

Ms. Stefanie Giallongo NHDES Wetlands Bureau 29 Hazen Drive, PO Box 95 Concord, NH 03302-0095

January 13, 2021

Ms. Giallongo,

As discussed on December 22,2020, we are submitting the attached NHDES Wetlands Permit Application for Expedited Minimum Impact (EXP). Hope for Tomorrow Foundation is proposing to install a security fence along the southern portion of the property to prevent further trespass on the property. The proposed fence will extend through approximately 137 feet of inland wetland. Please find to following with this application:

- A. Expedited Minimum Impact (EXP) Wetlands Permit Application
- B. Application Fee (\$400)
- C. Letter of Authorization
- D. National Heritage Bureau Data Check
- E. Priority Resource Area (PRA) Map from (WPPT)
- F. City of Portsmouth Prime Wetlands Map
- G. Abutter Letter and Abutter List
- H. Security Fence Plan and Details
- I. Site Pictures

Please call if you have any questions or need any additional information

Sincerely,

Cory D. Belden, PE

Copy:

Peter Britz, City of Portsmouth Environmental Planner Barbara McMillan, City of Portsmouth Conservation Commission Chair James Broom, Hope for Tomorrow Foundation



### Env-Wt 310.01 EXPEDITED MINIMUM IMPACT (EXP) WETLANDS PERMIT APPLICATION



File No.:

Check No.:

Administrative

### Water Division/Land Resources Management Wetlands Bureau

Check the Status of your Application

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

Administrative

APPLICANT'S NAME: Hope for Tomorrow Foundation TOWN NAME: Portsmouth

Administrative

| Only  | Only   | Only                            | Amount:            |
|---|--|---------------------------------|--------------------|
|   |  |                                 | Initials:          |
|   |  |                                 |                    |
| SECTION 1 - REQUIRED PLANN  | IING FOR ALL PROJECTS (Env-W   | t 306.05; Env-Wt 603.03; Env-\  | Wt 603.05)         |
|   | Planning Tool (WPPT), the Natur  |                                 |                    |
|   | ources to assist in identifying key<br>coastal areas, designated rivers, o   |                                 | irce areas (PRAs), |
|   |  | 5 .                             |                    |
|   | RA? If yes, provide the following  |                                 | Yes No             |
| Department (NHF&G) and  | or an Impact Classification Adjus<br>I NHB agreement for a classificat<br>nce or Statutory Permit-by-Notifi<br>1). | tion downgrade) or a Project-Ty | . II IYESIXINO     |
| <ul> <li>Protected species or habit</li> <li>If yes, species or h</li> <li>NHB Project ID #:</li> </ul> | nabitat name(s):   |                                 | ☐ Yes ⊠ No         |
| • Bog?  |  |                                 |                    |
| Floodplain wetland contiguous to a tier 3 or higher watercourse?  |  |                                 | Yes No             |
| <ul> <li>Designated prime wetland or duly-established 100-foot buffer?</li> </ul>                       |  |                                 | Yes No             |
| <ul> <li>Sand dune, tidal wetland, tidal water, or undeveloped tidal buffer zone?</li> </ul>            |  |                                 | ☐ Yes ⊠ No         |
| Is the property within a Design   | nated River corridor? If yes, prov   | ide the following information:  | Yes No             |
| Name of Local River Mana  | gement Advisory Committee (LA  | AC):                            |                    |
| • A copy of the application v   | was sent to the LAC on Month:  | Day: Year:                      |                    |
| For dredging projects, is the su<br>• If yes, list contaminant(s):                                      | ubject property contaminated?  |                                 | ☐ Yes ⊠ No         |
| Is there potential to impact im   | paired waters, class A waters, o   | r outstanding resource waters?  | ☐ Yes ⊠ No         |

| NHD | ES-W-06-052  |
|-----|--|
| For | stream crossing projects, provide watershed size (see Wetland Permit Planning Tool or Stream Stats): N/A   |
| SEC | TION 2 - ELIGIBILITY (Env-Wt 306.03; Env-Wt 310.01; Env-Wt 310.03)   |
| You | must confirm that your project meets <b>ALL</b> of the following statements to qualify for the EXP process:  |
|     | The project qualifies as minimum impact project (Env-Wt 306.03).   |
|     | • The project does not include activities that are prohibited under RSA 482-A (Env-Wt 306.03(a)).  |
|     | • The project does not include any work in a jurisdictional area that was started without first obtaining the applicable approval (Env-Wt 306.03(b)).  |
|     | <ul> <li>No work has been done on the subject property pursuant to another EXP or a Statutory Permit-by-Notification<br/>(SPN) within 12 months of the date this EXP will be issued. Alternatively, if any work has been done on the<br/>subject property pursuant to another EXP or a SPN within 12 months of the date this EXP will be issued, then<br/>you are submitting information, including a plan, with this application demonstrating that:</li> </ul>   |
|     | <ul> <li>The work proposed in this EXP application is wholly unrelated to and separate from the work already<br/>done under the EXP or SPN; and</li> </ul>   |
|     | <ul> <li>The work proposed in this EXP application, when combined with work that has been done under<br/>previously issued EXPs or SPNs within the last 12 months, does not constitute a project for which a<br/>Standard Permit is required (Env-Wt 310.03(a)).</li> </ul>  |
|     | • If the project is located in a PRA, it also qualifies for an impact classification adjustment under Env-Wt 407.02 or a project-type exception (PTE) under Env-Wt 407.04 (Env-Wt 310.01(d)(6)).   |
|     | My project meets all statements above. Proceed to Section 3.  My project does not meet all of the statements above. Your project does not qualify for the EXP process.  Your project either is not permittable or requires a Standard Permit.  |
| SEC | TION 3 - INFORMATION ON THE PROPOSED PROJECT (Env-Wt 310.01(c))  |
| the | ntify the rule(s)/provision(s) which make the project a minimum impact project. Refer to the project list below and Expedited Minimum Impact (EXP) Project Classification Guidance Document.  Aquatic Vegetation Control Projects (Env-Wt 510.08(a))  Water Access Structure Construction Projects (Env-Wt 511.06(a))  Beach Replenishment Projects (Env-Wt 511.07(a))  Deck or Patio Repair Projects (Env-Wt 511.08(a))  Breakwater Maintenance and Repair Projects (Env-Wt 512.07(b))  Docking and Accessory Docking Structure Construction, Repair, and Replacement Projects (Env-Wt 513.24(a)) |
| =   | Docking and Accessory Bocking Structure Construction, Repair, and Replacement Projects (Env-Wt 513.24(a))  |
| =   | Accessory Docking Structure Installation, Construction, Modification, Repair, and Replacement Projects (Env-Wt 513.26(a))  |
|     | Canopy Projects (Env-Wt 513.27(a))   |
| =   | Bank/Shoreline Stabilization Construction Projects (Env-Wt 514.07(a))  |
| =   | Dug-in Basins and Boathouse Construction or Modification Projects (Env-Wt 515.06(a), (b))  |
| =   | Dug-in Basins and Boathouse Maintenance and Repair Projects (Env-Wt 515.07(a))   |
| =   | Intake and Outflow Structure Construction, Maintenance and Repair Projects (Env-Wt 516.05; Env-Wt 516.06(b)) Trail or Pathway Projects (Env-Wt 517.06(a); Env-Wt 517.06(d))  |

Boardwalk Projects (Env-Wt 517.07(a); (Env-Wt 517.09)

Dry Hydrants and Other Non-Docking Structure Projects (Env-Wt 518.07(a)(1), (b))

#### NHDES-W-06-052

| Pond Construction, Maintenance, and Repair Projects (Env-Wt 519.08(a), (b); Env-Wt 519.09(a))  |  |  |  |
|--|--|--|--|
| Residential Utility Installation Projects (Env-Wt 521.06(a)(7))  |  |  |  |
| Non-tidal Dredging Projects (Env-Wt 523.04(a))   |  |  |  |
| Residential, Commercial, and Industrial Development Projects (Env-Wt 524.06(b))  |  |  |  |
| Restoration/Enhancement Projects (Env-Wt 525.05)   |  |  |  |
| Dam Construction, Reconstruction, or Replacement Projects (Env-Wt 526.06(a))   |  |  |  |
| Dam Modification, Repair, or Maintenance Projects (Env-Wt 526.07(a))   |  |  |  |
| Pubic Highway Projects (Env-Wt 527.06; Env-Wt 527.07)  |  |  |  |
| Coastal Projects (Env-Wt 600)  |  |  |  |
| Stream Crossing Projects (Env-Wt 903.01(e))  |  |  |  |
| All Other Projects (Env-Wt 407.03)   |  |  |  |
| Provide the project-specific information required by the rule(s)/provision(s). Refer to Chapters Env-Wt 400, Env-Wt 500, Env-Wt 600, and/or Env-Wt 900, as applicable, for project-specific application and design requirements. |  |  |  |
| Per Env-Wt 407.03, the project will impact aproximately 5 square feet of wetland for the installation of fence posts in  |  |  |  |
| the wetland, which qualifies as a Minimum Impact Project. Posts will be driven and no grading is proposed.   |  |  |  |
| Please see applicable Standard Project Specific Worksheets for guidance.   |  |  |  |
| For projects located on waterbodies, provide the linear feet of shoreline frontage on the property: linear feet  |  |  |  |
| (⊠ Not applicable)   |  |  |  |

| Provide a brief description of the project and the purpose of the project, outlining the scope of work to be performed and whether impacts are temporary or permanent. DO NOT reply "See attached".  |
|--|
| The proposed project will construct a six (6) foot chain link fence along the south-east portion of the property. The total length of fence in the wetland is approximately 137 linear feet and 206 linear feet in the wetland buffer area. There will be approximately 5 square feet of disturbance in the wetland for the post installations and 10 square feet in the wetland buffer. All line posts will be drilled 1-7/8" diameter posts. Corner, end, and pull posts will be installed with a ten (10) inch diameter concrete foundation. All line posts within the wetland will be driven without foundations and all existing grades will be maintained. |
|  |
|  |
|  |
|  |
| Identify the type of jurisdictional resources to be impacted and the area of impact in square feet and/or linear feet:   |
| Inland Wetland = 5 square feet of impact area  |
|  |
|  |
|  |
|  |
|  |
| ( Not applicable)  |
| SECTION 4 - PROJECT LOCATION (Env-Wt 310.01(b))  |
| ADDRESS: 315 Banfield Road   |
| TOWN/CITY: Portsmouth  |
| TAX MAP/LOT NUMBER: 266-05   |
| US GEOLOGICAL SURVEY (USGS) TOPO MAP WATERBODY NAME: N/A   |
| LATITUDE/LONGITUDE in decimal degrees (to five decimal places): 43.04232° North  |
| -70.78660° West  |
| SECTION 5 – APPLICANT (DESIRED PERMIT HOLDER) INFORMATION (Env-Wt 310.01(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: Hope for Tomorrow Foundation   |
| MAILING ADDRESS: 315 Banfield Road   |
|  |

| TOWN/CIT  | : Portsmouth   |                   |                     |  | STATE: NH                               | ZIP CODE: 03801         |
|---|--|-------------------|---------------------|--|---|-------------------------|
| PHONE: (603) 436-0739 EMAIL ADDRESS (OPTIONAL): jpatrickbroom@gmail.com   |  |                   | om                  |  |   |                         |
|   | C COMMUNICAT ication electronic  | •                 | ng here: CDB, I her | eby authorize NHDES                    | to communica                            | te all matters relative |
| SECTION 6   | - AUTHORIZED A   | GENT INFORM       | IATION (Env-Wt 3    | 10.01(a))                              |   |                         |
| If the agent  | is a company, th   | nen the name o    | of the company sho  | ould be written as the                 | agent's name.                           |                         |
| NAME: Cor   | y D. Belden  |                   |                     |  |   |                         |
| MAILING A   | DDRESS: 133 Cou  | ırt Street        |                     |  |   |                         |
| TOWN/CIT  | : Portsmouth   |                   |                     |  | STATE: NH                               | ZIP CODE: 03801         |
| PHONE: 60   | 3-433-2335   |                   | EMAIL ADDRESS (     | OPTIONAL): cbelden@                    | altus-eng.com                           |                         |
|   | C COMMUNICAT ication electronic  | •                 | ng here: CDB, I her | eby authorize NHDES                    | to communica                            | te all matters relative |
| SE SE I SA I E  | 22.22.22.4   |                   |                     |  | /= \\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\ |                         |
|   |  |                   |                     | IT FROM APPLICANT ust or company shoul | -                                       |                         |
|   | ne as applicant  | ompany, men       | the name of the tr  | ast of company shoul                   | d be written as                         | the owner shame.        |
| MAILING A   |  |                   |                     |  |   |                         |
| TOWN/CIT  |  |                   |                     |  | STATE:                                  | ZIP CODE:               |
| PHONE:  |  |                   | EMAIL ADDRESS (     | (OPTIONAL):                            |   |                         |
|   | C COMMUNICAT   | •                 |                     | ereby authorize NHD                    | ES to communi                           | cate all matters        |
|   | - APPLICATION F  | · ·               | :3, I)              |  |   |                         |
| ⊠ \$400 fc  | or minimum impa  | act projects. Ple | ease make your ch   | eck or money order p                   | ayable to: "Tre                         | asurer - State of NH".  |
| SECTION 9   | - REQUIRED CER   | TIFICATIONS (     | Env-Wt 310.01(d))   |  |   |                         |
| Initial each  | box below to ce  | ertify:           |                     |  |   |                         |
| Initials: CDB The proposed project meets the conditions and limits of the applicable minimum impact project rule. |  |                   |                     |  |   |                         |
| Initials: CDB All abutters have been notified.  |  |                   |                     |  |   |                         |
| Initials:   | s:  If the project is to repair or replace a docking structure, the docking structure is an existing legal structure |                   |                     | kisting legal structure.               |   |                         |

( N/A)

| Initials:<br>CDB | The proposal is the alternative with the least adverse impact to jurisdictional areas, as required by Env-Wt 310.01(d)(4).  |   |        |  |
|------------------|---|---|--------|--|
| Initials:<br>CDB | The project is not an after-the-fact application.   |   |        |  |
| Initials:<br>CDB | <ul> <li>The project is:</li> <li>Not located in a PRA, or</li> <li>Is located in a PRA but is subject to a classification adjustment under Env-Wt 407.02 or a project-type exception under Env-Wt 407.04.</li> </ul> |   |        |  |
| Initials:<br>CDB | The applicant is aware of the limits of the EXP and understands and will comply with all conditions in the EXP and all applicable conditions in Env-Wt 307.   |   |        |  |
|                  |   |   |        |  |
| Initials:<br>CDB | To the best of the signer's knowledge and belief, all required notifications have been provided.  |   |        |  |
| Initials:<br>CDB | 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:<br>CDB | 5   |   |        |  |
| Initials:<br>CDB |   |   |        |  |
| SECTION 10       | - REQUIRED SIGNATURES (Env-Wt 310.01(d)   | )   |        |  |
| SIGNATURF        | (OWNER)*:   | PRINT NAME LEGIBLY:                       | DATE:  |  |
|                  |   | James Broom (see letter of authorization) | 1/8/21 |  |

| *Note: If the applicant is not the owner of the property, provided that property owner signatures shall not be recovery where an easement will be obtained prior to the statif your project meets this exception: .   | quired for transportation projects adjacent to ex | isting rights-of- |  |
|---|---|-------------------|--|
| SIGNATURE (APPLICANT, IF DIFFERENT FROM OWNER):   | PRINT NAME LEGIBLY:                               | DATE:             |  |
| SIGNATURE (AGENT, IF APPLICABLE):   | PRINT NAME LEGIBLY:                               | DATE:             |  |
|   | Cory D. Belden                                    |                   |  |
| SECTION 11 - CONSERVATION COMMISSION SIGNATUR   | RE (Env-Wt 310.01(h))**                           |                   |  |
| The signed statement from the Conservation Commission may be submitted electronically.  |   |                   |  |
| 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 the municipality waives its right to intervene on the project, per RSA 482-A:11. |   |                   |  |
| AUTHORIZED COMMISSION SIGNATURE:  | PRINT NAME LEGIBLY:                               | ATE:              |  |
| SECTION 12 - LOCAL RIVER MANAGEMENT ADVISORY (  | COMMITTEE SIGNATURE (Env. M/+ 210 01/i)\**        |                   |  |

| SECTION 12 - LOCAL RIVER MANAGEMENT ADVISORY COMMITTEE SIGNATURE (Env-Wt 310.01(i))**      |  |  |  |
|--|--|--|--|
| The signature below certifies that the LAC waives its right to intervene per RSA 482-A:11: |  |  |  |
| (N/A This project is <b>not</b> within a Designated River Corridor)                        |  |  |  |
| AUTHORIZED LAC REPRESENTATIVE SIGNATURE: PRINT NAME LEGIBLY: DATE:                         |  |  |  |
|  |  |  |  |

| SECTION 14 - TOWN / CITY CLERK SIGNATURE (Env-Wt 310.01(f))   |                     |  |  |
|---|---------------------|--|--|
| As required by RSA 482-A:3, I(a)(1), I hereby certify that the municipality has received four copies of the application, including all attachments. |                     |  |  |
| TOWN/CITY CLERK SIGNATURE:  | PRINT NAME LEGIBLY: |  |  |
| TOWN/CITY:  | DATE:               |  |  |

#### **DIRECTIONS FOR TOWN/CITY CLERK:**

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

- 1. IMMEDIATELY sign the original application form and four copies in the signature space provided above.
- 2. Return the signed original application form and attachments to the applicant so that the applicant may submit the application form and attachments to NHDES by mail or hand delivery.
- 3. IMMEDIATELY distribute a copy of the application with one complete set of attachments to each of the following bodies: the municipal Conservation Commission, the local governing body (Board of Selectmen or Town/City Council), and the Planning Board.

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

<sup>\*\*</sup>Note: If the application is administratively complete, except for the signed statement from the Conservation Commission and/or LAC, the application will be processed under the application processing times established in RSA 482-A:3, XIV (Env-Wt 310.02(h)). The applicant may also indicate that they are applying for a minimum impact application under standard processing timelines.

#### NHDES-W-06-052

4. Retain one copy of the application form and one complete set of attachments and make them reasonably accessible for public review.

#### **DIRECTIONS FOR APPLICANT:**

Submit the single, original permit application form bearing the signature of the Town/City Clerk, additional materials, and the application fee to NHDES by mail or hand delivery at the address at the bottom of this page.

To: Cory Belden Date: 12/22/2020

133 Court St.

Portsmouth, NH 03801

From: NH Natural Heritage Bureau

**Re:** Review by NH Natural Heritage Bureau of request dated 12/22/2020

VALID ONLY FOR NOTIFICTION OR MINIMUM EXPEDITED APPLICATIONS SUBMITTED TO

THE NHDES WETLANDS BUREAU

NHB File ID: NHB20-3761 Applicant: Cory Belden

Location: Tax Map(s)/Lot(s): 266-05

Portsmouth

Project Description: The project is to construct a fence along the approximate

southeast property line. Points 1, 2, and 3 indicate the approximate beginning, center and end of the fence.

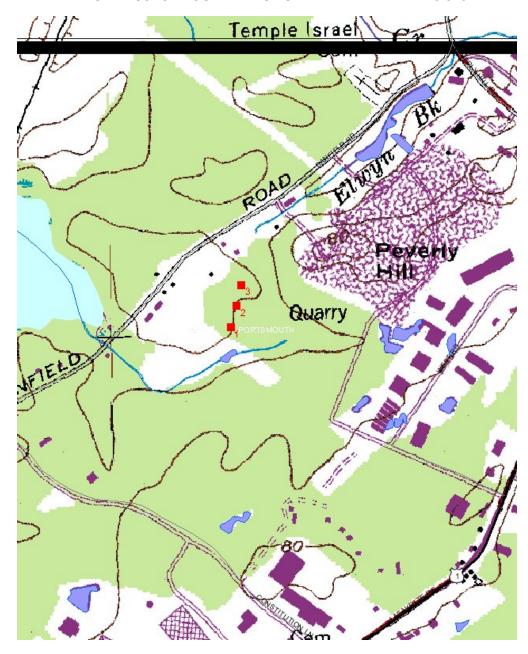
Gates will be provided in two locations.

The NH Natural Heritage database has been checked 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. We currently have no recorded occurrences for sensitive species near this project area.

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.

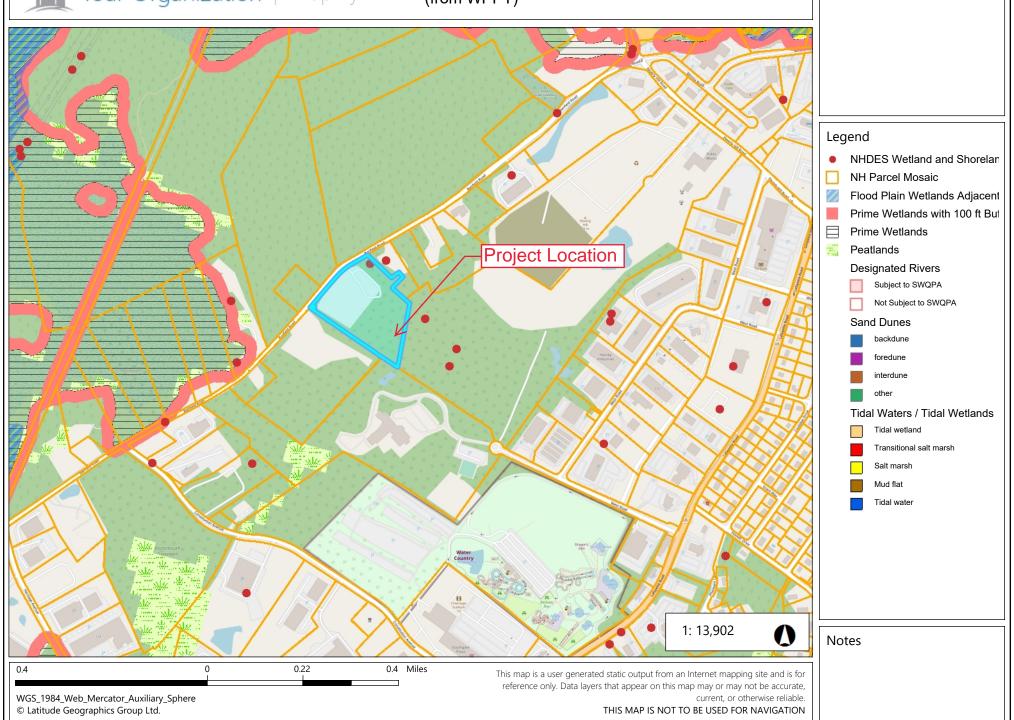
This report is valid through 12/21/2021.

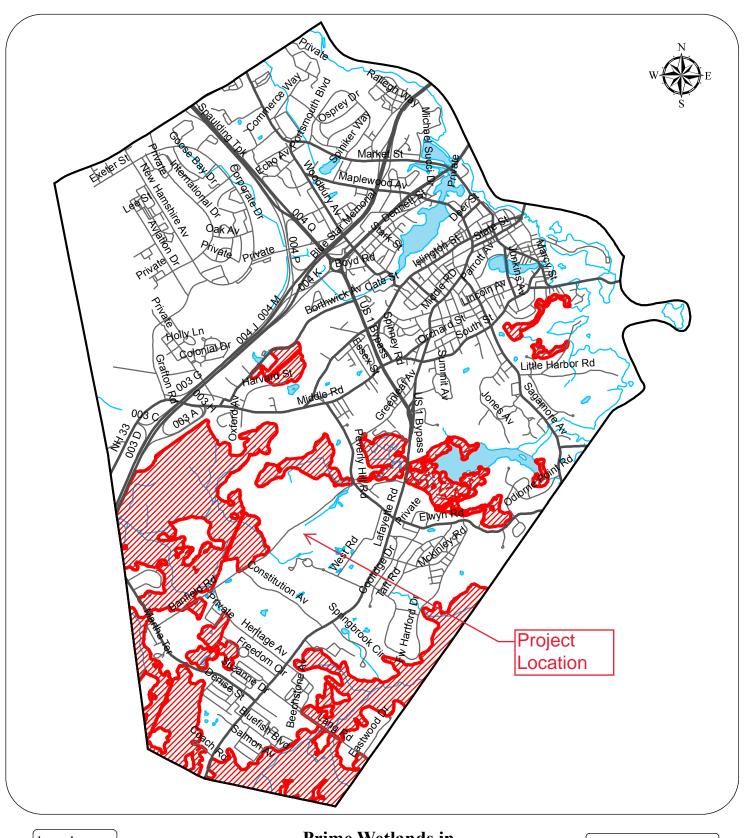
#### MAP OF PROJECT BOUNDARIES FOR NHB FILE ID: NHB20-3761



Your Organization | Map By

## Priority Resource Areas (from WPPT)







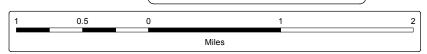
# Prime Wetlands in Portsmouth, NH

New Hampshire State Plane Coordinate System North American Datum 1983 (feet) The coverages presented are under constant revision as new sites or facilities are added, and may not contain all potential or existing sites or facilities. These maps were prepared using data supplied by the municipality and the information was digitized to the best of our ability. For prime wetland and prime wetland buffer locations for a specific site, please contact the municipal office where the project is proposed. NHDES is not responsible for the use or interpretation of this information by third parties.



New Hampshire Department of Environmental Services Wetlands Bureau 29 Hazen Drive P.O. Box 95 Concord, NH 03302-0095

DATE PRODUCED October, 2012



January \_\_\_, 2021

**Subject: NHDES Wetlands Permit Application** 

**Tax Map 266 Lot 05** 

**Hope for Tomorrow Foundation** 

315 Banfield Road (Saint Patrick Academy)

Portsmouth, NH

P4801.2

#### Dear Abutter:

Pursuant to State of New Hampshire RSA Chapter 482-A, this letter is to notify you that the Hope for Tomorrow Foundation is submitting a Wetland Permit Application to the NHDES Wetlands Bureau for work at 315 Banfield Road (Tax Map 266, Lot 05).

The application proposes to construct a new 6-foot chain link fence that will extend through the wetland along the southern portion of the property behind Saint Patrick Academy.

## This letter is for the notification of abutting property owners only. The work is greater than 20-feet from abutting your parcel therefore no further action by you is required.

Once filed, the plans that show the proposed project are available for viewing during normal business hours at the City of Portsmouth City Clerk's office (603) 610-7245 or at the office of the NHDES Wetlands Bureau (603) 271-2147, 6 Hazen Drive, Concord, N.H. (8am to 4pm). It is suggested the appropriate office is contacted to verify availability of the documents prior to visiting them. Please feel free to contact us, the Applicant's engineering consultant, at (603) 433-2335, if you have any questions.

Sincerely,

Cory D. Belden, P.E.

wde\4801.2 abutter-notify-wetland.ltr CERTIFIED MAIL

### **Abutter List**

#### **Tax Map 266, Lot 03**

CROTEAU ANDREW R CROTEAU CAROL ANN 285 BANFIELD RD PORTSMOUTH, NH 03801

#### **Tax Map 266, Lot 04**

FOUNDATION FOR SEACOAST HEALTH 100 CAMPUS DR, STE 1 PORTSMOUTH, NH 03801

#### **Tax Map 266, Lot 07**

Property Address: 375 BANFIELD ROAD

Owner Address:
BANFIELD REALTY LLC
304 MAPLEWOOD AVE
PORTSMOUTH, NH 03801

#### **Tax Map 254, Lot 08**

<u>Property Address:</u> 680 PEVERLY HILL RD

Owner Address:
CITY OF PORTSMOUTH
Attn: Peter Britz, Environmental Planner
1 JUNKINS AVE
PORTSMOUTH, NH 03801

## SITE PICTURES – 1/8/21



1) Looking East from Trail



2) Looking Northeast from South Property Line

## SITE PICTURES – 1/8/21



3) Looking West from Eest side of wetlands



4) Looking northwest from east of wetlands