



The State of New Hampshire
Department of Environmental Services

Robert R. Scott, Commissioner



AUG18'21 AM10:45 RCUP

August 16, 2021

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

REQUESTED ACTION

Approve Paula J. Panasis Revocable Trust's request to perform work on Piscataqua River in Dover as outlined below. This request is pursuant to New Hampshire Department of Environmental Services (NHDES) file #2020-03253. This project will not have significant impact on, or adversely affect, the values of Piscataqua River.

Impact 1,015 square feet of tidal wetland to modify an existing tidal docking structure by constructing a 149 foot extension consisting of a 6 foot by 80 foot fixed pier extension, connected to a 3 foot by 45 foot seasonal ramp connected to a 6 foot by 16 foot seasonal landing float connected to an 8 foot by 38 foot main float. The overall length of the extended docking structure, seaward of the highest observable tide line, is 195 feet, providing two slips on 244 feet of frontage along the Piscataqua River.

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

1. All work shall be done in accordance with the approved plans dated November 2020, revised through June 11, 2021, by Ambit Engineering Inc., and last received by the NH Department of Environmental Services (NHDES) on June 15, 2021, in accordance with Env-Wt 307.16.
2. This permit shall not be effective until the permittee records this permit at the Strafford County Registry of Deeds. Any limitations or conditions in the permit so recorded shall run with the land beyond the expiration of the permit. The permittee shall provide the NHDES with a copy of the permit stamped by the registry with the book and page and date of receipt, in accordance with New Hampshire Administrative Rule Env-Wt 314.02(b) and (c).
3. In-water pile installation shall not occur between March 15 and November 15, in order to protect anadromous fish, in accordance with Env-Wt 307.10(i) and Env-Wt 311.06(g)
4. All work shall be done at low tide, in the dry, when the work area is fully exposed, in accordance with Env-Wt 609.10(b)(4).
5. Tidal docking installation shall be done by barge or upland to prevent the driving of construction equipment in or through tidal waters/wetlands or on the bottom of the inter-tidal zone, in accordance with Env-Wt 606.05(b).
6. Tidal docking construction shall be done in accordance with the standard conditions in Env-Wt 307.
7. Heavy equipment shall not be operated in any jurisdictional area unless specifically authorized by this permit, in accordance with Env-Wt 307.15(a).

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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. The ramp and float portions of residential tidal docks shall be seasonal and removed from the water during the non-boating season, in accordance with Env-Wt 606.06(b).

EXPLANATION

The NHDES approved this project on July 9, 2021. The NHDES supported its decision with the following findings:

1. This is classified as a major project per Rule Env-Wt 606.17(a)(1), for all new overwater structure construction in tidal waters/wetlands.
2. Per Rule Env-Wt 306.05, the applicant has addressed all of the required planning items that are used to determine the appropriate impact classification of a project and the type of approval required.
3. Per Rule Env-Wt 313.01(a)(2), all applicable conditions specified in Env-Wt 307 have been met.
4. Per Rule Env-Wt 313.01(a)(3), all resource and project-specific criteria established in Env-Wt 600 have been met.
5. Per Rule Env-Wt 313.01(a)(5), and as required by RSA 482-A:11, II, this permit for work to dredge or fill will not 'infringe on the property rights or unreasonably affect the value or enjoyment of property of abutting owners'.
6. In correspondence dated February 16, 2021, the applicant obtained signed, notarized, authorization from the abutting owner for a portion of the structure to extend beyond the property boundary extended over water.
7. Per Rule Env-Wt 313.03(a) and (b), the applicant has demonstrated that potential impacts to jurisdictional areas have been avoided to the maximum extent practicable and that any unavoidable impacts have been minimized.
8. Per Rule Env-Wt 603.09, the applicant obtained a statement, dated February 16, 2021, from the Pease Development Authority, Division of Ports and Harbors regarding the projects impact on navigation and passage.
9. The residential tidal dock project meets the criteria listed in Rule Env-Wt 606.06(a) and (b).
10. Per Rule Env-Wt 202.01(b) and as required by RSA 482-A:8, the NHDES finds that the requirements for a public hearing do not apply as the project will not have a significant environmental impact, as defined in New Hampshire Administrative Rule Env-Wt 104.19, on the resources protected by RSA 482-A, or, is not of substantial public interest, as defined in New Hampshire Administrative Rule Env-Wt 104.32.

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



**STANDARD DREDGE AND FILL
WETLANDS PERMIT APPLICATION**
Water Division/Land Resources Management
Wetlands Bureau



Check the Status of your Application

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

APPLICANT'S NAME: Paula J. Panasis Rev. Trust

TOWN NAME: Dover

			File No: <u>2020-03253</u>
			Check No: <u>3659</u>
			Amount: <u>23,390.00</u>
			Initials: <u>LSL</u>

A person may request a waiver to 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. 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 [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?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Does the property contain a PRA? If yes, provide the following information:	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
<ul style="list-style-type: none"> Does the project qualify for an Impact Classification Adjustment (e.g. NH Fish and Game Department (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). 	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
<ul style="list-style-type: none"> Protected species or habitat? <ul style="list-style-type: none"> If yes, species or habitat name(s): <u>Atlantic sturgeon & shortnose sturgeon</u> NHB Project ID #: <u>20-2566</u> 	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Bog?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Floodplain wetland contiguous to a tier 3 or higher watercourse?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Designated prime wetland or duly-established 100-foot buffer?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Sand dune, tidal wetland, tidal water, or undeveloped tidal buffer zone?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Is the property within a Designated River corridor? If yes, provide the following information:	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
<ul style="list-style-type: none"> Name of Local River Management Advisory Committee (LAC): <u>N/A</u> A copy of the application was sent to the LAC on Month: <input type="checkbox"/> Day: <input type="checkbox"/> Year: <input type="checkbox"/> 	

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For dredging projects, is the subject property contaminated? • If yes, list contaminant: <u>N/A</u>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
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Is there potential to impact impaired waters, class A waters, or outstanding resource waters?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
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For stream crossing projects, provide watershed size (se Wetland Permit Planning Tool or Stream Stats):
N/A

SECTION 2 - PROJECT DESCRIPTION (Env-Wt 311.04(i))
Provide a brief description of the project and the purpose of the project, outlining the scope of work to be performed and whether impacts are temporary or permanent. DO NOT reply "See attached"; please use the space provided below.

The project proposes 1,015 sq. ft. of permanent impact to tidal wetland, for the modification of an existing tidal docking structure by constructing a 6' x 80' fixed pier extension onto the end of the existing pier, installing a 3' x 45' gangway, and installing a new 6' x 16' landing float and an 8' x 38' main float, (overall structure length 160') maintaining three slips on 244+/- feet of frontage along the Piscataqua River.

SECTION 3 - PROJECT LOCATION
Separate wetland permit applications must be submitted for each municipality within which wetland impacts occur.

ADDRESS: 280A Dover Point Road

TOWN/CITY: Dover

TAX MAP/BLOCK/LOT/UNIT: Map C Lot 105-F

US GEOLOGICAL SURVEY (USGS) TOPO MAP WATERBODY NAME: Cochecho River
 N/A

(Optional) LATITUDE/LONGITUDE in decimal degrees (to five decimal places):
1:206,682.5135° North
233;855.7652° West

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: Charles N. & Paula J. Panasis Paula J. Panasis Revocable Trust		
MAILING ADDRESS:		
TOWN/CITY:	STATE:	ZIP CODE:
EMAIL ADDRESS:		
FAX:	PHONE:	
ELECTRONIC COMMUNICATION: By initialing here: [initials], I hereby authorize NHDES to communicate all matters relative to this application electronically.		
SECTION 5 - AUTHORIZED AGENT INFORMATION (Env-Wt 311.04(c))		
<input checked="" type="checkbox"/> N/A		
LAST NAME, FIRST NAME, M.I.: Riker, Steven, D.		
COMPANY NAME: Ambit Engineering, Inc.		
MAILING ADDRESS: 200 Griffin Road, Unit 3		
TOWN/CITY: Portsmouth	STATE: NH	ZIP CODE: 03820
EMAIL ADDRESS: sdr@ambitengineering.com		
FAX:	PHONE: 603-430-9282	
ELECTRONIC COMMUNICATION: By initialing here: <i>SR</i> , 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.		
<input checked="" type="checkbox"/> Same as applicant		
NAME:		
MAILING ADDRESS:		
TOWN/CITY:	STATE:	ZIP CODE:
EMAIL ADDRESS:		
FAX:	PHONE:	
ELECTRONIC COMMUNICATION: By initialing here: [initials], I hereby authorize NHDES to communicate all matters relative to this application electronically.		

SECTION 7 - RESOURCE-SPECIFIC CRITERIA ESTABLISHED IN Env-Wt 400, Env-Wt 500, Env-Wt 600, Env-Wt 700, OR Env-Wt 900 HAVE BEEN MET (Env-Wt 313.01(a)(3))

Describe how the resource-specific criteria have been met for each chapter listed above (please attach information about stream crossings, coastal resources, prime wetlands, or non-tidal wetlands and surface waters):
Please see attached narrative.

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 that you have attached all documents related to avoidance and minimization, as well as functional assessment (where applicable). You can 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 impacts are impacts that will remain after the project is complete (e.g., changes in grade or surface materials).

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

JURISDICTIONAL AREA		PERMANENT			TEMPORARY		
		SF	LF	ATF	SF	LF	ATF
Wetlands	Forested Wetland	1,015		<input type="checkbox"/>			<input type="checkbox"/>
	Scrub-shrub Wetland			<input type="checkbox"/>			<input type="checkbox"/>
	Emergent Wetland			<input type="checkbox"/>			<input type="checkbox"/>
	Wet Meadow			<input type="checkbox"/>			<input type="checkbox"/>
	Vernal Pool			<input type="checkbox"/>			<input type="checkbox"/>
	Designated Prime Wetland			<input type="checkbox"/>			<input type="checkbox"/>
	Duly-established 100-foot Prime Wetland Buffer			<input type="checkbox"/>			<input type="checkbox"/>
Surface Water	Intermittent / Ephemeral Stream			<input type="checkbox"/>			<input type="checkbox"/>
	Perennial Stream or River			<input type="checkbox"/>			<input type="checkbox"/>
	Lake / Pond			<input type="checkbox"/>			<input type="checkbox"/>
	Docking - Lake / Pond			<input type="checkbox"/>			<input type="checkbox"/>
	Docking - River			<input type="checkbox"/>			<input type="checkbox"/>
Banks	Bank - Intermittent Stream			<input type="checkbox"/>			<input type="checkbox"/>
	Bank - Perennial Stream / River			<input type="checkbox"/>			<input type="checkbox"/>
	Bank / Shoreline - Lake / Pond			<input type="checkbox"/>			<input type="checkbox"/>
Tidal	Tidal Waters			<input type="checkbox"/>			<input type="checkbox"/>
	Tidal Marsh			<input type="checkbox"/>			<input type="checkbox"/>
	Sand Dune			<input type="checkbox"/>			<input type="checkbox"/>
	Undeveloped Tidal Buffer Zone (TBZ)			<input type="checkbox"/>			<input type="checkbox"/>
	Previously-developed TBZ			<input type="checkbox"/>			<input type="checkbox"/>
	Docking - Tidal Water	1,015		<input type="checkbox"/>			<input type="checkbox"/>
TOTAL		1,015					

SECTION 12 - APPLICATION FEE (RSA 482-A:3, 1)

<input type="checkbox"/> MINIMUM IMPACT FEE: Flat fee of \$400.
<input type="checkbox"/> NON-ENFORCEMENT RELATED, PUBLICLY-FUNDED AND SUPERVISED RESTORATION PROJECTS, REGARDLESS OF IMPACT CLASSIFICATION: Flat fee of \$400 (refer to RSA 482-A:3, 1(c) for restrictions).
<input checked="" type="checkbox"/> MINOR OR MAJOR IMPACT FEE: Calculate using the table below:
Permanent and temporary (non-docking): 1,015 SF × \$0.40 = \$ 406
Seasonal docking structure: 535 SF × \$2.00 = \$ 1,070
Permanent docking structure: 480 SF × \$4.00 = \$ 1,920
Projects proposing shoreline structures (including docks) add \$400 = \$ 400
Total = \$ 3,396
The application fee for minor or major impact is the above calculated total or \$400, whichever is greater = \$ 3,396

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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:

SR

To the best of the signer's knowledge and belief, all required notifications have been provided.

Initials:

SR

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:

SR

The signer understands that:

- The submission of false, incomplete, or misleading information constitutes grounds for NHDES to:
 1. Deny the application.
 2. Revoke any approval that is granted based on the information.
 3. If the signer is a certified wetland scientist, licensed surveyor, or professional engineer licensed to practice in New Hampshire, refer the matter to the joint board of licensure and certification established by RSA 310-A:1.
- The signer is subject to the penalties specified in New Hampshire law for falsification in official matters, currently RSA 641.
- The signature shall constitute authorization for the municipal conservation commission and the Department to inspect the site of the proposed project, except for minimum impact forestry SPN projects and minimum impact trail projects, where the signature shall authorize only the Department to inspect the site pursuant to RSA 482-A:6, II.

Initials:

SR

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):

[Signature]

PRINT NAME LEGIBLY:

[Name]

DATE:

[Date]

SIGNATURE (APPLICANT, IF DIFFERENT FROM OWNER):

[Signature]

PRINT NAME LEGIBLY:

[Name]

DATE:

[Date]

SIGNATURE (AGENT, IF APPLICABLE):

[Signature]

PRINT NAME LEGIBLY:

Steven D. Riker

DATE:

12/4/2020

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:

[Signature]

PRINT NAME LEGIBLY:

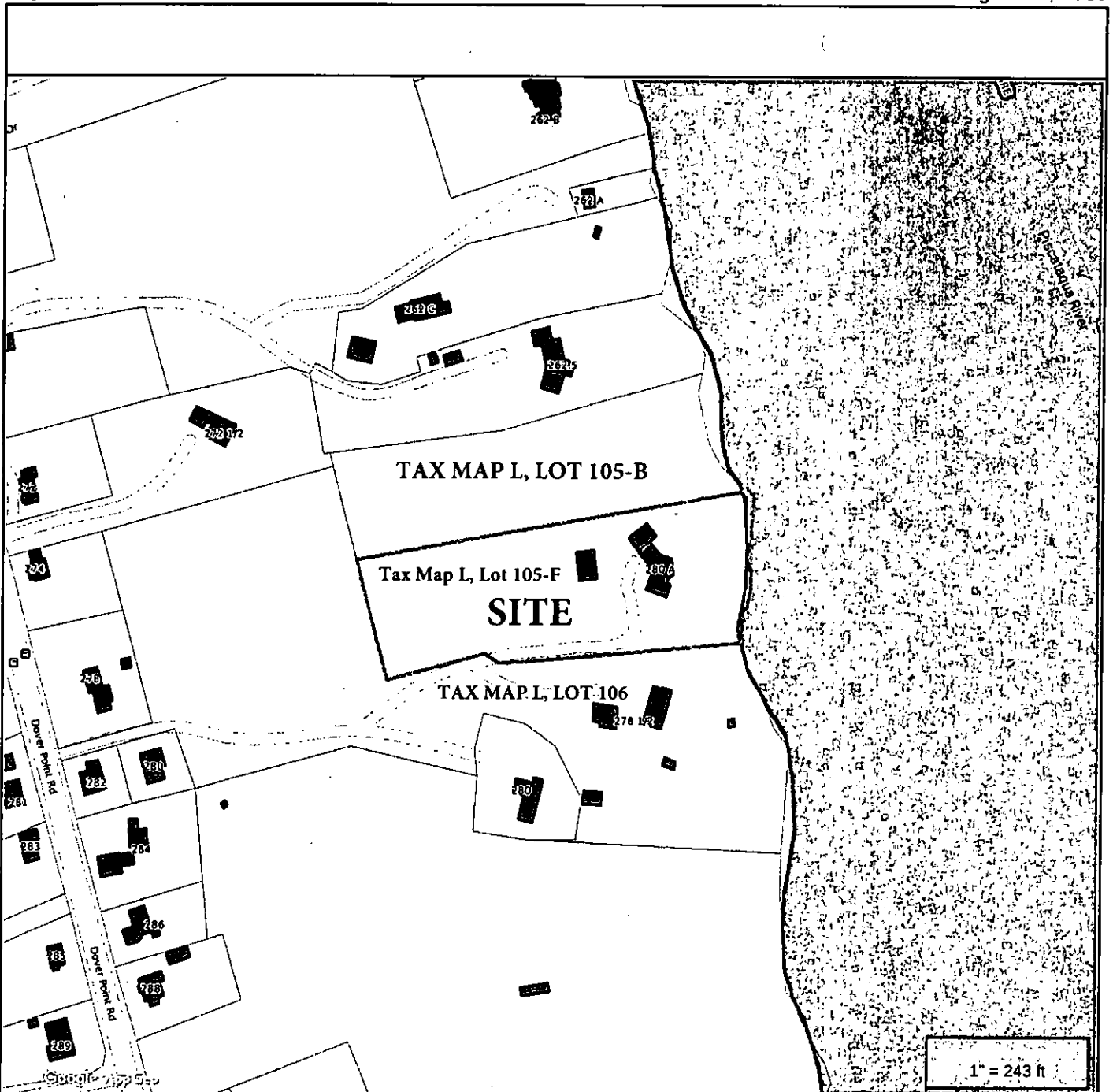
Susan Mistreha

TOWN/CITY:

Dover

DATE:

12/7/2020



Property Information

Property ID L0105-F00000
Location 280 A DOVER POINT RD
Owner PANASIS CHARLES & PAULA TRUSTEES
Land Use 101

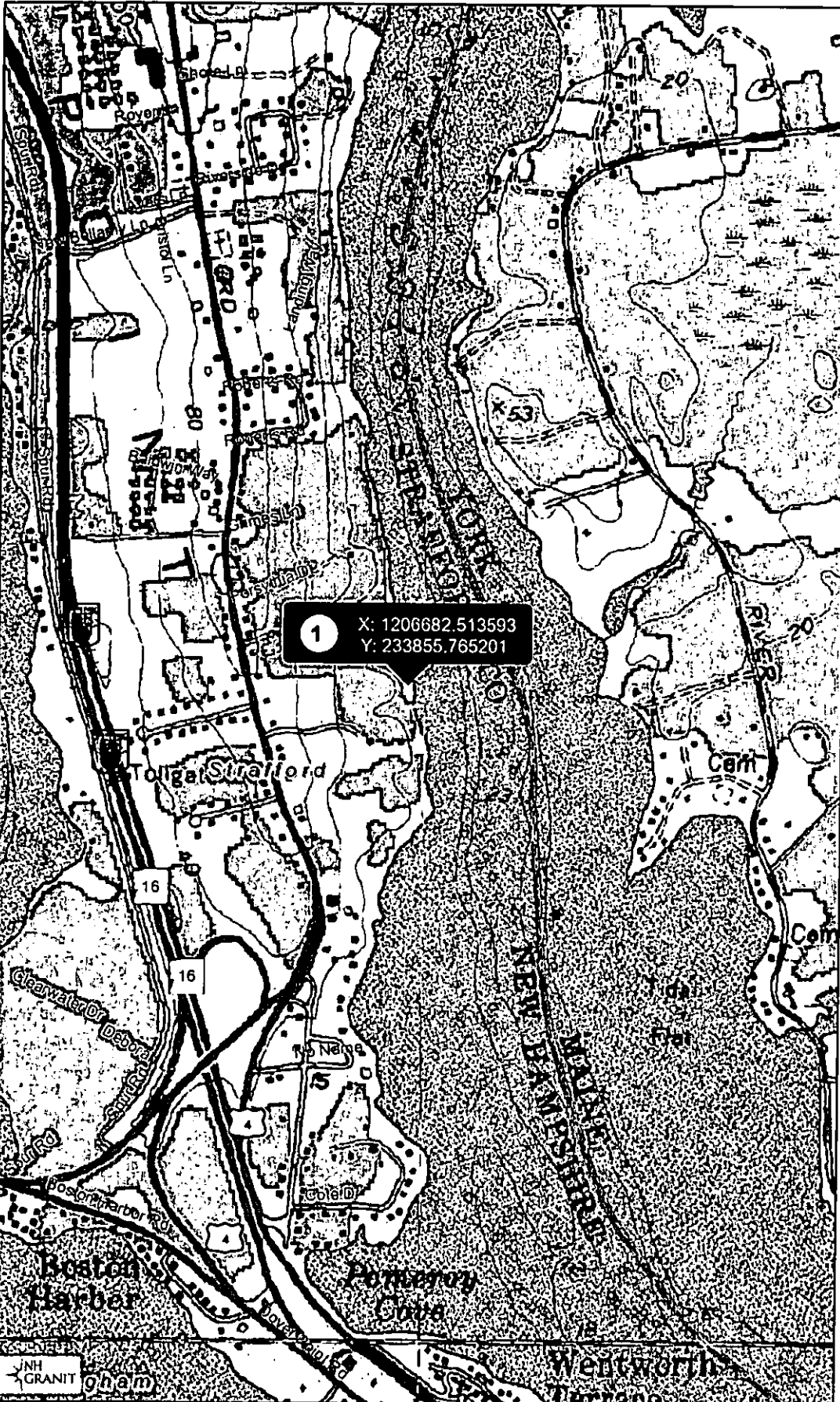


MAP FOR REFERENCE ONLY
NOT A LEGAL DOCUMENT

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 5/20/2020
 Data updated Daily

Map by NH GRANIT



Legend

- State
- County
- City/Town

1 X: 1206682.513593
Y: 233855.765201

Map Scale

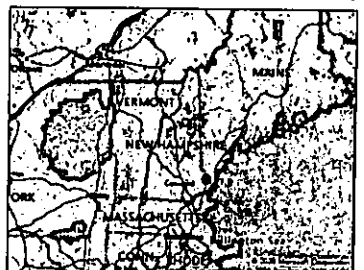
1: 12,988

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Map Generated: 8/24/2020



Notes





NH Dept. of Environmental Services review

Memo



NH NATURAL HERITAGE BUREAU
NHB DATACHECK RESULTS LETTER

To: John Chagnon, Ambit Engineering, Inc.
200 Griffin Road
Unit 3
Portsmouth, NH 03801

From: Amy Lamb, NH Natural Heritage Bureau
Date: 8/31/2020 (valid for one year from this date)
Re: Review by NH Natural Heritage Bureau
NHB File ID: NHB20-2566

Town: Dover

Location: Tax Maps: Tax Map L, Lots 105-F & 105-B

Description: The project proposes an extension of the existing tidal docking structure, construction of an in-ground pool, and construction of a storage shed.

cc: Kim Tuttle

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

Comments: Please contact the NH Fish & Game Department to address wildlife concerns.

Vertebrate species	State ¹	Federal	Notes
Atlantic Sturgeon (<i>Acipenser oxyrinchus</i>)	T	T	Contact the NH Fish & Game Dept and the US Fish & Wildlife Service (see below).
Shortnose Sturgeon (<i>Acipenser brevirostrum</i>)	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.

Contact for all animal reviews: Kim Tuttle, NH F&G, (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 species. An on-site survey would provide better information on what species and communities are indeed present.



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



Robert R. Scott, Commissioner

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

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

ABUTTER'S LIST

JN 3050.28

Client: Paula J. Panasis Revocable Trust

Project Address: 280A Dover Point Road, Dover, NH

MAP	LOT	NAME(S)	PO BOX	STREET ADDRESS	CITY/STATE/ZIP
L	105-B	Charles N. Panasis Rev. Trust Charles N. & Paula J. Panasis Trustees			
L	106	Groux/Bow Street Realty Trust Roger C. Groux Trustee	--		

