

The State of New Hampshire

Department of Environmental Services



Robert R. Scott, Commissioner

May 20, 2019

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

REQUESTED ACTION

Approve Kimberly A. Wesson Revocable Trust's request to perform the following work on Little Bay in Dover. File # 2018-03385. This project will not have significant impact on or adversely affect the values of Little Bay.

Impact a total of 4,124 square feet of tidal wetland and upland tidal buffer zone to replace an existing riprap revetment and granite block retaining wall along approximately 113 linear feet of frontage on Little Bay in Dover. Impacts include 1,035 square feet of temporary impact seaward of the highest observable tide line for removal and reconstruction of the existing riprap revetment and granite block retaining wall, plus 3,089 square feet of temporary impact landward of the highest observable tide line for construction access, staging and stockpiling. In addition, a 590 square foot area within the waterfront buffer, along the southeastern property boundary, will be replanted with native shrubs.

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 Ambit Engineering Inc., dated September 2018 and revised through March 05, 2019, last received by the New Hampshire Department of Environmental Services (NHDES) on March 07, 2019.
- 2. Not less than 5 state business days prior to starting work authorized by this permit, the permittee shall notify the NHDES Wetlands Program (Stefanie.Giallongo@des.nh.gov) and the local conservation commission in writing of the date on which work under this permit is expected to start.
- 3. Work shall be conducted during low tide only. No machinery shall be operated in surface waters.
- 4. All work shall take place from the upland, and no equipment shall be operated from within tidal wetland areas.
- 5. Prior to construction, offset stakes shall be set temporarily in the tidal wetland area to ensure that the replacement riprap revetment and granite block retaining wall maintain the existing toe of slope and will not encroach further into the tidal wetland area.
- 6. Stones that currently provide habitat for rocky-intertidal benthic invertebrates or algal species shall be stockpiled separately and reused/repositioned along the base of the reconstructed riprap revetment.
- 7. Phasing of the work to replant the 590 square foot area within the waterfront buffer with native shrubs, along the southeastern property boundary, shall occur concurrently with the overall project.
- 8. Work shall be conducted in a manner that avoids excessive discharges of sediments to fish spawning areas.
- 9. Any fill used shall be clean sand, gravel, rock, or other suitable material.
- 10. To prevent the introduction of invasive plant species to the site, the permittee's contractor(s) shall clean all soils and vegetation from construction equipment and matting before such equipment is moved to the site.
- 11. All temporary work areas shall be restored to original condition following completion of construction.

His Excellency, Governor Christopher T. Sununu and The Honorable Council
Page 2

- 12. Any further work in jurisdiction, as specified in RSA 482-A, on this property will require a new application and approval by the NHDES Wetlands Bureau.
- 13. All development activities associated with this project shall be conducted in compliance with applicable requirements of RSA 483-B and New Hampshire Code of Administrative Rules Env-Wq 1400 during and after construction.
- 14. Appropriate siltation, erosion and turbidity controls to protect from the occurrence of sedimentation during tidal cycles shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized. Temporary controls shall be removed once the area has been stabilized.
- 15. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to surface waters and wetlands.
- 16. The permittee's contractor responsible for completion of the work shall use techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
- 17. Erosion control products shall be installed per manufacturer's recommended specifications.
- 18. 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.
- 19. Faulty equipment shall be repaired immediately prior to entering areas that are subject to RSA 482-A jurisdiction.
- 20. 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.
- 21. All refueling of equipment shall occur outside of surface waters or wetlands during construction. Machinery shall be staged and refueled in upland areas only.
- 22. A certified wetlands scientist or qualified professional, as applicable, shall monitor the project during construction to verify that all work is done in accordance with the approved plans and narratives, adequate siltation, erosion and turbidity controls are properly implemented, and no water quality violations occur.
- 23. Prior to construction, the permittee shall notify the NHDES Wetlands Bureau in writing of the certified wetlands scientist or qualified professional, as applicable, who will be responsible for monitoring and ensuring that the project is constructed in accordance with the approved plans. The permittee shall re-notify the NHDES Wetlands Bureau if the identity of the individual changes during the project.
- 24. A post-construction report prepared by a certified wetland scientist or qualified professional, as applicable, documenting status of the project area, including photographs and an as-built survey plan, shall be submitted to the NHDES Wetlands Bureau within 60 days of the completion of construction.

EXPLANATION

The NHDES approved this project on April 11, 2019. The NHDES supported its decision with the following findings:

- 1. This is a Major Project per New Hampshire Administrative Rule Env-Wt 303.02(a), projects in sand dunes, tidal wetlands, or bogs, except for the repair of existing structures pursuant to New Hampshire Administrative Rule Env-Wt 303.04(v).
- 2. 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 New Hampshire Administrative Rule Env-Wt 302.03.
- 3. The applicant has designed the project to maintain the location and configuration of the existing riprap revetment and granite block retaining wall. Work will be done at low tide and from the upland. Stones that currently provide habitat for rocky-intertidal benthic invertebrates or algal species will be stockpiled separately and repositioned along the base of the reconstructed riprap revetment.
- 4. The applicant has demonstrated by plan and example that each factor listed in New Hampshire Administrative Rule Env-Wt 302.04(a) and (c), Requirements for Application Evaluation, has been considered in the design of the project.

- 5. The Natural Heritage Bureau (NHB) report submitted with the application package (NHB19-1050) stated that "although there was a NHB record [...] in the vicinity, we do not expect that it will be impacted by the proposed project."
- 6. In correspondence dated October 16, 2017, signed authorization was provided by the applicant to allow their agent to act on their behalf throughout the permitting process.
- 7. In correspondence dated November 15, 2018, the Dover Conservation Commission indicated their support of the project, as proposed.
- 8. In correspondence(s) dated November 29, 2018, signed authorization was obtained from the abutting land owners (Dover Tax Map 8 Lots 2 & 5), whose properties are located immediately adjacent to the limits of work defined by this project.
- 9. In correspondence dated November 29, 2018, the NH Division of Historical Resources found that the project, as proposed, is not expected to affect any history properties:
- 10. NHDES staff field inspection on August 31, 2018 found that the plans accurately reflect field conditions.
- 11. Related NHDES Wetlands Bureau files include Shoreland Permit 2017-00309 (impact 5,335 square feet within the protected shoreland; approved February 16, 2017); 2001-00513 (impact 600 square feet along the shoreline to install 100 linear feet of rip rap seawall), and; 2018-01848 (impact 698 square feet to construct a new tidal docking structure).
- 12. In accordance with RSA 482-A:8, 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,

For Robert R. Scott

Commissioner



WETLANDS PERMIT APPLICATION

Land Resources Management Wetlands Bureau

Wetlands Bureau
Check the status of your application: www.des.nh.gov/onestop



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COMPLETE 1 10 AUG 2018			
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Standard Review (Minimum; Minor, or Major Impact) 2: PROJECT LOCATION:	Expedit	ed Review (Minimum Impac	t önly)
Separate applications must be filled with reach municipality that flur is ADDRESS: 407 Dover Point: Road	lletionalilmozous Williogerizin		
TAX MAP: 8 BLOCK:	LOT: 3	TOWN/City: Dover	y some y carrier
USGS TOPO MAP WATERBODY NAME: Little Bay	☐ NA STREAM W	ATERSHED SIZE:	⊠.NA
LOCATION COORDINATES (If known): X:1,206,055.7445 Y: 228,223.8	998 	☐ Latitude/Löngii	tude 🗌 UTM 🛭
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The project proposes 716 s.f. of temporary impact to tidal we 100'-TBZ for repair/replacement of the existing granite block revetment "in-kind" on 113.+/- feet of frontage along Little B	retaining wall "in-kind" and re	rary Impact to the Previous epair/replacement of the	usly Developed existing stone
CE CELONERINDE CONTROL			
[- 축구	FRONTAGE: 113		
Shoreline frontage is calculated by determining the average of the dis drawn between the property lines, both of which are measured at the	stances of the actual natural navig e normal high water line.	able shoreline frontage and a	straight line
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a. Natural Heritage Bureau File ID: NHB 17 - 3540			
b. Designated River the project is in % miles of: date a copy of the application was sent to the Local River Ma NA	; and nagement Advisory Committee: M	lonth: Day: Year: _	

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1 4	LAST NAME FIRST NAME M.I. Wesson, Kimberly, A.		Secretaria de la Como	
	TRUST ACOMPANY NAME KIMBERIY A. Wesson-Revocable Tru	st MAILING ADD	occ	
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·	TOWN/CITY		STATE: (ZIP CODE:
	EMAUGIFAX	PHONE:		
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	TRUST / COMPANY NAME:	MAILING ADD	RESS:	
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	LAST NAME, FIRST NAME, M.I.: RIKET, Steven, D.		COMPANY NAME Ambit I	ingineering, inc.
-+	MAILING ADDRESS: 200 Griffin Road, Unit 3	•		ρ.
-	TOWN/CITY: Portsmouth		STATE: NH	ZIP CODE: 03801
	EMAIL or FAX: sdr@ambitengineering.com	PHONE: _60	1_430_9282	
	ELECTRONIC COMMUNICATION: By Inthalling here Se I hereby a	uthorize NHDES to communi	cate all matters relative to the	nis application electronically
	OCROPEN/OWNERS GNATURE CONTRACTOR			
- 1		ilettonortidbelwisi	englis - Calabar	
1	By signing the application, I am certifying that:		A STATE OF THE STA	
•	I authorize the applicant and/or agent indicated on this request, supplemental information in support of this pe		the processing of this ap	pplication, and to furnish upon
	I have reviewed and submitted information & attachme	• •	tions and Required Attach	nment document.
ļ	3. All abutters have been identified in accordance with RSA			
	4. I have read and provided the required information outline			e .
	 I have read and understand Eny-Wt 302.03 and have chosen the least impacting alternative. 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) For			
	the NH Division of Historical Resources to Identify the pagency for NHPA 106 compliance.	resence of historical/arch	eological resources while	coordinating with the lead federal
	8. I authorize NHDES and the municipal conservation comm	nission to inspect the site	of the proposed project.	
	9. I have reviewed the information being submitted and th	-	-	
	I understand that the willful submission of falsified or m Services is a criminal act, which may result in legal actio	ņ.		
	11. I am aware that the work I am proposing may require ac	aditional state, local or fed	eral permits which I am r	esponsible for obtaining.
	Agent-See Authorization	Steven D. Riker		10 / 29 / 2018

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

MUNICIPAL SIGNATURES

A11 CONSERVATION COMMISSION SIGNATURE he signature below certifies that the municipal conservation commission has reviewed this application and Waives its right to intervene per RSA 482.A.L.1. Believes that the application and submitted plans accurately represent the proposed project, and that no objection to permitting the proposed work.

DIRECTIONS FOR CONSERVATION COMMISSION

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 of any s reason the application is not eligible for expedited review and the application will reviewed in the standard review time tra

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 detalled plans and four USGS location maps with the town/city indicated below.

DUSAN MISTREHA DOVEN TOWN/City Date 10/29/18

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.
- 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:

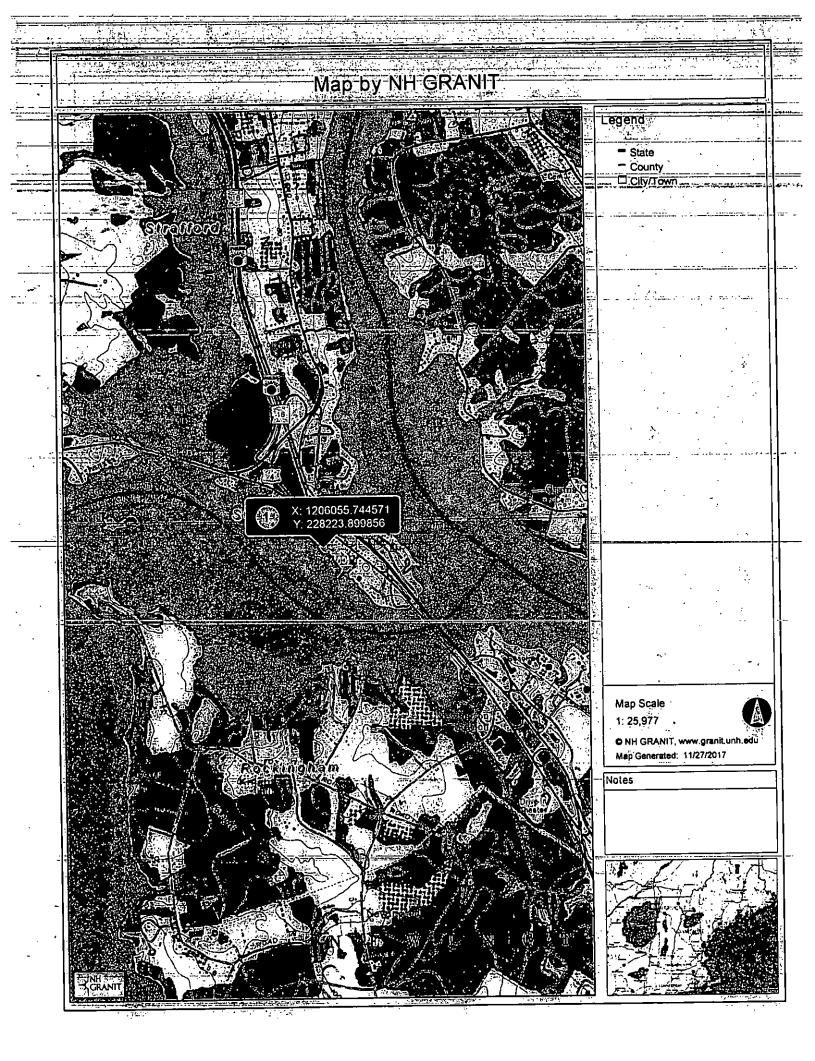
 Submit the single, original permit application form bearing the signature of the Town/ City Clerk, additional materials, and the application fee to NHDES by mail or hand delivery.

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Emergent wetland		ATF		ATF
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Lake / Pond				
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Salt marsh	••	ATF		ATF
Sand dune	=====================================	ÄTF	· · · · · · · · · · · · · · · · · · ·	ATF
Prime wetland		ATÉ		ATF
Prime wetland buffer		ATF		ATF
Undeveloped Tidal Buffer Zone (TBZ)		ATF		ATF
Previously-developed upland in TBZ	·	ATF	1,796	ATF
Docking - Lake / Pond		ATF		ATF
Docking - River		ATF		ĀTF
Docking - Tidal Water		ATF		ATF
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Minor or Major Impact Fee: Calcu				
Perma	nent and Temporary (non-docking)	2,512	sq. ft. X \$0.20 = \$.502.40	
Temp	orary (seasonal) docking structure:		sq. ft. X \$1.00 = \$	
	Permanent docking structure:		sq. ft. X \$2.00 = \$	
	Projects proposing shoreline s	tructúres (includ	ling docks) add \$200 = \$200.00	
			Total = \$ 702.40	
The	Application Fee is the above calculat	ed Total or \$200,	whichever is gréater = _\$\$	

MAP FOR REFERENCE ONLY NOT A LEGAL DOCUMENT

City of Dover, NH makes no claims and no warrantes, expressed or implied, concerning the validity or accuracy of the GIS data presented on this map.

Parcels updated 5/13/2017 Properties updated 11/25/2017





NEW HAMPSHIRE NATURAL HERITAGE BUREAU NHB DATACHECK RESULTS LETTER

To: John Chagnon, Ambit Engineering, Inc.

200 Griffin Road

Unit 3

Portsmouth, NH 03861

From: NH Natural Heritage Bureau

Date: 12/5/2017 (valid for one year from this date).

Re: Review by NH Natural Heritage Bureau of request submitted \$1/27/2017

NHB File ID: NLB 17-3520 Applicant: Kimberly Wesson

and the state of t

Location: Dover

Tax Mans: Tax Map 8 12663

a-Description: The project proposes entitle adoctong structure to provide safe boating

access to Little B

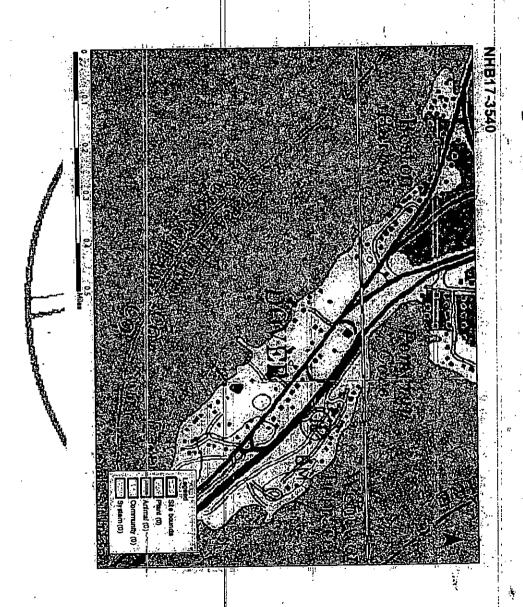
The NH Natural Heritage database has been chesked by staff of the NH Natural Heritage Bureau and/or the NH Nongame and Hindangered Species Riogram for records of rare species and exemplary natural communities near the area mapped below. The species considered include those listed as Threatened or Endangered 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 11/27/2014, and cannot be used for any other project.



NEW HAMPSHIRE NATURAL HERITAGE BUREAU --NHB-DATACHECK-RESULTS-LETTER

MAP OF PROJECT BOUNDARIES FOR: NHB17-3540



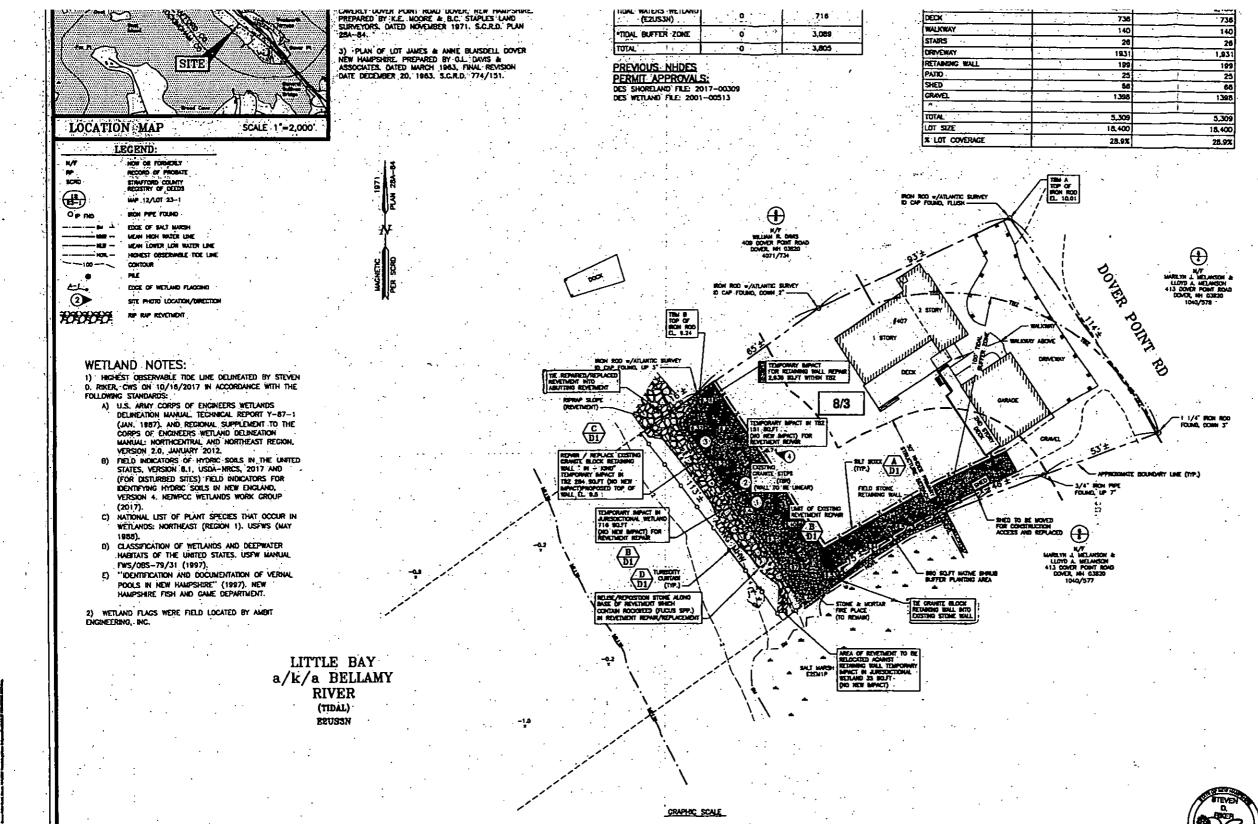
Department of Natural and Cultural Resources
Division of Forests and Lands
(603) 271-2214 fax: 271-6488

ABUTTER'S LIST

JN 2552.17

Kimberly A. Wesson Revocable Trust 407 Dover Point Road Dover, NH

MAP	LOT	NAME(S)	PO BOX	STREET ADDRESS	CITY/STATE/ZIP
8	2	William R. Davis	•		
8	4	Lloyd A. & Marilyn Melanson			· .
8	. 5	Lloyd A. & Marilyn Melanson	·		
Eng	gineer	Ambit Engineering, Inc. Civil Engineers & Land Surveyors		200 Griffin Road, Unit 3	Portsmouth, NH 03801
Applica 8	int/Owner 3	Kimberly A. Wesson Revocable Trust		407 Dover Point Road	Dover, NH 03820



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NOTES:

NOTES:

1) PROJECT LOCATION:

407 DOVER POINT ROAD

DOVER, N.H. LOSED

PARCEL LO:

TAX: MAP B / LOT 3

OWNERS OF RECORD:

KIMBERLY A WESSON REVOCABLE TRUST OF 2007

KIMBERLY A WESSON & HARRY WESSON, TRUSTEES

407 DOWER POINT BRAD 407 DOVER POINT ROAD DOVER, NH 03820 4403 / 570 ZONING DISTRICT:

R-20 LOW-DENSITY RESIDENTIAL DISTRICT

2) BOUNDARY FROM REFERENCE PLAN 1. LOT AREA: 18,400± FT. SQ., 0.42± AC

3). THE PURPOSE OF THIS PLAN IS TO SHOW THE LOCATION OF REVETMENT REPAIR ON TAX MAP 8 LOT 3 IN THE CITY OF DOVER

4) THE CONTRACTOR SHALL NOTIFY DIG SAFE AT 1-888-DIG-SAFE (1-888-344-7233) AT LEAST 72 HOURS PRIOR TO COMMENCING ANY EXCAVATION ON PUBLIC OR PRIVATE PROPERTY.

5) UNDERGROUND UTILITY LOCATIONS ARE BASED UPON BEST AVAILABLE EMBENCE AND ARE NOT FIELD VERIFIED. LOCATING AND PROTECTING ANY ABOVECTOUND OR UNDERGROUND UTILITIES IS THE SOLE RESPONSIBILITY OF THE COMPACTOR AND/OR THE OWNER, UTILITY CONFLICTS SHOULD BE REPORTED AT ONCE TO THE DESIGN ENGINEER.

6) CONTRACTOR SHALL INSTALL AND MAINTAIN EROSION CONTROL MEASURES IN ACCORDANCE WITH THE "NEW HAMPSHIRE STORWINATER MANUAL VOLUME J, EROSION AND SEDIMENT, CONTROLS DURING CONSTRUCTION. (NHDES DECEMBER 2008).

7) THE UNIT OF WORK IS TO BE CLEARLY UNDERSTOOD WITHIN THE JURISDICTIONAL AREAS PRIOR TO THE COMMENCEMENT OF CONSTRUCTION, ALL WORK TO BE PERFORMED DURBIG LOW TIDE HOURS.

8) PROPERTY IS LOCATED IN A SPECIAL FLOOD HAZARD AREA, ZONE AE(8), AS SHOWN ON FIRM PANEL 33017CO405E. EFFECTIVE DATE SEPTEMBER 30, 2015.

9) VERTICAL DATUM: MEAN LOWER LOW WATER (MILW).
BASIS: OF VERTICAL DATUM IS 'REDUNDANT RTN CPS
OBSERVATIONS (±0.3'), REDUCTION FROM MAYORS TO MILW
BASED ON MAAN STATION 8420411, DOVER, COCHECO
RIVER, MILW BEING 3.93' LOWER THAN O MAYORS.

WESSON RESIDENCE 407 DOVER POINT ROAD DOVER, N.H.

1	REVISED PER NHOES .	3/5/19
0	ISSUED FOR COMMENT	10/4/18
ş	DESCRIPTION	CATE
	20040046	





SCALE 1"=20'

SEPTEMBER 2018

REVETMENT REPAIR PLAN.

FB 353 PC 6

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