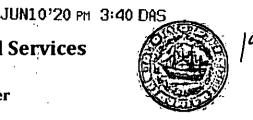




Department of Environmental Services

Robert R. Scott, Commissioner



June 10, 2020

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

REQUESTED ACTION

Approve Julia and Nicholas Orsi's request for a five year permit time extension, in accordance with RSA 482-A:3, XIV-a(a), to perform the following work on Bellamy River in Dover. File # 2014-03303. This project was originally approved by the Governor and Executive Council on August 26, 2015, Item #65 and issued to the original owner, Susan Von Hemert. A request to transfer the permit from Susan Von Hemert to Julia and Nicholas Orsi was approved on June 19, 2019, Item #199. This project will not have significant impact on or adversely affect the values of Bellamy River.

Construct a 4 ft. x 6 ft. walkway within the previously developed upland tidal buffer zone connecting to construction of a tidal docking structure consisting of a 4 ft. x 30 ft. permanent pier connecting to a 3 ft. x 10 ft. ramp connecting to a 12 ft. x 16 ft. float, overall docking structure length seaward from highest observable tide line 52 ft., providing one slip on 190 ft. of frontage on the Bellamy River.

The New Hampshire Department of Environmental Services (NHDES) finds that the applicant has demonstrated all of the following:

- 1. The permit for which the extension is being sought has not been revoked or suspended without reinstatement.
- 2. The extension will not violate a condition of law or rule.
- 3. The project is proceeding toward completion in accordance with the plans and other documentation referenced in the permit dated December 31, 2014.
- 4. The applicant proposes reasonable mitigation measures to protect the public waters of the state from deterioration during the period of extension.

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

- 1. All work shall be in accordance with plans by Hanover Engineering Associates, Inc. dated March 25, 2015, as received by the by the NH Department of Environmental Services (DES) on May 28, 2015.
- 2. This permit shall not be effective until recorded at the Strafford County Registry of Deeds Office by the permittee. A copy of the recorded permit shall be submitted to the DES Wetlands Bureau prior to construction.

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

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

- 3. The float shall be constructed with float stops to prevent it from resting on the mud at low tide.
- 4. Construction of this tidal docking structure consisting of a 4 ft. x 30 ft. permanent pier connecting to a 3 ft. x 10 ft. ramp connecting to a 12 ft. x 16 ft. float, overall length of 52 ft., providing one slip on 190 ft. of frontage on the Bellamy River, shall be the only dock structure on this water frontage.
- 5. Construction of the new dock shall occur from a barge and crane to reduce impacts to the saltmarsh.
- 6. The decking of the dock shall have a minimum of 4 ft. clearance from the surface of the tidal marsh and shall have 3/4-inch spacing between the decking planks.
- 7. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to surface waters and wetlands.
- 8. Work shall be conducted in a manner that avoids excessive discharges of sediments to fish spawning areas.
- 9. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain in until the area is stabilized.
- 10. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
- 11. Any future work in jurisdiction as specified in RSA 482-A on this property will require a new application and approval by the Department of Environmental Services ("DES") Wetlands Bureau.

EXPLANATION

The NHDES approved this project on June 10, 2020. The NHDES supported its decision with the following findings:

- 1. The owners, authorized agent, or applicant certifies that this permit qualifies for a permit extension in accordance with RSA 482-A:3, XIV-a(a), and Env Wt 314.05.
- 2. This permit has been extended in accordance with RSA 482-A:3, XIV-a(a), and Env Wt 314.05.

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



WETLANDS AND SHORELAND REQUEST FOR PERMIT EXTENSION

Water Division/Land Resources Management Wetlands Bureau

Administrative

Use

Only



Permit Not to Extend Beyond New Permit Expiration Date:

Printed Nam

RSA/Rule: RSA 482-A:3 XIV-a; RSA 483-B:5-b, VI/ Env-Wt 314.05

Administrative JUN 1 0s €020

Only

LAND RESOUR	CES MANAGEMENT							<u>renyyunus</u>
request an e Wetland or :	ands and Shoreland statutes lextension of a permit if certai Shoreland permit expires. On or Administrative/Registry of	n conditions	ons are met (see Se ermit expires, it is n	ction 3). T	his req	uest must be s	upn	nitted before the
SECTION 1	- PROJECT INFORMATION	<u>.</u>		•		:		
PERMIT NUMBER: 2014-03303				PERMIT TYPE:		SHORELAND WE		⊠ WETLAND
PERMIT EXP	IRATION DATE (request must	be filed	before the permit	expires): 7	/1/202	20		
SECTION 2	- APPLICANT INFORMATIO	N	-					
OWNER/AU	THORIZED AGENT NAME: Juli	a/Nichol	as Or s i				•	
MAILING ADDRESS: 175 Spur Road			TOWN/CITY: Dover		STATE: NH	ZIF	CODE: 03820	
EMAIL: jbhorsi@gmail.com PHONE		PHONE	: 207-632-9040 FAX:		none			
SECTION 3	- INFORMATION REQUIRE	D FOR P	ERMIT EXTENSIO	N REQUES	ST AC	CEPTANCE		-
following column annotated winclude all th	it extension request includes nditions have been met, you with the new permit expiration required materials, initials ith the missing/non-complianable.	r request n date as and sign	will be granted, an evidence of your e ature, a copy of the	d you will extension. I e request, w	receivi If your vill be :	e this page, sig request packa returned to yo	ned ge d u wi	and does not ith this page
Initials: JHO	The length of the requested extension, not to exceed 5 years: 5 (RSA 482-A:3, XIV-a, (a) and RSA 483-B:5-b, VI).							
Initials: JHO	The permit for which exten (RSA 482-A:3, XIV-a, (a) and		_	revoked o	r susp	ended without	rei	nstatement
Initials: JHO	Extension would not violat	e a condi	tion of law or rule (RSA 482-A	:3, XIV	-a, (a) and RSA	483	J-B:5-b, VI, (b)).

NHDES-W-06-044

Initials: JHO	The project is proceeding towards completion in accordance with plans and other documentation referenced by the permit (RSA 482-A:3, XIV-a, (a) and RSA 483-B:5-b, VI, (c)).							
Initials:	The applicant proposes reasonable mitigation measures to protect the public waters of the state from deterioration during the period of extension (RSA 482-A:3, XIV-a, (a) and Env-Wt 314.05(c)).							
	Check Not Applicable (N/A) if this is a Shoreland Permit: N/A							
Initials:	The wetland delineation is still valid pursu	uant to Env-Wt 406.01(b) (Env-Wt 314.05(c)).						
THO	Check N/A if this is a Shoreland Permit: N/A							
Initials:	The applicant proposes reasonable mitigation measures to protect the shorelands and public waters of the state from deterioration during the period of extension (RSA 483-B:5-b, VI, (d)).							
	Check N/A if this is a Wetlands Permit: 🔯 N/A							
	- REQUIRED CERTIFICATIONS (Required this is a Shoreland Permit, check N/A	for Wetlands Permit Only)						
Initial each I	box below to certify:	-						
Initials: JHO	To the best of the signer's knowledge and	belief, all required notifications have been pr	ovided.					
Initials:	The information submitted on or with the application is true, complete, and not misleading to the best							
1HO	of the signer's knowledge and belief.							
	 Deny the application; Revoke any approval that 	, or misleading information constitutes ground is granted based on the information.						
		wetland scientist, licensed surveyor, or profes w Hampshire, refer the matter to the joint boo						
Initials:	and certification establish		ard or licensure					
JHO	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 forestry SPN projects and minimum impact trail projects, where the signature shall authorize only the department to inspect the site pursuant to RSA 482-A:6, II 							
Initials: JHO	I certification by the signer that he of she is aware of the application being tiled and does not object to 1							
•	REQUIRED SIGNATURE (Required for W	Vetlands Permit Only)						
	is is a Shoreland Permit, check N/A	Lagran	· · · · · · · · · · · · · · · · · · ·					
)) igutandii)と	OWNER):	PRINT NAME LEGIBLY: Julia H. Orsi	DATE 3/31/2020					
IGNATURE (A	APPLICANT, IF DIFFERENT FROM OWNER)	PRINT NAME LEGIBLY:	DATE					
		Nicholas Orsi	3/31/2020					
IGNATURE (A	INATURE (AGENT, IF APPLICABLE) PRINT NAME LEGIBLY: DATE							

trm@des nh gov or (601) 271-2147 MHDES Wetlands Bureau, 29 Hazen; Direce, PO Bise 95, Concord, NH 03102-0095 www.des.nh.gov



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

WETLANDS BUREAU

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



PERMIT APPLICATION

INCOMPLE

DEC 0.5 2014

NUV-2/1 2014 NHDES LAND RESOURCES MANAGEME	04 2 3 3 3 3 3 3 3 3 3 3 3 3 3 3 3 3 3 3		O 0 5 ZU1 NHOES JURGES LIANA	in the	noting A	116.80 Emoc
1. REVIEW TIME: Indicate your Review Time be	low Refer to Guidance Document A	for instructions.	120			
Standard Review (Minimum, Minor or Major Impact)		★ Expedite	d Review (Minimum Impa	act)
2. PROJECT LOCATION: Separate applications must be	filed with each municipality that juris	sdictional impacts	will occur in			
ADDRESS: 175 Spur Road				TOWN/C	ITY: Dover	
TAX MAP: L	BLOCK:	LOT:	45F		UNIT:	
USGS TOPO MAP WATERBODY	NAME: Bellamy River	□ NA	STREAM W	", ATERSHED	SIZE:	. □ NA
LOCATION COORDINATES (If kr UTM ☐ State PI	nown): 43.135698 /70.841667				x Latitude/L	ongitude 🔲
Construct a 4 x 6' access	ne project outlining the scope of work "See Attached" in the space provide stair up to a 4' x 40' fixed pier have 2 x 6 pressure treated ski	with aluminum	gangway	and a 12	r 16' float lo	cated by
supports with a minimum sufficient sunlight to pass stops to suspend the floa nauve grade pressure tre where there is a smaller c	of 4' over existing vegetated so through. The proposed float to the substrate at low tide. ated lumber on the substructuoncentration of eel grass, 3' to pance of existing plant life.	urface. The de will be constru Float will be co re. The placen	ck boards cted with t mposed o lent of the	will be sp 3 square to 5.25 x 6' dock on to	paced %" to pallast tanks cedar deck	allow with float ing and
RELATED PERMITS, ENFO	DRCEMENT, EMERGENCY AUTHO	RIZATION, SHO	RELAND, A	LTERATIO	N OF TERRA	IN, ETC
•						•
NATURAL HERITAGE BUF ee the Instructions & Require	REAU & DESIGNATED RIVERS: 1/					•
	Attachments document for instructi	ons to complete a	& b below.			
. Natural Heritage Bureau Fil		ons to complete a	& b below.			

6. APPLICANT INFORMATION (Desired permit holder)					
LAST NAME, FIRST NAME, M.I.: Susan von Hemert			e e i come e cal	<u> </u>	84.1
TRUST / COMPANY NAME:					
DOVER			NH	03820	
EMAIL or FAX:		<u> </u>			
ELECTRONIC COMMUNICATION: By initialing here: SVH_, I hereby auth	onize DES to	communicate	ell matters relativ	ve to this application electronic	ally
7. PROPERTY OWNER INFORMATION (If different than applica	nt)				
LAST NAME, FIRST NAME, M.I.:		, Mark Mark TV I	<u>, 40</u> 2	<u>and production as white the second stands of the second s</u>	<u> </u>
TRUST / COMPANY NAME:	MÁILING A	DDRESS:			
TOWN/CITY:	-1 		STATE:	ZIP CODE:	
EMAIL or FAX:		PHONE:			
ELECTRONIC COMMUNICATION: By initialing here, I hereby aut	norize DES to	communicate	all matters relati	ve to this application electronic	ally
8: AUTHORIZED AGENT INFORMATION		2-7-10-11 E			
LAST NAME, FIRST NAME, M.I.: von Hemert, Susan	<u> Ar esta e que e</u>	COMPANY NAME:			
175 Spur Road	-				
Dover			NH	03820	
EMAIL or FAX:			·		
ELECTRONIC COMMUNICATION: By initialing here SVH , I hereby author	rize DES to co	ommunicate al	l matters relative	e to this application electronical	lly
PROPERTY OWNER SIGNATURE:	on of the belo	w statemen	15.0 H. 11.		
By signing the application, I am certifying that:					
I authorize the applicant and/or agent indicated on this form to upon request, supplemental information in support of this permanents.	nit application	า.	-		۱
 I have reviewed and submitted information & attachments outli All abutters have been identified in accordance with RSA 482- 				tachment document.	
4. I have read and provided the required information outlined in E				type.	
	he least imp	action altern	ativa		
 I have read and understand Env-Wt 302.03 and have chosen t Any structure that I am proposing to repair/replace was either p 				ureau or would be considere	эd
 Any structure that I am proposing to repair/replace was either p grandfathered per Env-Wt 101.47. 	oreviously pe	rmitted by th	ie Wetlands Bi	ureau or would be considere	ed
 Any structure that I am proposing to repair/replace was either p grandfathered per Env-Wt 101.47. I have submitted a copy of the application materials to the NH 8. I authorize DES and the municipal conservation commission to 	oreviously pe State Historic inspect the	rmitted by the Preservationsite of the pr	e Wetlands Bo on Officer. oposed projec	t.	ed
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MUNICIPAL SIGNATURES

10. CONSERVATION C	OMMISSION 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 accurate	ely represent the proposed project; and	
3. Has no objection to permitting the proposed work.		
l ⊣		
Authorized Commission Signature	Print name legibly	Date

DIRECTIONS FOR CONSERVATION COMMISSION

- 1. Expedited review ONLY requires that the conservation commission's signature is obtained in the space above.
- 2. The Conservation Commission signature should be obtained **prior** to the submittal of the original application and four copies to the town/city clerk for mailing to the DES.
- 3. The Conservation Commission may refuse to sign. If the Conservation Commission does not sign this statement for any reason, the application is not eligible for expedited review and the application will reviewed in the standard review time frame.

11. TOWN / CITY CLERK SIGNATURE

-As required by Chapter 482-A:3 (amended 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.

Kan I down

Town/City Clerk Signature

Karen S. Lavelta

Print name legibly

Doner

Town/City

11/19/14

Date

DIRECTIONS FOR TOWN/CITY CLERK:

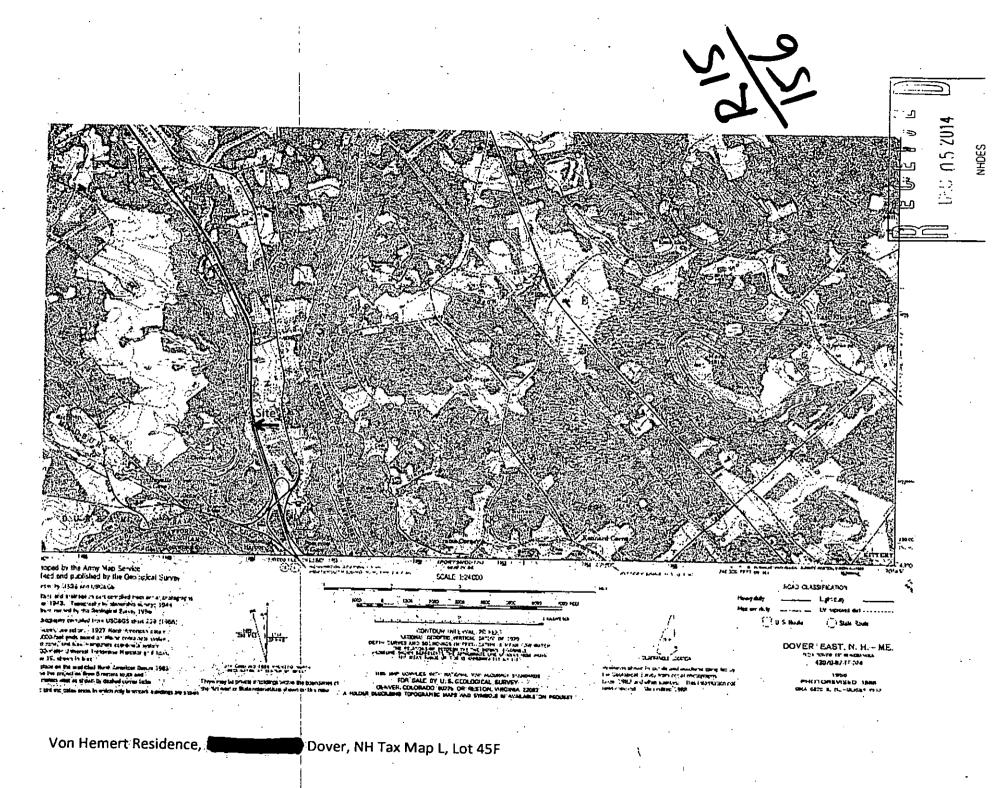
Per RSA 482-A:3,1

- 1. For applications where "Expedited Review" is checked on page 1, sign and accept the applications only if the Conservation Commission signature has been received:
- 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.

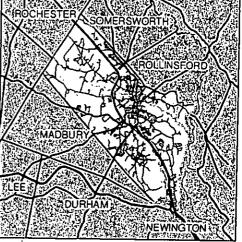
DIRECTIONS FOR APPLICANT:

1. Submit the 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.

12 IMPACT AREA For each jurisdictional area that will be ha Permanent impacts that will remain after	as been impacted; provide so the project is complete	quare feet and, if a	ipplicable, linear feet of impact	
Temporary simpacts not intended to rema After-the-fact (ATF), work completed prior				
JURISDICTIONAL AREA	PERMANENT Sq. Ft. / Lin. Ft.		TEMPORARY Sq. Ft. / Lin. Ft.	<u> </u>
Forested wetland		☐ ATF		ATF
Scrub-shrub wetland		ATF		☐ ATF
Emergent wettand		☐ ATF		☐ AŢF
Wat meadow		☐ ATF		ATF
Intermittent stream		☐ ATF		☐ ATF
Perennial Stream / River	. 1	☐ ATF	1	ATF
Lake / Pond		☐ ATF	1	☐ ATF
Bank - Intermittent stream	1	☐ ATF	1	☐ ATF
Bank - Perennial stream / River	1	☐ ATF		☐ ATF
Bank - Lake / Pond	/	☐ ATF	1	☐ ATF
Tidal water	1	☐ ATF	, , , , , , , , , , , , , , , , , , , ,	☐ ATF
Salt marsh		☐ ATF		ATF
Sand dune		☐ ATF		☐ ATF
Prime wetland		☐ ATF		☐ ATF
Prime wetland buffer		ATF	:	ATF
Undeveloped Tidal Buffer Zone (TBZ)		☐ ATF		ATF
Previously-developed upland in TBZ		☐ ATF		ATF
Docking - Lake / Pond		☐.ATF		☐ ATF
Docking - River		☐ ATF	•	ATF
Docking - Tidal Water -	352	☐ ATF		ATF
TOTAL	1			
13. APPLICATION FEE: See the Instructi	ions & Required Attachmen	ts document for fun	ther instruction	
☐ Minimum Impact Fee: Flat fee of \$ 20 x☐ Minor or Major Impact Fee: Calculate	te using the below table belo			
•	Temporary (non-docking)	24 sq. ft		
	Temporary (seasonal) docking structure:		1. X \$1.00 = \$192	•
	nanent docking structure:	160 sq. ft		
Projects pro	oposing shoreline structur	res (including doc	:ks) add \$200 =\$ 200 \	
	•	•	Total =	
The Application Fe	e is the above calculated Tr	otal or \$200, which	ever is greater = \$ 716.80	



Parcels updated January 1, 2014





NEW HAMPSHIRE NATURAL HERITAGE BUREAU

`DRED - DIVISION OF FORESTS & LANDS PO BOX 1856 - 172 PEMBROKE ROAD, CONCORD, NH 03302-1856 (603) 271-2214

Ťa:

Susan Von Hemert

From:

Melissa Coppola, NHB-Environmental Information Specialist

Date:

October 21, 2014

Subject:

NHB14-3211

This memo is a follow-up to NHB14-3211 which had indicated two exemplary natural community systems and one state-threatened plant species near the proposed pier. The Natural Heritage Bureau (NHB) requested further details about the project to determine the potential for impacts.

Based on the information provided (site photos), it appears that slight impacts to salt marsh vegetation are likely to occur. The following best management practices could be utilized to reduce impacts:

• Construction to occur from barge and crane to reduce impact to the salt marsh system

DEC 05 2014

- Deck height to be a minimum 1 to 1 width to height ration above the substrate inhabiting salt marsh vegetation
- Spacing of deck boards ¾ in. apart to increase light levels to portion of marsh occurring under proposed pier.

Should you have any further questions, contact me at 603-271-2215 ext. 323 or at Melissa.Coppola@dred.nh.gov.

saped by the Army Map Service.

Iggs and published by the Geological Survey

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Von Hemert Residence, Dover, NH Tax Map L, Lot 45F

ABUTTER NOTIFICATION OF WETLANDS PERMIT APPLICATION

Via Certified Mail

9/16/2014

Ms. Casey Dowgiert

Wicked Good Properties LLC

10 Juniper Road

Salem, NH

Re: Wetlands Permit Application

175 Spur Road Dover, NH Tax Map L, Lot 45F P

Dear Madam:

As owner of 177 Spur Road, this letter is to inform you that a Wetlands Permit Application will be filed with the NH Department of Environmental Services (DES) Wetland Bureau for a Wetlands and Non-Site Specific Permit associated with the above referenced project for work to [describe project]. Under state law RSA 482-A:3 | (d)(1), I am required to notify you about the application, which proposes work abutting your property.

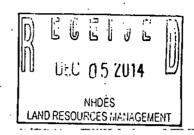
Once it is filed, the permit application, including plans that show the proposed project will be available for viewing at the City or Town Clerk's Office in the city/town where the proposed project is located or at the NHDES offices by scheduling a file review by calling (603) 271-8876 or online at http://www4.egov.nh.gov/DES/FileReview/.

If you have questions, you may contact me at the contact information provided below.

Sincerely,

Susan and Phil von Hemert

Dover, NH 03820



ABUTTER NOTIFICATION OF LANDS PERMIT APPLICATION

Via Certified Mail

9/16/2014

Mr. Gerry Karcher

Dover, NH 03820

Re: Wetlands Permit Application

175 Spur Road Dover, NH Tax Map L, Lot 45F

Dear Madam: .

This letter is to inform you that a Wetlands Permit Application will be filed with the NH Department of Environmental Services (DES) Wetland Bureau for a Wetlands and Non-Site Specific Permit associated with the above referenced project for work to [describe project]. Under state law RSA 482-A:3 i (d)(1), I am required to notify you about the application, which proposes work abutting your property.

Once it is filed, the permit application, including plans that show the proposed project will be available for viewing at the City or Town Clerk's Office in the city/town where the proposed project is located or at the NHDES offices by scheduling a file review by calling (603) 271-8876 or online at http://www4.egov.nh.gov/DES/FileReview/.

If you have questions, you may contact me at the contact information provided below.

Sincerely,

Susan and Phil von Hemert

Dover, NH 03820

