



The State of New Hampshire
Department of Environmental Services



Robert R. Scott, Commissioner

April 24, 2019

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

REQUESTED ACTION

Approve The Pier People, LLC's request to perform the following work on Little Harbor in New Castle. File # 2017-03118. This project will not have significant impact on or adversely affect the values of Little Harbor.

Maintenance dredge 2,821 square feet (135.6 cubic yards) of accumulated sediments and rock from under the northerly ends of floating dock walkways A & B in the vicinity of the gangways.

The New Hampshire Department of Environmental Services (NHDES) imposed the following conditions as part of this approval:

1. All work shall be in accordance with plans by Watermark Marine Systems dated September 25, 2017 and revised through January 30, 2019 as received by the NHDES on February 5, 2019.
2. No dredging activities shall occur outside the standard dredging window for tidal waters of November 15 to March 15 without prior written approval from the NH Fish & Game, Marine Division.
3. No person undertaking any activity shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards in RSA 485-A and Env-Wq 1700.
4. Not less than 5 state business days prior to starting work authorized by this permit, the permittee shall notify the NHDES in writing of the date on which work under this permit is expected to start.
5. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and water at the work site has returned to normal clarity.
6. All dredged material shall be placed outside of the areas subject to RSA 482-A.
7. Dredged material to be stockpiled in uplands shall be dewatered in sedimentation basins lined with siltation and erosion controls, and located outside jurisdiction to prevent water quality degradation.
8. Construction equipment shall be inspected daily for leaking fuel, oil, and hydraulic fluid prior to entering surface waters or wetlands or operating in an area where such fluids could reach groundwater, surface waters, or wetlands.
9. The permittee's contractor shall maintain appropriate oil/diesel fuel spill kits on site that are readily accessible at all times during construction, and shall train each operator in the use of the kits.
10. All refueling of equipment shall occur outside of surface waters or wetlands during construction. Machinery shall be staged and refueled in upland areas only.

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

EXPLANATION

The NHDES approved this project on March 18, 2019. 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 repair of existing structures pursuant to Env-Wt 303.04(v).
2. Accumulated sediment in the inter tidal area is causing the floating docks to ground out thereby damaging these and other associated structures and facilities as well as creating a hazard to public safety.
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 NHDES' 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) & (c), Requirements for Application Evaluation, has been considered in the design of the project.
5. The application included NH Natural Heritage Bureau (NHB) Datacheck Results Letter NHB17-2930 stating, "It was determined, although there was a NHB record [...] present in the vicinity, we do not expect that it will be impacted by the proposed project."
6. In a letter dated August 14, 2019, NH Pease Development Authority, Division of Ports and Harbors, stated, "We examined the proposed site and found that the project will have no negative effect on navigation."
7. No comments were received from the New Castle Conservation Commission on the application.
8. The NH Division of Historical Resources has reviewed the project and found "No Historic Properties Affected."
9. The National Ocean and Atmospheric Administration, National Marine Fisheries Service has reviewed the proposed project and found "this will have minimal impacts to sensitive habitats."
10. 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 estuarine resource, as identified under RSA 482-A:1.

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.

Respectfully submitted,



Robert R. Scott
Commissioner



NEW HAMPSHIRE DEPARTMENT OF Environmental Services

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

* DES COPY *

ORIG. PHOTOS

ATTACHED



			<p>2017-0311X 110109 564-20 de</p>
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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: **116 Morgan's Way** TOWN/CITY: **New Castle**

TAX MAP: **002** BLOCK: **2-Marina** LOT: **000** UNIT: **000**

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

LOCATION COORDINATES (if known): **43°3.5034N/70°43.5466W** 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.

Maintenance dredge two areas of approximately 2,821 sq ft for safe navigation adjacent to previously permitted docking structures and clearance for dock floats on bottom at low tides...all spoils shall be hauled from the site and disposed of upland, out of jurisdiction...work to occur between Nov 15 - Mar 15...of course, the project areas will be surrounded with a turbidity curtain during work and until stabilization...

4. SHORELINE FRONTAGE

NA This lot has no shoreline frontage. SHORELINE FRONTAGE: _____

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.

Orig. Permit #P-973 (USACOE #26-82-613-NH-PORT-85-149), 2005-02600, 2008-02626

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 17 - 2930

b. Designated River the project is in X 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.: **OWNER IS APPLICANT...**

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

8. PROPERTY OWNER INFORMATION (If different than applicant)

LAST NAME, FIRST NAME, M.I.: **dba: Wentworth By The Sea Marina**

TRUST / COMPANY NAME: **The Pier People, LLC**

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.: **Paul W. Goodwin**

COMPANY NAME: **Watermark Marine**

MAILING ADDRESS: **1218 Union Avenue**

TOWN/CITY: **Laconia**

STATE: **NH**

ZIP CODE: **03246**

EMAIL or FAX: **pwg@watermarkmarine.com**

PHONE: **603-293-4000**

ELECTRONIC COMMUNICATION: By Initialing here **PWG**, 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) 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.

NOIC

Property Owner Signature

Print name legibly

Date

Spencer Epperson

10/10/17

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.

<input type="text"/>	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 be 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.

 Town/City Clerk Signature	 Print name legibly	 Town/City	 Date
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DIRECTIONS FOR TOWN/CITY CLERK

Per RSA 482-A:31

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.

B. 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	2,821 +/- /	/
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 checked="" type="checkbox"/> ATF	<input type="checkbox"/> ATF
Previously-developed upland in TBZ	<input checked="" type="checkbox"/> ATF	<input type="checkbox"/> ATF
Docking - Lake / Pond	<input checked="" type="checkbox"/> ATF	<input type="checkbox"/> ATF
Docking - River	<input type="checkbox"/> ATF	<input checked="" type="checkbox"/> ATF
Docking - Tidal Water	<input type="checkbox"/> ATF	<input checked="" type="checkbox"/> ATF
TOTAL	/	/

C. APPLICATION FEE See the Instructions & Required Attachments document for further instructions.

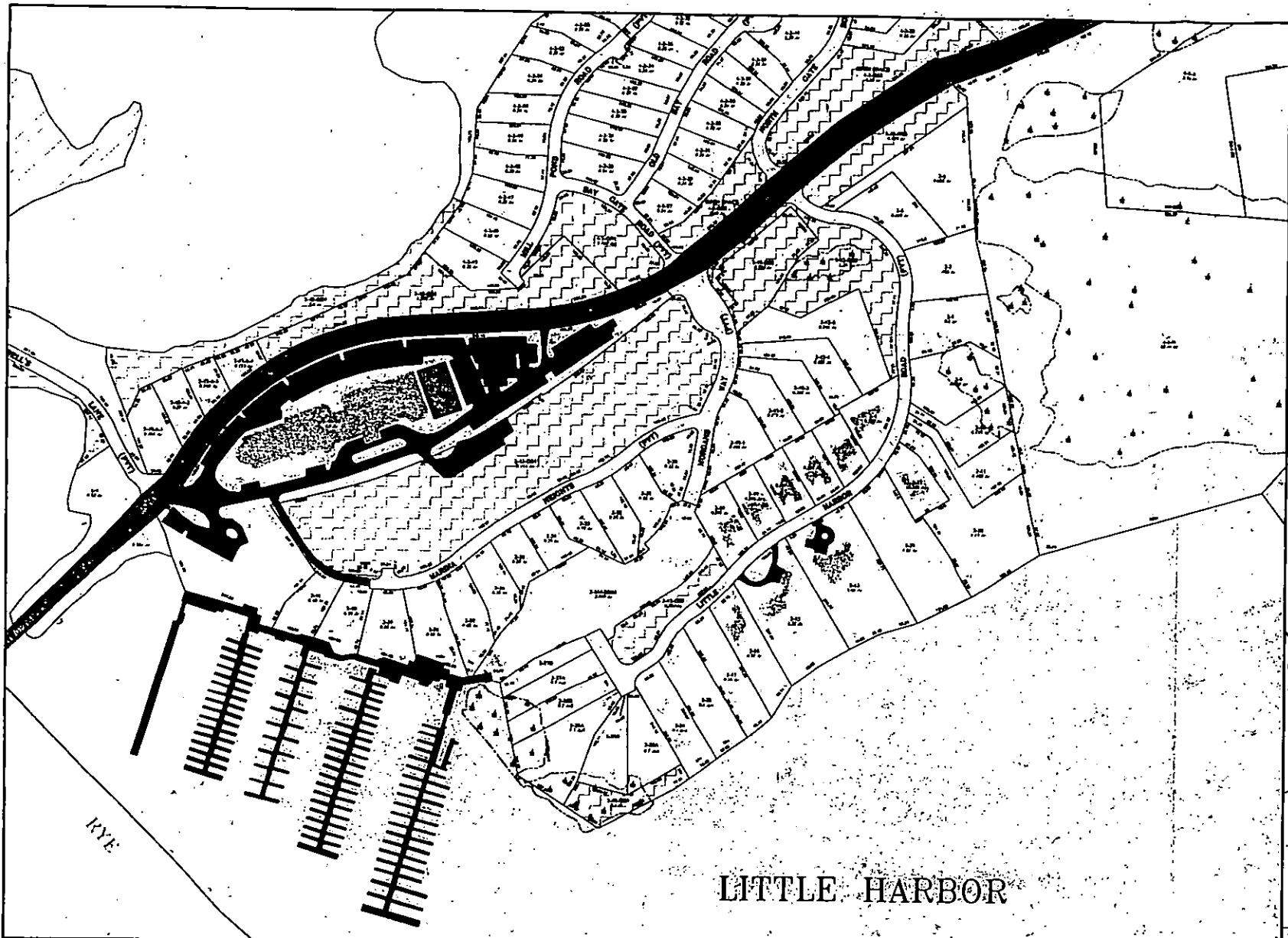
Minimum Impact Fee: Flat fee of \$200

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

Permanent and Temporary (non-docking)	2,821 sq. ft.	X \$0.20 =	\$564.20
Temporary (seasonal) docking structure	sq. ft.	X \$1.00 =	\$
Permanent docking structure	sq. ft.	X \$2.00 =	\$
Projects proposing shoreline structures (including docks) add \$200 =			\$
Total =			\$564.20

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

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



LITTLE HARBOR

Territory Map

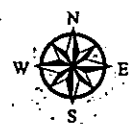
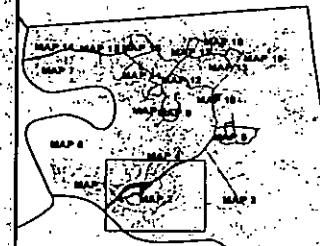


Town of
NEW CASTLE
Rockingham County
New Hampshire

LEGEND

- PARCEL INFO**
 1-3-3 Map-Lot-Sub
 .92 Ac.± Parcel Acreage
 C-Color-coded, 1/4" = 100'
 183' Dimensions (Feet)
- WATER FEATURES**
 Wetlands
 Ocean or Rivers
- LAND**
 Conservation
 Open Space
 Town Owned
- ROADS**
 Right of Way
 Private
 Town Maintained
 State Maintained

SCALE



MAP
2

For Amendment Purposes
 Not to be used for encroachments
 Revised April 1, 2012

REDUCED
COPY

Map by NH GRANIT



Legend

- State
- County
- City/Town

① Lat: 43° 53.503362' N
Lon: 70° 43.546644' W

Map Scale
1: 24,000



© NH GRANIT, www.granit.unh.edu
Map Generated: 9/28/2017

Notes





NEW HAMPSHIRE NATURAL HERITAGE BUREAU
NHB DATACHECK RESULTS LETTER

To: Paul Goodwin, Watermark Marine Construction
Watermark Marine Construction
1218 Union Avenue
Laconia, NH 03246

From: NH Natural Heritage Bureau

Date: 9/27/2017 (valid for one year from this date)

Re: Review by NH Natural Heritage Bureau of request submitted 9/20/2017

NHB File ID: NHB17-2930

Applicant: PierPeople, LLC

Location: New Castle
Tax Maps: "2-Marina"

Project

Description: maintenance dredge landward end of "A" dock and "B" dock approx.
2695 sq ft

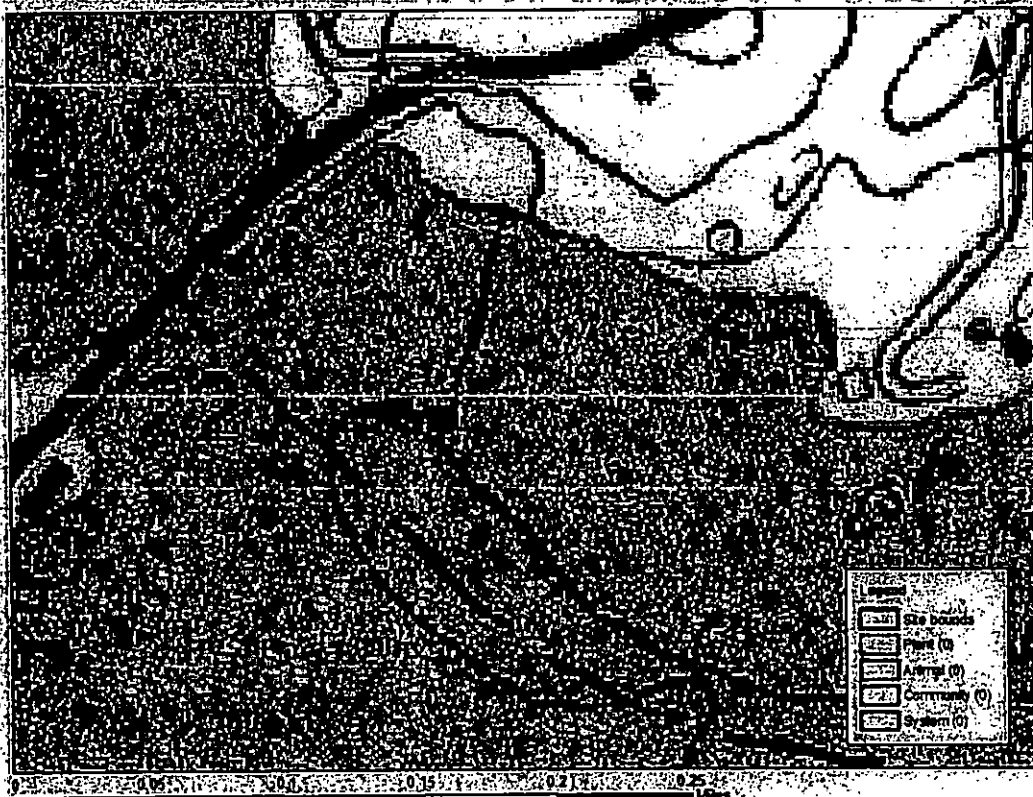
The NH Natural Heritage database has been checked by staff of the NH Natural Heritage Bureau and/or the NH Nongame and Endangered Species Program for records of rare species and exemplary natural communities near the area mapped below. The species considered include those listed as Threatened or Endangered 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 9/20/2017, and cannot be used for any other project.



MAP OF PROJECT BOUNDARIES FOR: NHB17-2930

NHB17-2930



ABUTTER LIST - Wentworth Marina (TM/LOT: #002-2-Marina):

Lot 2-18

Paul & Carol Shepis

Lot 2-28

WBTS Assoc.

Lot 2-30

Loren Buxton

Lot 2-31

Curtis King Revoc. Trust

Lot 2-32

Bernard Percaprio Revoc. Trust

Lot 2-33

PMC Revoc. Trust

Lot 2-34

The RLP Reality Trust

Lot 2-35

Robert Rais Revocable Trust

Lot 2-36

Burke Revoc. Trust

Lot 2-37

A. Williamson Revoc. Trust

ABUTTER LIST - Wentworth Marina (TM/LOT: #002-2-Marina):

Lot 2-38

John & Diana Appleton

Lot 2-39

Stuart Steele

Lot 2-40

Carrine Reed

Lot 2-41

Timothy Collins

Lot 2-26A

Robert & Rosa Bean

Lot 2-26B

William Cronin III, Tstee

Lot 2-27A

Brooks Tingle

Kristen Hayes-Tingle

Lot 2-27B

William Richards Marital Trust

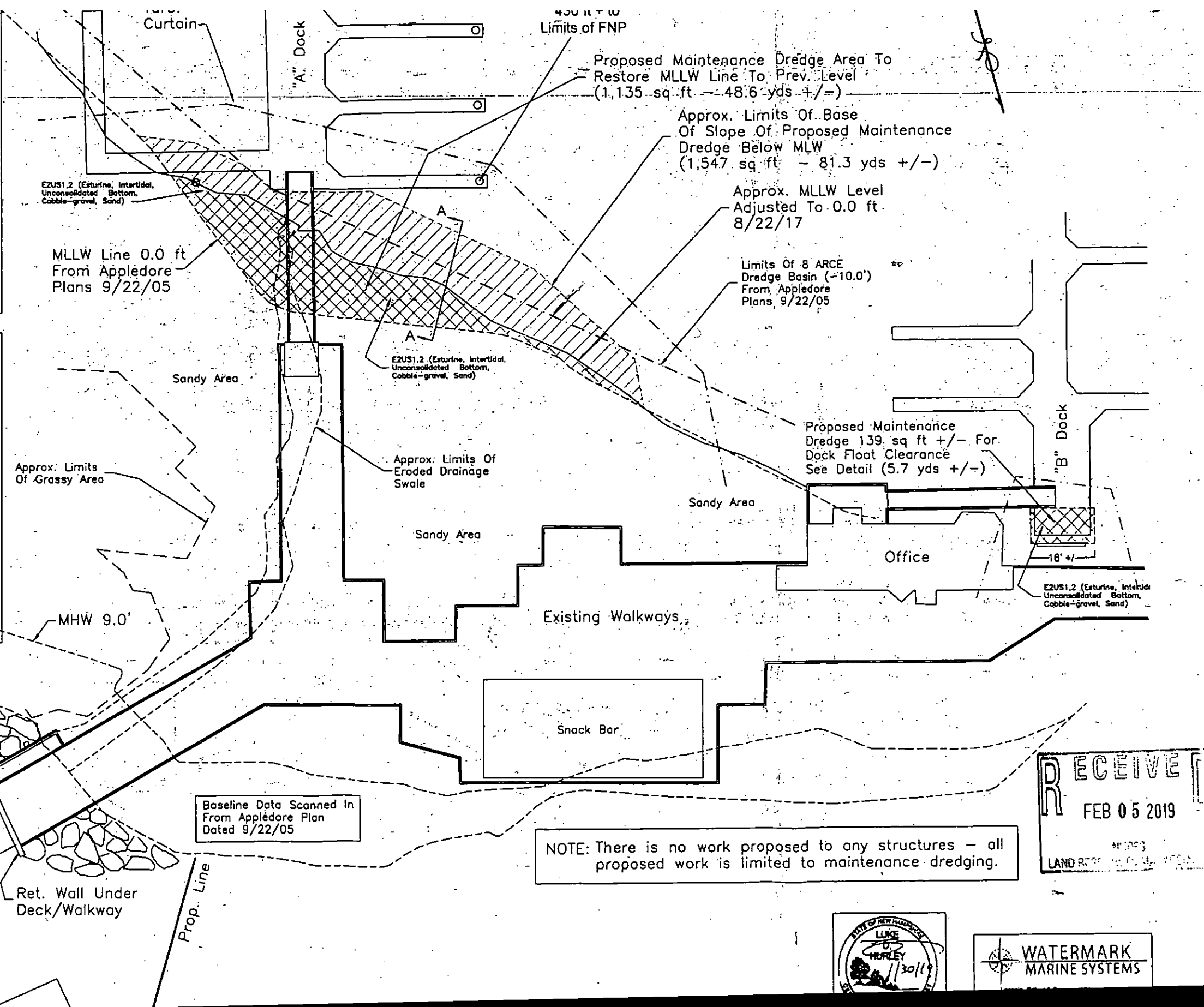
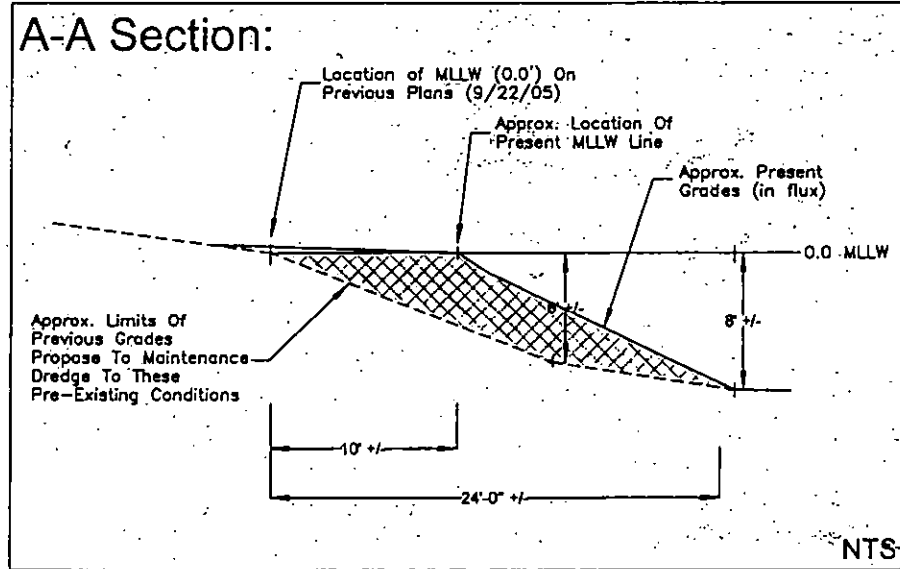
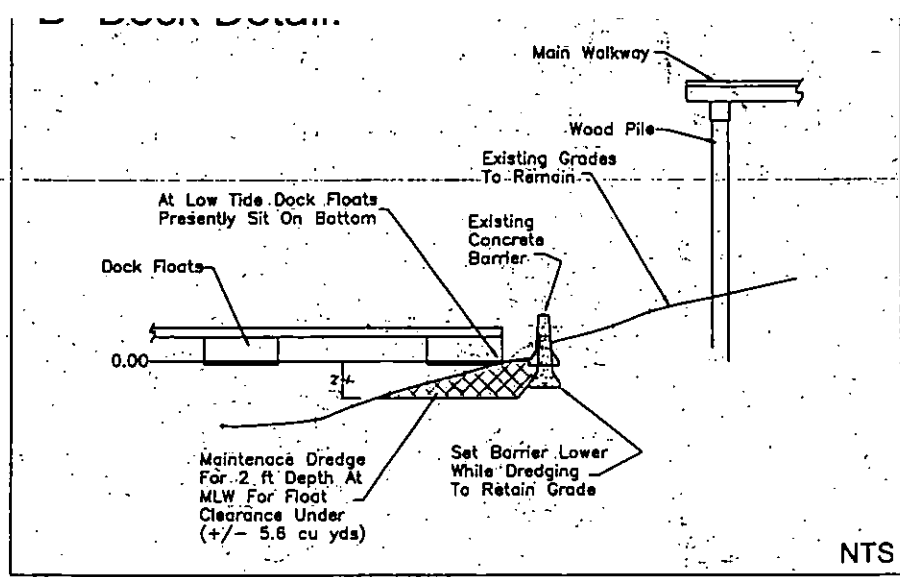
Lot 2-43-10

Wentworth Resort, LLC

Lot 2-43-0S1

New Castle Wentworth LLC

Condo Association



PARTIAL MARINA PLAN:
Work Proposed Under This
Permit Application Is Limited
To That Shown Above - No
Other Work Proposed

WBTS Marina
New Castle, NH
9/25/17 1" = 25'
REV 1/30/19

Baseline Data Scanned In
From Appledore Plan
Dated 9/22/05

NOTE: There is no work proposed to any structures - all
proposed work is limited to maintenance dredging.

RECEIVED
FEB 05 2019
LAND REFORM

