



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

9:45 RCVD



Sam  
95

Robert R. Scott, Commissioner

MAY 18 '22 AM 10:56 RCVD

May 5, 2022

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

**REQUESTED ACTION**

Recommend approval of the Town of Seabrook's (Petitioner) request for Grant of Right for fill placed in public waters forming 1,540 square feet of land contiguous to the Petitioner's frontage along Seabrook Harbor, Blackwater River, in Seabrook.

NHDES imposed the following conditions as part of this approval:

1. The Petitioner shall maintain the property acquired in a manner that meets the standards and requirements of RSA 483-B.
2. The Petitioner shall obtain appropriate permits under RSA 482-A for any work in the bank where the acquired land meets Seabrook Harbor, Blackwater River, Seabrook.

**EXPLANATION**

NHDES' decision to recommend approval of the Grant of Right is supported with the following findings:

1. The Petitioner owns property, identified as Seabrook Tax Map 26 Lot 98, which is has frontage along Seabrook Harbor, Blackwater River.
2. Immediately contiguous to the Petitioner's frontage will be an area of 1,540 square feet of fill of sufficient height to exceed the normal high water line and create land within Seabrook Harbor, Blackwater River.
3. The fill will be created as a result of reconstruction of the existing sheetpile bulk head.
4. The area of fill will be used exclusively by the owners of the property identified as Seabrook Tax Map 25 Lot 98.
5. The fill is not having an adverse environmental effect on Seabrook Harbor, and the Blackwater River.
6. The fill is not having an adverse effect on abutting shorelines.
7. There would be no environmental gain associated with the removal of the existing fill.
8. A public hearing was held at the NH Department of Environmental Services offices located at 222 International Drive, Suite 175, Portsmouth on February 20, 2022 in accordance with RSA 482-A:17.

[www.des.nh.gov](http://www.des.nh.gov)

His Excellency, Governor Christopher T. Sununu  
and The Honorable Council  
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NHDES permit #2020-03249 application documents are enclosed for review by the Governor and the Executive Council in consideration of this request and in accordance with RSA 482-A:3, II(a), as it is a major project located in public waters of New Hampshire.

We respectfully request your approval of this item.

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

Robert R. Scott  
Commissioner

Handwritten initials "RS" in black ink, positioned to the left of the printed name.

TOWN OF  
*Seabrook, New Hampshire*

99 LAFAYETTE ROAD  
PO BOX 456 - 03874-0456  
PH.(603)474-3311- FAX(603)474-8007

WWW.SEABROOKNH.INFO

STATE OF NEW HAMPSHIRE

His Excellency The Governor of New Hampshire and The Honorable Council:

Respectfully represents your Petitioner, the Town of Seabrook, residing in the Town of Seabrook, County of Rockingham, and State of New Hampshire.

Said Petitioner desires to place fill in Seabrook Harbor, a great pond in Seabrook, New Hampshire, adjoining properties now owned by the Town of Seabrook to an extent as follows: 5,075 square feet of land surrounding Plot 26-98 known as the Seabrook Fish Pier bulkhead, directly west of Ocean Boulevard, beginning at Plot 21-22-25 and extending 949.93 linear feet around the bulkhead. For the purpose of replacing the existing deteriorated bulkhead that encompasses the Seabrook Fish Pier as per plans and specifications attached hereto. Said Petitioner believes that this filling will not be contrary to the public interest.

WHEREFORE, your Petitioner prays that permission be given to fill in the above area.

Respectfully Submitted,

The Town of Seabrook

99 Lafayette Road

Seabrook, NH 03874

(603) 474-3311

Referred to the NH Department of Environmental Services

For investigation and recommendations

\_\_\_\_\_  
The Honorable Chris Sununu, Governor of NH

Date: \_\_\_\_\_

Return to:  
Donahue, Tucker & Ciandella, PLLC  
P.O. Box 630  
Exeter, NH 03833  
ELH/lmh

THIS CONVEYANCE IS EXEMPT FROM REAL ESTATE TRANSFER TAX  
PURSUANT TO RSA 78-B:2 I. and V.

**CONFIRMATORY QUITCLAIM DEED**

KNOW ALL PERSONS BY THESE PRESENTS, that the **State of New Hampshire**, Office of the Governor, 107 North Main Street #208, Concord, NH 03301, for no consideration paid, grants to the **Town of Seabrook**, a New Hampshire municipal corporation with an address of 99 Lafayette Road, Seabrook, NH 03874, with QUITCLAIM covenants, the following described premises:

All of the State's right, title, and interest in a parcel of land known as the Seabrook Commercial Fish Pier, located on Route 1A in the Town of Seabrook, County of Rockingham, State of New Hampshire, and being shown as New Area, Map 26, Lot 98 on a plan entitled "Plan of Land in Seabrook, NH Showing a Parcel Conveyance at 745 Ocean Boulevard W/S (Assessors Map 26 Lot 98)" prepared by Millennium Engineering Inc., dated August 31, 2021 and recorded in the Rockingham County Registry of Deeds (the "Registry") as Plan No. \_\_\_\_\_ (the "Plan"), being bounded and described according to the Plan as follows:

Beginning at a point on the westerly side of said NH Route 1A, at the northeasterly corner of the herein-described premises and at the southeast corner of land now or formerly of State of NH Fish and Game; thence running along said NH Route 1A S 10° 05' 09" W a distance of 481.08 feet to a point; thence turning and running along land now or formerly of the Town of Seabrook N 80° 10' 58" W a distance of 102.29 feet to a point; thence turning and continuing along said land now or formerly of Town of Seabrook S 10° 07' 09" W a distance of 47.67' to a point; thence turning and continuing along said land now or formerly of Town of Seabrook S 57° 53' 25" W a distance of 61.87 feet to a point; thence turning and running along Seabrook Harbor N 79° 40' 23" W a distance of 5.00 feet to a point; thence turning and continuing along Seabrook Harbor N 10° 19' 37" E a distance of 77.07 feet to a point; thence turning and continuing along Seabrook Harbor N 79° 55' 54" W a distance of 196.94 feet to a point; thence turning and continuing along Seabrook Harbor N 35° 37' 04" W a distance of 47.75 feet to a point; thence

turning and continuing along Seabrook Harbor N 10° 00' 13" E a distance of 403.74 feet to a point; thence turning and continuing along Seabrook Harbor N 47° 13' 07" E a distance of 39.85 feet to a point; thence turning and continuing along Seabrook Harbor S 42° 56' 38" E a distance of 197.86 feet to a point; thence turning and running along said land now or formerly of State of NH Fish and Game N 47° 07' 16" E a distance of 187.21 feet to a point; thence turning and continuing along said land now or formerly of NH Fish and Game S 79° 37' 16" E a distance of 93.71 feet to the point at the place of beginning. Containing 3.874 acres, or 168,753 square feet, more or less, according to the Plan.

Meaning and intending to confirm the earlier conveyance to the Town of Seabrook by Quitclaim Deed from the State of New Hampshire dated September 24, 1996 and recorded in the Rockingham County Registry of Deeds at Book 3179, Page 174, with use of a metes and bounds surveyed description of the parcel conveyed.

TO HAVE AND TO HOLD the granted premises with all the privileges thereunto belonging to the Town of Seabrook and its successors and assigns forever, PROVIDED THAT all right, title and interest conveyed hereby shall revert to the State of New Hampshire, if one or more of the following conditions occurs:

(a) The Seabrook Commercial Fish Pier and its associated acreage is not used for the purpose of encouraging the growth of the commercial fishing industry for a period of more than one (1) year.

(b) The Town of Seabrook fails to maintain the Seabrook Commercial Fish Pier and its associated acreage in at least the same physical condition in which the pier and its acreage were in at the time of the transfer.

(c) The Town of Seabrook uses the Seabrook Commercial Fish Pier and its associated acreage for any purpose in a way which would compete commercially with any state park located on the New Hampshire seacoast.

(d) The Town of Seabrook does not assure that all members of the public shall have access to and use the Seabrook Commercial Fish Pier and its associated acreage.

Homestead rights do not apply to this conveyance.

EXECUTED this \_\_\_\_ day of \_\_\_\_\_, 2021.

STATE OF NEW HAMPSHIRE

By: \_\_\_\_\_

Print Name:

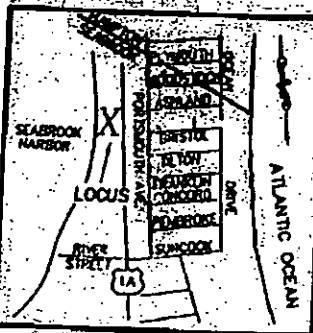
Its:

Duly Authorized

STATE OF NEW HAMPSHIRE  
COUNTY OF \_\_\_\_\_

On this \_\_\_\_ day of \_\_\_\_\_, 2021, before me, personally appeared \_\_\_\_\_, duly authorized \_\_\_\_\_ for the State of New Hampshire, known to me, or proven to me through satisfactory evidence of identification, to be the person whose name is subscribed to the foregoing instrument, and acknowledged that they executed the same for the purposes therein contained.

\_\_\_\_\_  
Notary Public



**NOTES:**

1) THIS PLAN DOES NOT SHOW ANY UNRECORDED OR UNIDENTIFIED EASEMENTS WHICH MAY EXIST. A REASONABLE AND DILIGENT ATTEMPT HAS BEEN MADE TO OBSERVE ANY APPARENT VISIBLE USES OF THE LAND; HOWEVER, THIS DOES NOT CONSTITUTE A GUARANTEE THAT NO SUCH EASEMENTS EXIST.

2) THIS PARCEL LIES WITHIN ZONES AEB & B, ZONE X AND ZONE X 0.2% ANNUAL CHANCE OF FLOOD. SEE FIRM COMMUNITY PANEL 33015C 0439 P. EFFECTIVE DATE: JANUARY 28, 2021.

**UTILITIES NOTE**

THE LOCATION OF UTILITIES SHOWN HEREON IS BASED ON INFORMATION PROVIDED BY OTHERS, AND WHERE POSSIBLE FROM MEASUREMENTS TAKEN IN THE FIELD, AND ARE FOR INFORMATIONAL PURPOSES ONLY. THE CONTRACTOR SHALL CONTACT "DIGSAFE" AT 1-888-344-7233 AT LEAST 72 HOURS PRIOR TO ANY EXCAVATION TO REQUEST MARKING OF UNDERGROUND UTILITIES. MILLENNIUM ENGINEERING, INC. ASSUMES NO RESPONSIBILITY FOR ANY DAMAGES INCURRED DIRECTLY OR INDIRECTLY RESULTING THEREFROM.

**PLAN NOTE**

THE PURPOSE OF THIS PLAN IS TO SHOW A TRANSFER OF LAND FROM THE STATE OF NEW HAMPSHIRE TO THE TOWN OF SEABROOK. THIS PARCEL OF LAND SHALL BE COMBINED WITH LAND OWNED BY THE TOWN OF SEABROOK AND KNOWN AS THE SEABROOK FISH PIER.

REFER TO PERMIT DRAWINGS BY COLLINS ENGINEERS, INC. "DESIGN OF REPAIRS, SEABROOK SEAWALL" DATED: APRIL 2021

**RECORD OWNERS**

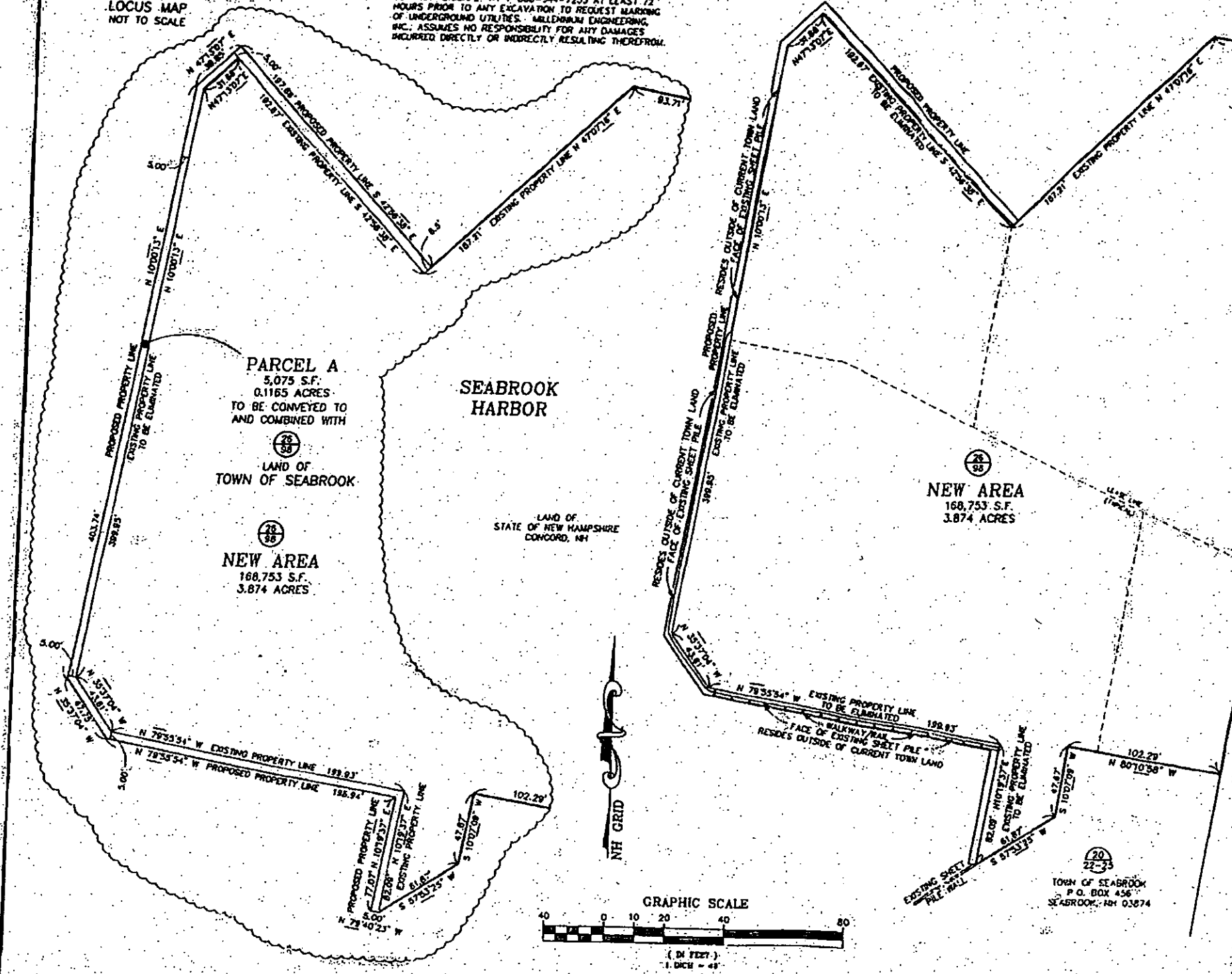
TOWN OF SEABROOK  
P.O. BOX 458  
SEABROOK, NH 03874  
BK. 3178 PG. 0174  
163,678 S.F.  
3.7575 ACRES.

STATE OF NH  
107 NORTH MAIN STREET #208  
CONCORD, NH 03301

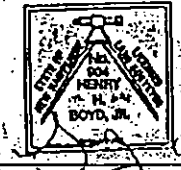
**ZONING DISTRICT**  
HARBOR COMMERCIAL

- 20-289  
N/T DEBORAH ROBINSON JACQUELINE MAHONEY, MARCIA LISBEE, JEANNE FITZPATRICK, ALLISON WHEAT & MICHELLE WHEAT, 32 ARLINGTON STREET, WOBURN, MA 01801, BK. 5826 PG. 0196
- 20-291  
N/T RICHARD PETERS, 24 WILLIAMS DRIVE, NEWTON, NH 03858, BK. 6168 PG. 1041
- 20-294  
N/T SCALA FAMILY TRUST OF 2013, ANGELO F. & LOUISE L. SCALA, TRUSTEES, 284 PORTSMOUTH AVENUE, SEABROOK, NH 03874, BK. 5830 PG. 0150
- 20-283  
N/T JANE CHEEVERS REVOCABLE LIVING TRUST, PATRICIA L. BRACENT TRUSTEE, 5101 WOOD OAKS LAKE, MULBERRY, FL 33660, BK. 3367 PG. 0995
- 20-297  
N/T EILEEN MCHUGH, 5 HILLSBURY AVENUE, DRACUT, MA 01828, BK. 5764 PG. 2409
- 20-291  
N/T MARK A. GARABEDIAN C/O MARK A. GARABEDIAN, 291 PORTSMOUTH AVENUE, SEABROOK, NH 03874, BK. 3059 PG. 2872
- 20-290-1  
N/T SIB REALTY TRUST, STEPHEN KIDDER & MICHAEL PUZO, TRUSTEES, 294 PORTSMOUTH AVENUE, TYNGSBORO, MA 01879, BK. 4353 PG. 0117
- 20-290  
N/T RICHARD R. & PATRICIA A. CARON, 290 PORTSMOUTH AVENUE, SEABROOK, NH 03874, BK. 3058 PG. 2872
- 20-289  
N/T EDWARD J. BRADLEY, III, REHEE A. MITKARIAN-BRADLEY, 28 LEXINGTON CIRCLE, HOLDEN, MA 01520, BK. 3118 PG. 0154
- 20-289  
N/T LISA BAREN, 288 PORTSMOUTH AVENUE, SEABROOK, NH 03874, BK. 5971 PG. 2933
- 20-287  
N/T ANDRI MULLI, 35 TSITSIOS DRIVE, PEABODY, MA 01960, BK. 5799 PG. 1511
- 20-284  
N/T DIPRIMO FAMILY REALTY TRUST II, ELAINE DIPRIMO & GINA E. WALTON, TRUSTEES, 154 CORLISS FRIE ROAD, HAVERHILL, MA 01830, BK. 5875 PG. 0444

OCEAN NH ROUTE 1A BOULEVARD



I CERTIFY THAT THIS ACTUAL SURVEY WAS MADE ON THE GROUND IN AUGUST OF 2021 THAT THIS PLAN CONFORMS TO THE RULES AND REGULATIONS OF THE REGISTER OF DEEDS THAT THIS SURVEY CONFORMS TO THE REQUIREMENTS FOR ACCURACY FOR N.H. URBAN SURVEY.



TOWN OF SEABROOK PLANNING BOARD

CHAIRMAN \_\_\_\_\_ DATE \_\_\_\_\_

TOWN OF SEABROOK PLANNING BOARD CASE #2021-XX

**PLAN OF LAND**  
IN  
**SEABROOK, NH**

SHOWING  
A PARCEL CONVEYANCE  
AT 745 OCEAN BOULEVARD W/S  
(ASSESSORS MAP 26 LOT 98)

RECORD OWNERS  
TOWN OF SEABROOK  
P.O. BOX 458 SEABROOK, NH 03874  
STATE OF NEW HAMPSHIRE  
OFFICE OF THE GOVERNOR  
107 NORTH MAIN STREET #208 CONCORD, NH 03301

**MILLENNIUM ENGINEERING INC.**  
ENGINEERS AND LAND SURVEYORS  
P.O. BOX 745 - 13 HAMPTON ROAD EXETER, NH 03833  
PHONE: (603) 778-0528 FAX: (603) 772-0689

SCALE: 1"=40' DRWN. BY: H.H.B.  
DATE: AUG. 31, 2021 CHKD. BY: R.S.G. PROJECT: E212143

NO.	DATE	DESCRIPTION	BY

