



WETLANDS PERMIT-BY-NOTIFICATION (PBN)
 Water Division/Land Resources Management
 Wetlands Bureau



[Check the Status of your Notification](#)

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

APPLICANT'S NAME: Bates Revocable Trust

TOWN NAME: Durham

Administrative Use Only	Administrative Use Only	Administrative Use Only	File No.:
			Check No.:
			Amount:
			Initials:

To ensure your project is eligible for a Permit-by-Notification (PBN) and includes all required information, please review all sections of this application form and the "Permit-by-Notification: Attachment Checklist & Additional Instructions". The [project-specific activity checklist](#) that corresponds to the PBN you are applying for may also be used to facilitate submission.

Terms in **bold font** are defined on the attached Definition of Terms page.

SECTION 1 - GENERAL CRITERIA	
a. Does the project deviate from the standards and conditions specified in Env-Wt 307 or deviate from the applicable provisions of Env-Wt 500, Env-Wt 600, or Env-Wt 900 (Env-Wt 309.06(b))?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
b. Does the project include activities that are prohibited under RSA 482-A (Env-Wt 306.02(a)(2))?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
c. Does the project include activities that do not follow or meet the applicable best management practices (Env-Wt 306.02(a)(3))?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
d. Does the project involve work in any jurisdictional area that was commenced prior to obtaining the applicable approval (Env-Wt 306.02(b)) (i.e. after-the-fact work)?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
e. Is the project located in a priority resource area other than a documented occurrence of protected species or habitat (Env-Wt 309.01(b)(3))?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
If you answered "Yes" to any of the above questions, you cannot use this form and must file a Standard Permit Application (NHDES-W-06-012) . If you answered "No" to all of the above questions, proceed to Section 2.	

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

NHDES Wetlands Bureau, 29 Hazen Drive, PO BOX 95, Concord, NH 03302-0095

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SECTION 2 – PROJECT-SPECIFIC CRITERIA (Env-Wt 309.06)		
<p>The following project types <i>may</i> be eligible for a PBN. If your project is not listed below, you cannot use this form. To confirm eligibility, please refer to the project-specific checklist that corresponds to the selected PBN project type.</p> <p>† Pursuant to Env-Wt 309.07(h), these projects are exempt from obtaining a conservation commission signature in order to qualify for expedited PBN review.</p> <p>‡ Pursuant to Env-Wt 309.07(i), these projects consist of routine roadway maintenance activities that may require local river management advisory committee (LAC) signature if the project is within LAC jurisdiction as defined in Env-Wt 103.27 in order to qualify for expedited PBN review.</p>		
<input type="checkbox"/> Exotic aquatic weed control activities not exceeding one acre that comply with Env-Wt 510.08(a)	<input type="checkbox"/> Repair or replacement of an existing legal wall that complies with Env-Wt 514.07(a)(3) †	<input type="checkbox"/> Agricultural activities that comply with Env-Wt 522.06(a)
<input type="checkbox"/> Replenishment of an existing legal beach that complies with Env-Wt 511.07(a) †	<input type="checkbox"/> Maintenance or repair of an existing legal boathouse that complies with Env-Wt 515.07(a) †	<input type="checkbox"/> A temporary coffer dam that complies with Env-Wt 526.06(f)
<input type="checkbox"/> Repair or replacement of an existing legal deck or patio that complies with Env-Wt 511.08(a) †	<input type="checkbox"/> Repair or replacement of a boat launch under Env-Wt 518	<input checked="" type="checkbox"/> Maintenance of an existing legal tidal docking structure that complies with Env-Wt 606.17(b) †
<input type="checkbox"/> Installation of a new seasonal dock that complies with Env-Wt 513.24(a)	<input type="checkbox"/> Installation of a dry hydrant that complies with Env-Wt 518.07(a)	<input type="checkbox"/> Repair of an existing legal tier 1 or tier 2 stream crossing that complies with Env-Wt 903.01(e)(2) †‡
<input type="checkbox"/> Repair or replacement of an existing legal docking structure that complies with Env-Wt 513.24(a) †	<input type="checkbox"/> Forestry activities that are not eligible for an SPN and comply with Env-Wt 520.05(a)	<input type="checkbox"/> Repair of an existing legal tier 3 stream crossing that complies with Env-Wt 903.01(e)(3) †‡
<input type="checkbox"/> Installation of a dock anchoring pad that complies with Env-Wt 513.24(a)(1)c	<input type="checkbox"/> Utility activities that are not eligible for an SPN and comply with Env-Wt 521.06(a)	<input type="checkbox"/> Replacement of an existing legal tier 1 stream crossing that complies with Env-Wt 903.01(e)(4) †
<input type="checkbox"/> Installation of a watercraft lift that complies with Env-Wt 513.24(a)(1)a	<input type="checkbox"/> Installation of residential utilities to a single-family home that complies with Env-Wt 521.06(a)(7)	<input type="checkbox"/> Installation of a temporary tier 1 or tier 2 crossing that complies with Env-Wt 903.01(e)(5)
<input type="checkbox"/> Installation of a new canopy that complies with Env-Wt 513.27(a)		

SECTION 3 - PROJECT LOCATION (Env-Wt 309.07(b))	
A separate application must be filed with each municipality that jurisdictional impacts will occur in.	
ADDRESS: 10 Cedar Point Road	TOWN/CITY: Durham
TAX MAP/LOT NUMBER: Map 12A, Lot 2-13	
NAME OF WATER BODY, WETLAND, OR OTHER JURISDICTIONAL AREA: Little Bay	
LATITUDE (in decimal degrees to five decimal places): X:1,200,120.958	LONGITUDE (in decimal degrees to five decimal places): Y: 229,813.4788

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SECTION 4 - PROJECT DESCRIPTION AND IMPACT AREA (Env-Wt 309.07(c))

Provide a description of the project, including a list of the work items to be performed and detailed dimensions of the size of the impacts in jurisdictional areas. Identify the type of landform to be affected, including the type of **wetland** and type of soils.

DESCRIPTION: The proposes 524 sq. ft. of permanent impact to tidal wetlands for the repair/replacement of an existing tidal docking structure consisting of a 4.5' x 14' accessway, 233 sq. ft. deck/pier, 2' x 14' gangway and a 10' x 20' float.

IMPACT AREAS: Fill out the table below, indicating square feet (SF) and/or linear feet (LF) of impacts, as applicable. Temporary impacts are impacts not intended to remain (and will be fully restored to pre-construction conditions) after the project is completed.




NOTE: For new seasonal dock projects, please enter the square footage of the proposed dock in the permanent impact column of the applicable resource.






Jurisdictional Area	Permanent (SF/LF)	Temporary (SF/LF)	Jurisdictional Area	Permanent (SF/LF)	Temporary (SF/LF)
Forested Wetland			Lake	/	/
Emergent Wetland			Pond	/	/
Wet Meadow			Tidal Water	524 /	/
Intermittent Stream/ Ephemeral Stream	/	/	Previously-developed Upland in Tidal Buffer Zone		
Perennial Stream / River	/	/	Other		







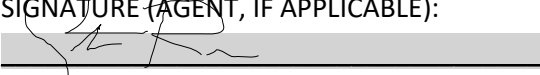
SECTION 5 - MINIMUM IMPACT PROJECT PROVISION (Env-Wt 309.07(c)(1))

Identify the applicable minimum project provision in Env-Wt 500, Env-Wt 600, or Env-Wt 900, as applicable, and any required project-specific information. In lieu of a narrative for this section, the applicant may submit the applicable [Project Specific Checklist](#).

MINIMUM IMPACT PROJECT PROVISION: Env-Wt 513.24(a)

SECTION 6 - APPLICANT (DESIRED PERMIT HOLDER) INFORMATION (Env-Wt 309.07(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: Bruce H. Bates Rev. Trust & Ellen F. Bates Rev. Tr		
MAILING ADDRESS: PO Box 686		
TOWN/CITY: Durham	STATE: NH	ZIP CODE: 03824
DAYTIME PHONE: 603-767-4949	EMAIL ADDRESS: ebates@officeinteriorsltd.com	
SECTION 7 - NATURAL HERITAGE BUREAU (Env-Wt 309.07(b)(6))		
Include the results and identification number of the investigations required by Env-Wt 306.05. <i>Questions related to completing the DataCheck should be directed to the Natural Heritage Bureau (NHB).</i>		
Natural Heritage Bureau Identification Number: NHB <u>21</u> - <u>3819</u>		
<input checked="" type="checkbox"/> Attach the results and identification number of the DataCheck query .		
SECTION 8 - CONDITIONS FOR PBNs (Env-Wt 309.09)		
Please check each box below to acknowledge that the project meets the following conditions:		
<input checked="" type="checkbox"/>	All work authorized by a PBN shall comply with all applicable conditions specified in Env-Wt 307 and the applicable provisions of Env-Wt 500, Env-Wt 600, or Env-Wt 900.	
<input checked="" type="checkbox"/>	Subject to Env-Wt 309.10, after the completion of work authorized by a PBN no other work that would require any permit or other authorization under RSA 482-A or subtitle Env-Wt shall be undertaken on the subject property pursuant to another PBN or EXP, or pursuant to an SPN, for a period of 12 months from the date the PBN was issued.	
<input checked="" type="checkbox"/>	Within 10 days following completion of the work covered by a PBN, the person responsible for the project shall submit to the department confirmation of completion of the project, either on paper or electronically.	
SECTION 9 - REQUIRED CERTIFICATIONS (Env-Wt 309.07(d))		
Initial each box below and sign the application to certify that:		
Initials: 	The proposed project meets the conditions and limits of Env-Wt 307 and the applicable minimum impact project rule.	
Initials: 	If the project is to repair or replace a docking structure, the docking structure is an existing legal structure.	
Initials: 	The proposal is the alternative with the least adverse impact to jurisdictional areas, as required by Env-Wt 311.10(c).	

Initials: 	The applicant is aware of the limits of the PBN and understands and will comply with all conditions in the PBN and all applicable conditions in Env-Wt 307.
Initials: 	To the best of the signer's knowledge and belief, all required notifications have been provided.
Initials: 	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: 	<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"> Deny the application. Revoke any approval that is granted based on the information. 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. <p>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.</p>
Initials: 	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 10 - REQUIRED SIGNATURE (Env-Wt 309.07(d))		
SIGNATURE (OWNER): 	PRINT NAME LEGIBLY: 	DATE: 
SIGNATURE (APPLICANT, IF DIFFERENT FROM OWNER): 	PRINT NAME LEGIBLY: 	DATE: 
SIGNATURE (AGENT, IF APPLICABLE): 	PRINT NAME LEGIBLY: Steven D. Riker	DATE: 12/27/21

SECTION 11 - CONSERVATION COMMISSION SIGNATURE (Env-Wt 306.02(c); Env-Wt 309.07(h); Env-Wt 309.08(d))		
With the exception of the project types specified in Env-Wt 309.07(h), the Conservation Commission signature is necessary for NHDES to process this PBN within 10 days of receipt of an administratively complete application. If the Conservation Commission does not sign this statement for any reason where it is necessary, NHDES will process this PBN within 25 days of receipt of an administratively complete application.		
The signature below certifies that the municipal Conservation Commission or, if there is no conservation commission, the local governing body, has reviewed this application and waives its right to intervene per RSA 482-A:11.		
AUTHORIZED COMMISSION SIGNATURE: _____	PRINT NAME LEGIBLY: _____	DATE: _____
SECTION 12 - LOCAL RIVER MANAGEMENT ADVISORY COMMITTEE (LAC) SIGNATURE (Env-Wt 306.02(d); Env-Wt 309.07(i); Env-Wt 309.08(d))		
If a PBN is sought for a routine roadway maintenance project that is within LAC jurisdiction and the application has not been signed by a legal representative of the LAC to indicate the right to intervene has been waived by the applicable LAC, NHDES will process this PBN within 25 days of receipt of an administratively complete application.		
The signature below certifies that the LAC waives its right to intervene per RSA 482-A:11. (<input type="checkbox"/> N/A This project is <i>not</i> within a Designated River Corridor and/or is <i>not</i> within LAC jurisdiction)		
AUTHORIZED LAC REPRESENTATIVE SIGNATURE: _____	PRINT NAME LEGIBLY: _____	DATE: _____
SECTION 13 - COUNTY CONSERVATION DISTRICT OR CERTIFIED WETLAND SCIENTIST SIGNATURE (Env-Wt 309.07(g))		
ONLY for agriculture PBN projects under Env-Wt 522.06, please provide a signed statement by the county conservation district or certified wetland scientist (CWS) certifying compliance with all conditions of that rule (Env-Wt 522.06(a)(2)).		
By signing below, the county conservation district or certified wetland scientist certifies compliance with all conditions of that rule.		
AUTHORIZED COUNTY CONSERVATION DISTRICT OR CWS SIGNATURE: _____	PRINT NAME LEGIBLY: _____	DATE: _____
SECTION 14 - TOWN / CITY CLERK (RSA 482-A:3, I; Env-Wt 309.07(f))		
As required by RSA 482-A:3, I(a)(1), I hereby certify that the applicant has filed four copies of the application including all attachments with the town/city indicated below.		
TOWN/CITY CLERK SIGNATURE: _____	PRINT NAME LEGIBLY: _____	
TOWN/CITY: _____	DATE: _____	

DIRECTIONS FOR TOWN/CITY CLERK (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.

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

NHDES Wetlands Bureau, 29 Hazen Drive, PO BOX 95, Concord, NH 03302-0095

www.des.nh.gov

13 December, 2021

To Whom It May Concern:

RE: State of New Hampshire DES Wetlands Bureau Standard Dredge and Fill Application for proposed shoreline stabilization within the previously developed 100' Tidal Buffer Zone and jurisdictional wetlands for Ellen F. Bates Revocable Trust & Bruce H. Bates Revocable Trust of 10 Cedar Point Rd Durham, NH 03824

This letter is to inform the Town of Durham in accordance with State Law that the following entities:

Riverside Marine Construction, Inc.
Ambit Engineering, Inc

Are authorized to represent me as my agent in the approval process.

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

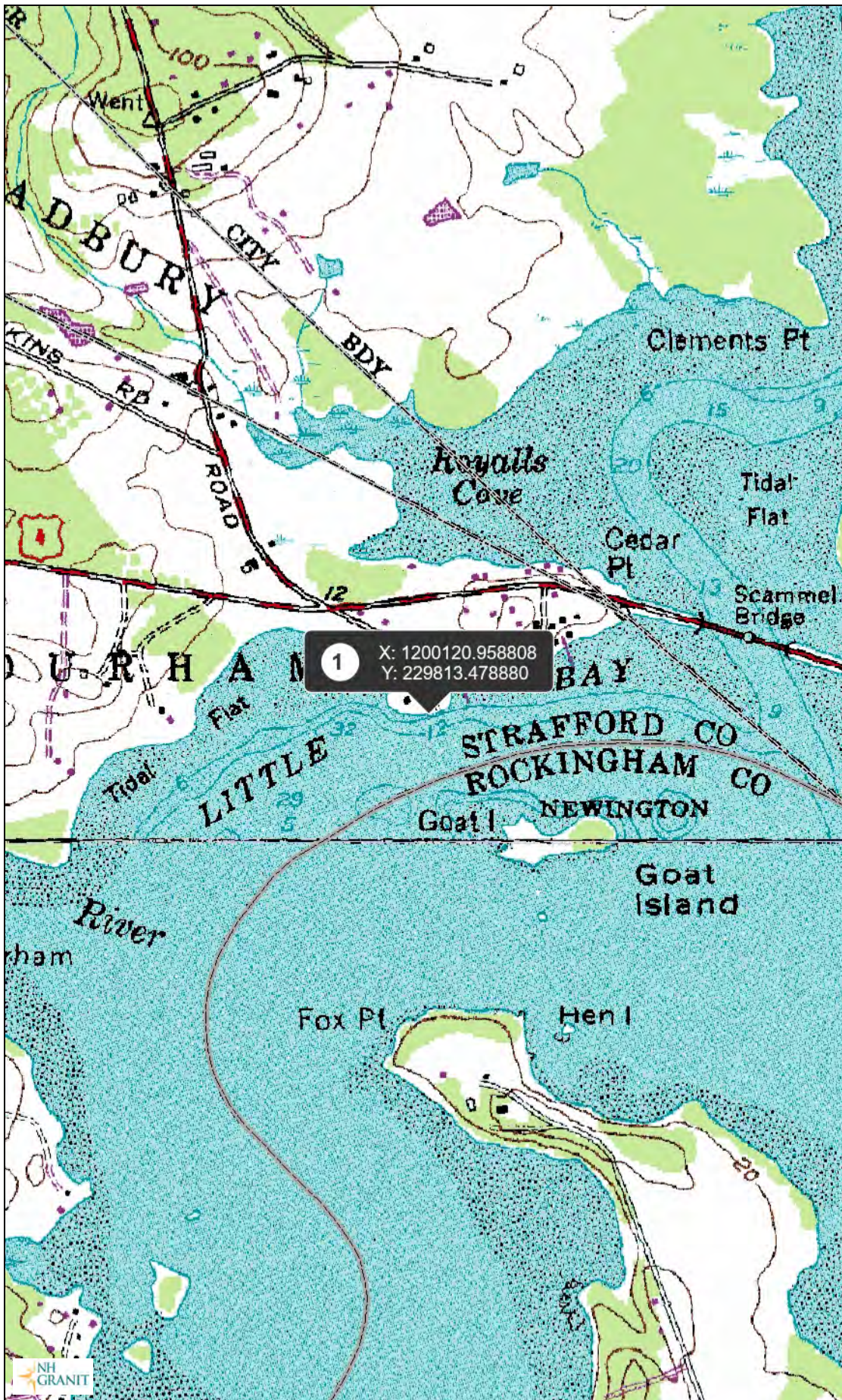
Sincerely,



Bruce H Bates

Ellen F. Bates Revocable Trust
Ellen Bates, Trustee
Bruce H. Bates
Bruce Bates, Trustee
10 Cedar Point Rd
Durham, NH 03824

Map by NH GRANIT



Legend

- State
- County
- City/Town

1 X: 1200120.958808
Y: 229813.478880

Map Scale

1: 12,988

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Map Generated: 12/9/2021







Notes

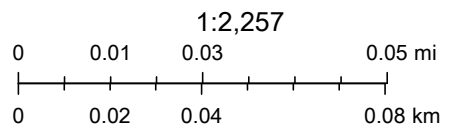


ArcGIS Web Map



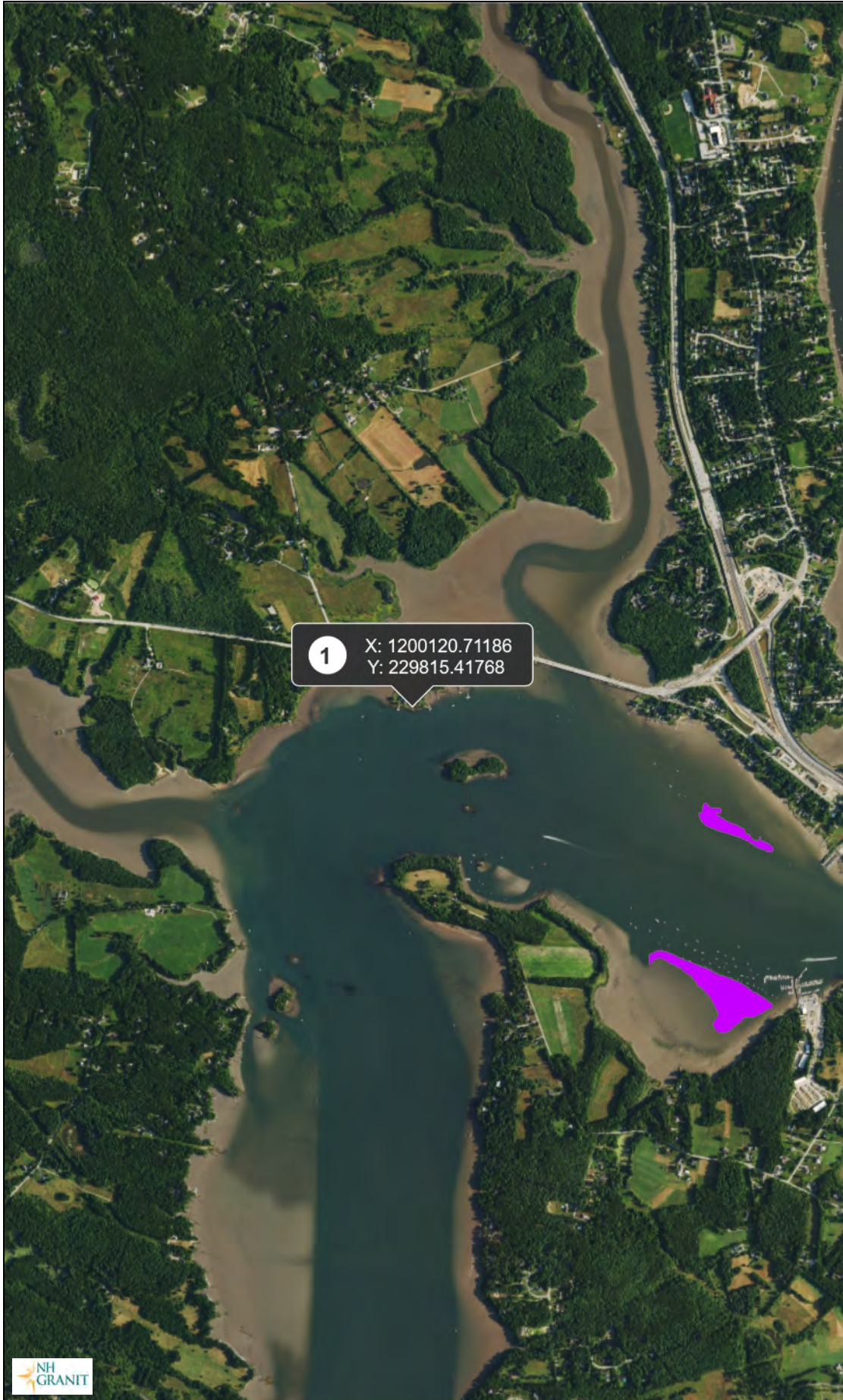
12/10/2021, 12:41:37 PM

-  SRPC Region
-  Roads
-  Parcels - Durham
-  Lakes and Ponds



City of Portsmouth, NH, Esri, HERE, Garmin, INCREMENT P, USGS, EPA

Map by NH GRANIT



1 X: 1200120.71186
Y: 229815.41768

Legend

- 2019 Coastal 2019 1-foot RGB

Map Scale

1: 25,977

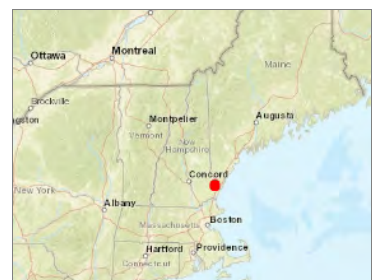
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Map Generated: 12/9/2021

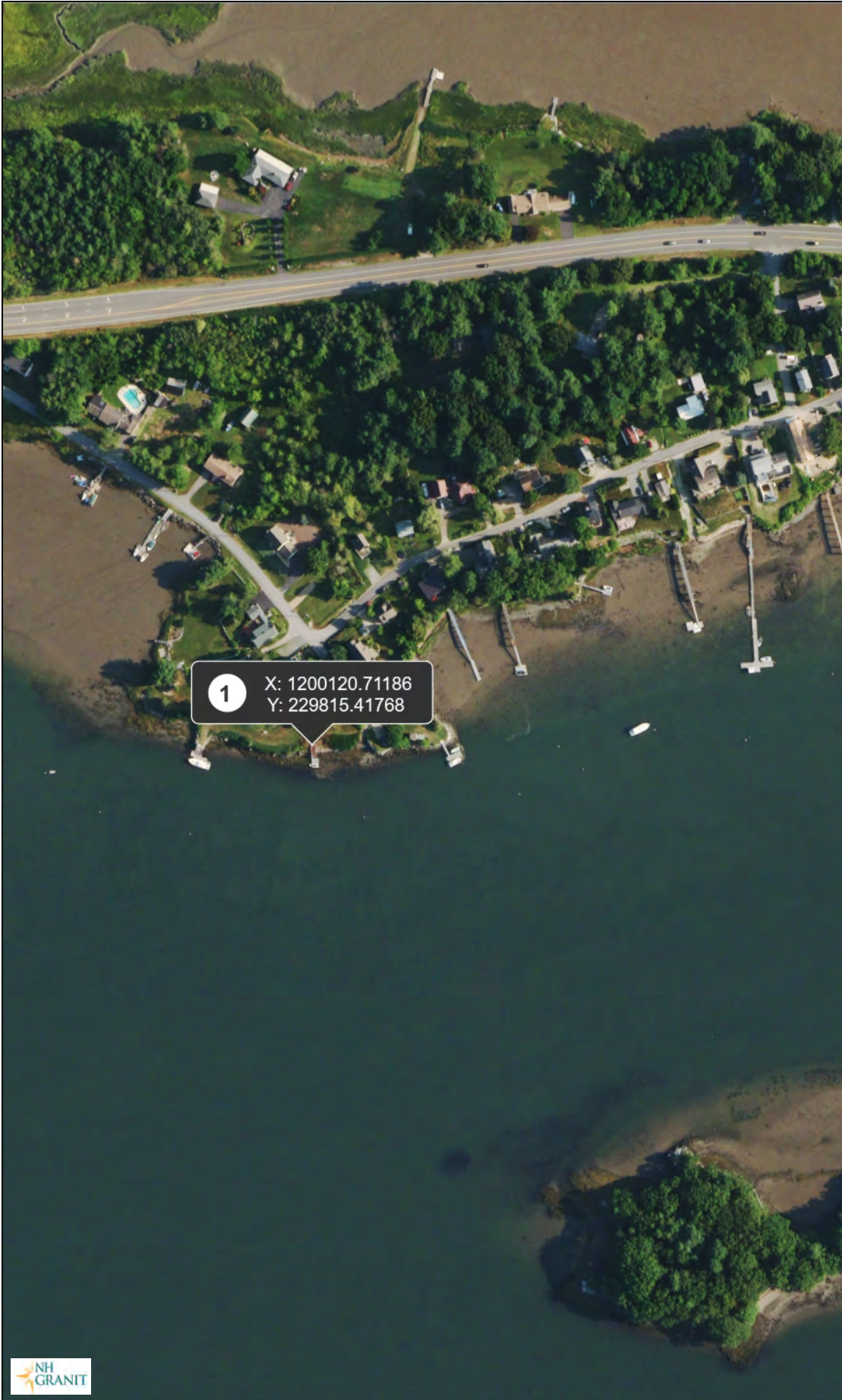


Notes

2019 Eelgrass



Map by NH GRANIT



1 X: 1200120.71186
Y: 229815.41768

Legend

Coastal 2019 1-foot RGB

Map Scale

1: 3,247

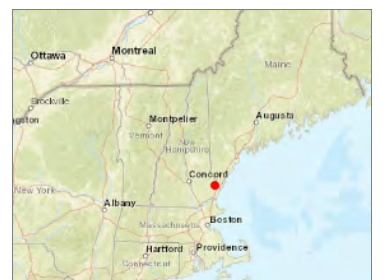
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Map Generated: 12/9/2021



Notes

Shellfish Beds



Map by NH GRANIT



Legend

Highest Ranked Wildlife Hat

- Not Top Ranked
 - Highest Ranked Habitat in NH
 - Highest Ranked Habitat in Region
 - Supporting Landscape
- Coastal 2019 1-foot RGB

Map Scale

1: 6,494

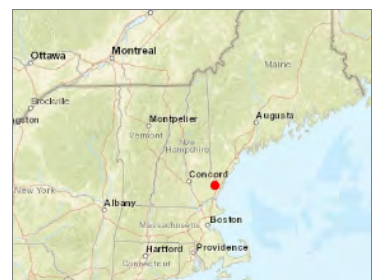
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Map Generated: 12/9/2021



Notes

Highest Ranked Wildlife Habitat



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: 12/14/2021 (valid until 12/14/2022)

Re: Review by NH Natural Heritage Bureau of request submitted 12/9/2021

Permits: NHDES - Wetland Permit by Notification (PBN)

VALID ONLY FOR NOTIFICATION OR MINIMUM EXPEDITED
APPLICATIONS SUBMITTED TO THE NHDES WETLANDS BUREAU

NHB ID: NHB21-3819

Applicant: Steven Riker

Location: Durham
10 Cedar Point Road

Project Description: The project proposes in kind replacement of an existing tidal dock consisting of a 4.5' x 14' stairway access, an existing deck/pier, a 2' x 14' gangway and an existing 10' x 12' float.

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 12/9/2021 12:08:36 PM, and cannot be used for any other project.

New Hampshire Natural Heritage Bureau NHB DataCheck Results Letter

MAP OF PROJECT BOUNDARIES FOR: **NHB21-3819**

NHB21-3819



Site Photograph #1

September 2021



Site Photograph #2

September 2021



Site Photograph #3

September 2021



Site Photograph #4

September 2021

