



The State of New Hampshire
Department of Environmental Services

Robert R. Scott, Commissioner



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November 3, 2020

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

REQUESTED ACTION

Approve Maloney Family Revocable Trust of 2012's request to perform the following work on Cocheco River in Dover. File # 2020-01446. This project will not have significant impact on or adversely affect the values of Cocheco River.

Impact 538 square feet of tidal wetland for the modification of an existing tidal docking structure, resulting in a 19-foot by 6-foot fixed pier connected to a 3-foot by 55-foot ramp connected to a 6-foot by 20-foot landing float and a 10-foot by 20-foot main float. The overall structure length seaward of the highest observable tide line is 104 feet, providing one slip on 553 feet of frontage along the Cochecho River.

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

1. All work shall be done in accordance with the approved plans dated April 2020, revised through August 13, 2020, by Ambit Engineering Inc., and last received by the NH Department of Environmental Services (NHDES) on August 20, 2020, in accordance with Env-Wt 307.16
2. This permit shall not be effective until the permittee records this permit at the Strafford County Registry of Deeds. Any limitations or conditions in the permit so recorded shall run with the land beyond the expiration of the permit. The permittee shall provide the NHDES with a copy of the permit stamped by the registry with the book and page and date of receipt, in accordance with New Hampshire Administrative Rule Env-Wt 314.02(b) and (c).
3. The ramp and float portions of residential tidal docks shall be seasonal and removed from the water during the non-boating season, in accordance with Env-Wt 606.06(b).
4. All work shall be done at low tide when the work area is fully exposed, in accordance with Env-Wt 609.10(b)(4).
5. Tidal docking installation shall be done by barge or upland to prevent the driving of construction equipment in or through tidal waters/wetlands or on the bottom of the inter-tidal zone, in accordance with Env-Wt 606.05(b).
6. Tidal docking construction shall be done in accordance with the standard conditions in Env-Wt 307, per Env-Wt 606.05(a).
7. Heavy equipment shall not be operated in any jurisdictional area unless specifically authorized by this permit, in accordance with Rule Env-Wt 307.15(a).

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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 September 17, 2020. The NHDES supported its decision with the following findings:


1. This is classified as a major project per Rule Env-Wt 606.17(a)(1), for all new overwater structure construction in tidal waters/wetlands.
2. Per Rule Env-Wt 306.05, the applicant has addressed all of the required planning items that are used to determine the appropriate impact classification, of a project and the type of approval required.
3. Per Rule Env-Wt 311.06(h), the municipal conservation commission recommended approval of the proposed project in correspondence dated July 17, 2020.
4. Per Rule Env-Wt 313.01(a)(2), all applicable conditions specified in Env-Wt 307 have been met.
5. Per Rule Env-Wt 313.01(a)(3), all resource-specific criteria established in Env-Wt 600 have been met.
6. Per Rule Env-Wt 313.01(a)(4), all project-specific criteria established in Env-Wt 600 have been met.
7. Per Rule Env-Wt 313.01(a)(5), and as required by RSA 482-A:11, II, this permit for work to dredge or fill will not 'infringe on the property rights or unreasonably affect the value or enjoyment of property of abutting owners' based on documentation that the proposed dredge and fill activity will be located entirely within the boundary of the applicant's property interest and will not result in any observable change in off-site surface water levels or flows.
8. Per Rule Env-Wt 313.03(a) and (b), the applicant has demonstrated that potential impacts to jurisdictional areas have been avoided to the maximum extent practicable and that any unavoidable impacts have been minimized.
9. Per Rule Env-Wt 603.09, the applicant obtained a statement, dated August 11, 2020, from the Pease Development Authority, Division of Ports and Harbors regarding the projects impact on navigation and passage.
10. The residential tidal dock project meets the criteria listed in Rule Env-Wt 606.06(a) and (b).
11. Per Rule Env-Wt 202.01(b) and as required by RSA 482-A:8, the NHDES finds that the requirements for a public hearing do not apply as the project will not have a significant environmental impact, as defined in New Hampshire Administrative Rule Env-Wt 104.19, on the resources protected by RSA 482-A, or, is not of substantial public interest, as defined in New Hampshire Administrative Rule Env-Wt 104.32.
12. Pursuant to New Hampshire Administrative Rule Env-Wt 204, in correspondence dated August 18, 2020, received by the NHDES on August 21, 2020, the applicant requested a waiver to Env-Wt 606.07(e)(3), which states that the height to width ratio for permanent piers shall be 1:1 or greater.
13. Pursuant to New Hampshire Administrative Rule Env-Wt 204, in correspondence dated August 18, 2020, received by the NHDES on August 21, 2020, the applicant requested a waiver to Env-Wt 606.06(j)(4), which states that floats shall not sit directly on the mud or on skids that sit directly on the mud at low tide.
14. Based on the condition and configuration of the existing tidal docking structure, granting the requested waiver will result in less adverse impact to the environment relative to strict compliance with the applicable rule(s), and will not have an adverse impact on public health or safety.
15. The approved alternative results in a net reduction of permanent structure over surface waters and an improvement compared to the existing condition and configuration. The surrounding area is classified as mud flat (E2US3N).

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16. Per Rule Env-Wt 204.06, a waiver will be granted if the project will not have an adverse impact to the environment or natural resources of the state, public health, or public safety, and the strict compliance with the rule will provide no benefit to the public and will cause an operation or economic hardship to the applicant.

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.

We respectfully request your approval of this item.



Robert R. Scott
Commissioner



**STANDARD DREDGE AND FILL
WETLANDS PERMIT APPLICATION**
Water Division/Land Resources Management
Wetlands Bureau
Check the Status of your Application



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

APPLICANT'S NAME: Maloney, Paul Maloney Family Rev. Trust

		Administrative Use Only	File No: <u>2020-0146</u>
			Check No: <u>3397</u>
			Amount: <u>\$1685.00</u>
			Initials: <u>LSL</u>

A person may request a waiver to requirements in Rules Env-Wt 100-900 to accommodate situations where strict adherence to the requirements would not be in the best interests of the public or the environment. A person may also request a waiver of standard for existing dwellings over water pursuant to RSA 482-A:26, III (b). For more information, please consult the request form.

SECTION 1: CONCURRENT PROCESSING OF RELATED SHORELAND/WETLANDS PERMIT APPLICATIONS (Env-Wt 313.05)
If the applicant is not requesting concurrent processing, please proceed to Section 2.

Is the proposed project eligible for the optional concurrent processing of related shoreland/wetlands permit applications (Env-Wt 313.05(d))? If the project is not eligible, proceed to Section 2 (the files will not be processed concurrently). Yes No

By signing this form and initialing this section, the applicant is requesting concurrent processing of related shoreland/wetlands permit applications and understands that concurrently filing the applications with a request to process the applications together constitutes:

- A waiver by the applicant of the shorter time frame, if application processing timelines are different for each permit program under the 2 statutes and their implementing rules; and Initials:
- An agreement by the applicant that any request for additional information by the department under either or both statutes shall affect the review timeframe of both applications being processed together. Initials:

SECTION 2: REQUIRED PLANNING FOR ALL PROJECTS (Env-Wt 306.05)
Please use the Wetland Permit Planning Tool (WPPT) or any other database or source to assist in identifying key features such as: priority resource areas (PRA), protected species or habitat, coastal area, or designated river, or designated prime wetlands.

Step 1: A certified wetland scientist must delineate and classify all wetlands and identify the predominant resource functions of each wetland, unless the exceptions listed in Env-Wt 306.05(a)(1) are met (Env-Wt 306.05(a)(1)).

Step 2: Determine whether the subject property is or contains a PRA by answering the following questions (Env-Wt 306.05(a)(2)):

- 1. Does the property contain any documented occurrences of protected species or habitat for such species? Please use the Natural Heritage Bureau (NHB) DataCheck Tool to make this determination. Yes No
- 2. Is the property a bog? Please use the WPPT "Peatland" layer (under the PRA module) for general location of bogs or any other database or source. Yes No
- 3. Is the property a floodplain wetland contiguous to a tier 3 or higher watercourse? Please use the WPPT "Floodplain Wetlands Adjacent to Tier 3 Streams" layer (under PRA module) or any other database or source. Yes No
- 4. Is the property a designated prime wetland or a duly-established 100-foot buffer? Please use the WPPT "Prime Wetlands" layers (under PRA module) or any other database or source. Yes No
- 5. Is the property a sand dune, tidal wetland, tidal water, or undeveloped tidal buffer zone? Please use the WPPT "Coastal" layers module and PRA module or any other database or source. Yes No

Step 3: For projects that are subject to Env-Wt 600, please attach the Coastal Functional Assessment (Env-Wt 603.04) and Vulnerability Assessment (Env-Wt 603.05) and conduct the data screening required by Env-Wt 603.03.

Step 4: Determine whether the following apply to the subject property (Env-Wt 306.05(a)(4); RSA 482-A:3, I(d)(2)):

- 1. Is the property within a Local River Management Advisory Committee (LAC) jurisdiction?
 - If yes, please provide the following information:
 - The project is within ¼ mile of: Yes No
 - A copy of the application was sent to the LAC on Month: Day: Year:
 N/A (Env-Wt 311.01(e))
- 2. Is the property within or contains any areas that are subject to time of year restrictions under Env-Wt 307? Yes No

Step 5: For stream crossing projects: what is the size of the watershed (Env-Wt 306.05(a)(5))? N/A

N/A

Step 6: For dredge projects: is the subject property contaminated (Env-Wt 306.05(a)(6))? Yes No

N/A

Step 7: Does the project have the potential to impact any of the following (Env-Wt 306.05(a)(7)):

N/A

- 1. Impaired waters? Yes No
- 2. Class A waters? Yes No
- 3. Outstanding resource waters? Yes No

SECTION 3 - PROJECT DESCRIPTION (Env-Wt 311.04(i))

Provide a brief description of the project and the purpose of the project, outlining the scope of work to be performed and whether impacts are temporary or permanent. DO NOT reply "See attached" in the space provided below.

The project proposes to modify an existing tidal docking structure by removing 17.5 feet from the seaward end of the pier, installing a 55' x 3' gangway (replacing a 3' x 40' gangway) and re-installing a 20' x 6' landing float and a 10' x 20' main float, resulting in 537.5 sq. ft. of permanent impact to tidal wetland. The modification is being proposed as the batter piles installed at the end of the existing pier were damaged by ice during the winter of 2019-2020. Due to significant ice flow in this part of the Cochecho River, the best long term solution is to shorten the pier length to avoid future ice damage. The proposed structure will be 2.5 feet shorter in length than the existing

SECTION 4 - PROJECT LOCATION
 Separate wetland permit applications must be submitted for each municipality within which wetland impacts occur.

ADDRESS: <u>37 Mallard Lane</u>	TOWN/CITY: <u>Dover</u>
TAX MAP/BLOCK/LOT/UNIT: <u>Map N Lot 20-5</u>	
UNITED STATES GEOLOGICAL SURVEY (USGS) TOPO MAP WATERBODY NAME: <u>Cochecho River</u>	
<input checked="" type="checkbox"/> N/A	
LATITUDE (D.dddd): <u>X:1204.0747387°</u> North (Optional)	LONGITUDE (D.dddd): <u>Y:251.8833982°</u> West (Optional)

SECTION 5 - APPLICANT (DESIRED PERMIT HOLDER) INFORMATION (Env-Wt 311.04(a))
 If the applicant is a trust or a company, then the name of the trust or company should be written as the applicant's name.

NAME: <u>Paul F. & Margery T. Maloney Maloney Family Revocable Trust of 2012</u>		
MAILING ADDRESS:		
TOWN/CITY:	STATE: <u>VT</u>	ZIP CODE: <u>05201</u>
EMAIL ADDRESS:	FAX:	PHONE:
ELECTRONIC COMMUNICATION: By initialing here: <u>SM</u> I hereby authorize NHDES to communicate all matters relative to this application electronically.		

SECTION 6 - AUTHORIZED AGENT INFORMATION (Env-Wt 311.04(c))
 N/A

LAST NAME, FIRST NAME, M.I.: <u>Riker, Steven D. Ambit Engineering, Inc.</u>		
COMPANY NAME: <u>Ambit Engineering, Inc.</u>	MAILING ADDRESS: <u>200 Griffin Road</u>	
TOWN/CITY: <u>Portsmouth</u>	STATE: <u>NH</u>	ZIP CODE: <u>03801</u>
EMAIL ADDRESS: <u>sdr@ambitengineering.com</u>	FAX:	PHONE: <u>603-430-9282</u>
ELECTRONIC COMMUNICATION: By initialing here <u>SR</u> I hereby authorize NHDES to communicate all matters relative to this application electronically.		

SECTION 7 - PROPERTY OWNER INFORMATION (IF DIFFERENT THAN APPLICANT) (Env-Wt 311.04(b))
 If the owner is a trust or a company, then the name of the trust or company should be written as the owner's name.
 Same as applicant

NAME:		
MAILING ADDRESS:		
TOWN/CITY:	STATE:	ZIP CODE:
EMAIL ADDRESS:	FAX:	PHONE:

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

SECTION 8 - RESOURCE-SPECIFIC CRITERIA ESTABLISHED IN Env-Wt 400, Env-Wt 500, Env-Wt 600, Env-Wt 700, OR Env-Wt 900 HAVE BEEN MET (Env-Wt 313.01(a)(3)).

Describe how the resource-specific criteria have been met (please attach information about stream crossings, coastal resources, prime wetlands, or non-tidal wetlands and surface waters).

Please see attached narrative

SECTION 9 - AVOIDANCE AND MINIMIZATION

Impacts within wetland jurisdiction must be avoided to the maximum extent practicable (Env-Wt 313.03(a)). If all impacts cannot be avoided, a functional assessment is required for minor and major projects (Env-Wt 311.03(b)(10)). Any project with unavoidable jurisdictional impacts must then be minimized as described in the Wetlands Best Management Practice Techniques For Avoidance and Minimization. Please refer to the application checklist to ensure that you have attached all documents related to avoidance and minimization, as well as functional assessment (where applicable).

SECTION 10 - MITIGATION REQUIREMENT (Env-Wt 311.02)

If unavoidable jurisdictional impacts require mitigation, a mitigation pre-application meeting must occur at least 30 days but not more than 90 days prior to submitting this Standard Dredge and Fill Permit Application.

Mitigation Pre-Application Meeting Date: Month: Day: Year:

N/A - Mitigation is not required

SECTION 11 - THE PROJECT MEETS COMPENSATORY MITIGATION REQUIREMENTS (Env-Wt 313.01(a)(1)c).

Have you submitted a compensatory mitigation proposal that meets the requirements of Env-Wt 800 for all permanent impacts that will remain after avoidance and minimization demonstration?

Yes No

N/A - Mitigation is not required

SECTION 12 - IMPACT AREA (Env-Wt 311.04(g))

For each jurisdictional area that will be/has been impacted, provide square feet (SF) and, if applicable, linear feet (LF) of impact, and note whether the impact is after-the-fact (ATF; i.e., work was started or completed without required permitting).

For intermittent streams, the linear footage of impact is measured along the thread of the channel.

For perennial streams/ivers, the linear footage of impact is calculated by summing the lengths of disturbances to the channel and banks.

Permanent impacts are impacts that will remain after the project is complete (e.g., changes in grade or surface materials).

Temporary impacts are impacts not intended to remain (and will be restored to pre-construction conditions) after the project is completed.

JURISDICTIONAL AREA	PERMANENT SF / LF		TEMPORARY SF / LF	
Forested Wetland		<input checked="" type="checkbox"/> ATF		<input checked="" type="checkbox"/> ATF
Scrub-shrub Wetland		<input checked="" type="checkbox"/> ATF		<input checked="" type="checkbox"/> ATF
Emergent Wetland		<input checked="" type="checkbox"/> ATF		<input checked="" type="checkbox"/> ATF
Wet Meadow		<input checked="" type="checkbox"/> ATF		<input checked="" type="checkbox"/> ATF
Intermittent Stream		<input checked="" type="checkbox"/> ATF		<input checked="" type="checkbox"/> ATF
Perennial Stream or River		<input checked="" type="checkbox"/> ATF		<input checked="" type="checkbox"/> ATF
Lake / Pond		<input checked="" type="checkbox"/> ATF		<input checked="" type="checkbox"/> ATF
Bank - Intermittent Stream		<input checked="" type="checkbox"/> ATF		<input checked="" type="checkbox"/> ATF
Bank - Perennial Stream / River		<input checked="" type="checkbox"/> ATF		<input checked="" type="checkbox"/> ATF
Bank/shoreline - Lake / Pond		<input checked="" type="checkbox"/> ATF		<input checked="" type="checkbox"/> ATF
Tidal Waters		<input checked="" type="checkbox"/> ATF		<input checked="" type="checkbox"/> ATF
Tidal Marsh		<input checked="" type="checkbox"/> ATF		<input checked="" type="checkbox"/> ATF
Sand Dune		<input checked="" type="checkbox"/> ATF		<input checked="" type="checkbox"/> ATF
Designated Prime Wetland		<input checked="" type="checkbox"/> ATF		<input checked="" type="checkbox"/> ATF
Duly-established 100-foot Prime Wetland Buffer		<input checked="" type="checkbox"/> ATF		<input checked="" type="checkbox"/> ATF
Undeveloped Tidal Buffer Zone (TBZ)		<input checked="" type="checkbox"/> ATF		<input checked="" type="checkbox"/> ATF
Previously-developed TBZ		<input checked="" type="checkbox"/> ATF		<input checked="" type="checkbox"/> ATF
Docking - Lake / Pond		<input checked="" type="checkbox"/> ATF		<input checked="" type="checkbox"/> ATF
Docking - River		<input checked="" type="checkbox"/> ATF		<input checked="" type="checkbox"/> ATF
Docking - Tidal Water	537.5	<input checked="" type="checkbox"/> ATF		<input checked="" type="checkbox"/> ATF
Vernal Pool		<input checked="" type="checkbox"/> ATF		<input checked="" type="checkbox"/> ATF
TOTAL	537.5 /			

SECTION 13 - APPLICATION FEE (RSA 482-A:3, 1)

MINIMUM IMPACT FEE: Flat fee of \$400

NON-ENFORCEMENT RELATED, PUBLICLY-FUNDED AND SUPERVISED RESTORATION PROJECTS, REGARDLESS OF IMPACT CLASSIFICATION: Flat fee of \$400 (refer to RSA 482-A:3, 1(c) for restrictions)

MINOR OR MAJOR IMPACT FEE: Calculate using the table below:

Permanent and temporary (non-docking): SF × \$0.40 = \$

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Seasonal docking structure: 432.5 SF	× \$2.00 =	\$ 865.00
Permanent docking structure: 105 SF	× \$4.00 =	\$ 420.00
Projects proposing shoreline structures (including docks) add \$400 =		\$ 400.00
Total =		\$ 1,685.00
The application fee for minor or major impact is the above calculated total or \$400, whichever is greater = \$ 400.00		

SECTION 14 - PROJECT CLASSIFICATION (Env-Wt 306.05)

Indicate the project classification.

- Minimum Impact Project
 Minor Project
 Major Project

SECTION 15 - ALL APPLICABLE CONDITIONS IN Env-Wt 307 HAVE BEEN MET (Env-Wt 311.04(j); Env-Wt 313.01(a)(2)).

Check all conditions applicable to your project below. Please ensure that your plan design and access, construction sequence, and timing appropriately meet applicable conditions below:

<input checked="" type="checkbox"/> Env-Wt 307.02	US Army Corps of Engineers (USACE) Conditions	<input type="checkbox"/> Env-Wt 307.11	Filling Activity Conditions
<input checked="" type="checkbox"/> Env-Wt 307.03	Protection of Water Quality Required	<input type="checkbox"/> Env-Wt 307.12	Restoring Temporary Impacts: Site Stabilization
<input checked="" type="checkbox"/> Env-Wt 307.04	Protection of Fisheries and Breeding Areas Required	<input type="checkbox"/> Env-Wt 307.13	Property Line Setbacks
<input checked="" type="checkbox"/> Env-Wt 307.05	Protection Against Invasive Species Required	<input type="checkbox"/> Env-Wt 307.14	Rock Removal
<input checked="" type="checkbox"/> Env-Wt 307.06	Protection of Rare, Threatened or Endangered Species and Critical Habitat	<input checked="" type="checkbox"/> Env-Wt 307.15	Use of Heavy Equipment in Wetlands
<input type="checkbox"/> Env-Wt 307.07	Consistency Required with Shoreland Water Quality Protection Act	<input checked="" type="checkbox"/> Env-Wt 307.16	Adherence to Approved Plans Required
<input type="checkbox"/> Env-Wt 307.08	Protection of Designated Prime Wetlands and Duly-Established 100-Foot Buffers	<input type="checkbox"/> Env-Wt 307.17	Unpermitted Activities
<input checked="" type="checkbox"/> Env-Wt 307.09	Shoreline Structures	<input type="checkbox"/> Env-Wt 307.18	Reports
<input checked="" type="checkbox"/> Env-Wt 307.10	Dredging Activity Conditions		

Provide an explanation as to methods, timing, and manner as to how your project will meet standard permit conditions required in Env-Wt 307 (Env-Wt 311.03(b)(7)):

Please see attached narrative

SECTION 16 - REQUIRED CERTIFICATIONS (Env-Wt 311.11)

Initial each box below to certify:

Initials: <i>SR</i>	To the best of the signer's knowledge and belief, all required notifications have been provided.
Initials: <i>SR</i>	The information submitted on or with the application is true, complete, and not misleading to the best of the signer's knowledge and belief.
Initials: <i>SR</i>	<p>The signer understands that:</p> <ul style="list-style-type: none"> • The submission of false, incomplete, or misleading information constitutes grounds for NHDES to: <ol style="list-style-type: none"> 1. Deny the application. 2. Revoke any approval that is granted based on the information. And 3. If the signer is a certified wetland scientist, licensed surveyor, or professional engineer licensed to practice in New Hampshire, refer the matter to the joint board of licensure and certification established by RSA 310-A:1. • The signer is subject to the penalties specified in New Hampshire law for falsification in official matters, currently RSA 641. • The signature shall constitute authorization for the municipal conservation commission and the Department to inspect the site of the proposed project, except for minimum impact trail projects, where the signature shall authorize only the Department to inspect the site pursuant to RSA 482-A:6, II.
Initials: <i>SR</i>	If the applicant is not the owner of the property, each property owner signature shall constitute certification by the signer that he or she is aware of the application being filed and does not object to the filing.

SECTION 17 - REQUIRED SIGNATURE (Env-Wt 311.04(d); Env-Wt 311.11)

SIGNATURE (OWNER): <i>[Signature]</i>	PRINT NAME LEGIBLY: <i>[Signature]</i>	DATE: <i>[Signature]</i>
SIGNATURE (APPLICANT, IF DIFFERENT FROM OWNER): <i>[Signature]</i>	PRINT NAME LEGIBLY: <i>[Signature]</i>	DATE: <i>[Signature]</i>
SIGNATURE (AGENT, IF APPLICABLE): <i>[Signature]</i>	PRINT NAME LEGIBLY: Steven D. Riker	DATE: 1/9/2020

lrm@des.nh.gov or (603) 271-2147

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SECTION 18: TOWN / CITY CLERK SIGNATURE (Env-Wt 311.04(f))	
As required by RSA 482-A:3, I(a), (1), 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: <i>Susan Mistretta</i>	PRINT NAME LEGIBLY: <i>Susan Mistretta</i>
TOWN/CITY: <i>Dover</i>	DATE: <i>10/12/2020</i>

DIRECTIONS FOR TOWN/CITY CLERK:

Per RSA 482-A:3, I(a)(1)

1. IMMEDIATELY sign the original application form and four copies in the signature space provided above.
2. 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.
3. 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
4. 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 at the address at the bottom of this page.

APPLICATION CHECKLIST

(Items identified with an asterisk (*) are required only for Minor and Major Projects)

- The completed, dated, signed and certified application (Env-Wt 311.03(b)(1)).
- Correct fee as determined in RSA 482-A:3, I(b) or (c), subject to any cap established by RSA 482-A:3, X (Env-Wt 311.03(b)(2)).
- USACE "Appendix B, New Hampshire General Permits (GPs), Required Information and Corps Secondary Impacts Checklist" and its required attachments (Env-Wt 307.02).
- The results of actions required by Env-Wt 311.01 as part of an application preparation for a standard permit (Env-Wt 311.03(b)(3)).
- Project plans described in Env-Wt 311.05 (Env-Wt 311.03(b)(4)).
- Maps, or electronic shape files and meta data, and other attachments specified in Env-Wt 311.06 (Env-Wt 311.03(b)(5)).
- Explanation as to methods, timing, and manner as to how the project will meet standard permit conditions required in Env-Wt 307 (Env-Wt 311.03(b)(7)).
- If applicable, the information regarding proposed compensatory mitigation specified in Env-Wt 311.08 and Chapter Env-Wt 800 – Mitigation Worksheet, unless not required under Env-Wt 313.04 (Env-Wt 311.03(b)(8); Env-Wt 311.08; Env-Wt 313.04).
- Any additional information specific to the type of resource as specified in Env-Wt 311.09 (Env-Wt 311.03(b)(9); Env-Wt 311.04(j)).
- Project specific information required by Env-Wt 500, Env-Wt 600, and Env-Wt 900 (Env-Wt 311.03(b)(11)).
- A list containing the name, mailing address and tax map/lot number of each abutter to the subject property (Env-Wt 311.03(b)(12)).
- Copies of certified postal receipts or other proof of receipt of the notices that are required by RSA 482-A:3, I(d) (Env-Wt 311.03(b)(13)).
- Project design considerations required by Env-Wt 313 (Env-Wt 311.04(j)).

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- Town tax map showing the subject property, the location of the project on the property, and the location of properties of abutters with each lot labeled with the name and mailing address of the abutter (Env-Wt 311.06(a)).
 - Dated and labeled color photographs that:
 - (1) Clearly depict:
 - a. All jurisdictional areas, including but not limited to portions of wetland, shoreline, or surface water where impacts have or are proposed to occur. And
 - b. All existing shoreline structures. And
 - (2) Are mounted or printed no more than 2 per sheet on 8.5 x 11 inch sheets (Env-Wt 311.06(b)).
 - A copy of the appropriate USGS map or updated data based on LiDAR at a scale of one inch equals 24,000 feet showing the location of the subject property and proposed project (Env-Wt 311.06(c)).
 - A narrative that describes the work sequence, including pre-construction through post-construction, and the relative timing and progression of all work (Env-Wt 311.06(d)).
 - For all coastal projects, include a copy of the recorded deed with book and page numbers for the property (Env-Wt 311.06(e)).
-
- If the applicant is not the owner in fee of the subject property, documentation of the applicant's legal interest in the subject property, provided that for utility projects in a utility corridor, such documentation may comprise a list that:
 - (1) Identifies the county registry of deeds and book and page numbers of all of the easements or other recorded instruments that provide the necessary legal interest. And
 - (2) Has been certified as complete and accurate by a knowledgeable representative of the applicant (Env-Wt 311.06(f)).
 - The NHB memo containing the NHB identification number and results and recommendations from NHB as well as any written follow-up communications such as additional memos or email communications with either NHB or New Hampshire Fish and Game Department (NHF&G) (Env-Wt 311.06(g)).
 - A statement of whether the applicant has received comments from the local conservation commission and, if so, how the applicant has addressed the comments (Env-Wt 311.06(h)).
 - For projects in LAC jurisdiction, a statement of whether the applicant has received comments from the LAC and, if so, how the applicant has addressed the comments (Env-Wt 311.06(i)).
 - If the applicant is also seeking to be covered by the state general permits, a statement of whether comments have been received from any federal agency and, if so, how the applicant has addressed the comments (Env-Wt 311.06(j)).
 - For after-the-fact applications: information required by Env-Wt 311.12 (Env-Wt 311.12).
 - Coastal Resource Worksheet for coastal projects as required under Env-Wt 600.
 - Prime Wetlands information required under Env-Wt 700.
 - Stream Crossing Worksheet required by Env-Wt 900.
 - Avoidance and Minimization Written Narrative, Avoidance and Minimization Checklist, or your own avoidance and minimization narrative (Env-Wt 311.07).
 - * Attachment A: Minor and Major Projects (Env-Wt 311.10).
 - * Functional Assessment (Env-Wt 311.10).

27 May, 2020

To Whom It May Concern:

**RE: State of New Hampshire Department of Environmental Services
Application for proposed docking structure within the previously developed 100'
Tidal Buffer Zone and jurisdictional wetlands for Maloney Family Revocable
Trust of 2012 of 37 Mallard Lane Dover, NH 03820-5016**

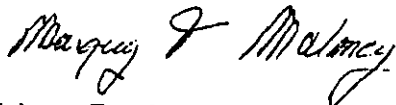
This letter is to inform the State of New Hampshire DES and the City of Dover in accordance with State Law that the following entities:

Riverside Marine Construction, Inc.
Ambit Engineering, Inc

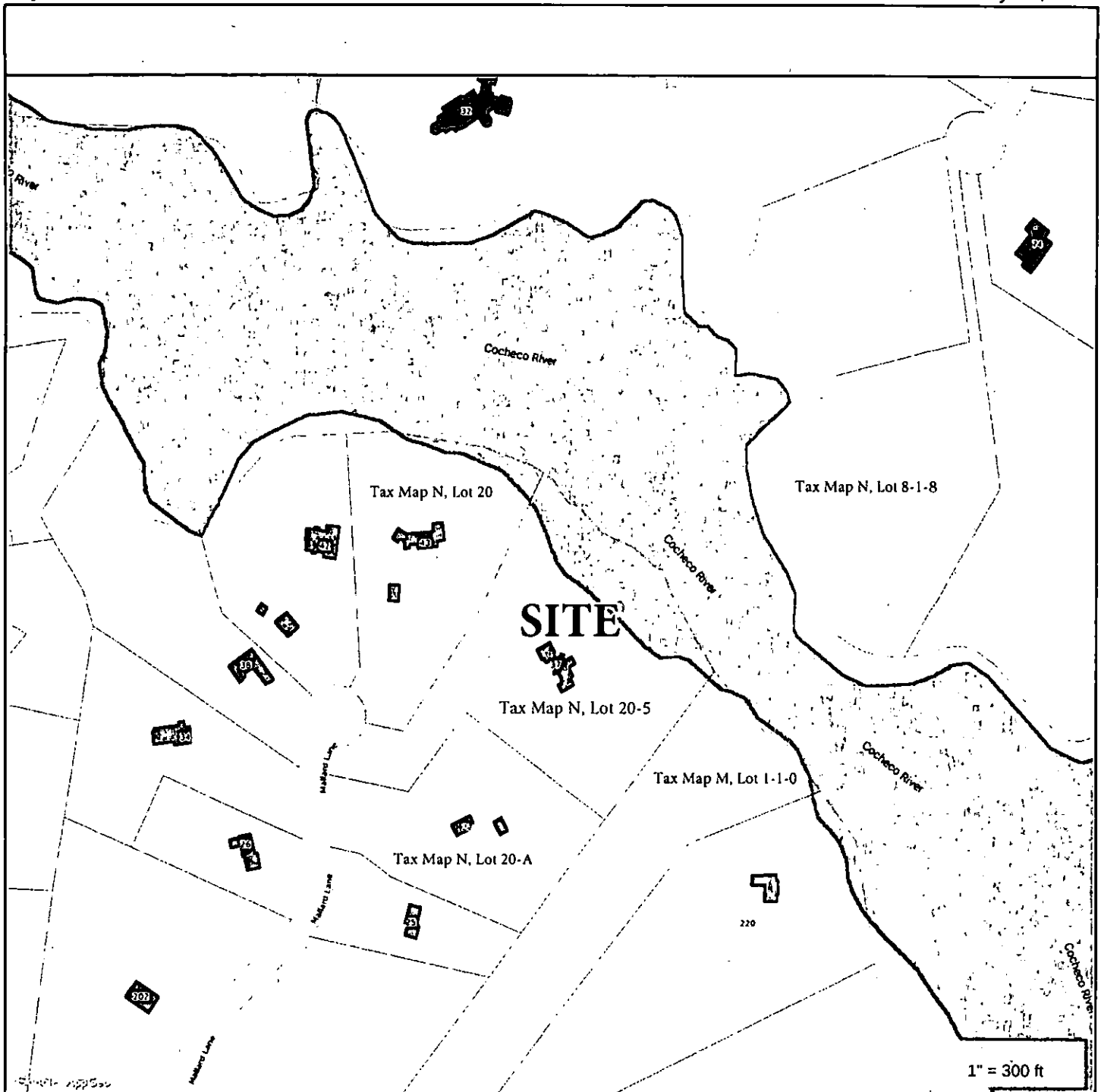
Is authorized to represent us as our agents in the approval process.

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

Sincerely,



*Maloney Family Revocable Trust of 2012
Margery T Maloney Trustee
Paul F Maloney Trustee
37 Mallard Lane
Dover, NH 03820-5016*

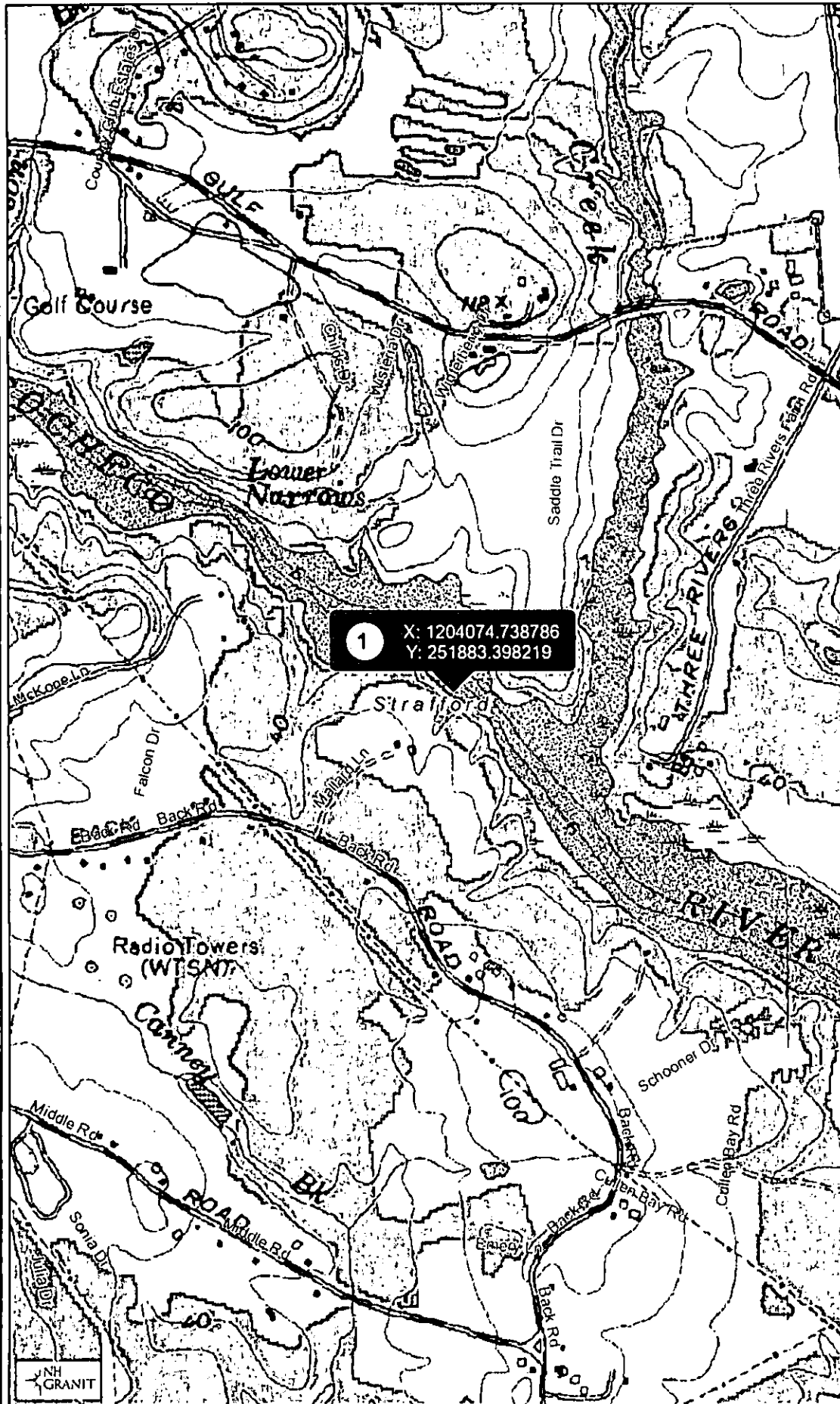


**MAP FOR REFERENCE ONLY
NOT A LEGAL DOCUMENT**

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

Geometry updated 10/18/2019
Data updated Daily

Map by NH GRANIT



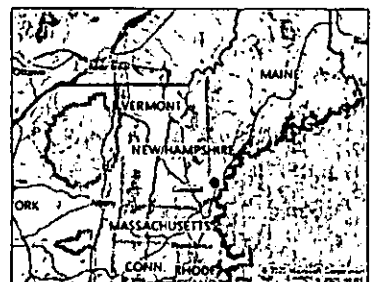
- ### Legend
- State
 - County
 - City/Town

Map Scale
1: 12,988



© NH GRANIT, www.granit.unh.edu
Map Generated: 2/20/2020

Notes





NEW HAMPSHIRE NATURAL HERITAGE BUREAU
NHB DATACHECK RESULTS LETTER

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

From: NH Natural Heritage Bureau

Date: 3/2/2020 (valid for one year from this date)

Re: Review by NH Natural Heritage Bureau of request submitted 2/20/2020

NHB File ID: NHB20-0538

Applicant: Paul Maloney

Location: Dover
Tax Maps: Tax Map N, Lot 20-5

Project

Description: The project proposes an extension to the existing docking structure to gain water depth.

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 2/20/2020, and cannot be used for any other project.



NEW HAMPSHIRE NATURAL HERITAGE BUREAU
NHB DATA CHECK RESULTS LETTER

MAP OF PROJECT BOUNDARIES FOR: NHB20-0538

NHB20-0538



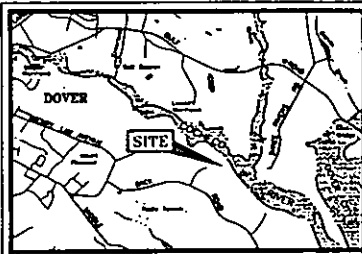
ABUTTER'S LIST

JN 2552.78

Client: Maloney Family Revocable Trust of 2012

Project Address: 37 Mallard Lane, Dover, NH

MAP	LOT	NAME(S)	PO BOX	STREET ADDRESS	CITY/STATE/ZIP
N	20	Brian P. & Jean M. Caven			
N	20-A	Christopher W. & Jessica S. Hunt			
M	1-1-0	William H. & Valeria S. Laitinen			
N	8-1-8	Mark Houston Dalzell Rev. Living Trust			
		Mark Houston Dalzell Trustee			



LOCATION MAP SCALE: 1" = 2000'

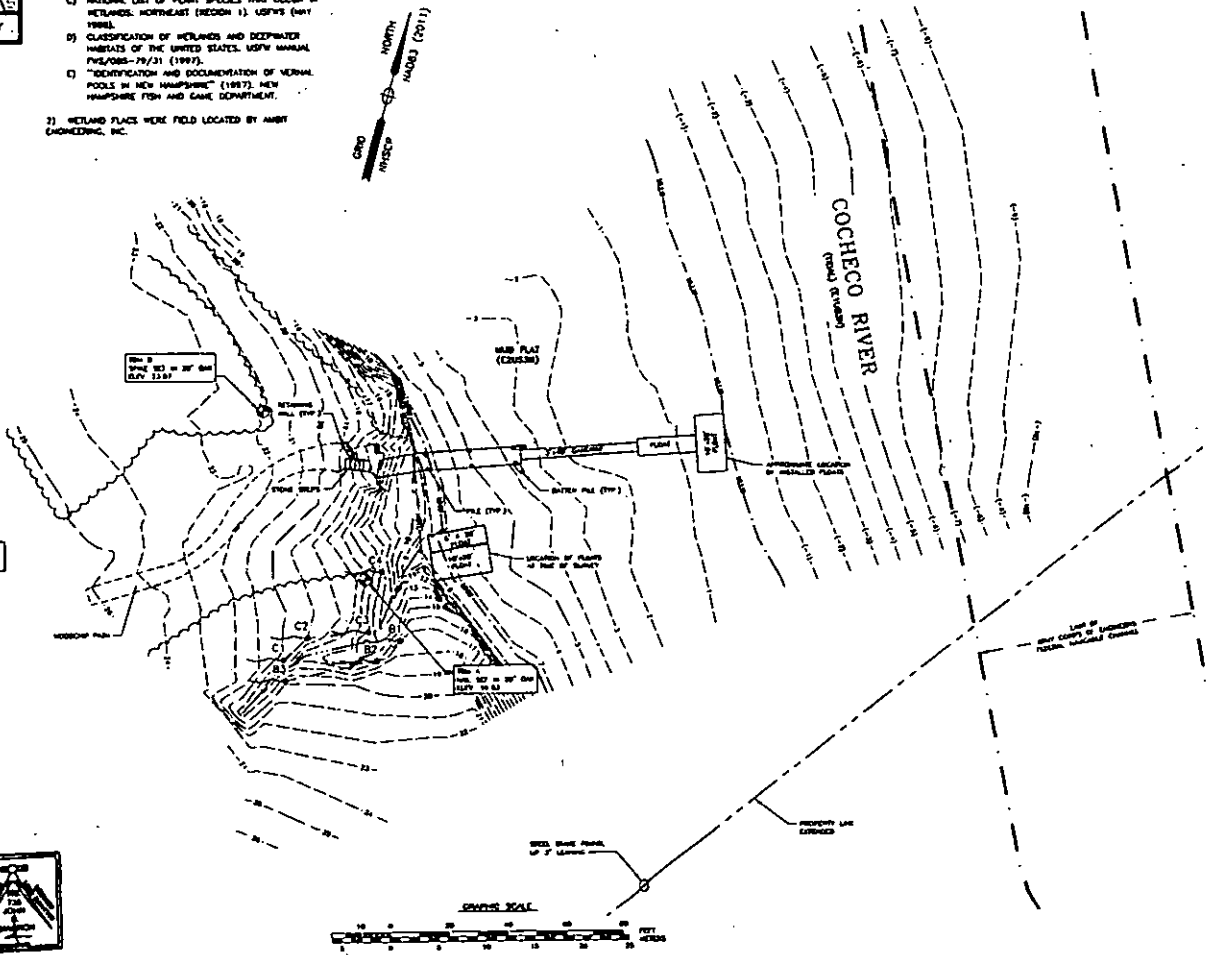
LEGEND:

- W OF FORMERLY RECORD OF PRIMARY STRATIFIED COUNTY RECORDS OF DEEDS
- MAP 11/LOT 21
- IRON ROD FOUND
- IRON PIPE FOUND
- IRON ROD SET
- DRILL HOLE FOUND
- DRILL HOLE SET
- WOOD FOUND
- TOUCH FOUND
- BOUND WITH DRILL HOLE
- STONE BOUND WITH DRILL HOLE
- HIGH - HIGHEST OBSERVABLE TIDE LINE
- LOW - MEAN HIGH WATER LINE
- PHOTO LOCATION/DIRECTION

WETLAND NOTES:

- 1) HIGHEST OBSERVABLE TIDE LINE & WETLAND LINE DELINEATED BY STEVEN B. RIVER, CHS ON 12/03/20 IN ACCORDANCE WITH THE FOLLOWING STANDARDS:
 - A) U.S. ARMY CORPS OF ENGINEERS WETLANDS Delineation Manual, TECHNICAL REPORT 7-87-1 (1987), AND REGIONAL SUPPLEMENT TO THE CORPS OF ENGINEERS WETLAND Delineation Manual: NORTHCENTRAL AND NORTHEAST REGION, VERSION 2.0, JANUARY 2012.
 - B) FIELD INDICATORS OF HYDRIC SOILS IN THE UNITED STATES, VERSION 8.2, USDA-NRCS, 2018 AND (FOR DISTURBED SITES) FIELD INDICATORS FOR DESCRIBING HYDRIC SOILS IN NEW ENGLAND, VERSION 4, NHCPCD WETLANDS WORK GROUP (2015).
 - C) NATIONAL LIST OF PLANT SPECIES THAT OCCUR IN WETLANDS, NORTHEAST (REGION 1), USFWS (MAY 1996).
 - D) CLASSIFICATION OF WETLANDS AND DEEPWATER HABITATS OF THE UNITED STATES, USFWS MANUAL PWS/OWS-79/31 (1997).
 - E) "IDENTIFICATION AND DOCUMENTATION OF VERNAL POOLS IN NEW HAMPSHIRE" (1987), NEW HAMPSHIRE FISH AND GAME DEPARTMENT.
- 2) WETLAND PLACE WHERE FIELD LOCATED BY AMBIT ENGINEERING, INC.

ABUTTERS



AMBIT ENGINEERING, INC.
 Civil Engineers & Land Surveyors
 1000 State St., Suite 2
 Dover, NH 03820
 Tel: 603-885-1111
 Fax: 603-885-1112

RIVERSIDE & CORKER
 MARINE CONTRACTORS

- NOTES:**
- 1) PROJECT LOCATION: 37 MALLARD LANE, DOVER, N.H. 03820
 - PROJECT ID: THE MAP # / LOT # - 1
 - OWNER: MALONEY FAMILY TRUST OF 2017
 PAUL J. MALONEY & MARGERY I. MALONEY, TRUSTEES
 37 MALLARD LANE, DOVER, NH 03820
 48679743
 S.C.R.A. PLAN 00-10
 - ZONING DISTRICT: P-10-RESIDENCE - RURAL RESERVE
 - 2) BOUNDARY FIELD PLAN: BOUNDARY LINE AGREEMENT LISTEN A. HOLDEN & WIT A. WALKER IS A LEGAL WALKER MALLARD LANE DOVER, NH 03820, DATED NOV 5, 2004, SCALE 1" = 80'. PREPARED BY BREXID ENGINEERING COMPANY, S.C.R.A. PLAN 00-06
 - 3) LOT AREA: 18,054 S.F. / 0.414 ACRES (FOR PLAN REFERENCE)
 - 4) THE CONTRACTOR SHALL NOTIFY THE STATE AT 1-800-955-7233 AT LEAST 72 HOURS PRIOR TO COMMENCING ANY EXCAVATION OR PUBLIC OR PRIVATE PROPERTY.
 - 5) UNDERGROUND UTILITY LOCATIONS ARE BASED UPON BEST AVAILABLE EVIDENCE AND ARE NOT FIELD VERIFIED. LOCATING AND PROTECTING ANY UNDERGROUND OR UNDERGROUND UTILITIES IS THE SOLE RESPONSIBILITY OF THE CONTRACTOR. UNLESS THE UTILITY CONTRACTOR SHOULD BE INFORMED AS ONCE TO THE DESIGN ENGINEER.
 - 6) CONTRACTOR SHALL INSTALL AND MAINTAIN EROSION CONTROL MEASURES IN ACCORDANCE WITH THE NEW HAMPSHIRE EROSION CONTROL MANUAL, VOLUME 3, EROSION AND SEDIMENT CONTROL DURING CONSTRUCTION (REVISED DECEMBER 2008)
 - 7) THE LIMIT OF WORK IS TO BE CLEARLY UNDERSTOOD BY THE CONTRACTOR PRIOR TO THE COMMENCEMENT OF CONSTRUCTION.
 - 8) VERTICAL DATUM: MEAN LOWER LOW WATER (MLLW) BASIS OF VERTICAL DATUM & REGULATIONS FOR DREDGING, OBSERVATIONS, REDUCTION FROM MLLW TO B.L.P. BASED ON MEAN LOWER LOW WATER (M.L.L.W.) DOCK, COCHECO RIVER, ALL B.L.P. 2.0' LOWER THAN 0' HIGHER THAN AS SHOWN IS AT ELEV. 2.00 MLLW

MALONEY DOCK
 37 MALLARD LANE
 DOVER, N.H.

NO.	DESCRIPTION	DATE
2	ADDED WETLAND CLASSIFICATION	8/13/20
1	ISSUED FOR APPROVAL	3/7/20
0	ISSUED FOR COMMENT	1/17/20

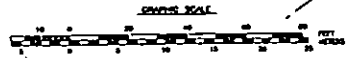
RECEIVED
 AUG 11 2020
 WETLANDS DIVISION

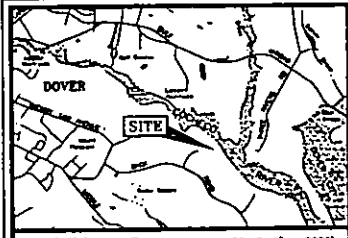
SCALE 1" = 20' APRIL 2020

EXISTING CONDITIONS PLAN **C1**

I certify that this plan was prepared under my direct supervision, that it is the result of a field survey by this office and has an accuracy of the closed traverse that exceeds the precision of 1:125,000.

I, JOHN R. DRONCH, LLS, DATE 8-13-20





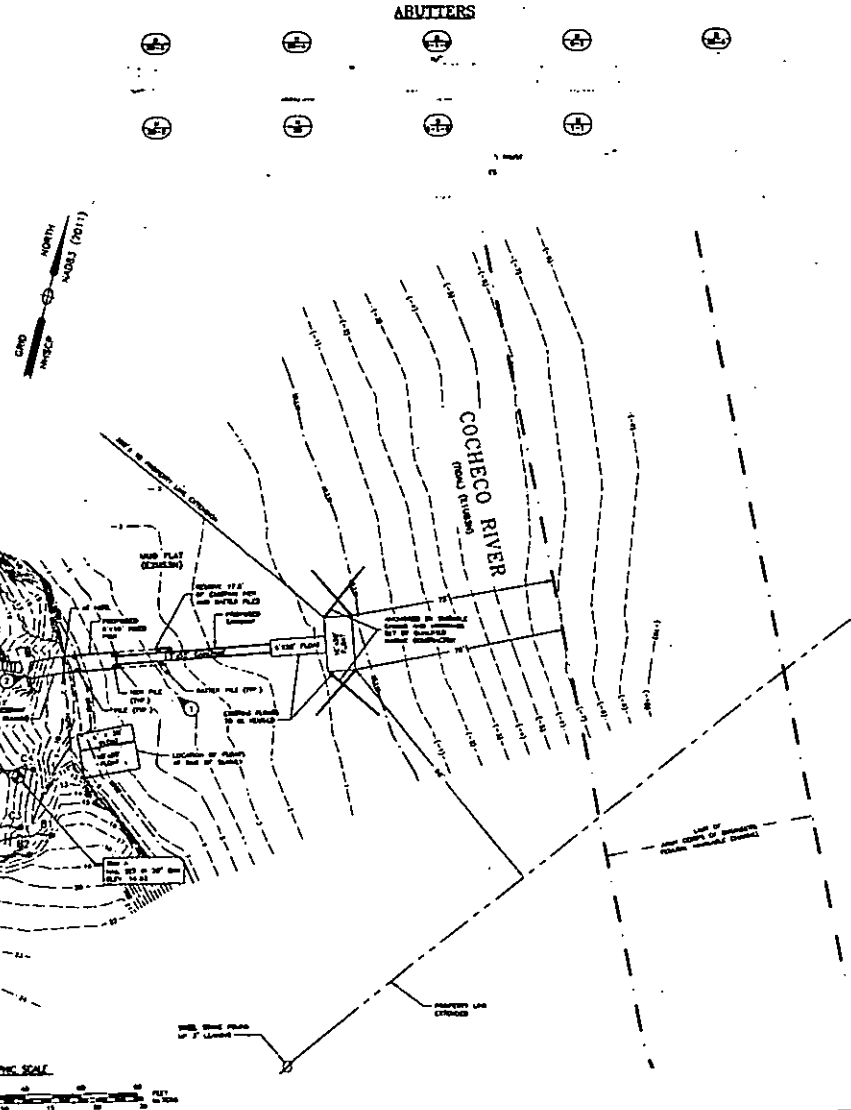
LOCATION MAP SCALE: 1" = 2000'

LEGEND:

- HP = HIGH OR FORMERLY RECORD OF PROPOSED STRAFFORD COUNTY REGION OF DEEPS RAJALACH SPEAK
- HP 11/15/21 = HIGH ROD FOUND
- HP 11/15/22 = HIGH PIPE FOUND
- HP 11/15/23 = HIGH HOLE SET
- HP 11/15/24 = DRILL HOLE FOUND
- HP 11/15/25 = DRILL HOLE SET
- HP 11/15/26 = HOLE FOUND
- HP 11/15/27 = BOUND FOUND
- HP 11/15/28 = BOUND WITH DRILL HOLE
- HP 11/15/29 = STAKE BOUND WITH DRILL HOLE
- HP 11/15/30 = HOLE WITH HIGHEST OBSERVABLE TIDE LINE
- HP 11/15/31 = HOLE WITH HIGHER TIDE LINE
- HP 11/15/32 = HOLE LOCATION/DIRECTION

WETLAND NOTES:

- 1) HIGHEST OBSERVABLE TIDE LINE & WETLAND LINE DELINEATED BY SECTION B FIELD, OHS ON 8/24/12/19 IN ACCORDANCE WITH THE FOLLOWING STANDARDS
- 2) U.S. ARMY CORPS OF ENGINEERS WETLAND DELINEATION MANUAL, TECHNICAL REPORT Y-57-1 (JAN 1987), AND REGIONAL SUPPLEMENT TO THE CORPS OF ENGINEERS WETLAND DELINEATION MANUAL, NORTH-CENTRAL AND NORTHEAST REGION, VERSION 2.0, JANUARY 2012
- 3) FIELD INDICATORS OF HYBRIC SOILS IN THE UNITED STATES, VERSION 6.1, USDA-NRCS, 2010 AND (FOR DISTURBED SITES) FIELD INDICATORS FOR CLASSIFYING HYBRIC SOILS IN NEW ENGLAND, VERSION 4.0, NHEVIC WETLANDS WORK GROUP (2015)
- 4) NATIONAL LIST OF PLANT SPECIES THAT OCCUR IN WETLANDS, NORTHEAST (REGION 1), USFWS (MAY 1988)
- 5) CLASSIFICATION OF WETLANDS AND DEEPWATER HABITATS OF THE UNITED STATES, USFWS MARINE PUBLICATION 19/31 (1997)
- 6) "IDENTIFICATION AND DOCUMENTATION OF WETLANDS IN NEW HAMPSHIRE" (1997) NEW HAMPSHIRE FISH AND GAME DEPARTMENT.
- 7) WETLAND PLANT SPECIES FIELD LOCATED BY AMBIT ENGINEERING, INC.



AMBIT ENGINEERING, INC.
Civil Engineers & Land Surveyors
2000 North Main Street, Dover, NH 03824
Tel: 603-751-8800

RIVERSIDE & CROCKER
MARINE SURVEYORS

- NOTES:**
- 1) PROJECT LOCATION: 37 MALLARD LANE DOVER, N.H. 03828
 - PROJECT No: 2019-001
 - DATE: 11/15/2019
 - OWNER: MALONEY FAMILY REVOCABLE TRUST OF 2011
 - DESIGNER: RIVERSIDE & CROCKER MARINE SURVEYORS
 - CONTRACT NO: 2019-001
 - DATE: 11/15/2019
 - SCALE: PLAN 1" = 20'
 - DATE: 11/15/2019
- 1) THE CONTRACTOR SHALL VERIFY THE SIZE OF 1"=200'-SCALE (1:1983) AND SHALL AT LEAST 72 HOURS PRIOR TO COMMENCEMENT OF CONSTRUCTION IN PUBLIC OF PUBLIC PROPERTY.
 - 2) UNDESIRABLE WETLAND LOCATIONS ARE SHOWN UPON THIS PLAN AND THESE LOCATIONS ARE BASED UPON BEST AVAILABLE DATA AND ARE NOT FIELD VERIFIED LOCATIONS. THE CONTRACTOR SHALL VERIFY THE ACCURACY OF THESE LOCATIONS AND THE DATE WHEN ANY CORRECTIONS SHOULD BE REPORTED AS SHOWN TO THE DESIGNER.
 - 3) CONSTRUCTION SHALL BE SMALL AND LIMITED TO THE PROPOSED WETLANDS IN ACCORDANCE WITH THE NEW HAMPSHIRE WETLANDS MANUAL, VOLUME 1, SECTION 4.0 AND 4.0000. THE CONTRACTOR SHALL VERIFY THE ACCURACY OF THESE LOCATIONS AND REPORT ANY CORRECTIONS TO THE DESIGNER AS SHOWN TO THE DESIGNER.
 - 4) THE LINE OF WORK IS TO BE CLEARLY IDENTIFIED PRIOR TO THE COMMENCEMENT OF CONSTRUCTION.
 - 5) ALL OTHER NOTES SHALL APPLY TO THIS PLAN AND THESE LOCATIONS ARE BASED UPON BEST AVAILABLE DATA AND ARE NOT FIELD VERIFIED LOCATIONS. THE CONTRACTOR SHALL VERIFY THE ACCURACY OF THESE LOCATIONS AND REPORT ANY CORRECTIONS TO THE DESIGNER AS SHOWN TO THE DESIGNER.

**MALONEY DOCK
37 MALLARD LANE
DOVER, N.H.**

NO.	DESCRIPTION	DATE
3	ADDED WETLAND CLASSIFICATION	6/11/20
2	WORKSHEET CHANGE	6/18/20
1	ISSUED FOR APPROVAL	3/22/20
0	ISSUED FOR COMMENT	1/17/20

RECEIVED APR 11 2020

SCALE 1" = 20' APRIL 2020

NHDES PERMIT PLAN C2

NHDES APPROVED PLAN