



TOWN OF DURHAM
 15 NEWMARKET RD
 DURHAM, NH 03824-2898
 603/868-8064 603/868-8065
 FAX 603/868-8033
 www.ci.durham.nh.us

RECEIVED
 Town of Durham

JAN 14 2013

Planning, Assessing,
 Zoning & Code Enforcement

\$ 359.⁰⁰
 pd. 1/14
 check # 4937

APPLICATION FOR CONDITIONAL USE PERMIT

This form and all required information per Durham's Zoning Ordinance (Article VII, Section 175-23(C) attached) must be filed at least 20 days before the meeting of the Planning Board with the Planning Staff in person or by mail.

Property Location:

Street Address 30 Colony Cove Road, Durham, NH
 Tax Map # 12 Lot # 23-1 Zone RC- Residential Coastal

Owner(s):

Name Bruce Barstow
 Mailing Address 30 Colony Cove Road
Durham, NH 03824
 Daytime Phone *see agent info Fax _____

If another person or firm will represent this application to the Town, please complete the following (letter of authorization should be included):

Name Zachary Taylor, Director of Operations/Riverside and Pickering Marine Contractors
 Mailing Address P.O. Box 368
Eliot, ME 03903
 Daytime Phone (207) 451-9229 Fax (207) 703-0354

Abutters:

Attach a separate sheet listing by Map & Lot number, each owner's name, and mailing address of all abutters within **300 feet** of the property. The list of abutters must include any holders of conservation, preservation, or agricultural preservation restrictions in accordance with RSA 676:4(I)(d).

Name & Address of Licensed Professionals (as applicable):

Engineer _____
 Land Surveyor _____
 Architect _____
 Soil Scientist _____

Proposed Use: Stabilize an eroding shoreline

Please prepare and attach a written description of the proposal.
Length should not exceed three pages.

I certify that all information provided is, to the best of my knowledge true:

Owner's Signature: [Signature] Date 1/9/13
Zachary Taylor, RPMC



January 9, 2013

Town of Durham
Planning and Zoning Department
15 Newmarket Road
Durham, NH 03824-2898

Name of property owner (s): Barstow –Durham Conditional Use Permit Application
Construction within the Shoreland and Wetland Overlay Districts-Letter of Intent

Location of proposed project: 30 Colony Cove Road, Durham, NH Map 12, Lot 23-1

Brief description of work: Provide approximately 64.5 linear feet of erosion stone along an eroding bank

Project summary: Currently the owner's shoreline is experiencing significant erosion from the prevailing wind wave conditions and boat wake occurring in this area of Little Bay. The owner requires a permit from NH DES in order to stabilize their eroding shoreline utilizing rip rap stone. If the shoreline continues to erode then there could be a loss of the existing trees inhabiting the shoreline which will intern exacerbate the erosion of the owner's steep embankment. As with many of the older cottages in the area, the owner's house is very close to the top of the embankment and significant erosion could compromise the home.

It is apparent that the existing shoreline vegetation is unable to fully protect the shoreline from the hydrological forces experienced. If further erosion of the embankment and the subsequent sedimentation of the wetland resource are to be prevented, placing riprap underlain with filter fabric along the undermined slope is necessary. By installing the stone armor in voids left from the eroding bank with filter fabric underlay (to stabilize fine particulates), the exposed tree roots will be protected and healthy growth of shoreline vegetation should occur which will in turn prevent future erosion.

The riprap revetment's strength and effectiveness centers on rebuilding the toe of the undermined slopes. Once the toe is established riprap will be placed up from the toe with approximately 7-10' face up the embankment and a slope ratio of 1:1 to 1:2 depending on the grade of the bank. The stone armor will prevent further erosion from wave action while the filter fabric will allow for proper drainage from the upland and prevent siltation of fine particulates. Minimal grading of the embankment would occur because of the substantial root system of the wooded tidal buffer strip and the existence of ledge found along the shoreline. Throughout the construction process standard erosion control methods will be in place and no work will occur in the water

WETLAND CONSERVATION OVERLAY DISTRICT - DURHAM ZONING ARTICLE XIII

This application would be reviewed under 175-60 Permitted Uses in the Wetlands Conservation Overlay District (WCO), B. 7. The repair or replacement of existing retaining walls and 175-61 Conditional Uses in the WCO District A. 4 Accessory Structures.

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MARINE CONTRACTORS

SHORELAND PROTECTION OVERLAY DISTRICT - THE DURHAM ZONING ORDINANCE CHAPTER 175

This application would be reviewed under 175-72 Conditional Uses in the Shoreland Protection Overlay District (SPO) Conditional Uses, A. 4. (of the Zoning Ordinance) as an accessory structure.

175-72

- B. The Planning Board shall approve a Conditional Use Permit for a use in the SPO only if it finds, with the advice of the Conservation Commission, that all of the following standards have been met in addition to the general

standards for conditional uses and any performance standards for the particular use:

1. There is no alternative location on the parcel that is outside of the SPO District that is feasible for the proposed use; **There is no alternative to locate the shoreline stabilization outside the SPO District**
2. The amount of soil disturbance will be the minimum necessary for the construction and operation of the facilities as determined by the Planning Board; **Every attempt to minimize soil disturbance will be made while adequately stabilizing the 65 linear feet of bank with rip/rap stone. This proposal is to mitigate an existing erosion problem the owner's shoreline is experiencing.**
3. The location, design, construction, and maintenance of the facilities will minimize any detrimental impact on the adjacent shoreland and waterbody as well as downstream waterbodies, and mitigation activities will be undertaken to counterbalance any adverse impacts, and **Riprap is the least impacting alternative because of its designed wave attenuation function which helps reduce the impact of erosion to the surrounding shorelines. Riprap, as designed, attenuates wave energy as the waves roll or break up against it as compared to a bulkhead or seawall which deflects the waves either back out into the water way or down the shoreline, both of which can cause erosion on nearby shorelines of other parcels. By breaking up the wave energy with the riprap stone the protection of the owner's property will not result in the increased erosion of another. Riprap stabilization has been found to be a more ecologically friendly method of construction than the traditional bulkhead/seawall. Riprap is primarily constructed of natural materials (imported stone) as compared to a timber bulkhead for example which would typically be built using a fully pressure treated wood such as Southern Yellow Pine. Riprap stabilization of an embankment in marine applications typically has a longer lifespan than a timber bulkhead, which also reduces the impact to the resources by extending the period time between complete replacements of the structure.**
4. Restoration activities will leave the site, as nearly as possible, in its pre-existing condition and grade at the time of application for the Conditional Use Permit.
Yes, considering the size and the scope of the project detailed in the following schematics we believe the impact to the resource will be minimal. No work will be done in the water. Standard erosion controls will be in place.

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175-23 C. Criteria Required for Consideration of a Conditional Use Permit. A conditional use permit shall be granted only if the Planning Board determines that the proposal conforms to all of the following conditional use permit criteria:

1. Site suitability: The site is suitable for the proposed use. **Yes, rip/rap stabilization of an eroding waterfront bank along a privately owned single family residential property.** This includes:
 - a. Adequate vehicular and pedestrian access for the intended use. **Yes, adequate access exists for this privately owned single family residential property. The proposed use will have no effect on access.**
 - b. The availability of adequate public services to serve the intended use including emergency services, pedestrian facilities, schools, and other municipal services. **The availability of adequate public services currently exists for this privately owned single family residential property and there would be no change to the availability from the proposed project.**
 - c. The absence of environmental constraints (floodplain, steep slope, etc.). **Intended use is to stabilize/mediate an eroding shoreline by stabilizing 65' linear feet of bank**
 - d. The availability of appropriate utilities to serve the intended use including water, sewage disposal, stormwater disposal, electricity, and similar utilities. **Yes these currently exist for this privately owned single family residential property.**
2. External impacts: The external impacts of the proposed use on abutting properties and the neighborhood shall be no greater than the impacts of adjacent existing uses or other uses permitted in the zone. This shall include, but not be limited to, traffic, noise, odors, vibrations, dust, fumes, hours of operation, and exterior lighting and glare. In addition, the location, nature, design, and height of the structure and its appurtenances, its scale with reference to its surroundings, and the nature and intensity of the use, shall not have an adverse effect on the surrounding environment nor discourage the appropriate and orderly development and use of land and buildings in the neighborhood. **See Item #3 (The location, design, construction of facility) It should be also noted that the abutting parcel to the north has a granite seawall protecting the shoreline that is substantially larger in size and aesthetic impact.**
3. Character of the site development: The proposed layout and design of the site shall not be incompatible with the established character of the neighborhood and shall mitigate any external impacts of the use on the neighborhood. This shall include, but not be limited to, the relationship of the building to the street, the amount, location, and screening of off-street parking, the treatment of yards and setbacks, the buffering of adjacent properties, and provisions for vehicular and pedestrian access to and within the site. **The proposed layout and design of the site will be compatible with the established character of the neighborhood and shall have no discernible effect on, or impact of, the use on the neighborhood**
4. Character of the buildings and structures: The design of any new buildings or structures and the modification of existing buildings or structures on the site shall not be incompatible with the established character of the neighborhood. This shall include, but not be limited to, the scale, height, and massing of the building or structure, the roof line, the architectural treatment of the front or street elevation, the location of the principal entrance, and the material and colors proposed to be used. **N/A, no buildings or structures are proposed other than rock rip/rap for stabilization laid along the bank at a 1:1 to 1:2 slope where applicable.**
5. Preservation of natural, cultural, historic, and scenic resources: The proposed use of the site, including all related development activities, shall preserve identified natural, cultural, historic, and scenic resources on the site and shall not degrade such identified resources on abutting properties. This shall include, but not be limited to, identified wetlands, floodplains, significant wildlife habitat, stonewalls, mature tree lines, cemeteries, graveyards, designated historic buildings or sites, scenic views, and viewsheds. **This project will have no discernible effect on the preservation of natural, cultural, historic, and scenic resources. NHDHR has**

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reviewed the application and has determined that there will be no historic properties affected by the proposed project.

6. Impact on property values: The proposed use will not cause or contribute to a significant decline in property values of adjacent properties. **This project will have no discernible effect on, cause or contribute to a significant decline in property values of adjacent properties.**
7. Availability of Public Services & Facilities: Adequate and lawful facilities or arrangements for sewage disposal, solid waste disposal, water supply, utilities, drainage, and other necessary public or private services, are approved or assured, to the end that the use will be capable of proper operation. In addition, it must be determined that these services will not cause excessive demand on municipal services, including, but not limited to, water, sewer, waste disposal, police protection, fire protection, and schools. **These public services and facilities currently exist for this single family residential property, no changes are proposed to what currently exists.**
8. Fiscal impacts: The proposed use will not have a negative fiscal impact on the Town unless the Planning Board determines that there are other positive community impacts that off-set the negative fiscal aspects of the proposed use. The Planning Board's decision shall be based upon an analysis of the fiscal impact of the project on the town. The Planning Board may commission, at the applicant's expense, an independent analysis of the fiscal impact of the project on the town. **This project will have no discernible effect on, cause or contribute to a negative fiscal impact on the Town of Durham.**

Sincerely,



Zachary Taylor
Director of Operations , Riverside and Pickering Marine

cc: NH Division of Ports & Harbors
NH Division of Historical Places
Owner



Abutter List (within 300' of property)

Name of property owner (s): Barstow –Durham Conditional Use Permit Abutters List

12-18-1
Paula A. Joyce
40 Colony Cove Road
Durham, NH 03824

12-22
Gene A. Auty Rev Living Trust
32 Colony Cove Road
Durham, NH 03824

12-24-2
John & Nancy Nelson
28 Colony Cove Road
Durham, NH 03824

12-24-1
Sibylle J. Carlson Trust
26 Colony Cove Road
Durham, NH 03824

12-16-16
Vicki Randall Living Rev Trust
19 Colony Cove Road
Durham, NH 03824

12-16-24
Kathleen Lohnes
22 Colony Cove Road
Durham, NH 03824

12-18-0
Nancy W. Barrett Rev Trust
36 Colony Cove Road
Durham, NH 03824

12-20-0
Benning Family Trust
36 Colony Cove Road
Durham, NH 03824

12-24-3
Arthur & Sharon Pierce Rev. Trust
5813 Terncrest
Lithia, FL 33547

12-25-0
Kathleen Lohnes
22 Colony Cove Road
Durham, NH 03824

12-26-0
Kathleen Lohnes
22 Colony Cove Road
Durham, NH 03824

12-27-0
William Cooley
1609 Powers Run Road
Pittsburg, PA 15238

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MARINE CONTRACTORS

August 16, 2012

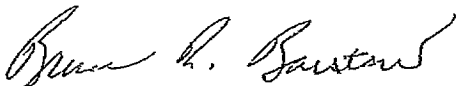
To: Town of Durham
NH DES
NH Division of Ports and Harbors
NH Division of Historical Resources
US Army Corps of Engineers

Re: Letter of Agency

To Whom It May Concern:

For the purpose of obtaining permits to construct a docking structure at 30 Colony Cove Road in Durham, NH (Map 12, Lot 1) please consider Zachary Taylor, Project Planner of Riverside & Pickering Marine Contractors, my authorized agent.

Sincerely,



Mr. Bruce Barstow
30 Colony Cove Road
Durham, NH 03824

Office: 207-451-9229 Fax: 207-703-0354 P.O. Box 368 Eliot, Maine 03903

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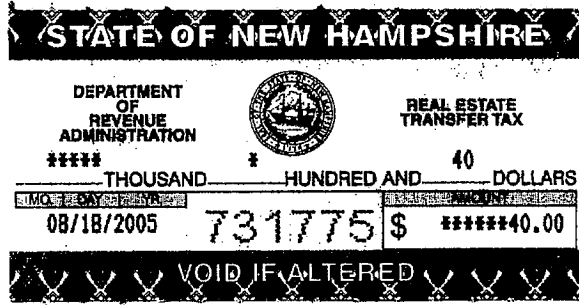
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2005 AUG 18 PM 12:56

REGISTER OF DEEDS
STRAFFORD COUNTY

020888

BK 3243PG0920



QUITCLAIM DEED

KNOW ALL MEN BY THESE PRESENTS, that we, Bruce R. Barstow and Diantha L. Barstow, husband and wife, both of 30 Colony Cove Road, Durham, County of Strafford, State of New Hampshire, *for consideration paid*, grant to Bruce R. Barstow, Trustee of the Bruce R. Barstow Trust U/A Dated 06/08/2005, of 30 Colony Cove Road, Durham, County of Strafford, State of New Hampshire 03824, as to a one-half interest, and to Diantha L. Barstow, Trustee of the Diantha L. Barstow Trust U/A Dated 06/08/2005, of 30 Colony Cove Road, Durham, County of Strafford and State of New Hampshire 03824, as to a one-half interest, as tenants in common, with *QUITCLAIM COVENANTS*, the following described premises:

A certain tract or parcel of land, with the buildings thereon, situated at Durham Point, Durham, Strafford County, New Hampshire on Colony Cove Road, so-called, bounded and described as follows:


BEGINNING at an iron pipe at the Northeasterly corner of the premises herein conveyed and at the Southeasterly corner of land now or formerly of MacLean et al; then running in a Southwesterly direction along the shore of Little Bay, so-called (also known as Great Bay), a distance of 72.5 feet, more or less, to a stake at land now or formerly of Thomas E. and Ellen A. Barlow; then Northwesterly 18 feet, more or less, to the end of a picket fence at the top of the bank; then continuing Northwesterly along said picket fence by said Barlow land through an iron pipe and following the same course to an iron pipe to be placed in the ground at said road, a distance of 181 feet, more or less; then running in a Northeasterly direction by said road 98.5 feet, more or less, to an iron pipe at land of said MacLean; then running Southeasterly along a fence by said MacLean land 135 feet, more or less, to the end of the fence and continuing in the same direction of 9 feet, more or less, to the iron pipe at the point of beginning.

Meaning and intending to describe and convey the same premises conveyed by Warranty Deed of Don L. Thompson, Trustee of the THOMPSON FAMILY TRUST u/d/t dated February 24, 1989, and recorded in the Strafford County Registry of Deeds at Book 1434, Page 226, to Bruce R. Barstow and Diantha L. Barstow as joint tenants, dated December 17, 2004, and recorded in the Strafford County Registry of Deeds at Book 3117, Page 0747.

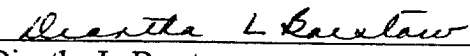
Bruce R. Barstow and Diantha L. Barstow, husband and wife, release to said grantees, all rights of homestead and other interest therein.

This is a transfer to a Living Revocable Trust.

Executed this 12th day of August, 2005.



Bruce R. Barstow




Diantha L. Barstow

STATE OF NEW HAMPSHIRE
COUNTY OF STRAFFORD

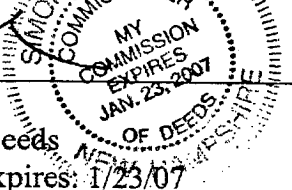
August 12, 2005

Personally appeared the above-named Bruce R. Barstow and Diantha L. Barstow and acknowledged the foregoing instrument to be their free and voluntary act and deed.

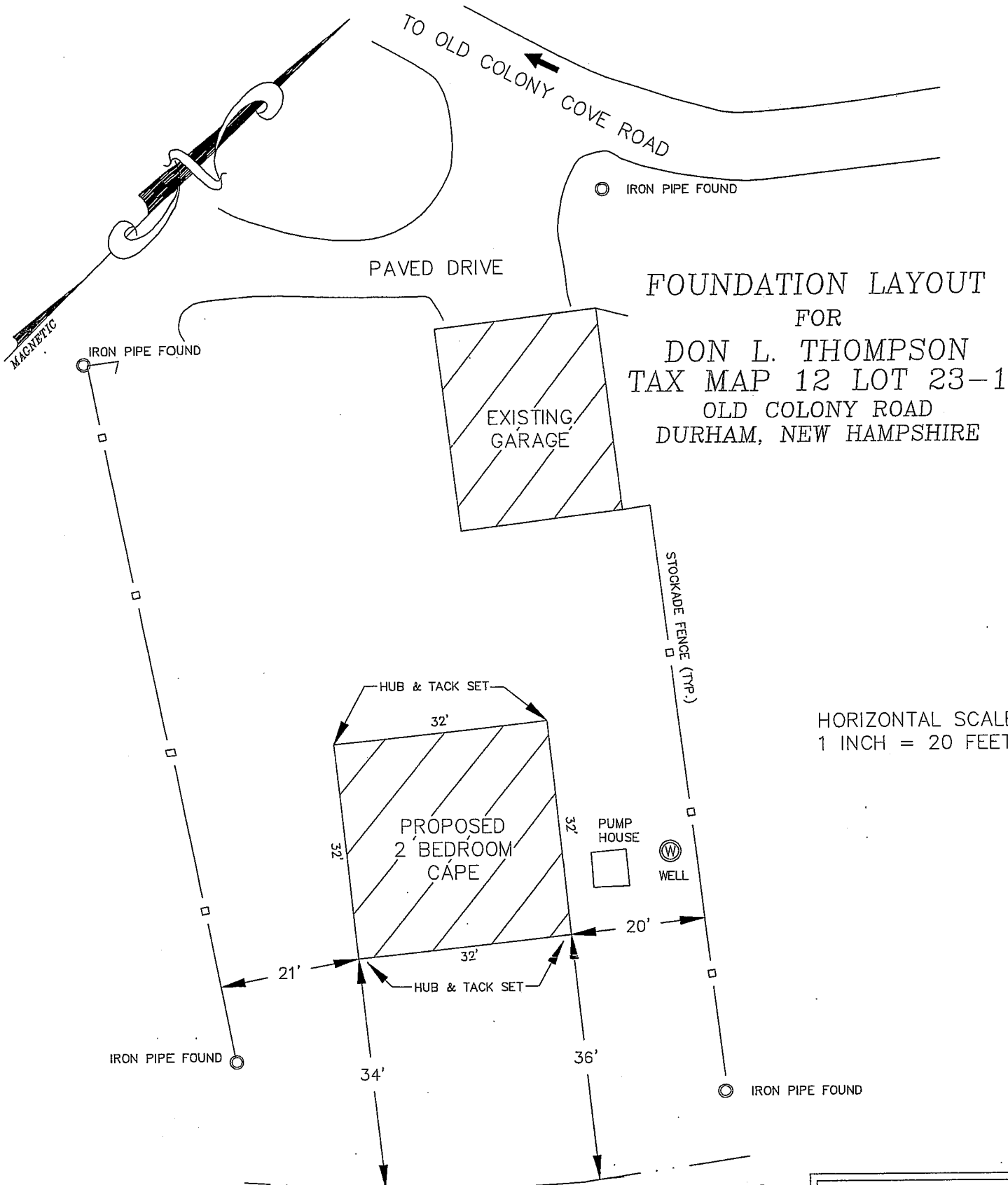
Before me,



Simone D. Masse
Commissioner of Deeds
My Commission Expires: 1/23/07



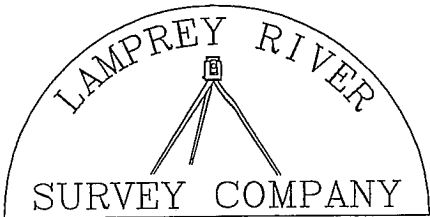
BK3243PG0921



FOUNDATION LAYOUT
FOR

DON L. THOMPSON
TAX MAP 12 LOT 23-1
OLD COLONY ROAD
DURHAM, NEW HAMPSHIRE

HORIZONTAL SCALE
1 INCH = 20 FEET

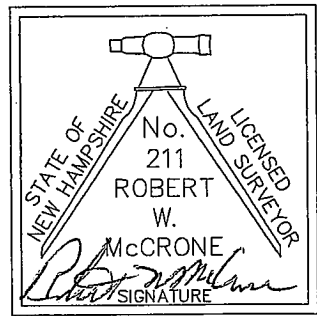


76 EXETER ST. NEWMARKET NH 03857
603-659-2351

LITTLE BAY

I CERTIFY THAT THE PROPOSED BUILDING CORNERS WERE SET WITH A HUB AND TACK BY ME ON OCTOBER 02, 1991.

Robert W. McCrone 10-3-91
ROBERT W. McCRONE, L.L.S. 211



RIVERSIDE & PICKERING
MARINE CONTRACTORS

November 13, 2012

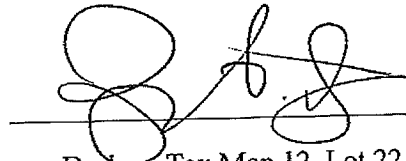
Frank Richardson
NH Wetlands Bureau
PO Box 95
Concord, NH 03302-0095

RE: Letter of no objection, abutter to Bruce Barstow, 30 Colony Cove Road, Durham, NH

To Whom It May Concern,

I have received and reviewed a copy of the plans depicting the proposed docking structure on the property of Bruce Barstow. (Durham Tax Map 12, Lot 23-1). A portion of the proposed project lies within the 20-foot set back of the property line and/or imaginary extension line (plan by Riverside & Pickering Marine dated 11/06/12). I consent to the plans for installation of rip/rap as indicated for the stabilization of the abutting shoreline, which is to be closer than the 20-foot set back, and have no objection to this project being constructed as depicted in said plan provided by Riverside & Pickering Marine.

November 30, 2012



Durham Tax Map 12, Lot 22
Gene A. Auty Rev Living Trust
32 Colony Cove Road
Durham, NH 03824

STATE OF NEW HAMPSHIRE
COUNTY OF STRAFFORD, ss

Before me personally appeared Gene Auty of the abutting property, Durham Tax Map 12, Lot 23-1, to me known and known by me to be the parties executing the foregoing instrument, and they acknowledge said instrument, by them executed, to be their free act and deed.



Notary Public
My commission expires:

6/3/2014

Office: 207-451-9229 Fax: 207-703-0354 P.O. Box 368 Eliot, Maine 03903

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RIVERSIDE & PICKERING
MARINE CONTRACTORS

December 4, 2012

Frank Richardson
NH Wetlands Bureau
PO Box 95
Concord, NH 03302-0095

RE: Letter of no objection, abutter to Bruce Barstow, 30 Colony Cove Road, Durham, NH

To Whom It May Concern,

I have received and reviewed a copy of the plans depicting the proposed docking structure on the property of Bruce Barstow. (Durham Tax Map 12, Lot 23-1). A portion of the proposed project lies within the 20-foot set back of the property line and/or imaginary extension line (plan by Riverside & Pickering Marine dated 11/06/12). I consent to the plans for installation of rip/rap as indicated for the stabilization of the abutting shoreline, which is to be closer than the 20-foot set back, and have no objection to this project being constructed as depicted in said plan provided by Riverside & Pickering Marine.

November __, 2012

John Nelson Nancy Nelson

Durham Tax Map 12, Lot 24-2
John & Nancy Nelson
28 Colony Cove Road
Durham, NH 03824

STATE OF NEW HAMPSHIRE
COUNTY OF STRAFFORD, ss

Before me personally appeared John & Nancy Nelson of the abutting property, Durham Tax Map 12, Lot 23-1, to me known and known by me to be the parties executing the foregoing instrument, and they acknowledge said instrument, by them executed, to be their free act and deed.

[Signature]

Notary Public
My commission expires: 02-02-2016





RIVERSIDE & PICKERING
MARINE CONTRACTORS

December 11, 2012

Dori Wiggin
NH Wetlands Bureau
PO Box 95
Concord, NH 03302-0095

Dear Ms. Wiggin,

Enclosed is the application of Bruce Barstow, requesting a permit to place approximately 64.5 linear feet of erosion stone along an existing eroding bank for stabilization. The proposed project is to take place at 30 Colony Cove Road, Durham, NH on the owner's property. The proposed project is intended for bank stabilization along Little Bay and the Piscataqua River watershed. We do not believe there are any negative impacts associated with this proposed project. A copy of the entire application package has been forwarded to the NH Division of Historical Resources for review, to comply with section 106 of the National Historic Preservation Act. Plans of the proposed project have been sent to the NH Division of Ports & Harbors for review of navigational issues. Thank you for considering this application.

Sincerely,



Zachary Taylor
Director of Operations , Riverside and Pickering Marine

cc: NH Division of Ports & Harbors
NH Division of Historical Places
Owner

Office: 207-451-9229 Fax: 207-703-0354 P.O. Box 368 Eliot, Maine 03903

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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
 Website: <http://des.nh.gov/organization/divisions/water/wetlands/index.htm>
 Permit Application Status: <http://des.nh.gov/onestop/index.htm>

WETLANDS PERMIT APPLICATION

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

1. REVIEW TIME AND IMPACT TYPE: Use Attachment "A" to determine review time and impact type.

Expedited Review, Minimum Impact Standard Review, Minimum Impact Standard Review, Minor or Major Impact

2. PROJECT LOCATION:

ADDRESS: 30 Colony Cove Road		TOWN/CITY: Durham	
TAX MAP: 12	BLOCK:	LOT: 23-1	UNIT:
LOCATION COORDINATES: Easting 1197471 Northing 224671		<input type="checkbox"/> Latitude/Longitude <input type="checkbox"/> UTM <input checked="" type="checkbox"/> State Plane	

3. PROPERTY OWNER INFORMATION:

NAME: Bruce Barstow	
EMAIL or FAX: * See Applicant Info	PHONE:
MAILING ADDRESS: 30 Colony Cove Road	
TOWN/CITY: Durham	STATE: NH ZIP CODE: 03824

4. APPLICANT INFORMATION:

NAME: Zachary Taylor, Riverside & Pickering Marine Contractors	
EMAIL or FAX: zach@riversideandpickering.com	PHONE: (207)451-9229
MAILING ADDRESS: P.O. Box 368	
TOWN/CITY: Eliot	STATE: ME ZIP CODE: 03903

5. AGENT INFORMATION:

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

6. CHECK BOX TO INDICATE APPLICABLE PROJECT TYPES:

- | | |
|---|--|
| <input type="checkbox"/> Excluding culverts and bridges, all work in the bed or bank of a lake/pond of which the property owner(s) listed on page 1 do NOT own the entire bed and banks of the lake/pond. | <input checked="" type="checkbox"/> Work in a wetland, stream, river (excluding docks on rivers), prime wetland, prime wetland buffer, tidal water, salt marsh, sand dune, tidal buffer zone or in a pond of which the entire bed and banks are owned by the property owner(s) listed on page 1. |
| <input type="checkbox"/> Dock construction, maintenance, repair or replacement on a RIVER. | <input type="checkbox"/> All culvert and bridge construction, maintenance, repair or replacement. |

7. PROJECT DESCRIPTION:

- 1) Place approximately 64.5 linear feet and/or 470 sq.ft. of erosion stone along an existing eroding bank for stabilization. The proposed project is to take place at 30 Colony Cove Road, Durham, NH on the owner's property. The proposed project is intended for bank stabilization along Little Bay and the Piscataqua River watershed.
- 2) No trees are to be cut within the 50' waterfront buffer for the proposed project
- 3) The size of the parcel is +/- 0.30 acres.

8. INDICATE AREA OF PROPOSED IMPACTS FOR EACH RESOURCE:

Resource:	Permanent Sq. Ft.	Permanent Lin. Ft.	Temporary Sq. Ft.	Temporary Lin. Ft.	After-the-fact Sq. Ft.	After-the-fact Lin. Ft.
Forested wetland		-		-		-
Scrub-shrub wetland		-		-		-
Emergent wetland		-		-		-
Wet meadow		-		-		-
Bog		-		-		-
Prime wetland		-		-		-
Prime wetland buffer		-		-		-
Docking structure		-		-		-
Tidal Buffer Zone	239	-		-		-
Tidal water	231	-	560	-		-
Salt Marsh		-		-		-
Sand dune		-		-		-
Intermittent Stream						
Perennial Stream						
River						
Lake						
Pond						

Other						
Total	470		560			

9 - 13. IF APPLICABLE, PROVIDE:

9. Cubic yards of proposed sand for beach replenishment:

10. Cubic yards of proposed dredge material for surface water dredge:

11. Contributing watershed size(s) of impacted stream(s) and river(s) (acres or square miles):

12. U. S. Geological Survey Topographic Map Waterbody name: **Little Bay**

13. ONLY Required for docking structures	(a) Straight line distance pin to pin (lin. ft.)	(b) Actual natural navigable shoreline pin to pin (lin. ft.)	(a) + (b) / 2 = Shoreline Frontage (lin. ft.):

14. APPLICATION FEE:

Minimum Impact, Expedited Review Application: Flat fee of \$ 200

- OR -

Minimum, Minor or Major Impact, Standard Review Application: Complete calculation below

Total temporary and permanent impacts:	1030 sq. ft.	X	\$0.20 =	206
Temporary Docking Structure:	sq. ft.	X	\$1.00 =	
Permanent Docking Structure:	sq. ft.	X	\$2.00 =	
Projects proposing shoreline structures add \$200 or NA =				n/a
Total =				\$206.00
The Application Fee is above calculated Total or \$200, whichever is greater =				\$206.00

15. INDICATE RELATED FILE / APPROVAL NO. AND STATUS:

Existing Wetlands Bureau file no. this application is replacing:

Wetlands Bureau enforcement (subject and abutting properties):

Wetlands Bureau emergency authorization (subject property):

Wetlands Bureau denials (subject and abutting properties):

Wetlands Bureau withdrawals (subject and abutting properties):

Wetlands Bureau approvals (subject and abutting properties): **1996-00254 23-1**

Shoreland Program waiver or permit:

Alteration of Terrain Bureau:

Watershed Management Program:

Subsurface Systems Bureau:

Other NHDES Programs and Bureaus:

City/Town:

State Agencies:

Federal Agencies:

Link to all NHDES Programs, Bureaus and Units: <http://des.nh.gov/programs/index.htm>

16. THE SUBMITTED APPLICATION WILL BE RETURNED TO YOU IF THE FOLLOWING INFORMATION IS NOT PROVIDED:

- A. Attach application fee, check or money order payable to the NH DES Wetlands Bureau (RSA 482-A:3,I & Env-Wt 505.01(c))
- B. Applicant and Town Clerk signatures, numbers 19 and 23 on pages 5 and 6 of this form (Env-Wt 501.01(d)&(e) & 505.01(m)&(o))
- C. Narrative description of the proposed project, number 7 on page 2 of this form (Env-Wt 501.02(a) & 505.01(l))
- D. Documentation from Department of Resources and Economic Development's Natural Heritage Bureau (NHB) indicating that NHB has reviewed your project. Documentation can be obtained online at: <https://www2.des.state.nh.us/nhbdatacheck/> or by phone (603) 271-2215 x 323. Please attach the REQUIRED letter/memo and map provided by NHB.
- E. Attach a U. S. Geological Survey topographic map upon which the property lines and project limits have been outlined. The map must be at an unaltered scale of 1:24,000 or 1" = 2,000 feet (1:25,000 metric map). (Env-Wt 501.02(a)(4) & 505.01(g))
- F. Attach a legible copy or tracing of the tax map from the municipal office (Env-Wt 501.02(a)(1)& 505.01(e))
- G. Attach legible and labeled color photographs clearly depicting the jurisdictional areas to be impacted, the resource outside of impact area, any shoreline structures and culvert inlet/outlets (Env-Wt 501.02(a)(3) & 505.01(i))
- H. Attach overview, cross-section and profile plans as applicable (Env-Wt 501.02(a)(2) & 505.01(h))

17A. INFORMATION REQUIRED FOR COMPLETION OF TECHNICAL REVIEW FOR ALL PROJECTS:

- A. Is the project within a ¼ mile of a designated river? <http://des.nh.gov/organization/divisions/water/wmb/rivers/desigriv.htm>
 - Y N. If yes: 1. Indicate river: _____
 - 2. As required by RSA 482-A:3,I(d)(2), I have notified the Local River Advisory Committee (<http://des.nh.gov/organization/divisions/water/wmb/rivers/lac/index.htm>) by sending a copy of the complete application and supporting materials via certified mail on: Day: ___ Month: ___ Year: ___
 - 3. Attach a copy of the certified mail receipt with your application submittal (RSA 482-A:3,I(d)(2))
- B. Attach a completed U.S. Army Corps of Engineers New Hampshire Programmatic General Permit (PGP) Appendix B – Required Information and Corps Secondary Impact Checklist (Attachment B).
- C. Does the project require compensatory mitigation pursuant to Env-Wt 302.03? Y N
If yes, attach materials outlined in AND a completed Mitigation Agreement Form (Env-Wt 501.02(a)(6) & 501.06)
Link: http://des.nh.gov/organization/commissioner/pip/forms/wetlands/documents/mitigation_form.doc
- D. Attach a copy or tracing of the town tax map showing the property of the applicant, the location of the proposed project on the property, and the location of properties of abutters with each lot labeled with the abutter's name(s) and mailing address(es); or a list of abutters' names and mailing addresses to cross-reference with the tax map (Env-Wt 501.02(a)(1)& 505.01(f)). Abutter Notification Exceptions see Env-Wt 501.01(c)
- E. Attach a construction sequence (Env-Wt 501.02(a)(5) & 505.01)
- F. Is/are (a) waiver(s) to wetland rules being requested? Y N If yes, attach the waiver request(s) as outlined in Env-Wt 204
- G. All stream/river crossing projects, attach a response to Env-Wt 904.01, General Design Considerations (except single family residential access for Tier 1 and Tier 2 crossings pursuant to Env-Wt 303.04(z) & 901.03(e))
- H. If the applicant is not the property owner, attach a written letter of permission from the property owner granting the applicant permission to act on their behalf
- I. Will impacts occur within 20 feet of an abutting property line or imaginary extension thereof over surface water? Y N
If yes, attach the signed permission letter(s) from the affected abutters (Env-Wt 304.04). This letter must be notarized if your project is a boat docking facility (RSA 482-A:3-XIII(c))

17B. INFORMATION REQUIRED FOR COMPLETION OF TECHNICAL REVIEW FOR MINIMUM IMPACT PROJECTS:

- J. Refer to Attachment A: Determination for Project Impact Classification & Review Time, Section 2: Minimum Impact Project Requirements, and indicate the letter for the Minimum Impact rule that describes your project: **Env-Wt 303.04** ____
- K. Attach required pages from Attachment A: Determination for Project Impact Classification & Review Time, as instructed on the attachment.
- L. Attach a statement demonstrating need for the proposed project (Pursuant to Env-Wt 302.03)
- M. Attach a statement demonstrating that the proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction in accordance with Env-Wt 302.03. (Env-Wt 505.01(d)&(y)).

17C. INFORMATION REQUIRED FOR COMPLETION OF TECHNICAL REVIEW FOR MINOR AND MAJOR IMPACT PROJECTS:

- N. Attach a response to questions outlined in Env-Wt 302.04(a)

O. Attach a vernal pool survey and report (Env-Wt 302.04(a))

P. If a wetland delineation is required, provide a NH Certified Wetland Scientist Stamp on attached plans (Env-Wt 301.01)

18. SEE LISTED WETLAND RULE(S) FOR APPLICABLE PROJECT TYPE(S) PLAN REQUIREMENTS:

<input type="checkbox"/> Minimum	Env-Wt 505.01
<input checked="" type="checkbox"/> Minor and Major	Env-Wt 501.02
<input type="checkbox"/> Subdivision	Env-Wt 304.09(c)
<input checked="" type="checkbox"/> Vegetative & riprap bank stabilization (river, stream, lake, pond)	Env-Wt 404.03 & 404.04
<input type="checkbox"/> Retaining Walls	Env-Wt 404.05
<input type="checkbox"/> Shoreline	Env-Wt 501.02(c)
<input checked="" type="checkbox"/> Tidal	Env-Wt 501.02(b)
<input type="checkbox"/> Protected Shoreland (SWQP)	Env-Wt 501.02(d)
<input type="checkbox"/> New Tier 1 Stream Crossing (Exempt: Env-Wt 303.04(z))	Env-Wt 903.03(a) & 904.01
<input type="checkbox"/> Tier 1 stream crossing or replacement	Env-Wt 903.03(a) & 904.01
<input type="checkbox"/> New Tier 2 stream crossing (Exempt: Env-Wt 303.04(z))	Env-Wt 903.03(a), 904.01, 904.03 (e), 904.03(f)
<input type="checkbox"/> Tier 2 stream crossing repair or replacement	Env-Wt 903.03(a), 904.01, 904.03 (e), 904.03(f)
<input type="checkbox"/> All Tier 3 Stream Crossings	Env-Wt 903.03 (a) & (b) , 904.01, 904.04(d), 904.04(g), 904.05

Wetland Rules Link: <http://des.nh.gov/organization/commissioner/legal/rules/documents/env-wt100-900.pdf>

19. APPLICANT AND AGENT SIGNATURES REQUIRED FOR ALL APPLICATIONS:

By signing the application, I am certifying that:

1. All abutters have been identified in accordance with RSA 482-A:3, I and Env-Wt 100-900.
2. I have read and provided the required information outlined in Env-Wt 302.04 for the applicable project type.
3. I have read and understand Env-Wt 302.03 and have chosen the least impacting alternative.
4. Any structure that I am proposing to repair/replace was either previously permitted by the Wetlands Bureau or would be considered grandfathered per Env-Wt 101.44.
5. I have submitted a copy of the application materials to the NH State Historic Preservation Officer.
6. I authorize the municipal conservation commission to inspect the site of the proposed project.
7. I have reviewed the information being submitted and that to the best of my knowledge the information is true and accurate.
8. I understand that the willful submission of falsified or misrepresented information to the New Hampshire Department of Environmental Services is a criminal act, which may result in legal action.
9. I am aware that the work I am proposing may require additional state, local or federal permits.
10. The mailing addresses I have provided are up to date and appropriate for receipt of DES correspondence. DES will not forward returned mail.



Zachary Taylor

12/11/2012

Signature of Applicant

Print name legibly

Date

Signature of Authorized Agent (if applicable)

Print name legibly

Date

20. ELECTRONIC COMMUNICATION:

By initialing here, I the applicant or authorized agent in accordance with RSA 482-A:3, XIV (b), hereby authorize DES to communicate all matters relative to this application electronically with the individual's email addresses provided on pg. 1 of the application:

ZT

21. CONSERVATION COMMISSION SIGNATURE REQUIRED FOR EXPEDITED APPLICATIONS ONLY:

Expedited Applications ONLY require that the Conservation Commission signature is obtained prior to submitting the final application to the Town/City Clerk for signature and mailing to the NHDES Wetlands Bureau. *The Conservation Commission is not required to sign. If the Conservation Commission does not sign this statement for any reason, then the application is not eligible for expedited review and shall be reviewed in the standard review time.*

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 accurately represent the proposed project; and 3) has no objection to permitting the proposed work.

Authorized Commission Signature

Print name legibly

Date

22. APPLICATION SUBMITTAL:

APPLICANT:

1. If sought, obtain the Conservation Commissions signature as outlined above on this page, no. 21;
2. Submit the original application form and materials, four copies, application fee check and any required municipal fees (authorized by RSA 482-A:3, I) to the town/city clerk.

TOWN/CITY CLERK:

Per RSA 482-A:3, I(d):

1. Collect from the applicant the postal receipts demonstrating that all abutters and the Local Advisory Committee were sent proper notice;
2. Immediately sign the original application and four copies in the signature space provided on this pg. no. 23 below;
3. Retain one copy of the application form and all attachments that will remain with the town/city clerk and will be made reasonably accessible to the public;
4. Immediately distribute a copy of the application with attachments to the municipal Conservation Commission, the local governing body (Board of Selectmen or Town/City Council), and the Planning Board in accordance with RSA 482-A:3, I; and
5. IMMEDIATELY send the original application materials and filing fee, by CERTIFIED MAIL to the NHDES Wetlands Bureau at the address indicated on the front of this application.

23. TOWN/CITY CLERK SIGNATURE REQUIRED FOR ALL APPLICATIONS:

I hereby certify that the applicant has filed five application forms, five detailed plans, and five USGS location maps with the town/city indicated below. As required by Chapter 482-A:3 (amended 1991), and I have received and retained certified postal receipts (or copies) for all abutters identified by the applicant.

Town/City

Signature or Town/City Clerk

Print name legibly

Date

**U.S. Army Corps of Engineers
Programmatic General Permit (PGP)
Appendix B- Corps Secondary Impacts Checklist
(for inland wetland/waterway fill projects in New Hampshire)**

1. Attach any explanations to this checklist. Lack of information could delay a Corps permit determination.
2. All references to "work" include all work associated with the project construction and operation. Work includes filling, clearing, flooding, draining, excavation, dozing, stumping, etc.
3. See PGP, GC 5 regarding single and complete projects.
4. Contact the Corps at (978) 318-8832 with any questions.

1. Impaired Waters	Yes	No
1.1 Will any work occur within 1 mile upstream in the watershed of an impaired water? See www.des.nh.gov/organization/divisions/water/wmb/section401/impaired_waters.htm to determine if there is an impaired water in the vicinity of your work area.*	YES	
2. Wetlands		
2.1 Are there are streams, brooks, rivers, ponds, or lakes within 200' of any proposed work?		NO
2.2 Are there proposed impacts to SAS, shellfish beds, special wetlands and vernal pools (see PGP, GC 26 and Appendix A)? Applicants may obtain information from the NH Department of Resources and Economic Development Natural Heritage Bureau (NHB) website, www.nhnaturalheritage.org , specifically the book <i>Natural Community Systems of New Hampshire</i> .		NO
2.3 If wetland crossings are proposed, are they adequately designed to maintain hydrology, sediment transport & wildlife passage.	N/A	N/A
2.4 Would the project remove part or all of a riparian buffer? (Riparian buffers are lands adjacent to streams where vegetation is strongly influenced by the presence of water. They are often thin lines of vegetation containing native grasses, flowers, shrubs and/or trees that line the stream banks. They are also called vegetated buffer zones.)		NO
2.5 The overall project site is more than 40 acres.		NO
2.6 What is the size of the existing impervious surface area?	0 sq/ft	
2.7 What is the size of the proposed impervious surface area?	0 sq/ft	
2.8 What is the % of the impervious area (new and existing) to the overall project site?	0%	
3. Wildlife	Yes	No
3.1 Has the NHB determined that there are known occurrences of rare species, exemplary natural communities, Federal and State threatened and endangered species and habitat, in the vicinity of the proposed project? (All projects require a NHB determination.)	YES	
3.2 Would work occur in an area identified as either Highest Ranked Habitat in N.H." or Highest Ranked Habitat in Ecological Region"? (These areas are colored magenta and green, respectively, on NH Fish and Game's map, "2010 Highest Ranked Wildlife Habitat by Ecological Condition.") Map information can be found at: PDF: www.wildlife.state.nh.us/Wildlife/Wildlife_Plan/highest_ranking_habitat.htm . Data Mapper: www.granit.unh.edu . GIS: www.granit.unh.edu/data/downloadfreedata/category/databycategory.html .	YES	
3.3 Would the project impact more than 20 acres of an undeveloped land block (upland, wetland/waterway) on the entire project site and/or on an adjoining property(s)?		NO
3.4 Does the project propose more than a 10-lot residential subdivision, or a commercial or industrial development?		NO
3.5 Are stream crossings designed in accordance with the PGP, GC 21.?	N/A	N/A
4. Flooding/Floodplain Values	Yes	No
4.1 Is the proposed project within the 100-year floodplain of an adjacent river or stream?	YES	
4.2 If 4.1 is yes, will compensatory flood storage be provided if the project results in a loss of flood storage?	N/A	N/A
5. Historic/Archaeological Resources	Yes	No
If a miner or major impact, has a copy of the Request for Project Review (RPR) Form (www.nh.gov/nhdhr/review) been sent to the NH Division of Historical Resources as required on Page 5 of the PGP?	YES	

*Although this checklist utilizes state information, its submittal to the Corps is a Federal requirement.

RIVERSIDE & PICKERING
MARINE CONTRACTORS

August 16, 2012

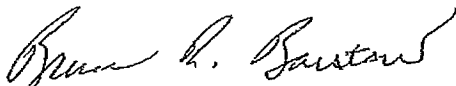
To: Town of Durham
NH DES
NH Division of Ports and Harbors
NH Division of Historical Resources
US Army Corps of Engineers

Re: Letter of Agency

To Whom It May Concern:

For the purpose of obtaining permits to construct a docking structure at 30 Colony Cove Road in Durham, NH (Map 12, Lot 1) please consider Zachary Taylor, Project Planner of Riverside & Pickering Marine Contractors, my authorized agent.

Sincerely,



Mr. Bruce Barstow
30 Colony Cove Road
Durham, NH 03824

Office: 207-451-9229 Fax: 207-703-0354 P.O. Box 368 Eliot, Maine 03903

www.RiversideandPickering.com
A division of Riverside Marine Construction Inc.

Bruce Barstow: Proposed Shoreline Stabilization

Wt 302.04 Requirements for Application Evaluation, for all major and minor projects.

(a)(1) Need:

Currently the owner's shoreline is experiencing significant erosion from the prevailing wind wave conditions and boat wake occurring in this area of Little Bay. The owner requires a permit from NH DES in order to stabilize their eroding shoreline utilizing rip rap stone.

(a)(2) Least impacting alternative:

Considering the prevailing conditions of the site the proposed project is the least impacting alternative. The owner has witnessed their land eroding over the years and wishes to prevent further degradation of the shoreline so that the existing trees stabilizing the embankment are not undermined. The typical slow process of natural shore erosion from tidal forces has been exasperated during recent severe weather events and increased boating traffic. Although there are large deciduous trees and shrubs inhabiting the owner's shoreline the hydrological forces have managed to erode away the toe of the slope and expose the root systems. If left in this condition, without intervening with stabilization, the slope will continue to be undermined and the existing vegetation will die and further expose the embankment to erosion. It is apparent that the existing shoreline vegetation is unable to fully protect the shoreline from the hydrological forces experienced. We feel that if further erosion of the embankment and the subsequent sedimentation of the wetland resource are to be prevented, placing riprap underlain with filter fabric along the undermined slope is necessary. By installing the stone armor in voids left from the eroding bank with filter fabric underlay (to stabilize fine particulates), the exposed tree roots will be protected and healthy growth of shoreline vegetation should occur which will in turn prevent future erosion.

The riprap revetment's strength and effectiveness centers on rebuilding the toe of the undermined slopes. Once the toe is established riprap will be placed up from the toe with approximately 7-10' face up the embankment and a slope ratio of 1:1 to 1:2 depending on the grade of the bank. The stone armor will prevent further erosion from wave action while the filter fabric will allow for proper drainage from the upland and prevent siltation of fine particulates. Minimal grading of the embankment would occur because of the substantial root system of the wooded tidal buffer strip and the existence of ledge found along the shoreline. Throughout the construction process standard erosion control methods will be in place and no work will occur in the water. There will be a temporary impact area of 560 sq/ft located entirely shoreward of the existing band of *S. alterniflora* due to the access needed for the excavator. This is required due to the restricted access from the upland. The excavator and materials will be delivered by barge and the installation will occur by excavator from the shore. Protective mats will be used under the treads of the excavator to minimize damage to the intertidal area. The area of impact is composed of a cobble/gravel substrate so there should be minimal impact to the resource.

Utilizing riprap as the primary means to stabilize the shore is the least impacting alternative for two reasons. First, riprap will be the stabilization method which will provide the most protection and longevity. Vegetative stabilization would not seem a viable alternative in this instance because of the wave energy which occurs. If this were not the case then the embankment toe would not have been undermined in the first place. Vegetative stabilization could be attempted but considering the conditions there is a strong chance that the stabilization would not hold and would have to be reconstructed and thus creating a second round of construction impact.

The second reason that riprap is the least impacting alternative is because of its designed wave attenuation function which helps reduce the impact of erosion to the surrounding shorelines. Riprap, as designed, attenuates wave energy as the waves roll or break up against it as compared to a bulkhead or seawall which deflects the waves either back out into the water way or down the shoreline, both of which can cause erosion on nearby shorelines of other parcels. By breaking up the wave energy with the riprap stone the protection of the owner's

property will not result in the increased erosion of another. Riprap stabilization has been found to be a more ecologically friendly method of construction than the traditional bulkhead/seawall. Riprap is primarily constructed of natural materials (imported stone) as compared to a timber bulkhead for example which would typically be built using a fully pressure treated wood such as Southern Yellow Pine. Riprap stabilization of an embankment in marine applications typically has a longer lifespan than a timber bulkhead, which also reduces the impact to the resources by extending the period time between complete replacements of the structure.

(a)(3) Wetland type/classification: Tidal waters with a band of *S. alterniflora* approximately +/- 15ft wide. The intertidal area begins in the upper littoral with a cobble-gravel unconsolidated shore (E2US1) transitioning to a band of emergent vegetation (E2EM1) which terminates. From there the wetland is primarily cobble-gravel (E2US1) and ledge (E2RS1) covered with rockweed which finally transitions to mudflat (E2US3) out to low water.

(a)(4) Relationship to nearby wetlands & surface waters: See the attached plans.

(a)(5) Rarity: There is no rarity of this type of shoreline.

(a)(6) Surface area of impact: There will be approximately 407 sq/ft of impact to the wetlands resource. Considering the size and the scope of the project detailed in the following schematics we believe the impact to the resource will be minimal.

(a)(7) Impact on plants, fish & wildlife:

- a. none
- b. none
- c. none
- d. none

e. NHB comments are included. NHB may conduct an on site visit. After review of the NHB report for file #NHB12-3260 we feel that the size, scope, and construction methodology is such that there will be no observable impact to any exemplary natural communities. The NHB report concluded that there is one natural community located in the proximity, "sparsely vegetated intertidal system". We are currently working with Melissa Coppola from NHB to ensure that the project will not impact this natural community of record.

(a)(8) Impact on public commerce, navigation and recreation:

(a)(9) Interference with aesthetic interests of the general public:

(a)(10) Interference or obstruction of public rights of passage or access:

(a)(12) Benefit to the health, safety, and well being of the general public:

In our opinion, there will be no impact. Neither construction, nor the completed project, will interfere with navigation. Notice of the proposed project has been sent to the NH Division of Ports & Harbors. The Harbor Master's comments will be submitted to the Bureau upon our receipt of them. We do not believe the project will impinge upon the public's access, safety, well being. The size and location are such that aesthetic interference has been minimized so as not to detract from the natural surroundings of Little Bay.

(a)(11) Impact upon abutting owners:

We believe this project will have no negative impacts on abutters. The abutting property to the NE has a massive granite seawall that runs the entirety of their shoreline.

(a)(13) Impact on quantity or quality of surface & ground waters:

None. Neither the riprap, nor its installation, will offer any opportunity for erosion to occur. No work will be done in the water. Standard erosion controls will be in place.

a)(14) Potential to cause or increase flooding, erosion, or sedimentation:

(a)(15) Extent the project reflects or redirects current or wave energy which might cause damage:

We see no potential for this project to cause these types of problems. Erosion is occurring due to the current deteriorated state of the bank. Riprap will stabilize the bank and absorb wave energy during storm events and excess boat wake.

(a)(16) Cumulative impact:

Because of the relatively small scope of the project and the peculiarity of this area of Little Bay we feel that riprap will not need to be an extensive means of shoreline stabilization in the surrounding areas.

(a)(17) Impact on the values and functions of the total wetland complex:

This project should eliminate the negative impact the current situation has on the wetland complex.

(a)(18) Impact upon the value of sites included in or eligible for the National Register of Natural Landmarks: None

(a)(19) Impact upon the value of areas named in acts of congress or presidential proclamations as national rivers, national wilderness areas ...:

None.

(a)(20) Redirects water from one watershed to another: N/A.

RIVERSIDE & PICKERING
MARINE CONTRACTORS

November 13, 2012

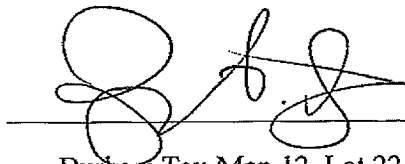
Frank Richardson
NH Wetlands Bureau
PO Box 95
Concord, NH 03302-0095

RE: Letter of no objection, abutter to Bruce Barstow, 30 Colony Cove Road, Durham, NH

To Whom It May Concern,

I have received and reviewed a copy of the plans depicting the proposed docking structure on the property of Bruce Barstow. (Durham Tax Map 12, Lot 23-1). A portion of the proposed project lies within the 20-foot set back of the property line and/or imaginary extension line (plan by Riverside & Pickering Marine dated 11/06/12). I consent to the plans for installation of rip/rap as indicated for the stabilization of the abutting shoreline, which is to be closer than the 20-foot set back, and have no objection to this project being constructed as depicted in said plan provided by Riverside & Pickering Marine.


November ~~13~~³⁰, 2012



Durham Tax Map 12, Lot 22
Gene A. Auty Rev Living Trust
32 Colony Cove Road
Durham, NH 03824

STATE OF NEW HAMPSHIRE
COUNTY OF STRAFFORD, ss

Before me personally appeared Gene Auty of the abutting property, Durham Tax Map 12, Lot 23-1, to me known and known by me to be the parties executing the foregoing instrument, and they acknowledge said instrument, by them executed, to be their free act and deed.


Notary Public
My commission expires:
6/3/2014

RIVERSIDE & PICKERING
MARINE CONTRACTORS

December 4, 2012

Frank Richardson
NH Wetlands Bureau
PO Box 95
Concord, NH 03302-0095

RE: Letter of no objection, abutter to Bruce Barstow, 30 Colony Cove Road, Durham, NH

To Whom It May Concern,

I have received and reviewed a copy of the plans depicting the proposed docking structure on the property of Bruce Barstow. (Durham Tax Map 12, Lot 23-1). A portion of the proposed project lies within the 20-foot set back of the property line and/or imaginary extension line (plan by Riverside & Pickering Marine dated 11/06/12). I consent to the plans for installation of rip/rap as indicated for the stabilization of the abutting shoreline, which is to be closer than the 20-foot set back, and have no objection to this project being constructed as depicted in said plan provided by Riverside & Pickering Marine.

November __, 2012

John Nelson Nancy Nelson

Durham Tax Map 12, Lot 24-2
John & Nancy Nelson
28 Colony Cove Road
Durham, NH 03824

STATE OF NEW HAMPSHIRE
COUNTY OF STRAFFORD, ss

Before me personally appeared *John & Nancy Nelson* of the abutting property, Durham Tax Map 12, Lot 23-1, to me known and known by me to be the parties executing the foregoing instrument, and they acknowledge said instrument, by them executed, to be their free act and deed.

[Signature]

Notary Public
My commission expires: 02-02-2016



RIVERSIDE & PICKERING
MARINE CONTRACTORS

ABUTTER NOTIFICATION

Dear Abutter,

As required by the NH Dept. of Environmental Services, you are being notified about proposed work at property, which abuts yours. Should you have any questions or concerns, please do not hesitate to contact this office. We will be glad to discuss any aspect of the proposed project. A copy of the full application sent to the NH Dept. of Environmental Services, Wetlands Bureau will be available for your inspection at your City/Town Clerk's office.

Thank you,



Zachary Taylor
Director of Operations, Riverside & Pickering Marine Contractors

Name of property owner (s): Barstow

Location of proposed project/adjacent abutter: 30 Colony Cove Road, Durham, NH Map 12, Lot 23-1

Brief description of work: Provide approximately 64.5 linear feet of erosion stone along an eroding bank

ABUTTERS LIST

CERTIFIED MAIL #

Tax Map & Lot Number

Durham Tax Map 12, Lot 18-1
Paula A. Joyce
40 Colony Cove Road
Durham, NH 03824

7011 2000 0001 7751 9632

Durham Tax Map 12, Lot 22
Gene A. Auty Rev Living Trust
32 Colony Cove Road
Durham, NH 03824

7011 2000 0001 7751 9649

Durham Tax Map 12, Lot 24-2
John & Nancy Nelson
28 Colony Cove Road
Durham, NH 03824

7011 2000 0001 7751 9656

Durham Tax Map 12, Lot 24-1
Sibylle J. Carlson Trust
26 Colony Cove Road
Durham, NH 03824

7011 2000 0001 7751 9663

Docks * Piers * Pile Driving * Seawalls * Residential * Commercial * Marine Towing
Office: 207-451-9229 Fax: 207-703-0354 P.O. Box 368 Eliot, Maine 03903

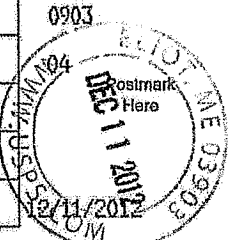
www.RiversideandPickering.com
A division of Riverside Marine Construction Inc.

7011 2000 0001 7751 9632

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DURHAM NH 03824 OFFICIAL USE

Postage	\$ 0.45	
Certified Fee	\$2.95	
Return Receipt Fee (Endorsement Required)	\$0.00	
Restricted Delivery Fee (Endorsement Required)	\$0.00	
Total Postage & Fees	\$ 3.40	

Sent To: **Paul A. Joyce**
 40 Colony Cove Road
 Durham, NH 03824

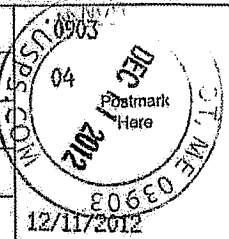
PS Form 3800, August 2009 See reverse for instructions

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Sent To: **John & Nancy Nelson**
 28 Colony Cove Road
 Durham, NH 03824

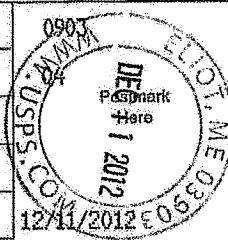
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Restricted Delivery Fee (Endorsement Required)	\$0.00	
Total Postage & Fees	\$ 3.40	

Sent To: **Auty Rev Living Trust, Gene A**
 32 Colony Cove Road
 Durham, NH 03824

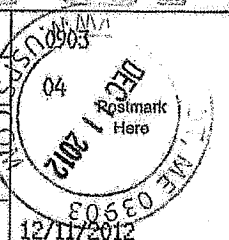
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Sent To: **Sibylle J. Carlson Trust**
 26 Colony Cove Road
 Durham, NH 03824

PS Form 3800, August 2009 See reverse for instructions

Abutter Notifications	
For: Barstow 30 Colony Cove Road Durham, NH 03824 Map 12 Lot 23-1	 P.O. Box 368 Eliot, ME 03903 Telephone (207) 451 9229 Fax (207) 703 0354

Memo



NH NATURAL HERITAGE BUREAU
NHB DATACHECK RESULTS LETTER

To: Zachary Taylor
P. O. Box 368
Eliot, ME 03903

From: Melissa Coppola, NH Natural Heritage Bureau
Date: 11/5/2012 (valid for one year from this date)
Re: Review by NH Natural Heritage Bureau
NHB File ID: NHB12-3260
Town: Durham
Description: Provide approximately 68 linear feet of erosion stone along an eroding bank
Location: Tax Maps: 12-23-1

As requested, I have searched our database for records of rare species and exemplary natural communities, with the following results.

Comments: Please send site photos for further review. Send requested info to: mcoppola@dhred.state.nh.us.

Natural Community	State ¹	Federal	Notes
Sparsely vegetated intertidal system	--	--	Threats to these communities are primarily alterations to the hydrology of the wetland (such as alterations that might affect the sheet flow of tidal waters across the intertidal flat) and increased input of nutrients and pollutants in storm runoff.

¹Codes: "E" = Endangered, "T" = Threatened, "--" = an exemplary natural community, or a rare species tracked by NH Natural Heritage that has not yet been added to the official state list. An asterisk (*) indicates that the most recent report for that occurrence was more than 20 years ago.

A negative result (no record in our database) does not mean that a sensitive species is not present. Our data can only tell you of known occurrences, based on information gathered by qualified biologists and reported to our office. However, many areas have never been surveyed, or have only been surveyed for certain species. An on-site survey would provide better information on what species and communities are indeed present.

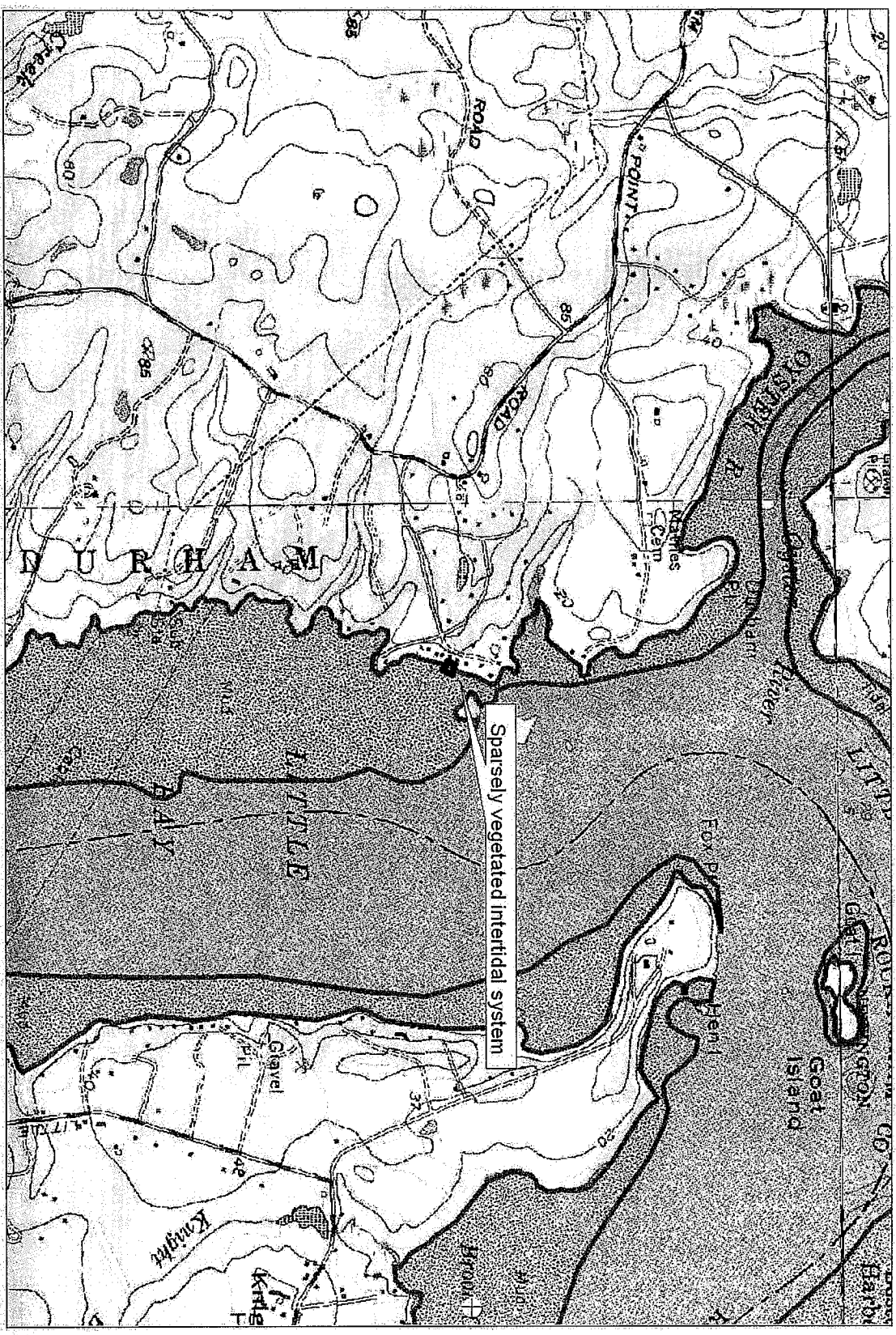
NHB12-3260



NH NATURAL HERITAGE BUREAU

Known locations of rare species and exemplary natural communities

Note: Mapped locations are not always exact. Occurrences that are not in the vicinity of the project are not shown.



*Historical record

New Hampshire Natural Heritage Bureau - System Record

Sparsely vegetated intertidal system

Legal Status

Federal: Not listed
 State: Not listed

Conservation Status

Global: Not ranked (need more information)
 State: Rare or uncommon

Description at this Location

Conservation Rank: Not ranked
 Comments on Rank:

Detailed Description: Extensive *intertidal flats* that are exposed daily at low tide, bordered in places by *intertidal rocky shore* and *coastal shoreline strand/swale* communities.

General Area: 2010: Borders **salt marsh system** landward and **subtidal system** seaward.

General Comments:

Management

Comments:

Location

Survey Site Name: Great Bay
 Managed By: Moody Point Open Space

County: Rockingham
 Town(s): Newington
 Size: 3589.5 acres

USGS quad(s): Newmarket (4307018)
 Lat, Long: 430651N, 0705032W
 Elevation:

Precision: Within (but not necessarily restricted to) the area indicated on the map.

Directions: Occurs throughout Great Bay from the mouths of its tributaries, through Little Bay, to the confluence with the Piscataqua River.

Dates documented

First reported: 1997-06-23 Last reported: 2010-10-13

Kimball, Ben and Ray Konisky. 2007. Field visit to Great Bay on August 14.

Nichols, William F. 2000. Ecological Assessment of Selected Towns in New Hampshire's Coastal Zone. Prepared by NH Natural Heritage Inventory. Concord, NH.

From: Melissa Coppola [mailto:Melissa.Coppola@dred.state.nh.us]
Sent: Wednesday, November 21, 2012 3:33 PM
To: Zachary Taylor
Subject: RE: NHB12-3260

Thanks for sending the requested information. Based on the information provided we do not expect impacts to the exemplary natural community listed in the initial review memo. Critical to this determination is the fact that you will have siltation fence installed throughout the duration of the construction to protect from the occurrence of sedimentation during tidal cycles and that the proposed impacts will occur in an area which is composed of cobble gravel substrate with very little vegetation.

Please print a copy of this email to include with your application (along with the initial review memo).

Best,
Melissa

Melissa Coppola
Environmental Information Specialist
Division of Forest & Lands- Natural Heritage Bureau
PO Box 1856
Concord, NH 03302-1856
603-271-2215 ext. 323
www.nhnaturalheritage.org

The Nature of New Hampshire: Natural Communities of the Granite State
NH Natural Heritage's new guide to the state's natural communities.
Now available for order through the University Press of New England!

From: Zachary Taylor [mailto:zach@riversideandpickering.com]
Sent: Saturday, November 10, 2012 1:14 PM
To: Melissa Coppola
Subject: NHB12-3260

Melissa,

As requested I have attached the site photos for the project. The natural community listed in your report is "sparsely vegetated intertidal system". Most of the shoreline in front of the owner's parcel has a +/-15ft band of *S. alterniflora* which seems to be of good health. The riprap shoreline stabilization we are proposing will occur entirely shore ward of the emergent vegetation. The impacts from excavation in the intertidal area, isolated to just beyond the toe of the slope, will occur in an area which is composed of cobble gravel substrate with very little vegetation. We expect only minor impacts from the installation of the riprap. The shoreline stabilization proposed will protect the root system of the large trees along the shore. The embankment on the owner's property is steep and with a loss of those trees the bank could become very unstable. In order to help reduce impacts to the resource we will have siltation fence installed throughout the duration of the construction to protect from the occurrence of sedimentation during tidal cycles. Please let me know if you have any questions. Thank you Melissa.

Sincerely,

Zachary Taylor
Director of Operations
Riverside & Pickering Marine
P.O. Box 368
Eliot, ME 03903
Office: (207) 451-9229
Fax: (207) 703-0354

(DOVER WEST)

PORTSMOUTH QUADRANGLE
NEW HAMPSHIRE
TOPOGRAPHIC SERIES

(YORK
HARBOR)

070° 53' 27.01" W
043° 08' 13.27" N

(DOVER EAST)

070° 50' 44.97" W
043° 08' 13.27" N

(NEWMARKET)

(KITTERY)

043° 05' 25.70" N
070° 53' 27.01" W

043° 05' 25.70" N

(EXETER)

(EXETER)
SCALE 1:24000

Site Map

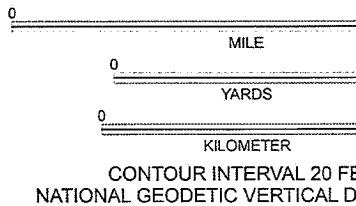
RIVERSIDE & PICKERING
MARINE CONTRACTORS

Produced by MyTopo Terrain Navigator
Topography based on USGS 1:24,000
Maps

North American 1983 Datum (NAD83)
Transverse Mercator Projection

To place on the predicted North American
1927 move the projection lines 10M N and
41M E

Declination



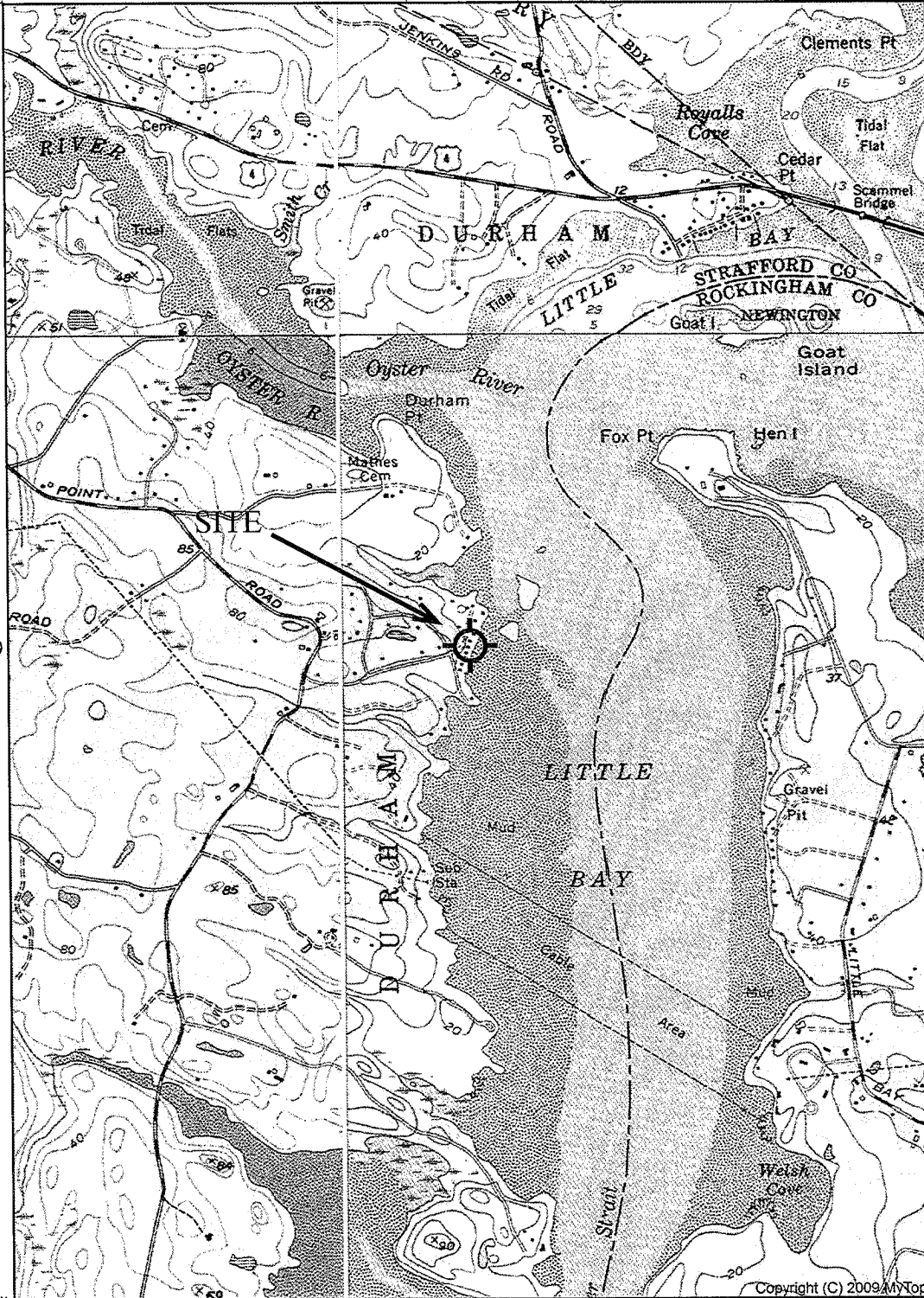
For:

Barstow

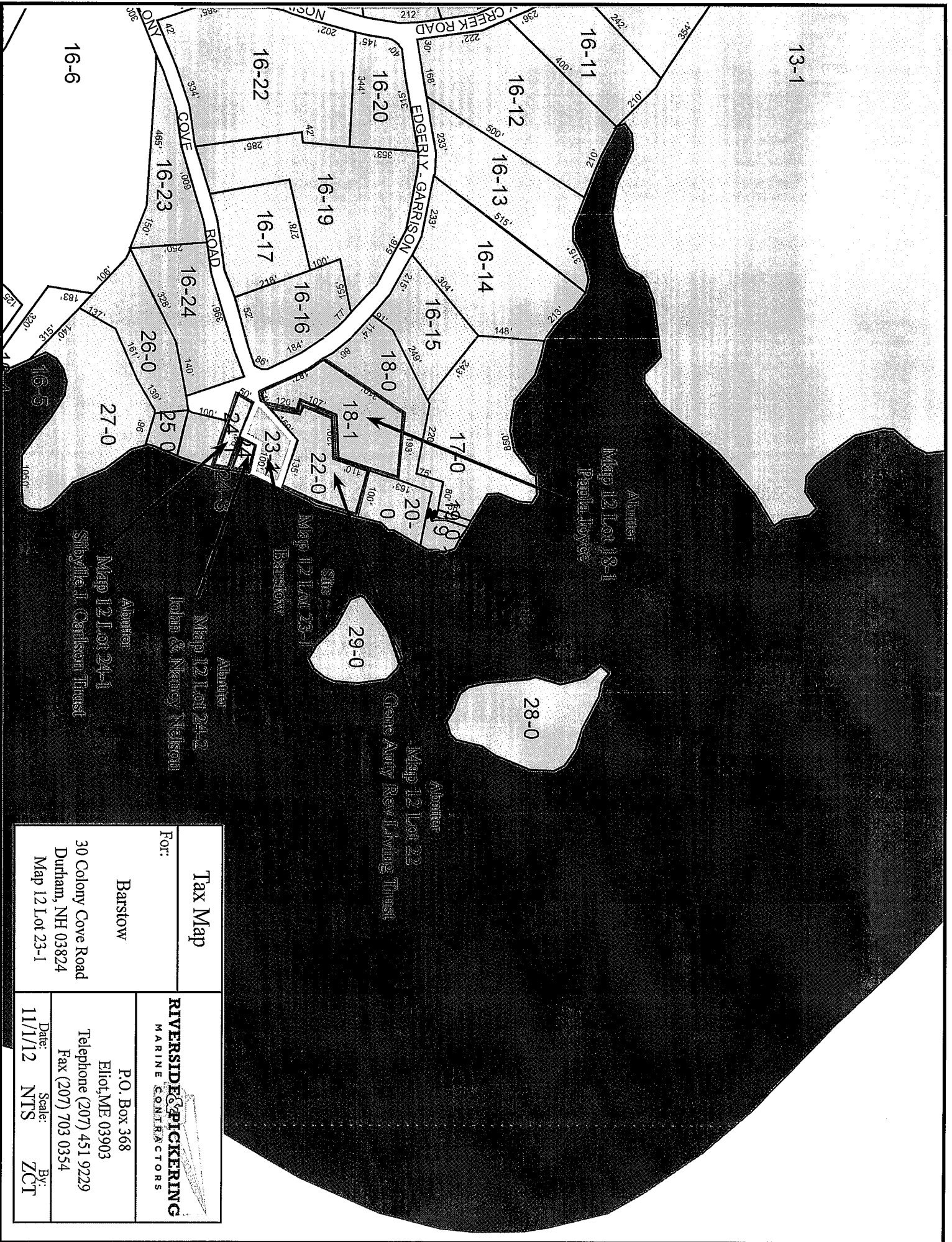
30 Colony Cove Road
Durham, NH 03824
Map 12 Lot 23-1

P.O. Box 368
Eliot, ME 03903
Telephone (207) 451 9229
Fax (207) 703 0354

Date: 12/11/12 Scale: NTS By: ZCT



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Tax Map

For: Barstow

Barstow

30 Colony Cove Road
Durham, NH 03824
Map 12 Lot 23-1

RIVERSIDE & PICKERING
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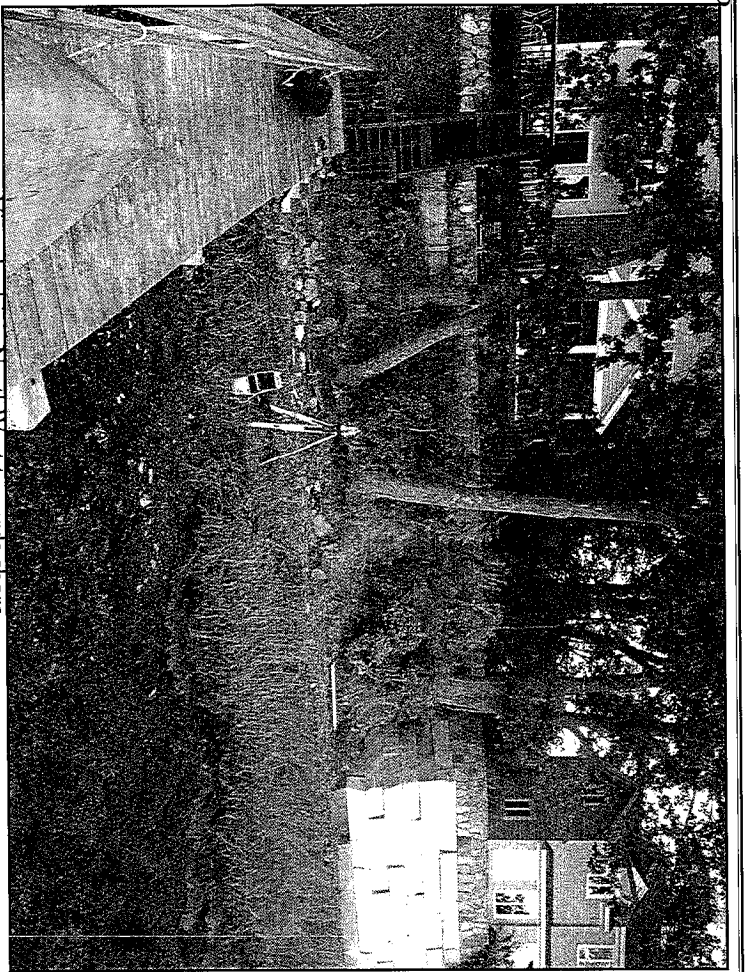
P.O. Box 368

Eliot, ME 03903

Telephone (207) 451 9729

Fax (207) 703 0354

Date: 11/1/12
Scale: NTS
By: ZCT



View looking North West towards shore

Photo #1



Bank erosion



Photo #3



Bank erosion

Photo #2



Photo Sheet 1

*Photos taken at approximate low water.

For:

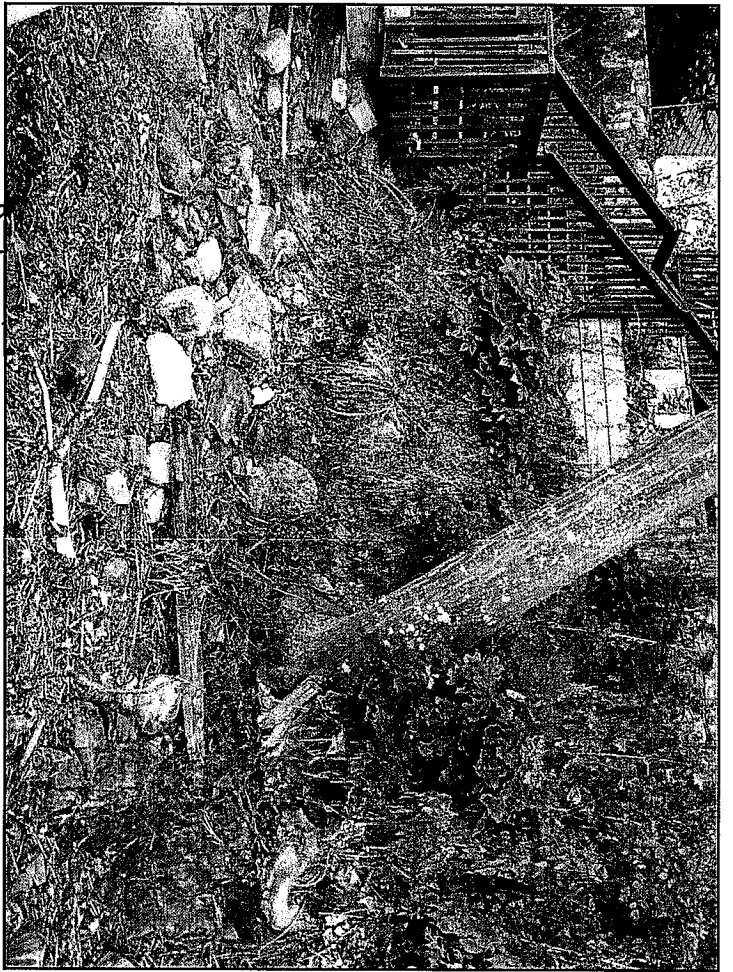
Bruce Barstow
 30 Colony Cove Road
 Durham, NH 03824
 Map 12 Lot 23-1

Photos Taken: 9/13/2012

By: Z. Taylor

RIVERSIDE & PICKERING
 MARINE CONTRACTORS

P.O. BOX 368, ELLIOT, ME 03903
 TELEPHONE (207) 451-9229 FAX (207) 703 0354



Bank erosion

Photo #4

View looking NE along shore

Photo #6



Bank erosion

Photo #5

Photo Sheet 2

*Photos taken at approximate low water.

For:

Bruce Barstow
 30 Colory Cove Road
 Durham, NH 03824
 Map 12 Lot 23-1

Photos Taken: 9/13/2012

By: Z. Taylor

RIVERSIDE & PICKERING
 MARINE CONTRACTORS

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 TELEPHONE (207) 451-9229 FAX (207) 703 0354