



DEPARTMENT OF ENVIRONMENTAL SERVICES



Thomas S. Burack, Commissioner

December 31, 2014

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

REQUESTED ACTION

Approve Michael C. McDonough's request to perform the following work on Little Bay, in Dover. File # 2014-01107. This project will not have significant impact on or adversely affect the values of Little Bay.

Proposal to construct a tidal docking structure consisting of a 4 ft. x 32 ft. permanent pier connecting to a 3 ft. x 30 ft. ramp connecting to 10 ft. x 20 ft. float, overall total dock length 77 ft., providing two slips on 67 ft. of frontage on Little Bay.

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

1. All work shall be in accordance with plans and narrative by Michael McDonough dated August 14, 2014, as received by the Department on August 14, 2014.
2. The seasonal structures (ramp and floats) shall be removed for the non-boating season to an upland location.
3. 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.
4. 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.
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. 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 32 ft. permanent pier connecting to a 3 ft. x 30 ft. ramp connecting to 10 ft. x 20 ft. float, providing two slips on 67 ft. of frontage on Little Bay, shall be the only dock structure on this water frontage.

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.

EXPLANATION

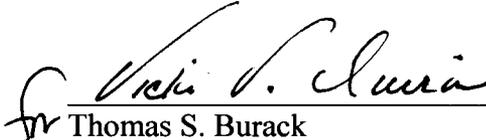
The DES Wetlands Bureau approved this project on December 01, 2014. DES supported its decision with the following findings:

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 Env-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 a sensitive species within the vicinity of the project, but NHB does not expect impacts to the species from the project. 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 August 27, 2014.
6. This dock is consistent with other tidal dock approvals in the seacoast.
7. DES staff field inspection on November 24, 2014 found that the site is accurately represented in the application.
8. The Dover Conservation Commission supported approval of the application.
9. This project has received an extensive inter-agency coordinated review between the state and federal levels.
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.

Her Excellency, Governor Margaret Wood Hassan
and The Honorable Council
Page 3

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/wslsl

1. 2. 3. 4. 5. 6. 7. 8. 9. 10.



THE STATE OF NEW HAMPSHIRE
DEPARTMENT OF ENVIRONMENTAL SERVICES
LAND RESOURCES MANAGEMENT
WETLANDS BUREAU

29 Hazen Drive, PO Box 95, Concord, NH 03302-0095
Phone: (603) 271-2147 Fax: (603) 271-6588
<http://des.nh.gov/organization/divisions/water/wetlands>



PERMIT APPLICATION

| | | |
|--|--------------------------------|------------|
| | COMPLETE MAY 09 2014 | 2014-01107 |
| | | 1623 |
| | | \$760.00 |
| | | 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)

2. PROJECT LOCATION:
Separate applications must be filed with each municipality that jurisdictional impacts will occur in.

ADDRESS: **29 Boston Harbor Rd** TOWN/CITY: **Dover**

TAX MAP: **7** BLOCK: LOT: **13A** UNIT:

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

LOCATION COORDINATES (if known): 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.

Construct a 6' x 24' fixed pier to a 3' x 24' ramp to a 5' x 40' float. Overall structure length of 80'; providing an under-sized slip on 67' of frontage on Little Bay. Fixed pier and ramp will have environmentally friendly Thru Flow Decking. Fixed pier will be a minimum of 6' high.

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 14 - 1609**
- b. Designated River the project is in ¼ miles of _____; and
date a copy of the application was sent to Local River Advisory Committee: Month: ___ Day: ___ Year: ___
- NA

6. APPLICANT INFORMATION (Desired permit holder)

LAST NAME, FIRST NAME, M.I.: **McDonough Michael C.**

TRUST / COMPANY NAME:

MAILING ADDRESS: [REDACTED]

TOWN/CITY: **Lee**

STATE: **NH**

ZIP CODE: **03861**

EMAIL or FAX: [REDACTED]

PHONE: [REDACTED]

ELECTRONIC COMMUNICATION: By initialing here: mcm, 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 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 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 copy of the application materials to the NH State Historic Preservation Officer.
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

→ 
Property Owner Signature

Michael C McDonough

Print name legibly

05 / 07 / 2014

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.

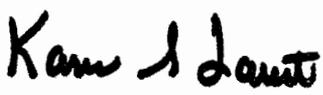
| | | |
|---|--------------------|------|
| <input style="width: 100%; height: 100%;" type="text"/> <p style="margin-top: 5px;">Authorized Commission Signature</p> | Print name legibly | Date |
|---|--------------------|------|

DIRECTIONS FOR CONSERVATION COMMISSION

1. Expedited review ONLY requires that the conservation commission's signature is obtained in the space above.
2. 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 1991), I hereby certify that the applicant has filed five application forms, five detailed plans, and five USGS location maps with the town/city indicated below and I have received and retained certified postal receipts (or copies) for all abutters identified by the applicant.

| | | | |
|---|--------------------|-----------|--------|
| <input style="width: 100%; height: 100%;" type="text"/> <p style="margin-top: 5px;">Town/City Clerk Signature</p> | Print name legibly | Town/City | Date |
|  | Karen S. Lavertu | Dover | 5/7/14 |

DIRECTIONS FOR TOWN/CITY CLERK:

Per RSA 482-A:3, I(d):

1. For applications where "Expedited Review" is checked on page 1, accept the application for mailing only if the Conservation Commission signature has been sought;
2. Collect the postal receipts demonstrating that all abutters and the Local Advisory Committee were sent proper notice;
3. Collect any administrative fees, not to exceed \$10 plus the cost of postage by certified mail (RSA 482-A:3, I).
4. IMMEDIATELY sign the original application and four copies in the signature space provided above;
5. Retain one copy of the application form, one complete set of attachments and the postal receipts demonstrating that all abutters and the Local River Advisory Committee were notified and make them reasonably accessible to the public;
6. 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 in accordance with RSA 482-A:3, I; and
7. IMMEDIATELY send the ORIGINAL application form, one complete set of attachments and filing fee, by CERTIFIED MAIL to the NHDES Wetlands Bureau at the address indicated on page 1 of this application. (DO NOT HOLD FOR CONSERVATION COMMISSION SIGNATURE).

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.

After-the-fact (ATF): work completed prior to receipt of this application by DES. Check box to indicate ATF.

| 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 |
| 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 | 416 <input type="checkbox"/> ATF | <input type="checkbox"/> ATF |
| TOTAL | 416 / | / |

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

Temporary (seasonal) docking structure: 272 sq. ft. X \$1.00 = \$ 272

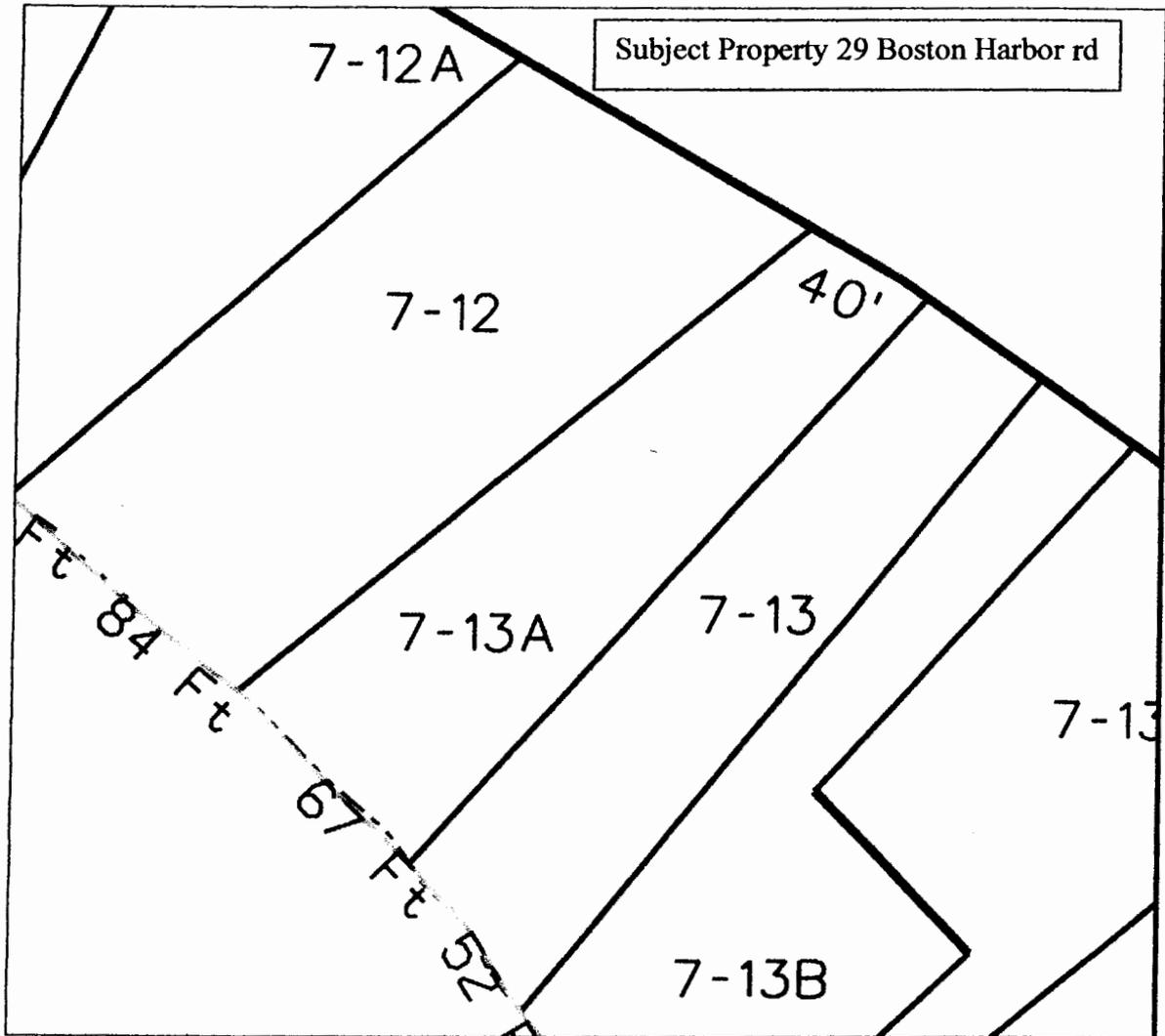
Permanent docking structure: 144 sq. ft. X \$2.00 = \$ 288

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

Total = \$ 760

The Application Fee is the above calculated Total or \$200, whichever is greater = \$ 760

CITY OF DOVER
 STRAFFORD COUNTY, NEW HAMPSHIRE
 TAX ASSESSOR'S MAP
 MAP 7

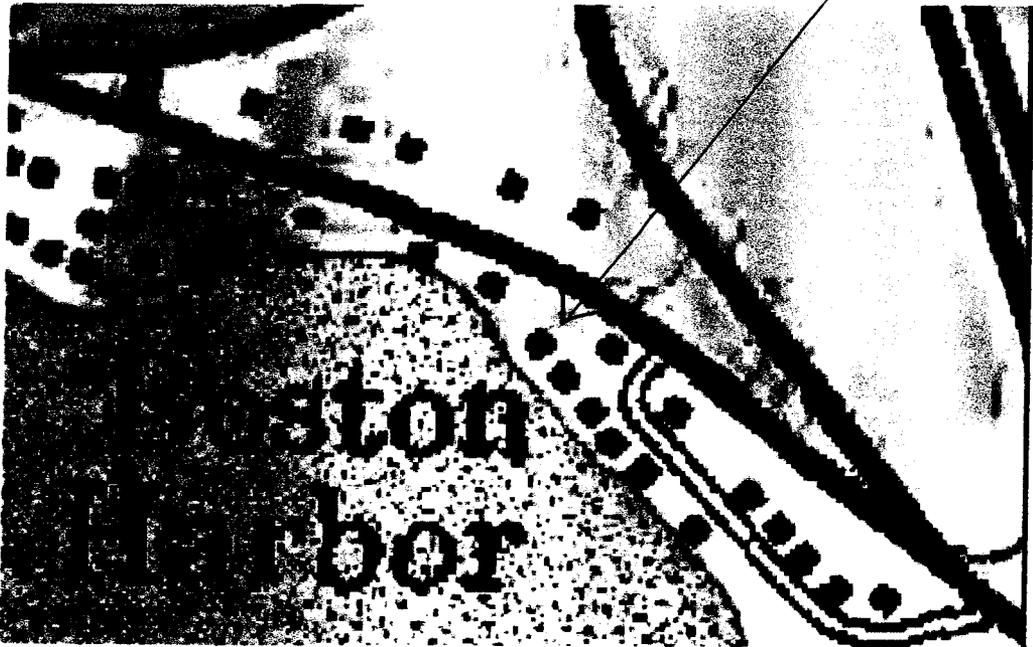


| | Map/Lot # | Owner | Address |
|------------------|-----------|------------------------------|---------------------|
| Abutter | 7-12 | William and Cassandra Miller | 27 Boston Harbor rd |
| Subject Property | 7-13A | Michael and Sandra McDonough | 29 Boston Harbor rd |
| Abutter | 7-13 | Kenneth and Susan McLeary | 31 Boston Harbor rd |

USGS Topographic Map
Dover East 7.5-Minute Survey



29 Boston Harbor



R15
156



NEW HAMPSHIRE NATURAL HERITAGE BUREAU
NHB DATACHECK RESULTS LETTER

To: Michael McDonough
[REDACTED]

Lee, NH 03861

From: NH Natural Heritage Bureau

Date: 5/2/2014 (valid for one year from this date)

Re: Review by NH Natural Heritage Bureau of request submitted 5/1/2014

NHB File ID: NHB14-1609

Applicant: Michael McDonough

Location: Dover
Tax Maps: 7-13A

Project

Description: Construct a 6' x 24' fixed pier to a 3' x 24' ramp to a 5' x 40' float. Overall structure length of 80'; providing an under-sized slip on 67' of frontage on Little Bay. Fixed pier and ramp will have environmentally friendly Thru Flow Decking. Fixed pier will be a minimum of 6' high.

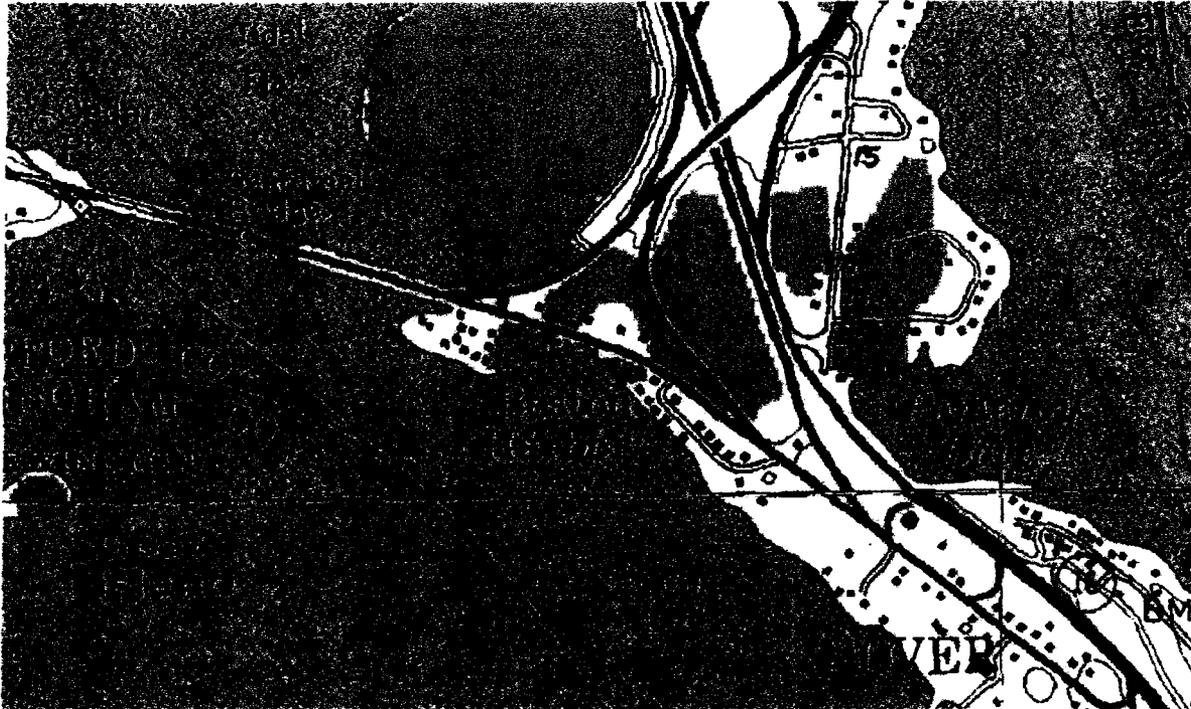
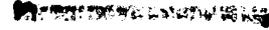
The NH Natural Heritage database has been checked by staff of the NH Natural Heritage Bureau and/or the NH Nongame and Endangered Species Program for records of rare species and exemplary natural communities near the area mapped below. The species considered include those listed as Threatened or Endangered 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 5/1/2014, and cannot be used for any other project.



NEW HAMPSHIRE NATURAL HERITAGE BUREAU
NHB DATA CHECK RESULTS LETTER

MAP OF PROJECT BOUNDARIES FOR: **NHB14-1609**



| SENDER: COMPLETE THIS SECTION | COMPLETE THIS SECTION ON DELIVERY |
|--|---|
| <ul style="list-style-type: none"> Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired. Print your name and address on the reverse so that we can return the card to you. Attach this card to the back of the mailpiece, or on the front if space permits. | <p>A. Signature <input type="checkbox"/> Agent <input type="checkbox"/> Addressee</p> <p><i>X Owen Kennett</i></p> <p>B. Received by (Printed Name) C. Date of Delivery</p> |
| <p>1. Article Addressed to:</p> <p>Ray + Susan Kennett [REDACTED] Stanfordville, NY 12581</p> | <p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes <input type="checkbox"/> No If YES, enter delivery address below:</p> <p>3. Service Type <input type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail <input type="checkbox"/> Registered <input type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.</p> <p>4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes</p> |
| <p>2. Article Number (Transfer from service label) <u>7011 2000 0001 0102 7561</u></p> | |
| <p>PS Form 3811, February 2004 Domestic Return Receipt 102595-02-M-1540</p> | |

Delivery Confirmation
Abutters at lot 7-13

| SENDER: COMPLETE THIS SECTION | COMPLETE THIS SECTION ON DELIVERY |
|--|---|
| <ul style="list-style-type: none"> Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired. Print your name and address on the reverse so that we can return the card to you. Attach this card to the back of the mailpiece, or on the front if space permits. | <p>A. Signature <input type="checkbox"/> Agent <input type="checkbox"/> Addressee</p> <p><i>X [Signature]</i></p> <p>B. Received by (Printed Name) C. Date of Delivery</p> |
| <p>1. Article Addressed to:</p> <p>[REDACTED] + Sandy Miller [REDACTED] Marco Island, FL 34146</p> | <p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes <input type="checkbox"/> No If YES, enter delivery address below:</p> <p>3. Service Type <input type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail <input type="checkbox"/> Registered <input type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.</p> <p>4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes</p> |
| <p>2. Article Number (Transfer from service label) <u>7011 2000 0001 0102 7554</u></p> | |
| <p>PS Form 3811, February 2004 Domestic Return Receipt 102595-02-M-1540</p> | |

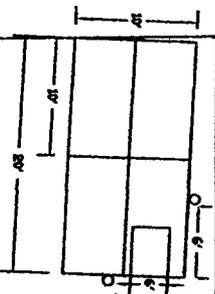
Delivery Confirmation
Abutters at lot 7-12

MLT (0.0')

(4) 5' x 10' easy-dock floating sections

10' Piling Locations

Approx 77 ft



Fixed Pier

30'

10' from property line

MHT (6.4')

Galvanized steel Rod

Property Line Approx 147.7'

Shoreline

House

Property Line Approx 152.6'

Stainless Steel Survey pin



MHT (6.4')

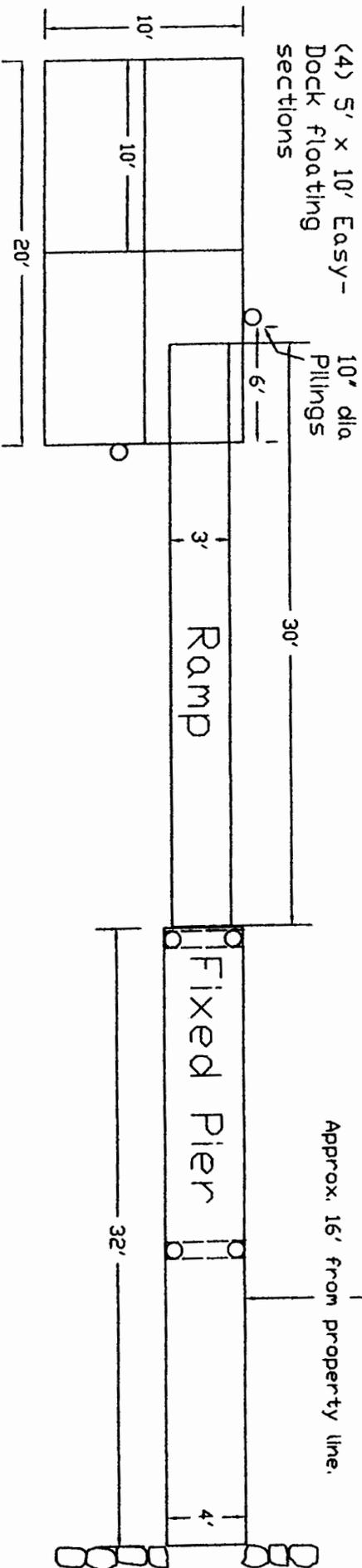
Area of eel grass

MLT (0.0')

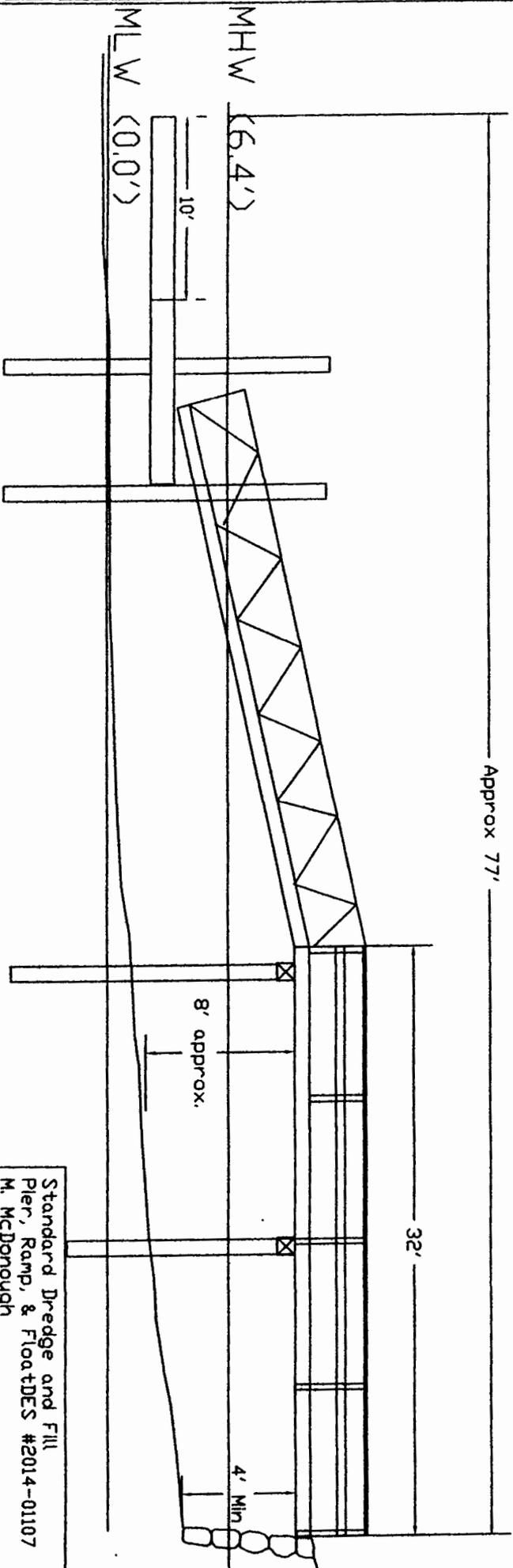
- Notes:
1. Very little salt marsh vegetation exists under the area where the pier and floats will be located. A large oak tree currently shades the area of the fixed pier.
 2. Below the pier and floats is sand and mud.
 3. Pier maintains a more than a 1:1 height to width ratio over substrate.
 4. The float configuration allows for 1 undersize slip.
 5. Location and configuration is the safest and least impact design for this shorefront.
 6. The contour of the bottom of the Easy-Dock floats provides for built in float stops.

Pier, Ramp, & Float DES# 2014-011107
 M. McDonough
 29 Boston Harbor Rd
 603-682-2485
 6/4/2014 Rev 8/14/2014

(4) 5' x 10' Easy-Dock floating sections



Approx 77'



Standard Dredge and Fill
 Pier, Ramp, & FloatDES #2014-01107
 M. McDonough
 29 Boston Harbor Rd
 603-682-2485
 5/2/2014 Rev. 8/14/2014