



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



**Robert R. Scott, Commissioner**

June 14, 2018

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

**REQUESTED ACTION**

Approve Margaret M. Gabriel Revocable Trust's request to perform the following work on the Piscataqua River, in Dover. File # 2018-00220. This project will not have significant impact on or adversely affect the values of the Piscataqua River.

Construct a tidal docking structure consisting of a 4 foot x 75 foot permanent pier, connecting to a 3 foot x 50 foot gangway, connecting to an 8 foot x 20 foot float and an 8 foot x 62 foot float with three 4 foot x 24 foot finger piers, with an overall structure length seaward of highest observable tide line of 169 feet, providing seven slips on a combined 450 feet of frontage on the Piscataqua River. Three frontages were combined to design a shared docking structure with perpetual deed restrictions for the two alternate lots.

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 Riverside & Pickering Marine Contractors dated January 18, 2018, and revised through May 08, 2018, last received by the NH Department of Environmental Services (NHDES) on May 08, 2018.
2. This permit shall not be valid until it, along with the Declarations of Forfeiture to forfeit the right to wharf from lots L-98 and L-101 are recorded at the Rockingham County Registry of Deeds Office with the three subject parcels (L-98, L-99 and L-101) by the permittee. A copy of the recorded permit and recorded Declarations shall be submitted to the NHDES Wetlands Bureau prior to the commencement of construction.
3. Not less than 5 state business days prior to starting work authorized by this permit, the permittee shall notify the NHDES Wetlands Bureau Pease office and the local conservation commission in writing of the date on which work under this permit is expected to start.
4. There shall be no removal of mature trees along the shoreline of the river on this property associated with the construction of the dock.
5. This tidal docking structure consisting of a 4 foot x 75 foot permanent pier, connecting to a 3 foot x 50 foot gangway, connecting to an 8 foot x 20 foot float and an 8 foot x 62 foot float with three 4 foot x 24 foot finger piers with an overall structure length seaward of highest observable tide line of 169 feet, providing seven slips on a combined 450 feet of frontage on the Piscataqua River, shall be the only structure on the frontage.
6. The height of the pier's decking over the surface of the tidal marsh at mean high tide shall equal the width of the decking. Decking shall have 3/4-inch spacing between the decking planks.
7. The seasonal structures, including but not limited to the gangway and floats, shall be removed during the non-boating season and stored on the existing pier or in an upland location.
8. Any future work in jurisdiction as specified in RSA 482-A on this property will require a new application and approval by the NHDES.

[www.des.nh.gov](http://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. 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 New Hampshire Administrative Rule Env-Wq 1700.
10. Appropriate siltation and erosion controls shall be in place prior to construction, shall be maintained during construction, and shall remain in place until the area is stabilized. Temporary controls shall be removed once the area has been stabilized.
11. Construction of the dock shall occur from land, or from a barge and crane if land-based construction is not feasible, to reduce potential impacts to the salt marsh and intertidal zone.
12. Pile driving or pile removal work shall be done during low tide.
13. Pilings to be removed shall be cut level with the substrate rather than pulled in order to limit the creation of turbidity.
14. All work shall be conducted in a manner so as to minimize turbidity and sedimentation to surface waters and wetlands.
15. All work shall be conducted in a manner that avoids excessive discharges of sediments to fish spawning areas.
16. All construction-related debris shall be properly disposed of outside of the areas subject to RSA 482-A.
17. Within three days of final grading or temporary suspension of work in an area that is 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.

#### EXPLANATION

The NHDES Wetlands Bureau approved this project on May 18, 2018. The NHDES supported its decision with the following findings:

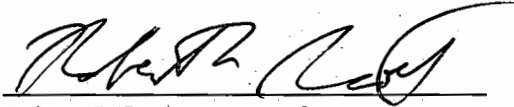
1. This is a Major Project per Administrative Rule Env-Wt 303.02(a), projects in sand dunes, tidal wetlands or bogs, except for the repair of existing structures pursuant to Env-Wt 303.04(v).
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01. There is currently no dock present on the frontage.
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 dock is the minimum length necessary to provide full tide access at mean lower low water at this location and to a water depth which will prevent the float and vessel from sitting on the mud at low tide.
5. The shared common dock is designed to accommodate three contiguous lots totaling 450 feet of frontage. This is less impactful than three separate docking structures and is in accordance with RSA 482-A:3 XIII(d) for a common dock.
6. 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.
7. NH Natural Heritage Bureau (NHB) report submitted with the application package (NHB18-0059) stated that there are "no recorded occurrences for sensitive species near this project area".
8. In correspondence dated January 30, 2018, the Pease Development Authority, Division of Ports and Harbors determined that the project would have no negative effect on navigation in the channel.
9. This dock is consistent with other tidal dock facility approvals in the seacoast.
10. The NHDES staff field inspection on May 14, 2018 found that plans accurately reflect field conditions and that the proposed design will not obstruct near-shore navigation.
11. On May 10, 2018 a Declaration was signed to perpetually forfeit the right to wharf from lots L-98 and L-101 with the right of access across lot L-99 to and from this subject docking system located on lot L-99.
12. No comments of concern were received by the NHDES from abutters or local governing organizations.

His Excellency, Governor Christopher T. Sununu  
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.

A handwritten signature in black ink, appearing to read "Robert R. Scott", written over a horizontal line.

Robert R. Scott  
Commissioner



# WETLANDS PERMIT APPLICATION

Water Division/ Wetlands Bureau  
Land Resources Management

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



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

			File No: 2018-00220
			Check No: 0987
			Fee: \$1,894.00
			Preparer: 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 only)

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

ADDRESS: **Dover Point Road, Map L Lot 99 (Address Pending)**      TOWN/CITY: **Dover**

TAX MAP: **L**      BLOCK:      LOT: **99**      UNIT:

USGS TOPO MAP WATERBODY NAME: **Piscataqua River**       NA      STREAM WATERSHED SIZE:       NA

LOCATION COORDINATES (If known): **n 43.1406430 w -70.8342510**       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.

The project consists the construction of a new community docking structure on the subject parcel. The new dock will consist of a 4'x75' fixed pier leading to a 3'x50' seasonal gangway landing a six (6) slip floating dock system. There will be an 8'x20' landing float leading to a 62'x8' main float and three 4'x24' finger floats will be attached. The gangway and floats will be seasonal structures. *1394 SF #1*

**4. SHORELINE FRONTAGE**

NA This lot has no shoreline frontage.      SHORELINE FRONTAGE: **+/- 450'**  
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...**

**NEED SHORELAND FILE NUMBER FROM STEVE HAIGHT**

**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 18 - 0059
- 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

<b>7. APPLICANT INFORMATION (Desired permit holder)</b>			
LAST NAME, FIRST NAME, M.I.: <b>Gabriel, Margaret, M.</b>			
TRUST / COMPANY NAME: <b>Margaret M Gabriel Revocable Trust</b>		MAILING ADDRESS: [REDACTED]	
TOWN/CITY: <b>Dover</b>		STATE: <b>NH</b>	ZIP CODE: <b>03820</b>
EMAIL or FAX: <b>*See agent info</b>		PHONE: <b>*See agent info</b>	
ELECTRONIC COMMUNICATION: By initialing here: <b>GMM</b> , I hereby authorize NHDDES to communicate all matters relative to this application electronically			
<b>8. PROPERTY OWNER INFORMATION (If different than applicant)</b>			
LAST NAME, FIRST NAME, M.I.: <b>Same as above</b>			
TRUST / COMPANY NAME:		MAILING ADDRESS:	
TOWN/CITY:		STATE:	ZIP CODE:
EMAIL or FAX:		PHONE:	
ELECTRONIC COMMUNICATION: By initialing here: <b>MMG</b> , I hereby authorize NHDDES to communicate all matters relative to this application electronically			
<b>9. AUTHORIZED AGENT INFORMATION</b>			
LAST NAME, FIRST NAME, M.I.: <b>Taylor, Zachary</b>		COMPANY NAME: <b>Riverside and Pickering Marine</b>	
MAILING ADDRESS: <b>34 Patterson Lane</b>			
TOWN/CITY: <b>Newington</b>		STATE: <b>NH</b>	ZIP CODE: <b>03801</b>
EMAIL or FAX: <b>zach@riversideandpickering.com</b>		PHONE: <b>603-427-2824</b>	
ELECTRONIC COMMUNICATION: By initialing here: <b>ZT</b> , I hereby authorize NHDDES to communicate all matters relative to this application electronically			
<b>10. PROPERTY OWNER SIGNATURE</b>			
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"> <li>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.</li> <li>I have reviewed and submitted information &amp; attachments outlined in the Instructions and Required Attachment document.</li> <li>All abutters have been identified in accordance with RSA 482-A:3, I and Env-Wt 100:900.</li> <li>I have read and provided the required information outlined in Env-Wt 302.04 for the applicable project type.</li> <li>I have read and understand Env-Wt 302.03 and have chosen the least impacting alternative.</li> <li>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.</li> <li>I have submitted a Request for Project Review (RPR) Form (<a href="http://www.nh.gov/nhdhr/review">www.nh.gov/nhdhr/review</a>) 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.</li> <li>I authorize NHDDES and the municipal conservation commission to inspect the site of the proposed project.</li> <li>I have reviewed the information being submitted and that to the best of my knowledge the information is true and accurate.</li> <li>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.</li> <li>I am aware that the work I am proposing may require additional state, local or federal permits which I am responsible for obtaining.</li> <li>The mailing addresses I have provided are up to date and appropriate for receipt of NHDDES correspondence. NHDDES will not</li> </ol>			
 Property Owner Signature		<b>Zachary Taylor</b> <b>Riverside and Pickering Marine</b>	<b>1 / 18 / 2018</b> Date

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

## 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 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.

### 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.

<input style="width: 100%; height: 100%;" type="text"/>	<input style="width: 100%; height: 100%;" type="text"/>	<input style="width: 100%; height: 100%;" type="text"/>	<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.

**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.	ATF	TEMPORARY Sq. Ft. / Lin. Ft.	ATF
Forested wetland		<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"/>
Intermittent stream		<input type="checkbox"/>		<input type="checkbox"/>
Perennial Stream / River	/	<input type="checkbox"/>	/	<input type="checkbox"/>
Lake / Pond	/	<input type="checkbox"/>	/	<input type="checkbox"/>
Bank - Intermittent stream	/	<input type="checkbox"/>	/	<input type="checkbox"/>
Bank - Perennial stream / River	/	<input type="checkbox"/>	/	<input type="checkbox"/>
Bank - Lake / Pond	/	<input type="checkbox"/>	/	<input type="checkbox"/>
Tidal water	/	<input type="checkbox"/>	/	<input type="checkbox"/>
Salt marsh		<input type="checkbox"/>		<input type="checkbox"/>
Sand dune		<input type="checkbox"/>		<input type="checkbox"/>
Prime wetland		<input type="checkbox"/>		<input type="checkbox"/>
Prime wetland buffer		<input type="checkbox"/>		<input type="checkbox"/>
Undeveloped Tidal Buffer Zone (TBZ)		<input type="checkbox"/>		<input type="checkbox"/>
Previously-developed upland in TBZ		<input type="checkbox"/>		<input type="checkbox"/>
Docking - Lake / Pond		<input type="checkbox"/>		<input type="checkbox"/>
Docking - River		<input type="checkbox"/>		<input type="checkbox"/>
Docking - Tidal Water	300	<input type="checkbox"/>	1094	<input type="checkbox"/>
<b>TOTAL</b>	<b>300 /</b>		<b>1094 / 0</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: **1094** sq. ft. X \$1.00 = **\$ 1094**

Permanent docking structure: **300** sq. ft. X \$2.00 = **\$ 600**

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

Total = **\$ 1894.00**

The Application Fee is the above calculated Total or \$200, whichever is greater = **\$ 1894.00**

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

18 October, 2017

**To Whom It May Concern:**

**RE: State of New Hampshire DES Wetlands Bureau Standard Dredge and Fill Application for proposed docking structure within the previously developed 100' Tidal Buffer Zone and jurisdictional wetlands for Margaret M Gabriel Revocable Trust of [REDACTED] Dover, NH 03820**

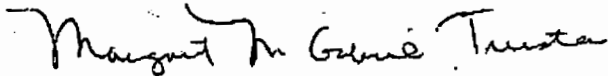
This letter is to inform the State of New Hampshire DES the City/Town of Dover in accordance with State Law that the following entities:

Riverside & Pickering Marine Contractors, Inc.

Is individually authorized to represent us as our agents in the approval process.

Please feel free to call me if there is any question regarding this authorization.

Sincerely,



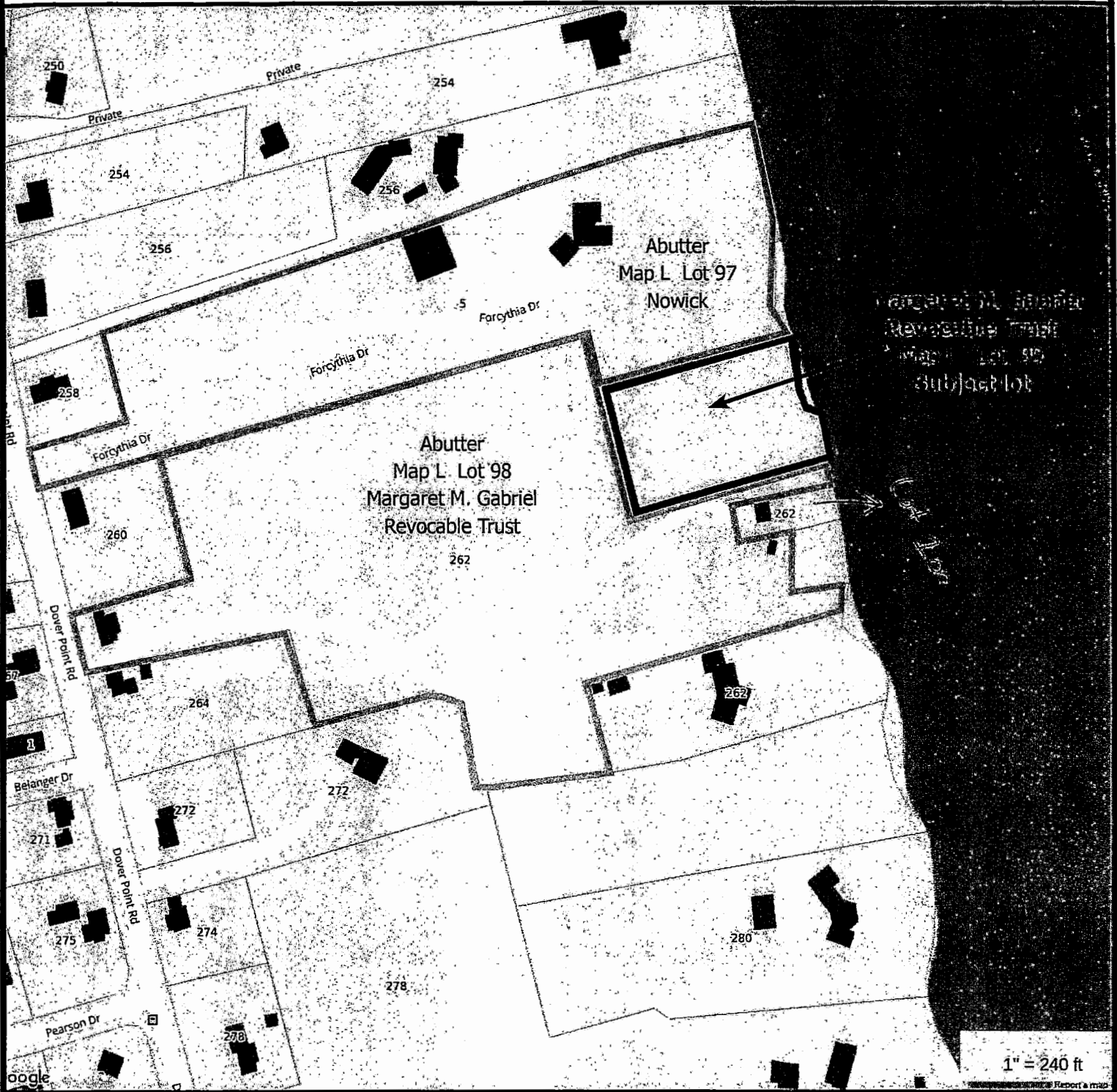
*Margaret M Gabriel Revocable Trust*

*Margaret M Gabriel, Trustee*

*[REDACTED]  
Dover, NH 03820*



# Margaret M. Gabriel Revocable Trust- TAX MAP



**RECEIVED**  
 JAN 25 2013  
 LAND RECORDS MANAGEMENT

<b>Tax Map</b>	<b>RIVERSIDE &amp; PICKERING</b> MARINE CONTRACTORS
For: <b>Margaret M. Gabriel</b> <b>Revocable Trust</b> Dover Point Road Dover, NH Map L Lot 99	34 Patterson Lane, Newington, NH 03801 Telephone (603) 427-2824 Fax (866) 571-7132
Date: 1/7/18	Scale: NTS
	By: ZCT



0 0.5 Mi  
0 2000 Ft

**RECEIVED**  
 JAN 25 2013  
 NHDES  
 LAND RESOURCES MANAGEMENT

**Site Map**

For:  
**Margaret M. Gabriel**  
 Rev Trust  
 Dover Point Road  
 Dover, NH  
 Map L Lot 99

**RIVERSIDE PICKERING**  
 MARINE CONTRACTORS

34 Patterson Lane,  
 Newington, NH 03801  
 Telephone (603) 427-2824  
 Fax (866) 571-7132

Date: 1/7/18 Scale: NTS By: ZCT



# New Hampshire Natural Heritage Bureau

**To:** Zachary Taylor  
6 Spinney Creek Road  
Eliot, ME 03903

**Date:** 1/2/2018

**From:** NH Natural Heritage Bureau

**Re:** Review by NH Natural Heritage Bureau of request dated 1/2/2018  
NHB File ID: NHB18-0059

**Applicant:** Zachary Taylor

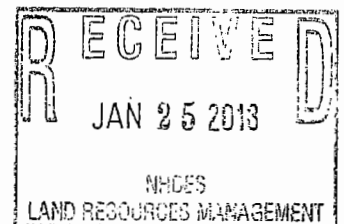
**Location:** Tax Map(s)/Lot(s): Map L Lot 99  
Dover

**Project Description:** Construction of a new tidal docking system to access the  
Piscataqua River.

The NH Natural Heritage database has been checked 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. We currently have no recorded occurrences for sensitive species near this project area.

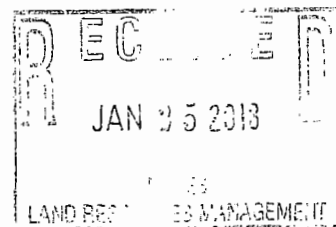
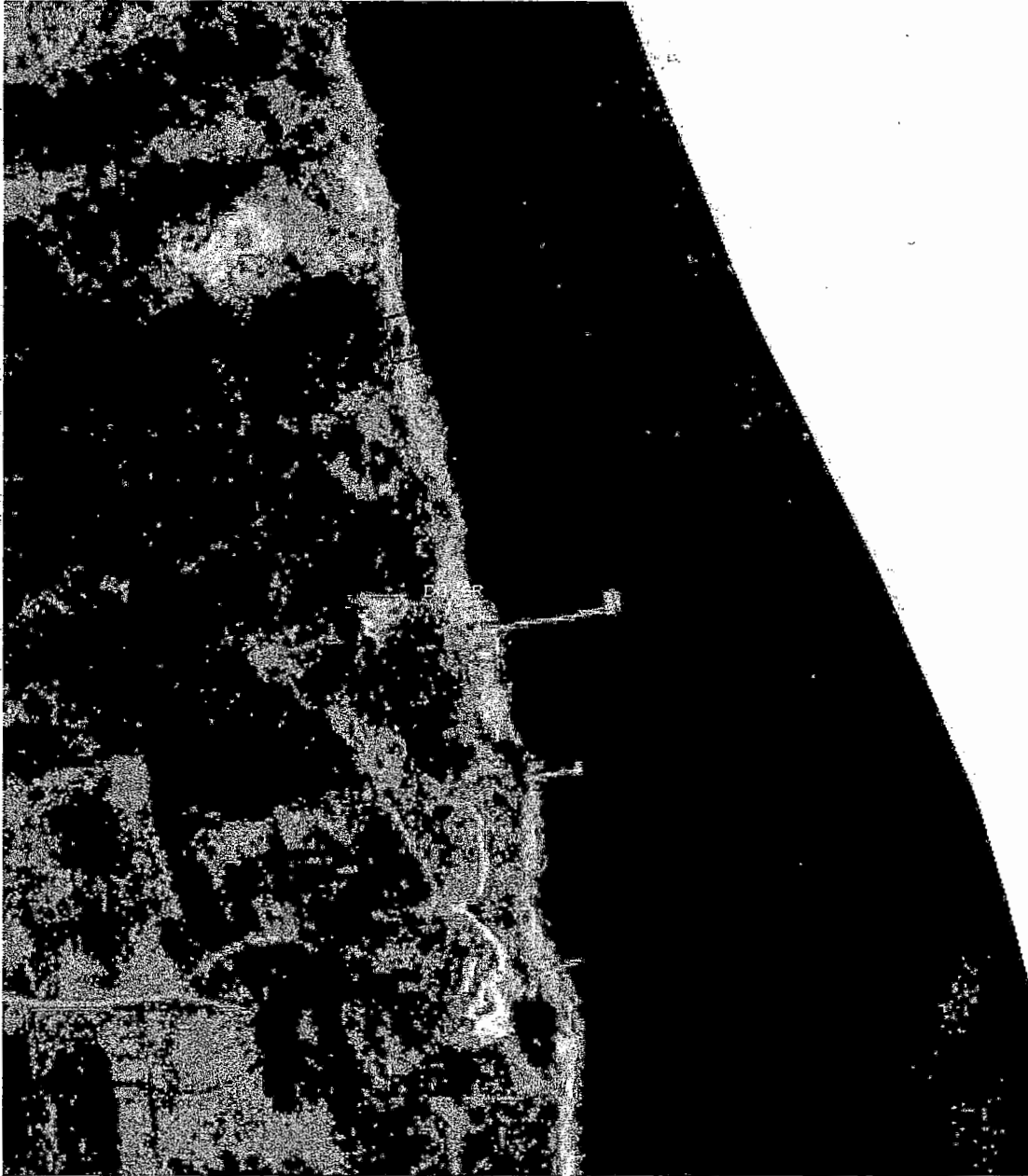
A negative result (no record in our database) does not mean that a sensitive species is not present. Our data can only tell you of known occurrences, based on information gathered by qualified biologists and reported to our office. However, many areas have never been surveyed, or have only been surveyed for certain species. An on-site survey would provide better information on what species and communities are indeed present.

This report is valid through 1/1/2019.





MAP OF PROJECT BOUNDARIES FOR NHB FILE ID: NHB18-0059





**ABUTTER NOTIFICATION**

Dear Abutter,

As required by the NH Dept. of Environmental Services, you are being notified about proposed work at property, which abuts yours. Should you have any questions or concerns, please do not hesitate to contact this office. We will be glad to discuss any aspect of the proposed project. A copy of the full application sent to the NH Dept. of Environmental Services, Wetlands Bureau will be available for your inspection at your City/Town Clerk's office.

Thank you,

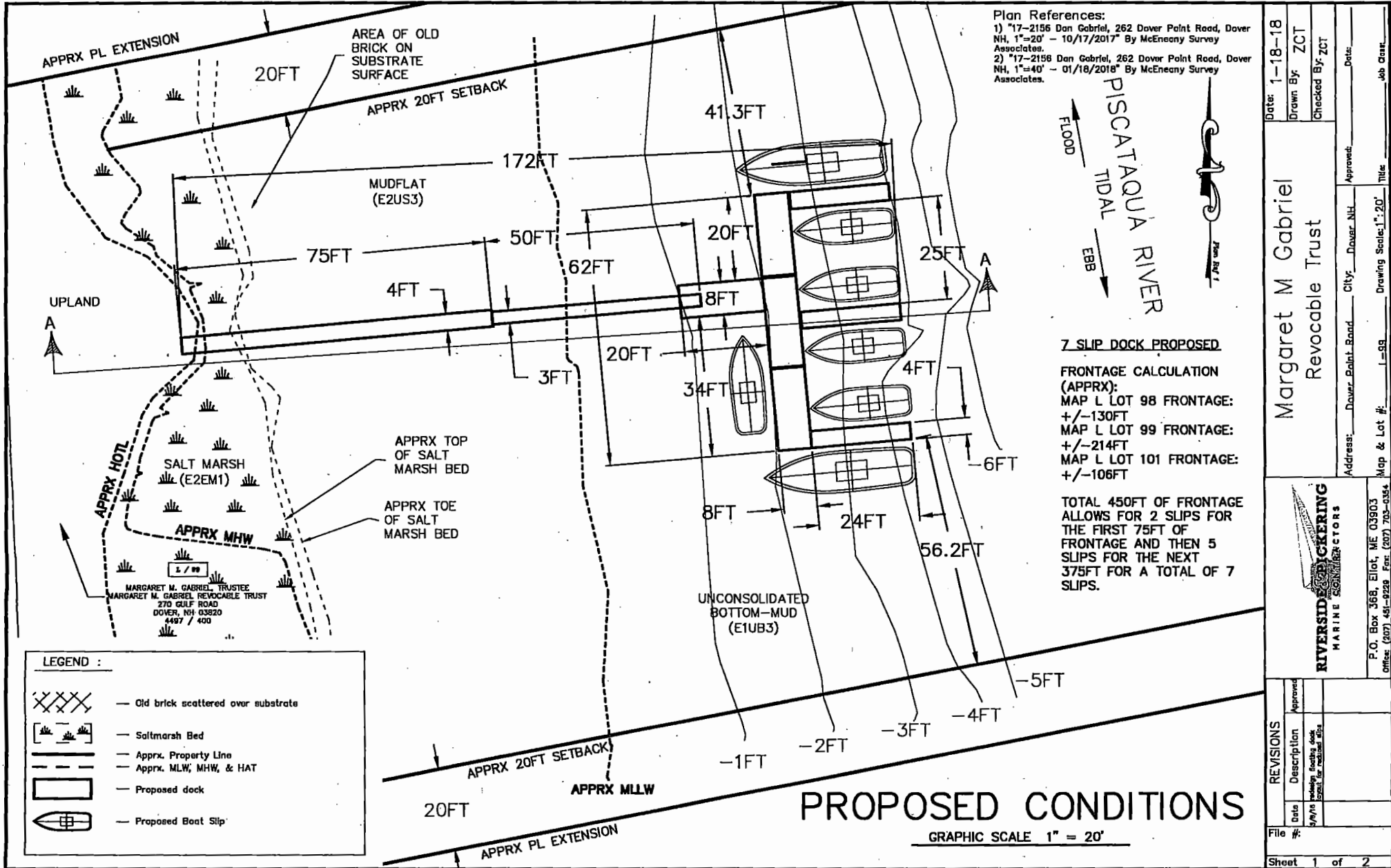
Zachary Taylor  
Riverside & Pickering Marine Contractors

**Name of property owner (s):** Margaret Gabriel Revocable Trust, Margaret Gabriel, Trustee  
**Location of proposed project:** Map L, Lot 99 located along Dover Point Road, Dover, NH  
**Brief description of work:** Application to NH DES for a new fixed pier with a seasonal gangway and floating dock system.

<u>ABUTTERS LIST</u>	<u>CERTIFIED MAIL #</u>
TM# L Lot 97 Neal and Jeana Nowick [REDACTED] Dover, NH 03820	7015 0640 0004 0772 0238
TM# L Lot 98 Margaret M Gabriel, Trustee Margaret M Gabriel Revocable Trust [REDACTED] Dover, NH 03820	7015 0640 0004 0772 0245

Approved  
Plan

Received by DES  
05-08-2018



Date: 1-18-18  
 Drawn By: ZCT  
 Checked By: ZCT

Margaret M Gabriel  
 Revocable Trust

Approved: \_\_\_\_\_ Date: \_\_\_\_\_  
 City: Dover, NH  
 Address: \_\_\_\_\_  
 Drawing Scale: 1"=20'  
 Map & Lot #: 1-99

**RIVERSIDE DICKERING**  
 MARINE ENGINEERS

P.O. Box 368, Elliot, ME 03903  
 Office: (207) 451-9229 Fax: (207) 703-0354

REVISIONS	
Date	Description
9/9/18	Revised for final
	Revised for final
	Revised for final

File #:  
 Sheet 1 of 2