and clarification about the following:

- Stormwater maintenance plans and reports
- Condominium documents
- Landscaping/ Plantings
- Driveways
- Recreation areas



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Recommendations for native plantings was discussed and supported by the group.

S. Haight reviewed the process and boards and committees the plan will go through. If there is a recommendation for more native plantings and the applicant needs to make an update, they can make those adjustments.

A. Kramer Perry moved to endorse the project as presented with the stipulations relating to native species. R. Warnock seconded. Vote: U/A

B. City of Dover Conditional Use Permit for Unutilized Granite State Gas Transmission (Owner: Dover Point Cooperative, Inc.), Assessor's Map M, Lot 47-C, zoned R-12, located within Unutilized's existing right-of-way between the end of Gerrish Road and Dover Point Road. Proposal is to install a replacement section of gas pipe, replace the existing access road, and construct an above-ground station for pipeline inspection equipment creating 17,015 square feet of wetland impact

Steve Herzog and Robert Schumrick represented the applicant and presented the item. This is the same proposal as previously, but expanded to also upgrade pipes and provide access for the water department.

Questions and clarifications ensued regarding:

- Access road frequency/ material/ vehicles
- Impact to the co-op community
- Wetland mitigation
- DES regulation change – new preferred methods/ mitigation
- Updated temporary and permanent impacts/ access points for future work
- Timeline for construction
- Erosion control on the disturbed areas during and following construction

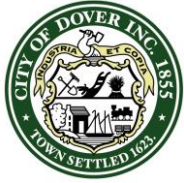
A. Lyon moved to endorse the proposal as presented. A. Kramer Perry seconded. Vote: U/A

A request was made by the commission that when the applicant is back for the wetland permit, they revisit the local mitigation option to the state. Discussion occurred about the process, timeline and mitigation list.

In connection to a conversation surrounding this topic, A. Lyon moved to authorize J. Kaspari to approach NHDES about the payment into the ARM fund versus utilization of local mitigation priority lists. K. Murphy seconded. Vote: U/A

C. FB Environmental Project Selection

As part of the Natural Resources Inventory, there is a small budget to conduct some fieldwork. J. Kaspari has spoken to the forest management subcommittee and there is an existing rain garden with some discrepancy as to whether the school district or City should be maintaining it. An idea is to use the funding to go out there and evaluate it and provide some recommendations.



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Autumn Scott who was running the NRI project has taken another position and is no longer with Strafford Regional Planning. Kyle Pimental, SRPC Assistant Director is taking this project over for her.

Kyle and Sarah want to find out tonight what is the priority project FB Environmental is going to work on. Several projects had come to the surface, and they want to be sure the one chosen is useful to the City and to this group as well as being within the expertise of FBE. The timeline will be from now through September/ October.

Sarah Large, wetland scientist for FB Environmental explained what they do and discussed options for projects that have been suggested and what her group could provide within the timeframe and financial constraints.

Projects discussed:

- Rain Garden
- Evaluation of the Book (not in FB scope of work)
- Habitat baseline documentation for Bellamy River/ dam removal
 - Rapid ecological assessment
- Community Trail expansion- preplan for any particular piece of land
 - Some design work has been done, but unsure of status
- Stream crossing assessment prioritization
- Culvert prioritization for replacement
- Rapid ecological assessment along a stream with recommendation for restoration projects

A. Lyon motioned to have FBE conduct an ecological assessment of the New Meadows conservation easement for the Community Trail expansion. R. Warnock seconded. Vote U/A

D. Native Species Resolution Discussion

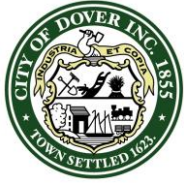
J. Kaspari explained the goals and intentions of the resolution. Details and opinions were shared about the language and the lists. Discussion continued about whether a resolution is the best option or if procedures are a better way of moving forward and measuring success.

Councilor Williams explained the initiative came from a community member asking Council to take action. Council is asking for conversations to occur before moving forward.

The overarching agreement was for this topic to remain in the purview of the Commission longer for review and development of a new set of language within a resolution for review. Staff and the Commission will research best practices and what other peer NH cities are doing for reference and continue to discuss this topic at upcoming meetings to work towards some sort of policy to put in place.

E. Conservation and Open Space Chapter Update

J. Kaspari noted the consultants are making good progress and staff was provided a draft of existing conditions report prior to it going to the master plan committee.



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6. REPORT FROM THE CHAIR

A. Review of Correspondence Received from NH Department of Environmental Services

A potential wetlands violation is being reviewed after a resident complaint.

7. OTHER BUSINESS

A. Update from Forest Management Subcommittee

J. Kaspari reported on the latest discussion topics:

- Met at the school to discuss the rain garden with the principal
- Site walk of a conservation property

8. ADJOURNMENT

A. Lyon moved to adjourn. R. Warnock seconded. Vote: U/A

The meeting was adjourned at 7:34 PM.

DRAFT



City of Dover, New Hampshire CONDITIONAL USE PERMIT APPLICATION

[Revision Date: October 19, 2020]

Office Use Only

Project #:

COND-2024-0008

Date Received:

RECEIVED
Planning Office

Amount Paid:

\$200.00 CC

Time Received:

MAY 21 2024

APPLICANT AND OWNER INFORMATION

Dover, New Hampshire

Name of Applicant: Benjamin Stockman Telephone # 978-766-6421

Address of Applicant: 165 Spur Rd, Dover, NH 03820

E-Mail Address: stockmanbm@gmail.com

Name of Property Owner (if different from applicant): _____ Telephone # _____

Address of Property Owner: _____

PROPERTY INFORMATION

Assessor's Map # L Lot(s) # 43A

Address of Property: 165 Spur Rd

Zoning District(s) R-20 Overlay District(s) conservation & wetlands protection districts

Existing Use of Property: residential

CONDITIONAL USE PERMIT INFORMATION

Type of Conditional Use Permit (Check All That Apply):

- | | | |
|---|---|--|
| ☒ Conservation District | ☐ RCM Use Overlay District | ☐ Gateway District |
| ☐ Groundwater Protection | ☐ Off-Street Parking and Loading | ☐ Alternative Treatment Center |
| ☒ Wetland Protection District | ☐ Central Business District | ☐ Heritage Residential District |

Describe Proposed Use or Activity That Requires Conditional Use Permit and Describe Any Impacts:

Shoreline erosion repair along 123 LF of shoreline at the HOTL with 398 SF of stone sill proposed in both the conservation and wetland protection districts in the eroded footprint.

List Any Associated State or Federal Permits That Have Been or Will Be Applied For and Indicate Their Status: NHDES Wetland application being filed to DES and Army Corps

NHDHR RPR filed, no reply yet

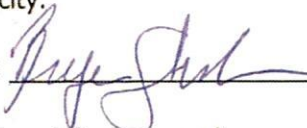
Name of Professional That Prepared Plans: Duncan Mellor, PE

Address PO Box 1166, Dover NH 03821 Telephone #: 603-749-0443

Professional License #: 8344 E-mail address: dmellor@civilworksne.com

SIGNATURES

I/We hereby submit this application to the City of Dover Planning Board and attest that to the best of my knowledge all of the information on this application form and in the accompanying application materials and documentation is true and accurate. As applicant or as agent, I attest that I am duly authorized to act in this capacity.

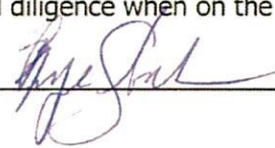
Signature of Property Owner:  Date: 5/19/2024

Signature of Applicant (if different from owner): _____ Date: _____

Signature of Agent: _____ Date: _____

AUTHORIZATION TO ENTER SUBJECT PROPERTY

I, and my successors, hereby authorize members of the Dover Planning Board, Planning Department and other pertinent City Departments and boards to enter my property for the purpose of evaluating this application, including performing inspections during the application phase, post-approval phase, construction phase and occupancy phase. It is understood that these individuals must use all reasonable care, courtesy, and diligence when on the property.

Signature of Property Owner:  Date: 5/14/2024

PROJECT NARRATIVE

for

165 Spur Rd Shoreline Repair

Conditional Use Permit

Tax Map L, Lot 43A

June 3, 2024

PROJECT OVERVIEW & SITE CHARACTERISTICS

The project parcel is located at 165 Spur Road, Dover, NH and is shown on Tax Map L as Lot 43A, and is located within the Low Density Residential District. The project applicant is proposing:

1. Repair of bank erosion caused by storm waves with a stone sill to prevent collapse of the vegetated bank above the high tide erosion damage.

OVERLAY DISTRICT SETBACKS IMPACT TYPE

Conservation District

The proposed impacts within the 100' Conservation District setback is a stone sill with rock back fill erosion repair (389 SF). The proposed stone sill repair is to attenuate wave action on the eroded portion of shoreline and the proposed locations are practicable. This approach minimizes impact area, it stabilizes the bank toe to prevent additional erosion and sedimentation, and protects the vegetated upper bank from undercutting.

Wetland Protection District

The proposed impacts within the 50' Wetland Protection District setback is a stone sill with rock back fill erosion repair (389 SF). During construction an erosion control log will be installed downslope of the work area. The proposed sill stones have been sized to mitigate erosion based on fetch length wave forecasting (2.2' high breaking wave). This approach minimizes impact area, it stabilizes the bank toe to prevent additional erosion and sedimentation, and protects the vegetated upper bank from undercutting.

Practicable Alternative: There is no practicable alternative that would have a less adverse impact on the area.

The impacts from the proposed shoreline repair are necessary to protect against wave action continuing to erode the bank landward and increased collapse of vegetated bank. The stone sill is located in the area damaged by erosion, and it acts to diffuse wave energy and prevents undercutting erosion at the toe of the bank. Previously a mature tree was undercut by wave erosion and collapsed into the bay. If not stabilized, the vegetated bank will continue to collapse. The storm wave action at this site significantly exceeds the wave height for planted approaches and will fail.

Avoidance: The potential impacts have been avoided to the maximum extent practicable.

PROJECT NARRATIVE

for

165 Spur Rd Shoreline Repair

Conditional Use Permit

Tax Map L, Lot 43A

June 3, 2024

The stone sill repair is located in the recent erosion footprint (sand) where vegetation was destroyed by wave action. The impact is minimized by minimal footprint and in keeping the sill crest at the FEMA flood elevation, preserving the vegetated bank above.

Minimization: Any unavoidable impacts have been minimized. No reasonable alternative to the proposed construction exists which does not impact a wetland or which has less detrimental impact on a wetland. Design, construction and maintenance methods will be prepared by a registered engineer to minimize detrimental impacts to the wetlands and will include restoration of the site as nearly as possible to its original grade.

The shoreline repair and stone sill restoration do not impact wetlands, they only impact the wetland buffer. The stone sill repair is the smallest amount possible, by using large stones that are stable and provide wave force protection for the shoreline. The stone sill repair is located in the recent erosion footprint (sand) where vegetation was destroyed by wave action. The impact is minimized by keeping the sill crest at the FEMA flood elevation, preserving the vegetated bank above.

Mitigation: If mitigation is required by state rules to prepare a compensatory mitigation plan, the applicant shall provide the Conservation Commission and Planning Board with one copy each of said plan for their review.

The proposed repair is a living shoreline approach, maintaining the remaining vegetated bank and does not require state mitigation.

Approval for the wetlands impact has been received from the NHDES Wetlands Bureau pursuant to Section G (3), below..

A Wetlands Permit application has been filed with NHDES and the work can only be performed if the DES wetland permit is issued.

To assess and summarize the wetlands' functions and values as denoted in the NH Method and Section 170.27.1(B)(2).

From the NHDES Wetland application CFA:

FUNCTIONS AND VALUES ASSESSMENT

Ecological Integrity: The site has moderate ecological integrity including recreation, being a developed waterfront with human uses, however the upper tidal zone site does not support fish habitat, does not enhance flood storage (tidal site) or other presumed wetland functions. This is not a primary function of the portion of the waterbody within the proposed project area.

Groundwater Recharge/Discharge: The proposed project is located adjacent to a tidal waterbody. As the ocean is the low point for all surrounding topography, it is unlikely that a significant amount of groundwater recharge is occurring. Groundwater discharge is possible in

PROJECT NARRATIVE

for
165 Spur Rd Shoreline Repair
Conditional Use Permit
Tax Map L, Lot 43A

June 3, 2024

general but was not observed at the project area. This is not a primary function of the portion of the waterbody within the proposed project area.

Floodflow Alteration: No floodplain in project footprint. This is an tidal site with no floodplain that has no storage or flood water level issues. This is not a primary function of the portion of the waterbody within the proposed project area.

Fish and Shellfish Habitat: This waterbody provides ocean water habitat for a variety of fish, but the project area is dry for much of the tide cycle. No shellfish were observed at the project area and the required data screening (NHB, WWTP, etc.) associated with this project, did not identify any shellfish beds appearing within the vicinity of the proposed project. Fish habitat is a primary function of the waterbody, however the waterbody at the project site does not support fish or shellfish due to being at the upper limit of the tide range.

Sediment/Toxicant/Pathogen Retention: Sediment retention is a primary function of the portion of the waterbody within the proposed project area, toxicant/ pathogen retention is not a primary function.

Nutrient Removal/Retention/Transformation: The proposed project area has no significant wetland vegetation. This is not a primary function of the portion of the waterbody within the proposed project area.

Production/Export (Nutrient): The proposed project area has no significant wetland vegetation and no sign of mineral or organic soil present to support wetland vegetation growth. This is not a primary function of the portion of the waterbody within the proposed project area.

Sediment/Shoreline Stabilization: The proposed project is located facing an wind wave fetch, close proximity boat wakes and this location is a higher inland energy area experiencing wave action as a function of wind direction and passing boats. The shoreline is a developed area with minimal sediment trapping ability. This is not a primary function of the portion of the waterbody shoreline within the proposed project area.

Wildlife Habitat: The site is developed area, the waterbody has the potential habitat for fish only at high tide. This is not a primary function of the portion of the site or waterbody within the proposed project area.

Recreation: The site is a developed area, the waterbody provides recreational opportunities including, boating and fishing, adjacent to this site. This is a primary function and value of the waterbody.

PROJECT NARRATIVE

for

165 Spur Rd Shoreline Repair

Conditional Use Permit

Tax Map L, Lot 43A

June 3, 2024

Educational/Scientific Value: The site is a developed. This is not a primary function and value of the site or waterbody.

Uniqueness/Heritage: The project site is not a historical site and is not near historical structures per NHDHR review. This is not a primary function and value of the site.

Visual Quality/Aesthetics: The site is a developed area with visual quality. This is a primary function and value of the site.

Threatened/Endangered Species Habitat: A preliminary data screening was conducted using the NHB data check tool, noting possible sturgeon in adjacent deeper waters. Upon further review, it was determined that the proposed project would not impact any threatened or endangered species and their habitats. This is not a primary function and value of the site or waterbody.

Conclusion

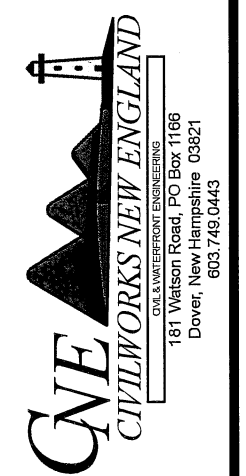
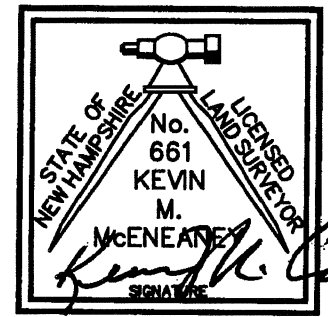
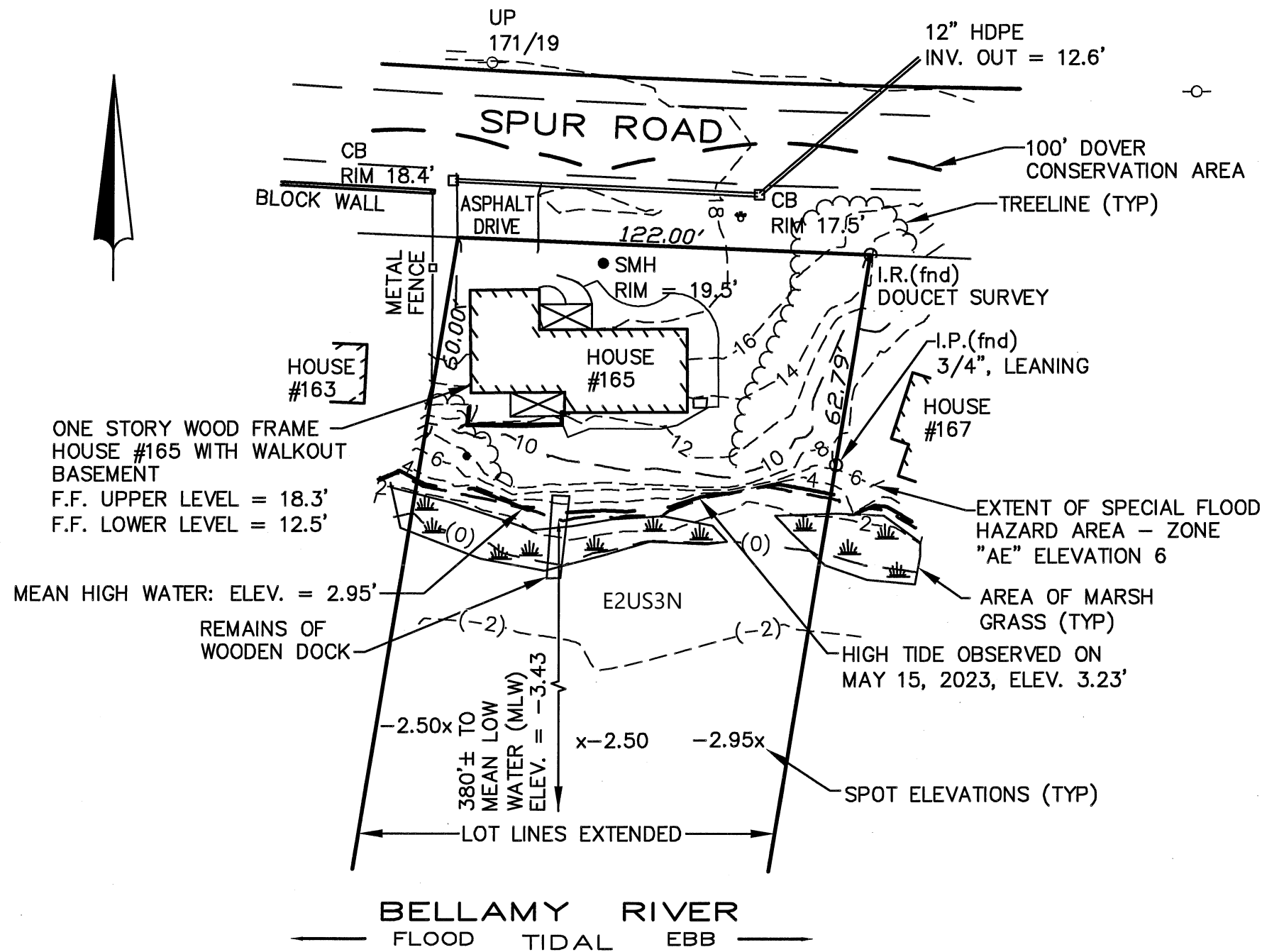
Based on the assessment of functions and values it was determined that this developed site and adjacent waterbody in the vicinity of the proposed project is suitable for: Recreation, and Visual Quality/Aesthetics.

REFERENCE PLANS:

- 1.) EXISTING CONDITIONS PLAN OF REAL ESTATE ADVISORS, INC. (TAX MAP L, LOT 43A) 165 SPUR ROAD, DOVER, NEW HAMPSHIRE; SCALE 1" = 20'; DATED: NOV. 27, 2007; BY: DOUCET SURVEY, INC.; NOT RECORDED.

NOTES:

- 1.) OWNERS OF RECORD:
BENJAMIN MICHAEL STOCKMAN
ARIANA MARISA SAMALOT
165 SPUR ROAD
DOVER, NEW HAMPSHIRE
S.C.R.D. VOLUME 5081, PAGE 205
- 2.) **L / 43A** - DENOTES TAX MAP AND PARCEL NUMBER.
- 3.) THE INTENT OF THIS PLAN IS TO DEPICT THE SITE CONDITIONS AS OF MAY 15, 2023.
- 4.) PARCEL BOUNDARY SHOWN IS TAKEN FROM REFERENCE PLAN #1.
- 5.) HORIZONTAL DATUM IS NAVD83 BASED ON GPS OBSERVATION DATED MAY 15, 2023. VERTICAL DATUM IS USGS NAVD88 BASED ON GPS OBSERVATION DATED MAY 15, 2023. CONTOUR INTERVAL IS TWO (2) FEET.
- 6.) TIDAL ELEVATIONS ARE TAKEN FROM PORTLAND STATION 8418150, WITH LOCAL CORRECTIONS FROM NOAA AND UNH.

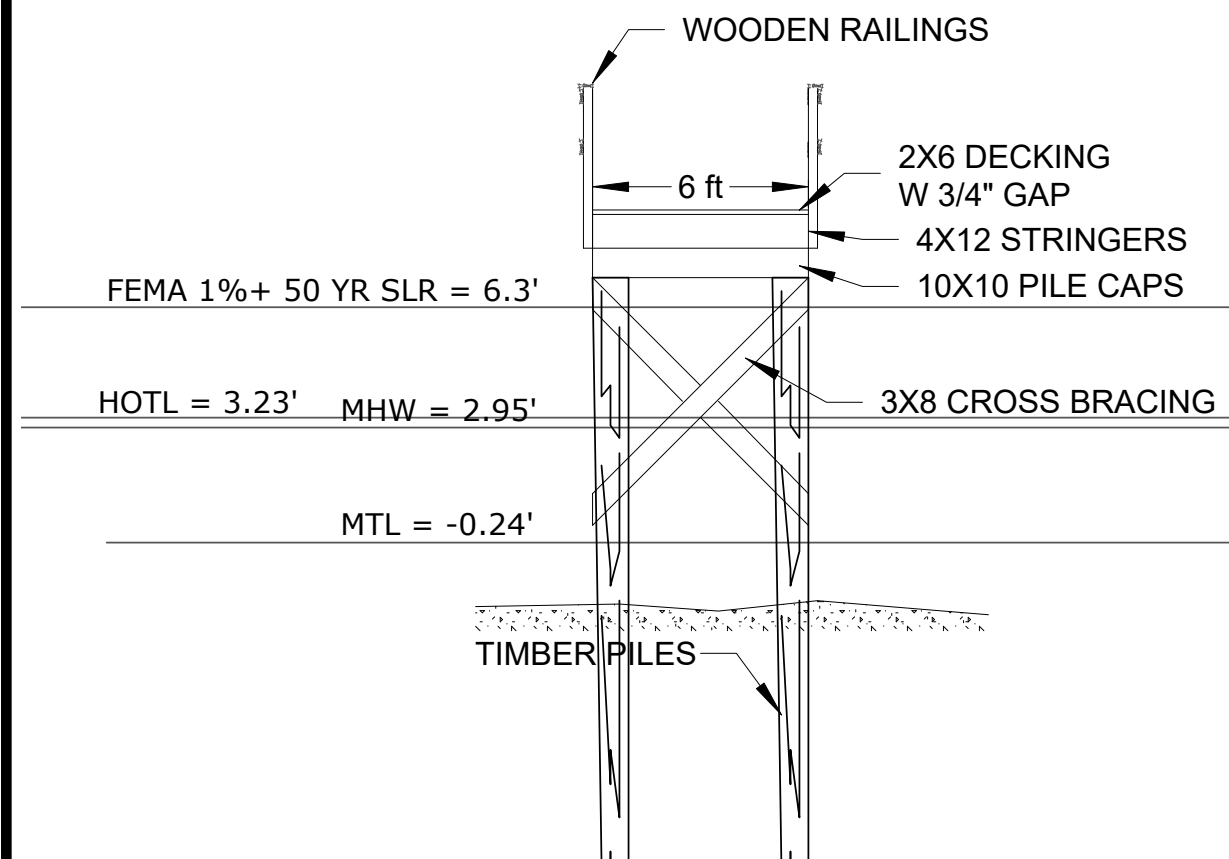
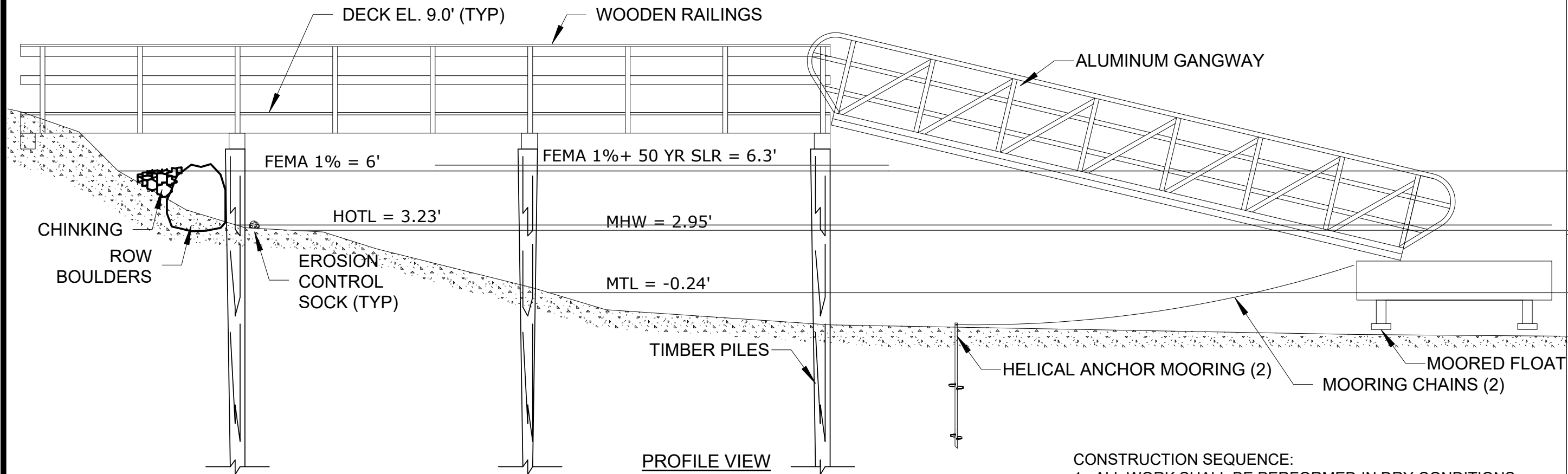


DATE	NO.	REVISION	APP'D	DATE
6-9-23				
SCALE: 1" = 40'				
DRAWN BY: KJF				
DESIGN BY: DOM				
APPROVED BY:				
PROJ NO: 23037				
FILE:				

OWNER/APPLICANT:
BENJAMIN STOCKMAN
& ARIANA SAMALOT

DOCK & BANK STABILIZATION
165 SPUR ROAD, DOVER, NH
STRAFFORD COUNTY
BELLAMY RIVER

EC

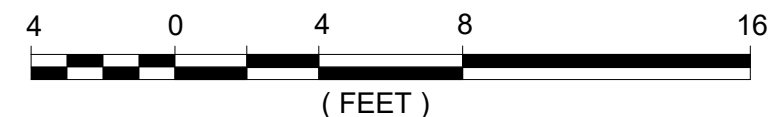
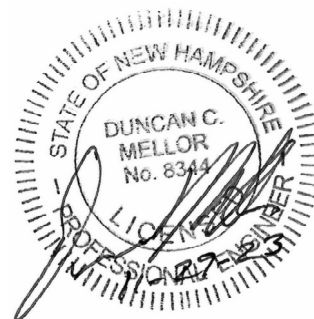


CONSTRUCTION SEQUENCE:

1. ALL WORK SHALL BE PERFORMED IN DRY CONDITIONS WORKING ABOVE WATER LEVELS. REMOVE EXISTING TIMBER DOCK. REMOVE FALLEN TREE STUMP ON SHORELINE.
2. INSTALL EROSION CONTROL SOCK AND ROW OF BOULDERS, BACKFILL WITH CHINKING STONES.
3. INSTALL DOCK PILES IN THE DRY. CONSTRUCT DOCK SUPERSTRUCTURE & RAILINGS.
4. INSTALL HELICAL MOORINGS AND SEASONAL FLOAT WITH ELEVATING SKIDS TO KEEP FLOAT OFF MUD.
5. REMOVE EROSION CONTROL SOCK WHEN STABILIZED.

NOTES:

1. THE ATTACHED PE STAMP IS LIMITED TO PERMIT DRAWING PREPARATION. THIS PE STAMP DOES NOT COVER ANALYSIS OR STRUCTURE DESIGN, WHICH IS BEING PERFORMED BY OTHERS.
2. PILE AND MOORING EMBEDMENT, AND DOCK STRUCTURAL DESIGN, BY OTHERS, SHALL BE ADEQUATE TO RESIST DOCK BREAK AWAY IN STORM CONDITIONS.



DATE	SCALE	DRAWN BY	DESIGN BY	APPROVED BY	PROJ. NO.	FILE	NO.	REVISION	APP'D	DATE
11-28-23	AS SHOWN	BY: DCM	BY: DCM	BY: DCM	23037					

OWNER/APPLICANT:
BENJAMIN STOCKMAN
& ARIANA SAMALOT

WF-3 PROPOSED PROFILE

DOCK & BANK STABILIZATION
165 SPUR ROAD, DOVER, NH
STRAFFORD COUNTY
BELLAMY RIVER



STANDARD DREDGE AND FILL WETLANDS PERMIT APPLICATION

Water Division / Land Resources Management
[Check the Status of your Application](#)



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

APPLICANT'S NAME: Stockman, Benjamin

TOWN NAME: Dover

Administrative Use Only	Administrative Use Only	Administrative Use Only	File No.:
			Check No.:
			Amount:
			Initials:

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 \(WPPT\)](#), 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?	☒ Yes ☐ No
Does the property contain a PRA? If yes, provide the following information:	☒ Yes ☐ No
• Does the project qualify for an Impact Classification Adjustment (e.g. NH Fish and Game Department (NHFG) 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.	☒ Yes ☐ No
• Protected species or habitat? ○ If yes, species or habitat name(s): sturgeon ○ NHB Project ID #: NHB23-1597	☒ Yes ☐ No
• Bog?	☐ Yes ☒ No
• Floodplain wetland contiguous to a tier 3 or higher watercourse?	☐ Yes ☒ No
• Designated prime wetland or duly-established 100-foot buffer?	☐ Yes ☒ No
• Sand dune, tidal wetland, tidal water, or undeveloped tidal buffer zone?	☒ Yes ☐ No
Is the property within a Designated River corridor? If yes, provide the following information:	☐ Yes ☒ No
• Name of Local River Management Advisory Committee (LAC): • A copy of the application was sent to the LAC on Month: Day: Year:	

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

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

des.nh.gov

For dredging projects, is the subject property contaminated? • If yes, list contaminant: NA	☐ Yes ☐ No
Is there potential to impact impaired waters, class A waters, or outstanding resource waters?	☐ Yes ☒ No
For stream crossing projects, provide watershed size (see WPPT or Stream Stats): NA	
SECTION 2 - PROJECT DESCRIPTION (Env-Wt 311.04(i))	
Provide a description of the project and the purpose of the project, the need for the proposed impacts to jurisdictional areas, an outline of the scope of work to be performed, and whether impacts are temporary or permanent.	
The applicant, Stockman, is proposing to repair shoreline erosion and replace a dock on a 0.2 acre parcel at 165 Spur Rd in Dover. The lot is bounded by the tidal Bellamy River to the west and the Spaulding Turnpike to the east. The lot is a developed residential lot with an existing timber dock that has collapsed. Shoreline wave damage did occur in the December 23, 2022 storm including dock damage and shoreline erosion. The dock will be removed and replaced as shown. The shoreline erosion is limited to the lower bank which will be repaired as a hybrid to lower stone boulder sill and existing vegetated bank above stabilized from collapse by the stone sill. Access will be by barge for some dock work and across the lawn for the rest with 1,688 SF of temporary impact possible. The stone sill will have permanent impact of 398 SF in the tidal buffer. The dock replacement and stone sill will have 579 SF of permanent impact below the HOTL. There are no impacts below low later.	
SECTION 3 - PROJECT LOCATION	
Separate wetland permit applications must be submitted for each municipality within which wetland impacts occur.	
ADDRESS: 165 Spur Rd	
TOWN/CITY: Dover	
TAX MAP/BLOCK/LOT/UNIT: map L, lot 43A	
US GEOLOGICAL SURVEY (USGS) TOPO MAP WATERBODY NAME: Bellamy River	
☐ N/A	
(Optional) LATITUDE/LONGITUDE in decimal degrees (to five decimal places):	

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: **Benjamin Stockman**MAILING ADDRESS: **165 Spur Rd**TOWN/CITY: **Dover**STATE: **NH**ZIP CODE: **03820**EMAIL ADDRESS: **stockmanbm@gmail.com**

FAX:

PHONE: **978-766-6421**

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

SECTION 5 - AUTHORIZED AGENT INFORMATION (Env-Wt 311.04(c))☐ N/A

LAST NAME, FIRST NAME, M.I.:

COMPANY NAME:

MAILING ADDRESS:

TOWN/CITY:

STATE:

ZIP CODE:

EMAIL ADDRESS:

FAX:

PHONE:

ELECTRONIC COMMUNICATION: By initialing here, 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.

☐ Same as applicant

NAME:

MAILING ADDRESS:

TOWN/CITY:

STATE:

ZIP CODE:

EMAIL ADDRESS:

FAX:

PHONE:

ELECTRONIC COMMUNICATION: By initialing here, 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):
See attachments, including specific Env-Wt responses and worksheets

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/rivers, the linear footage of impact is calculated by summing the lengths of disturbances to the channel and banks.

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

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

JURISDICTIONAL AREA		PERM. SF	PERM. LF	PERM. ATF	TEMP. SF	TEMP. LF	TEMP. ATF
Wetlands	Forested Wetland			☐			☐
	Scrub-shrub Wetland			☐			☐
	Emergent Wetland			☐			☐
	Wet Meadow			☐			☐
	Vernal Pool			☐			☐
	Designated Prime Wetland			☐			☐
	Duly-established 100-foot Prime Wetland Buffer			☐			☐
Surface	Intermittent / Ephemeral Stream			☐			☐
	Perennial Stream or River			☐			☐
	Lake / Pond			☐			☐
	Docking - Lake / Pond			☐			☐
	Docking - River			☐			☐
Banks	Bank - Intermittent Stream			☐			☐
	Bank - Perennial Stream / River			☐			☐
	Bank / Shoreline - Lake / Pond			☐			☐
Tidal	Tidal Waters	145	123	☐			☐
	Tidal Marsh			☐			☐
	Sand Dune			☐			☐
	Undeveloped Tidal Buffer Zone (TBZ)			☐			☐
	Previously-developed TBZ	447	123	☐	1688	141	☐
	Docking - Tidal Water	434	67	☐			☐
TOTAL		1026	190		1688	141	

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

☐ **MINIMUM IMPACT FEE:** Flat fee of \$400.

☐ **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).

☐ **MINOR OR MAJOR IMPACT FEE:** Calculate using the table below:

Permanent and temporary (non-docking): 2280	SF	× \$0.40 =	\$ 912
Seasonal docking structure:	SF	× \$2.00 =	\$
Permanent docking structure: 434	SF	× \$4.00 =	\$ 1736
Projects proposing shoreline structures (including docks) add \$400 =			\$ 400
Total =			\$ 3048

The application fee for minor or major impact is the above calculated total or \$400, whichever is greater = \$ 3048

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

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

des.nh.gov

SECTION 13 - PROJECT CLASSIFICATION (Env-Wt 306.05)

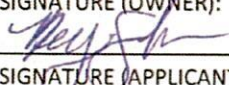
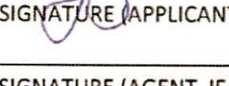
Indicate the project classification.

☐ Minimum Impact Project☐ Minor Project☒ Major Project**SECTION 14 - REQUIRED CERTIFICATIONS (Env-Wt 311.11)**

Initial each box below to certify:

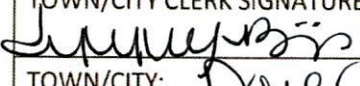
Initials: 	To the best of the signer's knowledge and belief, all required notifications have been provided.
Initials: 	The information submitted on or with the application is true, complete, and not misleading to the best of the signer's knowledge and belief.
Initials: 	The signer understands that: - The submission of false, incomplete, or misleading information constitutes grounds for NHDES to: - 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.
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-Wt 311.04(d); Env-Wt 311.11)

SIGNATURE (OWNER): 	PRINT NAME LEGIBLY: Benjamin Staturen	DATE: 5/19/2024
SIGNATURE (APPLICANT, IF DIFFERENT FROM OWNER): 	PRINT NAME LEGIBLY:	DATE:
SIGNATURE (AGENT, IF APPLICABLE):	PRINT NAME LEGIBLY:	DATE:

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: 	PRINT NAME LEGIBLY: Bernice Vanslyke-Rzew
TOWN/CITY: Dover	DATE: 5/21/2024

DIRECTIONS FOR TOWN/CITY CLERK:

Per RSA 482-A:3, I(a)(1)

1. IMMEDIATELY sign the original application form and four copies in the signature space provided above.
2. 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.
3. 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.
4. Retain one copy of the application form and one complete set of attachments and make them reasonably accessible for public review.

DIRECTIONS FOR APPLICANT:

Submit the 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 at the address at the bottom of this page. Make check or money order payable to "Treasurer – State of NH".

165 Spur Rd, Dover, Shoreline Repair and Dock Replacement: Photos



Photo 1 Site shoreline overview and collapsed dock. By CNE on 4-11-23



Photo 2 Bank wave erosion. By CNE on 4-11-23



STANDARD DREDGE AND FILL WETLANDS PERMIT APPLICATION ATTACHMENT A: MINOR AND MAJOR PROJECTS



Water Division/Land Resources Management
Wetlands Bureau

[Check the Status of your Application](#)

RSA/ Rule: RSA 482-A/ Env-Wt 311.10; Env-Wt 313.01(a)(1); Env-Wt 313.03

APPLICANT'S NAME: Stockman, Benjamin

TOWN NAME: Dover

Attachment A is required for *all minor and major projects*, and must be completed *in addition* to the [Avoidance and Minimization Narrative](#) or [Checklist](#) that is required by Env-Wt 307.11.

For projects involving construction or modification of non-tidal shoreline structures over areas of surface waters having an absence of wetland vegetation, only Sections I.X through I.XV are required to be completed.

PART I: AVOIDANCE AND MINIMIZATION

In accordance with Env-Wt 313.03(a), the Department shall not approve any alteration of any jurisdictional area unless the applicant demonstrates that the potential impacts to jurisdictional areas have been avoided to the maximum extent practicable and that any unavoidable impacts have been minimized, as described in the [Wetlands Best Management Practice Techniques For Avoidance and Minimization](#).

SECTION I.I - ALTERNATIVES (Env-Wt 313.03(b)(1))

Describe how there is no practicable alternative that would have a less adverse impact on the area and environments under the Department's jurisdiction.

THIS PROJECT MINIMIZES IMPACTS TO WETLANDS AND OTHER AREAS OF JURISDICTION BY DOING THE FOLLOWING: THE STRUCTURE WILL NOT IMPACT SALT TOLERANT WETLAND SPECIES, AS WELL THE HEIGHT OF THE STRUCTURE IS 5'+ HIGHER THAN EXISTING GROUND WITH A DOCK WIDTH OF 4' TO MINIMIZE SHADING OF SALT MARSH, EROSION CONTROL SOCKS WILL BE INSTALLED TO PROTECT THE SUBSTRATE, AND ALL CONSTRUCTION WILL BE PERFORMED IN DRY CONDITIONS.

SECTION I.II - MARSHES (Env-Wt 313.03(b)(2))

Describe how the project avoids and minimizes impacts to tidal marshes and non-tidal marshes where documented to provide sources of nutrients for finfish, crustacean, shellfish, and wildlife of significant value.

This location has the least impact to wetlands functions because the structure does not impact any salt tolerant wetland species, as well the height of the structure is greater than 5' above salt marsh while only being 4 feet wide to minimize shading.

SECTION I.III - HYDROLOGIC CONNECTION (Env-Wt 313.03(b)(3))

Describe how the project maintains hydrologic connections between adjacent wetland or stream systems.

THE PROJECT MAINTAINS HYDROLOGIC CONNECTIONS BECAUSE IT IS NOT ALTERING THE BANK. HYDROLOGIC FLOWS WILL CONTINUE AS IT DID IN THE PRE-CONSTRUCTION CONDITIONS.

SECTION I.IV - JURISDICTIONAL IMPACTS (Env-Wt 313.03(b)(4))

Describe how the project avoids and minimizes impacts to wetlands and other areas of jurisdiction under RSA 482-A, especially those in which there are exemplary natural communities, vernal pools, protected species and habitat, documented fisheries, and habitat and reproduction areas for species of concern, or any combination thereof.

THIS PROJECT MINIMIZES IMPACTS TO WETLANDS AND OTHER AREAS OF JURISDICTION BY DOING THE FOLLOWING: THE STRUCTURE WILL NOT IMPACT ANY SALT TOLERANT WETLAND SPECIES, AS WELL THE HEIGHT OF THE STRUCTURE IS 5+ FEET HIGHER THAN EXISTING GROUND, EROSION CONTROL SOCKS WILL BE INSTALLED TO PROTECT THE SUBSTRATE, AND ALL CONSTRUCTION WILL BE PERFORMED IN DRY CONDITIONS.

SECTION I.V - PUBLIC COMMERCE, NAVIGATION, OR RECREATION (Env-Wt 313.03(b)(5))

Describe how the project avoids and minimizes impacts that eliminate, depreciate or obstruct public commerce, navigation, or recreation.

THIS PROJECT AVOIDS AND MINIMIZES IMPACTS THAT ELIMINATE, DEPRECIATE, OR OBSTRUCT PUBLIC COMMERCE BECAUSE IT DOES NOT OBSTRUCT OPEN WATER, NAVIGATION, OR RECREATION. THE HARBORMASTER LETTER REVIEWED THIS AND FOUND NO IMPACTS TO NAVIGATION.

SECTION I.VI - FLOODPLAIN WETLANDS (Env-Wt 313.03(b)(6))

Describe how the project avoids and minimizes impacts to floodplain wetlands that provide flood storage.

THIS PROJECT IS IN TIDAL WATERS AND FILL WILL NOT IMPACT THE FLOOD ELEVATIONS OR FLOOD STORAGE.

SECTION I.VII - RIVERINE FORESTED WETLAND SYSTEMS AND SCRUB-SHRUB – MARSH COMPLEXES (Env-Wt 313.03(b)(7))

Describe how the project avoids and minimizes impacts to natural riverine forested wetland systems and scrub-shrub – marsh complexes of high ecological integrity.

N/A

SECTION I.VIII - DRINKING WATER SUPPLY AND GROUNDWATER AQUIFER LEVELS (Env-Wt 313.03(b)(8))

Describe how the project avoids and minimizes impacts to wetlands that would be detrimental to adjacent drinking water supply and groundwater aquifer levels.

N/A

SECTION I.IX - STREAM CHANNELS (Env-Wt 313.03(b)(9))

Describe how the project avoids and minimizes adverse impacts to stream channels and the ability of such channels to handle runoff of waters.

N/A

SECTION I.X - SHORELINE STRUCTURES - CONSTRUCTION SURFACE AREA (Env-Wt 313.03(c)(1))

Describe how the project has been designed to use the minimum construction surface area over surface waters necessary to meet the stated purpose of the structures.

THE STRUCTURE CAN BE A MINIMUM OF 4' WIDE FOR THE PIER OVER MARSH, WE ARE USING MINIMAL SIZES FOR LENGTH AND WIDTHS OF THE STRUCTURE.

SECTION I.XI - SHORELINE STRUCTURES - LEAST INTRUSIVE UPON PUBLIC TRUST (Env-Wt 313.03(c)(2))

Describe how the type of construction proposed is the least intrusive upon the public trust that will ensure safe docking on the frontage.

THIS IS NOT A PUBLIC DOCK, THIS IS A PRIVATE RESIDENTIAL DOCKING STRUCTURE, ONLY INTENDED FOR THE PROPERTY OWNER.

SECTION I.XII - SHORELINE STRUCTURES – ABUTTING PROPERTIES (Env-Wt 313.03(c)(3))

Describe how the structures have been designed to avoid and minimize impacts on ability of abutting owners to use and enjoy their properties.

THIS PROJECT MINIMIZES IMPACTS ON THE ABILITY OF THE ABUTTING OWNERS TO USE AND ENJOY THEIR PROPERTY BY HAVING THE DOCK HAVING SETBACK FROM ABUTTING PROPERTY LINES.

SECTION I.XIII - SHORELINE STRUCTURES – COMMERCE AND RECREATION (Env-Wt 313.03(c)(4))

Describe how the structures have been designed to avoid and minimize impacts to the public's right to navigation, passage, and use of the resource for commerce and recreation.

THE HARBORMASTER LETTER REVIEWED THIS AND FOUND NO IMPACTS TO NAVIGATION.

SECTION I.XIV - SHORELINE STRUCTURES – WATER QUALITY, AQUATIC VEGETATION, WILDLIFE AND FINFISH HABITAT (Env-Wt 313.03(c)(5))

Describe how the structures have been designed, located, and configured to avoid impacts to water quality, aquatic vegetation, and wildlife and finfish habitat.

THE STRUCTURE HAS BEEN DESIGNED, LOCATED, AND CONFIGURED TO AVOID IMPACTS TO WATER QUALITY, AQUATIC VEGETATION, AND WILDLIFE BY DOING THE FOLLOWING: EROSION AND SEDIMENT CONTROL SOCK WILL BE INSTALLED TO PREVENT SEDIMENT TRANSPORTATION, MOORED FLOAT SKIDS WILL BE INSTALLED TO PROTECT THE SUBSTRATE, AND THE CONSTRUCTION WILL BE DONE IN DRY CONDITIONS TO AVOID IMPACTS TO WILDLIFE.

SECTION I.XV - SHORELINE STRUCTURES – VEGETATION REMOVAL, ACCESS POINTS, AND SHORELINE STABILITY (Env-Wt 313.03(c)(6))

Describe how the structures have been designed to avoid and minimize the removal of vegetation, the number of access points through wetlands or over the bank, and activities that may have an adverse effect on shoreline stability.

THE STRUCTURE IS LOCATED TO AVOID AND MINIMIZE THE REMOVAL OF VEGATATION. NO VEGETATION REMOVAL IS REQUIRED TO INSTALL THE DOCK OR SHORELINE REPAIRS.

PART II: FUNCTIONAL ASSESSMENT**REQUIREMENTS**

Ensure that project meets the requirements of Env-Wt 311.10 regarding functional assessment (Env-Wt 311.04(j); Env-Wt 311.10).

FUNCTIONAL ASSESSMENT METHOD USED:

US ACE New England District Highway Methodology Workbook, Supplement, Wetland functions and Values: A Descriptive Approach

NAME OF CERTIFIED WETLAND SCIENTIST (FOR NON-TIDAL PROJECTS) OR QUALIFIED COASTAL PROFESSIONAL (FOR TIDAL PROJECTS) WHO COMPLETED THE ASSESSMENT: DAMON BURT, CWS; DUNCAN MELLOR, PE

DATE OF ASSESSMENT: 1-26-24

Check this box to confirm that the application includes a NARRATIVE ON FUNCTIONAL ASSESSMENT:



For minor or major projects requiring a standard permit without mitigation, the applicant shall submit a wetland evaluation report that includes completed checklists and information demonstrating the RELATIVE FUNCTIONS AND VALUES OF EACH WETLAND EVALUATED. Check this box to confirm that the application includes this information, if applicable:



Note: The Wetlands Functional Assessment worksheet can be used to compile the information needed to meet functional assessment requirements.



OVERWATER STRUCTURES IN TIDAL AREAS PROJECT-SPECIFIC WORKSHEET FOR STANDARD APPLICATION

Water Division/Land Resources Management
Wetlands Bureau

[Check the Status of your Application](#)



RSA/Rule: RSA 482-A/ Env-Wt 606

This worksheet summarizes the criteria and requirements for a Standard Permit for “Overwater Structure” projects, as outlined in Chapter Env-Wt 600. In addition to the project-specific criteria and requirements on this worksheet, all Standard Applications must meet the criteria and requirements listed in the [Standard Dredge and Fill Wetlands Permit Application Form \(NHDES-W-06-012\)](#) and the [Coastal Resource Worksheet \(NHDES-W-06-079\)](#).

SECTION 1 - APPLICATION REQUIREMENTS (Env-Wt 606.04)

An application for an overwater structure shall include the following details:

A plan showing:

- ☒ The location of the landward boundary of the Federal Navigation Project (FNP) or, if no FNP is present, the landward boundary of the navigational channel.
- ☒ The location and dimensions of all existing shoreline structures on the subject property.
- ☒ The location and dimensions of all proposed structures.
- ☐ For commercial tidal docks, public docks, and industrial docks, certification by a professional engineer that the dock has been designed for its intended use.
- ☒ The location of any proposed impacts, crossings, construction areas, and clearings.

An elevational view, depicting:

- ☒ The location and dimensions of all proposed structures, including permanent piers, pilings, float stop structures, ramps, floats, and dolphins.
- ☒ The location of the landward boundary of the FNP or, if no FNP is present, the landward boundary of the navigational channel.

For dock maintenance projects that are classified as minimum impact projects under Env-Wt 606.17, the applicant shall provide the following information:

- ☐ A plan showing the location and dimensions of all existing structures.
- ☐ An identification of those pilings and structures to be repaired or replaced.
- ☐ Photographs showing the repair project from the docking structures looking waterward and the end of the dock looking towards the shoreland attachment.

For minor impact dock maintenance projects under Env-Wt 606.04(c), the applicant shall provide:

- ☐ Plans and photographs.
- ☐ A coastal functional assessment (CFA).

lrn@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 2 - APPROVAL CRITERIA (Env-Wt 606.08; Env-Wt 606.09)**Residential Tidal Docks:**

An application for residential tidal docks shall meet the following criteria:

- ☒ Residential docks shall be for private recreational use associated with one or more private residences.
- ☒ Residential docks shall be designed as specified in this part, which might not result in all-tide access.
- ☒ Ramp and float portions of residential tidal docks shall be seasonal and removed from the water during the non-boating season.
- ☒ Preference shall be given to residential tidal docks designed to serve multiple properties.
- ☒ The subject property shall not already be served by an existing residential tidal dock at the property.
- ☒ The location, design, and method of construction for a proposed residential tidal dock shall:
 - Be based on the results of the CFA required by Env-Wt 603.04 so as to avoid negative impacts to valuable and sensitive coastal wetlands and resources identified in the CFA report, and to minimize any impacts that cannot be avoided.
 - Be the least environmentally-impacting practicable alternative.
 - Be certified by a professional engineer as having sufficient structural integrity, based on the results of the vulnerability assessment required by Env-Wt 603.05, to not break free as a result of tidal forces encountered during winter ice and significant storm surges up to and including one percent annual chance event.
 - Not impede the passage of non-motorized watercraft.
- ☒ Pile-supported structures and floats shall not be located within 25 feet of currently-existing or previously-known vegetated shallows.
- ☒ No structure shall extend across 25% or more of the waterway width at mean low water.
- ☒ No structure shall be located within the buffer zone of the horizontal limits of a FNP, which is three times the authorized depth of a constructed FNP as measured on a horizontal plane.
- ☒ No structure shall be constructed that obstructs the rights of passage of foot traffic within the inter-tidal zone, near shore watercraft users, or obstruct navigation in the channel.

Commercial/Industrial Docks:

An application for commercial/industrial docks shall meet the following criteria:

- ☐ Department approval of a new commercial tidal dock or an expansion of an existing commercial tidal dock shall be in addition to any approvals required under applicable lawfully-enacted local land use requirements.
- ☐ Transient public use access point structures shall not be approved unless they provide a benefit to the public, such as a docking facility that is open to the general public for transient use.
- ☐ The configuration and dimensions for commercial structures shall conform to the standards in Env-Wt 606.02 and Env-Wt 606.03.

SECTION 3 - DESIGN & CONSTRUCTION REQUIREMENTS (Env-Wt 606.03; Env-Wt 606.07)

An overwater structure shall be designed and constructed as follows:

- ☒ Overwater structures shall meet the 20-foot property line setback specified in RSA 482-A:3, XIII(a).
- ☒ A residential tidal dock shall have one of the following configurations:
 - A pile-supported fixed pier perpendicular to the shore, that connects to a ramp, that connects to a float,
 - A ramp that connects the shore to a float, or
 - A pile-supported fixed pier parallel to shore.

- ☒ An applicant may propose a fabricated wooden or metal stairway at the landward end of the dock for access to and from a residential tidal dock, which the department shall approve as part of the dock permitting process provided the width of the stairway does not exceed six feet; construction over the bank does not require regrading or recontouring; and the bottom of the stairs lands above mean high tide.
- ☒ The maximum overall structure length including pier, ramp, and float, measured seaward from the highest observable tide line (HOTL), shall not exceed the greater of 200 feet or the length needed to reach water of sufficient depth to allow the terminal section of the dock to be floating at mean low water.
- ☒ The maximum overall footprint of the entire structure of a residential tidal dock serving a single residence shall not exceed 1,500 square feet (SF) seaward of the HOTL, provided that a residential tidal dock proposed to serve a group of residences may be larger so long as compensatory mitigation is provided for structures exceeding 2,000 SF.
- ☒ The maximum width shall not exceed six feet.
- ☒ The maximum length shall not exceed 200 feet.
- ☒ The height-to-width ratio above the substrate shall be 1:1 or greater.
- ☒ Floats may be of any configuration so long as the total square footage does not exceed 400 SF, provided that an additional 200 SF shall be allowed for a float serving a group of residences. Applicants for a residential tidal dock serving more than four residences may request a waiver of the 600 SF limit in accordance with Env-Wt 200.
- ☒ All floats shall be designed and installed so as to prevent substantial changes in their positions from tides and storm events that are less than hurricane force.
- ☒ To prevent mechanical damage or hydraulic damage, or both, to the substrate from the float(s) during low tides in cases where mean lower low water is seaward of the terminal float(s) at low tide, or if it is impracticable or impossible to place floating docks in water deep enough to avoid contact with the bottom, the design shall include float stops or other means of suspending the float with two feet or more of clearance between the bottom of the float and substrate, with greater clearances required in higher energy environments that experience strong wave action.
- ☐ Float stops shall be marked with buoys to avoid being hazards to navigation when ramps and floats are removed for the season.
- ☒ Float anchor chains shall be secured to the substrate by helical screw anchors where practicable. If helical screw anchors cannot be installed due to rocky bottom conditions, the applicant shall propose an alternate means of anchoring the floating portion of the dock and show such means on the plans. If block anchors are proposed, the anchors shall be identified in the application as fill.
- ☒ The spacing between decking components shall be not less than ¾-inch.
- ☒ Minimum spacing between pile bents shall be 12 feet center to center.
- ☒ The substrate shall not be shaded by any other structural components not addressed herein.
- ☐ Aquaculture structures associated with residential tidal docks shall be installed within existing legal boat slips.
- ☐ Aquaculture structures associated with residential tidal docks that extend outside the footprint of the originally permitted docking structure and associated boat slip(s) constitute a modification of the approved docking structure and shall meet the requirements of Env-Wt 603.02.

SECTION 4 - PROJECT CLASSIFICATION (Env-Wt 606.17)

Refer to Env-Wt 606.17 for project classification.



TIDAL SHORELINE STABILIZATION PROJECT-SPECIFIC WORKSHEET FOR STANDARD APPLICATION

Water Division/Land Resources Management
Wetlands Bureau



[Check the Status of your Application](#)

RSA/Rule: RSA 482-A/ Env-Wt 609

This worksheet summarizes the criteria and requirements for a Standard Permit for "Tidal Shoreline Stabilization" projects in tidal areas as outlined in Chapter Env-Wt 600. In addition to the project-specific criteria and requirements on this worksheet, all Standard Applications must meet the criteria and requirements listed in the [Standard Dredge and Fill Wetlands Permit Application Form \(NHDES-W-06-012\)](#) and the [Coastal Resource Worksheet \(NHDES-W-06-079\)](#).

SECTION 1 - APPLICATION REQUIREMENTS (Env-Wt 609.02)

Applications for tidal shoreline stabilization projects shall demonstrate that:

- ☒ The technique or combinations of techniques is based on best available scientific and engineering practices.
- ☒ The proposed technique or combination of techniques addresses:
 - Results of the avoidance and minimization narrative required in Env-Wt 311.07, the avoidance, minimization and mitigation demonstration required in Env-Wt 313.03 and Env-Wt 313.04, the coastal functional assessment (CFA) required in Env-Wt 603.04, and the project design narrative required in Env-Wt 603.06,
 - Any causes of erosion that can be identified,
 - The degree or extent of erosion,
 - Relative exposure based on shoreline geometry, shore orientation, intensity of boat traffic, influence of adjacent structures, storm surge, and extreme precipitation events,
 - Potential sea-level rise and vulnerability assessment under Env-Wt 603.05,
 - Potential marsh migration as a result of sea-level rise and
 - The design requirements of Env-Wt 514.04.

An application for a tidal shoreline stabilization shall include the following information:

- ☒ Tidal shoreline stabilization shall be accomplished using living shoreline techniques, per Env-Wt 609.04(b), unless the applicant demonstrates that a living shoreline is not practicable.

Applicants proposing to install new rip-rap shall include the following information with the application:

- ☒ Evidence of erosion that cannot be stabilized solely with a soft stabilization design.
- ☒ A description of anticipated turbulence, flows, restricted space, fetch or similar factors that render vegetative and diversion methods physically impractical.
- ☒ An assessment of the potential for the proposed rip-rap to erode the shoreline of neighboring properties, based on an examination of the shoreline and modeling based on tides, average wave height and force, and the energy absorption of deflection or the proposed rip-rap.
- ☒ Specification of minimum and maximum stone sizes, existing contours and final proposed contours, the volume of rip-rap to be used, the minimum and maximum rip-rap thickness, and the type and thickness of bedding for the stone.
- ☒ Cross-section and plan views of the proposed installation.
- ☒ The relationship of the project to fixed points of reference, abutting properties, and features of the natural shoreline.

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SECTION 2 - APPROVAL CRITERIA (Env-Wt 607.07; Env-Wt 607.08; Env-Wt 609.01; Env-Wt 609.09)

Applications for tidal shoreland stabilization projects shall:

- ☒ Maintain or enhance the natural process functions of the shoreline as the critical transition zone between the intertidal zone and upland tidal buffer zone/sand dune regimes.
- ☒ Provide wildlife habitat while providing protection against coastal hazards.
- ☒ Be compatible with the existing natural land cover and its functions.
- ☒ Address the known causes of erosion.
- ☒ Avoid adverse impacts to near shore ecosystem processes, habitats, and adjacent shoreline.

The department shall not approve any tidal shoreline stabilization plan that proposes to install new rip-rap unless the applicant demonstrates that:

- ☒ Anticipated turbulence, flows, restricted space, fetch or similar factors render soft stabilization methods physically impractical, and
- ☒ Natural areas or naturalized soft shoreline stabilization on neighboring properties will not be damaged by the placement of the proposed rip-rap, or
- ☒ Rip-rap is a component used as a sill to stabilize the toe, but is not the primary or dominant component of a living shoreline stabilization design.

The department shall not approve any tidal shoreline stabilization plan that proposes to install a wall unless:

- ☐ The wall is required to protect public infrastructure in situations where softer stabilization technique is shown to be impracticable.

SECTION 3 - DESIGN & CONSTRUCTION REQUIREMENTS (Env-Wt 609.05; Env-Wt 609.06)

Living shoreline design plans shall:

- ☒ Be prepared and stamped by a professional engineer and reviewed relative to delineations of wetlands and stamped by a certified wetland scientist in accordance with the "Guidance for Considering the Use of Living Shorelines" (National Oceanic and Atmospheric Administration, 2015).
- ☒ Be prepared to show that the project will:
 - Use native vegetation, sand fill, and limited stone or wood as specified in Env-Wt 609.06 to provide shoreline stabilization and protection,
 - Mimic the natural landscape and leave natural vegetation intact to the greatest extent practicable,
 - If practicable, be based on the location of the highest observable tide line, water turbulence and soil conditions, add vegetation to existing sand beaches or dune or construct vegetated sand dunes,
 - Design the sill to the lowest elevation possible that still ensure stabilization of the toe of the living shoreline,
 - Maintain the shoreline's ability to absorb and mitigate storm impacts and adapt to the landward progression of the sea,
 - Minimize or prevent wave reflection toward abutting properties,
 - If space and soil conditions allow, cut back unstable banks to a flatter slope, seed and replant with native, non-invasive trees and shrubs, and
 - Provide habitat for wildlife and aquatic species.
- ☐ Large wood debris and natural rock that is comparable to the natural-occurring rock found in the vicinity of the project may be incorporated into a soft tidal shoreline stabilization design as matrix material for a bio-engineering bank stabilization technique.

Living shoreline techniques shall be required if the project is to replace an existing stabilization structure that:

- ☐ Has not functioned as required by Env-Wt 609.0, or
- ☐ Is not an existing legal structure.

SECTION 4 - MAINTENANCE & REPAIR (Env-Wt 609.03; Env-Wt 609.08)

Applications for repair or rehabilitation of existing tidal shoreland stabilization structures shall include an analysis by the engineer or qualified coastal professional to rate the conditions of the existing structure and the purpose for the repair based on the following:

- ☐ The degree of damage or extent of deterioration, as applicable, such as missing components, cracking, or weeping with erosion.
- ☐ Whether opportunities exist to use soft bank stabilization components or a combination of soft and hard components.
- ☐ The ability of the structure to withstand coastal flood risk in accordance with the vulnerability assessment required by Env-Wt 603.05.

SECTION 5 - PROJECT CLASSIFICATION (Env-Wt 609.10; Env-Wt 609.11)

Refer to Env-Wt 609.10 and Env-Wt 609.11 for project classification.



PROTECTED TIDAL ZONE PROJECT-SPECIFIC WORKSHEET FOR STANDARD APPLICATION



Water Division/Land Resources Management
Wetlands Bureau

[Check the Status of your Application](#)

RSA/Rule: RSA 482-A/ Env-Wt 610

This worksheet summarizes the criteria and requirements for a Standard Permit for impact in the “Protected Tidal Zone”, one of the six specific project types in tidal area described in Chapter Env-Wt 600. In addition to the project-specific criteria and requirements on this worksheet, all Standard Applications must meet the criteria and requirements listed in the Standard Application form (NHDES-W-06-012) and the Coastal Resource Worksheet.

SECTION 1 - APPLICATION REQUIREMENTS FOR PROTECTED TIDAL ZONE AND REQUIRED ATTACHMENTS (Env-Wt 610.04)

The following plans and other information shall be submitted with applications for work within the protected tidal zone:

- ☒ Existing and proposed contours at 2-foot intervals measured from the Highest Observable Tide Line (HOTL);
- ☒ If any portion of the subject parcel is located in a regulatory floodplain, the location of the 100-year flood boundary zone, and water elevation as shown on the applicable Federal Emergency Management Agency (FEMA) Flood Insurance Rate Map;
- ☒ All of applicable local and state setbacks;
- ☒ The dimensions and locations of all:
 - ☒ Existing and proposed structures;
 - ☒ Existing and proposed impervious areas;
 - ☒ Existing and proposed disturbed areas;
 - ☒ Areas to remain in an unaltered state;
 - ☒ Existing cleared areas, such as gardens, lawns, and paths; and
 - ☒ Proposed temporary impacts associated with the completion of the project;
- ☒ Proposed methods of erosions and siltation controls, identified graphically and labeled on a plan, or otherwise annotated as needed for clarity;
- ☐ A plan of any planting(s) proposed in the waterfront buffer, showing the proposed locations(s) and Latin names or common names of proposed species;
- ☒ If applicable, the location of an existing or proposed 6-foot wide foot path to the waterbody or a temporary access path;
- ☐ For any project proposing that the impervious area be at least 15% but not more than 20% within the protected tidal zone, a statement signed by the applicant certifying that the impervious area is not more than 20%
- ☐ For any project proposing that impervious area be greater than 20% within the protected tidal zone, plans for a stormwater management system that will infiltrate increased stormwater from development provided that if impervious area is or is proposed to be greater than 30%, the stormwater management systems shall be designed by a professional engineer;
- ☐ For any project involving pervious surfaces, a plan with specifications of how those surfaces will be maintained; and
- ☐ All other relevant features necessary to clearly define both existing conditions and the proposed project.

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SECTION 2 - APPROVAL CRITERIA (Env-Wt 313.01)

- ☒ An application for structure construction within the protected tidal zone shall comply with Env-Wt 313.01.

SECTION 3 - DESIGN & CONSTRUCTION REQUIREMENTS (Env-Wt 610.03)

The construction of structures within the protected tidal zone shall comply with:

- ☒ The standards described in FEMA P-55, Coastal Construction Manual: Principles and Practices of Planning, Siting, Designing, Constructing and Maintaining Residential Buildings in Coastal Areas, 4th edition (2011); and
- ☒ Local resiliency planning ordinances.

SECTION 4 - PROTECTED TIDAL ZONE RESTRICTIONS (Env-Wt 610.05- 610.13)

- ☒ The restrictions identified in RSA 483-B:9, II shall apply to the protected tidal zone;
- ☒ The provisions of RSA 483-B:9, V(a) related to the maintenance of a waterfront buffer shall apply to the protected tidal zone within 50 feet of the HOTL;
- ☐ Accessory structures in the waterfront buffer shall comply with the applicable provisions of Env-Wq 1400;
- ☒ The provisions of RSA 483-B:9, V(b) related to the maintenance of a woodland buffer shall apply to the protected tidal zone within 150 feet of the HOTL;
- ☒ The provisions of RSA 483-B:9, V(c) related to individual sewage disposal systems shall apply to the protected tidal zone;
- ☒ The provisions of RSA 483-B:9, V(d) related to erosion and siltation shall apply to the protected tidal zone;
- ☒ The provisions of RSA 483-B:9, V(e) related to minimum lots and residential development shall apply to the protected tidal zone;
- ☒ The provisions of RSA 483-B:9, V(f) related to minimum lots and non-residential development shall apply to the protected tidal zone; and
- ☒ The provisions of RSA 483-B:9 V(g) related to impervious surfaces shall apply to the protected tidal zone.

SECTION 5 - PROJECT CLASSIFICATION (Env-Wt 610.17)***(a) A major project shall be:***

- (1) Any dredging, filling, or construction activity, or any combination thereof, that is proposed to:
 - a. Occur within 100 feet of the HOTL; and
 - b. Alter any tidal shoreline bank, tidal flat, wetlands, surface water, or undeveloped uplands; or
- (2) A project that would be major based on an aggregation of projects under Env-Wt 400.

(b) A minor project shall be any dredging, filling, or construction activity, or any combination thereof, that:

- (1) Involves work within 75 feet of a saltmarsh in the developed upland tidal buffer;
- (2) Is not a major project; and
- (3) Will disturb 3,000 square feet (SF) or more but less than 10,000 SF in the developed upland tidal buffer.

(c) A minimum impact project shall be any dredging, filling, or construction activity, or any combination thereof, that:

- (1) Is in a previously developed upland area;
- (2) Is within 100 feet of the HOTL; and
- (3) Will disturb less than 3,000 SF.



COASTAL RESOURCE WORKSHEET

Water Division/Land Resources Management Wetlands Bureau

[Check the Status of your Application](#)



RSA/Rule: RSA 482-A/ Env-Wt 600

APPLICANT LAST NAME, FIRST NAME, M.I.: Stockman, Benjamin

This worksheet may be used to present the information required for projects in coastal areas, in addition to the information required for Lower-Scrutiny Approvals, Expedited Permits, and Standard Permits under Env-Wt 603.01.

Please refer to Env-Wt 605.03 for impacts requiring compensatory mitigation.

SECTION 1 - REQUIRED INFORMATION (Env-Wt 603.02; Env-Wt 603.06; Env-Wt 603.09)

The following information is required for projects in coastal areas.

Describe the purpose of the proposed project, including the overall goal of the project, the core project purpose consisting of a concise description of the facilities and work that could impact jurisdictional areas, and the intended project outcome. Specifically identify all natural resource assets in the area proposed to be impacted and include maps created through a data screening in accordance with Env-Wt 603.03 (refer to Section 2) and Env-Wt 603.04 (refer to Section 3) as attachments.

The proposed project is replacement of a residential dock and repair of shoreline erosion. The length of the repairs are shown on the drawings. The work will occur in the dry (work is above mid tide) and is developed tidal buffer zone with no impacts to tidal waters or wetlands or PRA. This project does not impact natural resource assets. The repair materials are correctly sized and resistant to erosion. The proposed project maintains the existing location and has no impact on navigation. The narrative showing the project meets standard and approval conditions are listed above as Env-Wt 307 and 313.01 responses. The anticipated construction sequence is installation of temporary erosion controls, import the needed stones, install stones, replace timber dock, remove erosion controls.

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For standard permit projects, provide:

- ☒ A Coastal Functional Assessment (CFA) report in accordance with Env-Wt 603.04 (refer to Section 3).
- ☒ A vulnerability assessment in accordance with Env-Wt 603.05 (refer to Section 4).

Explain all recommended methods and other considerations to protect the natural resource assets during and as a result of project construction in accordance with Env-Wt 311.07, Env-Wt 313, and Env-Wt 603.04.

Erosion controls are proposed where shown on the repair details to prevent potential migration of disturbed soils from washing into the ocean. The repair stone materials are correctly sized and resistant to erosion. The proposed project maintains the existing location and has no impact on navigation. The narrative showing the project meets standard and approval conditions are listed above as Env-Wt 307, 313 and 603.04 responses.

Provide a narrative showing how the project meets the standard conditions in Env-Wt 307 and the approval criteria in Env-Wt 313.01.

See attached Env-Wt responses, 313.01 not applicable.

Provide a project design narrative that includes the following:

- ☒ A discussion of how the proposed project:
 - Uses best management practices and standard conditions in Env-Wt 307;
 - Meets all avoidance and minimization requirements in Env-Wt 311.07 and Env-Wt 313.03;
 - Meets approval criteria in Env-Wt 313.01;
 - Meets evaluation criteria in Env-Wt 313.01(c);
 - Meets CFA requirements in Env-Wt 603.04; and
 - Considers sea-level rise and potential flooding evaluated pursuant to Env-Wt 603.05;
- ☒ A construction sequence, erosion/siltation control methods to be used, and a dewatering plan; and
- ☒ A discussion of how the completed project will be maintained and managed.

The owner will monitor the repairs, particularly following storms, to look for any signs of damage that might need repairs.

- ☒ Provide design plans that meet the requirements of Env-Wt 603.07 (refer to Section 5);
- ☒ Provide water depth supporting information required by Env-Wt 603.08 (refer to Section 6); and
- ☒ For any major project that proposes to construct a structure in tidal waters/wetlands or to extend an existing structure seaward, provide a statement from the Pease Development Authority Division of Ports and Harbors (DP&H) chief harbormaster, or designee, for the subject location relative to the proposed structure's impact on navigation. If the proposed structure might impede existing public passage along the subject shoreline on foot or by non-motorized watercraft, the applicant shall explain how the impediments have been minimized to the greatest extent practicable.



SECTION 2 - DATA SCREENING (Env-Wt 603.03, in addition to Env-Wt 306.05)

Please use the Wetland Permit Planning Tool, or any other database or source, to indicate the presence of:

- ☒ Existing salt marsh and salt marsh migration pathways;
- ☒ Eelgrass beds;
- ☒ Documented shellfish sites;
- ☒ Projected sea-level rise; and
- ☒ 100-year floodplain.

Conduct data screening as described to identify documented essential fish habitat, and tides and currents that may be impacted by the proposed project, by using the following links:

- ☒ [National Oceanic and Atmospheric Administration \(NOAA\) Tides & Currents](#); and
- ☒ [NOAA Essential Fish Habitat Mapper](#).
- ☒ Verify or correct the information collected from the data screenings by conducting an on-site assessment of the subject property in accordance with Env-Wt 406 and Env-Wt 603.04.

SECTION 3 - COASTAL FUNCTIONAL ASSESSMENT/ AVOIDANCE AND MINIMIZATION (Env-Wt 603.04; Env-Wt 605.01; Env-Wt 605.02; Env-Wt 605.03)

Projects in coastal areas shall:

- ☒ Not impair the navigation, recreation, or commerce of the general public; and
- ☒ Minimize alterations in prevailing currents.

An applicant for a permit for work in or adjacent to tidal waters/wetlands or the tidal buffer zone shall demonstrate that the following have been avoided or minimized as required by Env-Wt 313.04:

- ☒ Adverse impacts to beach or tidal flat sediment replenishment;
- ☒ Adverse impacts to the movement of sediments along a shore;
- ☒ Adverse impacts on a tidal wetland's ability to dissipate wave energy and storm surge; and
- ☒ Adverse impacts of project runoff on salinity levels in tidal environments.

For standard permit applications submitted for minor or major projects:

- ☒ Attach a CFA based on the data screening information and on-site evaluation required by Env-Wt 603.03. The CFA for tidal wetlands or tidal waters shall be:
 - Performed by a qualified coastal professional; and
 - Completed using one of the following methods:
 - a. The US Army Corps of Engineers (USACE) Highway Methodology Workbook, dated 1993, together with the USACE New England District *Highway Methodology Workbook Supplement*, dated 1999; or
 - b. An alternative scientifically-supported method with cited reference and the reasons for the alternative method substantiated.

For any project that would impact tidal wetlands, tidal waters, or associated sand dunes, the applicant shall:

- ☒ Use the results of the CFA to select the location of the proposed project having the least impact to tidal wetlands, tidal waters, or associated sand dunes;
- ☒ Design the proposed project to have the least impact to tidal wetlands, tidal waters, or associated sand dunes;
- ☒ Where impact to wetland and other coastal resource functions is unavoidable, limit the project impacts to the least valuable functions, avoiding and minimizing impact to the highest and most valuable functions; and
- ☒ Include on-site minimization measures and construction management practices to protect coastal resource areas.

Projects in coastal areas shall use results of this CFA to:

- ☒ Minimize adverse impacts to finfish, shellfish, crustacean, and wildlife;
- ☒ Minimize disturbances to groundwater and surface water flow;
- ☒ Avoid impacts that could adversely affect fish habitat, wildlife habitat, or both; and
- ☒ Avoid impacts that might cause erosion to shoreline properties.

SECTION 4 - VULNERABILITY ASSESSMENT (Env-Wt 603.05)

Refer to the New Hampshire Coastal Flood Risk Summary Part 1: Science and New Hampshire Coastal Flood Risk Summary Part II: Guidance for Using Scientific Projections or other best available science to:

Determine the time period over which the project is designed to serve.

25 years anticipated until next repairs, see attached vulnerability assessment

Identify the project's relative risk tolerance to flooding and potential damage or loss likely to result from flooding to buildings, infrastructure, salt marshes, sand dunes and other valuable coastal resource areas.

highly tolerant, see attached vulnerability assessment

Reference the projected sea-level rise (SLR) scenario that most closely matches the end of the project design life and the project's tolerance to risk or loss.

highly tolerant, see attached vulnerability assessment

Identify areas of the proposed project site subject to flooding from SLR.

See drawings. The 1.9 inches of anticipated sea level rise in 25 years is minimal risk due to minor sea level rise over the design life and is too small to show relative to topographic contours, see attached vulnerability assessment

Identify areas currently located within the 100-year floodplain and subject to coastal flood risk.

see attached FEMA map showing entire project area within the 1% FEMA flood zone. This project has minimal risk, and is a flood tolerant structure.

Describe how the project design will consider and address the selected SLR scenario within the project design life, including in the design plans.

See attached vulnerability assessment. The stone revetment is highly tolerant of sea level rise and the 1.9 inches of anticipated sea level rise is minimal, not affecting the design.

Where there are conflicts between the project's purpose and the vulnerability assessment results, schedule a pre-application meeting with the department to evaluate design alternatives, engineering approaches, and use of the best available science.

☐ Pre-application meeting date held:

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SECTION 5 - DESIGN PLANS (Env-Wt 603.07, in addition to Env-Wt 311)

Submit design plans for the project in both plan and elevation views that clearly depict and identify all required elements.

The plan view shall depict the following:

- ☒ The engineering scale used, which shall be no larger than one inch equals 50 feet;
- ☒ The location of tidal datum lines depicted as lines with the associated elevation noted, based on North American Vertical Datum of 1988 (NAVD 88), derived from https://tidesandcurrents.noaa.gov/datum_options.html, as described in Section 6.
- ☒ An imaginary extension of property boundary lines into the waterbody and a 20-foot setback from those property line extensions;
- ☒ The location of all special aquatic sites at or within 100 feet of the subject property;
- ☒ Existing bank contours;
- ☒ The name and license number, if applicable, of each individual responsible for the plan, including:
 - a. The agent for tidal docking structures who determined elevations represented on plans; and
 - b. The qualified coastal professional who completed the CFA report and located the identified resources on the plan;
- ☒ The location and dimensions of all existing and proposed structures and landscape features on the property;
- ☒ Tidal datum(s) with associated elevations noted, based on NAVD 88; and
- ☒ Location of all special aquatic sites within 100-feet of the property.

The elevation view shall depict the following:

- ☒ The nature and slope of the shoreline;
- ☒ The location and dimensions of all proposed structures, including permanent piers, pilings, float stop structures, ramps, floats, and dolphins; and
- ☒ Water depths depicted as a line with associated elevation at highest observable tide, mean high tide, and mean low tide, and the date and tide height when the depths were measured. Refer to Section 6 for more instructions regarding water depth supporting information.

See specific design and plan requirements for certain types of coastal projects:

- Overwater structures (Env-Wt 606).
- Tidal shoreline stabilization (Env-Wt 609).
- Dredging activities (Env-Wt 607).
- Protected tidal zone (Env-Wt 610).
- Tidal beach maintenance (Env-Wt 608).
- Sand Dunes (Env-Wt 611).

SECTION 6 - WATER DEPTH SUPPORTING INFORMATION REQUIRED (Env-Wt 603.08)

Using current predicted NOAA tidal datum for the location, and tying field measurements to NAVD 88, field observations of at least three tide events, including at least one minus tide event, shall be located to document the range of the tide in the proposed location showing the following levels:

- ☒ Mean lower low water;
- ☒ Mean low water;
- ☒ Mean high water;
- ☒ Mean tide level;
- ☒ Mean higher high water;
- ☒ Highest observable tide line; and
- ☒ Predicted sea-level rise as identified in the vulnerability assessment in Env-Wt 603.05.

The following data shall be presented in the application project narrative to support how water depths were determined:

- ☒ The date, time of day, and weather conditions when water depths were recorded; and
- ☒ The name and license number of the licensed land surveyor who conducted the field measurements.

For tidal stream crossing projects, provide:

- ☐ Water depth information to show how the tier 4 stream crossing is designed to meet Env-Wt 904.07(c) and (d).

For repair, rehabilitation or replacement of tier 4 stream crossings:

- ☐ Demonstrate how the requirements of Env-Wt 904.09 are met.

SECTION 7 - GENERAL CRITERIA FOR TIDAL BEACHES, TIDAL SHORELINE, AND SAND DUNES (Env-Wt 604.01)

Any person proposing a project in or on a tidal beach, tidal shoreline, or sand dune, or any combination thereof, shall evaluate the proposed project based on:

- ☒ The standard conditions in Env-Wt 307;
- ☒ The avoidance and minimization requirements in Env-Wt 311.07 and Env-Wt 313.03;
- ☒ The approval criteria in Env-Wt 313.01;
- ☒ The evaluation criteria in Env-Wt 313.05;
- ☒ The project specific criteria in Env-Wt 600;
- ☒ The CFA required by Env-Wt 603.04; and
- ☒ The vulnerability assessment required by Env-Wt 603.05.

New permanent impacts to sand dunes that provide coastal storm surge protection for protected species or habitat shall not be allowed except:

- ☐ To protect public safety; and
- ☐ Only if constructed by a state agency, coastal resiliency project, or for a federal homeland security project.

Projects in or on a tidal beach, tidal shoreline, or sand dune shall support integrated shoreline management that:

- ☒ Optimizes the natural function of the shoreline, including protection or restoration of habitat, water quality, and self-sustaining stability to flooding and storm surge; and
- ☒ Protects upland infrastructure from coastal hazards with a preference for living shorelines over hardened shoreline practices.

SECTION 8 - GENERAL CRITERIA FOR TIDAL BUFFER ZONES (Env-Wt 604.02)

The 100-foot statutory limit on the extent of the tidal buffer zone shall be measured horizontally. Any person proposing a project in or on an undeveloped tidal buffer zone shall evaluate the proposed project based on:

- ☒ The standard conditions in Env-Wt 307;
- ☒ The avoidance and minimization requirements in Env-Wt 311.07 and Env-Wt 313.03;
- ☒ The approval criteria in Env-Wt 313.01;
- ☒ The evaluation criteria in Env-Wt 313.05;
- ☒ The project specific criteria in Env-Wt 600;
- ☒ The CFA required by Env-Wt 603.04; and
- ☒ The vulnerability assessment required by Env-Wt 603.05.

Projects in or on a tidal buffer zone shall preserve the self-sustaining ability of the buffer area to:

- ☒ Provide habitat values;
- ☒ Protect tidal environments from potential sources of pollution;
- ☒ Provide stability of the coastal shoreline; and
- ☒ Maintain existing buffers intact where the lot has disturbed area defined under RSA 483-B:4, IV.

SECTION 9 - GENERAL CRITERIA FOR TIDAL WATERS/WETLANDS (Env-Wt 604.03)

Except as allowed under Env-Wt 606, permanent new impacts to tidal wetlands shall be allowed only to protect public safety or homeland security. Evaluation of impacts to tidal wetlands and tidal waters shall be based on:

- ☒ The standard conditions in Env-Wt 307;
- ☒ The avoidance and minimization requirements in Env-Wt 311.07 and Env-Wt 313.03;
- ☒ The approval criteria in Env-Wt 313.01;
- ☒ The evaluation criteria in Env-Wt 313.05;
- ☒ The project specific criteria in Env-Wt 600;
- ☒ The CFA required by Env-Wt 603.04; and
- ☒ The vulnerability assessment required by Env-Wt 603.05.

Projects in tidal surface waters or tidal wetlands shall:

- ☒ Optimize the natural function of the tidal wetland, including protection or restoration of habitat, water quality, and self-sustaining stability to storm surge;
- ☒ Be designed with a preference for living shorelines over hardened stabilization practices; and
- ☐ Be limited to public infrastructure or restoration projects that are in the interest of the general public, including a road, a bridge, energy infrastructure, or a project that addresses predicted sea-level rise and coastal flood risk.

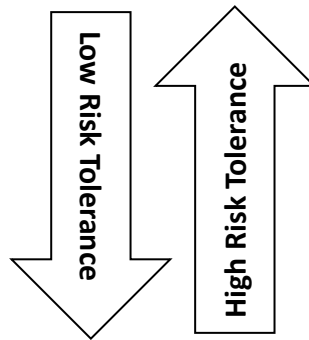
SECTION 10 – GUIDANCE

Your application must follow the New Hampshire Coastal Risk and Hazards Commission’s Guiding Principles or other best available science. Below are some of these guidance principles:

- Incorporate science-based coastal flood risk projections into planning;
- Apply risk tolerance* to assessment, planning, design, and construction;
- Protect natural resources and public access;
- Create a bold vision, start immediately, and respond incrementally and opportunistically as projected coastal flood risks increase over time; and
- Consider the full suite of actions including effectiveness and consequences of actions.

*Risk tolerance is a project’s willingness to accept a higher or lower probability of flooding impacts. The diagram below gives examples of project with lower and higher risk tolerance:

Critical infrastructures, historic sites, essential ecosystems, and high value assets typically have lower risk tolerance, and thus should be planned, designed, and constructed using higher coastal flood risk projections.



Sheds, pathways, and small docks typically have higher risk tolerance and thus may be planned, designed, and constructed using less protective coastal flood risk projections.

165 Spur Rd Dock & Shoreline Repairs: Responses to specific rules:

Env-Wt 300 rules

Env-Wt 306.05(a)(2)(a)

The NHB DataCheck tool was utilized to find any documented occurrences of protected species or habitat, the DataCheck came back with results for vicinity Atlantic and Shortnose Sturgeon, however NHB and NHF&G determined the project will have no impacts.

Env-Wt 306.05(a)(2)(b)

There is no bog on or in the vicinity of the project property.

Env-Wt 306.05(a)(2)(c)

The Portsmouth Harbor waterbody is listed by the WPPT mapper as a flood plain wetland adjacent to a tier 3 or higher watercourse. The tidal waters here are not wetlands or tidal wetlands or flood plain.

Env-Wt 306.05(a)(2)(d)

There is no prime wetland on or in the vicinity of the project property.

Env-Wt 306.05(a)(2)(e)

The proposed repairs will be in the existing location in a developed area with no sand dune or undeveloped tidal buffer zone.

Env-Wt 307.02

Acknowledged. We understand that the proposed work can be covered by the US ACE NH General Permit.

Env-Wt 307.03

The proposed project is not anticipated to violate water quality standards as the work will be timed around the tides to be done in the dry. The project will have no impact on groundwater or sanitary activity. Spill response kits will be on site appropriate for the mechanical equipment being used, the equipment operators trained for its use. Equipment will be refueled in accordance with Env-Wt 307.15.

Env-Wt 307.04

The proposed project is not located within mapped bird migratory area or fish or shellfish spawning or nursery area and does not involve dredging or filling resource area.

Env-Wt 307.05

The equipment and materials to be used for the proposed work are not expected to carry invasive species.

Env-Wt 307.06

The NHB (23-1597) data check results mapped eelgrass, Atlantic and Shortnose Sturgeon, but with no anticipated impacts.

Env-Wt 307.07

BMP's and Erosion controls will be utilized to protect water quality, such as performing the work in the dry around low tides, use of erosion controls.

Env-Wt 307.08

There are no designated prime wetlands located within the proposed project area.

Env-Wt 307.09 & 307.11

No new shoreline structures are proposed to be built over public trust surface waters. The proposed project does consist of the replacement of the existing timber dock, and shoreline erosion repairs. BMP's and Erosion controls will be utilized to protect water quality, such as performing the work in the dry around low tides, use of erosion controls.

Env-Wt 307.12

The shoreline repair is anticipated to be performed with equipment operating on the existing lawn, to be repaired in kind as necessary.

Env-Wt 307.13

The replacement dock meets required setbacks.

Env-Wt 307.14

Not applicable.

Env-Wt 307.15

The shoreline repair is anticipated to be performed with equipment operating on the existing lawn, to be repaired in kind as necessary.

Env-Wt 307.16

Acknowledged.

Env-Wt 307.17

Acknowledged.

Env-Wt 307.18

Acknowledged.

Env-Wt 311 Response

The temporary and permanent impact areas are fully shown on the Repair Plan and the line for the 100' setback for the tidal buffer zone.

Env-Wt 313.03 Response

See attached worksheet and narrative. The erosion repair project is in the tidal buffer zone with no adverse impacts. See attached Avoidance & Minimization Checklist.

Env-Wt 313.04 Response

No permanent impact to a PRA; shoreline repair uses a hybrid hard structural natural methods that address erosion and inundation in a manner that improves or protects the ecological condition of the coastline.

Env-Wt 500 rules (not applicable to coastal areas per Env-Wt 509.02(b))

Env-Wt 600 rules

Env-Wt 603.02 (a) Response

The proposed in-kind repairs are within the existing locations/dimensions and are located in a developed area with no impact to sand dune, tidal wetland or undeveloped tidal buffer zone. The site is adjacent to tidal waters, but it is upper intertidal zone with no known protected species or habitat, or wetlands. The data screening mapping does show this location as Highest Ranked Habitat, however the actual land is driveway, gardens and mowed lawns. The proposed project is not anticipated to violate water quality standards as the work will be done in the dry. NHB anticipates no project impacts.

Env-Wt 603.02 (b) Response

No natural resource assets in the project area. WPPT mapping is attached. The NHB DataCheck tool was utilized to find any documented occurrences of protected species or habitat, the DataCheck came back with results for vicinity, Atlantic and Shortnose Sturgeon, however NHB and NHF&G determined the project will have no impacts. The NHB results and mapping marked "confidential" by NHB is not provided in the public permit application, at their request to not disclose NHB mapping. These can be released to NHDES upon receipt of a non-disclosure certification.

Env-Wt 603.02 (d) Response

The proposed dock and shoreline repairs are within the existing locations/dimensions and are located in a developed area with no impacts to sand dune, tidal wetland or undeveloped tidal buffer zone. The data screening mapping does show this location outside of Highest Ranked Habitat. The proposed project is not anticipated to violate water quality standards as the work will be done in the dry. The NHB DataCheck tool was utilized to find any documented occurrences of protected species or habitat, the DataCheck came back with results for vicinity Atlantic and Shortnose Sturgeon, however NHB and NHF&G determined the project will have no impacts.

Env-Wt 603.02 (e & f) Response

The proposed dock and shoreline repairs are within the existing locations/dimensions and are located in a developed area with no impacts to sand dune, tidal wetland or undeveloped tidal buffer zone. The site is adjacent to tidal waters, but there are no natural resource assets in the project area. The data screening mapping does show this location as Highest Ranked Habitat, however the actual land is driveway, gardens and mowed lawns. The proposed project is not anticipated to violate water quality standards as the work will be done in the dry. Drawings with elevations are attached. The NHB DataCheck tool was utilized to find any documented occurrences of protected species or habitat, the DataCheck came back with results for vicinity eelgrass, Atlantic and Shortnose Sturgeon, however NHB and NHF&G determined the project will have no impacts.

Env-Wt 603.03 Response

The Data Screening is attached. A site specific sea level rise assessment memo is attached and the FEMA 1% flood map, resource maps and elevation are attached. The proposed project is not anticipated to cause impacts as the work will be done in the dry.

Env-Wt 603.03(a)(4) Response

Data Screening Corrections: The NHB DataCheck tool was utilized to find any documented occurrences of protected species or habitat, the DataCheck came back with results for vicinity Atlantic and Shortnose Sturgeon, however NHB and NHF&G determined the project will have no anticipated impacts. The NHB mapping for marine and estuarine wildlife is not correct under NH RSA 212-A:13 says that the provisions of RSA 212-A or any rule promulgated under this chapter, shall not be applicable to marine or estuarine species of wildlife.

The WPPT mapper lists the waters at the site as "Flood Plain Wetlands Adjacent to Tier 3 Streams". These tidal waters are not a Flood Plain and are not Wetlands. The WPPT mapper also maps the mowed lawn and garden areas on the developed site as "Highest Ranked Habitat in NH", which was not observed.

Env-Wt 603.04 Response

CFA attached.

Env-Wt 603.05 Response

A vulnerability assessment is attached. The dock and shoreline repairs are tolerant of sea level rise and there are not conflicts with the project purpose.

Env-Wt 603.06 Response

The proposed dock and shoreline repairs are within the existing locations/dimensions and are located in a developed area with no impacts to sand dune, tidal wetland or undeveloped tidal buffer zone. The site does contain tidal waters, and is not apparent Highest Ranked Habitat. The proposed project is not anticipated to violate water quality standards and will utilize erosion control socks for erosion controls. As listed in the construction sequence note, erosion control log will be used on the beach each day downslope of the work area with removal of the erosion control log from the beach at the end of each work day before the tide/waves reach it. This erosion control method has been used on many coastal projects and it works well.

The NHB DataCheck tool was utilized to find any documented occurrences of protected species or habitat, the DataCheck came back with results for vicinity Atlantic and Shortnose Sturgeon, however NHB and NHF&G determined the project will have no impacts.

Env-Wt 603.07 Response

The lot existing conditions plan with HOTL and survey are by Kevin McEneaney, LLS (NH 661). The observed high tide line was located by Damon Burt CWS and located by Kevin McEneaney, LLS (NH 661) of Civilworks New England, see drawing notes. Design plans conforming to Env-Wt 603.07 are included in the application, prepared by Duncan Mellor, PE (NH 8344).

Env-Wt 603.08 Response

Water depths and tidal relationships shown of drawings, with water depths established by surveying methods to NAVD88 datum. The lot existing conditions plan with HOTL and survey are by Kevin McEneaney, LLS (NH 661). The observed high tide line was located by Damon Burt CWS and located by Kevin McEneaney, LLS (NH

661) of Civilworks New England, see drawing notes. Design plans conforming to Env-Wt 603.07 are included in the application, prepared by Duncan Mellor, PE (NH 8344).

Env-Wt 603.09 Response

This project is dock and shoreline repairs with no greater impacts to navigation by boat or shoreline. Harbormaster letter is attached.

Env-Wt 604.01 Response

The proposed in-kind repairs are within the existing locations/dimensions and are located in a developed area with no impacts to sand dune, tidal wetland or undeveloped tidal buffer zone. The site does contain tidal waters, and is not actually Highest Ranked Habitat (driveways and mowed lawns). The proposed project is not anticipated to violate water quality standards and work will be performed in the dry.

Env-Wt 604.02 Response

See attached vulnerability assessments and Env-Wt responses. The proposed project makes no changes to impervious area in the developed tidal buffer zone.

Env-Wt 604.03 Response

The proposed project has no impacts to tidal wetlands. See attached vulnerability assessments and Env-Wt responses.

Env-Wt 605.01 Response

See attached Avoidance & Minimization Checklist, Coastal Worksheet, Project Narrative and vulnerability assessments, which show how impacts to wetlands have been avoided and the temporary impacts to jurisdictional areas are limited to temporary access for repair and replacement of an existing legal structures in existing footprints. The project design and methods have been selected to avoid all wetlands and minimize potential natural resource impacts.

This project is repair and replacement of an existing legal structures in the same location with no extension seaward with no greater impacts to commerce, navigation by boat or shoreline. The project does not alter prevailing currents.

Env-Wt 605.02 Response

See attached Avoidance & Minimization Checklist, Coastal Worksheet, Project Narrative and vulnerability assessments, which show how impacts to wetlands have been avoided and the temporary access for repair and replacement of an existing legal structures. The project design and methods have been selected to avoid all wetlands and minimize potential natural resource impacts. This is a developed site with no impacts to sediment transport or littoral cell replenishment.

The repair and replacement of the structures does not change wave energy dissipation or alter storm surge. This site is tidal waters, not riverine waters, and the proposed work has no change to storm surge storage or elevations. There is unlimited storm surge volume in the Atlantic Ocean and dredge or fill in this vicinity has no impact on flood elevation – it is driven by atmospheric pressure and wind direction/duration and is not a function of river flow. The project has no impact to runoff or salinity.

Env-Wt 605.03 Response

This maintenance project avoids and has no impacts to tidal wetlands.

Env-Wt 609.01 Response

The proposed project will not alter wildlife habitat, coastal hazard protection, land cover and functions, erosion or nearshore ecosystems.

Env-Wt 609.02 Response

The proposed repair is the least impacting alternative, reconstructing the existing structures in the same location. Potential sea level rise is discussed in the attached vulnerability assessment and is minimal over the 50-year anticipated service life of this work. The bank here very steep and salt marsh migration will be minimal, as shown by the WPPT mapping. The structures are tolerant of storm surge and sea level rise. This stone seawall is historical, which contributes to in-kind reconstruction. The site is also a fairly high wave energy zone with a 2.5 foot breaking wind wave height and similar boat wakes. The NHDES preferred “soft” shoreline is not suitable for these wave exposures and a stone sill is required, as demonstrated by the recent erosion. A hybrid approach is proposed.

Env-Wt 609.03 (a) Response

If the shoreline repair is not completed, it is likely during a storm event leading to erosion back to the house foundation.

Env-Wt 609.03 (c) Response

No. Wave heights here greatly exceed 1 foot making this site unsuitable for salt marsh creation or dune creation. The site is also a fairly high wave energy zone with a 2.5 foot breaking wind wave height and similar boat wakes. The NHDES preferred “soft” shoreline is not suitable for these wave exposures and a stone sill is required, as demonstrated by the recent erosion. A hybrid approach is proposed.

Env-Wt 609.03 (d) Response

This is addressed in the attached vulnerability assessment. Best available science, as cited in the memo, has a high confidence rate of sea level rise over the next 25 years of 1.9 mm/yr so 3.8 inches in 50 years, using the NOAA referenced data indicated by FEMA 55. This is an insignificant sea level rise for the proposed structures. The vulnerability assessment also demonstrates that the DES cited UNH sea level rise projections are based on an out of date model that was not calibrated and is already in error too high by more than 6 inches (not Best Available Science).

The site is mapped as being within the FEMA flood zone (an insurance rate product not intended for engineering uses), as a AE zone with 1% flood elevation of 6 feet NAVD88. The shoreline sill crest is set at the FEMA flood zone wave crest elevation if this 1% flood event occurs, with vegetated stabilization above. The sill stone is correctly sized for the design wave conditions and can be submerged.

Env-Wt 609.04 Response

Wave heights here greatly exceed 1 foot making this site unsuitable for salt marsh creation or dune creation. The site is also a fairly high wave energy zone with a 2.5 foot breaking wind wave height and similar boat wakes. The NHDES preferred “soft” shoreline is not suitable for these wave exposures and a stone sill is required, as demonstrated by the recent erosion. A hybrid approach is proposed.

Soft alternatives will fail in this wave climate and placement of fill for planting would impact benthic habitat. The use of root wad living shorelines as constructed by UNH in the area have failed, releasing trees/root balls to float around the bay as a hazard to navigation (and were replaced with stone). The Year 1 monitoring report for the Wagon Hill Farm living shoreline project (with riprap toe wall) with a similar wave exposure, reported a net 31 cubic yards of fill loss and significant loss of salt marsh along the offshore edge.

Env-Wt 609.06 Response

Use of rocks similar to the natural rocks is proposed for these repairs.

Env-Wt 609.07 Response

Wave heights here greatly exceed 1 foot making this site unsuitable for salt marsh creation or dune creation. The site is also a fairly high wave energy zone with a 2.5 foot breaking wind wave height and similar boat wakes. The NHDES preferred “soft” shoreline is not suitable for these wave exposures and a stone sill is required, as demonstrated by the recent erosion. A hybrid approach is proposed.

Env-Wt 609.09 Response

The requested permit to perform repair to an existing shoreline. There is not room to cut back the shoreline slope and the house is close behind the seawall. The drawings provided do define the work and are to scale with surveyed locations, dimensions and elevations to NAVD88 datum.

Env-Wt 609.10 Response

The dock and shoreline repairs are not vulnerable to sea level rise and can be submerged during storm events. A VA and CFA are attached.

CIVILWORKS NEW ENGLAND

181 WATSON ROAD
P.O. BOX 1166
DOVER, NH 03821-1166
PHONE: 603.749.0443

MEMORANDUM

Date: April 12, 2024

To: Regulatory Reviewers

From: Duncan Mellor, PE
Principal Coastal Engineer

Re: **165 Spur Road Shoreline Repairs and Dock Replacement Wetlands Permit Application Vulnerability Assessment**
Dover, NH

The NHDES Wetlands rules require project design be tolerant to the FEMA 1% flood plus anticipated sea level rise over the life of the project. These NHDES rules cite the 2020 Coastal Risks & Hazards report¹ by UNH/NHDES, or *Best Available Science*.

The applicant, Stockman, is proposing to repair shoreline erosion and replace a dock on a 0.2 acre parcel at 165 Spur Rd in Dover. The lot is bounded by the tidal Bellamy River to the west and the Spaulding Turnpike to the east. The lot is a developed residential lot with an existing timber dock that has collapsed. Shoreline wave damage did occur in the December 23, 2022 storm including dock damage and shoreline erosion.

The shoreline repair will utilize a stone sill to protect the existing vegetated slope above, that can be expected to have typical service life of 50 years. The site-specific design wave height was based on FEMA 1% flood mapping and ASCE 7-16 guidelines for environmental loads, and this established an H₁₀ design wave 2.5' high and breaking at 2.2' high. This wave was input into US Army Corps of Engineers design formula for stone sizing. These storm wave conditions exceed tolerable waves for a float landing on float stops and exceed living shoreline design criteria for salt marsh plantings without a stone sill. The stone materials will not float and are tolerant of submergence and sea level rise.

The mapped FEMA 1% flood elevation along the length of the revetment is AE6 at elevation 6' NAVD88. The crest of the rock sill will be elevation 6.3' for the FEMA 1% flood elevation plus 50 year sea level rise allowance.

Existing Sea Level Rise Trend:

The Portsmouth Harbor NOAA tide station (Seavey Island) has extensive data gaps (many years) where no data were collected. The NOAA tide station in Portland, Maine, however, does have observed tide levels with over 100 years of sea level data and is the reference tide gauge for most NH tide prediction locations. The Portland tide station has recorded sea level since 1912 with an average linear rise of 1.9 mm/year (0.6 ft/100 yrs) at 95% confidence.

Looking at the Portland tide data over the last 12 years (less than one tidal epoch) the rate of sea level rise has been negative, falling, however this is not indicative of the longer rise trend.

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Relative Sea Level Trend, Portland, Maine

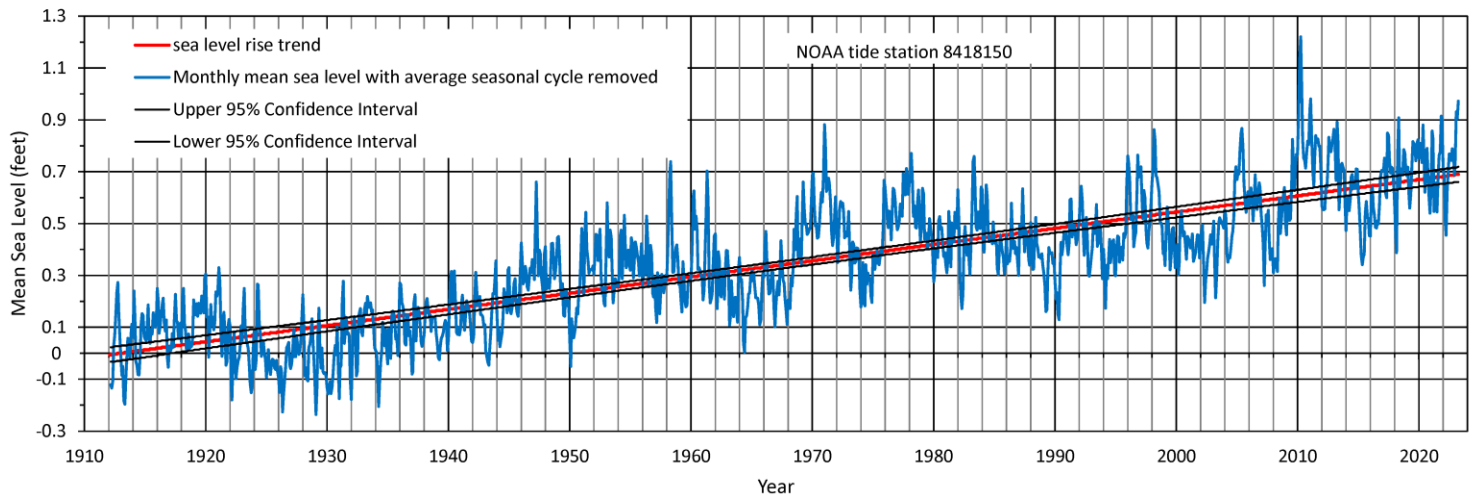


Figure 1 Sea Level Rise Trend NOAA Tide Station, Portland, Maine

Civilworks has been evaluating the rate of sea level rise at many long record global tide gauges, including New England tide data. We find that the rate of sea level rise, over a 19-year tidal epoch rolling window varies over time, with similar trends at regional tide stations and those cyclical trends have strong correlations to the 60-year cycle in sea surface temperature anomalies (Atlantic Multidecadal Oscillation (AMO)), variation in the Length Of Day (LOD, variation in the spin rate of Earth) and to the eccentricity of Jupiter's orbit, which has been tied to increases in space dust entering our atmosphere, cloud cover and climate², see Figure 2.

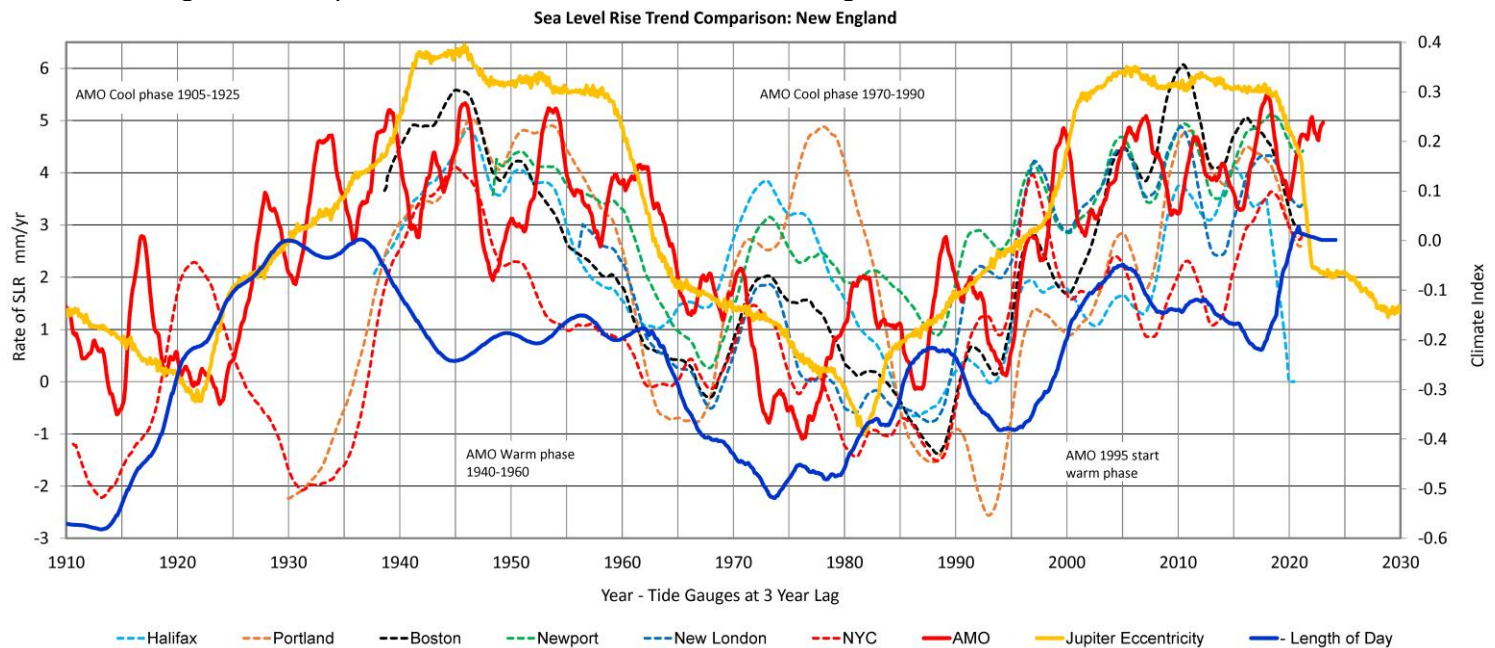


Figure 2 Rates of Sea Level Rise at NE NOAA Tide Stations and reference climate indices (monthly means, rate using a 19-year rolling window, plotted at a 3 year lag on front year)

The long record tide stations had high rates of sea level rise in the 1940's (AMO warm phase), followed by low negative rates of sea level rise around 1980 (AMO cold phase) and currently back to a higher rate of sea level rise (AMO warm phase). With the AMO expected to return to a cold phase in less than 10 years, decreasing rates of sea level rise are expected with the next low rates around 2040.

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Vertical Land Movement:

The rate of sea level rise to an observer on the shoreline (relative sea level rise) is typically not equal to the global rate of sea level rise. The land often has vertical movement, which can include soil subsidence and bedrock (earth crust) movement, and this does increase or decrease the apparent sea level trend at the local shoreline. Canada, Alaska and Scandinavia have strong post-glacial rebound with the crust rising since the last ice age, resulting in an apparent dropping in sea level. This crustal rebound decreases moving south into Maine and is fairly neutral to slightly upward in New Hampshire. Moving south into Massachusetts the crustal movement becomes slightly downward. Connecticut and southward typically has about 2 mm/yr of crustal sinking, increasing relative sea level rise.

Soil subsidence can also be a significant factor and is a strong contributor to higher apparent rates of sea level rise in the mid-Atlantic shoreline. Soil subsidence can also be quite localized. For example, much of the shoreline in Boston is filled land on deep soft clay. NOAA estimates the Boston tide gauge is sinking 0.84 mm/yr, causing a higher apparent rate of sea level rise.

For the NH Seacoast area, New Castle and Portsmouth CORS GPS show land rise of about 0.4 mm/yr, and these land rise rates will decrease the observed local relative rate of sea level rise. New Castle has shallow bedrock and the land rise of 0.4 mm/yr will decrease local relative sea level rise. The Cape Elizabeth CORS GPS station near Portland shows 1.16mm/yr vertical land rise.

Future Sea Level Rise Projections:

There are recent governmental reports presenting projections for accelerating sea level rise caused by global warming. The latest federal government guide is 2022 NOAA Tech Report NOS 01, Sweet et.al. providing values for relative sea level every 10 years starting in the year 2000, with consideration of land/earth crust vertical movement at selected tide gauge cities, and changes in local sea level including by gravitational changes associated with anticipated ice cap melting. This NOAA report does provide five different projection curves for local sea level rise at Portland, Maine, and the 50% quartile, most probable curves, are plotted in Figure 3. Comparing the actual observed rates of sea level rise from tide data in Portland for years 2000 to 2024, the actual rate of sea level rise is significantly less than the projected rate of rise from the NOAA model (about 2 inches higher than observations and the trend is diverging higher above actual observations). From a review of the NOAA values used to plot the Portland sea level rise curves, it was noted that NOAA included 0.4 mm/yr of land subsidence, while actual CORS GPS data show land in the Portland area to have 1.16 mm/yr of land rise. Thus, the NOAA model and associated global warming sea level rise projections are overestimated and are not supported by observed sea level or vertical land movement data for Maine and New Hampshire.

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Sea Level Observations versus Sea Level Rise Projections

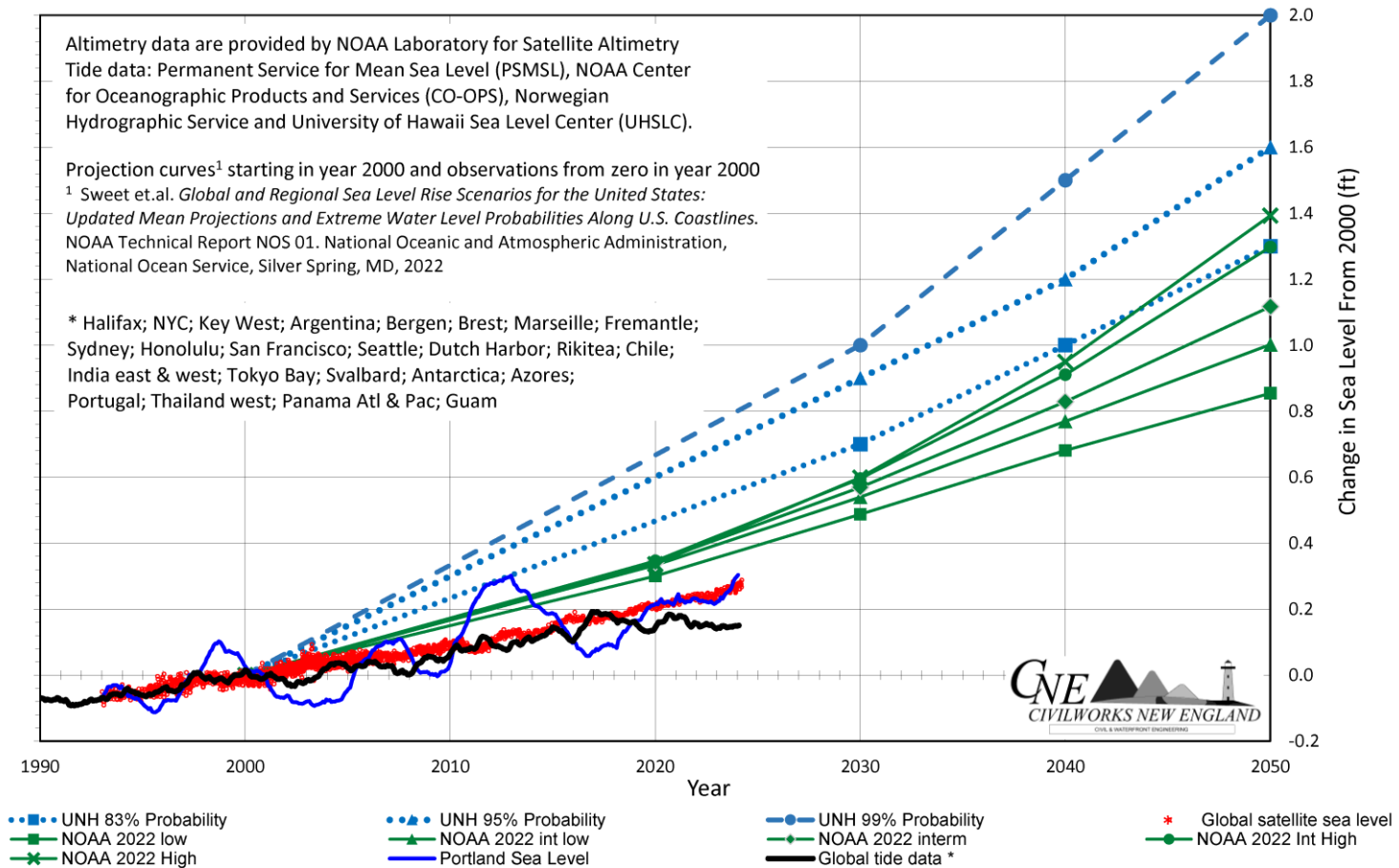


Figure 3 Comparison of Sea Level Rise Projections to Sea Level Observations

New Hampshire Sea Level Rise Projections:

The University of New Hampshire (UNH) issued a two-part report *New Hampshire Coastal Flood Risk Summary*¹ in 2019 and 2020, which has been adopted by the state of New Hampshire and is the recommended policy in regulatory permitting by the NH Department of Environmental Services. The UNH projections use sea level rise projections starting from a sea level in the year 2000, developed by Kopp et. al. (2014)⁴, however the 2022 NOAA curves more closely fit lower observed sea level rise from 2000 to 2020 and then begin sea level rise acceleration in 2020.

The UNH report does list probabilities for multiple sea level rise curves, using different probabilities for different projects tolerance for risk. It is important to understand that these probabilities are Bayesian probabilities, based on future expectations, not traditional probabilities calculated from observational data, such as FEMA flood levels.

The Part II UNH guidance report uses the 83% probability curve for the low end of design for projects with a high tolerance for sea level rise, such as sidewalks. The 95% probability curve is recommended by UNH for design of projects with a medium tolerance for sea level rise, including residential and commercial buildings. UNH does recommend higher 99% and 99.5% probability curves, for design of projects with low and very low tolerance for sea level rise. For March 2024, the UNH 83% projection curve is about 3.7 inches higher than observations (115% error), for UNH 95% projection curve is about 5.8 inches higher than observations (178% error) and projections are diverging higher compared to observations. The UNH guidance projection curves are based on older sea level rise projections and the UNH model was not calibrated in consideration of actual sea level rise observations and trend over the last 24 years. Since the UNH sea level rise projections are already significantly higher than observations with a steeper rise trend, they are not Best Available Science and are not recommended for project design.

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Project Recommendations:

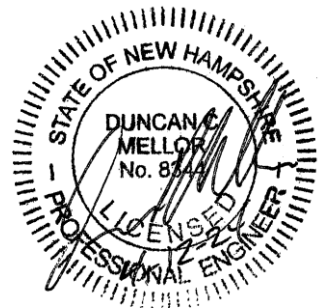
Over the last 13 years the rate of sea level rise has been negative. However, this is not a full tidal epoch (19 years) and the Portland long term trend of 1.9 mm/yr (0.6 ft/100 yrs) is a more reasonable expectation with a tighter confidence interval. Local land rise measured by CORS GPS sites is approximately +0.4 mm/yr in Portsmouth & New Castle and land rise at the project site is likely to reduce relative sea level rise in comparison to other regional tide gauges known to have land subsidence, such as Boston. We recommend that land rise be neglected for this project and that 0.6 feet per 100 year rate be used for a 50 year service life (3.6 inches in 50 years) be utilized for sea level rise allowance. The stone sill and dock will be constructed to not be adversely affected by sea level rise and periodic flooding.

The shoreline repairs with a stone sill crest elevation that is the FEMA 1% flood elevation plus anticipated sea level rise to minimize adverse impacts caused by shoreline erosion and bank collapse.

REFERENCES:

1. *New Hampshire Coastal Flood Risk Summary – Part I: Science; Part II: Guidance for Using Scientific Projections*, NH Coastal Flood Risk Science and Technical Advisory Panel (2020), Univ. of New Hampshire, 2019/2020.
2. Scafetta, N., Milani, F., & Bianchini, A. (2020). *A 60-year cycle in the Meteorite fall frequency suggests a possible interplanetary dust forcing of the Earth's climate driven by planetary oscillations*. Geophysical Research Letters, 47, e2020GL089954. <https://doi.org/10.1029/2020GL089954>.
3. Sweet et.al. (2022). *Global and Regional Sea Level Rise Scenarios for the United States: Updated Mean Projections and Extreme Water Level Probabilities Along U.S. Coastlines*. NOAA Technical Report NOS 01. National Oceanic and Atmospheric Administration, National Ocean Service, Silver Spring, MD
4. *Probabilistic 21st and 22nd Century Sea-Level Projections at a Global Network of Tide Gauge Sites*. Earth's Future, Kopp, R.E., Horton, R.M., Little, C.M., Mitrovica, J.X., Oppenheimer, M., Rasmussen, D.J., Strauss, B.H., & Tebaldi, C. (2014).
5. Mellor, D., *An Update on New Hampshire Sea Level Rise* The New Hampshire Civil Engineer, June/July, 2022, Vol 43, No. 6, ASCE.

\\Cneserver2\\Users\\Dmellor\\Documents\\R&P\\Pickering\\165 Spur Dock\\Permitting\\DES\\165 Spur Rd Vulnerability Assessment 4-29-24.Docx



COASTAL FUNCTIONAL ASSESSMENT (CFA)

165 Spur Rd Shoreline Repair & Dock Replacement Wetlands Permit Application:
Coastal Functional Assessment
Dover, NH

PROPOSED PROJECT

The applicant, Stockman, is proposing to repair shoreline erosion and replace a dock on a 0.2 acre parcel. The lot is bounded by the tidal Bellamy River to the west and the Spaulding Turnpike to the east. The lot is a developed residential lot with an existing timber dock. Shoreline wave damage did occur in the December 23, 2022 storm including dock damage and shoreline erosion.

DATA SCREENING

A NH Natural Heritage Bureau (NHB23-1597) request for review has been filed and the results showed recorded occurrences of the Atlantic Sturgeon (*Acipenser oxyrinchus*), Shortnose Sturgeon (*Acipenser brevirostrum*), in the vicinity of the proposed project area. The work is not proposed to occur in the water and proper erosion and sediment controls will be employed around the work area to prevent sediment from leaving the proposed project area as requested by NHB. Consultation with the NH Fish & Game under Fis 1004, has been conducted and although there are NHB records present for Shortnose and Atlantic sturgeon in the vicinity, NHF&G does not expect that it will be impacted by the proposed project. No further consultation with NHFG is required.

WPPT Mapper:

The WPPT mapper lists the waters at the site as "Flood Plain Wetlands Adjacent to Tier 3 Streams". These tidal waters are not a Flood Plain and are not Wetlands. The WPPT mapper does not map this developed project location as "Highest Ranked Habitat in NH", see attached mapping. The waters are listed as Impaired Waters.

NWI Mapper:

The WPPT mapper on NWI tab maps E2US3N classification for the shoreline area of this shoreline. The "mud" portion of this classification is wrong at this location as the beach is sand.

Essential Fish Habitat Mapper:

EFH Mapper results are attached. These fish are unlikely to be at the project area as there is extensive intertidal area here and the work will be performed in the dry.

ENDANGERED SPECIES ACT (ESA)

The proposed activity may affect, but is not likely to adversely affect, any species listed as threatened or endangered, or Critical Habitat listed by NMFS under the ESA of 1973, as amended. Our supporting analysis is provided below.

The purpose of the project is repair of an eroded shoreline and replacement of a timber dock in the same location with the work being performed in the dry during lower tides.

The Action Area for this work is quite similar to the actual work area as the work will be done in the dry.

Federally Proposed and Listed Species/Designated Critical Habitat:

Fish:

Shortnose sturgeon (*Acipenser brevirostrum*) (32 FR 4001; Recovery plan: NMFS 1998)

Atlantic sturgeon (*Acipenser oxyrinchus oxyrinchus*) (77 FR 5880 and 77 FR 5914)

Effect Determination for Listed Species:

Based on this analysis, it has been determined that all effects, when added to baseline conditions, are insignificant or discountable, and not likely to appreciably affect shortnose sturgeon or Atlantic sturgeon.

Effect Determination for Critical Habitat:

No critical habitat was identified for this project site.

Effect Determination for Listed Species:

Based on this analysis, it has been determined that all effects, when added to baseline conditions, are insignificant or discountable, and not likely to appreciably affect these species.

There are no critical habitats within the project area under USF&W jurisdiction.

FIELD ASSESSMENTS

A site observation was performed at the site by wetland scientist Damon Burt, CWS, and coastal engineer Duncan Mellor, PE, on April 11, 2023 to observe this shoreline. There are some patches of salt marsh, delineated by Damon Burt and shown on the permit drawings. No eelgrass (a plant) was observed on aerial photos reviewed, or visits at low tide. Benthic marine life density was very low density on the upper beach near the project area.

The project site does not meet NHDES or Army Corps criteria for a wetland or Special Aquatic Site.

JURISDICTIONAL AREA FUNCTIONS AND VALUES

The functions and values of the jurisdictional area within the proposed project area were assessed using the *US ACE New England District Highway Methodology Workbook Supplement, Wetland functions and Values: A descriptive Approach*. This approach uses 9 functions and 5 values and are described below. The waterbody is not a wetland, it is a surface water.

Functions

Ecological Integrity: RSA 482-A:2, XI

Groundwater Recharge/Discharge: *This function considers the potential for a wetland to serve as a groundwater recharge and/or discharge area. Recharge should relate to the potential for the wetland to contribute water to an aquifer. Discharge should relate to the potential for the wetland to serve as an area where groundwater can be discharged to the surface.*

Floodflow Alteration: *This function considers the effectiveness of the wetland in reducing flood damage by attenuation of floodwaters for prolonged periods following precipitation events.*

Fish and Shellfish Habitat: *This function considers the effectiveness of seasonal or permanent waterbodies associated with the wetland in question for fish and shellfish habitat.*

Sediment/Toxicant/Pathogen Retention: *This function reduces or prevents degradation of water quality. It relates to the effectiveness of the wetland as a trap for sediments, toxicants, or pathogens.*

Nutrient Removal/Retention/Transformation: *This function relates to the effectiveness of the wetland to prevent adverse effects of excess nutrients entering aquifers or surface waters such as ponds, lakes, streams, rivers, or estuaries.*

Production/Export (Nutrient): *This function relates to the effectiveness of the wetland to produce food or usable products for humans or other living organisms.*

Sediment/Shoreline Stabilization: *This function relates to the effectiveness of a wetland to stabilize streambanks and shorelines against erosion.*

Wildlife Habitat: *This function considers the effectiveness of the wetland to provide habitat for various types and populations of animals typically associated with wetlands and the wetland edge. Both resident and/or migrating species must be considered. Species lists of observed and potential animals should be included in the wetland assessment report.*

Values

Recreation: *This value considers the effectiveness of the wetland and associated watercourses to provide recreational opportunities such as canoeing, boating, fishing, hunting, and other active or passive recreational activities. Consumptive activities consume or diminish the plants, animals, or other resources that are intrinsic to the wetland, whereas non-consumptive activities do not.*

Educational/Scientific Value: *This value considers the effectiveness of the wetland as a site for an "outdoor classroom" or as a location for scientific study or research.*

Uniqueness/Heritage: *This value relates to the effectiveness of the wetland or its associated waterbodies to produce certain special values. Special values may include such things as archaeological sites, unusual aesthetic quality, historical events, or unique plants, animals, or geologic features.*

Visual Quality/Aesthetics: *This value relates to the visual and aesthetic qualities of the wetland.*

Threatened/Endangered Species Habitat: *This value relates to the effectiveness of the wetland or associated waterbodies to support threatened or endangered species.*

FUNCTIONS AND VALUES ASSESSMENT

Ecological Integrity: *The site has moderate ecological integrity including recreation, being a developed waterfront with human uses, however the upper tidal zone site does not support fish habitat, does not enhance flood storage (tidal site) or other presumed wetland functions. This is not a primary function of the portion of the waterbody within the proposed project area.*

Groundwater Recharge/Discharge: *The proposed project is located adjacent to a tidal waterbody. As the ocean is the low point for all surrounding topography, it is unlikely that a significant amount of groundwater recharge is occurring. Groundwater discharge is possible in general but was not observed at the project area. This is not a primary function of the portion of the waterbody within the proposed project area.*

Floodflow Alteration: *No floodplain in project footprint. This is an tidal site with no floodplain that has no storage or flood water level issues. This is not a primary function of the portion of the waterbody within the proposed project area.*

Fish and Shellfish Habitat: *This waterbody provides ocean water habitat for a variety of fish, but the project area is dry for much of the tide cycle. No shellfish were observed at the project area and the required data screening (NHB, WWTP, etc.) associated with this project, did not identify any shellfish beds appearing within the vicinity of the proposed project. Fish habitat is a primary function of the waterbody, however the waterbody at the project site does not support fish or shellfish due to being at the upper limit of the tide range.*

Sediment/Toxicant/Pathogen Retention: *Sediment retention is a primary function of the portion of the waterbody within the proposed project area, toxicant/ pathogen retention is not a primary function.*

Nutrient Removal/Retention/Transformation: *The proposed project area has no significant wetland vegetation. This is not a primary function of the portion of the waterbody within the proposed project area.*

Production/Export (Nutrient): *The proposed project area has no significant wetland vegetation and no sign of mineral or organic soil present to support wetland vegetation growth. This is not a primary function of the portion of the waterbody within the proposed project area.*

Sediment/Shoreline Stabilization: *The proposed project is located facing an wind wave fetch, close proximity boat wakes and this location is a higher inland energy area experiencing wave action as a function of wind direction and passing boats. The shoreline is a developed area with minimal sediment trapping ability. This is not a primary function of the portion of the waterbody shoreline within the proposed project area.*

Wildlife Habitat: *The site is developed area, the waterbody has the potential habitat for fish only at high tide. This is not a primary function of the portion of the site or waterbody within the proposed project area.*

Recreation: *The site is a developed area, the waterbody provides recreational opportunities including, boating and fishing, adjacent to this site. This is a primary function and value of the waterbody.*

Educational/Scientific Value: *The site is a developed. This is not a primary function and value of the site or waterbody.*

Uniqueness/Heritage: *The project site is not a historical site and is not near historical structures per NHDHR review. This is not a primary function and value of the site.*

Visual Quality/Aesthetics: *The site is a developed area with visual quality. This is a primary function and value of the site.*

Threatened/Endangered Species Habitat: *A preliminary data screening was conducted using the NHB data check tool, noting possible sturgeon in adjacent deeper waters. Upon further review, it was determined that the proposed project would not impact any threatened or endangered species and their habitats. This is not a primary function and value of the site or waterbody.*

Conclusion

Based on the assessment of functions and values it was determined that this developed site and adjacent waterbody in the vicinity of the proposed project is suitable for: Recreation, and Visual Quality/Aesthetics.

PROJECT DESIGN ADDRESSING COASTAL FUNCTIONS

The proposed project is to repair shoreline erosion and replace a dock with no impacts to wetlands, and thus represents minimal changes to the coastal functions at this site. As the work will be performed in the dry, it will not impact fish passage, wildlife, shellfish, flows, sediment transport wave dissipation, storm surge, salinity. The project is tolerant of storm surge and sea level rise. The site is also a fairly high wave energy zone with wind waves and boat wakes. The NHDES preferred "soft" shoreline is not suitable for these wave exposures.

Duncan Mellor, PE, Principal Coastal Engineer

\\\\cneserver2\\users\\Dmellor\\Documents\\R&P\\Pickering\\165 Spur Dock\\Permitting\\DES EXP\\Stockman CFA .docx



May 6, 2024

NH Department of Environmental Service
Coastal Division
Pease Field Office
222 International Drive, Suite 175
Portsmouth, NH 03801

Attn: Eben Lewis

Re: 165 Spur Rd, Map L Lot 43A

Dear Eben,

We reviewed plans for the construction of a pier and float system on the Bellamy River in Dover at property belonging to

Benjamin Stockman and Arian Samalot
165 Spur Rod
Dover, NH

We examined the proposed site and found that the structure will have no negative effect on navigation in the channel.

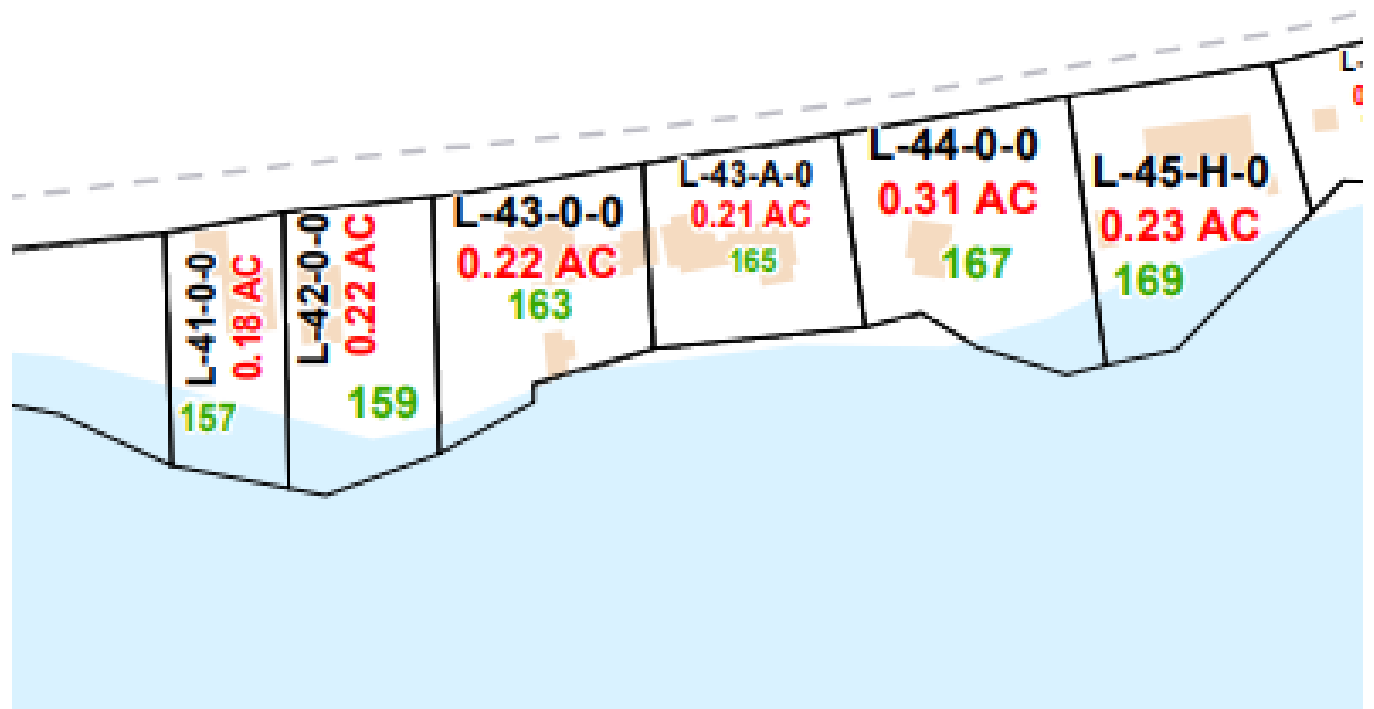
Sincerely,



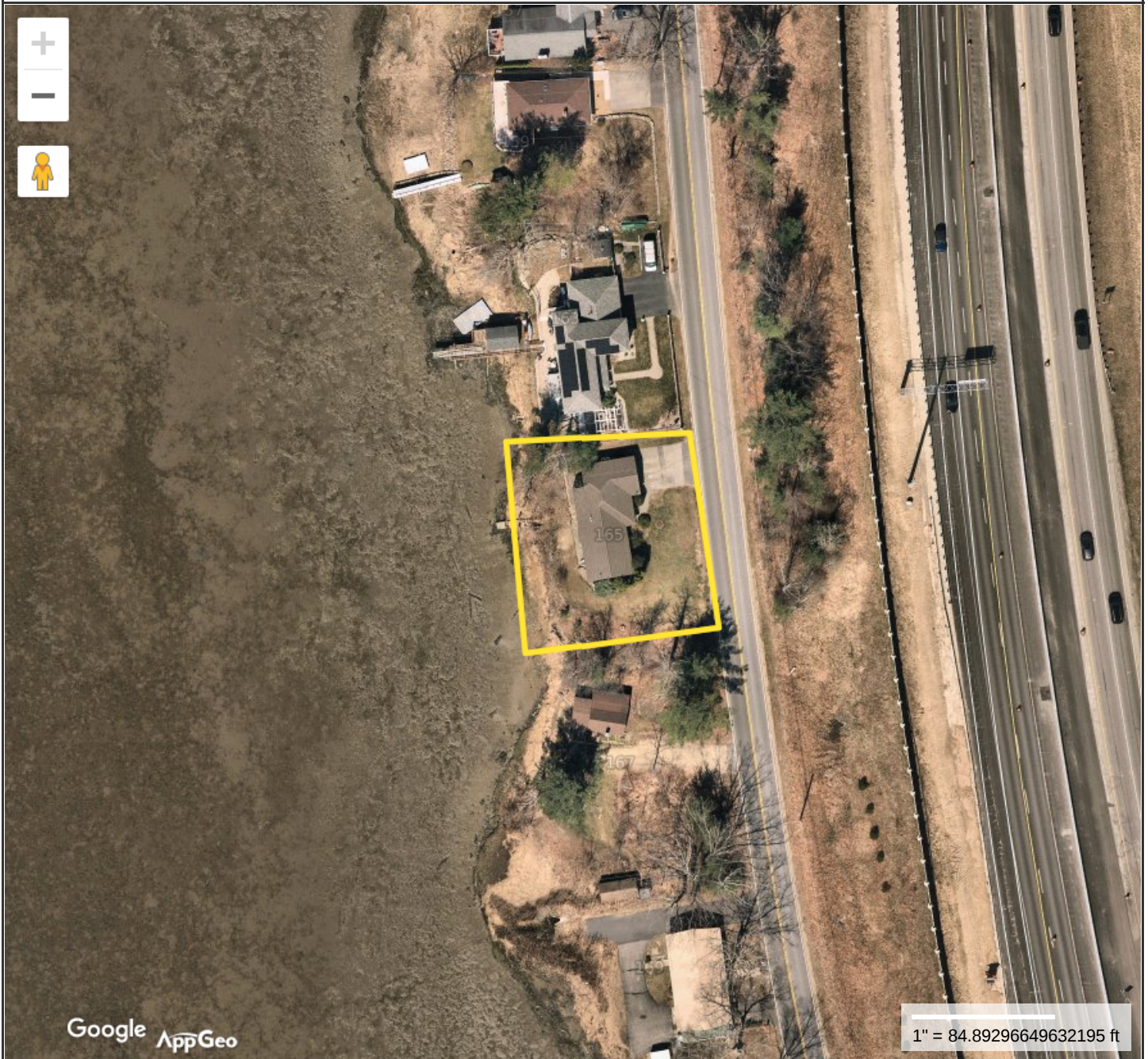
Tracy R. Shattuck
Chief Harbor Master

Cc: Duncan Mellor
Civilworks New England/Haight Engineering, LLC
181 Watson Road
Dover, New Hampshire 03821

Spaulding Turnpike



165 Spur Rd

**Property Information**

Property ID L0043-A00000
Location 165 SPUR RD
Owner STOCKMAN BENJAMIN MICHAEL
Land Use 101
Zoning Code R-20



**MAP FOR REFERENCE ONLY
NOT A LEGAL DOCUMENT**

City of Dover, NH makes no claims and no warranties, expressed or implied, concerning the validity or accuracy of the GIS data presented on this map.

Geometry updated 12/16/2022
Data updated Daily

Print map scale is approximate.
Critical layout or measurement
activities should not be done using
this resource.

165 Spur Road, Dover, NH: NHDES Abutter List

Owner: Benjamin Stockman 165 Spur Rd

Tax map L, lot 43A

Direct Abutters:

Tax map L, lot 43

LOMASTRO JOHN & KRISTEN RIZZO TRUSTEES, JOHN & KRISTEN RIZZO LOMASTRO
REV TRUST, 163 SPUR RD DOVER, NH 03820

Tax map L, lot 44

WILLIAMS EDWARD JOHN III, WILLIAMS LYDIA N, 24 CEDAR POINT RD DURHAM, NH
03824

CIVILWORKS NEW ENGLAND

181 WATSON ROAD
P.O. BOX 1166
DOVER, NH 03821-1166
PHONE: 603.749.0443

May 8, 2024

To: LOMASTRO JOHN & KRISTEN RIZZO TRUSTEES, JOHN & KRISTEN
RIZZO LOMASTRO REV TRUST
163 Spur Road
Dover, NH 03820

Subject: Stockman Dock Replacement & Shoreline Repair
165 Spur Rd, Dover
NHDES Standard Dredge and Fill Application

Dear Abutter:

The purpose of this letter is to inform you that Benjamin Stockman is applying to the NH Department of Environmental Services Wetlands Bureau, which requires this notice, for a Standard Dredge and Fill permit for the proposed dock replacement and shoreline erosion repairs.

A copy of the application, including plans, will be made available for your review at the Dover city offices and at the NH Department of Environmental Services Wetlands Bureau, 29 Hazen Drive, in Concord.

If you have any questions that we might be able to answer, please do not hesitate to contact our office.

Sincerely,

CIVILWORKS NEW ENGLAND



Duncan Mellor, PE
Principal Coastal Engineer

CIVILWORKS NEW ENGLAND

181 WATSON ROAD
P.O. BOX 1166
DOVER, NH 03821-1166
PHONE: 603.749.0443

May 8, 2024

To: WILLIAMS EDWARD JOHN III, WILLIAMS LYDIA N
24 Cedar Point Road
Durham, NH 03824

Subject: Stockman Dock Replacement & Shoreline Repair
165 Spur Rd, Dover
NHDES Standard Dredge and Fill Application

Dear Abutter:

The purpose of this letter is to inform you that Benjamin Stockman is applying to the NH Department of Environmental Services Wetlands Bureau, which requires this notice, for a Standard Dredge and Fill permit for the proposed dock replacement and shoreline erosion repairs.

A copy of the application, including plans, will be made available for your review at the Dover city offices and at the NH Department of Environmental Services Wetlands Bureau, 29 Hazen Drive, in Concord.

If you have any questions that we might be able to answer, please do not hesitate to contact our office.

Sincerely,

CIVILWORKS NEW ENGLAND



Duncan Mellor, PE
Principal Coastal Engineer

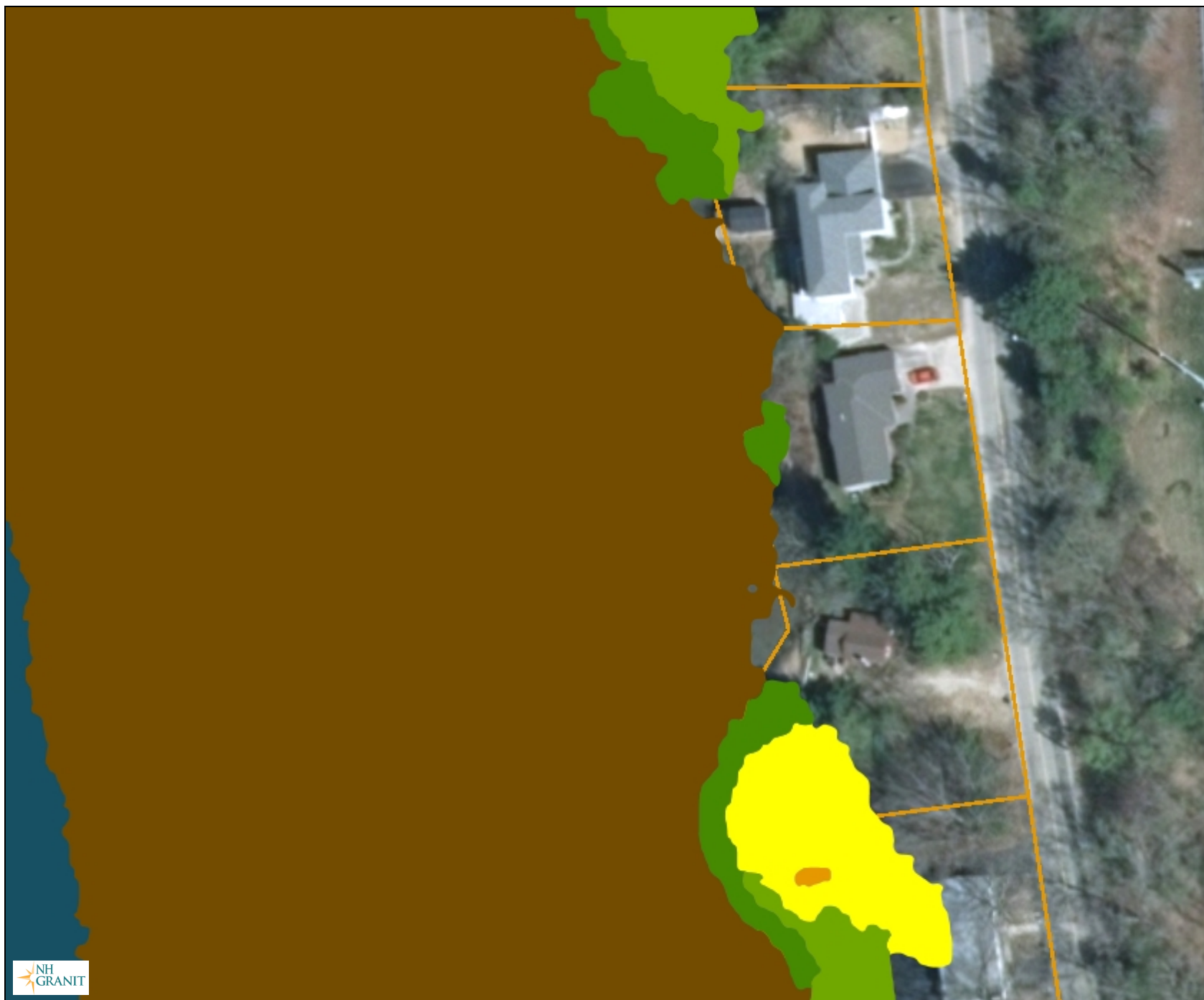
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For delivery information, visit our website at www.usps.com ®.	
Durham, NH 03824	
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Extra Services & Fees (check box, add fee as appropriate)	
☐ Return Receipt (hardcopy)	\$0.00
☐ Return Receipt (electronic)	\$0.00
☐ Certified Mail Restricted Delivery	\$0.00
☐ Adult Signature Required	\$0.00
☐ Adult Signature Restricted Delivery	\$0.00
Postage	\$0.68
Total Postage and Fees	\$8.73
Sent To John + Lydia Williams	
Street and Apt. No., or PO Box No. 24 Cedar Point Road	
City, State, ZIP+4® Durham NH 03824	
PS Form 3800, January 2023 PSN 7530-02-000-9047 See Reverse for Instructions	

9589 0710 5270 0235 8580 39

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Extra Services & Fees (check box, add fee as appropriate)	
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☐ Return Receipt (electronic)	\$0.00
☐ Certified Mail Restricted Delivery	\$0.00
☐ Adult Signature Required	\$0.00
☐ Adult Signature Restricted Delivery	\$0.00
Postage	\$0.68
Total Postage and Fees	\$8.73
Sent To John + Kristen Rizzo-Lamastro Rev Trust	
Street and Apt. No., or PO Box No. 163 Spur Road	
City, State, ZIP+4® Dover NH 03820	
PS Form 3800, January 2023 PSN 7530-02-000-9047 See Reverse for Instructions	

Tidal wetlands map



Legend

- NH Parcels
- Additional Lines
- City/Town
- Tidal Wetland
 - Brackish Marsh
 - High Marsh Mix
 - High Marsh, J. gerardii
 - High Marsh, S. patens / D. spi
 - Low Marsh
 - Mudflat
 - Open Water
 - Panne
 - Phragmites australis
 - Pool
 - Recently Flooded Forest
 - Short form S. alterniflora
 - Terrestrial border
 - Wrack

Map Scale

1: 812

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Map Generated: 4/11/2024



Notes

Floodplain wetlands map



Legend

-  NH Parcels
-  Additional Lines
-  City/Town
-  Flood Plain Wetlands Adj

Map Scale

1: 812

© NH GRANIT, www.granit.unh.edu

Map Generated: 4/11/2024



Notes

the site is tidal and not a floodplain

salt marsh migration map



Legend

- NH Parcels
- Additional Lines
- City/Town
- SLAMM 2022 - Initial Con
 - Developed
 - Developed-Impervious
 - Estuarine Beach
 - Estuarine Open Water
 - Inland Fresh Marsh
 - Inland Open Water
 - Inland Shore
 - Irregularly-flooded Marsh
 - Ocean Beach
 - Open Ocean
 - Regularly-flooded Marsh
 - Riverine Tidal
 - Rocky Intertidal
 - Swamp
 - Tidal Flat
 - Tidal Fresh Marsh
 - Tidal Swamp

Map Scale

1: 812

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Map Generated: 4/11/2024



Notes

salt marsh migration map 2050



Legend

- NH Parcels
- Additional Lines
- City/Town
- SLAMM 2022 - 0.3-m SLF
 - Developed
 - Developed-Impervious
 - Estuarine Beach
 - Estuarine Open Water
 - Inland Fresh Marsh
 - Inland Open Water
 - Inland Shore
 - Irregularly-flooded Marsh
 - Ocean Beach
 - Open Ocean
 - Regularly-flooded Marsh
 - Riverine Tidal
 - Rocky Intertidal
 - Swamp
 - Tidal Flat
 - Tidal Fresh Marsh
 - Tidal Swamp

Map Scale

1: 812

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Map Generated: 4/11/2024



Notes

impaired waters



Legend

-  NH Parcels
-  Additional Lines
-  City/Town
-  Surface Waters with Impaired Quarter Mile Buffer

Map Scale

1: 812

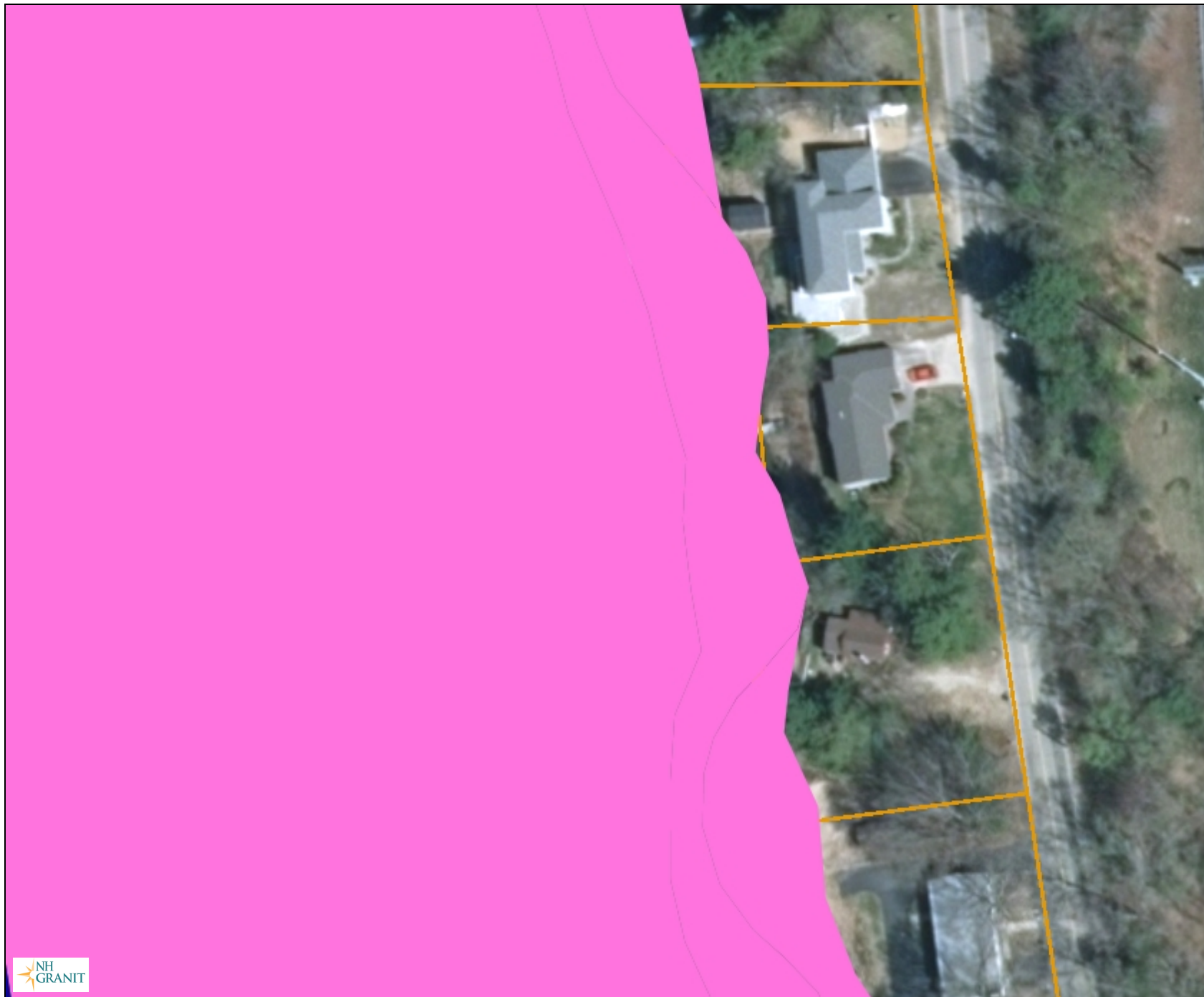
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Map Generated: 4/11/2024



Notes

wetlands



Legend

- NH Parcels
- Additional Lines
- City/Town
- Wetland Types (NWIPlus)
 - Estuarine and Marine Deepv
 - Estuarine and Marine Wetlar
 - Freshwater Emergent Wetlai
 - Freshwater Forested/Shrub
 - Freshwater Pond
 - Lake
 - Other
 - Riverine
- Nutrient Transformation
 - High
 - Moderate
- Fish and Aquatic Inverteb
 - High
 - Moderate
 - StreamShading
- Coastal Storm Surge Detr
 - High

Map Scale

1: 812

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Map Generated: 4/11/2024



Notes



U.S. Fish and Wildlife Service

National Wetlands Inventory

NWI mapping



U.S. Fish and Wildlife Service, National Standards and Support Team,
wetlands_team@fws.gov

April 11, 2024

Wetlands

	Estuarine and Marine Deepwater		Freshwater Emergent Wetland		Lake
	Estuarine and Marine Wetland		Freshwater Forested/Shrub Wetland		Other
			Freshwater Pond		Riverine

This map is for general reference only. The US Fish and Wildlife Service is not responsible for the accuracy or currentness of the base data shown on this map. All wetlands related data should be used in accordance with the layer metadata found on the Wetlands Mapper web site.

highest ranked wildlife habitat



Legend

- NH Parcels
- Additional Lines
- City/Town
- Prioritized Habitat Blocks
- Highest Ranked Wildlife Habitat
- 0
- 1 Highest Ranked Habitat in
- 2 Highest Ranked Habitat in
- 3 Supporting Landscape
- Wildlife Riparian Corridors
- Wildlife Terrestrial Corridors

Map Scale

1: 812

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Map Generated: 4/12/2024



Notes

highest ranked wildlife habitat2



Legend

-  NH Parcels
-  Additional Lines
-  City/Town
- Highest Ranked Wildlife Habitat**
 -  0
 -  1 Highest Ranked Habitat in
 -  2 Highest Ranked Habitat in
 -  3 Supporting Landscape

Map Scale

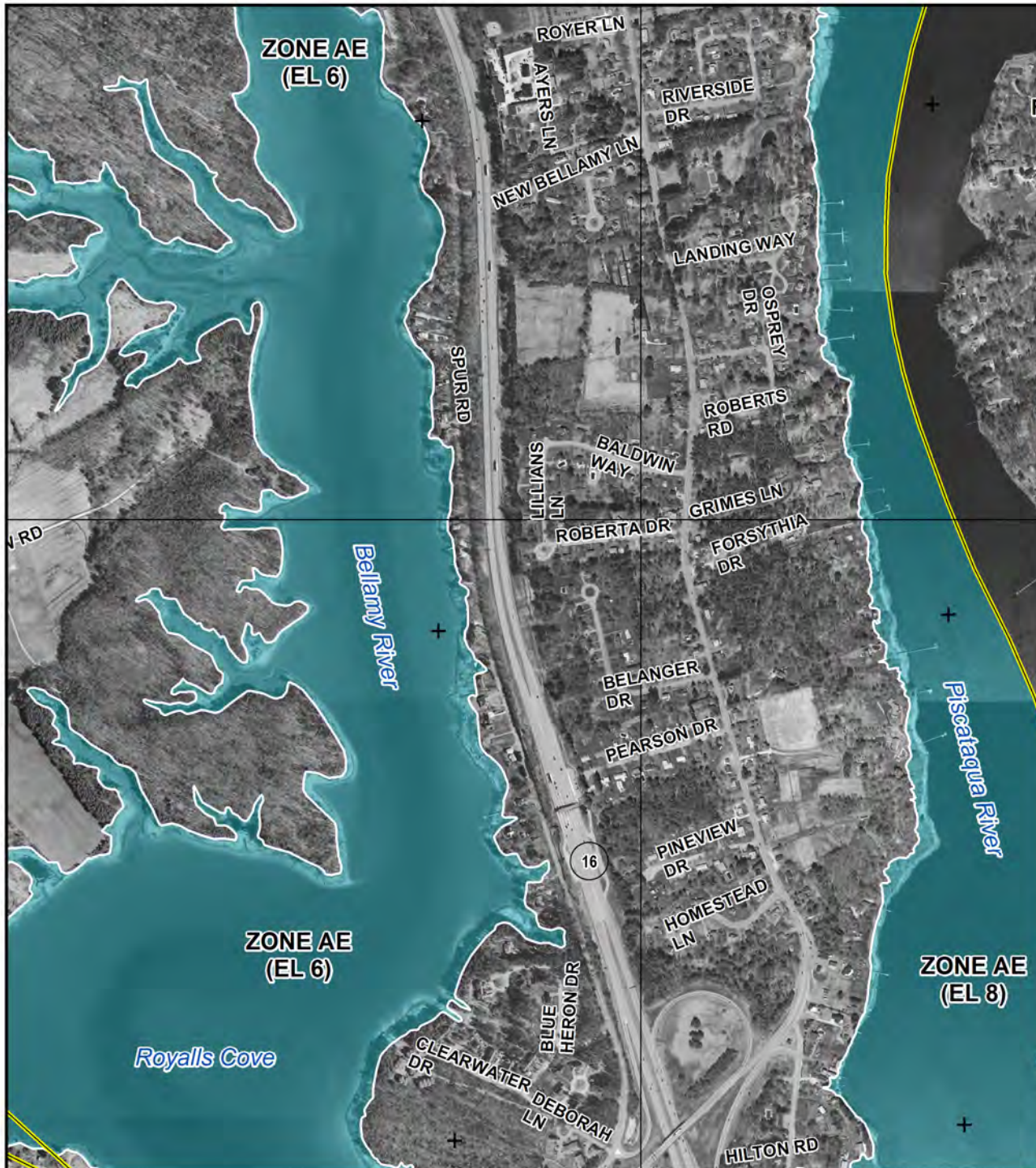
1: 812

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Map Generated: 4/12/2024



Notes



SCALE



Map Projection:
New Hampshire State Plane Feet, FIPS Zone 2
Western Hemisphere; Vertical Datum: NAVD83

1 inch = 1,000 feet

STRAFFORD COUNTY,
NEW HAMPSHIRE
(ALL JURISDICTIONS)

PANEL 340 of 405



Panel Contains:

COMMUNITY	NUMBER	PANEL	SUFFIX
DOVER, CITY OF	330145	0340	E
DURHAM, TOWN OF	330146	0340	E
MADBURY, TOWN OF	330219	0340	E

VERSION NUMBER
2.2.2.1

MAP NUMBER
33017C0340E

MAP REVISED
September 30, 2015

This is an official FIRMette showing a portion of the above-referenced flood map created from the MSC FIRMette Web tool. This map does not reflect changes or amendments which may have been made subsequent to the date on the title block. For additional information about how to make sure the map is current, please see the Flood Hazard Mapping Updates Overview Fact Sheet available on the FEMA Flood Map Service Center home page at <https://msc.fema.gov>.

Memo

NH Natural Heritage Bureau NHB DataCheck Results Letter

Please note: portions of this document are confidential.

Maps and NHB record pages are confidential and should be redacted from public documents.

To: Duncan Mellor, civilworksne
PO Box 1166
dover, NH 03821

From: NHB Review, NH Natural Heritage Bureau

Date: 5/30/2023 (valid until 05/30/2024)

Re: Review by NH Natural Heritage Bureau

Permits: MUNICIPAL POR - Dover, NHDES - Wetland Standard Dredge & Fill - Major, USACE - General Permit

NHB ID: NHB23-1597

Town: Dover

Location: 165 Spur Road

Description: Repair bank erosion and replace residential dock, timing as allowed.

cc: NHFG Review

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

Comments **NHB: Please ensure proper erosion and sediment controls are used and that disturbance to the riverbed is minimized to the greatest extent possible in order to protect the exemplary subtidal and sparsely vegetated intertidal systems.**
F&G: Please refer to NHFG consultation requirements below.

Natural Community	State ¹	Federal	Notes
Sparsely vegetated intertidal system	--	--	Threats to these communities are primarily alterations to the hydrology of the wetland (such as alterations that might affect the sheet flow of tidal waters across the intertidal flat) and increased input of nutrients and pollutants in storm runoff.
Subtidal system	--	--	Threats to these communities are primarily alterations to the hydrology of the wetland (such as alterations that might affect the sheet flow of tidal waters across the intertidal flat) and increased input of nutrients and pollutants in storm runoff.
Vertebrate species	State ¹	Federal	Notes
Atlantic Sturgeon (<i>Acipenser oxyrinchus oxyrinchus</i>)	T	T	Contact the NH Fish & Game Dept and the US Fish & Wildlife Service (see below).

Memo

NH Natural Heritage Bureau NHB DataCheck Results Letter

Please note: portions of this document are confidential.

Maps and NHB record pages are confidential and should be redacted from public documents.

Shortnose Sturgeon (*Acipenser brevirostrum*) E E Contact the NH Fish & Game Dept and the US Fish & Wildlife Service (see below).

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

For all animal reviews, refer to 'IMPORTANT: NHFG Consultation' section below.

Disclaimer: A negative result (no record in our database) does not mean that a sensitive species is not present. Our data can only tell you of known occurrences, based on information gathered by qualified biologists and reported to our office. However, many areas have never been surveyed, or have only been surveyed for certain species. An on-site survey would provide better information on what species and communities are indeed present.

IMPORTANT: NHFG Consultation

If this NHB Datacheck letter DOES NOT include ANY wildlife species records, then, based on the information submitted, no further consultation with the NH Fish and Game Department pursuant to Fis 1004 is required.

If this NHB Datacheck letter includes a record for a threatened (T) or endangered (E) wildlife species, consultation with the New Hampshire Fish and Game Department under Fis 1004 may be required. To review the Fis 1000 rules (effective February 3, 2022), please go to <https://wildlife.state.nh.us/wildlife/environmental-review.html>. All requests for consultation and submittals should be sent via email to NHFGreview@wildlife.nh.gov or can be sent by mail, and **must include the NHB DataCheck results letter number and "Fis 1004 consultation request" in the subject line.**

If the NHB DataCheck response letter does not include a threatened or endangered wildlife species but includes other wildlife species (e.g., Species of Special Concern), consultation under Fis 1004 is not required; however, some species are protected under other state laws or rules, so coordination with NH Fish & Game is highly recommended or may be required for certain permits. While some permitting processes are exempt from required consultation under Fis 1004 (e.g., *statutory permit by notification, permit by rule, permit by notification, routine roadway registration, docking structure registration, or conditional authorization by rule*), coordination with NH Fish & Game may still be required under the rules governing those specific permitting processes, and it is recommended you contact the applicable permitting agency. For projects not requiring consultation under Fis 1004, but where additional coordination with NH Fish and Game is requested, please email NHFGreview@wildlife.nh.gov, and include the NHB DataCheck results letter number and "review request" in the email subject line.

Contact NH Fish & Game at (603) 271-0467 with questions.

Duncan Mellor

From: Snyder, Kimberly <Kimberly.C.Snyder@wildlife.nh.gov>
Sent: Thursday, June 1, 2023 9:29 AM
To: Duncan Mellor; FGC: NHFG review
Subject: RE: NHB 23-1597 Fis 1004 consultation request

Duncan,

After reviewing your files, NHFG concurs that no impacts to sturgeon are expected from this project.

Kim S.
Program Planner
Nongame and Endangered Wildlife Program
New Hampshire Fish and Game Department
Kimberly.C.Snyder@wildlife.nh.gov
Phone: 603-271-0467

From: Duncan Mellor <dmellor@civilworksne.com>
Sent: Tuesday, May 30, 2023 2:01 PM
To: FGC: NHFG review <NHFGreview@wildlife.nh.gov>
Subject: NHB 23-1597 Fis 1004 consultation request

EXTERNAL: Do not open attachments or click on links unless you recognize and trust the sender.

Attached please find site photos. As shown on Google Earth the low tide line is approximately 340 feet offshore of the project area and pile installation can be performed in the dry at low tide with no impacts to sturgeon.



Duncan Mellor, PE
Principal Coastal Engineer
Civilworks New England/Haight Engineering, PLLC
181 Watson Road
PO Box 1166
Dover, New Hampshire 03821
O: 603.749.0443
C: 603.205.2026
dmellor@civilworksne.com
www.civilworksne.com



**US Army Corps
of Engineers®**
New England District

**New Hampshire General Permits (GPs)
Appendix B - Corps Secondary Impacts Checklist
(for inland wetland/waterway fill projects in New Hampshire)**

1. Attach any explanations to this checklist. Lack of information could delay a Corps permit determination.
2. All references to “work” include all work associated with the project construction and operation. Work includes filling, clearing, flooding, draining, excavation, dozing, stumping, etc.
3. See GC 5, regarding single and complete projects.
4. Contact the Corps at (978) 318-8832 with any questions.

1. Impaired Waters	Yes	No
1.1 Will any work occur within 1 mile upstream in the watershed of an impaired water? See http://des.nh.gov/organization/divisions/water/wmb/section401/impaired_waters.htm to determine if there is an impaired water in the vicinity of your work area.*	X	
2. Wetlands	Yes	No
2.1 Are there are streams, brooks, rivers, ponds, or lakes within 200 feet of any proposed work?		X
2.2 Are there proposed impacts to SAS, special wetlands. Applicants may obtain information from the NH Department of Resources and Economic Development Natural Heritage Bureau (NHB) DataCheck Tool for information about resources located on the property at https://www2.des.state.nh.us/nhb_datacheck/ . The book Natural Community Systems of New Hampshire also contains specific information about the natural communities found in NH.		X
2.3 If wetland crossings are proposed, are they adequately designed to maintain hydrology, sediment transport & wildlife passage?	N/A	
2.4 Would the project remove part or all of a riparian buffer? (Riparian buffers are lands adjacent to streams where vegetation is strongly influenced by the presence of water. They are often thin lines of vegetation containing native grasses, flowers, shrubs and/or trees that line the stream banks. They are also called vegetated buffer zones.)		X
2.5 The overall project site is more than 40 acres?		X
2.6 What is the area of the previously filled wetlands?	0 sf	
2.7 What is the area of the proposed fill in wetlands?	0 sf	
2.8 What is the % of previously and proposed fill in wetlands to the overall project site?	0	
3. Wildlife	Yes	No
3.1 Has the NHB & USFWS determined that there are known occurrences of rare species, exemplary natural communities, Federal and State threatened and endangered species and habitat, in the vicinity of the proposed project? (All projects require an NHB ID number & a USFWS IPAC determination.) NHB DataCheck Tool: https://www2.des.state.nh.us/nhb_datacheck/ USFWS IPAC website: https://ecos.fws.gov/ipac/location/index	X	

3.2 Would work occur in any area identified as either “Highest Ranked Habitat in N.H.” or “Highest Ranked Habitat in Ecological Region”? (These areas are colored magenta and green, respectively, on NH Fish and Game’s map, “2010 Highest Ranked Wildlife Habitat by Ecological Condition.”) Map information can be found at: • PDF: https://wildlife.state.nh.us/wildlife/wap-high-rank.html. • Data Mapper: www.granit.unh.edu. • GIS: www.granit.unh.edu/data/downloadfreedata/category/databycategory.html.		X
3.3 Would the project impact more than 20 acres of an undeveloped land block (upland, wetland/waterway) on the entire project site and/or on an adjoining property(s)?		X
3.4 Does the project propose more than a 10-lot residential subdivision, or a commercial or industrial development?		X
3.5 Are stream crossings designed in accordance with the GC 21?	N/A	
4. Flooding/Floodplain Values	Yes	No
4.1 Is the proposed project within the 100-year floodplain of an adjacent river or stream?		X
4.2 If 4.1 is yes, will compensatory flood storage be provided if the project results in a loss of flood storage?	N/A	
5. Historic/Archaeological Resources		
For a minimum, minor or major impact project - a copy of the Request for Project Review (RPR) Form (www.nh.gov/nhdhr/review) with your DES file number shall be sent to the NH Division of Historical Resources as required on Page 11 GC 8(d) of the GP document**	X	

*Although this checklist utilizes state information, its submittal to the Corps is a Federal requirement.

** If your project is not within Federal jurisdiction, coordination with NH DHR is not required under Federal law.

Please mail the completed form and required material to:

New Hampshire Division of Historical Resources
State Historic Preservation Office
Attention: Review & Compliance
172 Pembroke Road, Concord, NH 03301

RECEIVED MAY 01 2024

DHR Use Only	
R&C #	16041
Log In Date	5/1/24
Response Date	5/10/24
Sent Date	5/16/24

Request for Project Review by the New Hampshire Division of Historical Resources

- ☒ This is a new submittal
☐ This is additional information relating to DHR Review & Compliance (R&C) #:

GENERAL PROJECT INFORMATION

Project Title Stockman Dock Replacement & Shoreline Repairs

Project Location 165 Spur Rd

City/Town Dover Tax Map L Lot # 43A

NH State Plane - Feet Geographic Coordinates: Easting 1203810 Northing 234720
(See RPR Instructions and R&C FAQs for guidance.)

Lead Federal Agency and Contact (if applicable) Army Corps of Engineers
(Agency providing funds, licenses, or permits)
Permit Type and Permit or Job Reference # NH General Permit

State Agency and Contact (if applicable) NH DES

Permit Type and Permit or Job Reference # Wetlands Std

APPLICANT INFORMATION

Applicant Name Benjamin Stockman

Mailing Address 165 Spur Rd

Phone Number 978-766-6421

City Dover State NH Zip 03820 Email stockmanbm@gmail.com

CONTACT PERSON TO RECEIVE RESPONSE

Name/Company Civilworks New England

Mailing Address PO Box 1166

Phone Number 603-749-0443

City Dover State NH Zip 03821 Email dmellor@civilworksne.com

This form is updated periodically. Please download the current form at <https://www.nhdhr.dncr.nh.gov/project-review/project-review-compliance/requests-project-review>. Please refer to the Request for Project Review Instructions for direction on completing this form. Submit one copy of this project review form for each project for which review is requested. Please include a self-addressed stamped envelope. Project submissions will not be accepted via facsimile or e-mail. This form is required. Review request form must be complete for review to begin. Incomplete forms will be sent back to the applicant without comment. Please be aware that this form may only initiate consultation. For some projects, additional information will be needed to complete the Section 106 review. All items and supporting documentation submitted with a review request, including photographs and publications, will be retained by the DHR as part of its review records. Items to be kept confidential should be clearly identified. For questions regarding the DHR review process and the DHR's role in it, please visit our website at: <https://www.nhdhr.dncr.nh.gov/project-review/project-review-compliance/requests-project-review> or contact the R&C Specialist at Elizabeth.A.Schneible@dncr.nh.gov or 603-271-2813.

PROJECTS CANNOT BE PROCESSED WITHOUT THIS INFORMATION

Project Boundaries and Description

- ☒ Attach the Project Mapping **using EMMIT or relevant portion of a 7.5' USGS Map.** (See RPR Instructions and R&C FAQs for guidance.)
- ☒ Attach a detailed narrative description of the proposed project.
- ☒ Attach a site plan. The site plan should include the project boundaries and areas of proposed excavation.
- ☒ Attach photos of the project area (overview of project location and area adjacent to project location, and specific areas of proposed impacts and disturbances.) (*Informative photo captions are requested.*)
- ☒ A DHR records search must be conducted to identify properties within or adjacent to the project area. Provide records search results via EMMIT or in **Table 1.** (*Blank table forms are available on the DHR website.*) Please note, using EMMIT Guest View for an RPR records search does not provide the necessary information needed for DHR review.
EMMIT or in-house records search conducted on **02/14/2024**

Architecture

Are there any buildings, structures (bridges, walls, culverts, etc.) objects, districts or landscapes within the project area? ☒ Yes ☐ No
If no, skip to Archaeology section. If yes, submit all of the following information:

Approximate age(s):

- ☒ Photographs of **each** resource or streetscape located within the project area, with captions, along with a mapped photo key. (Digital photographs are accepted. All photographs must be clear, crisp and focused.)
- ☐ If the project involves rehabilitation, demolition, additions, or alterations to existing buildings or structures, provide additional photographs showing detailed project work locations. (i.e. Detail photo of windows if window replacement is proposed.)

Archaeology

Does the proposed undertaking involve ground-disturbing activity? ☒ Yes ☐ No
If yes, submit all of the following information:

- ☒ Description of current and previous land use and disturbances.
- ☒ Available information concerning known or suspected archaeological resources within the project area (such as cellar holes, wells, foundations, dams, etc.)

Please note that for many projects an architectural and/or archaeological survey or other additional information may be needed to complete the Section 106 process.

DHR Comment/Finding Recommendation *This Space for Division of Historical Resources Use Only*

- ☐ Insufficient information to initiate review. ☐ Additional information is needed in order to complete review.
- ☐ No Potential to cause Effects ☒ No Historic Properties Affected ☐ No Adverse Effect ☐ Adverse Effect

Comments: _____

If plans change or resources are discovered in the course of this project, you must contact the Division of Historical Resources as required by federal law and regulation.

Authorized Signature: *Necene Kull* Date: *5/10/24*

EFH Mapper Report

EFH Data Notice

Essential Fish Habitat (EFH) is defined by textual descriptions contained in the fishery management plans developed by the regional fishery management councils. In most cases mapping data can not fully represent the complexity of the habitats that make up EFH. This report should be used for general interest queries only and should not be interpreted as a definitive evaluation of EFH at this location. A location-specific evaluation of EFH for any official purposes must be performed by a regional expert. Please refer to the following links for the appropriate regional resources.

[Greater Atlantic Regional Office](#)

[Atlantic Highly Migratory Species Management Division](#)

Query Results

Degrees, Minutes, Seconds: Latitude = 43° 8' 28" N, Longitude = 71° 9' 21" W

Decimal Degrees: Latitude = 43.141, Longitude = -70.844

The query location intersects with spatial data representing EFH and/or HAPCs for the following species/management units.

*** WARNING ***

Please note under "Life Stage(s) Found at Location" the category "ALL" indicates that all life stages of that species share the same map and are designated at the queried location.

EFH

Link	Data Caveats	Species/Management Unit	Lifestage(s) Found at Location	Management Council	FMP
		Atlantic Butterfish	Adult	Mid-Atlantic	Atlantic Mackerel, Squid,& Butterfish Amendment 11
		Atlantic Cod	Eggs, Larvae	New England	Amendment 14 to the Northeast Multispecies FMP
		Atlantic Herring	Adult, Juvenile, Larvae	New England	Amendment 3 to the Atlantic Herring FMP
		Atlantic Mackerel	Eggs, Juvenile, Larvae	Mid-Atlantic	Atlantic Mackerel, Squid,& Butterfish Amendment 11
		Atlantic Sea Scallop	ALL	New England	Amendment 14 to the Atlantic Sea Scallop FMP
		Atlantic Wolffish	ALL	New England	Amendment 14 to the Northeast Multispecies FMP

Link	Data Caveats	Species/Management Unit	Lifestage(s) Found at Location	Management Council	FMP
		Bluefish	Adult, Juvenile	Mid-Atlantic	Bluefish
		Little Skate	Adult, Juvenile	New England	Amendment 2 to the Northeast Skate Complex FMP
		Pollock	Eggs, Juvenile, Larvae	New England	Amendment 14 to the Northeast Multispecies FMP
		Red Hake	Adult, Eggs/Larvae/Juvenile	New England	Amendment 14 to the Northeast Multispecies FMP
		Smooth Skate	Juvenile	New England	Amendment 2 to the Northeast Skate Complex FMP
		Thorny Skate	Juvenile	New England	Amendment 2 to the Northeast Skate Complex FMP
		White Hake	Adult, Eggs, Juvenile	New England	Amendment 14 to the Northeast Multispecies FMP
		Windowpane Flounder	Adult, Eggs, Juvenile, Larvae	New England	Amendment 14 to the Northeast Multispecies FMP
		Winter Flounder	Eggs, Juvenile, Larvae/Adult	New England	Amendment 14 to the Northeast Multispecies FMP
		Winter Skate	Juvenile	New England	Amendment 2 to the Northeast Skate Complex FMP

Pacific Salmon EFH

No Pacific Salmon Essential Fish Habitat (EFH) were identified at the report location.

Atlantic Salmon

No Atlantic Salmon were identified at the report location.

HAPCs

No Habitat Areas of Particular Concern (HAPC) were identified at the report location.

EFH Areas Protected from Fishing

No EFH Areas Protected from Fishing (EFHA) were identified at the report location.

Spatial data does not currently exist for all the managed species in this area. The following is a list of species or management units for which there is no spatial data.

****For links to all EFH text descriptions see the complete data inventory: [open data inventory](#) -->**

Spatial data does not currently exist for all the managed species in this area. The following is a list of species or management units for which there is no spatial data.

****For links to all EFH text descriptions see the complete data inventory: [open data inventory](#) -->**

All EFH species have been mapped for the Greater Atlantic region,

Atlantic Highly Migratory Species EFH,

Bigeye Sand Tiger Shark,

Bigeye Sixgill Shark,

Caribbean Sharpnose Shark,

Galapagos Shark,

Narrowtooth Shark,

Sevengill Shark,

Sixgill Shark,

Smooth Hammerhead Shark,

Smalltail Shark



Drawn Action Area & Overlapping S7 Consultation Areas

Area of Interest (AOI) Information

Area : 0.72 acres

Apr 26 2024 14:49:26 Eastern Daylight Time



Summary

Name	Count	Area(acres)	Length(mi)
Atlantic Sturgeon	2	0.56	N/A
Shortnose Sturgeon	1	0.28	N/A
Atlantic Salmon	0	0	N/A
Sea Turtles	0	0	N/A
Atlantic Large Whales	0	0	N/A
In or Near Critical Habitat	0	0	N/A

Atlantic Sturgeon

#	Feature ID	Species	Lifestage	Behavior	Zone	From	Until	From (2)	Until (2)	Area(acres)
1	ANS_PIS_ADU_MAF	Atlantic sturgeon	Adult	Migrating & Foraging	Piscataqua River	01/01	12/31	N/A	N/A	0.28
2	ANS_PIS_SUB_MAF	Atlantic sturgeon	Subadult	Migrating & Foraging	Piscataqua River	01/01	12/31	N/A	N/A	0.28

Shortnose Sturgeon

#	Feature ID	Species	Life Stage	Behavior	Zone	From	Until	From (2)	Until (2)	Area(acres)
1	SNS_PIS_ADU_MAF	Shortnose sturgeon	Adult	Migrating & Foraging	Piscataqua River	04/01	11/30	N/A	N/A	0.28



United States Department of the Interior

FISH AND WILDLIFE SERVICE
New England Ecological Services Field Office
70 Commercial Street, Suite 300
Concord, NH 03301-5094
Phone: (603) 223-2541 Fax: (603) 223-0104



In Reply Refer To:

04/26/2024 19:26:49 UTC

Project Code: 2024-0082789

Project Name: 165 Spur dock replacement and shoreline repairs

Subject: List of threatened and endangered species that may occur in your proposed project location or may be affected by your proposed project

To Whom It May Concern:

Updated 4/12/2023 - Please review this letter each time you request an Official Species List, we will continue to update it with additional information and links to websites may change.

About Official Species Lists

The purpose of the Act is to provide a means whereby threatened and endangered species and the ecosystems upon which they depend may be conserved. Federal and non-Federal project proponents have responsibilities under the Act to consider effects on listed species.

The enclosed species list identifies threatened, endangered, proposed, and candidate species, as well as proposed and final designated critical habitat, that may occur within the boundary of your proposed project and/or may be affected by your proposed project. The species list fulfills the requirements of the U.S. Fish and Wildlife Service (Service) under section 7(c) of the Endangered Species Act (Act) of 1973, as amended (16 U.S.C. 1531 et seq.).

New information based on updated surveys, changes in the abundance and distribution of species, changed habitat conditions, or other factors could change this list. Please note that under 50 CFR 402.12(e) of the regulations implementing section 7 of the Act, the accuracy of this species list should be verified after 90 days. The Service recommends that verification be completed by visiting the IPaC website at regular intervals during project planning and implementation for updates to species lists and information. An updated list may be requested by returning to an existing project's page in IPaC.

Endangered Species Act Project Review

Please visit the “**New England Field Office Endangered Species Project Review and Consultation**” website for step-by-step instructions on how to consider effects on listed

species and prepare and submit a project review package if necessary:

<https://www.fws.gov/office/new-england-ecological-services/endangered-species-project-review>

NOTE Please do not use the **Consultation Package Builder** tool in IPaC except in specific situations following coordination with our office. Please follow the project review guidance on our website instead and reference your **Project Code** in all correspondence.

Northern Long-eared Bat - (Updated 4/12/2023) The Service published a final rule to reclassify the northern long-eared bat (NLEB) as endangered on November 30, 2022. The final rule went into effect on March 31, 2023. You may utilize the **Northern Long-eared Bat Rangewide Determination Key** available in IPaC. More information about this Determination Key and the Interim Consultation Framework are available on the northern long-eared bat species page:

<https://www.fws.gov/species/northern-long-eared-bat-myotis-septentrionalis>

For projects that previously utilized the 4(d) Determination Key, the change in the species' status may trigger the need to re-initiate consultation for any actions that are not completed and for which the Federal action agency retains discretion once the new listing determination becomes effective. If your project was not completed by March 31, 2023, and may result in incidental take of NLEB, please reach out to our office at newengland@fws.gov to see if reinitiation is necessary.

Additional Info About Section 7 of the Act

Under section 7(a)(2) of the Act and its implementing regulations (50 CFR 402 et seq.), Federal agencies are required to determine whether projects may affect threatened and endangered species and/or designated critical habitat. If a Federal agency, or its non-Federal representative, determines that listed species and/or designated critical habitat may be affected by the proposed project, the agency is required to consult with the Service pursuant to 50 CFR 402. In addition, the Federal agency also may need to consider proposed species and proposed critical habitat in the consultation. 50 CFR 402.14(c)(1) specifies the information required for consultation under the Act regardless of the format of the evaluation. More information on the regulations and procedures for section 7 consultation, including the role of permit or license applicants, can be found in the "Endangered Species Consultation Handbook" at:

<https://www.fws.gov/service/section-7-consultations>

In addition to consultation requirements under Section 7(a)(2) of the ESA, please note that under sections 7(a)(1) of the Act and its implementing regulations (50 CFR 402 et seq.), Federal agencies are required to utilize their authorities to carry out programs for the conservation of threatened and endangered species. Please contact NEFO if you would like more information.

Candidate species that appear on the enclosed species list have no current protections under the ESA. The species' occurrence on an official species list does not convey a requirement to

consider impacts to this species as you would a proposed, threatened, or endangered species. The ESA does not provide for interagency consultations on candidate species under section 7, however, the Service recommends that all project proponents incorporate measures into projects to benefit candidate species and their habitats wherever possible.

Migratory Birds

In addition to responsibilities to protect threatened and endangered species under the Endangered Species Act (ESA), there are additional responsibilities under the Migratory Bird Treaty Act (MBTA) and the Bald and Golden Eagle Protection Act (BGEPA) to protect native birds from project-related impacts. Any activity, intentional or unintentional, resulting in take of migratory birds, including eagles, is prohibited unless otherwise permitted by the U.S. Fish and Wildlife Service (50 C.F.R. Sec. 10.12 and 16 U.S.C. Sec. 668(a)). For more information regarding these Acts see:

<https://www.fws.gov/program/migratory-bird-permit>

<https://www.fws.gov/library/collections/bald-and-golden-eagle-management>

Please feel free to contact us at **newengland@fws.gov** with your **Project Code** in the subject line if you need more information or assistance regarding the potential impacts to federally proposed, listed, and candidate species and federally designated and proposed critical habitat.

Attachment(s): Official Species List

Attachment(s):

- Official Species List

OFFICIAL SPECIES LIST

This list is provided pursuant to Section 7 of the Endangered Species Act, and fulfills the requirement for Federal agencies to "request of the Secretary of the Interior information whether any species which is listed or proposed to be listed may be present in the area of a proposed action".

This species list is provided by:

New England Ecological Services Field Office

70 Commercial Street, Suite 300

Concord, NH 03301-5094

(603) 223-2541

PROJECT SUMMARY

Project Code: 2024-0082789

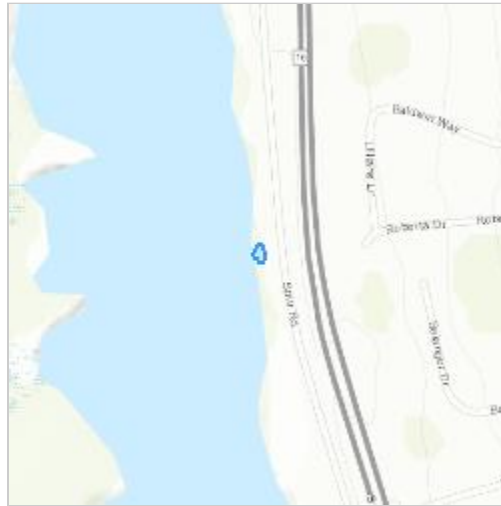
Project Name: 165 Spur dock replacement and shoreline repairs

Project Type: Boatlift/Boathouse/Dock/Pier/Piles - New Construction

Project Description: replace residential dock, repair shoreline erosion

Project Location:

The approximate location of the project can be viewed in Google Maps: <https://www.google.com/maps/@43.1410458,-70.84411330203983,14z>



Counties: Strafford County, New Hampshire

ENDANGERED SPECIES ACT SPECIES

There is a total of 4 threatened, endangered, or candidate species on this species list.

Species on this list should be considered in an effects analysis for your project and could include species that exist in another geographic area. For example, certain fish may appear on the species list because a project could affect downstream species.

IPaC does not display listed species or critical habitats under the sole jurisdiction of NOAA Fisheries¹, as USFWS does not have the authority to speak on behalf of NOAA and the Department of Commerce.

See the "Critical habitats" section below for those critical habitats that lie wholly or partially within your project area under this office's jurisdiction. Please contact the designated FWS office if you have questions.

-
1. [NOAA Fisheries](#), also known as the National Marine Fisheries Service (NMFS), is an office of the National Oceanic and Atmospheric Administration within the Department of Commerce.

MAMMALS

NAME	STATUS
Northern Long-eared Bat <i>Myotis septentrionalis</i> No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/9045	Endangered
Tricolored Bat <i>Perimyotis subflavus</i> No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/10515	Proposed Endangered

BIRDS

NAME	STATUS
Roseate Tern <i>Sterna dougallii dougallii</i> Population: Northeast U.S. nesting population No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/2083	Endangered

INSECTS

NAME	STATUS
Monarch Butterfly <i>Danaus plexippus</i> No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/9743	Candidate

CRITICAL HABITATS

THERE ARE NO CRITICAL HABITATS WITHIN YOUR PROJECT AREA UNDER THIS OFFICE'S JURISDICTION.

YOU ARE STILL REQUIRED TO DETERMINE IF YOUR PROJECT(S) MAY HAVE EFFECTS ON ALL ABOVE LISTED SPECIES.

IPAC USER CONTACT INFORMATION

Agency: Private Entity
Name: duncan mellor
Address: 181 Watson Rd
City: Dover
State: NH
Zip: 03821
Email: dmellor@civilworksne.com
Phone: 6037490443

LEAD AGENCY CONTACT INFORMATION

Lead Agency: Army Corps of Engineers

Return To:

Benjamin Michael Stockman and Ariana
Marisa Samalot
294 Summer Avenue
Reading, MA 01867

E-Doc # 220017456

Book 5081 Page 205

11/30/2022 09:09:41 AM

Page 1 of 2

Catherine A. Berube

Register of Deeds, Strafford County

LCHIP

STA204151

25.00

TRANS TAX ST859858

11,925.00

QUITCLAIM DEED

KNOW ALL PERSONS BY THESE PRESENTS: That Real Estate Advisors, Inc., a New Hampshire Corporation with a mailing address of 76 Exeter Street, New Market, NH 03857, for consideration paid, grants to Benjamin Michael Stockman and Ariana Marisa Samalot, husband and wife, as joint tenants with rights of survivorship of 294 Summer Avenue, Reading, MA 01867, with QUITCLAIM COVENANTS:

A certain tract or parcel of land with the buildings thereon, situated at Dover Point, in Dover, County of Strafford and State of New Hampshire, on the westerly side of Spur Road, so-called, leading from the Spaulding Turnpike, bounded and described as follows, viz:

Beginning at a marker on the Westerly side of the Spur Road at the Northeasterly corner of land of Francis B. Christopher; thence running Northerly by said Spur Road, a distance of one hundred twenty-two (122) feet, more or less, to a marker at other land of the Grantor herein, said point being one hundred twenty-six (126) feet Southerly from the Southeasterly corner of land of Herbert C. Norman; thence running Westerly by said other land of the grantor herein, a distance of seventy-five (75) feet, more or less, to a marker; thence continuing in the same course Westerly to the Bellamy River; thence turning and running Southerly by the Bellamy River to the Northwestern corner of said Christopher land; thence turning and running Easterly by said Christopher land to a marker; thence continuing Easterly by said Christopher land a distance of seventy-five (75) feet, more or less, to the Westerly side of said Spur Road and the point of beginning.

Also conveying the right to the reasonable use of the water in the spring situated on other land of the grantor herein Northerly of the above-described premises.

Meaning and intending to describe and convey the same premises conveyed to Real Estate Advisors, Inc., by virtue of a Deed from Ernest F. Bahmer, Executor of the Estate of Margaret S. Bahmer, dated October 30, 2007 and recorded in the Strafford County Registry of Deeds at Book 3587, Page 975.

TOGETHER WITH and subject to any and all covenants, easements, conditions, stipulations, and restrictions of record, insofar as the same are enforceable and in effect.

This is not homestead property.

IN WITNESS WHEREOF, the undersigned have executed this document on this 28 day of November, 2022.

Real Estate Advisors, Inc.

BY: [Signature]
Walter W. Cheney, Authorized Agent

State of NEW HAMPSHIRE

County of ROCKINGHAM

This instrument was acknowledged before me on this 28 day of November 2022, by Walter W. Cheney as a duly authorized agent of Real Estate Advisors, Inc. and acknowledged that he executed the same for the purposes therein contained on behalf of Real Estate Advisors, Inc.

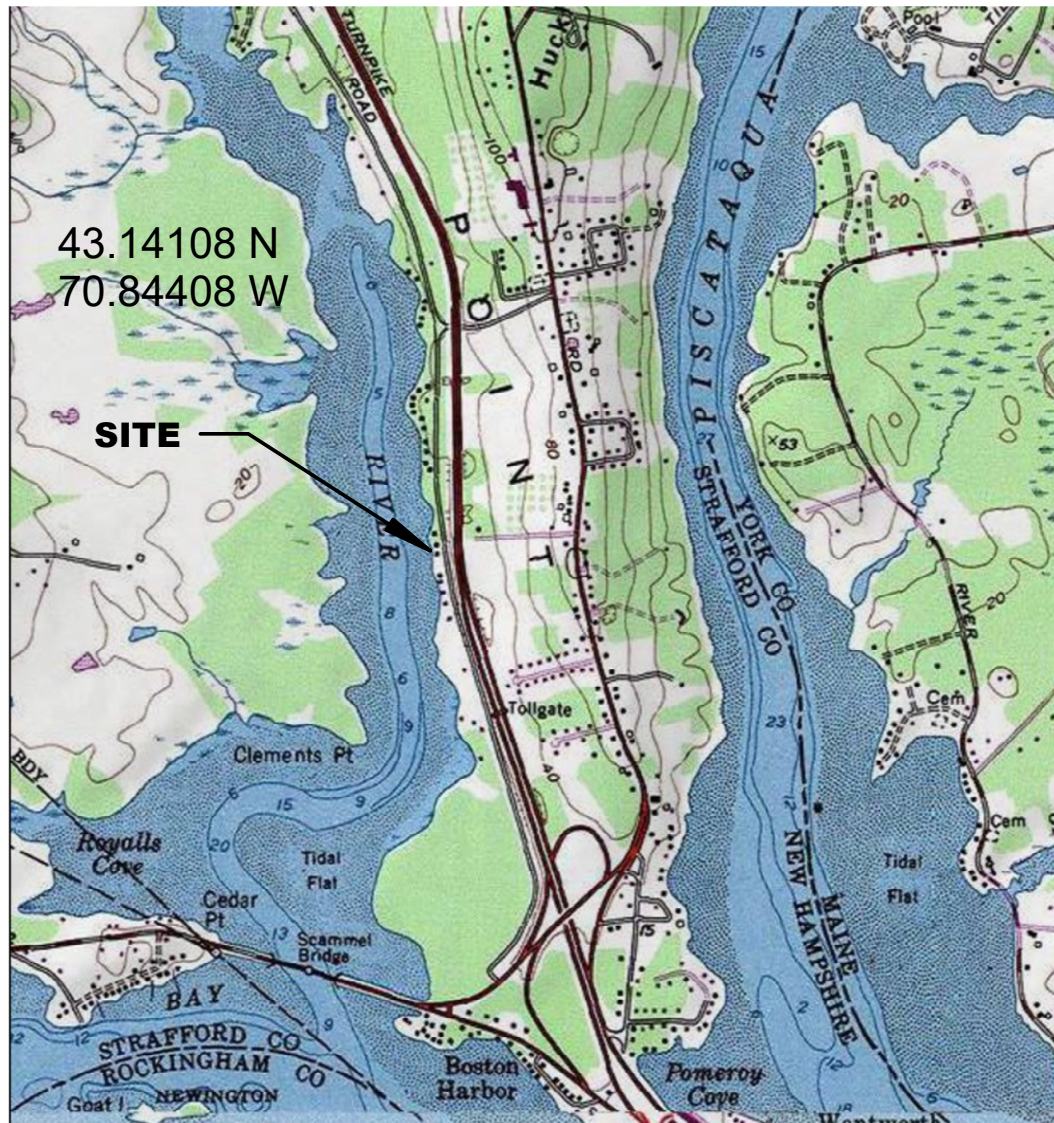
[Signature]
Notary Public

My Commission Expires:

[SEAL]



2000 0 2000 4000 6000
(FEET)



8/24/2023, 1:26:46 PM

1:24,000
0 500 1,000 2,000 ft
0 245 490 980 m

DOCK & BANK STABILIZATION
165 SPUR ROAD, DOVER, NH
STRAFFORD COUNTY
BELLAMY RIVER

OWNER/APPLICANT:
BENJAMIN STOCKMAN
& ARIANA SAMALOT

CNE
CIVILWORKS NEW ENGLAND
CIVIL & WATERFRONT ENGINEERS
181 Watson Road, PO Box 1166
Dover, New Hampshire 03821
603.749.0443

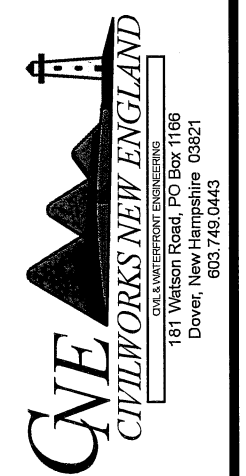
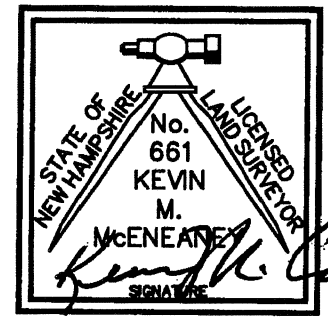
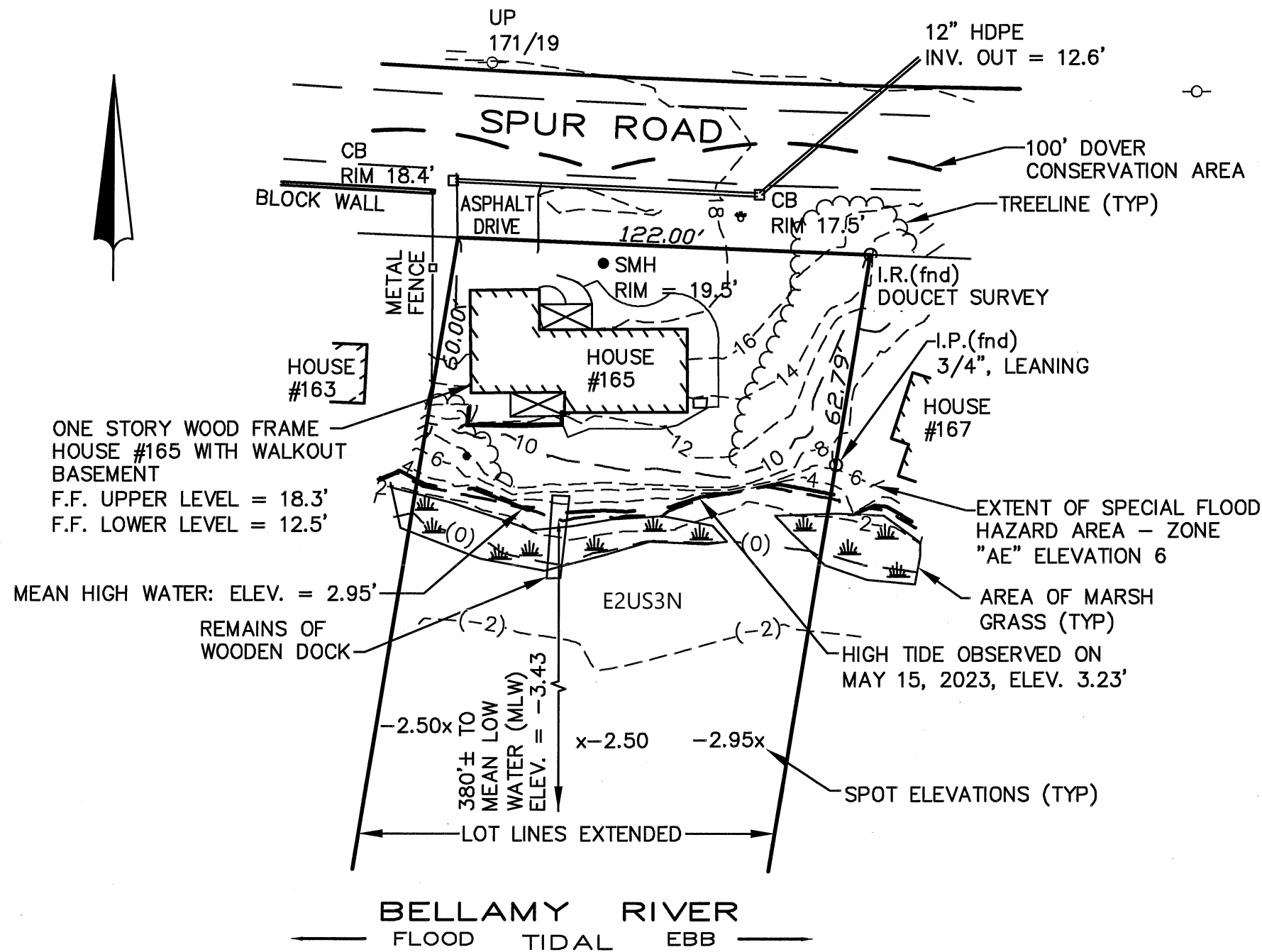
VICINITY MAP

REFERENCE PLANS:

- 1.) EXISTING CONDITIONS PLAN OF REAL ESTATE ADVISORS, INC. (TAX MAP L, LOT 43A) 165 SPUR ROAD, DOVER, NEW HAMPSHIRE; SCALE 1" = 20'; DATED: NOV. 27, 2007; BY: DOUCET SURVEY, INC.; NOT RECORDED.

NOTES:

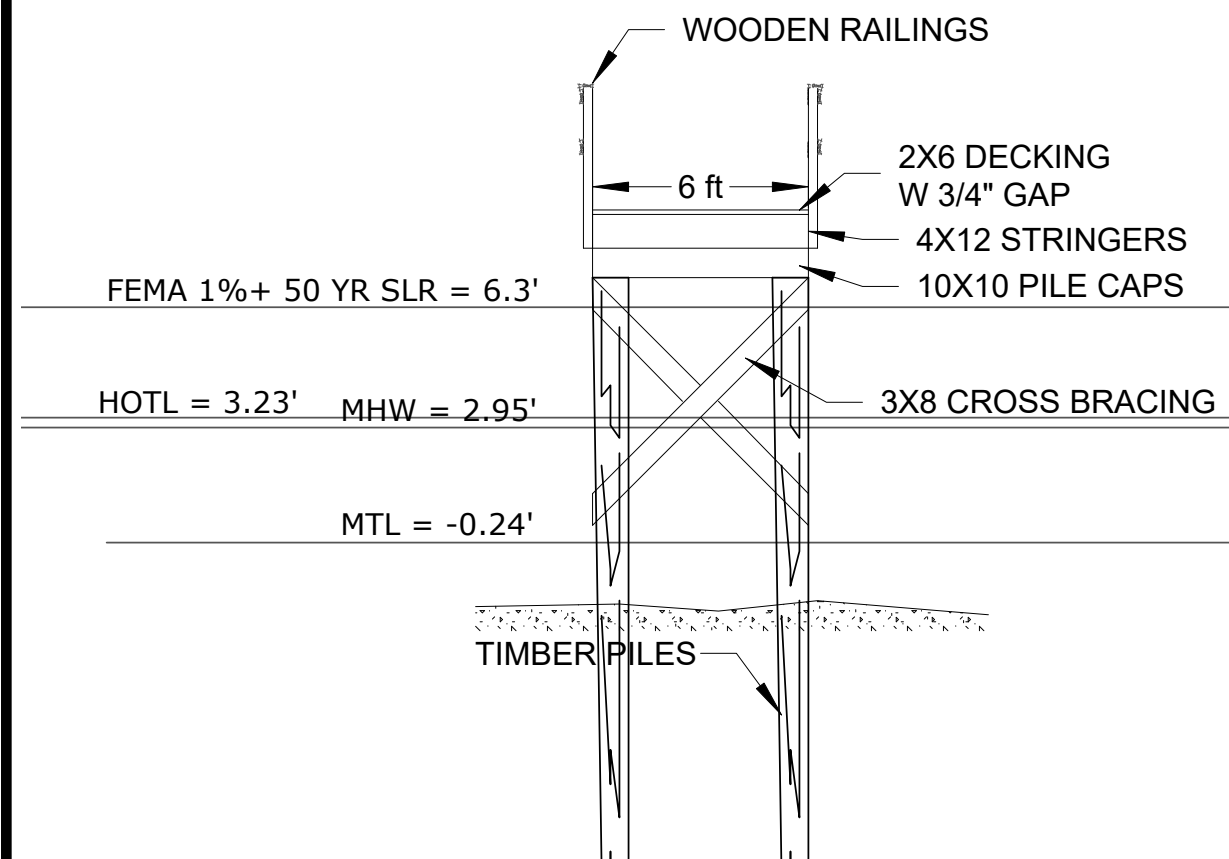
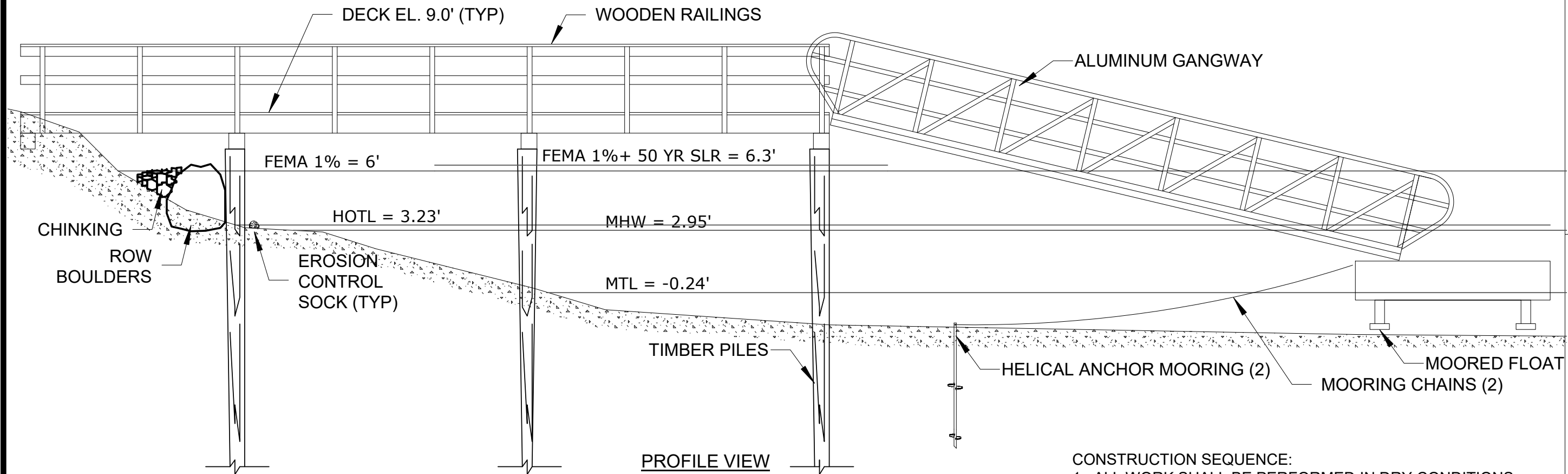
- 1.) OWNERS OF RECORD:
BENJAMIN MICHAEL STOCKMAN
ARIANA MARISA SAMALOT
165 SPUR ROAD
DOVER, NEW HAMPSHIRE
S.C.R.D. VOLUME 5081, PAGE 205
- 2.) **L / 43A** - DENOTES TAX MAP AND PARCEL NUMBER.
- 3.) THE INTENT OF THIS PLAN IS TO DEPICT THE SITE CONDITIONS AS OF MAY 15, 2023.
- 4.) PARCEL BOUNDARY SHOWN IS TAKEN FROM REFERENCE PLAN #1.
- 5.) HORIZONTAL DATUM IS NAVD83 BASED ON GPS OBSERVATION DATED MAY 15, 2023. VERTICAL DATUM IS USGS NAVD88 BASED ON GPS OBSERVATION DATED MAY 15, 2023. CONTOUR INTERVAL IS TWO (2) FEET.
- 6.) TIDAL ELEVATIONS ARE TAKEN FROM PORTLAND STATION 8418150, WITH LOCAL CORRECTIONS FROM NOAA AND UNH.



DATE	SCALE	DRAWN BY	DESIGN BY	APPROVED BY	PROJ NO	FILE	NO.	REVISION	APP'D	DATE
6-9-23	1" = 40'	KJF	DOM		23037					

OWNER/APPLICANT: BENJAMIN STOCKMAN & ARIANA SAMALOT	DOCK & BANK STABILIZATION 165 SPUR ROAD, DOVER, NH STRAFFORD COUNTY BELLAMY RIVER
---	--

EC

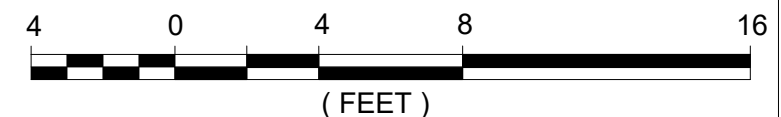
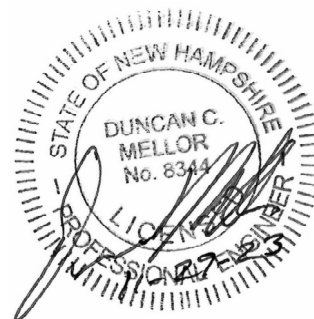


CONSTRUCTION SEQUENCE:

1. ALL WORK SHALL BE PERFORMED IN DRY CONDITIONS WORKING ABOVE WATER LEVELS. REMOVE EXISTING TIMBER DOCK. REMOVE FALLEN TREE STUMP ON SHORELINE.
2. INSTALL EROSION CONTROL SOCK AND ROW OF BOULDERS, BACKFILL WITH CHINKING STONES.
3. INSTALL DOCK PILES IN THE DRY. CONSTRUCT DOCK SUPERSTRUCTURE & RAILINGS.
4. INSTALL HELICAL MOORINGS AND SEASONAL FLOAT WITH ELEVATING SKIDS TO KEEP FLOAT OFF MUD.
5. REMOVE EROSION CONTROL SOCK WHEN STABILIZED.

NOTES:

1. THE ATTACHED PE STAMP IS LIMITED TO PERMIT DRAWING PREPARATION. THIS PE STAMP DOES NOT COVER ANALYSIS OR STRUCTURE DESIGN, WHICH IS BEING PERFORMED BY OTHERS.
2. PILE AND MOORING EMBEDMENT, AND DOCK STRUCTURAL DESIGN, BY OTHERS, SHALL BE ADEQUATE TO RESIST DOCK BREAK AWAY IN STORM CONDITIONS.

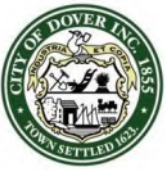


DATE	SCALE	DRAWN BY	DESIGN BY	APPROVED BY	PROJ. NO.	FILE	NO.	REVISION	APP'D	DATE
11-28-23	AS SHOWN	BY: DCM	BY: DCM	BY: DCM	23037					

OWNER/APPLICANT:
BENJAMIN STOCKMAN
& ARIANA SAMALOT

WF-3 PROPOSED PROFILE

DOCK & BANK STABILIZATION
165 SPUR ROAD, DOVER, NH
STRAFFORD COUNTY
BELLAMY RIVER



City of Dover, New Hampshire

CONDITIONAL USE PERMIT APPLICATION

[Revision Date: October 19, 2020]

Office Use Only	Project #:	_____	Date Received:	_____
	Amount Paid:	_____	Time Received:	_____

APPLICANT AND OWNER INFORMATION

Name of Applicant: _____ 210 Tolend Road LLC Telephone # _____ 978-375-3153

Address of Applicant: _____ 42J Dover Point Road, Dover NH

E-Mail Address: _____ johnoneill.nh@gmail.com

Name of Property Owner (if different from applicant): _____ Telephone # _____

Address of Property Owner: _____

PROPERTY INFORMATION

Assessor's Map # _____ F Lot(s) # _____ 3

Address of Property: _____ 210 Tolend Road, Dover NH

Zoning District(s) _____ R-40 Overlay District(s) _____ Wetland Protection

Existing Use of Property: _____ Single family residential

CONDITIONAL USE PERMIT INFORMATION

Type of Conditional Use Permit (Check All That Apply):

- | | | |
|---|---|--|
| ☐ Conservation District | ☐ RCM Use Overlay District | ☐ Gateway District |
| ☐ Groundwater Protection | ☐ Off-Street Parking and Loading | ☐ Alternative Treatment Center |
| ☒ Wetland Protection District | ☐ Central Business District | ☐ Heritage Residential District |

Describe Proposed Use or Activity That Requires Conditional Use Permit and Describe Any Impacts:

Wetlands and wetlands buffer impact for the construction of a roadway and utilities.

List Any Associated State or Federal Permits That Have Been or Will Be Applied For and Indicate Their Status: NHDES AoT (not yet filed)

NHDES Wetlands Impact (not yet filed)

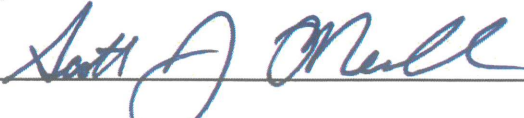
Name of Professional That Prepared Plans: Robert J. Stowell (Tritech Engineering Corp.)

Address 755 Central Ave, Dover NH Telephone #: 603-742-8107

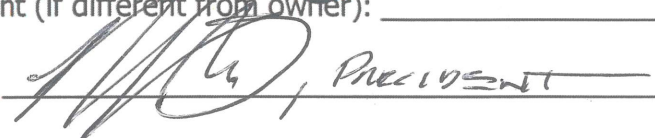
Professional License #: 9903 E-mail address: rjs@tritecheng.com

SIGNATURES

I/We hereby submit this application to the City of Dover Planning Board and attest that to the best of my knowledge all of the information on this application form and in the accompanying application materials and documentation is true and accurate. As applicant or as agent, I attest that I am duly authorized to act in this capacity.

Signature of Property Owner:  Date: 6/3/24

Signature of Applicant (if different from owner): _____ Date: _____

Signature of Agent:  PRECISENT Date: 06/03/24

AUTHORIZATION TO ENTER SUBJECT PROPERTY

I, and my successors, hereby authorize members of the Dover Planning Board, Planning Department and other pertinent City Departments and boards to enter my property for the purpose of evaluating this application, including performing inspections during the application phase, post-approval phase, construction phase and occupancy phase. It is understood that these individuals must use all reasonable care, courtesy, and diligence when on the property.

Signature of Property Owner:  Date: 6/3/24

CITY OF DOVER CONDITIONAL USE LIST OF ABUTTERS

Pursuant to RSA 676:4, the State Law of New Hampshire, the City of Dover is required to notify the applicant, abutters (including holders of conservation easements), and any professional whose seal is on the plan, of the public hearing by certified mail, return receipt requested. Staff will provide the abutter information, while the applicant must provide accurate contact information for the owner, applicant and professional agents representing the project.

Owner:

TAX MAP	LOT #	PROPERTY OWNER	<u>MAILING ADDRESS</u>
F	3	210 Tolend Road LLC	42J Dover Point Road, Dover NH

Applicant (if different from owner):

APPLICANT NAME	APPLICANT COMPANY	<u>MAILING ADDRESS</u>

Surveyor and/or Engineer/Professional Agent:

NAME	COMPANY	<u>MAILING ADDRESS</u>
Robert J. Stowell	Tritech Engineering Corporation	755 Central Ave, Dover NH
Michael Mariano	Highland Soil Services	75 Prospect St, Somersworth NH

Conservation Easement Holder:

TAX MAP	LOT #	NAME OF EASEMENT HOLDER	<u>MAILING ADDRESS</u>

PLANNING BOARD FEE SCHEDULE/INVOICE

(Revised July 24, 2023)

Below are the fees associated with plan review and are subject to a nonrefundable application fee to cover administrative expenses. Please complete the information below and provide payment with your application submittal. **Plan review fees shall be paid prior to technical review committee (TRC) being scheduled.** For plans not requiring TRC review, **fees are due 21 days prior** to the Planning Board meeting. Staff will coordinate abutter/notice fees, which will be invoiced and must be paid 28 hours before the Planning Board meeting for an application to be heard. Fees shall be paid by cash or check made payable to "City of Dover".

A. Plan Review Fees

1. Application fee for the following (SELECT ALL THAT APPLY):

- ☐ SUBDIVISION Application fee \$200.00 + \$150.00 x # _____ new lots created = \$ _____
- ☐ LOT LINE ADJUSTMENT Application fee \$200.00 + \$100.00 X # _____ of lots involved = \$ _____
- ☐ TRANSFER OF DEVELOPMENT RIGHTS Application fee \$200.00 = \$ _____
- ☐ SITE REVIEW – RESIDENTIAL Application fee \$200.00+ \$100.00 x # _____ per dwelling unit = \$ _____
- ☐ SITE REVIEW – NON-RESIDENTIAL Application fee \$200.00 + (not to exceed \$10,000)
 - ☐ New construction \$.15 sq. ft. x # _____ sq. ft. = \$ _____
 - ☐ Additions (new floor space) \$.10 per sq. ft. x # _____ sq. ft. = \$ _____
- ☐ MOTEL/HOTEL \$35.00 x # _____ per lodging unit = \$ _____
- ☐ CHANGE OF USE Application fee \$200.00 + (not to exceed \$5,000)
 - ☐ Existing floor spaces \$.10 per sq. ft. x # _____ sq. ft. = \$ _____
- ☒ CONDITIONAL USE PERMIT Application fee \$200.00 x # 1 per Application = \$ 200
- ☐ GRAVEL PIT/ EXCAVATIONS
 - ☐ Application fee \$50.00 = \$ _____
 - ☐ Permit fee \$75.00 = \$ _____
- ☐ EXTENSIONS/AMENDMENTS/WAIVERS FOR AN APPROVED PLAN Application fee \$200.00 = \$ _____
- ☐ REQUEST FOR REZONING Application fee \$200.00 = \$ _____
- ☐ DRIVEWAY WAIVER Application fee \$200.00 = \$ _____
- ☐ **TOTAL IMPERVIOUS PAVED AREA** (for new development, roadways or additions to existing parking lots, (not to exceed \$10,000)) Application fee of \$200.00 is N/A if it is part of a Site Review or Subdivision Plan. \$200.00 + \$.07 per sq. ft. x # _____ sq. ft. = \$ _____

SUBTOTAL PLAN REVIEW FEE = \$ 200

AND

B. Abutter Notification/Mailing Labels - this office will create and print the abutter list and provide labels in triplicate for each abutter. The applicant/owner will review the list for accuracy and provide to us the engineer, architect, licensed land surveyor (LLS), licensed landscape architect (LLA) and/or soil scientist whose professional seal appears on the plan with names and addresses for notices.

- ☐ Applicant & Owner, engineer, architect, LLS, LLA and/or soil scientist
 - ☐ Certified letters fee # _____ of x \$10.00 = \$ _____
- ☐ Certified letters fee: # of abutters _____ X \$10.00 = \$ _____
- ☐ First Class Mail fee (for individual owner of units within a condominium or other collective form of ownership): # of abutters _____ X \$1.00 = \$ _____
- ☐ Creating/Printing Abutter Labels in triplicate per sheet _____ x \$10.00 = \$ _____

C. Foster's newspaper public notice fee \$120.00 x # _____ applications = \$ _____

SUBTOTAL = \$ _____

TOTAL INVOICE AMOUNT = \$ _____

PLAN REVIEW FEE COLLECTED/PAID = \$ _____

BALANCE DUE = \$ _____

The amount due must be paid 28 hours prior to the Planning Board Meeting, to be heard.

TRITECH

ENGINEERING CORPORATION

755 CENTRAL AVENUE
DOVER, NEW HAMPSHIRE 03820

TELEPHONE 603.742.8107
FACSIMILE 603.742.3830

June 3, 2024

Donna Benton, AICP
Director of Planning & Community Development
City of Dover, Planning Department
288 Central Avenue
Dover, New Hampshire 03820

Subject: Conditional Use Permit Application
210 Tolend Road, LLC
Tolend Road & Emeral Lane
Dover Tax Map F Lot 3
Dover, New Hampshire
Job No. 23118

Dear Donna:

Project Background

On April 2, 2024, on behalf of the applicant / property owner 210 Tolend Road, LLC we submitted an Application for Transfer Development Right (TDR) to the City of Dover Planning Board. This application was heard by the planning board at their meeting on May 28, 2024. This application was submitted for approval of the use of the TDR regulations as depicted on our application plans only. Our current application is not a request for construction. Should the Planning Board approve our TDR application we will proceed with construction plans that will be submitted for the appropriate approvals. We anticipate these approvals will include City of Dover Site Plan approval and Conditional Use Permit approval as well as NHDES Wetlands Impact permit and Alteration of Terrain permit.

At their meeting on May 28th the Planning Board requested that the applicant seek input from the Conservation Commission prior to them taking formal action on this application. As the board is aware that at this point our proposal does not include a final design or construction plans, they understand that the commission is not in a position to provide a final endorsement of the project or for the approval of a conditional use permit. The board is looking for the commission's input regarding the current TDR application only.

Project Description

On behalf of the applicant / property owner 210 Tolend Road, LLC we are submitting an Application for Transfer Development Right (TDR). The property is shown as City of Dover Tax Map F, Lot 3 and is located at 210 Tolend Road. Trittech has completed a property survey and wetlands delineation of the subject property and the results are depicted on the attached plans. The property contains 55.698 acres of which 15.5 acres are wetlands and is located in the R-40 Zoning District.

The applicant proposes to develop Map F Lot 3 by utilizing the City of Dover Transfer Development Rights (TDR) regulations in a condominium style project. The proposal calls for the construction of 53 new homes. Thirty (30) of these new homes, units 1 through 30, will be constructed as unrestricted housing & will require the purchase of ten (10) "unrestricted" TDR units. The remaining twenty-three (23) new homes, units 31 through 53, will be size restricted to 1400 square feet for the primary residence. These size restricted residence will also have additional square footage for the construction of an accessory dwelling unit(ADU). The rental amounts of these accessory dwelling units will be deed restricted to a Fair Market Rent set by HUD. All of these homes will require the purchase of "restricted" TDR units.

This project will include the construction of a 2,850-foot-long connector road from Emerald Lane to Tolend Road. This road construction will include the connection of City Water from Emerald Lane to Tolend Road and the extension of the City Sewer System from Emerald Lane to Tolend Road. This will make City Sewer available to a portion of the city where it is not currently available. In addition to this connector road the project includes the construction of a 1600-foot-long loop road. Both the connector road as well as the loop road are proposed to be private and will be maintained by the condominium association.

The construction of the connector road will require a Conditional Use Permit (CUP) from the City of Dover as well as a Wetland Impact Permit for the State of New Hampshire Department of Environmental Services (NHDES) for impact of approximately 5,000 square feet of wetlands as well as associated buffers.

All of this work will be constructed within the limits of Land Unit "A" which contains 44.568 acres, comprised of 31.517 acres of upland and 13.0 acres of wetlands.

Land Unit "B" will contain the existing single-family residence and is 11.198 acres in size. It is intended that Land Unit "B" is not restricted from potential future development with the proper permitting.

As the property is located in the R-40 Zoning District, for each unit in the development we are providing 20,000 square feet of Open Space. Land Unit "A" has over 26 acres of Open Space which is suitable for this 54-unit development. Any future development of Land Unit "B" will require additional Open Space.

The TDR Purchase Formula is based on Land Unit "A" and yields a base density of 21 units.

Conservation Commission Review Request

At their meeting on May 28th the Planning Board requested that the applicant seek input from the Conservation Commission prior to them taking formal action on this application. As the board is aware that at this point our proposal does not include a final design or construction plans, they understand that the commission is not in a position to provide a final endorsement of the project or for the approval of a conditional use permit. The board is looking for the commission's input regarding the current TDR application only.

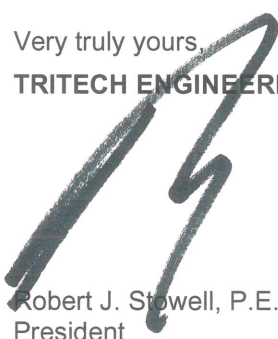
We look forward to meeting with the Conservation Commission at their June 10th meeting and discussing this development plan.

Attached please find the supporting documentation:

- Conditional Use Permit Application.
- Transfer Development Rights Site Development Plan Package.

Please advise should you have any questions.

Very truly yours,
TRITECH ENGINEERING CORP.



Robert J. Stowell, P.E., L.L.S.
President

RJS / rms

Attachments

TDR SITE DEVELOPMENT PLANS

AMBROSE WOODS

210 TOLEND ROAD
DOVER, NEW HAMPSHIRE

LIST OF PLANS

- | | |
|------|---|
| T-1 | - TITLE SHEET |
| T-2 | - NEIGHBORHOOD PLAN 1"=200' (W-PHOTO) |
| EX-1 | - EXISTING CONDITIONS PLAN 1"=100' |
| SP-1 | - TDR SITE DEVELOPMENT PLAN 1"=100' (W-PHOTO) |
| SP-1 | - TDR SITE DEVELOPMENT PLAN 1"=100' |
| SP-2 | - TDR SITE DEVELOPMENT PLAN 1"=40' |
| SP-3 | - TDR SITE DEVELOPMENT PLAN 1"=40' |
| SP-4 | - TDR SITE DEVELOPMENT PLAN 1"=40' |
| OS-1 | - OPEN SPACE DEVELOPMENT PLAN 1"=100' |

PREPARED FOR:

210 TOLEND ROAD LLC.
42 J DOVER POINT ROAD
DOVER, NEW HAMPSHIRE

OWNER:

210 TOLEND ROAD LLC.
42 J DOVER POINT ROAD
DOVER, NEW HAMPSHIRE

PREPARED BY

TRITECH

ENGINEERING CORPORATION

TRITECH

ENGINEERING CORPORATION

755 CENTRAL AVENUE
DOVER, NEW HAMPSHIRE 03860
TELEPHONE 603 742 8107
FAX 603 742 9590

ISSUED FOR CONSERVATION REVIEW
June 3, 2024

REVISIONS	DATE	DESCRIPTION

TITLE SHEET

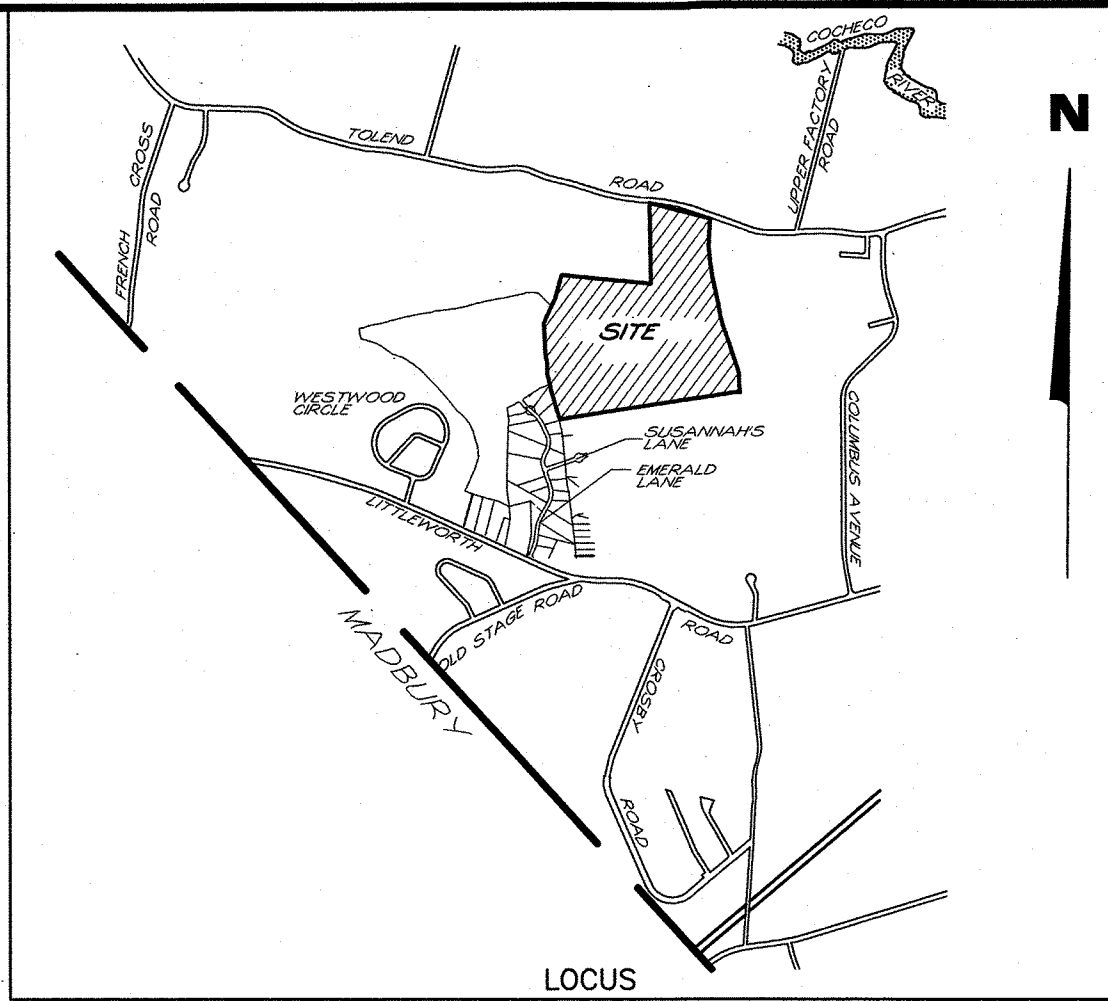
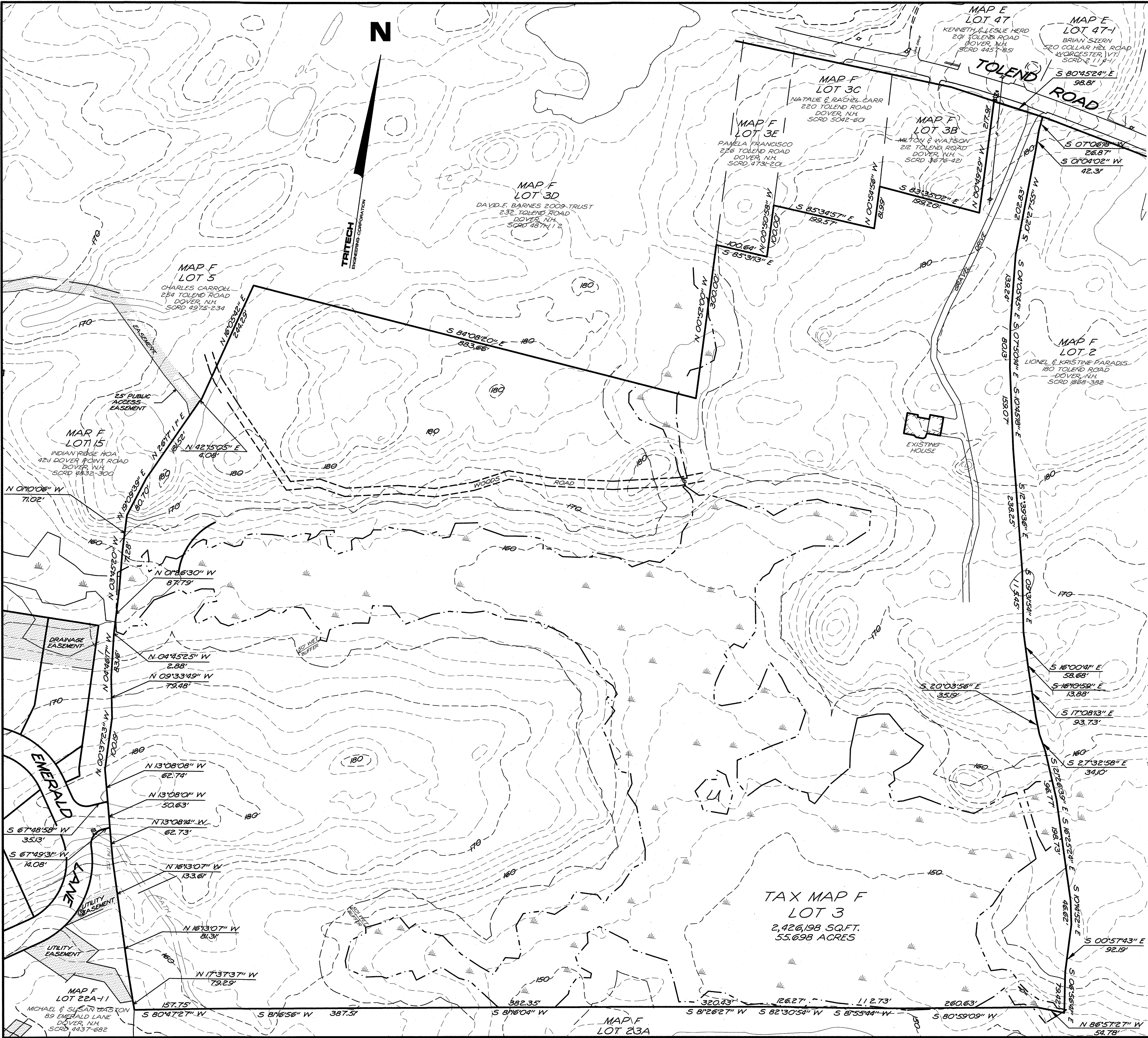
AMBROSE WOODS

TAX MAP F LOT 3
210 TOLEND ROAD
DOVER, NEW HAMPSHIRE

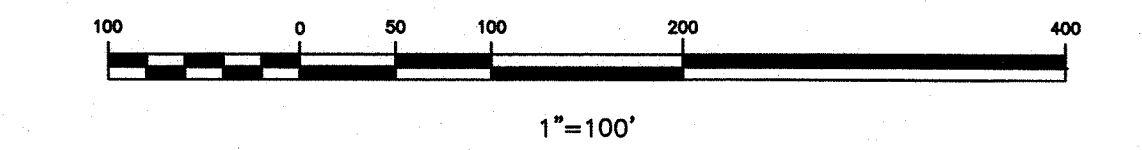
APRIL 2, 2024 JOB No. 23118

SHEET No.

T-1



- NOTES**
- 1.) INTENT: TO SHOW THE EXISTING CONDITIONS OF DOVER TAX MAP F LOT 3.
 - 2.) CURRENT OWNER OF RECORD: 210 TOLEND ROAD LLC, 42 J. DOVER POINT ROAD, DOVER, NEW HAMPSHIRE
 - 3.) TAX MAP F LOT 3.
 - 4.) TOTAL LOT AREA: 2,426,198 SQ.FT. - 55.698 ACRES
 - 5.) PROJECT DEED REFERENCE: BOOK 5166 PAGE 26
 - 6.) PROJECT PLAN REFERENCE: SUBDIVISION PLAN
INDIAN RIDGE HOA
EMERALD LANE
DOVER, N.H.
TRITECH ENGINEERING INC.
AUG. 28, 2014 SORD #110-70
BOUNDARY PLAN
LAND OF
LIONEL & KRISTINA PARADIS
TOLEND ROAD
DOVER, N.H.
TAX MAP F LOT 2
BERRY SURVEYING
JULY 23, 2012 SORD #104-61
PLAN OF
ALTERNATIVE DESIGN SUBDIVISION
LITTLEWORTH RD.
DOVER, N.H.
FOR EZRA GREEN'S FARM LLC,
NORWAY PLAINS ASSOCIATES, INC.
MARCH 2000 SORD 58-49
PLAN OF LAND
CARLTON W. HAM
DOVER, N.H.
FREDERICK E. DREW
SEPT. 1981 SORD 40-47
K.E. MOORE & B.G. STAPLES
OCT. 1986 SORD 30-62
 - 7.) PROPERTY IS SUBJECT TO NET&T EASEMENT DESCRIBED IN BOOK 506 PAGE 14.
 - 8.) ZONING: R-40
MIN. LOT SIZE: 40,000 SQ.FT.
MIN. FRONTAGE: 150 FT
MIN. SETBACKS:
FRONT: 40 FT
SIDE: 25 FT
REAR: 15 FT
OPEN SPACE SUBDIVISION
R-40
MIN. LOT SIZE: 20,000 SQ.FT.
MIN. FRONTAGE: 40 FT
MIN. SETBACKS:
FRONT: 20 FT
SIDE: 20 FT
REAR: 20 FT
EXTERNAL BOUNDARIES: 50 FT
EXISTING BUILDINGS: 100 FT
IN ADDITION TO R-40, THIS PROPERTY FALLS WITHIN SEVERAL ZONING
OVERLAY DISTRICTS:
- WETLANDS PROTECTION DISTRICT
 - 9.) VARIANCES, SPECIAL EXCEPTIONS OR CONDITIONAL USE PERMITS GRANTED: NONE
 - 10.) THE RAW UNADJUSTED CLOSURE OF OUR RANDOM POINT TRAVERSE WAS 1 PART
IN 27,000, AND WAS ACCOMPLISHED USING A TOPCON GT 503 TOTAL STATION,
DURING THE MONTH OF JANUARY, 2000.
 - 11.) SUBJECT PARCEL IS NOT LOCATED WITHIN A FEDERALLY DESIGNATED FLOOD HAZARD.
FIRM PANEL NO. 33017C 0310D, MAY 17, 2005.
 - 12.) DURING THE MONTH OF AUGUST 2023, MICHAEL MARIANO, STATE OF NEW HAMPSHIRE
CERTIFIED SOIL SCIENTIST #76, NH CERTIFIED WETLAND SCIENTIST #183, CONDUCTED
AN ON-SITE WETLANDS DELINEATION OF THE SUBJECT PARCEL. WETLANDS WERE
IDENTIFIED BASED ON THE CITY OF DOVER ZONING ORDINANCE (170-27.1) AND ON
STATE & FEDERAL CRITERIA OUTLINED IN THE "CORPS OF ENGINEERS WETLANDS
DELINEATION MANUAL" (DEPT. OF THE ARMY, 1987). ON THIS SITE, WETLANDS
BASED ON LOCAL CRITERIA SHARE THE SAME BOUNDARIES WITH THOSE BASED
ON STATE AND FEDERAL CRITERIA.
 - 13.) BASIS OF BEARING: BEARING SYSTEM BASED ON GPS FIELD OBSERVATIONS ON AUGUST 29,
2023 USING TOPCON HIPER SR RECEIVERS AND OPUS CORRECTED ON AUGUST 31, 2023.
DATUM BASED ON NEW HAMPSHIRE STATE PLANE COORDINATES SPC (2800 NH), (NAVD 88).



TRITECH
ENGINEERING CORPORATION

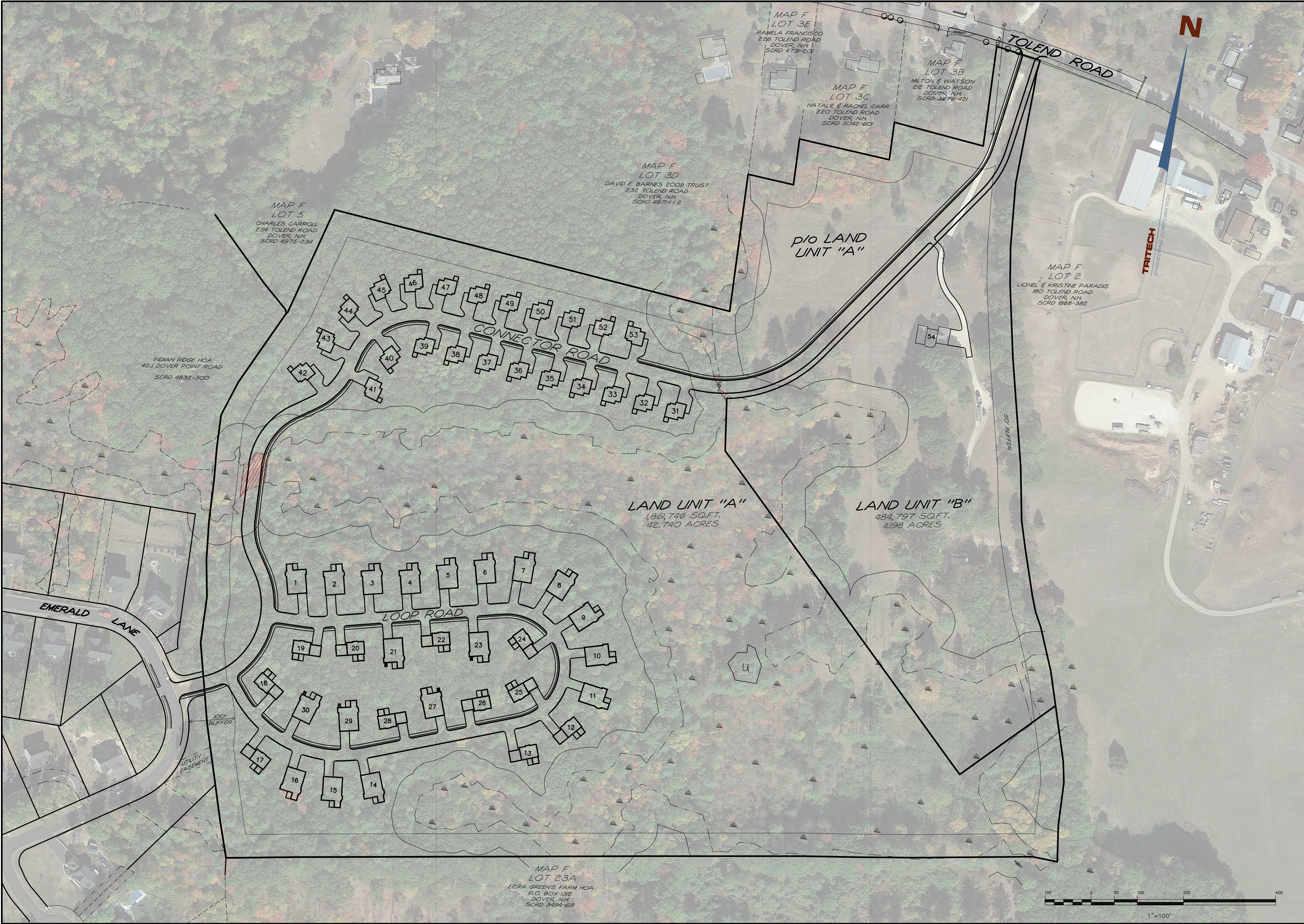
ISSUED FOR CONSERVATION REVIEW
June 3, 2024

EXISTING CONDITIONS PLAN
210 TOLEND ROAD LLC.
TAX MAP F LOT 3
210 TOLEND ROAD
DOVER, NEW HAMPSHIRE
APRIL 2, 2024
JOB No. 23118
SCALE: 1" = 100'

SHEET No.

EX-1

755 CENTRAL AVENUE
DOVER, NEW HAMPSHIRE 03800
TELEPHONE 603 742 8107
FAX 603 742 3650



SHEET No.

SP-1

TDR SITE DEVELOPMENT PLAN

AMBROSE WOODS

210 TOLEND ROAD

DOVER, NEW HAMPSHIRE

APRIL 2, 2024

JOB No. 2318

SCALE: 1" = 100'

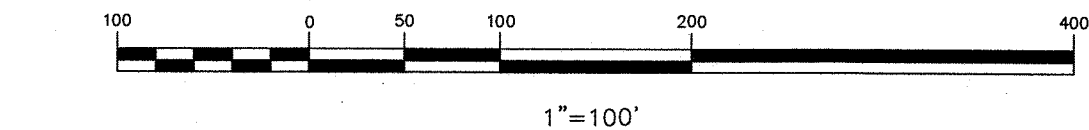
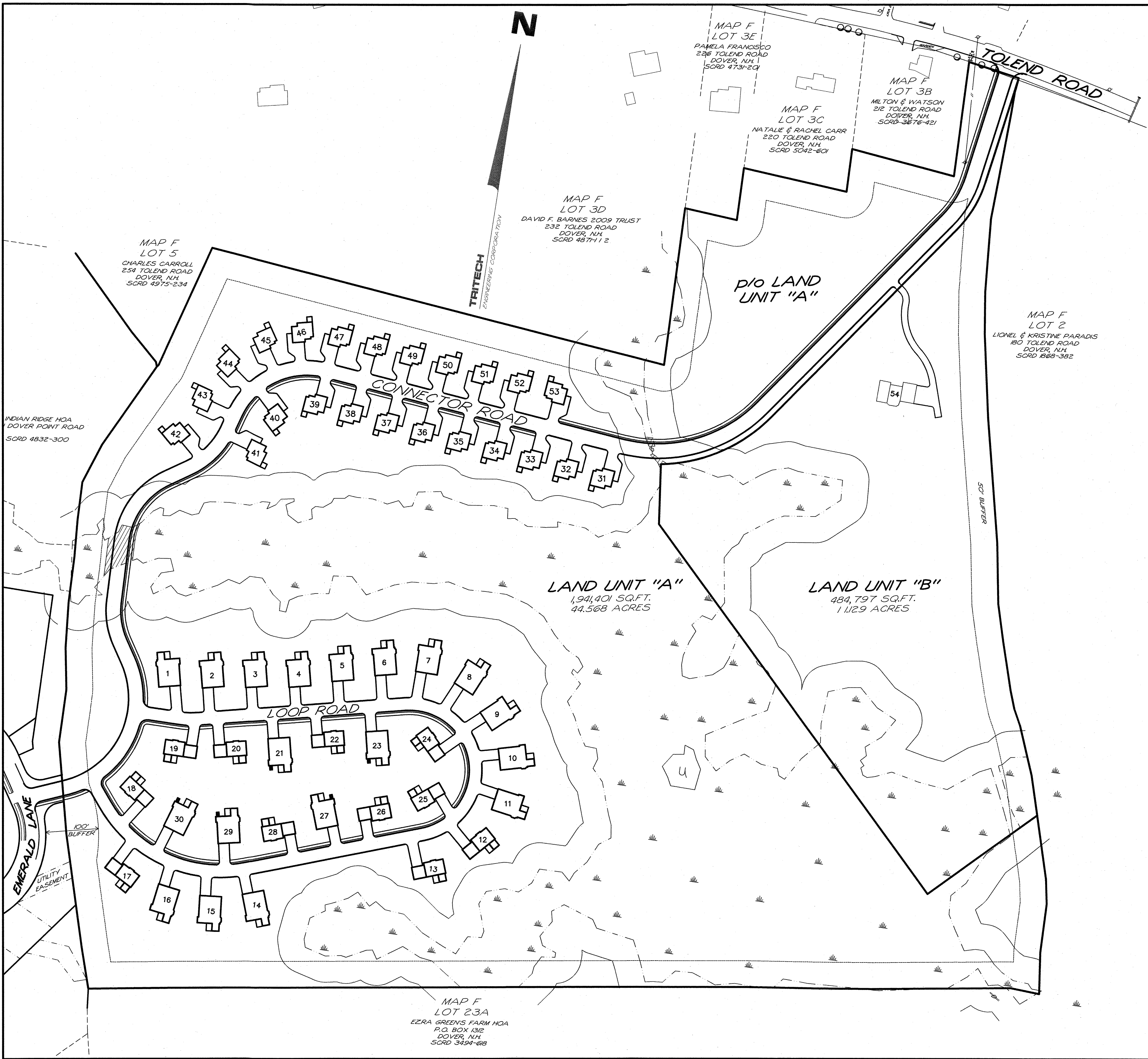
ISSUED FOR CONSERVATION REVIEW

June 3, 2024

REVISIONS
DATE: DESCRIPTION:

TRITECH
ENGINEERING CORPORATION

785 CENTRAL AVENUE
DOVER, NEW HAMPSHIRE 03820
TELEPHONE 603 742 8107
FAX 603 742 3890



1"=100'

BASE TDR DENSITY = 21.88 UNITS

ROUNDED DOWN TO = 21 UNITS

AREA = 875,230 SQ.FT.

LESS WETLAND FACTOR FOR 29% WETLANDS (25%) <291,743> SQ.FT.

NET AREA = 1,166,973 SQ.FT.

LESS ROAD ALLOCATION = <205,936> SQ.FT. (15%)

UPLAND AREA = 1,372,909 SQ.FT.

LESS WETLANDS = <568,492> SQ.FT.

TOTAL AREA = 1,941,401 SQ.FT.

LAND UNIT "A"

TDR BASE DENSITY CALCULATIONS

14.) THE LAND DEVELOPMENT FEATURES (HOUSES, DRIVEWAYS, SEPTICS, ETC) SHOWN ON THIS PLAN ARE APPROXIMATE AND SHOWN FOR PLANNING PURPOSES ONLY.

13.) BASIS OF BEARING: BEARING SYSTEM BASED ON GPS FIELD OBSERVATIONS ON AUGUST 29, 2023 USING TOPCON HIPER SR RECEIVERS AND OPUS CORRECTED ON AUGUST 31, 2023. DATUM BASED ON NEW HAMPSHIRE STATE PLANE COORDINATES SPC (2200 NH), (NAD83 88).

12.) DURING THE MONTH OF AUGUST 2023, MICHAEL MARIANO, STATE OF NEW HAMPSHIRE CERTIFIED SOIL SCIENTIST #76, NH CERTIFIED WETLAND SCIENTIST #183, CONDUCTED AN ON-SITE WETLANDS DELINEATION OF THE SUBJECT PARCEL. WETLANDS WERE IDENTIFIED BASED ON THE CITY OF DOVER ZONING ORDINANCE (170-27.1) AND ON STATE & FEDERAL CRITERIA OUTLINED IN THE "CORPS OF ENGINEERS WETLANDS DELINEATION MANUAL" (DEPT. OF THE ARMY, 1987). ON THIS SITE, WETLANDS BASED ON LOCAL CRITERIA SHARE THE SAME BOUNDARIES WITH THOSE BASED ON STATE AND FEDERAL CRITERIA.

11.) SUBJECT PARCEL IS NOT LOCATED WITHIN A FEDERALLY DESIGNATED FLOOD HAZARD. FIRM PANEL NO. 33017C 0310D, MAY 17, 2005.

10.) THE RAW UNADJUSTED CLOSURE OF OUR RANDOM POINT TRAVERSE WAS 1 PART IN 27,000. AND WAS ACCOMPLISHED USING A TOPCON GT 503 TOTAL STATION, DURING THE MONTH OF JANUARY, 2000.

9.) VARIANCES, SPECIAL EXCEPTIONS OR CONDITIONAL USE PERMITS GRANTED: NONE

8.) ZONING: R-40
MIN. LOT SIZE: 40,000 SQ.FT.
MIN. FRONTAGE: 150 FT
MIN. SETBACKS:
FRONT: 40 FT
SIDE: 25 FT
REAR: 15 FT
OPEN SPACE SUBDIVISION
R-40
MIN. LOT SIZE: 20,000 SQ.FT.
MIN. FRONTAGE: 40 FT
MIN. SETBACKS:
FRONT: 20 FT
SIDE: 20 FT
REAR: 20 FT
EXTERNAL BOUNDARIES: 50 FT
EXISTING BUILDINGS: 100 FT

7.) PROPERTY IS SUBJECT TO NET&T EASEMENT DESCRIBED IN BOOK 506 PAGE 14.

6.) PROJECT PLAN REFERENCE: SUBDIVISION PLAN INDIAN RIDGE EMERALD LANE DOVER, NEW HAMPSHIRE TRITECH ENGINEERING INC. AUG. 28, 2014 SCRD: #110-70
BOUNDARY PLAN LAND OF LIONEL & KRISTINA PARADIS TOLEND ROAD DOVER, N.H. TAX MAP F LOT 2 BERRY SURVEYING JULY 23, 2012 SCRD #104-61
PLAN OF ALTERNATIVE DESIGN SUBDIVISION LITTLEWORTH RD. DOVER, N.H. FOR EZRA GREEN'S FARM LLC. NORWAY PLAINS ASSOCIATES, INC. MARCH 2000 SCRD 59-49
PLAN OF LAND CARLTON W. HAM DOVER, N.H. FREDERICK E. DREW SEPT. 1991 SCRD 40-47
PLAN OF SUBDIVISION FOR ELLIOTT BERKOWITZ TOLEND ROAD DOVER, NEW HAMPSHIRE K.E. MOORE & B.G. STAPLES OCT. 1986 SCRD 30-62

5.) PROJECT DEED REFERENCE: BOOK 5166 PAGE 26
4.) TOTAL LOT AREA: 2,426,198 SQ.FT. - 55.698 ACRES
3.) TAX MAP F LOT 3.
2.) CURRENT OWNER OF RECORD: 210 TOLEND ROAD LLC. 42 J DOVER POINT ROAD DOVER, NEW HAMPSHIRE
1.) INTENT: TO SHOW THE DEVELOPMENT OF 54 SINGLE FAMILY DETACHED CONDOMINIUMS. AMBROSE WOODS INCLUDES THE CONSTRUCTION OF 53 NEW HOMES AND WILL REQUIRE THE PURCHASE OF 33 TDR UNITS (10 UNRESTRICTED AND 23 RESTRICTED).

NOTES

SIGNATURE

APPLICANT: 210 TOLEND ROAD, LLC
42 J DOVER POINT ROAD
DOVER, NEW HAMPSHIRE

SHEET No.

SP-1

TDR SITE DEVELOPMENT PLAN

AMBROSE WOODS

210 TOLEND ROAD

DOVER, NEW HAMPSHIRE

APRIL 2, 2024

JOB No. 23118

SCALE: 1" = 100'

ISSUED FOR CONSERVATION REVIEW

June 3, 2024

REVISIONS

DATE: DESCRIPTION:

TRITECH

ENGINEERING CORPORATION

785 CENTRAL AVENUE
DOVER, NEW HAMPSHIRE 03820
TELEPHONE 603 742 8007
FAX 603 742 8690



ISSUED FOR CONSERVATION REVIEW
June 3, 2024

TDR SITE DEVELOPMENT PLAN
AMBROSE WOODS

210 TOLEND ROAD
DOVER, NEW HAMPSHIRE

APRIL 2, 2024
JOB No. 2318
SCALE: 1" = 40'

SHEET No.

SP-2

TRITECH
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755 CENTRAL AVENUE
DOVER, NEW HAMPSHIRE 03820
TELEPHONE 603 742 8107
FAX 603 742 3630



SHEET No.

SP-3

TDR SITE DEVELOPMENT PLAN

AMBROSE WOODS

210 TOLEND ROAD
DOVER, NEW HAMPSHIRE

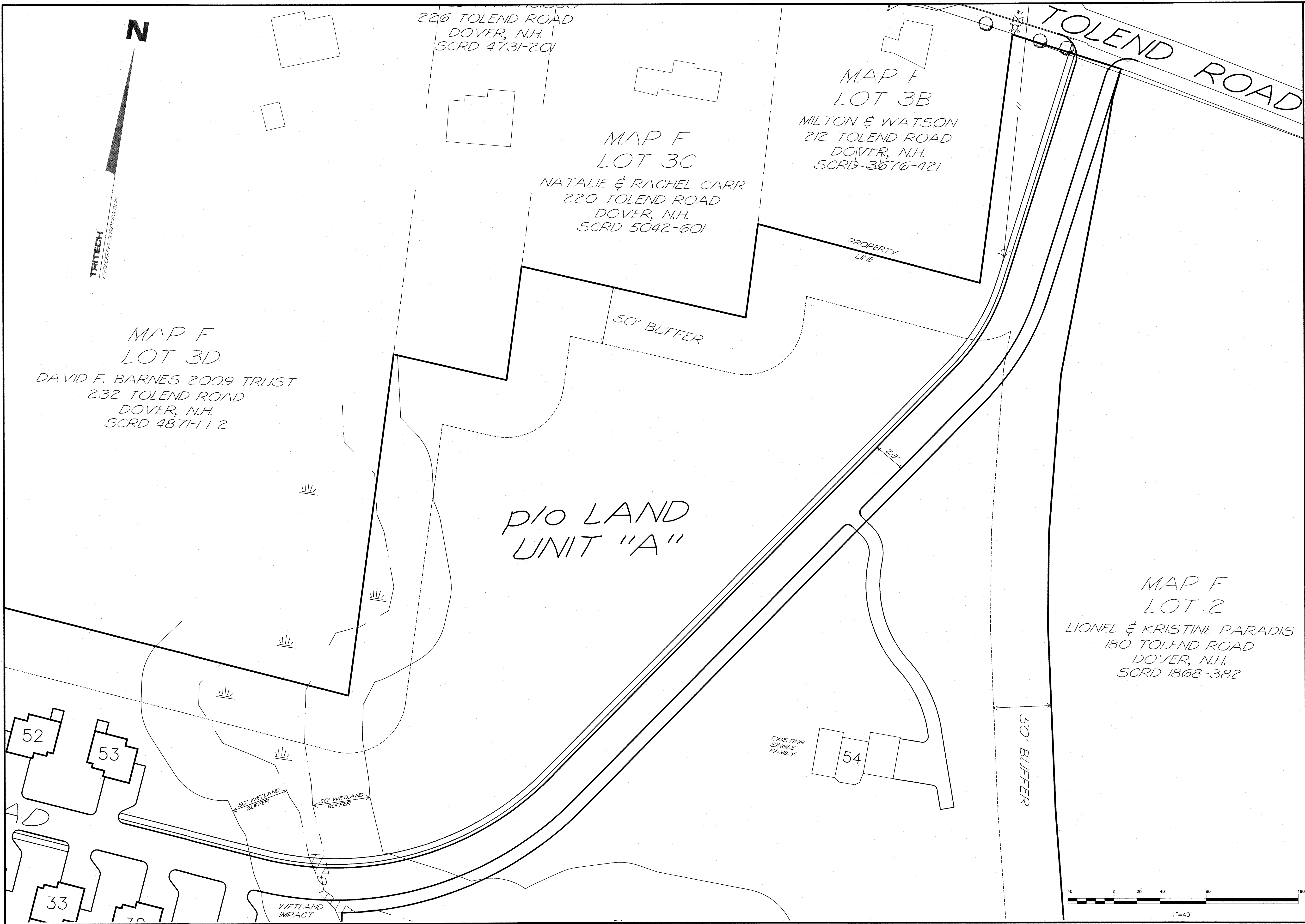
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REVISIONS	DATE:	DESCRIPTION:

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755 CENTRAL AVENUE
DOVER NEW HAMPSHIRE 03820
TELEPHONE 603 742 8107
FAX 603 742 3630



TRITECH ENGINEERING CORPORATION	ISSUED FOR CONSERVATION REVIEW June 3, 2024		TDR SITE DEVELOPMENT PLAN AMBROSE WOODS 210 TOLEND ROAD DOVER, NEW HAMPSHIRE APRIL 2, 2024 JOB No. 2318 SCALE: 1" = 40'	SHEET No. SP-4
	REVISIONS DATE: DESCRIPTION:			



TRITECH
ENGINEERING CORPORATION

ISSUED FOR CONSERVATION REVIEW
June 3, 2024

TDR SITE DEVELOPMENT PLAN
AMBROSE WOODS
210 TOLEND ROAD
DOVER, NEW HAMPSHIRE
APRIL 2, 2024
JOB No. 23118
SCALE: 1" = 100'

SHEET No.
05-1

REVISIONS	DATE	DESCRIPTION

785 CENTRAL AVENUE
DOVER, NEW HAMPSHIRE 03820
TELEPHONE 603 742 8107
FAX 603 742 3890