



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

**Clark B. Freise, Assistant Commissioner**



June 19, 2017

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

**REQUESTED ACTION**

Approve Alison & Thomas Brackett's request to perform the following work on Great Bay, in Greenland. File # 2017-00592. This project will not have significant impact on or adversely affect the values of Great Bay.

Permanently impact 546 square feet (sq. ft.) of estuarine and marine wetlands and 47 sq. ft. to the previously-developed 100 ft. tidal buffer zone for the construction of a docking structure to include a 4 ft. x 4 ft. wooden landing, a 3 ft. x 20 ft. accessway, a 4 ft. x 40 ft. fixed wooden pier, a 3 ft. x 40 ft. aluminum ramp leading to a 10 ft. x 24 ft. float, with an overall structure length of 128 ft., providing one slip on approximately 2,640 ft. of frontage along Great Bay.

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

1. All work shall be in accordance with plans by Ambit Engineering, Inc. dated January 2017 and revised February 21, 2017 as received by the NH Department of Environmental Services (NHDES) Wetlands Bureau on March 3, 2017.
2. Any future work in jurisdiction as specified in RSA 482-A on this property will require a new application and approval by the NHDES.
3. This permit shall not be effective until recorded at the Rockingham County Registry of Deeds Office by the permittee. Prior to starting work under this permit, the permittee shall submit a copy of the recorded permit to the NHDES by certified mail, return receipt requested.
4. Not less than 5 state business days prior to starting work authorized by this permit, the permittee shall notify the NHDES and the Greenland Conservation Commission in writing of the date on which work under this permit is expected to start.
5. 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.
6. The float shall be fitted with float stops or similar structure so that the float will have minimal contact with the underlying intertidal area.
7. The height of the pier's decking over the surface of the tidal marsh, at normal high tide, shall equal the width of the decking. Decking shall have 3/4-inch spacing between the decking planks.

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

29 Hazen Drive • PO Box 95 • Concord, NH 03302-0095  
(603) 271-3503 • 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. The seasonal structures, including but not limited to ramp and floats, shall be removed during the non-boating season and stored on the existing pier or in an upland location.

#### EXPLANATION

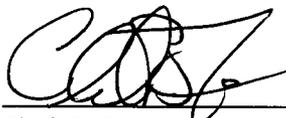
The NHDES Wetlands Bureau approved this project on May 19, 2017. The NHDES supported its decision with the following findings:

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 applicant proposes to gain access to Great Bay for private recreational use; therefore, the need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The pier location will not shade nor adversely impact the nearby area of salt marsh vegetation; therefore, 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) and (c), Requirements for Application Evaluation, has been considered in the design of the project.
5. The applicant has an average of 2,640 linear ft. of frontage along Great Bay.
6. The applicant proposes two boat slips on this frontage per Rule Env-Wt 402.13, Frontage Over 75'.
7. No comments were submitted from the NHFG Nongame and Endangered Wildlife Program or the Natural Heritage Bureau.
8. In a letter dated March 13, 2017, the Pease Development Authority, Division of Ports and Harbors stated, "We examined the proposed site and found that the structure will have no negative effect on navigation in the channel."
9. This dock is consistent with other tidal dock approvals in the seacoast.
10. The NHDES staff field inspection on May 15, 2017 and found the plans accurately reflect field conditions.
11. The NH Division of Historical Resources found "No Potential to cause Effects."
12. 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 marine and estuarine resources, as identified under RSA 482-A:1.

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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.

A handwritten signature in black ink, appearing to read 'Clark B. Freise', written over a horizontal line.

Clark B. Freise  
Assistant Commissioner

CDF/CGA/emk



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

# WETLANDS PERMIT APPLICATION

Land Resources Management  
Wetlands Bureau

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



		Administrative Use Only	File No: <b>2017-00592</b>
			Check No.: <b>0292</b>
			Amount: <b>\$1,026.00</b>
			Initials: <b>Ene</b>

**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: **22 Bracketts Point Road** TOWN/CITY: **Greenland**

TAX MAP: **R-14** BLOCK: LOT: **14** UNIT:

USGS TOPO MAP WATERBODY NAME: **Great Bay**  NA STREAM WATERSHED SIZE:  NA

LOCATION COORDINATES (if known): **X:1,196,583.40 Y:204,937.31**  Latitude/Longitude  UTM  State

**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.

The project proposes 546 sq. ft. of permanent impact to jurisdictional tidal wetland and 47 sq. ft. of permanent impact to the previously developed 100' Tidal Buffer Zone for construction of a docking structure that consists of a 4' x 4' wooden landing, a 3' x 20' accessway, a 4' x 40' fixed wood pier, a 3' x 40' aluminum gangplank, and a 10' x 24' float (overall structure length 128') providing one slip on 2,640 +/- feet of frontage along Great Bay..

**4. SHORELINE FRONTAGE**

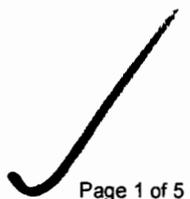
NA This lot has no shoreline frontage. SHORELINE FRONTAGE: **2,640 +/-feet**  
 Shoreline frontage is calculated by determining the average of the distances of the actual natural navigable shoreline frontage and a straight line drawn between the property lines, both of which are measured at the normal high water line.

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

DES Shoreland: **2009-00172** DES Wetland: **1989-00641**

**6. 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 **16** - **3487**



b.  Designated River the project is in ¼ miles of: \_\_\_\_\_; and  
 date a copy of the application was sent to the Local River Management Advisory Committee: Month: \_\_\_ Day: \_\_\_ Year: \_\_\_  
 NA

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

LAST NAME, FIRST NAME, M.I.: **Brackett, Thomas J. & Alison R.**

TRUST / COMPANY NAME:	MAILING ADDRESS: [REDACTED]		
TOWN/CITY: <b>Greenland</b>	STATE: <b>NH</b>	ZIP CODE: <b>03840</b>	
EMAIL or FAX: [REDACTED]	PHONE: [REDACTED]		

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

**8. 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

**9. AUTHORIZED AGENT INFORMATION**

LAST NAME, FIRST NAME, M.I.: **Riker, Steven, D.**      COMPANY NAME: **Ambit Engineering, Inc.**

MAILING ADDRESS: **200 Griffin Road, Unit 3**

TOWN/CITY: <b>Portsmouth</b>	STATE: <b>NH</b>	ZIP CODE: <b>03801</b>
EMAIL or FAX: <b>sdr@ambitengineering.com</b>	PHONE: <b>603-430-9282</b>	

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

**10. 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 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.

 Property Owner Signature	<b>Agent-See Authorization</b>  <b>Steven D. Riker</b> Print name legibly	2 / 27 / 2017  Date
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### MUNICIPAL SIGNATURES

#### 11. 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 reviewed in the standard review time frame.

#### 12. 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.

<i>Marguerite F. Morgan</i> Town/City Clerk Signature	Marguerite F. Morgan Print name legibly	Greenland Town/City	2-27-2017 Date
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**DIRECTIONS FOR TOWN/CITY CLERK:**

Per RSA 482-A:3,1

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

**DIRECTIONS FOR APPLICANT:**

- Submit the 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.

**13. 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	/ <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

shoreland@des.nh.gov or (603) 271-2147  
 NHDES Wetlands Bureau, 29 Hazen Drive, PO Box 95, Concord, NH 03302-0095  
[www.des.nh.gov](http://www.des.nh.gov)

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	47	<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	546	<input type="checkbox"/> ATF	<input type="checkbox"/> ATF
<b>TOTAL</b>	<b>593 /</b>		<b>/</b>

**14. 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: **360** sq. ft. X \$1.00 = **\$ 360.00**

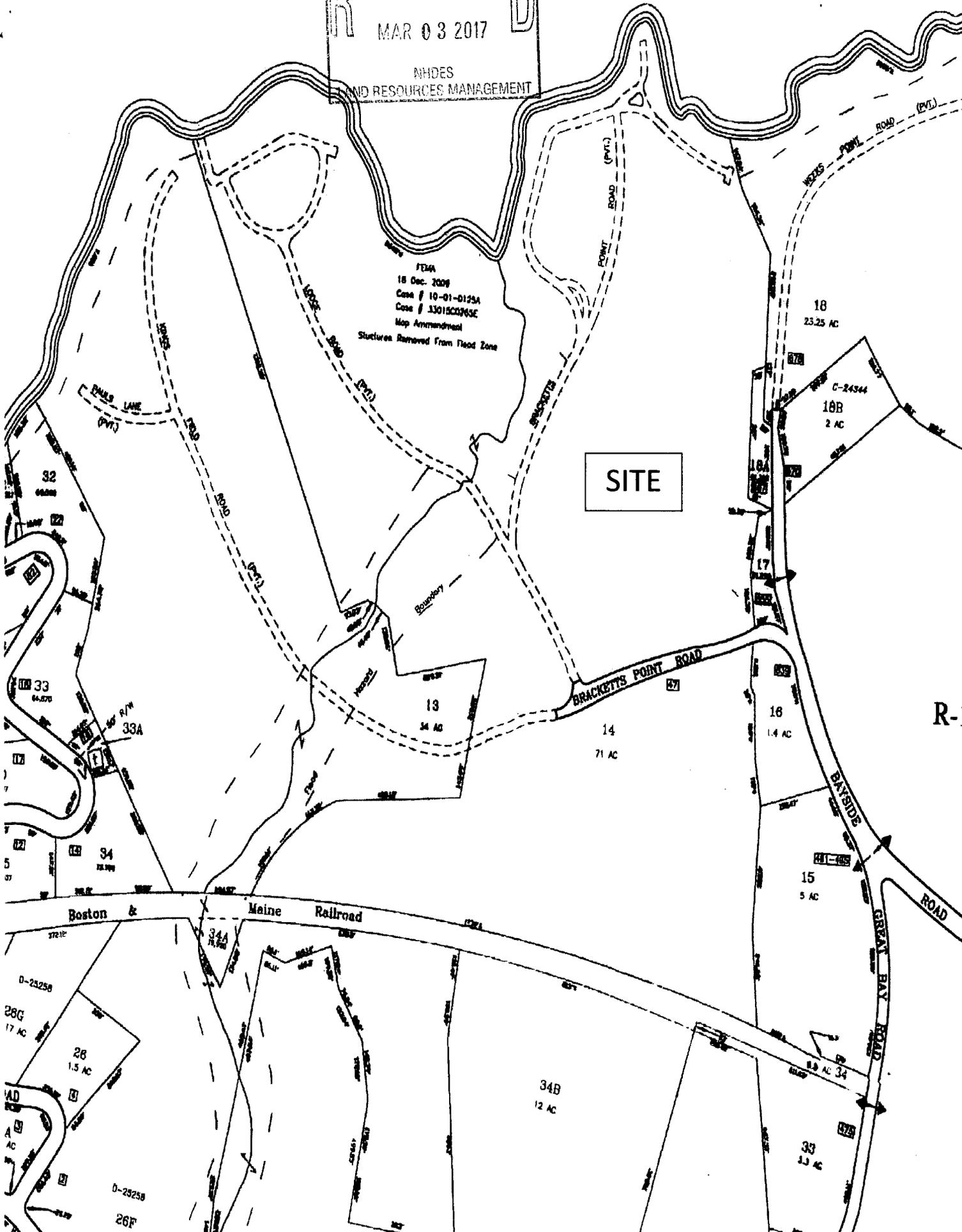
Permanent docking structure: **233** sq. ft. X \$2.00 = **\$ 466.00**

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

**Total = \$ 1,026.00**

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

RECEIVED  
MAR 03 2017  
NHDES  
LAND RESOURCES MANAGEMENT



SITE

R-1

# Map by NH GRANIT



## Legend

- State
- County
- City/Town
- Interstates
- Turnpikes
- US Routes
- State Routes
- Local Roads

RECEIVED  
MAR 03 2017  
NHDES  
LAND RESOURCES MANAGEMENT

Map Scale

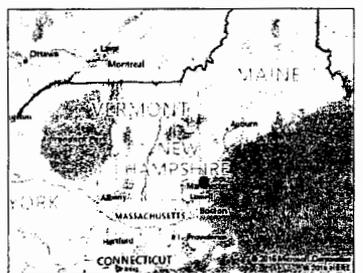
1: 23,170



© NH GRANIT, [www.granit.unh.edu](http://www.granit.unh.edu)

Map Generated: 11/2/2016

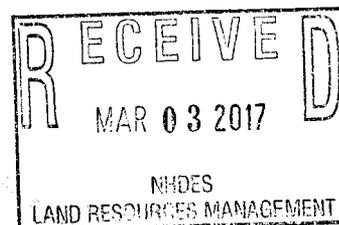
## Notes





NEW HAMPSHIRE NATURAL HERITAGE BUREAU  
NHB DATACHECK RESULTS LETTER

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



**From:** NH Natural Heritage Bureau

**Date:** 11/22/2016 (valid for one year from this date)

**Re:** Review by NH Natural Heritage Bureau of request submitted 11/17/2016

**NHB File ID:** NHB16-3487

**Applicant:** Thomas & Alison Brackett

**Location:** Greenland  
Tax Maps: Tax Map R14, Lot 14

**Project Description:** The project proposes a tidal docking structure on the subject lot.

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.

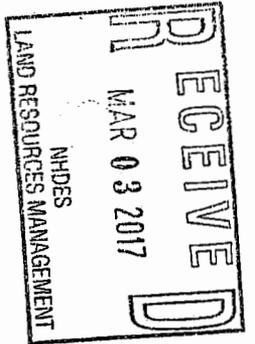
It was determined that, although there was a NHB record (e.g., rare wildlife, plant, and/or natural community) present in the vicinity, we do not expect that it will be impacted by the proposed project. This determination was made based on the project information submitted via the NHB Datacheck Tool on 11/17/2016, and cannot be used for any other project.



MAP OF PROJECT BOUNDARIES FOR: NHB16-3487

NHB16-3487





**ABUTTER'S LIST**

**JN 2552.08**

Thomas J. III and Alison R. Brackett  
 22 Bracketts Point Road  
 Greenland, NH 03840-2146

MAP	LOT	NAME(S)	PO BOX	STREET ADDRESS	CITY/STATE/ZIP
R-14	18	Richard W. Weeks Jr		[REDACTED]	Greenland, NH 03840-2107
R-14	18A	Robert Weeks		[REDACTED]	Greenland, NH 03840-2107
R-14	17	Brian Franklin Beck		[REDACTED]	Greenland, NH 03840-2107
R-14	16	Deborah A. Beck		[REDACTED]	Greenland, NH 03840-2135
R-14	15	Richard W. Weeks Jr		[REDACTED]	Greenland, NH 03840-2119
R-14	13	NH Fish and Game		2 Hazen Drive	Concord, NH 03301
R-14	34	Boston and Maine Corp Guilford Transportation Inc.		ATTN: Real Estate Dept. Iron Horse Park	North Billerica, Ma 01862-1681
Engineer		<b>Ambit Engineering, Inc.</b> Civil Engineers & Land Surveyors		200 Griffin Road, Unit 3	Portsmouth, NH 03801
Applicant/Owner		Thomas J. III and Alison R. Brackett		[REDACTED]	Greenland, NH 03840-2146