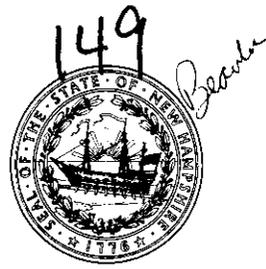




The State of New Hampshire
DEPARTMENT OF ENVIRONMENTAL SERVICES

Thomas S. Burack, Commissioner



June 1, 2015

Her Excellency, Governor Margaret Wood Hassan
and The Honorable Council
State House
Concord, NH 03301

REQUESTED ACTION

Approve Robert Boucher's request to perform the following work on the Piscataqua River, in Dover. File # 2015-00382. This project will not have significant impact on or adversely affect the values of the Piscataqua River.

Proposal to construct a tidal docking structure consisting of a 4 ft. x 37 ft. access stairway within the developed upland tidal buffer zone to a 4 ft. x 45 ft. permanent pier connecting to a 3 ft. x 40 ft. ramp connecting to a 6 ft. x 24 ft. landing float and to a 10 ft. x 20 ft. main float, with an overall dock length of 114 ft., providing three slips on 250 ft. of frontage on the Piscataqua River.

The Department imposed the following conditions as part of this approval:

1. All work shall be in accordance with plans by Riverside & Pickering Marine Contractors dated February 17, 2015, as received by the Department on February 20, 2015.
2. Any future work in jurisdiction as specified in RSA 482-A on this property will require a new application and approval by the Department of Environmental Services ("DES") Wetlands Bureau.
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 DES Wetlands Bureau prior to construction.
4. 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.
5. Appropriate erosion and sediment controls shall be used during stair construction. The area shall be stabilized immediately following construction.
6. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
7. Construction of this tidal docking structure consisting of a 4 ft. x 37 ft. access stairway within the developed upland tidal buffer zone to a 4 ft. x 45 ft. permanent pier to a 3 ft. x 40 ft. ramp connecting to a 6 ft. x 24 ft. landing float and to a 10 ft. x 20 ft. main float, with an overall dock length of 114 ft., providing three slips on 250 ft. of frontage on the Piscataqua River, which shall be the only dock structure on this water frontage.

DES Web site: www.des.nh.gov

P.O. Box 95, 29 Hazen Drive, Concord, New Hampshire 03302-0095

Telephone: (603) 271-3501 • Fax: (603) 271-6683 • TDD Access: Relay NH 1-800-735-2964

8. Work shall be done during low tide.
9. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to surface waters and wetlands.
10. Work shall be conducted in a manner that avoids excessive discharges of sediments to fish spawning areas.
11. Construction of the dock shall occur from a barge and crane to reduce impacts to the saltmarsh.
12. The decking of the dock shall have a minimum of 4 ft. clearance from the surface of the tidal marsh and shall have 3/4-inch spacing between the decking planks.
13. The seasonal structures, ramp and floats, shall be removed during the off-season and stored on the existing pier or in an upland location.

EXPLANATION

The DES Wetlands Bureau approved this project on May 01, 2015. DES supported its decision with the following findings:

1. This is a major impact project per Administrative Rule Env-Wt 303.02(a), projects in sand dunes, tidal wetlands, or bogs, except for the repair of existing structures pursuant to Env-Wt 303.04(v).
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01. There is currently no docking structure on the property to provide access to the water.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03. The decking of the dock will have a minimum of a 1:1 ratio of deck height to width as appropriate, and will have 3/4-inch spacing between the decking planks. Further, the applicant will be utilizing a barge and crane to complete construction of the dock from the water to minimize impacts to the wetland resource.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) and (c), Requirements for Application Evaluation, has been considered in the design of the project.
5. NH Natural Heritage Bureau (NHB) has record of sensitive species within the vicinity of the project, but NHB does not expect impacts to the species from the project.
6. This project has been reviewed by the Pease Development Authority Division of Ports and Harbors which determined that the project would have no negative effect on navigation, per letter dated March 3, 2015.
7. This dock is consistent with other tidal dock approvals in the seacoast.
8. DES staff field inspections on April 30, 2015 found that the site is accurately represented in the application. Further, there is less marsh vegetation located further north of the proposed dock, but there is evidence of bank erosion in this area which may be exacerbated with construction of a dock.
9. The Dover Conservation Commission recommends approval of project with the provision that erosion and sediment controls be used during stair construction.

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10. In accordance with RSA 482-A:8, DES 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.

Application file documents are being forwarded to the Governor and 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 submit this request for your consideration.


Thomas S. Burack
Commissioner

TSB/CGA/emk



WETLANDS PERMIT APPLICATION

Water Division/ Wetlands Bureau
Land Resources Management

Check the status of your application: <http://des.nh.gov/onestop>



RSA/Rule: Env-Wq 100-900

		Administrative Use Only	File No: 2015-00382
			Check No: 7657
			Amount: \$1,053.60
			Initials: EMK

1. REVIEW TIME:

Indicate your Review Time below. Refer to Guidance Document A for instructions.

Standard Review (Minimum, Minor or Major Impact)

Expedited Review (Minimum Impact only)

2. PROJECT LOCATION:

Separate applications must be filed with each municipality that jurisdictional impacts will occur in.

ADDRESS: **54 Waterloo Circle**

TOWN/CITY: **Dover, NH**

TAX MAP: **M**

BLOCK:

LOT: **76-9**

UNIT:

USGS TOPO MAP WATERBODY NAME: **Piscataqua River**

NA

STREAM WATERSHED SIZE:

NA

LOCATION COORDINATES (If known): **43.16753 N / -70.83065 E**

Latitude/Longitude UTM State Plane

3. PROJECT DESCRIPTION:

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

Provide fixed pier and associated gangway and float (new 4'x 45' fixed pier, 3'x 40' gangway, 6' x 24' landing float and 10'x 20' main float (644 sf) to provide the owner safe access to the Piscataqua River. Also provide an approximate 4' x 37' woodframe stepped access over the bank along the applicants +/- 250' of frontage. Currently no docking exists.

4. RELATED PERMITS, ENFORCEMENT, EMERGENCY AUTHORIZATION, SHORELAND, ALTERATION OF TERRAIN, ETC...

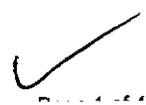
5. NATURAL HERITAGE BUREAU & DESIGNATED RIVERS:

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

a. Natural Heritage Bureau File ID: NHB 15 - 0470

b. Designated River the project is in 1/4 miles of _____; and
date a copy of the application was sent to Local River Advisory Committee: Month: ___ Day: ___ Year: ___

NA >1/4 mile



6. APPLICANT INFORMATION (Desired permit holder)LAST NAME, FIRST NAME, M.I.: **Robert Boucher**

TRUST / COMPANY NAME:

MAILING ADDRESS: [REDACTED]

TOWN/CITY: **Dover**STATE: **NH**ZIP CODE: **03820**EMAIL or FAX: ***See agent info**PHONE: *** See agent info**

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

7. 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 DES to communicate all matters relative to this application electronically

8. AUTHORIZED AGENT INFORMATIONLAST NAME, FIRST NAME, M.I.: **Zachary Taylor**COMPANY NAME: **Riverside & Pickering Marine Contractors**MAILING ADDRESS: **195 West Road**TOWN/CITY: **Portsmouth**STATE: **NH**ZIP CODE: **03801**EMAIL or FAX: **zach@riversideandpickering.com**PHONE: **(603) 427-2824**ELECTRONIC COMMUNICATION: By initialing here **ZT**, I hereby authorize DES to communicate all matters relative to this application electronically**9. PROPERTY OWNER SIGNATURE:**

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

By signing the application, I am certifying that:

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



See Letter of Authorization

**Zachary Taylor –Dir of Operations
Riverside and Pickering Marine**

Print name legibly

02 / 15 / 2015

Date

MUNICIPAL SIGNATURES

10. 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. The Conservation Commission signature should be obtained **prior** to the submittal of the original application and four copies to the town/city clerk for mailing to the DES.
3. The Conservation Commission may refuse to sign. If the Conservation Commission does not sign this statement for any reason, the application is not eligible for expedited review and the application will reviewed in the standard review time frame.

11. 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.

⇒  Town/City Clerk Signature	Karen Slawick Print name legibly	Dover, NH Town/City	2/19/15 Date
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DIRECTIONS FOR TOWN/CITY CLERK:

Per RSA 482-A:3.I

1. For applications where "Expedited Review" is checked on page 1, sign and accept the applications **only** if the Conservation Commission signature has been received;
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 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.

12. IMPACT AREA:

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

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

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

JURISDICTIONAL AREA	PERMANENT Sq. Ft. / Lin. Ft.	TEMPORARY Sq. Ft. / Lin. Ft.
Forested wetland	<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	<input type="checkbox"/> ATF	<input type="checkbox"/> ATF
Perennial Stream / River	/ <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	4 / 148 <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	180 / 4 <input type="checkbox"/> ATF	464 / 20 <input type="checkbox"/> ATF
TOTAL	180 / 4	464 / 20

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

Minimum Impact Fee: Flat fee of \$ 200

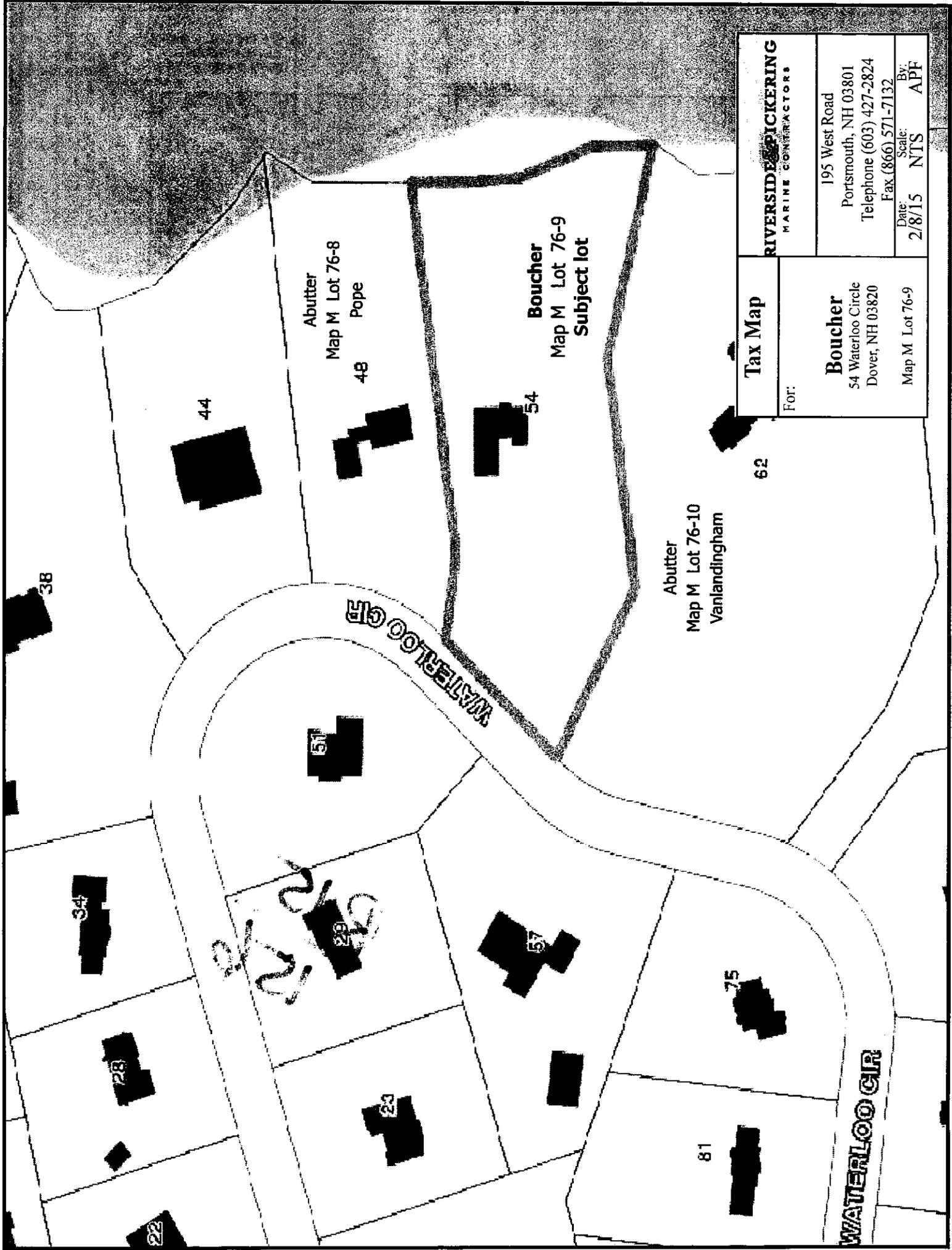
Minor or Major Impact Fee: Calculate using the below table below

Permanent and Temporary (non-docking)	148 sq. ft.	X \$0.20 =	\$ 29.60
Temporary (seasonal) docking structure:	464 sq. ft.	X \$1.00 =	\$ 464.00
Permanent docking structure:	180 sq. ft.	X \$2.00 =	\$ 360.00

Projects proposing shoreline structures (including docks) add \$200 = \$ 200.00

Total = \$ 1,053.60

The Application Fee is the above calculated Total or \$200, whichever is greater = **\$ 1,053.60**



Tax Map	RIVERSIDE PICKERING MARINE CONTRACTORS	
	195 West Road Portsmouth, NH 03801 Telephone (603) 427-2824 Fax (866) 571-7132	
For:	Boucher 54 Waterloo Circle Dover, NH 03820	Date: 2/8/15
	Map M Lot 76-9	Scale: NTS
		By: APF



Site Map

RIVERSIDE & PICKERING
 MARINE CONTRACTORS

For:

Boucher

54 Waterloo Circle
 Dover, NH 03820

Map M Lot 76-9

195 West Road
 Portsmouth, NH 03801
 Telephone (603) 427-2824
 Fax (866) 571-7132

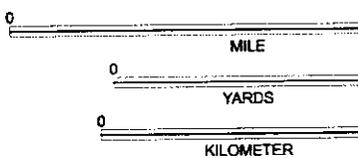
Date: 2/8/15 Scale: NTS By: APF

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



CONTOUR INTERVAL 20 FE
 NATIONAL GEODETIC VERTICAL D



NEW HAMPSHIRE NATURAL HERITAGE BUREAU
NHB DATACHECK RESULTS LETTER

To: Zachary Taylor
P.O. Box 368
Eliot, ME 03903

From: NH Natural Heritage Bureau

Date: 2/11/2015 (valid for one year from this date)

Re: Review by NH Natural Heritage Bureau of request submitted 1/29/2015

NHB File ID: NHB15-0470

Applicant: Zachary Taylor

Location: Dover
Tax Maps: TM M Lot 76-9

Project Description: Provide a single family fixed pier, gangway and float to gain access to the Piscataqua River for boating, fishing, etc.

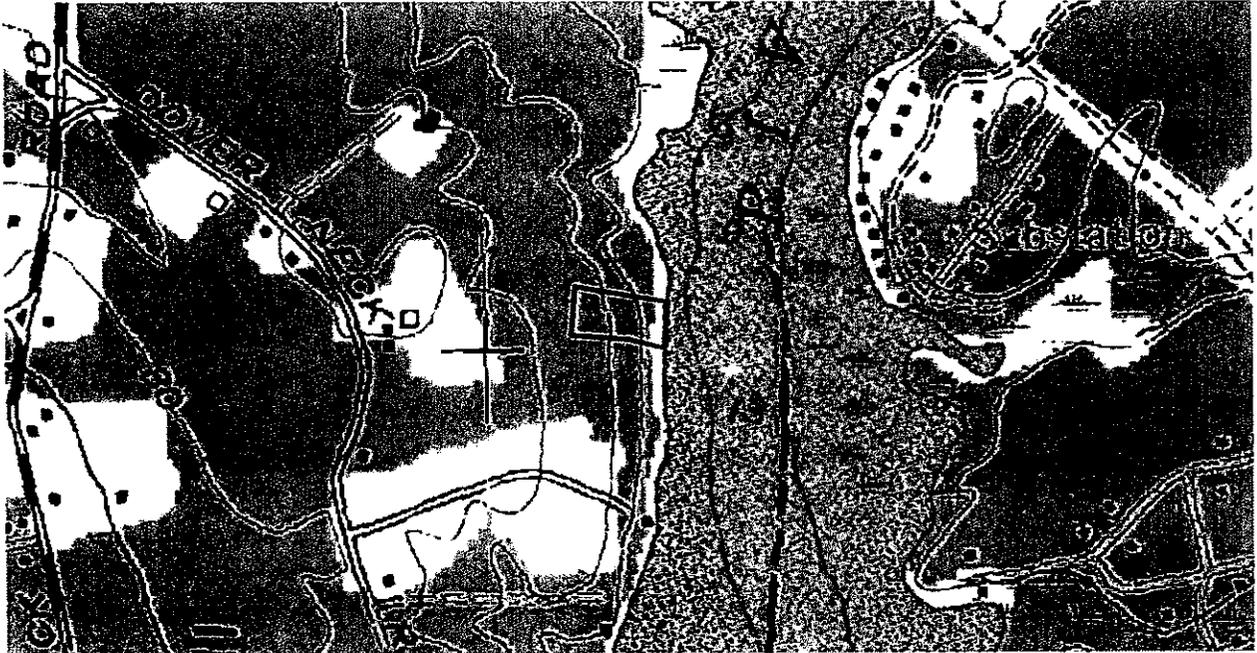
The NH Natural Heritage database has been checked by staff of the NH Natural Heritage Bureau and/or the NH Nongame and Endangered Species Program for records of rare species and exemplary natural communities near the area mapped below. The species considered include those listed as Threatened or Endangered by either the state of New Hampshire or the federal government.

It was determined that, although there was a NHB record (e.g., rare wildlife, plant, and/or natural community) present in the vicinity, we do not expect that it will be impacted by the proposed project. This determination was made based on the project information submitted via the NHB Datacheck Tool on 1/29/2015, and cannot be used for any other project.



NEW HAMPSHIRE NATURAL HERITAGE BUREAU
NHB DATACHECK RESULTS LETTER

MAP OF PROJECT BOUNDARIES FOR: NHB15-0470



RIVERSIDE & PICKERING

MARINE CONTRACTORS

ABUTTER NOTIFICATION

Dear Abutter,

As required by the NH Dept. of Environmental Services, you are being notified about proposed work at property, which abuts yours. Should you have any questions or concerns, please do not hesitate to contact this office. We will be glad to discuss any aspect of the proposed project. A copy of the full application sent to the NH Dept. of Environmental Services, Wetlands Bureau will be available for your inspection at your City/Town Clerk's office.

Thank you,



Zachary Taylor
Director of Operations, Riverside & Pickering Marine Contractors

Name of property owner (s): Robert Boucher

Location of proposed project: 54 Waterloo Circle, Dover, NH Map M, Lot 76-9

Brief description of work: Application to provide a permanent pier with associated gangway and float

ABUTTERS LIST

TM# M Lot 76-8
Peter & Rhonda Pope
[REDACTED]
Dover, NH 03820

CERTIFIED MAIL #

7013 1090 0001 6550 5504

7013 1090 0001 6550 5504

TM# M Lot 76-10
Joan Vanlandingham Rev Trust
Joan Vanlandingham, Trustee
[REDACTED]
Dover, NH 03820-4954

7013 1090 0001 6550 5498

7013 1090 0001 6550 5498

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Office: 603-427-2824 Fax: 866-571-7132

195 West Road, Portsmouth, NH 03801

www.RiversideandPickering.com

A division of Riverside Marine Construction Inc.