



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



Beant
54

Robert R. Scott, Commissioner

February 23, 2018

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

REQUESTED ACTION

Approve the State of NH Department of Natural & Cultural Resources (NH DNCR) request to perform the following work on Pawtuckaway Pond, in Nottingham. File # 2017-03299. This project will not have significant impact on or adversely affect the values of Pawtuckaway Pond.

Remove an existing 4 foot x 30 foot seasonal pier with a 4 foot x 32 foot "T" accessed by a 3 foot 6 inch x 10 foot gangway, install a 6 foot x 60 foot seasonal pier with five 4 foot x 12 foot fingers accessed by a 6 foot x 8 foot access ramp, with 3 foot x 4 foot stairs to the water, on approximately 30,000 feet of frontage along Pawtuckaway Lake, in Pawtuckaway State Park, in Nottingham.

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

1. All work shall be in accordance with plans by Seth Prescott dated November 9, 2017 as received by the NH Department of Environmental Services (NHDES) on November 15, 2017.
2. This permit is not valid and effective until it has been recorded with the appropriate county Registry of Deeds by the applicant. Prior to starting work under this permit, the permittee shall submit a copy of the recorded permit to the NHDES Wetlands Program by certified mail, return receipt requested.
3. All development activities associated with this project shall be conducted in compliance with applicable requirements of RSA 483-B and N.H. Code of Administrative Rules Env-Wq 1400 during and after construction.
4. This permit does not authorize the removal of trees or saplings within the waterfront buffer.
5. Work shall be carried out in a time and manner to avoid disturbances to migratory waterfowl breeding and nesting areas.
6. Any subdivision of the property will require removal of a sufficient portion of the docking structures to comply with the dock size and density requirements in effect at the time of the subdivision.
7. Only those structures shown on the approved plans shall be installed or constructed along this frontage. All portions of the structures shall be at least 20 feet from the abutting property lines or the imaginary extension of those lines into the water.
8. No portion of the pier shall extend more than 60 feet from the shoreline at full lake elevation (Elevation 250).

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

9. All seasonal structures shall be removed for the non-boating season.

EXPLANATION

The NHDES Wetlands Bureau approved this project on January 24, 2018. The NHDES supported its decision with the following findings:

1. This is a major impact project per Administrative Rule Env-Wt 303.02(d), construction or modification of docking system providing 5 or more slips.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
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.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
5. The applicant has approximately 30,000 feet of shoreline frontage along Pawtuckaway Lake.
6. A maximum of 401 slips may be permitted on this frontage per Rule Env-Wt 402.13 Frontage Over 75'.
7. The proposed docking facility will provide 7 slips as defined per RSA 482-A:2, VIII and, therefore, meets Rule Env-Wt 402.13.
8. The Department finds that because the project is not of significant public interest and will not significantly impair the resources of Pawtuckaway Lake a public hearing under RSA 482-A:8 is not required.

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.



Robert R. Scott
Commissioner



WETLANDS PERMIT APPLICATION

Water Division/ Wetlands Bureau
Land Resources Management

COMPLETE

NOV 15 2017



Check the status of your application: www.des.nh.gov/onestop

<p>RECEIVED</p> <p>NOV 06 2017</p> <p>Use NHDES LAND RESOURCES MANAGEMENT</p>	<p>INCOMPLETE</p> <p>NOV 06 2017</p> <p>Use Only NHDES LAND RESOURCES MANAGEMENT</p>	<p>RECEIVED</p> <p>NOV 15 2017</p> <p>Use Only NHDES LAND RESOURCES MANAGEMENT</p>	<p>File No: <u>2017-03299</u></p> <p>Check No: <u>5325</u></p> <p>Amount: <u>\$608.00</u></p> <p>Initials: <u>LSL</u></p>
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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 Question.

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 that wetland impacts occur within.

ADDRESS: 128 Mountain Road TOWN/CITY: Nottingham

TAX MAP: 76 BLOCK: _____ LOT: 2 UNIT: _____

USGS TOPO MAP WATERBODY NAME: Pawtuckaway pond NA STREAM WATERSHED SIZE: _____ NA

LOCATION COORDINATES (If known): 43 05'06.97 70 09' 23.49 Latitude/Longitude

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.

Install a seasonal, aluminum 60'x 6' dock with a 8' shore ramp.

5. SHORELINE FRONTAGE:

- NA This does not have shoreline frontage. SHORELINE FRONTAGE: over 1/4 mile

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.

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 Web Page.

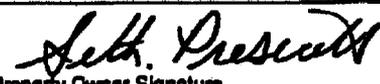
Permit Type	Permit Required	File Number	Permit Application Status
Alteration of Terrain Permit Per RSA 485-A:17	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	_____	<input type="checkbox"/> APPROVED <input type="checkbox"/> PENDING <input type="checkbox"/> DENIED
Individual Sewerage 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 17 - 2469

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

8. APPLICANT INFORMATION (Desired permit holder)			
LAST NAME, FIRST NAME, M.I.: Seth Prescott			
TRUST / COMPANY NAME: State of NH DNCR		MAILING ADDRESS: 172 Pembroke Road	
TOWN/CITY: Concord		STATE: NH	ZIP CODE: 03301
EMAIL or FAX: [REDACTED]		PHONE: [REDACTED]	
ELECTRONIC COMMUNICATION: By initialing here: SSP , 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.: State of New Hampshire Department of Natural and Cultural Resources			
TRUST / COMPANY NAME: c/o Seth Prescott		MAILING ADDRESS:	
TOWN/CITY: Concord		STATE: NH	ZIP CODE: 03301
EMAIL or FAX:		PHONE:	
ELECTRONIC COMMUNICATION: By initialing here <input checked="" type="checkbox"/> , I hereby authorize NHDES to communicate all matters relative to this application electronically			
10. AUTHORIZED AGENT INFORMATION			
LAST NAME, FIRST NAME, M.I.:		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			
11. PROPERTY OWNER SIGNATURE:			
See the Instructions & Required Attachments document for clarification of the below statements			
By signing the application, I am certifying that:			
<ol style="list-style-type: none"> 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 identify the presence of historical/ archeological resources while coordinating with the lead federal agency for 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 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 NHDES correspondence. NHDES will not forward returned mail. 			
<input type="checkbox"/>  Property Owner Signature		Seth Prescott Print name legibly	7/15/2017 Date

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.

<input style="width: 100%; height: 100%;" type="text"/>	<input style="width: 100%; height: 100%;" type="text"/>	<input style="width: 100%; height: 100%;" type="text"/>
	Print name legibly	Date

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 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.

<input style="width: 100%; height: 100%;" type="text"/>			
Town/City Clerk Signature	Print name legibly	Town/City	Date

DIRECTIONS FOR TOWN/CITY CLERK:

Per RSA 482-A:3,I

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 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	/	/
Lake / Pond	/	/
Bank - Intermittent stream	/	/
Bank - Perennial stream / River	/	/
Bank - Lake / Pond	/	/
Tidal water	/	/
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	408	<input type="checkbox"/> ATF
Docking - River	<input type="checkbox"/> ATF	<input type="checkbox"/> ATF
Docking - Tidal Water	<input type="checkbox"/> ATF	<input type="checkbox"/> ATF
TOTAL	/	/

15. 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) _____ sq. ft. X \$0.20 = \$ _____

Temporary (seasonal) docking structure: 408 sq. ft. X \$1.00 = \$ 408

Permanent docking structure: _____ sq. ft. X \$2.00 = \$ _____

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

Total = \$ 608.00

The Application Fee is the above calculated Total or \$200, whichever is greater = \$ 608.00

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LAND RESOURCES MANAGEMENT

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LAND RESOURCES MANAGEMENT

PROPERTY MAP
NOTTINGHAM
NEW HAMPSHIRE



LEGEND
ADJUTING MAP NO. R11
PARCELS SHOWN
SUBDIVISION LOT NO.
STREET ADDRESS NO.

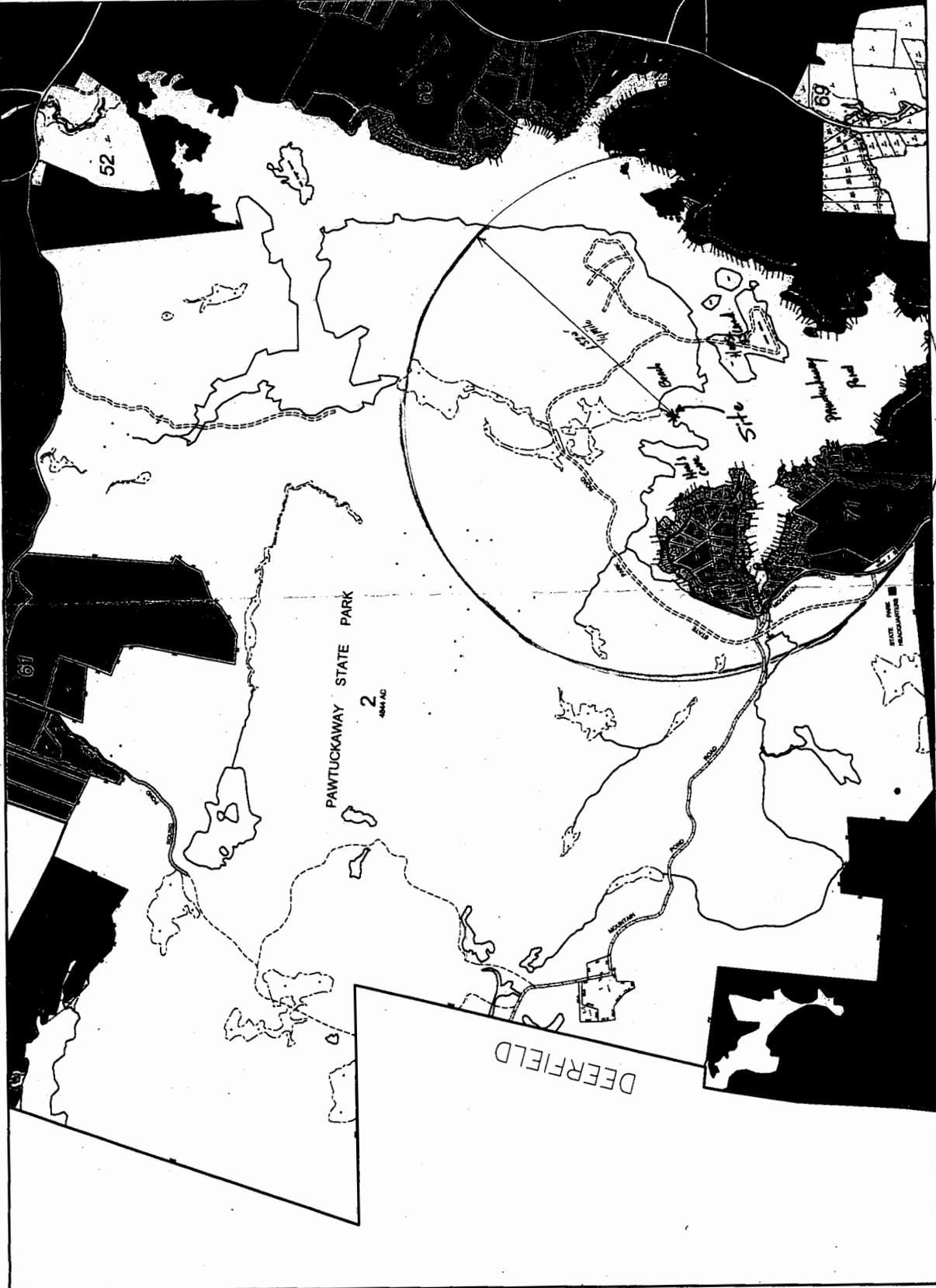
LOT DIMENSION
PROPERTY BODIES
RIGHT OF WAY
EASEMENT

SCALE IN FEET
0 200 400

Revised & Reprinted by
CAI Technologies
Littleton, NH 03561
Original Mapping
Prepared by
John E. O'Donnell & Associates

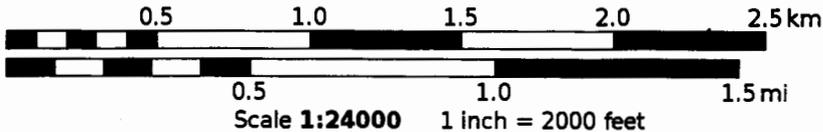
76

REVISED TO APRIL 1, 2014
FOR AGREEMENT PURPOSES ONLY
NOT FOR PROPERTY CERTIFICATION





Mercator Projection
WGS84
USNG Zone 19TCH
CalTopo.com





NEW HAMPSHIRE NATURAL HERITAGE BUREAU
NHB DATACHECK RESULTS LETTER

To: Seth Prescott, Office of the Commissioner/Parks
172 Pembroke Road

Concord, NH 03301

From: NH Natural Heritage Bureau

Date: 8/14/2017 (valid for one year from this date) ✓

Re: Review by NH Natural Heritage Bureau of request submitted 8/8/2017

NHB File ID: NHB17-2469

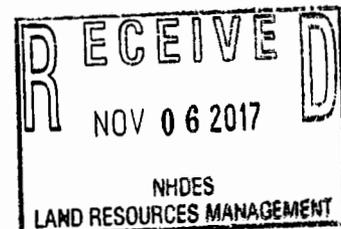
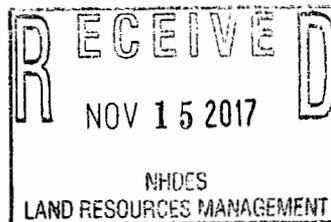
Applicant: Seth Prescott

Location: Nottingham
Tax Maps: Map 44 lot 76

Project
Description: Install a 6' x 60' dock with an 8' shore ramp

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 8/8/2017, and cannot be used for any other project.





NEW HAMPSHIRE NATURAL HERITAGE BUREAU
NHB DATACHECK RESULTS LETTER

MAP OF PROJECT BOUNDARIES FOR: NHB17-2469

NHB17-2469



Pawtuckaway Dock Abutter List

- ✓ Walter & Kathleen Bowse ✓ 071-81
Bowse family rev trust
[REDACTED]
Nottingham, NH 03290

- ✓ Caroline S. Hayman ✓ 071-83
[REDACTED]
Nottingham, NH 03290

- ✓ Louls & Laura Datillo ✓ 071-04
[REDACTED]
North Reading, MA 01864

- ✓ Peter M. & Diana M. McNicholas ✓ 071-65
[REDACTED]
Concord, MA 01742

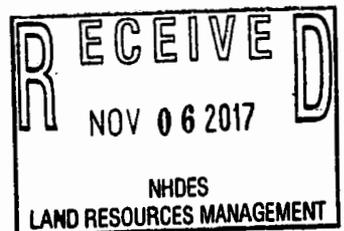
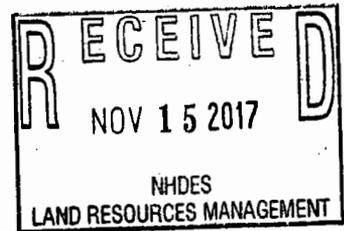
- ✓ ROGER L. & Betty C. KEBLER ✓ 071-06
[REDACTED]
Nottingham, NH 03290

- ✓ Monique A. & Denis G. Gauthier ✓ 071-83
[REDACTED]
Nottingham, NH 03290

- ✓ Robin L. & Barbara Dombrowski ✓ 071-107
[REDACTED]
Nottingham, NH 03290

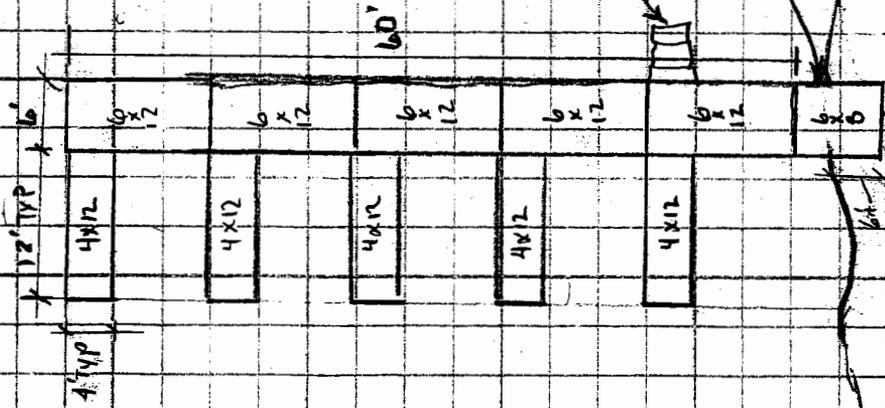
- ✓ Julie B, Roos ✓ 071-167-02
[REDACTED]
Nottingham, NH 03290

- ✓ Matthew A. & Laura A. Polzin 072-048
[REDACTED]
Nottingham, NH 03290



FRUITCROCKWAY STATE PARK
Proposed Dock (Seasonal)
 (NON-MOTORIZED USE)

Type: ALUMINUM w/ wheels for removal
 Length: 60' w/ 6' Shore Ramp
 Steps: 3 steps



Existing Shore at Park Shore

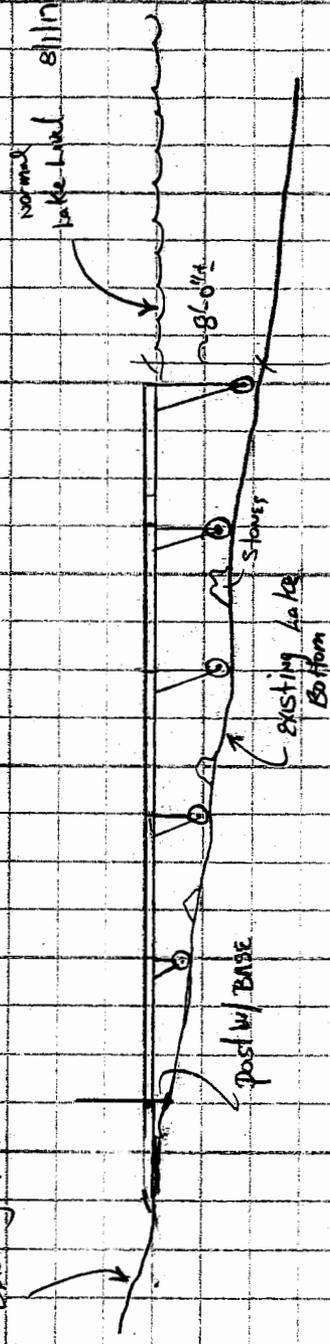
Nothing high in NH

Public Access Dock
 For use w/ canoe & kayak
 Length is necessary to
 provide safe access for
 NW Drive Park Access etc

Existing 30' Dock to be
 Removed.

NOTE: etc

Existing Path



Elevation: $H - \frac{1}{4} = 4'0"$
 $V - \frac{1}{4} = 4'0"$

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Lake Depth 0/1/2017
 (measured) 3'6" 30'
 8'1" 60'

S. Prescott 11/9/2017