



The State of New Hampshire  
**Department of Environmental Services**



Law  
70

**Robert R. Scott, Commissioner**

September 13, 2021

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

SEP15'21 AM10:11 RCVD

**REQUESTED ACTION**

Approve Avisha and Orly Shachar's request to amend Wetlands Permit #2019-03877 to read: "Impact 246 square feet within the undeveloped upland tidal buffer zone for construction of a 3-foot by 82-foot elevated, light-transmitting, access ramp and staircase. In addition, impact 920 square feet of tidal wetland to construct a tidal docking structure consisting of a 3-foot by 140-foot permanent fixed pier, and a 3-foot by 50-foot seasonal pier section (supported by 5 sets of piles), connected by a 3-foot by 50-foot seasonal ramp, and a 10-foot by 20-foot float. The overall structure length seaward of the highest observable tide line is 257 feet, providing one slip on 718 feet of frontage along the Cochecho River." The permit was previously approved by Governor and Council on August 26, 2020, Item #63, and will not have significant impact on, or adversely affect, the values of the Cochecho River. Comments on the project from the Dover Conservation Commission are attached.

The NH Department of Environmental Services (NHDES) imposed the following conditions as part of this approval:

1. AMENDED: All work associated with construction of the elevated access ramp shall be in accordance with plans by Riverside & Pickering Marine Contractors dated March 01, 2020 and revised through July 07, 2021, as received by the NH Department of Environmental Services (NHDES) on July 15, 2021.
2. AMENDED: All work associated with construction of the tidal docking structure shall be in accordance with plans by Tidal Ecological Consultants dated November 01, 2019, and revised through June 05, 2020, last received by the NH Department of Environmental Services (NHDES) on June 05, 2020.
3. This permit shall not be effective until recorded at the Strafford County Registry of Deeds Office by the permittee. A copy of the recorded permit shall be submitted to the NHDES Wetlands Bureau prior to construction.
4. Not less than 5 state business days prior to starting work authorized by this permit, the permittee shall notify the NHDES Wetlands Bureau Pease office and the local conservation commission in writing of the date on which work under this permit is expected to start.
5. Any future work in jurisdiction as specified in RSA 482-A on this property will require a new application and approval by the NHDES Wetlands Bureau.
6. This permit does not authorize removal of trees or saplings, excavation, grading or filling within the undeveloped tidal buffer zone.
7. No person undertaking any activity shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards in RSA 485-A and New Hampshire Administrative Rule Env-Wq 1700.

[www.des.nh.gov](http://www.des.nh.gov)

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

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

#### EXPLANATION

The NHDES approved this project on August 05, 2021. The NHDES supported its decision with the following findings:

1. This is a Major Project per New Hampshire Administrative Rule Env-Wt 303.02(a), projects in sand dunes, tidal wetlands, or bogs, except for the repair of existing structures pursuant to Env-Wt 303.04(v).
2. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the NHDES' jurisdiction per New Hampshire Administrative Rule Env-Wt 302.03.
3. The dock is the minimum length necessary to provide reasonable access at this location. The float will not rest on the substrate at low tide.
4. The structure has been designed with a narrower width and less than half of the number of piles relative to a traditional tidal docking structure. Pile bents will be composed of fiberglass material and spaced 50-feet apart. The decking will be composed of light-transmitting material. The access ramp/stairway will be elevated on posts and also composed of light-transmitting material to support underlying vegetation.
5. Further, the applicant will be utilizing a barge and crane to complete construction of the dock from the water and pile locations have been designed to minimize impacts to the underlying vegetation.
6. No tree or shrub removal, excavation, grading or filling will be required to install the access way.
7. The applicant has demonstrated by plan and example that each factor listed in New Hampshire Administrative Rule Env-Wt 302.04(a) and (c), Requirements for Application Evaluation, has been considered in the design of the project.
8. The NH Natural Heritage Bureau (NHB) has record of an exemplary natural community and threatened or endangered vertebrate species within the vicinity of the project (NHB19-3598).

9. In correspondence dated March 16 and 17, 2020, the NHB and the NH Fish & Game Department determined that, with revisions to the design and conditions incorporated into this permit, there would be no adverse impact the natural community as a result of this project.
10. The NHDES staff field inspection on June 26, 2020 found that the site is accurately represented in the application.
11. In accordance with RSA 482-A:8, the NHDES finds that the requirements for a public hearing do not apply as the permitted project is not of substantial public interest, and will not have a significant impact on or adversely affect the values of the estuarine resource, as identified under RSA 482-A:1.
12. In correspondence dated December 16, 2019, the Pease Development Authority, Division of Ports and Harbors, determined that the project would have no negative effect on navigation in the channel.
13. In correspondence dated January 21, 2020, the Dover Conservation Commission recommended approval of the project, as proposed.
14. In correspondence dated October 20, 2019, a letter of authorization was signed by the permittee, allowing his/her agent to act on their behalf through the permitting process.
15. In correspondence dated December 09, 2019, the New Hampshire Division of Historical Resources found that the project, as proposed, will have no effect on any potential nearby historical resources.
16. The owner, authorized agent or applicant certifies that this permit qualifies for a permit amendment in accordance with RSA 482-A:3, XIV(e), and Env-Wt 314.07.
17. This permit has been amended in accordance with RSA 482-A:3, XIV(e), and Env-Wt 314.07.

Application file documents are being forwarded to the Governor and the Executive Council in connection with their consideration of this matter pursuant to RSA 482-A:3, II(a), as it is a major project in public waters of the state.

We respectfully request your approval of this item.

  
\_\_\_\_\_  
Robert R. Scott  
Commissioner



# WETLANDS PERMIT APPLICATION

Water Division/ Wetlands Bureau  
Land Resources Management



Check the status of your application: [www.des.nh.gov/onestop](http://www.des.nh.gov/onestop)

		File: <b>2019-03877</b> Check No.: <b>1063</b> Amount: <b>\$ 3,080.00</b> Initials: <b>KB</b>
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**1. REVIEW TIME:** Indicate your Review Time below. To determine review time, refer to Guidance Document A for instructions.

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

**2. MITIGATION REQUIREMENT:**

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

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

N/A - Mitigation is not required

**3. PROJECT LOCATION:**

Separate wetland permit applications must be submitted for each municipality within which wetland impacts occur.

ADDRESS: **98 Three Rivers Farm Road**      TOWN/CITY: **Dover**

TAX MAP: **N**      BLOCK: **3**      LOT: **3**      UNIT:

USGS TOPO MAP WATERBODY NAME: **Cocheco River**       NA      STREAM WATERSHED SIZE:       NA

LOCATION COORDINATES (if known): **N:250123.39 E: 1207165.25 TMGS NH NAD83**       Latitude/Longitude       UTM       State Plane

**4. PROJECT DESCRIPTION:**

Provide a brief description of the project outlining the scope of work. Attach additional sheets as needed to provide a detailed explanation of your project. **DO NOT** reply "See Attached" in the space provided below.

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

**5. SHORELINE FRONTAGE:**

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

Shoreline Frontage is calculated by determining the average of the distances of the actual natural navigable shoreline frontage and a straight line drawn between the property lines, both of which are measured at the normal high water line (Env-Wt 101.89).

**6. RELATED NHDES LAND RESOURCES MANAGEMENT PERMIT APPLICATIONS ASSOCIATED WITH THIS PROJECT:**

Please indicate if any of the following permit applications are required and, if required, the status of the application. To determine if other Land Resources Management Permits are required, refer to the Land Resources Management Webpage.

Permit Type	Permit Required	File Number	Permit Application Status
Alteration of Terrain Permit Per RSA 485-A:17	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	_____	<input type="checkbox"/> APPROVED <input type="checkbox"/> PENDING <input type="checkbox"/> DENIED
Individual Sewerage Disposal per RSA 485-A:2	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	_____	<input type="checkbox"/> APPROVED <input type="checkbox"/> PENDING <input type="checkbox"/> DENIED
Subdivision Approval Per RSA 485-A	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	_____	<input type="checkbox"/> APPROVED <input type="checkbox"/> PENDING <input type="checkbox"/> DENIED
Shoreland Permit Per RSA 483-B	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	_____	<input type="checkbox"/> APPROVED <input type="checkbox"/> PENDING <input type="checkbox"/> DENIED

**7. NATURAL HERITAGE BUREAU & DESIGNATED RIVERS:**

See the Instructions & Required Attachments document for instructions to complete a & b below.

a. Natural Heritage Bureau File ID: **NHB 19 - 3598**

This project is within a Designated River corridor. The project is within 1/4 mile of: \_\_\_\_\_; and date a copy of the application was sent to the Local River Management Advisory Committee: Month: \_\_\_ Day: \_\_\_ Year: \_\_\_

N/A - This project is not within a Designated River corridor.

**8. APPLICANT INFORMATION (Desired permit holder)**

LAST NAME, FIRST NAME, M.I.: **Shachar, Avishai and Orly**

TRUST / COMPANY NAME: \_\_\_\_\_ MAILING ADDRESS: \_\_\_\_\_

TOWN/CITY: \_\_\_\_\_ STATE: \_\_\_\_\_ ZIP CODE: **03820**

EMAIL or FAX: **\* See agent info** PHONE: **\*See agent info**

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

**9. PROPERTY OWNER INFORMATION (If different than applicant)**

LAST NAME, FIRST NAME, M.I.: \_\_\_\_\_

TRUST / COMPANY NAME: \_\_\_\_\_ MAILING ADDRESS: \_\_\_\_\_

TOWN/CITY: \_\_\_\_\_ STATE: \_\_\_\_\_ ZIP CODE: \_\_\_\_\_

EMAIL or FAX: \_\_\_\_\_ PHONE: \_\_\_\_\_

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

**10. AUTHORIZED AGENT INFORMATION**

LAST NAME, FIRST NAME, M.I.: **Taylor, Zachary** COMPANY NAME: **Tidal Ecological Consultants, LLC.**

MAILING ADDRESS: **6 Spinney Creek Road**

TOWN/CITY: **Eliot** STATE: **ME** ZIP CODE: **03903**

EMAIL or FAX: **zach.tidal@gmail.com** PHONE: **207-451-7205**


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

**11. PROPERTY OWNER SIGNATURE:**

See the Instructions & Required Attachments document for clarification of the below statements

By signing the application, I am certifying that:


1. I authorize the applicant and/or agent indicated on this form to act in my behalf in the processing of this application, and to furnish upon request, supplemental information in support of this permit application.
2. I have reviewed and submitted information & attachments outlined in the Instructions and Required Attachment document.
3. All abutters have been identified in accordance with RSA 482-A:3, I and Env-Wt 100-900.
4. I have read and provided the required information outlined in Env-Wt 302.04 for the applicable project type.
5. I have read and understand Env-Wt 302.03 and have chosen the least impacting alternative.
6. Any structure that I am proposing to repair/replace was either previously permitted by the Wetlands Bureau or would be considered grandfathered per Env-Wt 101.47.
7. I have submitted a Request for Project Review (RPR) Form ([www.nh.gov/nhdhr/review](http://www.nh.gov/nhdhr/review)) to the NH State Historic Preservation Officer (SHPO) at the NH Division of Historical Resources to identify the presence of historical/ archeological resources while coordinating with the lead federal agency for National Historic Preservation Act (NHPA) 106 compliance.
8. I authorize NHDES and the municipal conservation commission to inspect the site of the proposed project.
9. I have reviewed the information being submitted and that to the best of my knowledge the information is true and accurate.
10. I understand that the willful submission of falsified or misrepresented information to the NHDES is a criminal act, which may result in legal action.
11. I am aware that the work I am proposing may require additional state, local or federal permits which I am responsible for obtaining.
12. The mailing addresses I have provided are up to date and appropriate for receipt of NHDES correspondence. NHDES will not forward returned mail.

 Property Owner Signature	<b>Zachary Taylor, Owner's Agent</b> Print name legibly	<b>11/29 / 2019</b> Date
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**MUNICIPAL SIGNATURES**

**12. CONSERVATION COMMISSION SIGNATURE**

- The signature below certifies that the municipal conservation commission has reviewed this application, and:
- 1. Waives its right to intervene per RSA 482-A:11;
  - 2. Believes that the application and submitted plans accurately represent the proposed project; and
  - 3. Has no objection to permitting the proposed work.


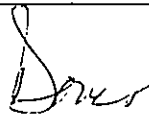
	Print name legibly	Date
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**DIRECTIONS FOR CONSERVATION COMMISSION**

1. Expedited review ONLY requires that the conservation commission's signature is obtained in the space above.
2. Expedited review requires the Conservation Commission signature be obtained prior to the submittal of the original application to the Town/City Clerk for signature.
3. The Conservation Commission may refuse to sign. If the Conservation Commission does not sign this statement for any reason, the application is not eligible for expedited review and the application will be reviewed in the standard review time frame.

**13. TOWN / CITY CLERK SIGNATURE**

As required by Chapter 482-A:3 (amended 2014), I hereby certify that the applicant has filed four application forms, four detailed plans, and four USGS location maps with the town/city indicated below.

	Susan Mistretta Print name legibly		Dover Town/City	12-11-19 Date
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**DIRECTIONS FOR TOWN/CITY CLERK:**

Per RSA 482-A:3,1

1. For applications where "Expedited Review" is checked on page 1, if the Conservation Commission signature is not present, NHDES will accept the permit application, but it will NOT receive the expedited review time.
2. IMMEDIATELY sign the original application form and four copies in the signature space provided above;
3. Return the signed original application form and attachments to the applicant so that the applicant may submit the application form and attachments to NHDES by mail or hand delivery.
4. IMMEDIATELY distribute a copy of the application with one complete set of attachments to each of the following bodies: the municipal Conservation Commission, the local governing body (Board of Selectmen or Town/City Council), and the Planning Board; and
5. Retain one copy of the application form and one complete set of attachments and make them reasonably accessible for public review.

**DIRECTIONS FOR APPLICANT:**

1. Submit the single, original permit application form bearing the signature of the Town/ City Clerk, additional materials, and the application fee to NHDES by mail or hand delivery.

**14. IMPACT AREA:**

For each jurisdictional area that will be/has been impacted, provide square feet and, if applicable, linear feet of impact.

**Permanent:** impacts that will remain after the project is complete.

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

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

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

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

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

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

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

Permanent and Temporary (non-docking) \_\_\_\_\_ sq. ft. X \$0.40 = \$ \_\_\_\_\_

Temporary (seasonal) docking structure: 500 sq. ft. X \$2.00 = \$ 1000

Permanent docking structure: 420 sq. ft. X \$4.00 = \$ 1680

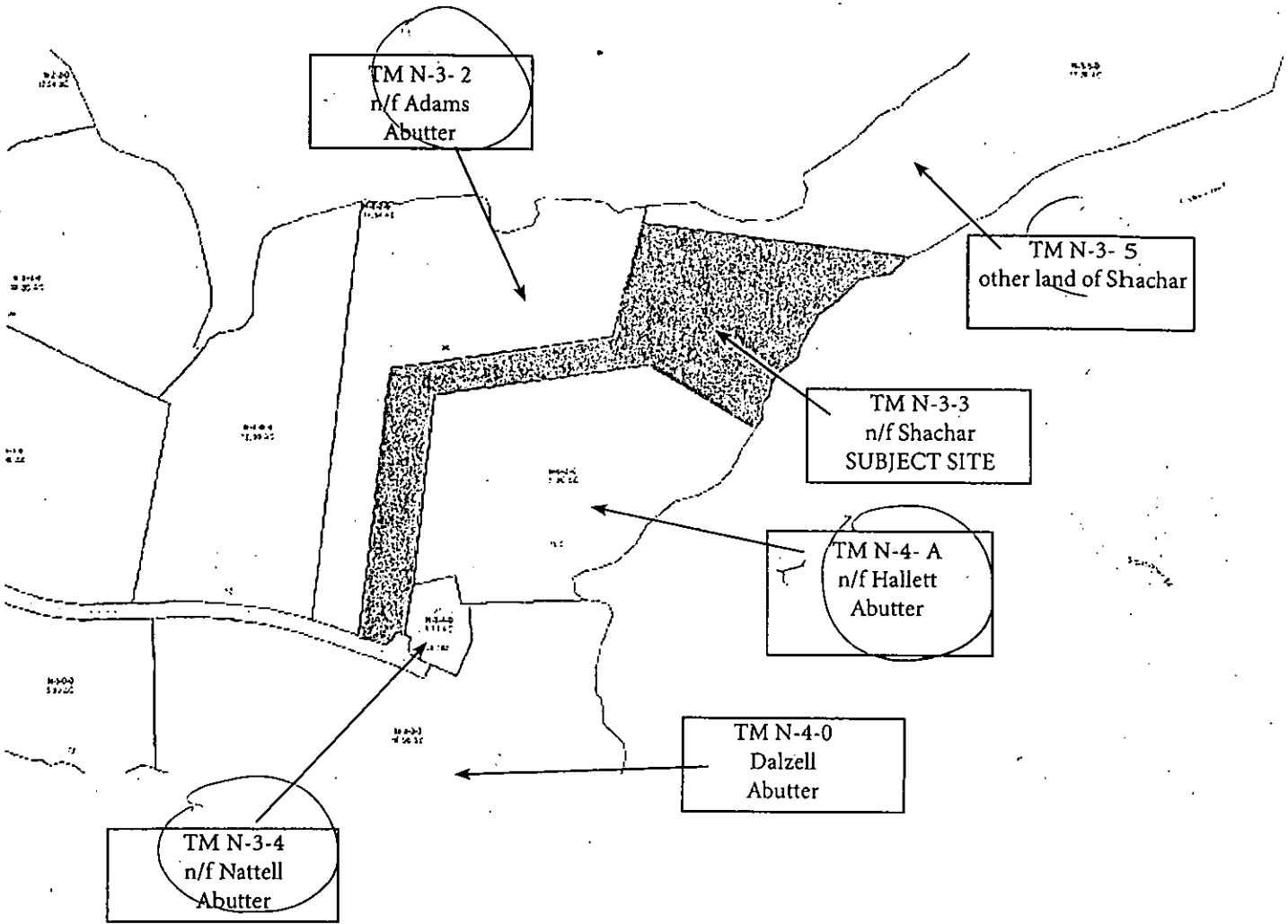
Projects proposing shoreline structures (including docks) add \$400 = \$ 400

Total = \$ 3080

The Application Fee is the above calculated Total or \$400, whichever is greater = \$ 3080



TAX MAP - §4.4



DEC 28 2019  
LAWSON PROPERTIES



# TOPOGRAPHIC SITE MAP - §4.2

DOVER EAST QUADRANGLE  
NEW HAMPSHIRE  
TOPOGRAPHIC SERIES

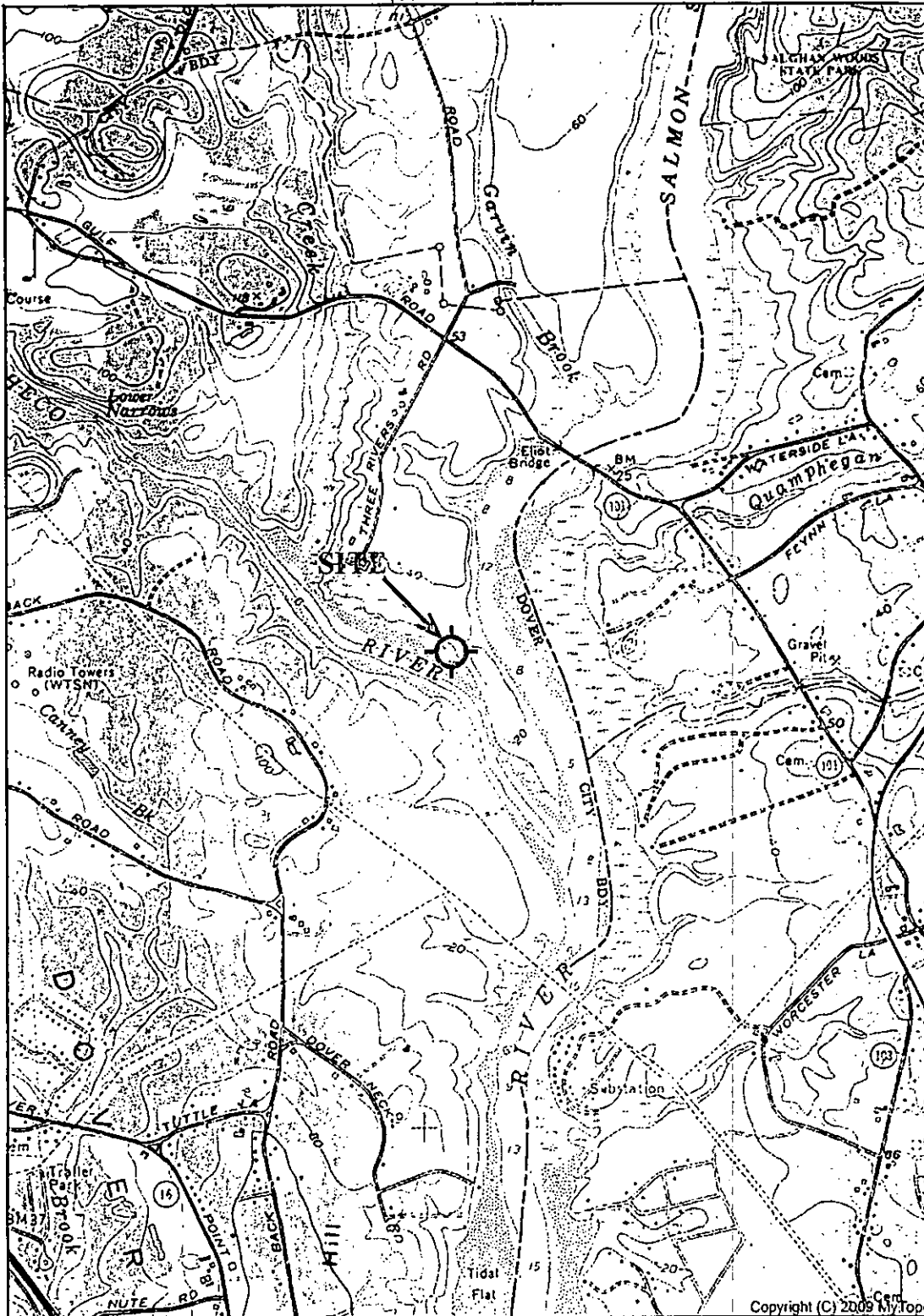
(NORTH  
BERWICK)

(ROCHESTER)

(SOMERSWORTH)

070° 51' 11.61" W  
043° 12' 23.70" N

070° 48' 29.39" W  
043° 12' 23.70" N



(DOVER WEST)

(YORK HARBOR)

043° 09' 36.13" N  
070° 51' 11.61" W

(PORTSMOUTH)  
SCALE 1:24000

Copyright (C) 2009 MyTopo  
Parcel File 29\_2810  
043° 09' 36.13" N  
070° 48' 29.39" W

(NEWMARKET)

(KITTERY)

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

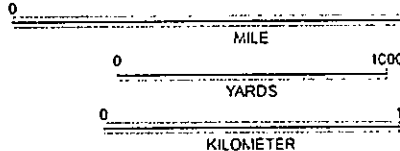
North American 1983 Datum (NAD83)  
Polyconic Projection

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

Declination

MNGN

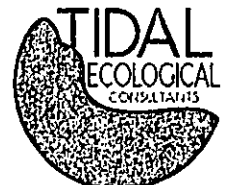
GN 1.25° W  
MN 15.45° W



CONTOUR INTERVAL 20 FEET  
NATIONAL GEODETIC VERTICAL DATUM 1929

## Parcel info:

Avishai and Orly Shachar  
98 Three Rivers Farm Rd.  
Dover, NH 03820



RECEIVED  
DEC 13 2019  
NHDES  
LAND RESOURCES MANAGEMENT



The State of New Hampshire  
**Department of Environmental  
Services**

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**Robert R. Scott, Commissioner**

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

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

Memo

- NH Dept. of Environmental Services review



NH NATURAL HERITAGE BUREAU  
NHB DATACHECK RESULTS LETTER

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

From: Amy Lamb, NH Natural Heritage Bureau  
Date: 11/12/2019 (valid for one year from this date)  
Re: Review by NH Natural Heritage Bureau  
NHB File ID: NHB19-3598

Description: Construction of a new tidal docking structure. There will be a permanent fixed pier running out to a seasonal gangway and float pier to be built with long spans to reduce number of piling points and light transmitting decking increase ambient light under the pier and minimize impact from shading.  
Town: Dover  
Location: Tax Maps: N-3-3-0

As requested, I have searched our database for records of rare species and exemplary natural communities with the following results  
Comments: Please provide a plan sheet showing wetland impacts and a narrative description detailing why the selected location is the least impacting alternative. Please send the photos of proposed/dock location if available.

Natural Community  
Low brackish riverbank marsh

- Vertebrate species
- Atlantic Sturgeon (*Acipenser oxyrinchus*)
  - Bald Eagle (*Haliaeetus leucocephalus*)
  - Shortnose Sturgeon (*Acipenser brevirostrum*)

Code: *E* = Endangered, *T* = Threatened, *SC* = Special Concern, *R* = an exemplary natural community, or a rare species tracked by NH Natural Heritage that has not yet been added to the official data list. An asterisk (*) indicates that the most recent report that occurrence was more than 20 years ago.	State	Federal	Notes
	AT	T	Contact the NH Fish & Game Dept and the US Fish & Wildlife Service (see below).
	SC	T	Contact the NH Fish & Game Dept and the US Fish & Wildlife Service (see below).
	E	E	Contact the NH Fish & Game Dept and the US Fish & Wildlife Service (see below).

Contact for all animal reviews: Kim Tuttle, NH Fish & Game (603) 271-6544.  
A negative result (no record in our database) does not mean that a sensitive species is not present. Our data can only tell you of known occurrences, based on information gathered by qualified biologists and reported to our office. However, many areas have never been surveyed, or have only been surveyed for certain

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

DNCR/NHB  
172 Pembroke Rd.  
Concord, NH 03301

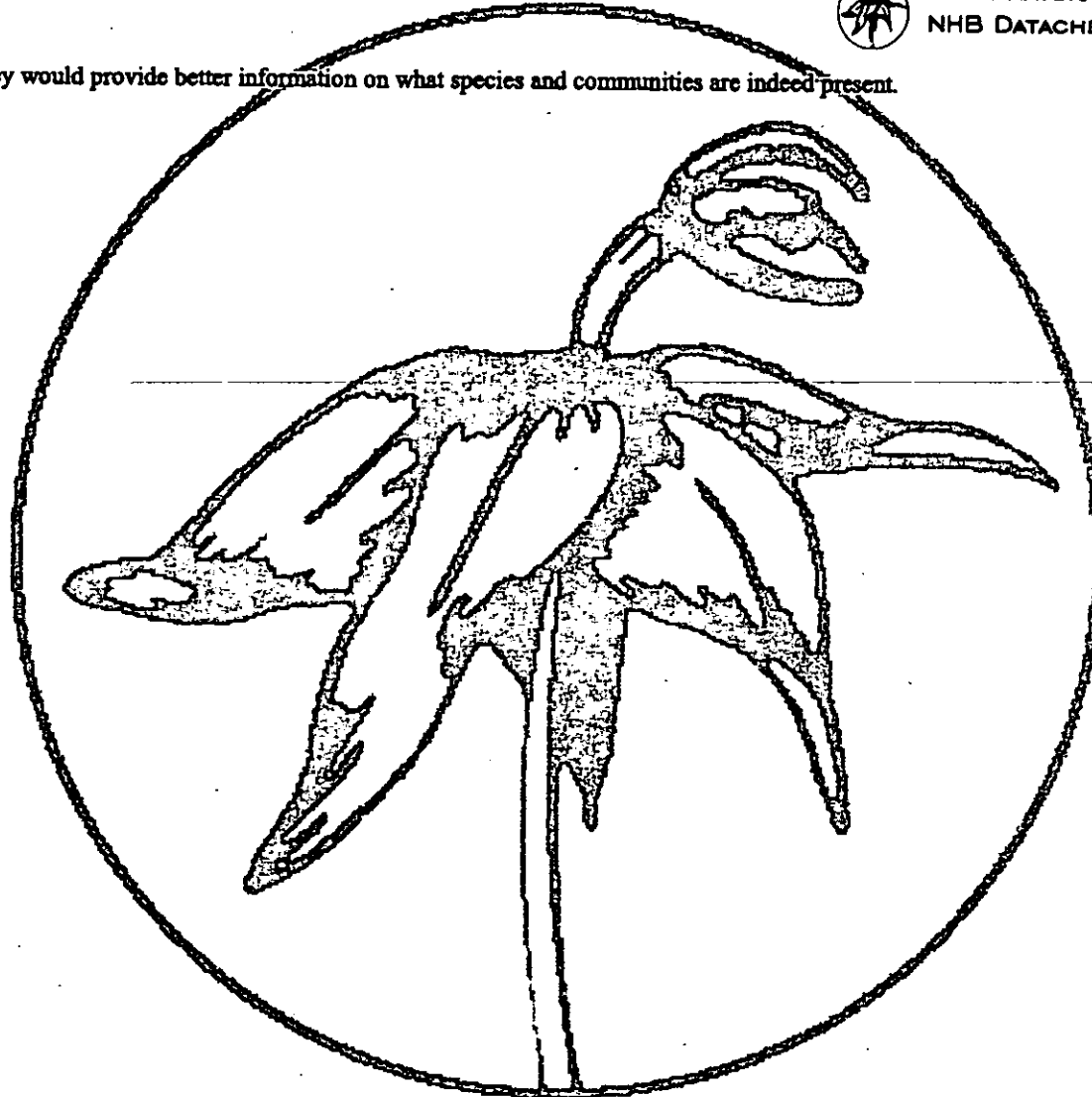
**CONFIDENTIAL – NH Dept. of Environmental Services review**

**Memo**



NH NATURAL HERITAGE BUREAU  
NHB DATACHECK RESULTS LETTER

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



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

DNCR/NHB  
172 Pembroke Rd.  
Concord, NH 03301



**City of Dover, New Hampshire**  
**CONSERVATION COMMISSION**  
288 Central Avenue  
Dover, N.H. 03820-4169

January 21, 2020

Ms. Stefanie Giallongo  
Department of Environmental Services – Wetlands Bureau  
PO Box 95  
Concord, NH 03302-0095

Re: Wetlands File Number 2019-03877

Dear Ms. Giallongo:

The Dover Conservation Commission reviewed the Standard Dredge and Fill Permit application for Avishai and Orly Shachar at 98 Three Rivers Farm Road on January 13, 2020. The applicant, per Wetlands File Number 2019-03877, proposes to construct a dock adjacent to the tidal Cochecho River. Proposed dock has a 3' x 140' permanent pier, a 3' x 50' seasonal pier, a 3' x 50' seasonal gangway, and a 10' x 20' seasonal float, with a permanent tidal wetlands impact of 420 square feet and a temporary tidal wetlands impact of 500 square feet.

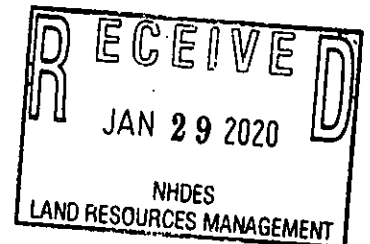
The Dover Conservation Commission voted unanimously on January 13, 2020 to endorse the NHDES Wetlands Permit application.

Please contact me if you have any questions.

Sincerely,

William Hunt, Chair  
Dover Conservation Commission

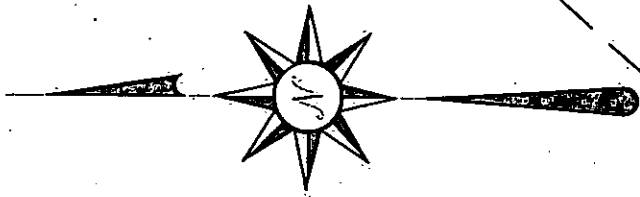
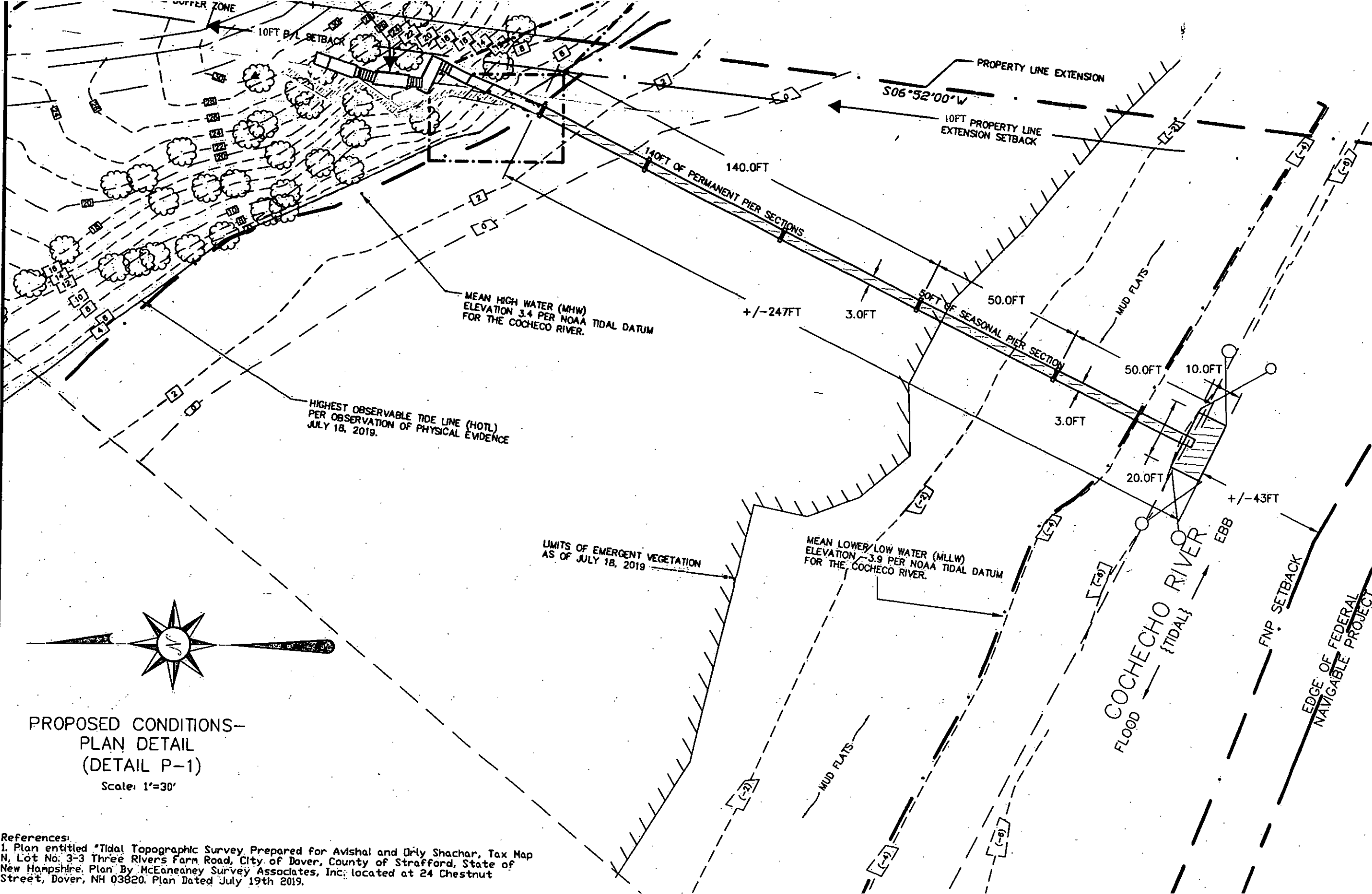
Cc: Steven Bird, City Planner  
Zachary Taylor – Tidal Ecological Consultants, LLC





**LIST OF ABUTTERS NOTIFIED - §5.1.1**

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



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

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

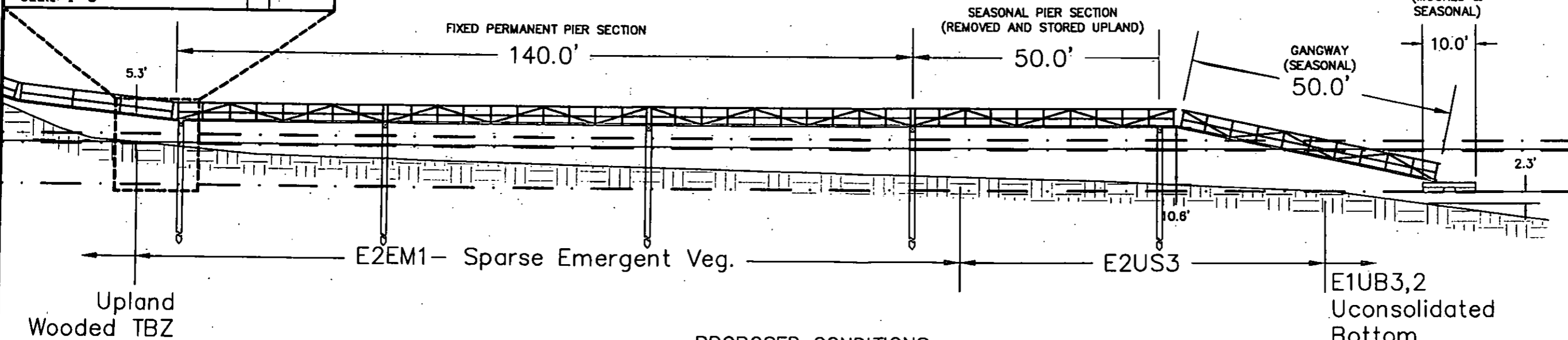
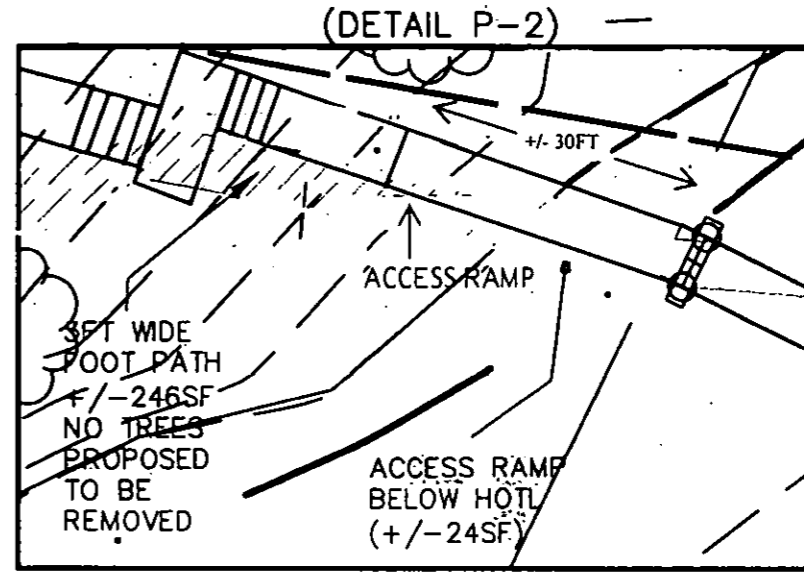
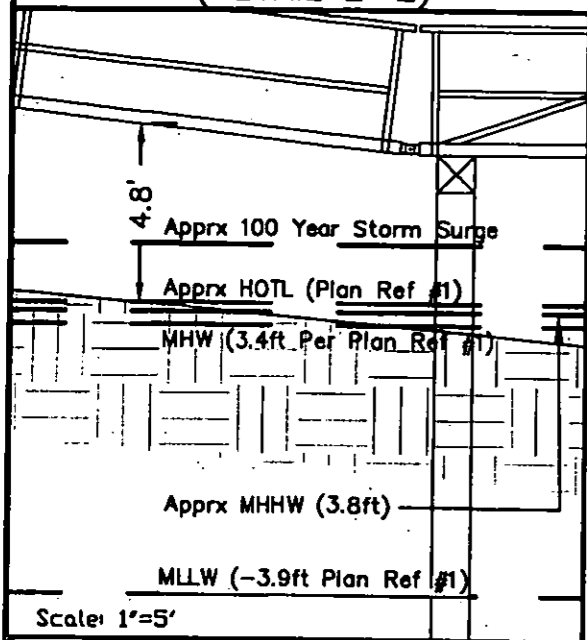
Date: 7/7/2021		Drawn By: KF		Checked By: KF																	
Address: THREE RIVERS FARM RD		City: DAVENPORT, NH		Approved: _____																	
Map: Lot: 6		Drawing Scale: NOTED		Title: _____																	
34 Patterson Lane Newington, NH 03801		603-427-2824 ext 1000		kuerstin@riversideandpickerin.com																	
		<table border="1"> <thead> <tr> <th>REVISIONS</th> <th>Date</th> <th>Description</th> <th>Appr.</th> </tr> </thead> <tbody> <tr> <td></td> <td>3/7/20</td> <td>PLANS REVISED FOR RFM</td> <td></td> </tr> <tr> <td></td> <td>6/5/20</td> <td>PLANS REVISED FOR RFM</td> <td></td> </tr> <tr> <td></td> <td>7/2/21</td> <td>PLANS REVISED FOR AMENDMENT APPLICATION</td> <td></td> </tr> </tbody> </table>				REVISIONS	Date	Description	Appr.		3/7/20	PLANS REVISED FOR RFM			6/5/20	PLANS REVISED FOR RFM			7/2/21	PLANS REVISED FOR AMENDMENT APPLICATION	
REVISIONS	Date	Description	Appr.																		
	3/7/20	PLANS REVISED FOR RFM																			
	6/5/20	PLANS REVISED FOR RFM																			
	7/2/21	PLANS REVISED FOR AMENDMENT APPLICATION																			

(AMENDMENT) NHDES APPROVED PLAN

**References:**

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

**TIDE AND FLOOD HEIGHT (DETAIL E-2)**



**PROPOSED CONDITIONS-  
ELEVATION DETAIL  
(DETAIL E-1)**

Scale: 1"=20'

Date: 07-07-2021  
Drawn By: KF  
Checked By: KF

**Avishai & Orly Shachar**  
SD&F FOR NEW DOCK

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

34 Patterson Lane  
Newington, NH 03801  
603-427-2824 ext 1000  
kuerstin@riversideandpickering.com

**RIVERSIDE & PICKERING**  
MARINE CONTRACTORS

REVISIONS	Date	Description	Apprd.
	5/1/20	PLANS REVISED FOR RFP#	
	6/5/20	PLANS REVISED FOR RFP#	
	7/7/21	Plans revised for amendment request	

File #:

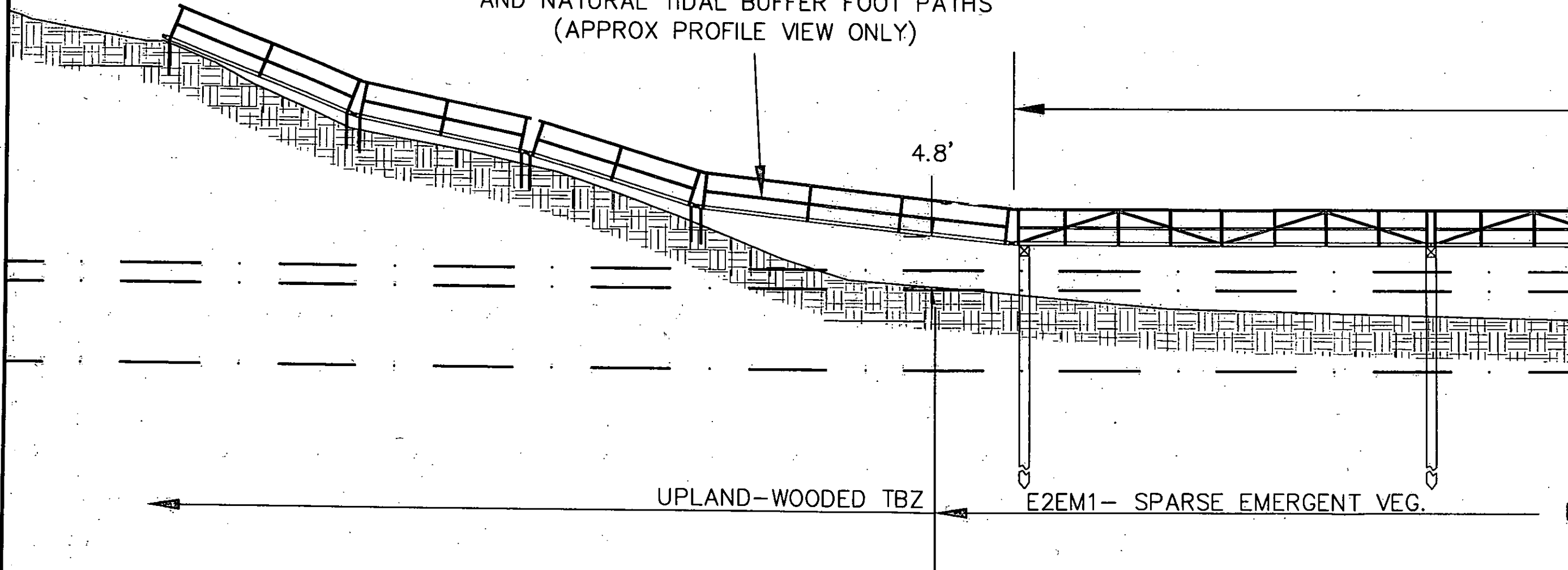


1. Plan entitled Tidal Topographic Survey Prepared for Avishai and Orly Shachar, Tax Map N, Lot No. 3-3 Three Rivers Farm Road, City of Dover, County of Strafford, State of New Hampshire. Plan By McEaney Survey Associates, Inc. located at 24 Chestnut Street, Dover, NH 03820. Plan Dated July 19th 2019.

PROPOSED CONDITIONS-  
ELEVATION DETAIL  
(DETAIL E-3)

Scale: 1"=10'

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



Avishai & Orly Shachar  
SD&F FOR NEW DOCK

34 Patterson Lane  
Newington, NH 03804  
603-427-2824 ext 1000  
kuestin@riversideandpickering.com



REVISIONS	Date	Description	Apprd
	3/1/20	PLANS REVISED FOR RFM 2-4-20	
	6/5/20	PLANS REVISED FOR RFM 4-20-20	
	7/7/21	Plans Revised for Amendment Request	

File #

Date: 07/07/2021  
Drawn By: KF  
Checked By: KF

Address: THREE RIVERS FARM RD City: DOVER, NH  
Map & Lot #: N/2E3  
Drawing: Scale: NATED  
Approved: \_\_\_\_\_ Title: \_\_\_\_\_  
Date: \_\_\_\_\_ Job: \_\_\_\_\_

# NOTES

### Sequence of Construction

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

### Discharges, Avoidance, Minimization and Mitigation

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

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

### Heavy Equipment in Wetlands

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

### Work Site Restoration

1. Upon completion of construction, all disturbed wetland areas shall be properly stabilized. Any seed mix shall contain only plant species native to New England.
2. The introduction or spread of invasive plant species in disturbed areas is prohibited.
3. In areas of authorized temporary disturbance, if trees are cut, they shall be cut at ground level and not uprooted in order to prevent disruption to the wetland soil structure and allow stump sprouts to revegetate the work areas, unless otherwise authorized.  
 \*Note that no trees were proposed to be removed for this project.
4. Wetlands areas where permanent disturbance is not authorized shall be restored to their original condition and elevation, which under no circumstances shall be higher than the pre-construction elevation. Original condition means careful protection and/or removal of existing soil and vegetation, and replacement back to the original location such that that the original soil layering and vegetation schemes are approximately the same, unless otherwise authorized.

### Sedimentation and Erosion Control

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

### Spawning Areas

Discharges of dredged or fill material, and/or suspended sediment producing activities in fish and shellfish spawning or nursery areas, or amphibian and migratory bird breeding areas, during spawning or breeding seasons shall be avoided. Impacts to these areas shall be minimized to the maximum extent practicable during all times of the year. Information on spawning habitat for species managed under the Magnuson-Stevens Fishery Conservation and Management Act (i.e. EFH for Spawning Adults) can be obtained from the NWF's Website at [www.nrc.usace.army.mil](http://www.nrc.usace.army.mil)

### Storage of Seasonal Structures

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

### Time of Year Work Window and Noise Restrictions


1. Piles installed in-the-dry during low water or in-water between Nov. 8th -Apr. 9th OR
  2. Must be drilled and pinned to ledge, OR
  3. Vibratory hammers used to install any size and quantity of wood, concrete, or steel piles, OR
  4. Impact hammer limited to one hammer and 30 piles installed/day with the following: Wood piles of any size, concrete piles 18-inches diameter, or steel piles 12-inches diameter if the hammer is 3000 lbs. and a wood cushion is used between the hammer and the steel pile.
- For 2 and 4 above:
- I. In-water noise levels shall not >187dB SEL RE 1m/206dB Peak RE 1m/20m distance >10m from the pile being installed, AND
  - II. In-water noise levels >155dB Peak RE 1m/20m shall not exceed 12 consecutive hours on any given day and a 12 hour recovery period (i.e., in-water noise below 155dB Peak RE 1m/20m must be provided between work days.

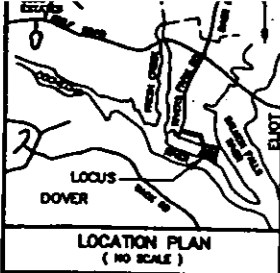
### Inspections

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

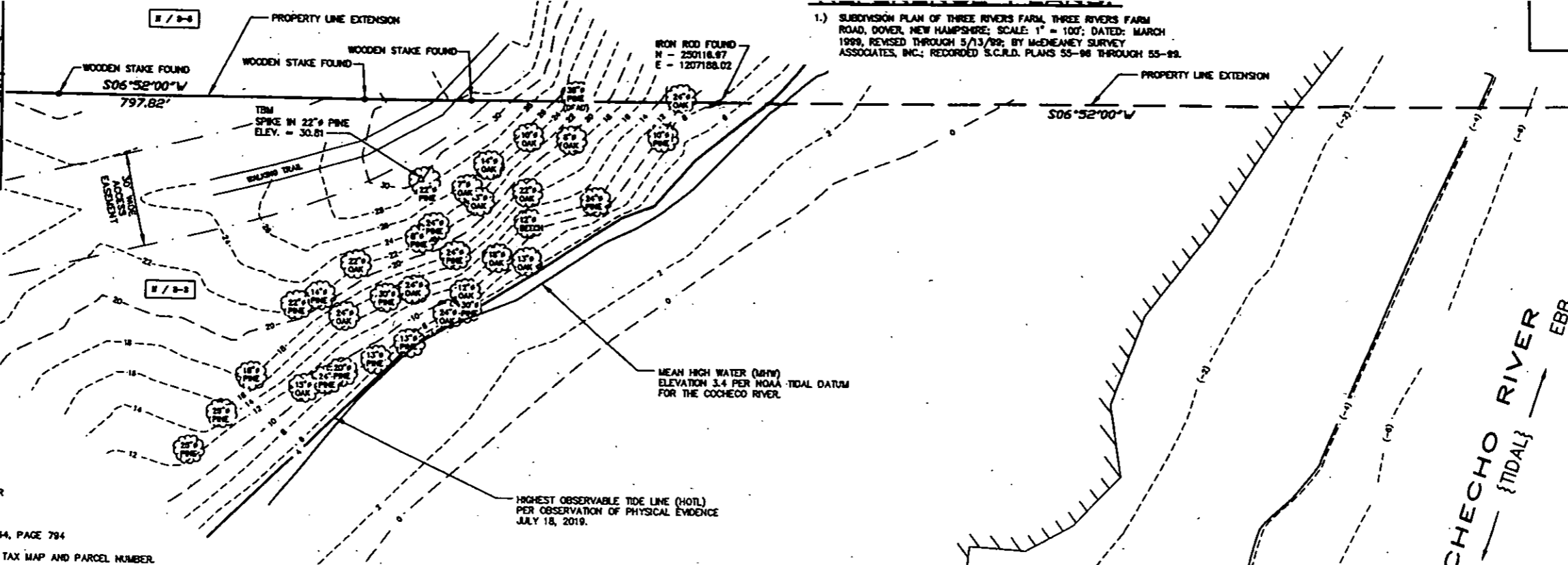
### Environmental Functions and Values

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

Date: 7/7/2021	Drawn By: KF	Checked By: KF	Date: _____	Job Class: _____
Avishai & Orly Shachar SD&F FOR NEW DOCK			Address: THREE RIVERS FARM RD, CITY: DUNVER, NH	Title: _____
34 Patterson Lane Newington, NH 03801 603-427-2824 ext. 1000 kuerstin@riversideandpickering.com			Map & Lot #: N/2-3	Drawing Scale: N/ED
				
REVISIONS	Date	Description	Apprd.	
	3/1/20	PLANS REVISED FOR RPM 2-4-20		
	8/9/20	PLANS REVISED FOR RPM 4-20-20		
	7/7/21	Plans revised for Amendment Request		
File #:				

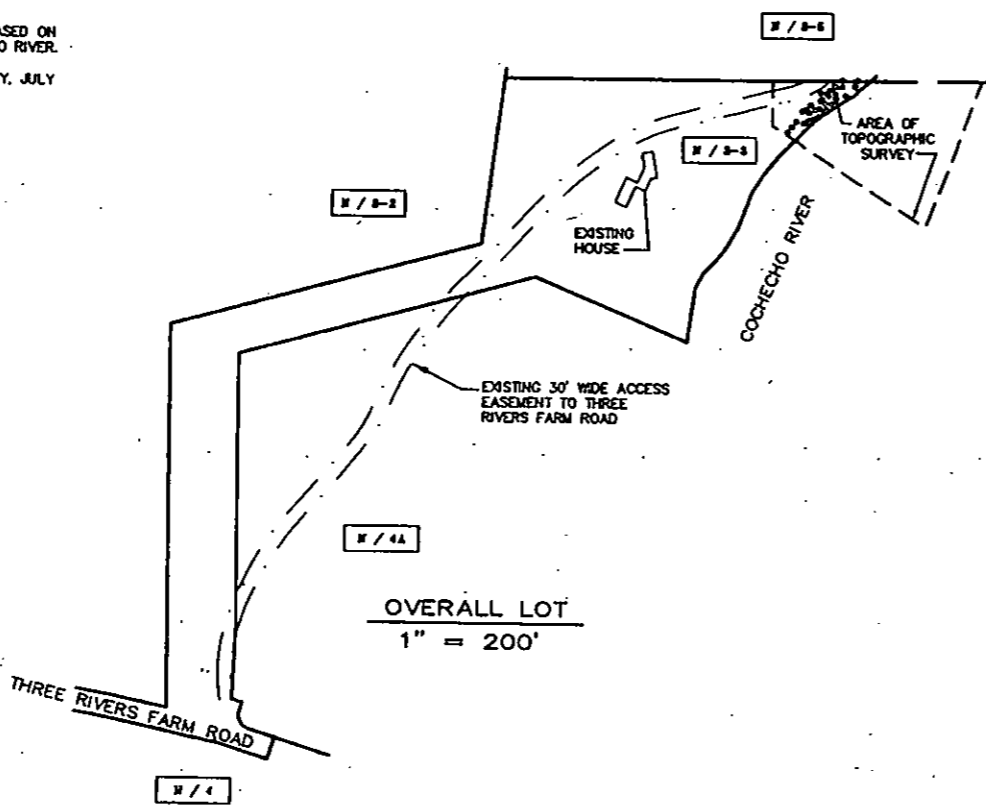


1.) SUBDIVISION PLAN OF THREE RIVERS FARM, THREE RIVERS FARM ROAD, DOVER, NEW HAMPSHIRE; SCALE: 1" = 100'; DATED: MARCH 1999, REVISED THROUGH 5/13/09; BY McNEANEY SURVEY ASSOCIATES, INC.; RECORDED S.C.R.D. PLANS 55-96 THROUGH 55-99.



**NOTES:**

- 1.) OWNER OF RECORD:  
AVISHAI SHACHAR  
ORLY SHACHAR  
  
S.C.R.D. VOL. 4044, PAGE 794
- 2.) **N / 3-3** - DENOTES TAX MAP AND PARCEL NUMBER.
- 3.) ZONING DISTRICT IS R-40 (RURAL RESIDENTIAL DISTRICT).
- 4.) THE INTENT OF THIS PLAN IS TO SHOW TOPOGRAPHIC DATA ON A PORTION OF THE SUBJECT PARCEL AND THE ADJOINING TIDAL AREA OF THE COCHECHO (AKA OOCHECO) RIVER.
- 4.) COORDINATES SHOWN ARE NAD83. VERTICAL DATUM IS NAVD83. CONTOUR INTERVAL IS TWO (2) FEET.
- 6.) MEAN LOWER LOW WATER AND MEAN HIGH WATER ARE BASED ON ELEVATIONS FROM NOAA TIDAL DATUMS FOR THE COCHECO RIVER.
- 7.) CONDITIONS SHOWN ARE AS OF THE DATE OF THIS SURVEY, JULY 18, 2019.



COCHECHO RIVER  
 FLOOD {TIDAL} EBB

**TIDAL TOPOGRAPHIC SURVEY**  
 PREPARED FOR  
**AVISHAI AND ORLY SHACHAR**  
 TAX MAP N, LOT No. 3-3  
**THREE RIVERS FARM ROAD**  
 CITY of DOVER  
 COUNTY of STRAFFORD  
 STATE of NEW HAMPSHIRE

DRAWN BY: KJP	FILE: MSA\2012\19-2012.DWG
SCALE: 1" = 20'	DATE: JULY 19, 2019

**McNeaney**  
Survey  
Associates, inc.

P.O. Box 681 - 24 CHESTNUT STREET  
DOVER, NH 03820 (603) 742-0911

SURVEYING — PLANNING — CONSULTING

NO.	DATE	DESCRIPTION	BY	CHK
REVISIONS				
19-2012		TOPOGRAPHIC	19-04	50-52
PROJECT NO		TYPE	FIELDBOOK & PAGES	