



Iron Horse Properties, LLC 105 Bartlett Street Portsmouth, New Hampshire

## Standard Dredge and Fill Wetlands Permit Application

Prepared For: Iron Horse Properties, LLC

January 10, 2023



C0960-011 January 10, 2023

NHDES Wetlands Bureau Attn: Kristin Duclos 29 Hazen Dr, PO Box 95 Concord, NH 03302-0095

#### Re: Wetland Application – Standard Major Impact Iron Horse Properties, LLC, Portsmouth, NH 105 Bartlett Street Portsmouth, New Hampshire

Dear Ms. Duclos:

Tighe & Bond is pleased to submit this permit application on behalf of behalf of Iron Horse Properties, LLC (owner/applicant) for impacts associated with the redevelopment of a commercial parcel in the previously developed upland buffer at 105 Bartlett Street in Portsmouth.

## **Project Description**

The proposed project is located at 105 Bartlett Street and is comprised of a five (5) parcels that are bounded by Bartlett Street to the west and south, North Mill Pond to the north, and the Boston and Maine (B&M) railroad to the east. The existing parcels are listed below.

Tax Map/Lot No.	Area (ac)
157 / 1	1.42
157 / 2	2.34
164 / 1	1.19
164 / 4-2	5.73
R.O.W.	1.60

Lot 157-1 is currently occupied by a 20,000-square-foot, 2-story, concrete block/steel frame building and associated parking lot. Lot 157-2 contains another 20,000-square foot wood frame structure with a variety of outbuildings, such as sheds, to support an impervious lumber yard. Lot 164-1 also contains an approximately 20,000-square foot wood frame structure that hosts a variety of smaller businesses and associated parking. Lot 164-4-2 is currently occupied by a former B&M railroad turntable, a dilapidated former brick roundhouse, and an approximately 3,600-square-foot machine shop. Several shipping containers are also present throughout the lot. The northern end of the lot is comprised mostly of abandoned rail lines that run down the shoreline between North Mill Pond and the active railroad past the northern limits of the project site

The proposed project will include demolition of the existing building on lot 157-1 and the existing buildings on Lot 164-4-2, These buildings will be replaced with three (3) multi-family apartment buildings depicted as Building A, B and C on the Site Plan. The three (3) buildings

will include a total of 152 dwelling units with parking below Buildings A and B. The project includes associated site improvements that consist of the private road cul-de-sac adjacent to Building C, surface parking, pedestrian access, utilities, dark-sky friendly lighting, landscaping and stormwater management systems that provide treatment for runoff.

## **Jurisdictional Wetlands**

On October 29 and December 2, 2019, Tighe & Bond reviewed and assessed 2,000+/- linear feet of tidal wetlands and buffers along the North Mill Pond. The review was limited to the vicinity of a proposed multi-family development, extending from Bartlett Street to an area opposite Cornwall Street, which runs roughly perpendicular to the parcel.

The wetland delineation review was based on criteria specified in the *Corps of Engineers Wetlands Delineation Manual, Technical Report Y-87-1* (January 1987), and the *Regional Supplement to the Corps of Engineers Wetland Delineation Manual: Northcentral and Northeast Region* (January 2012). The Highest Observable Tide Line was reviewed based on the definition found in NH Department of Environmental Services Wetland Rules, Env-Wt 101.49/Env-Wt 602.23. Wetlands were classified based on *Classification of Wetlands and Deepwater Habitats of the United States* (Cowardin et al., 1979).

The Highest Observable Tide Line (HOTL) had been previously delineated by another consulting firm in 2017. This line was reviewed by exporting the 2017 surveyed line into ArcGIS to overlay on an aerial photographic base map. This base map was then uploaded to an iPad and paired with a Trimble R1 submeter GPS for in-field verification. Using the iPad and GPS as a guide, the line was then evaluated in the field. The HOTL was deemed accurate and the previous 2017 delineation was accepted by Tighe & Bond. A previously unidentified freshwater wetland was also found within a six-foot +/- deep abandoned railroad turntable. Tighe & Bond delineated this area with sequentially numbered flagging and located the wetland boundary using the GPS technology described above.

Functions and values were assessed in the vicinity of the proposed project. Assessment methodologies were adapted from the *Maine Citizens Guide to Evaluating, Restoring, and Managing Tidal Marshes* (Bryan et al., 1997) and *The Highway Methodology Workbook Supplement—Wetland Functions and Values: A Descriptive Approach*, NAEEP-360-1-30a, US Army Corps of Engineers, New England Division, September 1999.

## **Tidal Buffer**

The North Mill Pond 100-foot tidal buffer can be divided into three zones within the project area: 1) a commercial area, including the Ricci Supply and Ace Hardware complex, the Great Rhythm Brewery building, a former railroad machine shop, and all the paved and unpaved impervious surfaces associated with those buildings; 2) the disturbed forest directly northeast and northwest of Great Rhythm Brewery, including the area around the old railroad turntable and roundhouse remains; and 3) the shrub thicket extending along the narrow portion of the parcel to the northeast. These areas all include historic filling 2-16 feet deep associated with railroad activities. The fill includes coal, coal ash, and possible slag.

## **Waiver Request**

The attached permit application includes a request for a waiver from Env-Wt 603.08(a) and (b), which require location and documentation of three tidal events by a licensed land surveyor. We have proposed, instead, to use the NOAA predicted tidal datums from nearby Seavey Island as conservative estimates of tidal heights. These heights are conservative because tides flow through two moderate restrictions between Seavey Island and the project

site, which should dampen tidal extremes. From this analysis, the proposed project was determined to have a medium risk tolerance and is not at risk of flooding under a predicted sea level rise (SLR) of 5.0 feet by 2122.

## Summary of Agency Coordination

- A wetland preapplication teleconference was held with NHDES staff on April 15, 2020 and February 23, 2021.
- A mitigation preapplication teleconference was held with NHDES staff on March 18, 2021.
- A mitigation preapplication teleconference was held with NHDES staff on March 22, 2022.
- A DataCheck request was completed through the NH Natural Heritage Bureau February 22, 2021 & April 11, 2022 with a finding of no recorded occurrences for sensitive species near the project area.
- A NHDES Alteration of Terrain Permit was issued for this project on September 29, 2021. Permit: AoT-2026.
- This project has received comments from Portsmouth Conservation Commission. These comments were incorporated into plans that have received local approvals, including a Wetland Conditional Use Permit, Shared Parking Conditional Use Permit, Lot line Relocation, and Site Plan Review approved April 20, 2021.

## Appendices

The following supporting documents are included as part of this submittal:

- Appendix A Forms
  - Standard Major Impact Application
    - Owners List
  - o Attachment A
  - Avoidance & Minimization Checklist
  - Copy of the Fee Payment
  - Wetlands Rule Waiver Request
  - Coastal Resource Worksheet and Attachments
    - Project Narrative with Construction Sequencing and Project Monitoring
    - Sea Level Rise Table
    - NOAA Tidal Datums
- Appendix B Federal and State Coordination
  - $\circ$   $\:$  US Army Corps of Engineers Appendix B Checklist
  - o IPAC Review Species List
  - $\circ$   $\:$  Section 106 NH Department of Historical Resources Response Letter  $\:$
- Appendix C Maps & Other Attachments
  - o Tax Map

- Abutters List
- Abutters Notification
- Abutters Certified Mailing List
- Photograph Log
- Site Location Map
- Recorded Deed
- Owner's Letter of Authorization
- Agent Letter of Authorization
- o Natural Heritage Bureau Results Letter
- NHFG Correspondence Email
- Appendix D Functional Assessment
- Appendix E Figures
  - Figure 1 Predicted Salt Marsh Migration
  - Figure 2 Eelgrass Beds and Documented Shellfish Sites
  - Figure 3 Projected Sea Level Rise
  - Figure 4 Elevation View
  - Figure 5 Priority Resource Map
  - Figure 6 Essential Fish Habitat Map Results
  - Figure 7 FEMA Flood Map
- Appendix F Compensatory Mitigation Proposal & In-Lieu Fee
- Appendix G Engineering Plans

Should you have any questions or require any additional information, please contact me at 603-294-9213 or NAHansen@TigheBond.com.

Very truly yours,

**TIGHE & BOND, INC.** 

Neil A. Hansen, PE Project Manager

Enclosures

Patrick M. Crimmins, PE Vice President

Copy: Portsmouth City Clerk Portsmouth Conservation Commission Portsmouth Planning Board Portsmouth City Council CPI Management, c/o Rob Simmons

# **Tighe&Bond**

**APPENDIX A** 



## STANDARD DREDGE AND FILL WETLANDS PERMIT APPLICATION Water Division/Land Resources Management Wetlands Bureau



Check the Status of your Application

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

#### APPLICANT'S NAME: Iron Horse Properties, LLC, Rob Simmons TOWN NAME: Portsmouth, NH

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

A person may request a waiver of the requirements in Rules Env-Wt 100-900 to accommodate situations where strict adherence to the requirements would not be in the best interest of the public or the environment but is still in compliance with RSA 482-A. A person may also request a waiver of the standards for existing dwellings over water pursuant to RSA 482-A:26, III(b). For more information, please consult the Waiver Request Form.

SEC	TION 1 - REQUIRED PLANNING FOR ALL PROJECTS (Env-Wt 306.05; RSA 482-A:3, I(d)(2))	
Res	ase use the <u>Wetland Permit Planning Tool (WPPT)</u> , the Natural Heritage Bureau (NHB) <u>DataCheck Too</u> storation Mapper, or other sources to assist in identifying key features such as: <u>priority resource area</u> <u>tected species or habitats</u> , coastal areas, designated rivers, or designated prime wetlands.	
Has	the required planning been completed?	🛛 Yes 🗌 No
Doe	es the property contain a PRA? If yes, provide the following information:	🛛 Yes 🗌 No
•	Does the project qualify for an Impact Classification Adjustment (e.g. NH Fish and Game Department (NHF&G) and NHB agreement for a classification downgrade) or a Project-Type Exception (e.g. Maintenance or Statutory Permit-by-Notification (SPN) project)? See Env-Wt 407.02 and Env-Wt 407.04.	🗌 Yes 🔀 No
•	Protected species or habitat? <ul> <li>If yes, species or habitat name(s):</li> <li>NHB Project ID #: NHB22-1202</li> </ul>	🗌 Yes 🔀 No
•	Bog?	🗌 Yes 🔀 No
•	Floodplain wetland contiguous to a tier 3 or higher watercourse?	🔀 Yes 🗌 No
•	Designated prime wetland or duly-established 100-foot buffer?	🗌 Yes 🔀 No
•	Sand dune, tidal wetland, tidal water, or undeveloped tidal buffer zone?	🔀 Yes 🗌 No
ls t	he property within a Designated River corridor? If yes, provide the following information:	🗌 Yes 🔀 No
•	Name of Local River Management Advisory Committee (LAC):	
•	A copy of the application was sent to the LAC on Month: Day: Year:	

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

<ul><li>For dredging projects, is the subject property contaminated?</li><li>If yes, list contaminant:</li></ul>	🗌 Yes 🔀 No
Is there potential to impact impaired waters, class A waters, or outstanding resource waters?	🗌 Yes 🗌 No
For stream crossing projects, provide watershed size (see <u>WPPT</u> or Stream Stats):	
SECTION 2 - PROJECT DESCRIPTION (Env-Wt 311.04(i)) Provide a brief description of the project and the purpose of the project, outlining the scope of work to and whether impacts are temporary or permanent. DO NOT reply "See attached"; please use the space below.	•
The proposed project consists of constructing two (2) multi-family apartment buildings with basement le one (1) mixed used building with first floor office and amenity space, and upper story apartments. The p include a total of 152 dwelling units. The project will include associated site improvements that consist or road with cul-de-sac, parking, utilities, stormwater management, landscaping and lighting. The project w community space along the North Mill Pond. The land from North Mill Pond's mean high water (MHW) I wetland buffer will be designated as community space for the City's North Mill Pond Trail project which permitted separately as part of a future projet. The proposed wetland impacts from this project will be p impacts.	roject will of a private vill also include ine to the 50ft will be
<b>SECTION 3 - PROJECT LOCATION</b> Separate wetland permit applications must be submitted for each municipality within which wetland im	pacts occur.
ADDRESS: 105 Bartlett Street	
TOWN/CITY: Portsmouth	
TAX MAP/BLOCK/LOT/UNIT: Map 157 Lot 1, 2 & Map 164 Lot 1, 4-2	
US GEOLOGICAL SURVEY (USGS) TOPO MAP WATERBODY NAME: North Mill Pond N/A	
(Optional) LATITUDE/LONGITUDE in decimal degrees (to five decimal places): 43.07201° North	
70.75781° West	

SECTION 4 - APPLICANT (DESIRED PERMIT HOLDER) INI If the applicant is a trust or a company, then complete v	-		
NAME: Iron Horse Properties, LLC, Rob Simmons			
MAILING ADDRESS: 6 Liberty Square, PMB 90767			
TOWN/CITY: Boston		STATE: MA	ZIP CODE: 02109
EMAIL ADDRESS: robs@cathartes.com			
FAX:	PHONE: 617-893-9354		
ELECTRONIC COMMUNICATION: By initialing here: JJ, I h this application electronically.	nereby authorize NHDES to o	communicate all	matters relative to
SECTION 5 - AUTHORIZED AGENT INFORMATION (Env-	Wt 311.04(c))		
LAST NAME, FIRST NAME, M.I.: Hansen, Neil A			
COMPANY NAME: Tighe & Bond, Inc.			
MAILING ADDRESS: 177 Corporate Drive			
TOWN/CITY: Portsmouth		STATE: NH	ZIP CODE: 03801
EMAIL ADDRESS: NAHansen@tighebond.com			
FAX:	PHONE: 603-433-8818		
ELECTRONIC COMMUNICATION: By initialing here NAH, to this application electronically.	I hereby authorize NHDES t	o communicate a	all matters relative
SECTION 6 - PROPERTY OWNER INFORMATION (IF DIFF If the owner is a trust or a company, then complete with Same as applicant		-	)))
NAME: SEE LIST OF OWNERS INCLUDED			
MAILING ADDRESS:			
TOWN/CITY:		STATE:	ZIP CODE:
EMAIL ADDRESS:			•
FAX:	PHONE:		
ELECTRONIC COMMUNICATION: By initialing here NAH, to this application electronically.	I hereby authorize NHDES t	o communicate a	all matters relative

# SECTION 7 - RESOURCE-SPECIFIC CRITERIA ESTABLISHED IN Env-Wt 400, Env-Wt 500, Env-Wt 600, Env-Wt 700, OR Env-Wt 900 HAVE BEEN MET (Env-Wt 313.01(a)(3))

Describe how the resource-specific criteria have been met for each chapter listed above (please attach information about stream crossings, coastal resources, prime wetlands, or non-tidal wetlands and surface waters): Env-Wt 400: The jurisdictional wetland and 100-foot tidal buffer were reviewed and accepted by Tighe & Bond on October 29 and December 2, 2019. The proposed project preserves the existing wetland resource while reducing permanent buffer impacts.

Env-Wt 500: Not applicable, does not apply to coastal project, per Env-Wt 509.02(b).

Env-Wt 600: This project is classified as a Major Impact project because it will result in greater than 10,000 sf of temporary and permanent impacts within the tidal buffer zone. The eixsting 100-foot tidal buffer is highly developed and consists primarily of commercial buildings, paved parking lots, and adandonded buildings. There are patches of vegetation and trees near the central portion of the project's wetland delineation. The vegetated permeable surfaces within the buffer does little to enhance and protect the downgradient tidal wetland. The proposed project will involve regrading of the wooded vegetation and include the addition of native planting and grasses to enhance the buffer area from the existing condition. The project will include permanent stormwater treatment BMPs that will protect the downgradient waters. A Coastal Resource worksheet is attached. Wetlands on this site are classified as Estuarine, Unconsolidated Shore, Mud, and regularly flooded (E2US3N). Wetland functions in this portion of North Mill Pond include ecological integridy, W F & S habitat, recreational and commercial potential, aesthtic quality, educational potential, and noteworthnes, which will be enhanced with the proposed project.

Env-Wt 700: Not applicable, no prime wetland impacts.

Env-Wt 900: Not applicable, no stream crossings proposed.

#### **SECTION 8 - AVOIDANCE AND MINIMIZATION**

Impacts within wetland jurisdiction must be avoided to the maximum extent practicable (Env-Wt 313.03(a)).\* Any project with unavoidable jurisdictional impacts must then be minimized as described in the <u>Wetlands Best Management</u> <u>Practice Techniques For Avoidance and Minimization</u> and the <u>Wetlands Permitting: Avoidance, Minimization and</u> <u>Mitigation Fact Sheet</u>. For minor or major projects, a functional assessment of all wetlands on the project site is required (Env-Wt 311.03(b)(10)).\*

Please refer to the application checklist to ensure you have attached all documents related to avoidance and minimization, as well as functional assessment (where applicable). Use the <u>Avoidance and Minimization Checklist</u>, the <u>Avoidance and Minimization Narrative</u>, or your own avoidance and minimization narrative.

\*See Env-Wt 311.03(b)(6) and Env-Wt 311.03(b)(10) for shoreline structure exemptions.

#### SECTION 9 - MITIGATION REQUIREMENT (Env-Wt 311.02)

If unavoidable jurisdictional impacts require mitigation, a mitigation <u>pre-application meeting</u> must occur at least 30 days but not more than 90 days prior to submitting this Standard Dredge and Fill Permit Application.

Mitigation Pre-Application Meeting Date: Month: 3 Day: 22 Year: 2022

( N/A - Mitigation is not required)

#### SECTION 10 - THE PROJECT MEETS COMPENSATORY MITIGATION REQUIREMENTS (Env-Wt 313.01(a)(1)c)

Confirm that you have submitted a compensatory mitigation proposal that meets the requirements of Env-Wt 800 for all permanent unavoidable impacts that will remain after avoidance and minimization techniques have been exercised to the maximum extent practicable: X I confirm submittal.

( N/A – Compensatory mitigation is not required)

#### SECTION 11 - IMPACT AREA (Env-Wt 311.04(g))

For each jurisdictional area that will be/has been impacted, provide square feet (SF) and, if applicable, linear feet (LF) of impact, and note whether the impact is after-the-fact (ATF; i.e., work was started or completed without a permit).

For intermittent and ephemeral streams, the linear footage of impact is measured along the thread of the channel. *Please note, installation of a stream crossing in an ephemeral stream may be undertaken without a permit per Rule Env-Wt* 309.02(d), however other dredge or fill impacts should be included below.

For perennial streams/rivers, the linear footage of impact is calculated by summing the lengths of disturbances to the channel and banks.

Permanent impacts are impacts that will remain after the project is complete (e.g., changes in grade or surface materials).

Temporary impacts are impacts not intended to remain (and will be restored to pre-construction conditions) after the project is completed.

			PERMANEN	IT		TEMPORARY	
JURI	SDICTIONAL AREA	SF	LF	ATF	SF	LF	ATF
	Forested Wetland	1,528					
	Scrub-shrub Wetland						
spu	Emergent Wetland						
Wetlands	Wet Meadow						
We	Vernal Pool						
	Designated Prime Wetland						
	Duly-established 100-foot Prime Wetland Buffer						
er	Intermittent / Ephemeral Stream						
Surface Water	Perennial Stream or River						
ce /	Lake / Pond						
ırfa	Docking - Lake / Pond						
SL	Docking - River						
6	Bank - Intermittent Stream						
Banks	Bank - Perennial Stream / River						
Ba	Bank / Shoreline - Lake / Pond						
	Tidal Waters						
	Tidal Marsh	209					
Tidal	Sand Dune						
Ţ	Undeveloped Tidal Buffer Zone (TBZ)						
	Previously-developed TBZ	34,639			10,182		
	Docking - Tidal Water						
	TOTAL	36,376			10,182		
SEC	TION 12 - APPLICATION FEE (RSA 482-A:3, I)						
	MINIMUM IMPACT FEE: Flat fee of \$400.						
	NON-ENFORCEMENT RELATED, PUBLICLY-FUNI	DED AND S	UPERVISE	D RESTORAT	TION PROJEC	CTS, REGARDL	ESS OF
	MPACT CLASSIFICATION: Flat fee of \$400 (refe					-	
	MINOR OR MAJOR IMPACT FEE: Calculate using						
	-	•					\$
	Permanent and temporar	y (non-doc	king): 46	,558 SF		× \$0.40 =	18,623.
	·					-	2
	Seasonal do	ocking strue	cture:	SF		× \$2.00 =	\$
	Permanent do	ocking strue	cture:	SF		× \$4.00 =	\$
	Projects pro	oposing sh	oreline str	uctures (incl	uding docks)	add \$400 =	\$

			Tota	2
The applica	ation fee for minor or major i	mpact is the above calculat	ed total or \$400, whichever is greater	\$ r = 18,623. 2
	<b>3 - PROJECT CLASSIFICATION</b> e project classification.	(Env-Wt 306.05)		
Minimu	m Impact Project	Minor Project	🔀 Major Project	
SECTION 14	- REQUIRED CERTIFICATIONS	6 (Env-Wt 311.11)		
Initial each	box below to certify:			
Initials: NAH	To the best of the signer's kno	wledge and belief, all require	d notifications have been provided.	
Initials: NAH	The information submitted on signer's knowledge and belief.		e, complete, and not misleading to the b	est of the
Initials: NAH	<ol> <li>Deny the applicati</li> <li>Revoke any approviation</li> <li>If the signer is a compractice in New Harestablished by RSA</li> <li>The signer is subject to currently RSA 641.</li> <li>The signature shall corribupartment to inspect</li> </ol>	on. val that is granted based on t ertified wetland scientist, licer ampshire, refer the matter to 310-A:1. the penalties specified in Ne estitute authorization for the the site of the proposed pro- impact trail projects, where	nformation constitutes grounds for NHE he information. nsed surveyor, or professional engineer l the joint board of licensure and certifica w Hampshire law for falsification in offic municipal conservation commission and ject, except for minimum impact forestr the signature shall authorize only the De	licensed to ation cial matters, the y SPN
Initials: NAH			erty owner signature shall constitute cer iled and does not object to the filing.	tification by
SECTION 15	- REQUIRED SIGNATURES (E	nv-Wt 311.04(d); Env-Wt 31	1.11)	
SIGNATURE ( See Owner's	OWNER): /Agent Letter of Authorization	PRINT NAME LEGI	BLY:	DATE:
SIGNATURE (	APPLICANT, IF DIFFERENT FROM	OWNER): PRINT NAME LEGI	BLY:	DATE:
SIGNATURE (	AGENT, IF APPLICABLE	PRINT NAME LEGI Neil Hansen		DATE: 1/10/23
SECTION 1	5 - TOWN / CITY CLERK SIGNA	TURE (Env-Wt 311.04(f))		

As required by RSA 482-A:3, I(a)(1), I hereby certify that the applicant has filed four application forms, four detailed plans, and four USGS location maps with the town/city indicated below.

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.
- 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 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. Make check or money order payable to "Treasurer – State of NH".

#### **Owners List**

Proposed Multi-Family Development 105 Bartlett Street Portsmouth, New Hampshire

OWNERS Clipper Traders LLC 105 Bartlett Street Portsmouth, NH 03801	<b>MAP #</b> 157	<b>LOT #</b> 1
Portsmouth Hardware & Lumber LLC 105 Bartlett Street Portsmouth, NH 03801	157 164	2 1
Iron Horse Properties LLC 105 Bartlett Street Portsmouth, NH 03801	164	4-2



## STANDARD DREDGE AND FILL WETLANDS PERMIT APPLICATION ATTACHMENT A: MINOR AND MAJOR PROJECTS Water Division/Land Resources Management Wetlands Bureau



#### Check the Status of your Application

RSA/ Rule: RSA 482-A/ Env-Wt 311.10; Env-Wt 313.01(a)(1); Env-Wt 313.03

#### APPLICANT'S NAME: Iron Horse Properties, LLC, c/o Rob Simmons TOWN NAME: Portsmouth

Attachment A is required for *all minor and major projects*, and must be completed *in addition* to the <u>Avoidance and</u> <u>Minimization Narrative</u> or <u>Checklist</u> that is required by Env-Wt 307.11.

For projects involving construction or modification of non-tidal shoreline structures over areas of surface waters having an absence of wetland vegetation, only Sections I.X through I.XV are required to be completed.

#### PART I: AVOIDANCE AND MINIMIZATION

In accordance with Env-Wt 313.03(a), the Department shall not approve any alteration of any jurisdictional area unless the applicant demonstrates that the potential impacts to jurisdictional areas have been avoided to the maximum extent practicable and that any unavoidable impacts have been minimized, as described in the <u>Wetlands Best</u> <u>Management Practice Techniques For Avoidance and Minimization</u>.

#### SECTION I.I - ALTERNATIVES (Env-Wt 313.03(b)(1))

Describe how there is no practicable alternative that would have a less adverse impact on the area and environments under the Department's jurisdiction.

ALTHOUGH THE PROPOSED PROJECT IMPACTS JURISDICTIONAL WETLANDS, THE PROPOSED IMPACTS ARE LIMITED TO SMALL AREAS IN THE TIDAL WETLAND FOR DISHARGE OF TREATED STORMWATER. THE PROJECT PROPOSES ENHANCED STORMWATER TREATMENT, DECREASED IMPERVIOUS SURFACES, AND INCREASED RECREATION USE OF THE BUFFER AREA IN COORDINATION WITH THE CITY. IMPACTS FROM THE PROJECT HAVE BEEN AVOIDED AND MINIMIZED BY PULLING THE NEW BUILDINGS AND PARKING LOT FURTHER BACK FROM THE COASTAL WETLAND AND UTILIZING UNDERGROUND PARKING, THUS FREEING UP SIGNIFICANT AREAS OF IMPERVIOUS SURFACES TO BE RESTORED (SEE APPENDIX F FOR THE MITIGATION PROPOSAL AND WETLAND IMPACT PLAN). ALL WORK IS BEING DONE WITHIN THE PREVIOUSLY DEVELOPED TIDAL BUFFER.

#### SECTION I.II - MARSHES (Env-Wt 313.03(b)(2))

Describe how the project avoids and minimizes impacts to tidal marshes and non-tidal marshes where documented to provide sources of nutrients for finfish, crustacean, shellfish, and wildlife of significant value.

No marshes are located within the project limits.

#### SECTION I.III - HYDROLOGIC CONNECTION (Env-Wt 313.03(b)(3))

Describe how the project maintains hydrologic connections between adjacent wetland or stream systems.

The proposed project does not change existing hydrologic connections.

#### SECTION I.IV - JURISDICTIONAL IMPACTS (Env-Wt 313.03(b)(4))

Describe how the project avoids and minimizes impacts to wetlands and other areas of jurisdiction under RSA 482-A, especially those in which there are exemplary natural communities, vernal pools, protected species and habitat, documented fisheries, and habitat and reproduction areas for species of concern, or any combination thereof.

Impacts from the project have been avoided and minimized by pulling portions of the new buildings and parking lot further back from the coastal wetland and utilizing underground parking, thus freeing up significant areas of impervious surfaces to be restored (see Appendix F for the mitigation proposal and wetland impact plan). All work is being done within the previously developed tidal buffer. The proposed project results in 209 SF of permanent impacts to the tidal wetland to construct two of the three stormwater outfall plunge pools. The proposed project also results in 1,528 SF of permanent impacts to a small forested wetland located inside the abandoned railroad turntable.

#### SECTION I.V - PUBLIC COMMERCE, NAVIGATION, OR RECREATION (Env-Wt 313.03(b)(5))

Describe how the project avoids and minimizes impacts that eliminate, depreciate or obstruct public commerce, navigation, or recreation.

The proposed project increases public recreation and does not affect commerce or navigation.

#### SECTION I.VI - FLOODPLAIN WETLANDS (Env-Wt 313.03(b)(6))

Describe how the project avoids and minimizes impacts to floodplain wetlands that provide flood storage.

The proposed project has been designed to maintain the existing flood storage capacity within the floodplain.

# SECTION I.VII - RIVERINE FORESTED WETLAND SYSTEMS AND SCRUB-SHRUB – MARSH COMPLEXES (Env-Wt 313.03(b)(7))

Describe how the project avoids and minimizes impacts to natural riverine forested wetland systems and scrub-shrub – marsh complexes of high ecological integrity.

The project does not impact these systems.

#### SECTION I.VIII - DRINKING WATER SUPPLY AND GROUNDWATER AQUIFER LEVELS (Env-Wt 313.03(b)(8))

Describe how the project avoids and minimizes impacts to wetlands that would be detrimental to adjacent drinking water supply and groundwater aquifer levels.

The proposed project enhances stormwater runoff treatment from the existing condition which will improve the surrounding water conditions. Furthermore, this is an urban area adjacent to brackish waters with no potential to supply public drinking water.

#### SECTION I.IX - STREAM CHANNELS (Env-Wt 313.03(b)(9))

Describe how the project avoids and minimizes adverse impacts to stream channels and the ability of such channels to handle runoff of waters.

N/A - no stream channels.

#### SECTION I.X - SHORELINE STRUCTURES - CONSTRUCTION SURFACE AREA (Env-Wt 313.03(c)(1))

Describe how the project has been designed to use the minimum construction surface area over surface waters necessary to meet the stated purpose of the structures.

N/A - no shoreline structures proposed.

#### SECTION I.XI - SHORELINE STRUCTURES - LEAST INTRUSIVE UPON PUBLIC TRUST (Env-Wt 313.03(c)(2))

Describe how the type of construction proposed is the least intrusive upon the public trust that will ensure safe docking on the frontage.

N/A - no shoreline structures proposed.

#### SECTION I.XII - SHORELINE STRUCTURES - ABUTTING PROPERTIES (Env-Wt 313.03(c)(3))

Describe how the structures have been designed to avoid and minimize impacts on ability of abutting owners to use and enjoy their properties.

N/A - no shoreline structures proposed.

#### SECTION I.XIII - SHORELINE STRUCTURES – COMMERCE AND RECREATION (Env-Wt 313.03(c)(4))

Describe how the structures have been designed to avoid and minimize impacts to the public's right to navigation, passage, and use of the resource for commerce and recreation.

N/A - no shoreline structures proposed.

# SECTION I.XIV - SHORELINE STRUCTURES – WATER QUALITY, AQUATIC VEGETATION, WILDLIFE AND FINFISH HABITAT (Env-Wt 313.03(c)(5))

Describe how the structures have been designed, located, and configured to avoid impacts to water quality, aquatic vegetation, and wildlife and finfish habitat.

N/A - no shoreline structures proposed.

#### SECTION I.XV - SHORELINE STRUCTURES – VEGETATION REMOVAL, ACCESS POINTS, AND SHORELINE STABILITY (Env-Wt 313.03(c)(6))

Describe how the structures have been designed to avoid and minimize the removal of vegetation, the number of access points through wetlands or over the bank, and activities that may have an adverse effect on shoreline stability.

N/A - no shoreline structures proposed.

#### PART II: FUNCTIONAL ASSESSMENT

#### REQUIREMENTS

Ensure that project meets the requirements of Env-Wt 311.10 regarding functional assessment (Env-Wt 311.04(j); Env-Wt 311.10).

FUNCTIONAL ASSESSMENT METHOD USED:

The assessment was based on the Maine Citizens Guide to Evaluating, Restoring, and Managing Tidal Marshes (Maine Audubon, 1997); Method for Inventorying and Evaluating Wetlands In New Hampshire, University of New Hampshire Cooperative Extension, 2015; and The Highway Methodology Workbook Supplement—Wetland Functions and Values: A Descriptive Approach, NAEEP-360-1-30a, US Army Corps of Engineers, New England Division, (September 1999).

NAME OF CERTIFIED WETLAND SCIENTIST (FOR NON-TIDAL PROJECTS) OR QUALIFIED COASTAL PROFESSIONAL (FOR TIDAL PROJECTS) WHO COMPLETED THE ASSESSMENT: LEONARD A LORD, PHD, NHCWS#14

DATE OF ASSESSMENT: OCT. 29 AND DEC. 2, 2019

Check this box to confirm that the application includes a NARRATIVE ON FUNCTIONAL ASSESSMENT:

For minor or major projects requiring a standard permit without mitigation, the applicant shall submit a wetland evaluation report that includes completed checklists and information demonstrating the RELATIVE FUNCTIONS AND VALUES OF EACH WETLAND EVALUATED. Check this box to confirm that the application includes this information, if applicable:

Note: The Wetlands Functional Assessment worksheet can be used to compile the information needed to meet functional assessment requirements.



AVOIDANCE AND MINIMIZATION CHECKLIST Water Division/Land Resources Management Wetlands Bureau <u>Check the Status of your Application</u>



#### RSA/Rule: RSA 482-A/ Env-Wt 311.07(c)

This checklist can be used in lieu of the written narrative required by Env-Wt 311.07(a) to demonstrate compliance with requirements for Avoidance and Minimization (A/M), pursuant to RSA 482-A:1 and Env-Wt 311.07(c).

For the construction or modification of non-tidal shoreline structures over areas of surface waters without wetland vegetation, complete only Sections 1, 2, and 4 (or the applicable sections in <u>Attachment A: Minor and Major Projects</u> (<u>NHDES-W-06-013</u>).

The following definitions and abbreviations apply to this worksheet:

- "A/M BMPs" stands for <u>Wetlands Best Management Practice Techniques for Avoidance and Minimization</u> dated 2019, published by the New England Interstate Water Pollution Control Commission (Env-Wt 102.18).
- "Practicable" means available and capable of being done after taking into consideration cost, existing technology, and logistics in light of overall project purposes (Env-Wt 103.62).

#### SECTION 1 - CONTACT/LOCATION INFORMATION

APPLICANT LAST NAME, FIRST NAME, M.I.: Iron Horse Properties, LLC, c/o Rob Simmons

PROJECT STREET ADDRESS: 105 Bartlett Street

PROJECT TOWN: Portsmouth

TAX MAP/LOT NUMBER: Map 157 Lot 1, 2 & Map 164 Lot 1, 4-2

#### SECTION 2 - PRIMARY PURPOSE OF THE PROJECT

Env-Wt 311.07(b)(1) Indicate whether the primary purpose of the project is to construct a water-access structure or requires access through wetlands to reach a buildable lot or the buildable portion thereof.



If you answered "no" to this question, describe the purpose of the "non-access" project type you have proposed:

The purpose of the project is to redevelop a parcel adjacent to a tidal wetland. The proposed project will include demolition of the existing building on lot 157-1 and the existing buildings on Lot 164-4-2, These buildings will be replaced with three (3) multi-family apartment buildings depicted as Building A, B and C on the Site Plan. The three (3) buildings will include a total of 152 dwelling units with parking below Buildings A and B. The project includes associated site improvements that consist of the private road cul-de-sac adjacent to Building C, surface parking, pedestrian access, utilities, dark-sky friendly lighting, landscaping and stormwater management systems that provide treatment for runoff. The project will include temporary and permanent impacts within the Tidal Buffer Zone. The project will result in a net reduction of impervious surface within the Tidal Buffer Zone. This project will also include the construction of a portion of the City of Portsmouth's North Mill Pond Greenway project. This is a 10 ft wide porous asphalt pathway within the 50 ft buffer of North Mill Pond for public recreational use. These improvements will be both temporary and permanent.

#### SECTION 3 - A/M PROJECT DESIGN TECHNIQUES

Check the appropriate boxes below in order to demonstrate that these items have been considered in the planning of the project. Use N/A (not applicable) for each technique that is not applicable to your project.

	not applicable for each technique that is not applicable to your project.	
Env-Wt 311.07(b)(2)	For any project that proposes new permanent impacts of more than one acre or that proposes new permanent impacts to a Priority Resource Area (PRA), or both, whether any other properties reasonably available to the applicant, whether already owned or controlled by the applicant or not, could be used to achieve the project's purpose without altering the functions and values of any jurisdictional area, in particular wetlands, streams, and PRAs.	☐ Check ⊠ N/A
Env-Wt 311.07(b)(3)	Whether alternative designs or techniques, such as different layouts, construction sequencing, or alternative technologies could be used to avoid impacts to jurisdictional areas or their functions and values.	🔀 Check 🗌 N/A
Env-Wt 311.07(b)(4) Env-Wt 311.10(c)(1) Env-Wt 311.10(c)(2)	The results of the functional assessment required by Env-Wt 311.03(b)(10) were used to select the location and design for the proposed project that has the least impact to wetland functions.	🔀 Check 🗌 N/A
Env-Wt 311.07(b)(4) Env-Wt 311.10(c)(3)	Where impacts to wetland functions are unavoidable, the proposed impacts are limited to the wetlands with the least valuable functions on the site while avoiding and minimizing impacts to the wetlands with the highest and most valuable functions.	🔀 Check 🔲 N/A
Env-Wt 313.01(c)(1) Env-Wt 313.01(c)(2) Env-Wt 313.03(b)(1)	No practicable alternative would reduce adverse impact on the area and environments under the department's jurisdiction and the project will not cause random or unnecessary destruction of wetlands.	🔀 Check 🗌 N/A
Env-Wt 313.01(c)(3)	The project would not cause or contribute to the significant degradation of waters of the state or the loss of any PRAs.	Check
Env-Wt 313.03(b)(3) Env-Wt 904.07(c)(8)	The project maintains hydrologic connectivity between adjacent wetlands or stream systems.	Check
Env-Wt 311.10 A/M BMPs	Buildings and/or access are positioned away from high function wetlands or surface waters to avoid impact.	🔀 Check
Env-Wt 311.10 A/M BMPs	The project clusters structures to avoid wetland impacts.	Check
Env-Wt 311.10 A/M BMPs	The placement of roads and utility corridors avoids wetlands and their associated streams.	🔀 Check 🔲 N/A
A/M BMPs	The width of access roads or driveways is reduced to avoid and minimize impacts. Pullouts are incorporated in the design as needed.	🔀 Check 🔲 N/A
A/M BMPs	The project proposes bridges or spans instead of roads/driveways/trails with culverts.	☐ Check ⊠ N/A

A/M BMPs	The project is designed to minimize the number and size of crossings, and crossings cross wetlands and/or streams at the narrowest point.	Check
Env-Wt 500 Env-Wt 600 Env-Wt 900	Wetland and stream crossings include features that accommodate aquatic organism and wildlife passage.	Check
Env-Wt 900	Stream crossings are sized to address hydraulic capacity and geomorphic compatibility.	🗌 Check 🔀 N/A
A/M BMPs	Disturbed areas are used for crossings wherever practicable, including existing roadways, paths, or trails upgraded with new culverts or bridges.	Check
SECTION 4 - NON-TID	AL SHORELINE STRUCTURES	
Env-Wt 313.03(c)(1)	The non-tidal shoreline structure has been designed to use the minimum construction surface area over surfaces waters necessary to meet the stated purpose of the structure.	Check
Env-Wt 313.03(c)(2)	The type of construction proposed for the non-tidal shoreline structure is the least intrusive upon the public trust that will ensure safe navigation and docking on the frontage.	Check
Env-Wt 313.03(c)(3)	The non-tidal shoreline structure has been designed to avoid and minimize impacts on the ability of abutting owners to use and enjoy their properties.	Check
Env-Wt 313.03(c)(4)	The non-tidal shoreline structure has been designed to avoid and minimize impacts to the public's right to navigation, passage, and use of the resource for commerce and recreation.	Check
Env-Wt 313.03(c)(5)	The non-tidal shoreline structure has been designed, located, and configured to avoid impacts to water quality, aquatic vegetation, and wildlife and finfish habitat.	Check
Env-Wt 313.03(c)(6)	The non-tidal shoreline structure has been designed to avoid and minimize the removal of vegetation, the number of access points through wetlands or over the bank, and activities that may have an adverse effect on shoreline stability.	☐ Check ⊠ N/A
		·

James Shananhan       DATE       01/12/2023         REMITTER       DATE       \$ 18,623.20         ****EIGHTEEN THOUSAND SIX HUNDRED TWENTY THREE and 20/100****USDollars       \$ 18,623.20         ****EIGHTEEN THOUSAND SIX HUNDRED TWENTY THREE and 20/100****USDollars       \$ 10,000.00 & OV         #8121 - Portsmouth State St       Wathamage Added to the state St	HOLD DOCUMENT UP TO THE LIGHT TO VIEW TRUE WATERMARK Manufacturers and Traders Trust Company BUFFALO, N.Y. 14240	FICIAL CHECK	HOLD DOCUMENT UP TO THE LIGHT TO VIEW	3248-2 10-4/220
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### WETLANDS RULE WAIVER OR DWELLING OVER WATER WAIVER REQUEST FORM WATER DIVISION/LAND RESOURCES MANAGEMENT WETLANDS BUREAU



#### RSA/Rule: RSA 482-A/ Env-Wt 204

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

A person may request a waiver to requirements in Rules Env-Wt 100-900 to accommodate situations where strict adherence to the requirements would not be in the best interests of the public or the environment. A person may also request a waiver of standard for existing dwellings over water pursuant to RSA 482-A:26, III (b).

SECTION 1 - PROJECT LOCATION INFORMATION (Env-Wt 204.03(c))							
DDRESS: 105 Bartlett Street TOWN/CITY: Portsmouth			STATE: NH	ZIP CODE: 03801			
TAX MAP/LOT NUMBER: Map 157 Lot 1, 2 & Map 164 Lot 1, 4-2 2							
SECTION 2 - WAIVER REQUESTOR INFORMATION (Env-Wt 204.03(a))							
LAST NAME, FIRST NAME, M.I.: Hansen, Neil A.							
MAILING ADDRESS: 177 Corporate Drive							
TOWN/CITY: Portsmouth			STATE: NH	ZIP CODE: 03801			
EMAIL ADDRESS (if available): LLord@tighebc or if not FAX NUMBER:	DAYTIME TELEPHONE NUMBER: (603) 433- 8818						
SECTION 3 - APPLICANT INFORMATION (Env-Wt 204.03(b)) If request is being made on behalf of someone else, include the following information regarding the person being represented. If requestor is the applicant, check the following box and proceed to Section 4.							
LAST NAME, FIRST NAME, M.I.: Iron Horse Properties, LLC, Rob Simmons							
MAILING ADDRESS: 6 Liberty Square, PMB 90767							
TOWN/CITY: Boston			STATE: MA	ZIP CODE: 02110			
EMAIL ADDRESS (if available): robs@cathartes.com       DAYTIME PHONE NUMBE         or if not FAX NUMBER:       DAYTIME PHONE NUMBE			ONE NUMBER	: 617-893-9354			

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

#### **SECTION 4 - WAIVER INFORMATION**

#### SECTION 4A - WAIVER TO RULE Env-Wt 100-900

N/A - If you are not requesting a rule waiver, check this box and proceed to Section 4b

Provide the number of the specific section of each rule for which a waiver is sought (Env-Wt 204.03(d)): Env-Wt 603.08(a)&(b)

Provide a complete explanation of why a waiver is being requested, including an explanation of the operational and economic consequences of complying with the requirement and, if the requested waiver would extend the duration of a permit, the reason(s) why the permit holder was not able to complete the project within the specified time (Env-Wt 204.03(f)(1)):

The provisions referenced in the rule section referenced above state that field observations of at least 3 tide events to be conducted by a licensed land surveyor. A waiver is being requested because the project location is within 1.5 miles of a NOAA Tide and Current station at Seavey Island which provides data that can conservatively used for this project location. This data is conservative because tides flow through two moderate restrictions between Seavey Island and the project site, which should dampen tidal extremes. The expense incurred to have a licensed professional is excessive for redundant information which is readily available from the Seavey Island station.

If applicable, provide a complete explanation of the alternative that is proposed to be substituted for the requirement in Env-Wt, including written documentation or data, or both, to support the alternative (Env-Wt 204.03(g)):

As previously stated, the project's design has incorporated the tide and current information provided by the Seavey Island tide and current station. This information has been provided as an attachment to the Coastal Resources Worksheet within this applicaton package.

#### SECTION 4B - DWELLING OVER WATERS WAIVER UNDER RSA 482-A:26, III(b).

N/A - If you are not requesting a standard waiver, check this box and proceed to Section 5)

Identify the specific standard to which a waiver is being requested (Env-Wt 204.03(e)): RSA 482-A:

Provide a complete explanation of why a waiver is being requested, including a complete explanation of how the statutory criteria of RSA 482-A:26, III(b) will be met (Env-Wt 204.03(f)(2)):

# SECTION 5 - ADDITIONAL WAIVER INFORMATION (Env-Wt 204.03(h); Env-Wt 204.03(i)) (applicable to Waivers of Rules *and* Standards under RSA 482-A:26, III(b))

Indicate whether the waiver is needed for a limited duration and, if so, an estimate of when the waiver will no longer be needed (Env-Wt 204.03(h)):

The waiver is needed for permit approval only.

Provide a complete explanation of why the applicant believes that having the waiver granted will meet the criteria in Env-Wt 204.05 or 204.06, as applicable (Env-Wt 204.03(i)):

Env-Wt 204.05

(a1) The waiver will not result in an adverse impact to the environment or public safety. (a2) It will not interfere with public waters. (a3) It will not result in an advance impact on abutting properties. NH RSA 482-A:26 (Dwellings Over Water) is not applicable.

#### SECTION 6 - REQUIRED CERTIFICATIONS (Env-Wt 204.04)

#### Initial each box and sign below to certify:

Initials: NAH	The information provided is true, complete, and not misleading to the knowledge and belief of the signer.
Initials: NAH	<ul> <li>The signer understands that:</li> <li>Any waiver granted based on false, incomplete, or misleading information shall be subject to revocation; and</li> </ul>

• He or she is subject to the penalties for falsification in official matters, currently established in RSA 641.		
SECTION 7 - REQUESTOR SIGNATURE (Env-Wt 204.04)		
SIGNATURE (APPLICANT): *	PRINT NAME LEGIBLY:	DATE:
See Owner's/Agent Letter of Authorization		
SIGNATURE (REQUESTOR):	PRINT NAME LEGIBLY:	DATE:
Mul Haren	Tighe & Bond, Inc., c/o Neil Hansen	1/10/23

\*In lieu of an applicant signature, you may include a separate signed and dated authorization for the requestor to act on the person's behalf in connection with the request.



### WETLANDS RULE WAIVER OR DWELLING OVER WATER WAIVER REQUEST FORM CRITERIA/DECISION WATER DIVISION/LAND RESOURCES MANAGEMENT WETLANDS BUREAU



(Keep this sheet for your reference; do not submit it with your application)

#### RSA/Rule: RSA 482-A/ Env-Wt 204

#### **SECTION 1 - WAIVER CRITERIA**

#### SECTION 1A - CRITERIA FOR WAIVERS TO RULES (Env-Wt 204.05)

- (a) The Department shall grant a waiver to a requirement established in subtitle Env-Wt that will not extend the duration of a wetlands permit only if:
  - (1) Granting a waiver will not result in:
    - a. An avoidable adverse impact on:
      - 1. The environment or natural resources of the state, including but not limited to jurisdictional areas and protected species or habitat; or
      - 2. Public health or public safety;
    - b. An impact on abutting properties that is more significant than that which would result from complying with the rule; or
    - c. A statutory requirement being waived; and
  - (2) Any benefit to the public or the environment from complying with the rule is outweighed by the operational or economic costs to the applicant.
- (b) The Department shall grant a waiver that has the effect of extending the duration of a wetlands permit that does not qualify for the statutory extension under RSA 482-A:3, XIV-a only if:
  - (1) The permit holder:
    - a. Was precluded from proceeding under the permit due to actions taken by persons opposed to the project; or
    - b. Rationally refrained from proceeding under the permit due to reasonable uncertainties surrounding the project's legal viability, which shall not include uncertainties regarding the project's financial viability;
  - (2) If other permits are required for the project, at least one other permit already has a duration that extends beyond the expiration of the wetlands permit or, if the other permit expires concurrently or prior to the wetlands permit, the permit holder reasonably anticipates that an extension will be obtained; and
  - (3) Extending the permit will not result in:
    - a. Adverse impacts on public health or safety, or the environment or natural resources of the state, that would be greater than those accounted for in the permit that was issued; or
    - b. Adverse impacts on abutting properties that is more significant than that which would have resulted if the project had been initiated in time to be completed during the permit term.

#### SECTION 1B - CRITERIA FOR WAIVERS UNDER RSA 482-A:26, III(b) (Env-Wt 204.06)

The Department shall grant a waiver under RSA 482-A:26, III(b) if:

- (a) The waiver will not result in:
  - (1) An avoidable adverse impact on the environment or natural resources of the state, public health or public safety;
  - (2) Any interference with the public trust in waters held by the state; or
  - (3) An adverse impact on abutting properties that is more significant than that which would result from complying with the rule; and
- (b) The following criteria from RSA 482-A:26, III(b) are met:
  - (1) The effect of the requested repair or reconstruction represents greater protection of public water or the environment;
  - (2) Such repair or reconstruction does not change a recreational, water-based activity to a land-based, residential or commercial activity;
  - (3) There will be no expansion of the existing footprint, outside dimensions, or square footage of floor space; and
  - (4) There will be a net reduction in the total square footage of kitchen, bathroom, shower, and toilet facilities.

#### SECTION 2 – DECISION (Env-Wt 204.07)

- (a) The Department shall notify the requestor of the decision in writing. If the request is denied, the Department shall identify the specific reason(s) for the denial.
- (b) If a waiver is granted, the Department shall impose such conditions, including time limitations, as the Department deems necessary to ensure that the activities conducted pursuant to the waiver will be consistent with the applicable criteria.



COASTAL RESOURCE WORKSHEET Water Division/Land Resources Management Wetlands Bureau <u>Check the Status of your Application</u>



RSA/Rule: RSA 482-A/ Env-Wt 600

#### APPLICANT LAST NAME, FIRST NAME, M.I.: Iron Horse Properties, LLC, Rob Simmons

This worksheet may be used to present the information required for projects in coastal areas, in addition to the information required for Lower-Scrutiny Approvals, Expedited Permits, and Standard Permits under Env-Wt 603.01.

Please refer to Env-Wt 605.03 for impacts requiring compensatory mitigation.

#### SECTION 1 - REQUIRED INFORMATION (Env-Wt 603.02; Env-Wt 603.06; Env-Wt 603.09)

The following information is required for projects in coastal areas.

Describe the purpose of the proposed project, including the overall goal of the project, the core project purpose consisting of a concise description of the facilities and work that could impact jurisdictional areas, and the intended project outcome. Specifically identify all natural resource assets in the area proposed to be impacted and include maps created through a data screening in accordance with Env-Wt 603.03 (refer to Section 2) and Env-Wt 603.04 (refer to Section 3) as attachments.

The proposed project will include demolition of the existing building on lot 157-1 and the existing buildings on Lot 164-4-2 The proposed project consists of constructing two (2) multi-family apartment buildings with basement level parking, one (1) mixed used building with first floor office and amenity space, and upper story apartments. The project will include a total of 152 dwelling units. The project will include associated site improvements that consist of a private road with cul-de-sac, parking, utilities, stormwater management, landscaping and lighting. The project will include permanent impacts, though will result in a net reduction of impervious surface within the Tidal Buffer Zone. This project will also include the construction of a portion of the City of Portsmouth's North Mill Pond Greenway project. This is a 10 ft wide porous asphalt pathway within the 50 ft buffer of North Mill Pond for public recreational use.

For standard permit projects, provide:

A Coastal Functional Assessment (CFA) report in accordance with Env-Wt 603.04 (refer to Section 3).

A vulnerability assessment in accordance with Env-Wt 603.05 (refer to Section 4).

Explain all recommended methods and other considerations to protect the natural resource assets during and as a result of project construction in accordance with Env-Wt 311.07, Env-Wt 313, and Env-Wt 603.04.

The North Mill Pond 100-foot tidal buffer can be divided into three zones within the project area: 1) a commercial area and all the paved and unpaved impervious surfaces associated with the buildings; 2) the disturbed forest aera around the old railroad turntable,; and 3) the shrub ticket extending along the narrow portion of the parcel.

The proposed project will result in a net reduction in impervious surfaces. Restoring impervious surfaces restores vegetation, reduces runoff to the tidal wetland, provides improved water quality treatment of runoff, allows for increased wetland screening for wildlife, and restores available wildlife habitat. Installation of the North Mill Pond trail and greenway would result in improved functions and values of the wetland and buffer including: Ecological Integrity, Recreation Potential, Aesthetic Quality, and possibly Educational Potential. Existing impacts to the 100-foot buffer will also be reduced from the trail and greenway improvements through the removal and restoration of impervious surfaces.

The result of the proposed mitigation will be 22,384 SF of restored previously disturbed tidal buffer area and 47,189 SF of previously disturbed tidal buffer enhancement area.

The 100-foot tidal buffer impact limits will be marked and erosion controls in place prior to project construction and monitoring will occur during and following construction to assure impacts are minimized and proposed restoration activites are properly carried out.

Provide a narrative showing how the project meets the standard conditions in Env-Wt 307 and the approval criteria in Env-Wt 313.01.

Surface waters will not be impacted by the project. All work will employ proper erosion and sediment control BMPs. No equipment will be used within surface waters or wetlands and no invasive species will be used to stabilize the site. The NH Natural Heritage Bureau DataCheck has determined that no rare species or critical habitats will be impacted. All work on this project is within previously developed and landscaped areas and will be consistent with the Shoreland Water Quality Protection Act. No work will be adjacent to designated prime wetlands. The project does not involve dredging or filling of wetlands. Areas of temporary soil disturbance will be stabilized within three days of final grading as described in the construction sequencing below. No work will be done within 10 feet of a property line without an abutter's prior written consent.

Provide a project design narrative that includes the following:
A discussion of how the proposed project:
<ul> <li>Uses best management practices and standard conditions in Env-Wt 307;</li> <li>Meets all avoidance and minimization requirements in Env-Wt 311.07 and Env-Wt 313.03;</li> <li>Meets approval criteria in Env-Wt 313.01;</li> <li>Meets evaluation criteria in Env-Wt 313.01(c);</li> <li>Meets CFA requirements in Env-Wt 603.04; and</li> <li>Considers sea-level rise and potential flooding evaluated pursuant to Env-Wt 603.05;</li> </ul>
A construction sequence, erosion/siltation control methods to be used, and a dewatering plan; and
A discussion of how the completed project will be maintained and managed.
A project design narrative, including monitoring, is attached.
Provide design plans that meet the requirements of Env-Wt 603.07 (refer to Section 5);
<ul> <li>Provide water depth supporting information required by Env-Wt 603.08 (refer to Section 6); and</li> <li>For any major project that proposes to construct a structure in tidal waters/wetlands or to extend an existing structure seaward, provide a statement from the Pease Development Authority Division of Ports and Harbors (DP&amp;H) chief harbormaster, or designee, for the subject location relative to the proposed structure's impact on navigation. If the proposed structure might impede existing public passage along the subject shoreline on foot or by non-motorized watercraft, the applicant shall explain how the impediments have been minimized to the greatest extent practicable.</li> <li>N/A</li> </ul>

SECTION 2 - DATA SCREENING (Env-Wt 603.03, in addition to Env-Wt 306.05)			
Please use the Wetland Permit Planning Tool, or any other database or source, to indicate the presence of:			
Existing salt marsh and salt marsh migration pathways;			
Eelgrass beds;			
Ocumented shellfish sites;			
Projected sea-level rise; and			
🔀 100-year floodplain.			
Conduct data screening as described to identify documented essential fish habitat, and tides and currents that may be impacted by the proposed project, by using the following links:			
National Oceanic and Atmospheric Administration (NOAA) Tides & Currents; and			
NOAA Essential Fish Habitat Mapper.			
Verify or correct the information collected from the data screenings by conducting an on-site assessment of the subject property in accordance with Env-Wt 406 and Env-Wt 603.04.			
SECTION 3 - COASTAL FUNCTIONAL ASSESSMENT/ AVOIDANCE AND MINIMIZATION (Env-Wt 603.04; Env-Wt 605.01; Env-Wt 605.02; Env-Wt 605.03)			
Projects in coastal areas shall:			
Not impair the navigation, recreation, or commerce of the general public; and			
Minimize alterations in prevailing currents.			
An applicant for a permit for work in or adjacent to tidal waters/wetlands or the tidal buffer zone shall demonstrate that the following have been avoided or minimized as required by Env-Wt 313.04:			
Adverse impacts to beach or tidal flat sediment replenishment;			
Adverse impacts to the movement of sediments along a shore;			
Adverse impacts on a tidal wetland's ability to dissipate wave energy and storm surge; and			
Adverse impacts of project runoff on salinity levels in tidal environments.			
For standard permit applications submitted for minor or major projects:			
Attach a CFA based on the data screening information and on-site evaluation required by Env-Wt 603.03. The CFA for tidal wetlands or tidal waters shall be:			
Performed by a qualified coastal professional; and			
Completed using one of the following methods:			
a. The US Army Corps of Engineers (USACE) Highway Methodology Workbook, dated 1993, together with the USACE New England District <i>Highway Methodology Workbook Supplement</i> , dated 1999; or			
b. An alternative scientifically-supported method with cited reference and the reasons for the alternative method substantiated.			

For any project that would impact tidal wetlands, tidal waters, or associated sand dunes, the applicant shall:
Use the results of the CFA to select the location of the proposed project having the least impact to tidal wetlands, tidal waters, or associated sand dunes;
🔀 Design the proposed project to have the least impact to tidal wetlands, tidal waters, or associated sand dunes;
Where impact to wetland and other coastal resource functions is unavoidable, limit the project impacts to the least valuable functions, avoiding and minimizing impact to the highest and most valuable functions; and
Include on-site minimization measures and construction management practices to protect coastal resource areas.
Projects in coastal areas shall use results of this CFA to:
Minimize adverse impacts to finfish, shellfish, crustacean, and wildlife;
Minimize disturbances to groundwater and surface water flow;
🔀 Avoid impacts that could adversely affect fish habitat, wildlife habitat, or both; and
Avoid impacts that might cause erosion to shoreline properties.
SECTION 4 - VULNERABILITY ASSESSMENT (Env-Wt 603.05) Refer to the New Hampshire Coastal Flood Risk Summary Part 1: Science and New Hampshire Coastal Flood Risk Summary Part II: Guidance for Using Scientific Projections or other best available science to:
Determine the time period over which the project is designed to serve.
The project useful life is expected to be 100 years. There are expected to be significant upgrades over that time period, which will include technologies to deal with rising sea levels as needed.
Identify the project's relative risk tolerance to flooding and potential damage or loss likely to result from flooding to buildings, infrastructure, salt marshes, sand dunes and other valuable coastal resource areas.
NH Coastal Flood Risk Summary Part II, Step 2 Table: Medium Risk Tolerance

Reference the projected sea-level rise (SLR) scenario that most closely matches the end of the project design life and the project's tolerance to risk or loss.

NH Coastal Flood Risk Summary Part II, Step 3 Table A: Sea level rise for Medium Risk Tolerance is 5.0 feet (13.00 feet NGVD88) by 2122.

Identify areas of the proposed project site subject to flooding from SLR.

The current 100 -year floodplain (Zone AE) base flood elevation is 8.0 feet NAVD88. The threshold for the parking garage is elevation 7.00 feet and the finished floor elevation of the first floor is 17.50 feet NGVD88. The below grade parking elevation is 7.00 feet. The 100-year floodplain is expected to be above the parking garage threshold within 36 years with a 2.0 foot sea level rise (elevation 10.76 feet) by 2058.

Identify areas currently located within the 100-year floodplain and subject to coastal flood risk.

Portions of the existing lawn on the northwest side of the property are currently within the 100-year floodplain.

Describe how the project design will consider and address the selected SLR scenario within the project design life, including in the design plans.

The proposed project consists of a 5-story residential use building with one level of below grade parking and one level of parking at grade and beneath the building. The threshold for the parking garage door is 10.75 feet and the finished floor elevation of the first floor is 14.75 feet NGVD29, nearly one foot above the predicted 2122 100-year floodplain.

Two forms of waterproofing are being employed to protect the basement parking garage from water seepage. The slab will be protected with a blind-side waterproofing membrane. The foundation walls will be protected by a waterproofing sheet membrane. These two membranes will connect below the footings along the building perimeter.

Flood proofing technologies will be deployed to relieve potential flooding in the parking garage by 2058, when the 100-year floodplain is expected to exceed the garage threshold.

Γ

Where there are conflicts between the project's purpose and the vulnerability assessment results, schedule a pre- application meeting with the department to evaluate design alternatives, engineering approaches, and use of the best available science.				
Pre-application meeting date held: Waived by S. Giallongo via email to N Hansen July 19, 2021				
SECTION 5 - DESIGN PLANS (Env-Wt 603.07, in addition to Env-Wt 311)				
Submit design plans for the project in both plan and elevation views that clearly depict and identify all required elements.				
The plan view shall depict the following:				
The engineering scale used, which shall be no larger than one inch equals 50 feet;				
The location of tidal datum lines depicted as lines with the associated elevation noted, based on North American Vertical Datum of 1988 (NAVD 88), derived from <a href="https://tidesandcurrents.noaa.gov/datum_options.html">https://tidesandcurrents.noaa.gov/datum_options.html</a> , as described in Section 6.				
An imaginary extension of property boundary lines into the waterbody and a 20-foot setback from those property line extensions;				
The location of all special aquatic sites at or within 100 feet of the subject property;				
Existing bank contours;				
The name and license number, if applicable, of each individual responsible for the plan, including:				
a. The agent for tidal docking structures who determined elevations represented on plans; and				
<ul> <li>The qualified coastal professional who completed the CFA report and located the identified resources on the plan;</li> </ul>				
The location and dimensions of all existing and proposed structures and landscape features on the property;				
Tidal datum(s) with associated elevations noted, based on NAVD 88; and				
Location of all special aquatic sites within 100-feet of the property.				
The elevation view shall depict the following:				
The nature and slope of the shoreline;				
The location and dimensions of all proposed structures, including permanent piers, pilings, float stop structures, ramps, floats, and dolphins; and				
Water depths depicted as a line with associated elevation at highest observable tide, mean high tide, and mean low tide, and the date and tide height when the depths were measured. Refer to Section 6 for more instructions regarding water depth supporting information.				
See specific design and plan requirements for certain types of coastal projects:				
Overwater structures (Env-Wt 606).     Tidal shoreline stabilization (Env-Wt 609).				
<ul> <li>Dredging activities (Env-Wt 607).</li> <li>Protected tidal zone (Env-Wt 610).</li> </ul>				

- Tidal beach maintenance (Env-Wt 608).
- Sand Dunes (Env-Wt 611).

SECTION 6 - WATER DEPTH SUPPORTING INFORMATION REQUIRED (Env-Wt 603.08)			
Using current predicted NOAA tidal datum for the location, and tying field measurements to NAVD 88, field observations of at least three tide events, including at least one minus tide event, shall be located to document the range of the tide in the proposed location showing the following levels:			
Mean lower low water;			
Mean low water;			
Mean high water;			
Mean tide level;			
Mean higher high water;			
Highest observable tide line; and			
Predicted sea-level rise as identified in the vulnerability assessment in Env-Wt 603.05.			
The following data shall be presented in the application project narrative to support how water depths were determined:			
The date, time of day, and weather conditions when water depths were recorded; and			
The name and license number of the licensed land surveyor who conducted the field measurements.			
For tidal stream crossing projects, provide:			
Water depth information to show how the tier 4 stream crossing is designed to meet Env-Wt 904.07(c) and (d).			
For repair, rehabilitation or replacement of tier 4 stream crossings:			
Demonstrate how the requirements of Env-Wt 904.09 are met.			
SECTION 7 - GENERAL CRITERIA FOR TIDAL BEACHES, TIDAL SHORELINE, AND SAND DUNES (Env-Wt 604.01)			
Any person proposing a project in or on a tidal beach, tidal shoreline, or sand dune, or any combination thereof, shall evaluate the proposed project based on:			
The standard conditions in Env-Wt 307;			
The avoidance and minimization requirements in Env-Wt 311.07 and Env-Wt 313.03;			
The approval criteria in Env-Wt 313.01;			
The evaluation criteria in Env-Wt 313.05;			
The project specific criteria in Env-Wt 600;			
The CFA required by Env-Wt 603.04; and			
The vulnerability assessment required by Env-Wt 603.05.			
New permanent impacts to sand dunes that provide coastal storm surge protection for protected species or habitat shall not be allowed except:			
To protect public safety; and			
Only if constructed by a state agency, coastal resiliency project, or for a federal homeland security project.			
Projects in or on a tidal beach, tidal shoreline, or sand dune shall support integrated shoreline management that:			

Optimizes the natural function of the shoreline, including protection or restoration of habitat, water quality, and self-sustaining stability to flooding and storm surge; and
Protects upland infrastructure from coastal hazards with a preference for living shorelines over hardened shoreline practices.
SECTION 8 - GENERAL CRITERIA FOR TIDAL BUFFER ZONES (Env-Wt 604.02)
The 100-foot statutory limit on the extent of the tidal buffer zone shall be measured horizontally. Any person proposing
a project in or on an undeveloped tidal buffer zone shall evaluate the proposed project based on:
The standard conditions in Env-Wt 307;
The avoidance and minimization requirements in Env-Wt 311.07 and Env-Wt 313.03;
The approval criteria in Env-Wt 313.01;
The evaluation criteria in Env-Wt 313.05;
The project specific criteria in Env-Wt 600;
The CFA required by Env-Wt 603.04; and
The vulnerability assessment required by Env-Wt 603.05.
Projects in or on a tidal buffer zone shall preserve the self-sustaining ability of the buffer area to:
Provide habitat values;
Protect tidal environments from potential sources of pollution;
Provide stability of the coastal shoreline; and
Maintain existing buffers intact where the lot has disturbed area defined under RSA 483-B:4, IV.
SECTION 9 - GENERAL CRITERIA FOR TIDAL WATERS/WETLANDS (Env-Wt 604.03)
Except as allowed under Env-Wt 606, permanent new impacts to tidal wetlands shall be allowed only to protect public safety or homeland security. Evaluation of impacts to tidal wetlands and tidal waters shall be based on:
The standard conditions in Env-Wt 307;
The avoidance and minimization requirements in Env-Wt 311.07 and Env-Wt 313.03;
The approval criteria in Env-Wt 313.01;
The evaluation criteria in Env-Wt 313.05;
The project specific criteria in Env-Wt 600;
The CFA required by Env-Wt 603.04; and
The vulnerability assessment required by Env-Wt 603.05.
Projects in tidal surface waters or tidal wetlands shall:
Optimize the natural function of the tidal wetland, including protection or restoration of habitat, water quality, and self-sustaining stability to storm surge;
Be designed with a preference for living shorelines over hardened stabilization practices; and

Be limited to public infrastructure or restoration projects that are in the interest of the general public, including a road, a bridge, energy infrastructure, or a project that addresses predicted sea-level rise and coastal flood risk.

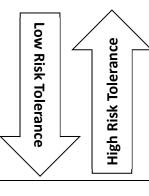
#### **SECTION 10 – GUIDANCE**

Your application must follow the New Hampshire Coastal Risk and Hazards Commission's Guiding Principles or other best available science. Below are some of these guidance principles:

- Incorporate science-based coastal flood risk projections into planning;
- Apply risk tolerance\* to assessment, planning, design, and construction;
- Protect natural resources and public access;
- Create a bold vision, start immediately, and respond incrementally and opportunistically as projected coastal flood risks increase over time; and
- Consider the full suite of actions including effectiveness and consequences of actions.

\*Risk tolerance is a project's willingness to accept a higher or lower probability of flooding impacts. The diagram below gives examples of project with lower and higher risk tolerance:

Critical infrastructures, historic sites, essential ecosystems, and high value assets typically have lower risk tolerance, and thus should be planned, designed, and constructed using higher coastal flood risk projections.



Sheds, pathways, and small docks typically have higher risk tolerance and thus may be planned, designed, and constructed using less protective coastal flood risk projections.

## **Project Design Narrative**

#### **Project Discussion**

- Env-Wt 307. Surface waters will not be impacted by the project. All work will employ proper erosion and sediment control BMPs. No equipment will be used within surface waters or wetlands and no invasive species will be used to stabilize the site. The NH Natural Heritage Bureau DataCheck has determined that no rare species or critical habitats will be impacted. All work on this project is within previously developed and landscaped areas and will be consistent with the Shoreland Water Quality Protection Act. No work will be adjacent to designated prime wetlands. The project does not involve dredging or filling of wetlands. Areas of temporary soil disturbance will be stabilized within three days of final grading as described in the construction sequencing below. No work will be done within 10 feet of a property line without an abutter's prior written consent.
- Env-Wt 311.07 & 313.03. Impacts from the project have been avoided and minimized by pulling portions of the new buildings and parking lot further back from the coastal wetland and utilizing underground parking, thus freeing up significant areas of impervious surfaces to be restored (see Appendix F for the mitigation proposal and wetland impact plan). All work is being done within the previously developed tidal buffer. The only direct wetland impact from the project is for the construction of three outfall pipe plunge pools.
- Env-Wt 313.01. As described throughout this application, the project will meet all permit approval criteria.
- Env-Wt 313.01(c). Impacts from the project have been avoided and minimized by pulling portions of the new buildings and parking lot further back from the coastal wetland and utilizing underground parking, thus freeing up significant areas of impervious surfaces to be restored (see Appendix F for the mitigation proposal and wetland impact plan). All work is being done within the previously developed tidal buffer. The only direct wetland impact from the project is for the construction of three outfall pipe plunge pools.

Env-Wt 603.04. A Coastal Functional Assessment is provided in Appendix D

Env-Wt 603.05. A Vulnerability Assessment is included on the Coastal Worksheet and includes consideration of sea level rise and flooding. Design plans are attached that include water depth information. The project has a medium risk tolerance. The threshold of the underground parking will be below the elevation of the predicted 100 year floodplain by 2058, however, flood proofing technologies will be installed to relieve flooding in that area before that time. The first floor finish elevation will be approximately one foot above the predicted 100-year floodplain in 2122.

#### **Construction Sequencing**

- 1. Prior written consent will be obtained from abutters prior to any soil disturbance less than 10 feet from property lines.
- 2. Cut and clear trees as required.
- 3. Construct temporary and permanent sediment, erosion and detention control facilities. Erosion, sediment, and detention measures shall be installed prior to any earth moving operations.
- 4. Establish a properly constructed dewatering area as needed. Wherever possible, the discharge from the dewatering structure shall drain to a well-vegetated buffer by sheet

flow while maximizing the distance to the nearest water resource and minimizing the slope of the buffer area.

- 5. All permanent ditches, swales, detention, retention, and sedimentation basins to be stabilized using the vegetative and non-structural BMPs prior to directing runoff to them.
- 6. Clear and dispose of debris.
- 7. Construct temporary culverts and diversion channels as required.
- 8. Grade and gravel roadways and parking areas all roads and parking areas shall be stabilized within 72 hours of achieving finishing grade.
- 9. Begin permanent and temporary seeding and mulching. All cut and fill slopes shall be seeded and mulched within 72 hours of achieving finished grade daily, or as required.
- 10. Finish paving all roadways and parking lots.
- 11. Inspect and maintain all erosion and sediment control measures.
- 12. Complete permanent seeding and landscaping.
- 13. Remove trapped sediments from collector devices as appropriate and then remove temporary erosion control measures.

#### **Project Monitoring, Maintenance, and Management**

The project will be monitored during and following construction by a NH Certified Wetland Scientist or other qualified professional to be sure the site is stabilized, and all components have been properly installed. The restoration areas will be followed up with annual monitoring by a NH Certified Wetland Scientist or other qualified professional. Monitoring will continue until the site is fully stabilized and there is at least 75% survivorship of restoration plantings.

The public greenway trail that runs through the area is expected to be monitored by the conservation commission or other City entity.

The project building and grounds will be maintained by the owners as needed. The grounds will be maintained by contracted landscapers.

# STEP 3 TABLE A. RECOMMENDED DECADAL RSLR ESTIMATES (IN FEET ABOVE 2000 LEVELS) BASED ON RCP 4.5, PROJECT TIMEFRAME, AND TOLERANCE FOR FLOOD RISK.

,,,					
	HIGH TOLERANCE FOR FLOOD RISK	MEDIUM TOLERANCE FOR FLOOD RISK	<b>LOW</b> TOLERANCE FOR FLOOD RISK	VERY LOW TOLERANCE FOR FLOOD RISK	
TIMEFRAME	Plan for the following RSLR estimate (ft)* compared to sea level in the year 2000				
	Lower magnitude, Higher probability		Higher magnitude, Lower probability		
2030	0.7	0.9	1.0	1.1	
2040	1.0	1.2	1.5	1.6	
2050	1.3	1.6	2.0	2.3	
2060 2058 (36 yr) = 2.0	ft 1.6	2.1	2.6	3.0	
2070	2.0	2.5	3.3	3.7	
2080	2.3	3.0	3.9	4.5	
2090	2.6	3.4	4.6	5.3	
2100	2.9	3.8	5.3	6.2	
2110	3.3	4.4	6.1	7.3	
2120 2122 (100 yr) = 5	.0 ft 3.6	4.9	7.0	8.3	
2130	3.9	5.4	7.9	9.3	
2140	4.3	5.9	8.9	10.5	
2150	4.6	6.4	9.9	11.7	

\*The colors (blue, red, purple, green) in Step 3 Table A correspond with the colors of the graph depicted in Figure 2 (see also Figure 4.5 in *Part I: Science*<sup>17</sup>). The RSLR estimates for High tolerance for flood risk projects correspond with K14, upper end of "likely" estimates for RCP4.5 (83% chance RSLR will not exceed this value). The RSLR estimates for Medium tolerance for flood risk projects correspond with K14, 1-in-20 chance estimates for RCP 4.5. The RSLR estimates for Low tolerance for flood risk projects correspond with K14, 1-in-100 chance estimates for RCP 4.5. The RSLR estimates for lood risk projects correspond with K14, 1-in-100 chance estimates for RCP 4.5. The RSLR estimates for Very Low tolerance for flood risk projects correspond with K14, 1-in-200 chance estimates for RCP4.5. For K14, 1-in-1000 chance estimates, see Table 4.2 in *Part I: Science*.<sup>17</sup> Note that while the Bayesian probabilities associated with RSLR projections are useful, they have some limitations as described in Box 4.3 in *Part I: Science*.<sup>17</sup>



#### Home (/) / Products (products.html) / Datums (stations.html?type=Datums) / 8419870 Seavey Island, ME Favorite Stations

Station Info	Tides/Water Levels	Meteorolog	ical Obs. (/met.html?id=8419870)
Phys. Oceanography (/physocean.html?id=8419870)		-8419870)	PORTS <sup>®</sup> (/ports/ports.html?id=8419870)

OFS (/ofs/ofs\_station.html?stname=Seavey Island&ofs=gom&stnid=8419870&subdomain=0)

# Datums for 8419870, Seavey Island ME

NOTICE: All data values are relative to the NAVD88.

#### **Elevations on NAVD88**

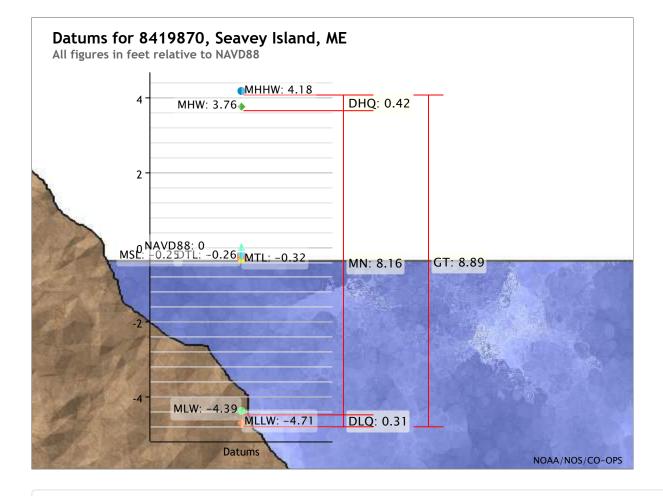
Station: 8419870, Seavey Island, ME Status: Accepted (Dec 6 2021) Units: Feet Control Station: 8418150 Portland, ME T.M.: 0 Epoch: (/datum\_options.html#NTDE) 1983-2001 Datum: NAVD88

Datum	Value	Description
MHHW (/datum_options.html#MHHW)	4.18	Mean Higher-High Water
MHW (/datum_options.html#MHW)	3.76	Mean High Water
MTL (/datum_options.html#MTL)	-0.32	Mean Tide Level
MSL (/datum_options.html#MSL)	-0.25	Mean Sea Level
DTL (/datum_options.html#DTL)	-0.26	Mean Diurnal Tide Level
MLW (/datum_options.html#MLW)	-4.39	Mean Low Water
MLLW (/datum_options.html#MLLW)	-4.71	Mean Lower-Low Water
NAVD88 (/datum_options.html)	0.00	North American Vertical Datum of 1988
STND (/datum_options.html#STND)	-6.98	Station Datum
GT (/datum_options.html#GT)	8.89	Great Diurnal Range
MN (/datum_options.html#MN)	8.16	Mean Range of Tide

Datum	Value	Description
DHQ (/datum_options.html#DHQ)	0.42	Mean Diurnal High Water Inequality
DLQ (/datum_options.html#DLQ)	0.31	Mean Diurnal Low Water Inequality
HWI (/datum_options.html#HWI)	3.92	Greenwich High Water Interval (in hours)
LWI (/datum_options.html#LWI)	10.04	Greenwich Low Water Interval (in hours)
Max Tide (/datum_options.html#MAXTIDE)	7.89	Highest Observed Tide
Max Tide Date & Time (/datum_options.html#MAXTIDEDT)	02/07/1978 10:42	Highest Observed Tide Date & Time
Min Tide (/datum_options.html#MINTIDE)	-7.98	Lowest Observed Tide
Min Tide Date & Time (/datum_options.html#MINTIDEDT)	11/30/1955 00:00	Lowest Observed Tide Date & Time
HAT (/datum_options.html#HAT)	5.87	Highest Astronomical Tide
HAT Date & Time	11/15/2016 16:18	HAT Date and Time
LAT (/datum_options.html#LAT)	-6.51	Lowest Astronomical Tide
LAT Date & Time	01/14/2036 23:00	LAT Date and Time

#### Tidal Datum Analysis Periods

07/01/2020 - 06/30/2021



	Island, ME		
atum			
NAVD88	•		
Data Units 🤘	Feet		
0	Meters		
Epoch 🧿	Present (1983-200	)1)	
0	Superseded (1960	-1978)	
	Submit		

Show nearby stations

#### Products available at 8419870 Seavey Island, ME

#### TIDES/WATER LEVELS

Water Levels (/waterlevels.html?id=8419870) NOAA Tide Predictions (/noaatidepredictions.html?id=8419870) Harmonic Constituents (/harcon.html?id=8419870) Sea Level Trends (/sltrends/sltrends station.shtml?id=8419870) Datums (/datums.html?id=8419870) Bench Mark Sheets (/benchmarks.html?id=8419870) Extreme Water Levels (/est/est station.shtml?stnid=8419870) Reports (/reports.html?id=8419870) **METEOROLOGICAL/OTHER** Meteorological Observations (/met.html?id=8419870) Water Temp/Conductivity **PORTS<sup>®</sup>** Portsmouth PORTS<sup>®</sup> (/ports/index.html?port=pm) PORTS® product page for Seavey Island (/ports/ports.html?id=8419870) **OPERATIONAL FORECAST SYSTEMS** Gulf of Maine (/ofs/gomofs/gomofs.html) OFS product page for Seavey Island INFORMATION Station Home Page (/stationhome.html?id=8419870) Data Inventory (/inventory.html?id=8419870)

Measurement Specifications (/measure.html)

#### Website Owner: Center for Operational Oceanographic Products and Services

National Oceanic and Atmospheric Administration (http://www.noaa.gov) National Ocean Service (http://oceanservice.noaa.gov) Privacy Policy (/privacy.html) Disclaimer (/disclaimers.html) Take Our Survey (/survey.html) Freedom of Information Act (https://www.noaa.gov/foia-freedom-of-information-act) Contact Us (/contact.html)

# **Tighe&Bond**

**APPENDIX B** 

Appendix B



#### New Hampshire General Permits (GPs) Required Information and Corps Secondary Impacts Checklist

In order for the Corps of Engineers to properly evaluate your application, applicants must submit the following information along with the New Hampshire DES Wetlands Bureau application or permit notification forms. Some projects may require more information. For a more comprehensive checklist, go to <a href="https://www.nae.usace.army.mil/Missions/Regulatory/">https://www.nae.usace.army.mil/Missions/Regulatory/</a> "Useful Documents, Forms and Publications" and then "Corps Application Form and Guidance." Check with the Corps at (978) 318-8832 for project-specific requirements. For your convenience, this Appendix B is also attached to the State of New Hampshire DES Wetlands Bureau application and Permit by Notification forms.

#### All Projects:

- New Hampshire Department of Environmental Services (DES) Wetlands Permit Application.
- Request for Project Review Form by the New Hampshire Division of Historical Resources (DHR) <u>https://www.nh.gov/nhdhr/review/rpr.htm</u>.
- Photographs of wetland/waterway to be impacted.
- Purpose of the project.
- Legible, reproducible plans no larger than 11"x17" with bar scale. Provide locus map and plan views of the entire property.
- Typical cross-section views of all wetland and waterway fill areas and wetland replication areas.
- In navigable waters, show mean low water (MLW) and mean high water (MHW) elevations. Show the high tide line (HTL) elevations when fill is involved. In other waters, show ordinary high water (OHW) elevation.
- On each plan, show the following for the project:
  - Vertical datum and the NAVD 1988 equivalent with the vertical units as U.S. feet. In coastal waters this may be mean higher high water (MHW), mean high water (MHW), mean low water (MLW), mean lower low water (MLLW) or other tidal datum with the vertical units as U.S. feet. MLLW and MHHW are preferred. Provide the correction factor detailing how the vertical datum (e.g., MLLW) was derived using the latest National Tidal Datum Epoch for that area, typically 1983-2001.
  - Horizontal state plane coordinates in U.S. survey feet based on the Traverse Mercator Grid system for the State of New Hampshire (Zone 2800) NAD 83.
  - Project limits with existing and proposed conditions.
  - Limits of any Federal Navigation Project in the vicinity of the project area and horizontal State Plane Coordinates in U.S. survey feet for the limits of the proposed work closest to the Federal Navigation Project;
  - Volume, type, and source of fill material to be discharged into waters and wetlands, including the area(s) (in square feet or acres) of fill in wetlands, below the OHW in inland waters and below the HTL in coastal waters.
  - Delineation of all waterways and wetlands on the project site,:
- Use Federal delineation methods and include Corps wetland delineation data sheets (GC 2).
- For activities involving discharges of dredged or fill material into waters of the U.S., include a statement describing how impacts to waters of the U.S. are to be avoided and minimized, and either a statement describing how impacts to waters of the U.S. are to be compensated for (or a conceptual or detailed mitigation plan) or a statement explaining why compensatory mitigation should not be required for the proposed impacts. Please contact the Corps for guidance.



US Army Corps of Engineers ® New England District

#### New Hampshire General Permits (GPs) Appendix B - Corps Secondary Impacts Checklist (for inland wetland/waterway fill projects in New Hampshire)

Attach any explanations to this checklist. Lack of information could delay a Corps permit determination.
 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 GC 5, regarding single and complete projects.

4. Contact the Corps at (978) 318-8832 with any questions.

1. Contact the corps at (576) 510 0052 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_ <u>http://des.nh.gov/organization/divisions/water/wmb/section401/impaired_waters.htm</u> to determine if there is an impaired water in the vicinity of your work area.*	x		
2. Wetlands	Yes	No	
2.1 Are there are streams, brooks, rivers, ponds, or lakes within 200 feet of any proposed work?		Х	
2.2 Are there proposed impacts to SAS, special wetlands. Applicants may obtain information from the NH Department of Resources and Economic Development Natural Heritage Bureau (NHB) DataCheck Tool for information about resources located on the property at_ <u>https://www2.des.state.nh.us/nhb_datacheck/</u> . The book <u>Natural Community Systems of New Hampshire also contains specific information about the natural communities found in NH</u> .		X	
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.)		Х	
2.5 The overall project site is more than 40 acres?		Х	
2.6 What is the area of the previously filled wetlands?		/A	
2.7 What is the area of the proposed fill in wetlands?			
2.8 What is the % of previously and proposed fill in wetlands to the overall project site?		N/A	
3. Wildlife	Yes	No	
3.1 Has the NHB & USFWS 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 an NHB ID number & a USFWS IPAC determination.) NHB DataCheck Tool: <u>https://www2.des.state.nh.us/nhb_datacheck/</u> USFWS IPAC website: <u>https://ecos.fws.gov/ipac/location/index</u>		Х	

<ul> <li>3.2 Would work occur in any 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:</li> <li>PDF: <u>https://wildlife.state.nh.us/wildlife/wap-high-rank.html</u>.</li> <li>Data Mapper: <u>www.granit.unh.edu</u>.</li> <li>GIS: <u>www.granit.unh.edu/data/downloadfreedata/category/databycategory.html</u>.</li> </ul>		x
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)?		X
3.4 Does the project propose more than a 10-lot residential subdivision, or a commercial or industrial development?	X	
3.5 Are stream crossings designed in accordance with the GC 21?	N/A	N/A
4. Flooding/Floodplain Values		No
4.1 Is the proposed project within the 100-year floodplain of an adjacent river or stream?	Х	
4.2 If 4.1 is yes, will compensatory flood storage be provided if the project results in a loss of flood storage?		X
5. Historic/Archaeological Resources		
For a minimum, minor or major impact project - a copy of the Request for Project Review (RPR) Form ( <u>www.nh.gov/nhdhr/review</u> ) with your DES file number shall be sent to the NH Division of Historical Resources as required on Page 11 GC 8(d) of the GP document**	INCL	UDED

\*Although this checklist utilizes state information, its submittal to the Corps is a Federal requirement. \*\* If your project is not within Federal jurisdiction, coordination with NH DHR is not required under Federal law.



# United States Department of the Interior

FISH AND WILDLIFE SERVICE New England Ecological Services Field Office 70 Commercial Street, Suite 300 Concord, NH 03301-5094 Phone: (603) 223-2541 Fax: (603) 223-0104 http://www.fws.gov/newengland



February 16, 2022

In Reply Refer To: Project Code: 2022-0008667 Project Name: 105 Bartlett Street - Proposed Multi-Family Development

Subject: List of threatened and endangered species that may occur in your proposed project location or may be affected by your proposed project

To Whom It May Concern:

The enclosed species list identifies threatened, endangered, proposed and candidate species, as well as proposed and final designated critical habitat, that may occur within the boundary of your proposed project and/or may be affected by your proposed project. The species list fulfills the requirements of the U.S. Fish and Wildlife Service (Service) under section 7(c) of the Endangered Species Act (Act) of 1973, as amended (16 U.S.C. 1531 *et seq.*).

New information based on updated surveys, changes in the abundance and distribution of species, changed habitat conditions, or other factors could change this list. Please feel free to contact us if you need more current information or assistance regarding the potential impacts to federally proposed, listed, and candidate species and federally designated and proposed critical habitat. Please note that under 50 CFR 402.12(e) of the regulations implementing section 7 of the Act, the accuracy of this species list should be verified after 90 days. This verification can be completed formally or informally as desired. The Service recommends that verification be completed by visiting the ECOS-IPaC website at regular intervals during project planning and implementation for updates to species lists and information. An updated list may be requested through the ECOS-IPaC system by completing the same process used to receive the enclosed list.

The purpose of the Act is to provide a means whereby threatened and endangered species and the ecosystems upon which they depend may be conserved. Under sections 7(a)(1) and 7(a)(2) of the Act and its implementing regulations (50 CFR 402 *et seq.*), Federal agencies are required to utilize their authorities to carry out programs for the conservation of threatened and endangered species and to determine whether projects may affect threatened and endangered species and/or designated critical habitat.

A Biological Assessment is required for construction projects (or other undertakings having similar physical impacts) that are major Federal actions significantly affecting the quality of the human environment as defined in the National Environmental Policy Act (42 U.S.C. 4332(2)

(c)). For projects other than major construction activities, the Service suggests that a biological evaluation similar to a Biological Assessment be prepared to determine whether the project may affect listed or proposed species and/or designated or proposed critical habitat. Recommended contents of a Biological Assessment are described at 50 CFR 402.12.

If a Federal agency determines, based on the Biological Assessment or biological evaluation, that listed species and/or designated critical habitat may be affected by the proposed project, the agency is required to consult with the Service pursuant to 50 CFR 402. In addition, the Service recommends that candidate species, proposed species and proposed critical habitat be addressed within the consultation. More information on the regulations and procedures for section 7 consultation, including the role of permit or license applicants, can be found in the "Endangered Species Consultation Handbook" at:

#### http://www.fws.gov/endangered/esa-library/pdf/TOC-GLOS.PDF

**Migratory Birds**: In addition to responsibilities to protect threatened and endangered species under the Endangered Species Act (ESA), there are additional responsibilities under the Migratory Bird Treaty Act (MBTA) and the Bald and Golden Eagle Protection Act (BGEPA) to protect native birds from project-related impacts. Any activity, intentional or unintentional, resulting in take of migratory birds, including eagles, is prohibited unless otherwise permitted by the U.S. Fish and Wildlife Service (50 C.F.R. Sec. 10.12 and 16 U.S.C. Sec. 668(a)). For more information regarding these Acts see https://www.fws.gov/birds/policies-and-regulations.php.

The MBTA has no provision for allowing take of migratory birds that may be unintentionally killed or injured by otherwise lawful activities. It is the responsibility of the project proponent to comply with these Acts by identifying potential impacts to migratory birds and eagles within applicable NEPA documents (when there is a federal nexus) or a Bird/Eagle Conservation Plan (when there is no federal nexus). Proponents should implement conservation measures to avoid or minimize the production of project-related stressors or minimize the exposure of birds and their resources to the project-related stressors. For more information on avian stressors and recommended conservation measures see https://www.fws.gov/birds/bird-enthusiasts/threats-to-birds.php.

In addition to MBTA and BGEPA, Executive Order 13186: *Responsibilities of Federal Agencies to Protect Migratory Birds*, obligates all Federal agencies that engage in or authorize activities that might affect migratory birds, to minimize those effects and encourage conservation measures that will improve bird populations. Executive Order 13186 provides for the protection of both migratory birds and migratory bird habitat. For information regarding the implementation of Executive Order 13186, please visit https://www.fws.gov/birds/policies-and-regulations/ executive-orders/e0-13186.php.

We appreciate your concern for threatened and endangered species. The Service encourages Federal agencies to include conservation of threatened and endangered species into their project planning to further the purposes of the Act. Please include the Consultation Code in the header of this letter with any request for consultation or correspondence about your project that you submit to our office.

# **Official Species List**

This list is provided pursuant to Section 7 of the Endangered Species Act, and fulfills the requirement for Federal agencies to "request of the Secretary of the Interior information whether any species which is listed or proposed to be listed may be present in the area of a proposed action".

This species list is provided by:

#### **New England Ecological Services Field Office** 70 Commercial Street, Suite 300

Concord, NH 03301-5094 (603) 223-2541

## **Project Summary**

Project Code:	2022-0008667
Event Code:	None
Project Name:	105 Bartlett Street - Proposed Multi-Family Development
Project Type:	Commercial Development
Project Description:	Construction of two (2) multi-family buildings and one (1) mixed-used
	building including 152 residential units, commercial space, and garage
	parking.

#### Project Location:

Approximate location of the project can be viewed in Google Maps: <u>https://www.google.com/maps/@43.07287705,-70.77045978831826,14z</u>



Counties: Rockingham County, New Hampshire

## **Endangered Species Act Species**

There is a total of 2 threatened, endangered, or candidate species on this species list.

Species on this list should be considered in an effects analysis for your project and could include species that exist in another geographic area. For example, certain fish may appear on the species list because a project could affect downstream species.

IPaC does not display listed species or critical habitats under the sole jurisdiction of NOAA Fisheries<sup>1</sup>, as USFWS does not have the authority to speak on behalf of NOAA and the Department of Commerce.

See the "Critical habitats" section below for those critical habitats that lie wholly or partially within your project area under this office's jurisdiction. Please contact the designated FWS office if you have questions.

1. <u>NOAA Fisheries</u>, also known as the National Marine Fisheries Service (NMFS), is an office of the National Oceanic and Atmospheric Administration within the Department of Commerce.

#### Mammals

NAME	STATUS
Northern Long-eared Bat <i>Myotis septentrionalis</i> No critical habitat has been designated for this species. Species profile: <u>https://ecos.fws.gov/ecp/species/9045</u>	Threatened
Insects NAME	STATUS
Monarch Butterfly <i>Danaus plexippus</i> No critical habitat has been designated for this species. Species profile: <u>https://ecos.fws.gov/ecp/species/9743</u>	Candidate

#### **Critical habitats**

THERE ARE NO CRITICAL HABITATS WITHIN YOUR PROJECT AREA UNDER THIS OFFICE'S JURISDICTION.



# United States Department of the Interior

FISH AND WILDLIFE SERVICE New England Ecological Services Field Office 70 Commercial Street, Suite 300 Concord, NH 03301-5094 Phone: (603) 223-2541 Fax: (603) 223-0104 http://www.fws.gov/newengland



In Reply Refer To: Project code: 2022-0008667 Project Name: 105 Bartlett Street - Proposed Multi-Family Development February 16, 2022

Subject: Consistency letter for the '105 Bartlett Street - Proposed Multi-Family Development' project indicating that any take of the northern long-eared bat that may occur as a result of the Action is not prohibited under the ESA Section 4(d) rule adopted for this species at 50 CFR §17.40(o).

Dear Colter Krzcuik:

The U.S. Fish and Wildlife Service (Service) received on February 16, 2022 your effects determination for the '105 Bartlett Street - Proposed Multi-Family Development' (the Action) using the northern long-eared bat (*Myotis septentrionalis*) key within the Information for Planning and Consultation (IPaC) system. You indicated that no Federal agencies are involved in funding or authorizing this Action. This IPaC key assists users in determining whether a non-Federal action may cause "take"<sup>[1]</sup> of the northern long-eared bat that is prohibited under the Endangered Species Act of 1973 (ESA) (87 Stat.884, as amended; 16 U.S.C. 1531 et seq.).

Based upon your IPaC submission, any take of the northern long-eared bat that may occur as a result of the Action is not prohibited under the ESA Section 4(d) rule adopted for this species at 50 CFR §17.40(o). Unless the Service advises you within 30 days of the date of this letter that your IPaC-assisted determination was incorrect, this letter verifies that the Action is not likely to result in unauthorized take of the northern long-eared bat.

Please report to our office any changes to the information about the Action that you entered into IPaC, the results of any bat surveys conducted in the Action area, and any dead, injured, or sick northern long-eared bats that are found during Action implementation.

If your Action proceeds as described and no additional information about the Action's effects on species protected under the ESA becomes available, no further coordination with the Service is required with respect to the northern long-eared bat.

The IPaC-assisted determination for the northern long-eared bat **does not** apply to the following ESA-protected species that also may occur in your Action area:

• Monarch Butterfly Danaus plexippus Candidate

You may coordinate with our Office to determine whether the Action may cause prohibited take of the animal species listed above.

[1]Take means to harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect, or to attempt to engage in any such conduct [ESA Section 3(19)].

# **Action Description**

You provided to IPaC the following name and description for the subject Action.

# 1. Name

105 Bartlett Street - Proposed Multi-Family Development

# 2. Description

The following description was provided for the project '105 Bartlett Street - Proposed Multi-Family Development':

Construction of two (2) multi-family buildings and one (1) mixed-used building including 152 residential units, commercial space, and garage parking.

Approximate location of the project can be viewed in Google Maps: <u>https://www.google.com/</u> <u>maps/@43.07287705,-70.77045978831826,14z</u>



# **Determination Key Result**

This non-Federal Action may affect the northern long-eared bat; however, any take of this species that may occur incidental to this Action is not prohibited under the final 4(d) rule at 50 CFR §17.40(o).

# Determination Key Description: Northern Long-eared Bat 4(d) Rule

This key was last updated in IPaC on May 15, 2017. Keys are subject to periodic revision.

This key is intended for actions that may affect the threatened northern long-eared bat.

The purpose of the key for non-Federal actions is to assist determinations as to whether proposed actions are excepted from take prohibitions under the northern long-eared bat 4(d) rule.

If a non-Federal action may cause prohibited take of northern long-eared bats or other ESA-listed animal species, we recommend that you coordinate with the Service.

4

# **Determination Key Result**

Based upon your IPaC submission, any take of the northern long-eared bat that may occur as a result of the Action is not prohibited under the ESA Section 4(d) rule adopted for this species at 50 CFR §17.40(o).

# **Qualification Interview**

1. Is the action authorized, funded, or being carried out by a Federal agency?

No

2. Will your activity purposefully Take northern long-eared bats?

No

3. [Semantic] Is the project action area located wholly outside the White-nose Syndrome Zone?

Automatically answered
No

4. Have you contacted the appropriate agency to determine if your project is near a known hibernaculum or maternity roost tree?

Location information for northern long-eared bat hibernacula is generally kept in state Natural Heritage Inventory databases – the availability of this data varies state-by-state. Many states provide online access to their data, either directly by providing maps or by providing the opportunity to make a data request. In some cases, to protect those resources, access to the information may be limited. A web page with links to state Natural Heritage Inventory databases and other sources of information on the locations of northern long-eared bat roost trees and hibernacula is available at <a href="https://www.fws.gov/midwest/endangered/mammals/nleb/nhisites.html">www.fws.gov/midwest/endangered/mammals/nleb/nhisites.html</a>.

Yes

5. Will the action affect a cave or mine where northern long-eared bats are known to hibernate (i.e., hibernaculum) or could it alter the entrance or the environment (physical or other alteration) of a hibernaculum?

No

6. Will the action involve Tree Removal?

Yes

- 7. Will the action only remove hazardous trees for the protection of human life or property? *No*
- 8. Will the action remove trees within 0.25 miles of a known northern long-eared bat hibernaculum at any time of year?

No

9. Will the action remove a known occupied northern long-eared bat maternity roost tree or any trees within 150 feet of a known occupied maternity roost tree from June 1 through July 31?

No

# **Project Questionnaire**

If the project includes forest conversion, report the appropriate acreages below. Otherwise, type '0' in questions 1-3.

1. Estimated total acres of forest conversion:

0

2. If known, estimated acres of forest conversion from April 1 to October 31

0

3. If known, estimated acres of forest conversion from June 1 to July 31

0

# If the project includes timber harvest, report the appropriate acreages below. Otherwise, type '0' in questions 4-6.

4. Estimated total acres of timber harvest

0

5. If known, estimated acres of timber harvest from April 1 to October 31

0

6. If known, estimated acres of timber harvest from June 1 to July 31

0

# If the project includes prescribed fire, report the appropriate acreages below. Otherwise, type '0' in questions 7-9.

7. Estimated total acres of prescribed fire

0

8. If known, estimated acres of prescribed fire from April 1 to October 31

0

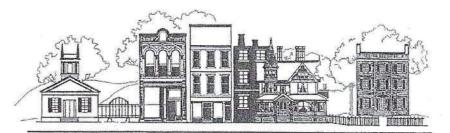
9. If known, estimated acres of prescribed fire from June 1 to July 31

0

# If the project includes new wind turbines, report the megawatts of wind capacity below. Otherwise, type '0' in question 10.

10. What is the estimated wind capacity (in megawatts) of the new turbine(s)?

0



#### New HAMPSHIRE DIVISION OF HISTORICAL RESOURCES

State of New Hampshire, Department of Natural and Cultural Resources603-271-348319 Pillsbury Street, Concord, NH 03301-3570603-271-3558TDD Access Relay NH 1-800-735-2964FAX603-271-3433www.nh.gov/nhdhrpreservation@dncr.nh.gov

January 11, 2019

Steven D. Riker Ambit Engineering, Inc. 200 Griffin Road, Unit 3 Portsmouth, NH 03801

Re: 105 Bartlett Street Site Improvements, Portsmouth, NH (RPR #10228) EPA

Dear Mr. Riker:

In accordance with Section 106 of the National Historic Preservation Act (16 U.S. C. 470), and with federal Advisory Council on Historic Preservation regulations, *Protection of Historic Properties* (36 CFR Part 800), the New Hampshire Division of Historical Resources/State Historic Preservation Office has reviewed the EPA undertaking referenced above, with respect to potential effects on properties listed, or potentially eligible for listing, in the National Register of Historic Places. The project includes infrastructure improvements and demolition of remnants of the National Register eligible Eastern Railroad Linear District (including turntable and roundhouse ruins).

David Trubey, New Hampshire Division of Historical Resources Historical Archaeologist and Review and Compliance Coordinator, has reviewed the materials submitted and made observations at a site visit of January 4, 2019. The DHR has determined that the project impact area lacks archaeological sensitivity through previous construction activities and no further archaeological studies are required.

For purposes of compliance with the federal Advisory Council on Historic Preservation regulations, *Protection of Historic Properties* (36 CFR Part 800), implementing Section 106 of the National Historic Preservation Act (16 U.S.C. 470), this determination may be construed as a finding of "*No Historic Properties Affected*" if the work is done as described in the following stipulations:

Stipulations: (1) All storm water features must be located outside the area in which the turntable and roundhouse ruins are located; (2) A written history to include narrative, historic photographs, and photographs taken after site clearing but before demolition of the turntable and roundhouse will be prepared by an Architectural Historian qualified under 36 CFR 61 and submitted for review to the New Hampshire Division of Historical Resources (DHR). Document will be utilized by the City of Portsmouth for future interpretive signage at the site if a walking trail is constructed. The Applicant will provide final copies (digital and archival hard copy) to the DHR, Portsmouth Public Library, and Portsmouth Athenaeum within 9 months of receipt of this correspondence.



This fulfills the project sponsor's duties for "Section 106" historic preservation review under EPA's Construction General Permit, unless any additional impacts are identified or if follow-up actions as noted above should be necessary. As the federal regulatory agency for this project, the EPA is responsible for completion of any "Section 106" historic preservation review procedures which pertain to its involvement.

Sincerely,

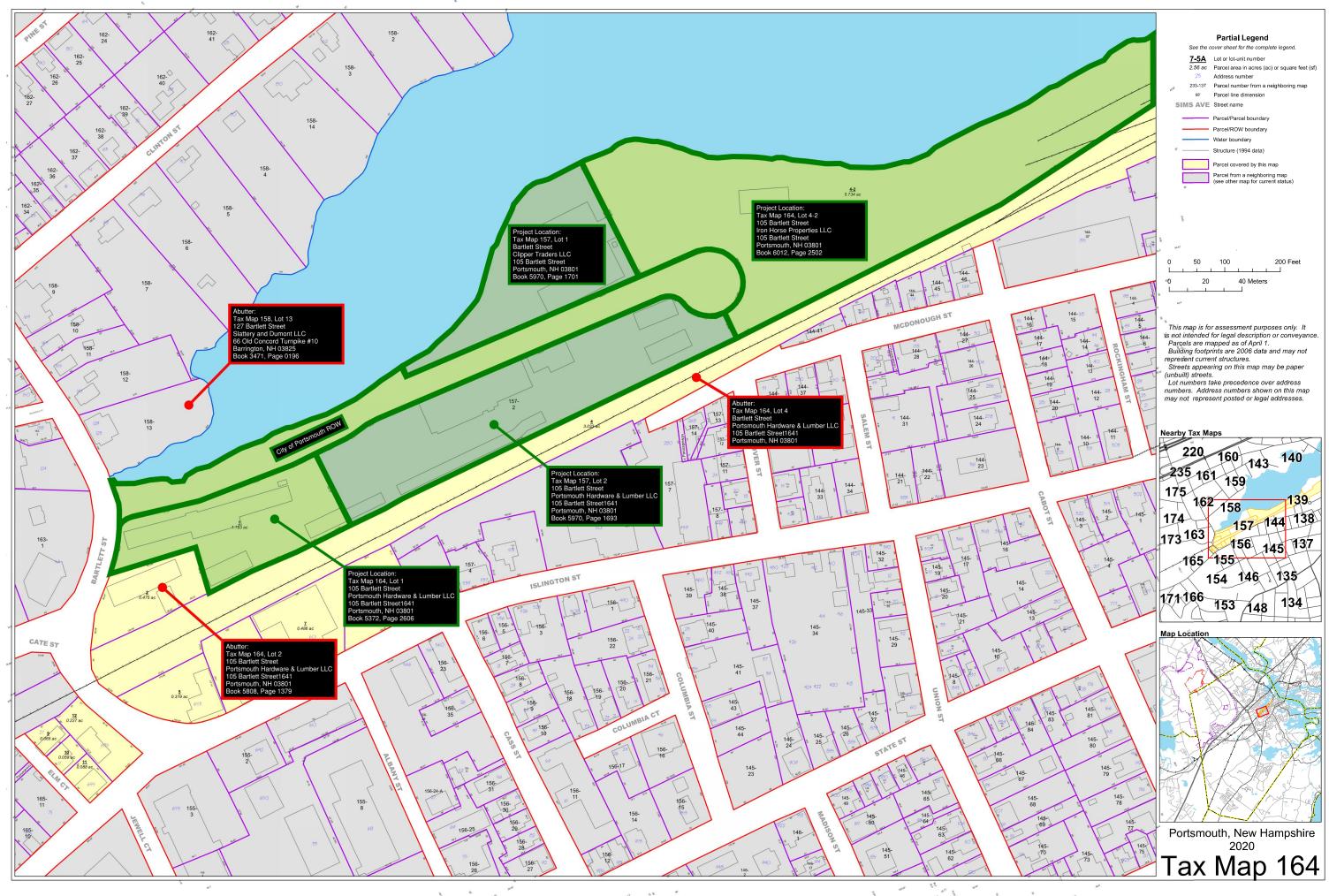
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Nadine Miller Deputy State Historic Preservation Officer

cc: EPA City of Portsmouth

# **Tighe&Bond**

**APPENDIX C** 



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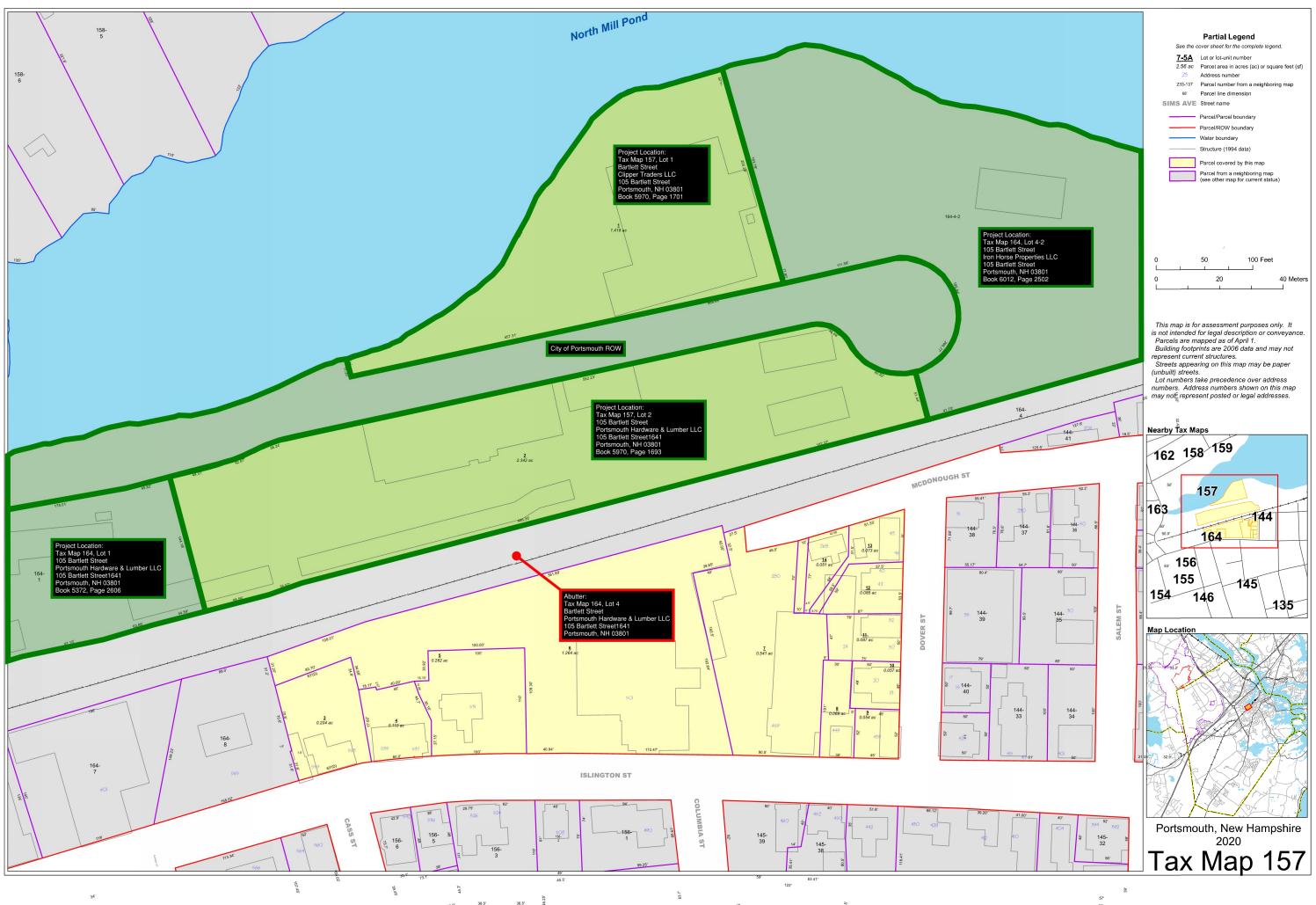
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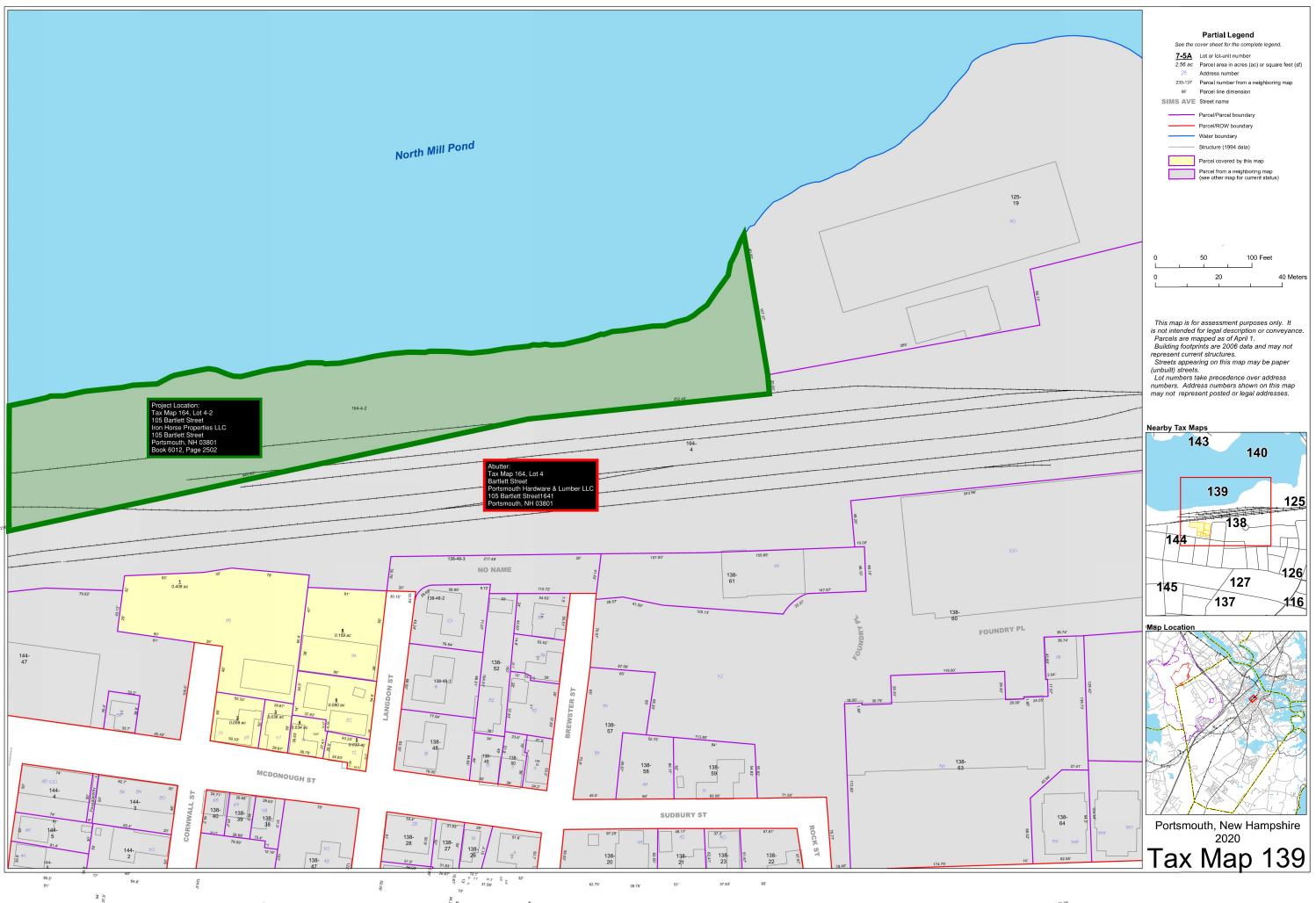
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# Abutters List

## Proposed Multi-Family Development 105 Bartlett Street Portsmouth, New Hampshire

ABUTTERS	<u>MAP #</u>	<u>LOT #</u>
Slattery and Dumont LLC 66 Old Concord Turnpike #10 Barrington, NH 03825	158	13
Portsmouth Hardware & Lumber LLC 105 Bartlett Street Portsmouth, NH 03801 *Since this abutter is one of the property owners, notification h	164 164 as been deem	2 4 ed unncessary.
OWNERS Clipper Traders LLC 105 Bartlett Street Portsmouth, NH 03801	157	1
Portsmouth Hardware & Lumber LLC 105 Bartlett Street Portsmouth, NH 03801	157 164	2 1
Iron Horse Properties LLC 105 Bartlett Street Portsmouth, NH 03801	164	4-2
APPLICANTS Iron Horse Properties LLC 105 Bartlett Street Portsmouth, NH 03801		
MUNICIPALITY City of Portsmouth Planning Department 1 Junkins Ave Portsmouth, NH 03801		
ENGINEER		

Tighe & Bond, Inc. 177 Corporate Drive Portsmouth, NH 03801

### PUBLIC NOTICE

#### NOTICE OF INTENT TO FILE

Please take notice that Iron Horse Properties, LLC, applicant, is intending to file a Wetland Permit with the New Hampshire Department of Environmental Services for proposed site improvements at 105 Bartlett Street in Portsmouth, New Hampshire.

The proposed development consists of three (3) multi-family apartment buildings including a total of 152 dwelling units. The project includes associated site improvements that consist of the private road cul-de-sac, surface parking, pedestrian access, utilities, lighting, landscaping and stormwater management systems. An Alteration of Terrain Permit (AoT-2026) was issued by NHDES on September 29, 2021.

The proposed project will result in 1,528 SF of permanent impacts to a small forested wetland, 209 SF of permanent impacts to the tidal wetland, and 34,639 SF of permanent impacts to the previously developed tidal buffer zone. Additionally, the project will result in 10,182 SF of temporary impacts to the previously developed tidal buffer zone.

Plans and details of this application are on file, for your review, at the City of Portsmouth Clerk's Office, 1 Junkins Avenue, Portsmouth, New Hampshire (8:00am - 4:30pm) or at the NHDES Wetlands Bureau, 29 Hazen Drive, Concord, New Hampshire (8:00am - 4:00pm).

(C-0960-006\_Abutters notice.docx)

Name and Address o	fSender	Check type of mail or service						C. Salar	and the second sec	stamp	S			1		
		<ul> <li>Adult Signature Required</li> <li>Priority Mail Expression</li> <li>Adult Signature Restricted Delivery</li> <li>Registered Mail</li> <li>Certified Mail</li> <li>Certified Mail Restricted Delivery</li> <li>Collect on Delivery (COD)</li> <li>Signature Confirm</li> <li>Insured Mail</li> <li>Signature Confirm</li> <li>Restricted Delivery</li> </ul>	ation	(for	additiona	p Here al copies o <b>ith Date o</b>	f this receipt) <b>f Receipt.</b>	B86713	\$5 US POS FIRST- 62S0006 FROM	.25 0 STAGE CLASS 911843 103801			GREEM	JAN JAN USF	1 3 20	00 23 00 13 % O
USPS Trackin	g/Article Number	Addressee (Name, Street, City, State, & ZIP Code™)	Po	stage	(Extra Service) Fee	Handling Charge	Actual Value if Registered	Value	Sender if	Fee	ASRD Fee	RD Fee	RR Fee	SC Fee	SCRD Fee	SH Fee
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**Job Number:** C-0960-006

# Client: Iron Horse Properties, LLC

Site: 105 Bartlett St., Portsmouth, NH

Photograph No.: 1 Date: 3/25/2022	Direction Taken: South
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**Description:** Entrance to the site along Bartlett Street.



Photograph No.: 2	Date: 3/25/2022	Direction Taken: Northeast

**Description:** Paved buffer and eroding banks along North Mill Pond at low tide along the commercial area in southwest portion of the site.



# **Photographic Log**



**Job Number:** C-0960-006

# Client: Iron Horse Properties, LLC

Site: 105 Bartlett St., Portsmouth, NH

	Photograph No.: 3 D	Date: 3/25/2022	Direction Taken: Southeast
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**Description:** Lumber yard between Design Center and Ricci Lumber.



Photograph No.: 4	<b>Date:</b> 3/25/2022	Direction Taken: Northeast
		•

**Description:** Paved buffer along North Mill Pond along the commercial area in southwest portion of the site.



# **Photographic Log**



**Job Number:** C-0960-006

# Client: Iron Horse Properties, LLC

Site: 105 Bartlett St., Portsmouth, NH

Photograph No.: 5	<b>Date:</b> 3/25/2022	Direction Taken: Northeast
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**Description:** Paved parking area in wetland buffer at Great Rhythm Brewing Company.



Photograph No.: 6	Date: 3/25/2022	Direction Taken: East
Filotograph No.: 0	Date: 5/25/2022	

**Description:** Remains of the railroad roundhouse and disturbed forest buffer northeast of the Great Rhythm Brewing Company.





# Client: Iron Horse Properties, LLC

**Job Number:** C-0960-006

Site: 105 Bartlett St., Portsmouth, NH

**Description:** Wetland dominated by Norway maple and red osier dogwood within the old railroad turntable approximately six feet below grade.



Photograph No.: 8	Date: 3/25/2022	Direction Taken: South
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**Description:** Inside the remains of the railroad turntable.





**Job Number:** C-0960-006

# Client: Iron Horse Properties, LLC

Site: 105 Bartlett St., Portsmouth, NH

Photograph No.: 9	Date: 3/25/2022	Direction Taken: West
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**Description:** Outside wall and foundations of remains of railroad roundhouse.



**Description:** Inside the remains of the railroad roundhouse.



# Photographic Log



**Job Number:** C-0960-006

# Client: Iron Horse Properties, LLC

Site: 105 Bartlett St., Portsmouth, NH

Photograph No.: 11	Date: 3/25/2022	Direction Taken: Northeast
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**Description:** Compacted gravel are around the rear of existing 2 story brick building.



Photograph No.: 12	Date: 3/25/2022	Direction Taken: Southwest
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**Description:** Compacted gravel area around the rear of the existing 2 story brick building.





**Job Number:** C-0960-006

# Client: Iron Horse Properties, LLC

Site: 105 Bartlett St., Portsmouth, NH

# Photograph No.: 13Date: 3/25/2022Direction Taken: South

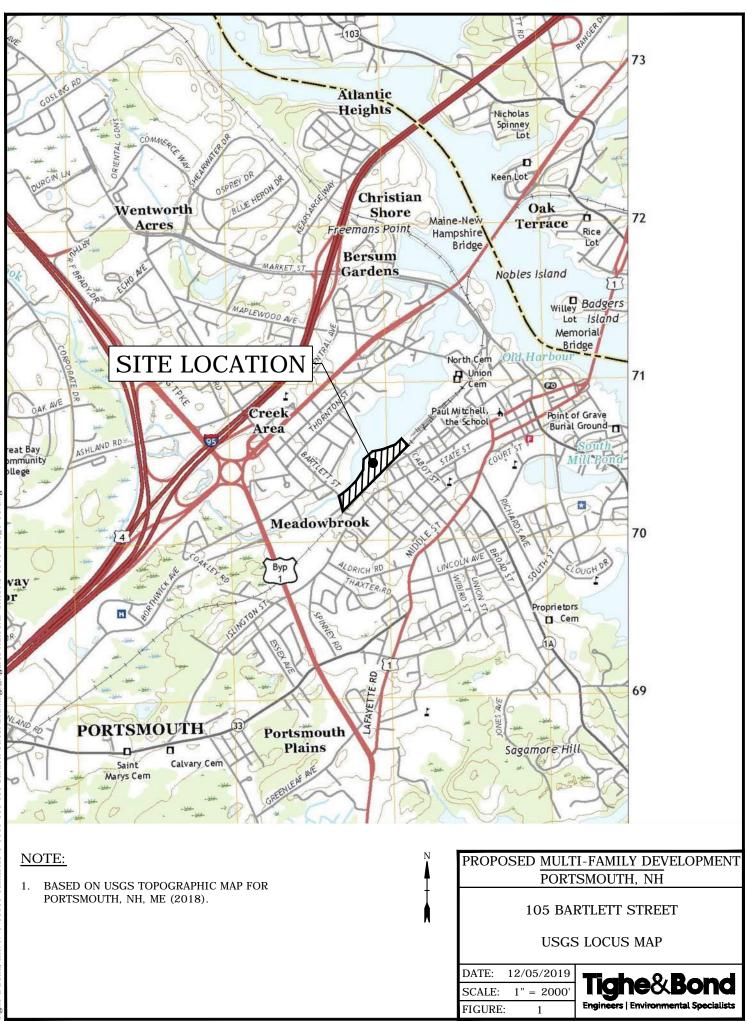
Description: Compacted gravel area around the side of the existing 2 story brick building.



Photograph No.: 14	Date: 3/25/2022	Direction Taken: Southwest
--------------------	-----------------	----------------------------

**Description:** Compacted gravel area in front of existing 2 story brick building, former contractor storage yard.





C-CS.dwg Figures\AutoCAD\Sheet\C-0960-006\_ Bartlett Street\Drawings\_ Čathartes\C-0960-006 105 BCurcio 2019-8:36am Plotted By: Bond, Inc. J: \C\C0960 Cat 11, 8, Dec 1 Tighe

HOTHE PHOOMIX COMMENT HOBENTS

# 18051906 12/21/2018 02:19:25 PM Book 5970 Page 1701 Page 1 of 7 Register of Deeds, Rockingham County

Cathy ann Stacey

LCHIP ROA434150 25.00 TRANSFER TAX RO085122 576.00 RECORDING 34.00 SURCHARGE 2.00

#### RELEASE DEED

The **BOSTON AND MAINE CORPORATION**, a corporation duly organized and existing under the laws of the State of Delaware, with offices at Iron Horse Park, North Billerica, Middlesex County, Massachusetts (the "Grantor") in consideration of Thirty-Eight Thousand Three Hundred Eighty-One and 00/100 Dollars (\$38,381.00) paid to it by **CLIPPER TRADERS, LLC**, with a mailing address of 105 Bartlett Street, Portsmouth, New Hampshire 03801 (the "Grantee") hereby grants to the Grantee all the Grantor's right, title and interest, without any warranties or covenants of title whatsoever, in a certain parcel of land, and the buildings, bridges, structures, crossings, fixtures and improvements thereon, if any, situated in Portsmouth, County of Rockingham, State of New Hampshire (the "Premises") described as follows:

> SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF BY THIS REFERENCE.

This conveyance is subject to the following reservations, conditions, covenants and agreements:

1. This conveyance is made without granting any right of way, either by necessity or otherwise, over any remaining land or location of the Grantor.

2. The Grantor hereby reserves a permanent, exclusive right of way and easement in, on, over, under, across and through the Premises for the purpose of accessing, constructing, installing, operating, maintaining, modifying, repairing, replacing, relocating and removing a telecommunications system or other system for transmission of intelligence or information by any means, whether now existing or hereafter devised, including such poles, pipes, wires, fibers, fiber optic cables, repeater stations, attachments, appurtenances, structures or other equipment and property of any description necessary or useful for the same



(the "Telecommunications Easement"). The Grantor further reserves the right to freely lease, license, mortgage, assign, pledge and otherwise alienate the Telecommunications Easement. The Grantee hereby covenants with the Grantor to recognize the Telecommunications Easement and, without the payment of any further consideration, to execute, acknowledge and deliver such instruments suitable for recording with the registry of deeds as the Grantor may reasonably require to acknowledge title to the Telecommunications Easement in the Grantor. The Grantor covenants to reasonably repair and restore the surface of the easement area after any work.

3. The Grantor excepts from this conveyance any and all railroad tracks, railroad track materials (including, but not limited to, ties, connections, switches and ballast) and/or related equipment of any description located in whole or in part within the Premises (the "Trackage") and this conveyance is subject to the right of the Grantor to enter the Premises from time to time and at any and all times within the ninety (90) day period commencing with and subsequent to the date of delivery of this deed, with such men, equipment and materials as, in the reasonable opinion of the Principal Engineering Officer of the Grantor, are necessary for the removal of the Trackage. Days during the months of December, January, February and March shall not be included in the aforesaid ninety (90) day period. If the Trackage is not removed from the Premises by the expiration of said ninety (90) day period, the Trackage shall be deemed abandoned by the Grantor and shall then become the property of the Grantee.

4. The Grantor excepts from this conveyance any and all advertising signs and/or billboards located upon the Premises which are not owned by the Grantor. Furthermore, this conveyance is subject to the right of the owners of said signs and/or billboards to go upon the Premises and remove them within ninety (90) days from the date of delivery of this deed.

5. By the acceptance of this deed and as part consideration therefor, the Grantee hereby assumes any and all agreements, covenants, obligations and liabilities of the Grantor in respect to any underground facilities, drainage culverts, walls, crossings and/or other structures of any nature and description located in whole or in part within the Premises.

6. By the acceptance of this deed and as part consideration therefor, the Grantee agrees to irrevocably waives, gives up and renounces any and all claims or causes of action against the Grantor in respect of claims, suits and/or enforcement actions (including any administrative or judicial proceedings and any remedial, removal or response actions) ever asserted, threatened, instituted or requested by any person and/or governmental agency on account of: (a) any release of oil or hazardous materials or substances of any description on, upon or into the Premises in contravention of any ordinance, law or statute (including, but not limited to, the Comprehensive Environmental Response, Compensation and Liability Act of 1980 (42 U.S.C. Section 9601, et seq., as amended); and (b) any and all damage to real or personal property, natural resources and/or harm or injury to persons alleged to have resulted from such release of oil or hazardous materials or substances.

7. By the acceptance of this deed and as part consideration therefor, the Grantee hereby agrees to build and forever maintain fences (together with any necessary gates), suitable to the Principal Engineering Officer of the Grantor, along the boundaries of the Premises which are common to remaining land or location of the Grantor (the "Fences"), if Fences are ever required in the sole and reasonable opinion of said Principal Engineering Officer; provided, however, that such requirement shall be subject to Grantee's receipt of all necessary, final and unappealable, municipal permits and approvals to erect such fence on or immediately adjacent (within 2 feet) to the common property boundary.

8. This conveyance is subject to the following restriction for the benefit of other land or location of the Grantor, to wit: that from the date of delivery of this deed, the Grantor shall not be liable to the Grantee or any lessee or user of the Premises (or any part thereof) for any damage to any buildings or property upon them caused by fire, whether communicated directly or indirectly by or from locomotive engines of any description upon the railroad operated by the Grantor, or otherwise.

9. By the acceptance of this deed and as part consideration therefor, the Grantee hereby agrees to make no use of the Premises which, in the sole and reasonable opinion of the Principal Engineering Officer of the Grantor, adversely affects, increases or decreases drainage to, from, upon or in any remaining land or location of the Grantor. The Grantee agrees to indemnify and save the Grantor harmless from and against any and all loss, cost, damage or expense including, but not limited to, the cost of defending all claims and/or suits for property damage, personal injury or death arising out of or in any way attributable to any breach of the foregoing covenant

10. The Grantor excepts from this conveyance any and all overhead, surface or underground signal and communication line facilities of the Grantor located within the limits of the Premises and this conveyance is subject to the Grantor's use of any such facilities in their present locations and entry upon the Premises from time to time to maintain, repair, replace, renew, relay or remove such facilities. 11. Whenever used in this deed, the term "Grantor" shall not only refer to the **BOSTON AND MAINE CORPORATION**, but also its successors, assigns and affiliates and the term "Grantee" shall not only refer to the above-named Grantee, but also the Grantee's successors, assigns and grantees, as the case maybe.

12. The several exceptions, reservations, conditions, covenants and agreements contained in this deed shall be deemed to run with the land and be binding upon the Grantee forever. In addition to the acceptance and recording of this deed, the Grantee hereby signifies assent to the said several exceptions, reservations, conditions, covenants and agreements, by joining in its execution.

IN WITNESS WHEREOF, the said BOSTON AND MAINE CORPORATION has caused this release deed to be executed in its name and its corporate seal to be hereto affixed by David A. Fink, its President, thereunto duly authorized this in day of December, 2018.

### GRANTOR: BOSTON AND MAINE CORPORATION

By: (V-19-frik, President 1

#### **COMMONWEALTH OF MASSACHUSETTS**

Middlesex, ss.

Dec. 17, 2018

On this 17<sup>TH</sup> day of December, 2018, before me, the undersigned notary public, personally appeared David A. Fink, President as aforesaid, proved to me through satisfactory evidence of identification, which was personal knowledge, to be the person whose name is signed on the preceding or attached document, and acknowledged to me that he signed it voluntarily for its stated purpose.



Notary Public / My Commission Expires:

GRANTEE: CLIPPER TRADERS, LLC

m.3 Witness

By: Hayes Edward R. Hayes, Manager

#### STATE OF NEW HAMPSHIRE

Rockingham,ss.

December 21,2018

The foregoing instrument was acknowledged before me on this  $21^{4}$  day of December, 2018, by Edward R. Hayes, as Manager of Clipper Traders, LLC, duly authorized.

Justice of the Peace/Notary Public My Commission Expires:



## Book: 5970 Page: 1707

#### EXHIBIT "A"

# To be transferred from Boston and Maine Corporation to Clipper Traders, LLC Portsmouth, NH

Beginning at a spike at the base of a bent iron pipe at the northeasterly corner of land now or formerly of Clipper Traders, LLC; thence running across land now or formerly of the Boston and Maine Corporation the following five (5) courses: S 46°54'17" E a distance of 11.80 feet to a point; thence S 46°49'03" W a distance of 457.31 feet; thence N 46°49'43" W a distance of 11.20 feet; thence continuing on the last bearing 12 feet, more or less, to the mean high water line of North Mill Pond, so called, thence turning and running in a northeasterly direction along the mean high water line said North Mill Pond 41 feet more or less to land now or formerly of Clipper Traders, LLC; thence turning and running along land of Clipper traders a distance of 74 feet, more or less, to an iron rod; thence continuing along the land now or formerly of said Clipper Traders, LLC the following two (2) courses, N 52°50'28" E a distance of 170.00 feet to an iron rod; thence N 43°16'48" E a distance of 175.00 feet to a spike at the base of a bent iron pipe and the point of beginning. The above described parcel of land containing 5,483 square feet, more or less, is shown on a plan prepared by Ambit Engineering, Inc., dated DECOMBER 2018, recorded with the Rockingham County Registry of Deeds in Plan Book Plan D 41242.

HOPFUE PHOEN & GOAMLEY + ROBERTS.

# 18051905 12/21/2018 02:19:24 PM Book 5970 Page 1693 Page 1 of 8 Register of Deeds, Rockingham County

Cathy ann Stacey

LCHIP ROA434149 25.00 TRANSFER TAX RO085121 11,600.00 RECORDING 38.00 SURCHARGE 2.00

#### **RELEASE DEED**

The **BOSTON AND MAINE CORPORATION**, a corporation duly organized and existing under the laws of the State of Delaware, with offices at Iron Horse Park, North Billerica, Middlesex County, Massachusetts (the "Grantor") in consideration of Seven Hundred Seventy-Three Thousand Three Hundred Thirty-Nine and 00/100 Dollars (\$773,339.00) paid to it by **PORTSMOUTH LUMBER & HARDWARE, LLC**, with a mailing address of 105 Bartlett Street, Portsmouth, New Hampshire 03801 (the "Grantee") hereby grants to the Grantee all the Grantor's right, title and interest, without any warranties or covenants of title whatsoever, in a certain parcel of land, and the buildings, bridges, structures, crossings, fixtures and improvements thereon, if any, situated in Portsmouth, County of Rockingham, State of New Hampshire (the "Premises") described as follows:

# SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF BY THIS REFERENCE.

This conveyance is subject to the following reservations, conditions, covenants and agreements:

1. This conveyance is made without granting any right of way, either by necessity or otherwise, over any remaining land or location of the Grantor.

2. The Grantor hereby reserves a permanent, exclusive right of way and easement in, on, over, under, across and through the Premises for the purpose of accessing, constructing, installing, operating, maintaining, modifying, repairing, replacing, relocating and removing a telecommunications system or other system for transmission of intelligence or information by any means, whether now existing or hereafter devised, including such poles, pipes, wires, fibers, fiber optic cables, repeater stations, attachments, appurtenances, structures or other



equipment and property of any description necessary or useful for the same (the "Telecommunications Easement"). The Grantor further reserves the right to freely lease, license, mortgage, assign, pledge and otherwise alienate the Telecommunications Easement. The Grantee hereby covenants with the Grantor to recognize the Telecommunications Easement and, without the payment of any further consideration, to execute, acknowledge and deliver such instruments suitable for recording with the registry of deeds as the Grantor may reasonably require to acknowledge title to the Telecommunications Easement in the Grantor. The Grantor covenants to reasonably repair and restore the surface of the easement area after any work.

The Grantor excepts from this conveyance any and all railroad 3. tracks, railroad track materials (including, but not limited to, ties, connections, switches and ballast) and/or related equipment of any description located in whole or in part within the Premises (the "Trackage") and this conveyance is subject to the right of the Grantor to enter the Premises from time to time and at any and all times within the ninety (90) day period commencing with and subsequent to the date of delivery of this deed, with such men, equipment and materials as, in the reasonable opinion of the Principal Engineering Officer of the Grantor, are necessary for the removal of the Trackage. Days during the months of December, January, February and March shall not be included in the aforesaid ninety (90) day period. If the Trackage is not removed from the Premises by the expiration of said ninety (90) day period, the Trackage shall be deemed abandoned by the Grantor and shall then become the property of the Grantee.

4. The Grantor excepts from this conveyance any and all advertising signs and/or billboards located upon the Premises which are not owned by the Grantor. Furthermore, this conveyance is subject to the right of the owners of said signs and/or billboards to go upon the Premises and remove them within ninety (90) days from the date of delivery of this deed.

5. By the acceptance of this deed and as part consideration therefor, the Grantee hereby assumes any and all agreements, covenants, obligations and liabilities of the Grantor in respect to any underground facilities, drainage culverts, walls, crossings and/or other structures of any nature and description located in whole or in part within the Premises.

6. By the acceptance of this deed and as part consideration therefor, the Grantee agrees to irrevocably waives, gives up and renounces any and all claims or causes of action against the Grantor in respect of claims, suits and/or enforcement actions (including any administrative or judicial proceedings and any remedial, removal or response actions) ever asserted, threatened, instituted or requested by any person and/or governmental agency on account of: (a) any release of oil or hazardous materials or substances of any description on, upon or into the Premises in contravention of any ordinance, law or statute (including, but not limited to, the Comprehensive Environmental Response, Compensation and Liability Act of 1980 (42 U.S.C. Section 9601, et seq., as amended); and (b) any and all damage to real or personal property, natural resources and/or harm or injury to persons alleged to have resulted from such release of oil or hazardous materials or substances.

7. By the acceptance of this deed and as part consideration therefor, the Grantee hereby agrees to build and forever maintain fences (together with any necessary gates), suitable to the Principal Engineering Officer of the Grantor, along the boundaries of the Premises which are common to remaining land or location of the Grantor (the "Fences"), if Fences are ever required in the sole and reasonable opinion of said Principal Engineering Officer; provided, however, that such requirement shall be subject to Grantee's receipt of all necessary, final and unappealable, municipal permits and approvals to erect such fence on or immediately adjacent (within 2 feet) to the common property boundary.

8. This conveyance is subject to the following restriction for the benefit of other land or location of the Grantor, to wit: that from the date of delivery of this deed, the Grantor shall not be liable to the Grantee or any lessee or user of the Premises (or any part thereof) for any damage to any buildings or property upon them caused by fire, whether communicated directly or indirectly by or from locomotive engines of any description upon the railroad operated by the Grantor, or otherwise.

9. By the acceptance of this deed and as part consideration therefor, the Grantee hereby agrees to make no use of the Premises which, in the sole and reasonable opinion of the Principal Engineering Officer of the Grantor, adversely affects, increases or decreases drainage to, from, upon or in any remaining land or location of the Grantor. The Grantee agrees to indemnify and save the Grantor harmless from and against any and all loss, cost, damage or expense including, but not limited to, the cost of defending all claims and/or suits for property damage, personal injury or death arising out of or in any way attributable to any breach of the foregoing covenant

10. The Grantor excepts from this conveyance any and all overhead, surface or underground signal and communication line facilities of the Grantor located within the limits of the Premises and this conveyance is subject to the Grantor's use of any such facilities in their present locations

# Book: 5970 Page: 1696

and entry upon the Premises from time to time to maintain, repair, replace, renew, relay or remove such facilities.

11. Whenever used in this deed, the term "Grantor" shall not only refer to the **BOSTON AND MAINE CORPORATION**, but also its successors, assigns and affiliates and the term "Grantee" shall not only refer to the above-named Grantee, but also the Grantee's successors, assigns and grantees, as the case maybe.

12. The several exceptions, reservations, conditions, covenants and agreements contained in this deed shall be deemed to run with the land and be binding upon the Grantee forever. In addition to the acceptance and recording of this deed, the Grantee hereby signifies assent to the said several exceptions, reservations, conditions, covenants and agreements, by joining in its execution.

IN WITNESS WHEREOF, the said BOSTON AND MAINE CORPORATION has caused this release deed to be executed in its name and its corporate seal to be hereto affixed by David A. Fink, its President, thereunto duly authorized this 17<sup>th</sup> day of December, 2018.

# GRANTOR: BOSTON AND MAINE CORPORATION

By: ink, President

### **COMMONWEALTH OF MASSACHUSETTS**

Middlesex, ss.

DEC. 17,2018

On this 17<sup>10</sup> day of December, 2018, before me, the undersigned notary public, personally appeared David A. Fink, President as aforesaid, proved to me through satisfactory evidence of identification, which was personal knowledge, to be the person whose name is signed on the preceding or attached document, and acknowledged to me that he signed it voluntarily for its stated purpose.



otary Public

My Commission Expires:

# GRANTEES: PORTSMOUTH LUMBER & HARDWARE, LLC

an Z Witness

By: Edward R. Hayes, Manager

# STATE OF NEW HAMPSHIRE

Rockingham,ss.

December Z1, 2018

The foregoing instrument was acknowledged before me on this  $2\iota^{}$  day of December, 2018, by Edward R. Hayes, as Manager of Portsmouth Lumber & Hardware, LLC, duly authorized.

Justice of the Peace/Notary Public My Commission Expires:



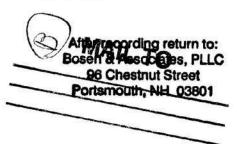
#### EXHIBIT "A"

# To be transferred from Boston and Maine Corporation to Portsmouth Lumber and Hardware, LLC Portsmouth, NH

Beginning at a point on the northeasterly side of Bartlett Street, so called, said point being located 39.83 feet left of Station 2970+18.15 on the Boston and Maine Corporation Centerline of Location; thence running along the northeasterly side of said Bartlett Street N 13°40'31" W a distance of 66.68 feet to a point; thence turning and running along land now or formerly of Portsmouth Lumber and Hardware, LLC the following ten (12) courses, on a curve turning to the left with an arc length of 111.58 feet, with a radius of 993.54 feet, said curve having a chord bearing of N 46°41'16" E, with a chord length of 111.52 feet; thence on a curve turning to the left with an arc length of 40.77 feet, with a radius of 993.54 feet, said curve having a chord bearing of N 42°17'42" E, with a chord length of 40.77 feet; thence on a curve turning to the left with an arc length of 47.40 feet, with a radius of 1101.05 feet, said curve having a chord bearing of N 39°52'54" E, with a chord length of 47.40 feet; thence on a curve turning to the right with an arc length of 12.23 feet, with a radius of 1370.56 feet, said curve having a chord bearing of N 38°54'14" E, with a chord length of 12.23 feet; thence on a curve turning to the right with an arc length of 56.34 feet, with a radius of 1370.56 feet, said curve having a chord bearing of N 40°20'14" E, with a chord length of 56.34 feet; thence N 41°30'53" E a distance of 170.76 feet; thence N 48°29'11" W a distance of 42.16 feet; S 53°33'53" W a distance of 121.62 feet; N 38°21'53" W a distance of 11.17 feet; thence on a curve turning to the right with an arc length of 42.05 feet, with a radius of 816.13 feet, said curve having a chord bearing of S 62°52'35" W, with a chord length of 42.04 feet; thence turning and running over and across land now or formerly of said Boston and Maine Corporation the following eighteen (18) courses, N 48°38'22" E a distance of 160.53 feet; thence N 44°10'56" E a distance of 45.82 feet; thence N 44°29'34" E a distance of 49.31 feet; thence on a curve turning to the left with an arc length of 42.87 feet, with a radius of 200.00 feet, said curve having a chord bearing of N 38°21'07" E, with a chord length of 42.79 feet: thence on a curve turning to the right with an arc length of 38.24 feet, with a radius of 150.00 feet, said curve having a chord bearing of N 39°30'52" E, with a chord length of 38.14 feet; thence N 46°49'03" E a distance of 552.23 feet; thence on a curve turning to the right with an arc length of 45.66 feet, with a radius of 35.00 feet, said curve having a chord bearing of N 84°11'20" E, with a chord length of 42.49 feet; thence on a curve turning to the left with an arc length of 80.92 feet, with a radius of 60.00 feet, said curve having a chord bearing of N 82°55'23" E, with a chord length of 74.93fect; thence S 45°30'58" E a distance of 51.44 feet; thence S 44°29'02" W a distance of 182.37 feet; thence S 44°19'01" W a distance of 486.35 feet; thence S 40°03'53" W a distance of 35.57 feet; thence S 44°17'25" W a distance of 112.65 feet (being 68.06 feet and 44.59 feet); thence S 43°15'05" W a distance of 63.86 feet; thence S 46°55'09" W a distance of 87.10 feet; thence S 43°22'17" W a distance of 147.08 feet (being 86.86 feet and 60.22 feet); thence S 39°31'55" W a distance of 38.45 feet; thence S 45°20'50" W a distance of 138.59 feet to the northeasterly side of said Bartlett Street and the point of beginning. The

# Book: 5970 Page: 1700

above described parcel of land containing 110,477 square feet, more or less, is shown on a plan prepared by Ambit Engineering, Inc., dated  $\underbrace{\text{Decensed bolk}}_{\text{recorded}}$ , recorded with the Rockingham County Registry of Deeds in Plan Book Plan  $\underbrace{\text{Decensed bolk}}_{\text{recorded}}$  Plan  $\underbrace{\text{Decensed bolk}}_{\text{recorded}}$  plan  $\underbrace{\text{Recorded}}_{\text{recorded}}$  property previously conveyed to the Grantee by deed from Ricci Supply Company, Inc. dated October 30, 2012 and recorded in the Rockingham County Registry of Deeds at Book 5372, Page 2606, being Parcels 2 and 3 of said deed. Return to:







WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS: That, Ricci Supply Company, Inc., a New Hampshire corporation of 105 Bartlett Street, Portsmouth, NH 03801, for consideration paid grant(s) to Portsmouth Lumber & Hardware, LLC, a New Hampshire limited liability Company, of with an address of c/o Bosen & Associates, PLLC 96 Chestnut Street, Portsmouth, NH 03801, with WARRANTY COVENANTS:

Parcel 1:

A certain piece or parcel of land situated in Portsmouth, County of Rockingham and State of New Hampshire located on the Easterly side of Bartlett Street, so called, in Portsmouth, and being 3 parcels of land as shown on a plan entitled "Subdivision of Land, Portsmouth, New Hampshire, for George and Pauline J. Frisbee" dated December, 1976, John W. Durgin, Civil Engineers, said plan being recorded in the Rockingham County Registry of Deeds as Plan #C-6587, and said parcels being bounded and described as follows:

Beginning in the Northwesterly corner of said parcel at land now or formerly of the Boston & Maine Railroad; thence running North 53° 52' 15" East, 55.91 feet to a point; thence running by a curve to the right having a radius of 448.97 feet a distance of 94.55 feet, more or less, to a point; thence running by a curve to the left having a radius of 816.11 feet a distance of 58.22 feet, more or less to a set iron pin; thence turning and running South 35° 58' 45" East a distance of 13.19 feet to a set iron pin; thence turning and running North 54° 01' 15" East a distance of 121.62 feet, more or less, to land of the Boston & Maine Railroad; thence turning and running South 48° 01' 45" East a distance of 42.16 feet to a set iron pin at land of the Boston & Maine Railroad; thence turning and running South 41° 58' 15" West, by and along land of the Boston & Maine Railroad a distance of 132 feet, more or less, to a set iron pin; thence continuing South 41° 58' 15" West a distance of 38.76 feet to a point; thence turning and running by a curve to the left having a radius of 1,370.60 feet a distance of 56.34 feet to a set iron pin at land now or formerly of Ricci Construction Company a distance of 27 feet to a set drill hole; thence turning and running South 45° 56' 05" West a distance of 102.50 feet to a point ; thence turning and running North 41° 10' 40" West a distance of 10 feet to a point; thence turning and running South 49° 15' 25" West by and along said land of Frisbee a distance of 65.69 feet to a point on the Southerly sideline of Bartlett Street; thence turning and running by a curve to the left having a radius of 288.61 feet by and along the Easterly sideline of Bartlett Street a distance of 116.21 feet to a set iron pin.

This deed is given subject to and together with the right to use in common with others the 15 foot right of way as shown on said plan.

Meaning and intending to describe and convey all of the premises described in Deed from George E. Frisbee dated November 15, 1984 and recorded in the Rockingham County Registry of Deeds in Book 2520, Page 1564.

The above description is a re-draft of the same description set forth in the deed recorded at Book 2520, Page 1564. That description inadvertently included Parcel #2 on the aforesaid plan which parcel had previously been conveyed to Arthur W. and Carol J. Frisbee, by deed dated January 21, 1977 and recorded in the Rockingham County Registry of Deeds at Book 2274, Page 1241.

#### Parcel 2:

A certain piece or parcel of land situated in Portsmouth, County of Rockingham and State of New Hampshire, bounded and described as follows:

Beginning at remaining land of the Boston and Maine Railroad at a point 124.02 feet North 43° 03' 05" West from Station 2975 + 36.23 on the center line of location of the main line "East Route", so called, of the Portland Division of said railroad; thence running by said remaining land of said Railroad on six (6) courses as follows: North 43° 03' 05" West 52.60 feet, North 46° 56' 55" East 308.00 feet, South 43° 03' 05" East 65.02 feet, South 43° 30' 15" West 40.29 feet, Southwesterly on a curve to the right having a radius of 383.07 feet, 99.58 feet and South 58° 23' 55" West 70.28 feet to the point of beginning, be all of said measurement more or less, said parcel containing about 20,949 square feet and being shown upon plan marked "Land in Portsmouth, NH Boston and Maine Railroad-to-Erminio A. Ricci J. F. Kerwin Eng'r. of Design May, 1957", recorded in the Rockingham County Registry of Deeds.

Together with a right of way to Bartlett Street as set forth in deeds recorded at Book 1435, Page 485 and Book 1436, Page 371.

And this conveyance is made subject to such other restrictions, conditions and covenants as described in Deed of Boston and Maine Railroad to Erminio A. Ricci dated June 21, 1957 and recorded in the Rockingham County Registry of Deeds at Book 1435, Page 485.

Meaning and intending to describe and convey the same premises from Erminio A. Ricci dated June 28, 1957 and recorded in the Rockingham County Registry of Deeds at Book1436, Page 371.

Parcel 3:

A certain piece or parcel of land located off Bartlett Street, Portsmouth, County of Rockingham and State of New Hampshire, and being further bounded and described as follows:

Beginning at land of the Boston and Maine Railroad at a point 43° 03' 05" West, ninety three and six hundredths (93.06) feet from Station 2978 plus 44.79 on the center line of location of Portland Main Line (East) Boston Division of said Railroad; thence running North 43° 03' 05" West by land of Erminio A. Ricci, sixty five and two hundredths (65.02) feet to a point eight Page 2 of 3 (8.00) feet Southeasterly from the Easterly track of a side trick of said Railroad; thence turning and running North 46° 56' 55" East one hundred and thirty two (132.00) feet to a point; thence turning and running South 43° 03' 05" East forty-nine (49.00) feet to a point; thence turning and running South 40° 01' 49" West one hundred thirty- two and ninety-six hundredths (132.96) feet to the point of beginning, the last three (3) courses all being by remaining land of said Railroad, be all of said measurements more or less, and containing about seven thousand five hundred and twenty five (7525) square feet of land as shown on a plan entitled A Land of Portsmouth, NH Boston and Maine Railroad – to – Erminio A. Ricci, J.F. Kewin Asst. Chief Engineer, Apr. 1960", which has been recorded in the Rockingham County Registry of Deeds at Plan #02612.

Subject to the conditions and exceptions as set forth in the deed from Boston and Maine Railroad to Erminio A. Ricci dated June 30, 1961 and recorded in the Rockingham County Registry of Deeds at Book1595, Page 87.

Meaning and intending to describe and convey the same premises conveyed to the Grantor herein by Deed from Joanne Grasso, Robert A. Ricci, Sr., Alice E. Hayes and Margaret Gagne dated February 12, 1999 and recorded in the Rockingham County Registry of Deeds in Book 3368, Page 2165.

Reference is made to a Deed from Henry M. Tidgwell and Lynn B. Tidgwell dated May 15, 2012 and recorded in the Cumberland County Registry of Deeds in Book 25942, Page 298.

Executed this 30 day of October, 2012.

Ricci Supply Company, Inc.

. Dayes Preside

By: Edward R. Hayes, President

STATE of NEW HAMPSHIRE COUNTY of ROCKINGHAM

The foregoing instrument was acknowledged before me this day of October, 2012 by Edward R. Hayes, President of Ricci Supply Company, Inc. a New Hampshire corporation on behalf of the corporation.

CHRISTOPHER P. MULLIGAN Justice of the Peace - New Hampshire My Commission Expires January 30, 2013 Notary Public/Justice of the Peace Commission expiration:



Hefle Phoenix Gormley+Noberts PO Bux 4480 Portmonth NH 03802-04480 # 19023885 06/28/2019 01:40:28 PM Book 6012 Page 2502 Page 1 of 7 Register of Deeds, Rockingham County

Cathy ann Stacy

 LCHIP
 ROA452140
 25.00

 TRANSFER TAX
 RO089141
 5,969.00

 RECORDING
 34.00

 SURCHARGE
 2.00

#### RELEASE DEED

The **BOSTON AND MAINE CORPORATION**, a corporation duly organized and existing under the laws of the State of Delaware, with offices at Iron Horse Park, North Billerica, Middlesex County, Massachusetts (the "Grantor") in consideration of Three Hundred Ninety-Seven Thousand Eight Hundred Fifty-Three and 50/100 Dollars (\$397,853.50) paid to it by **IRON HORSE PROPERTIES**, LLC with a mailing address of 105 Bartlett Street, Portsmouth, New Hampshire 03801, (the "Grantee") hereby grants to the Grantee all the Grantor's right, title and interest, without any warranties or covenants of title whatsoever, in a certain parcel of land, and the buildings, bridges, structures, crossings, fixtures and improvements thereon, if any, situated in Portsmouth, County Rockingham, State of New Hampshire (the "Premises") described as follows:

> SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF BY THIS REFERENCE.

This conveyance is subject to the following reservations, conditions, covenants and agreements:

1. This conveyance is made without granting any right of way, either by necessity or otherwise, over any remaining land or location of the Grantor.

2. The Grantor hereby reserves a permanent, exclusive right of way and easement in, on, over, under, across and through the Premises for the purpose of accessing, constructing, installing, operating, maintaining, modifying, repairing, replacing, relocating and removing a telecommunications system or other system for transmission of intelligence or information by any means, whether now existing or hereafter devised, including such poles, pipes, wires, fibers, fiber optic cables, repeater stations, attachments, appurtenances, structures or other equipment and property of any description necessary or useful for the same (the "Telecommunications Easement"). The Grantor further reserves the right to freely lease, license, mortgage, assign, pledge and otherwise alienate the Telecommunications Easement. The Grantee hereby covenants with the Grantor to recognize the Telecommunications Easement and, without the payment of any further consideration, to execute, acknowledge and deliver such instruments suitable for recording with the registry of deeds as the Grantor may reasonably require to acknowledge title to the Telecommunications Easement in the Grantor. The Grantor covenants to reasonably repair and restore the surface of the easement area after any work.

3. The Grantor excepts from this conveyance any and all railroad tracks, railroad track materials (including, but not limited to, ties, connections, switches and ballast) and/or related equipment of any description located in whole or in part within the Premises (the "Trackage") and this conveyance is subject to the right of the Grantor to enter the Premises from time to time and at any and all times within the ninety (90) day period commencing with and subsequent to the date of delivery of this deed, with such men, equipment and materials as, in the reasonable opinion of the Principal Engineering Officer of the Grantor, are necessary for the removal of the Trackage. Days during the months of December, January, February and March shall not be included in the aforesaid ninety (90) day period. If the Trackage is not removed from the Premises by the expiration of said ninety (90) day period, the Trackage shall be deemed abandoned by the Grantor and shall then become the property of the Grantee.

4. The Grantor excepts from this conveyance any and all advertising signs and/or billboards located upon the Premises which are not owned by the Grantor. Furthermore, this conveyance is subject to the right of the owners of said signs and/or billboards to go upon the Premises and remove them within ninety (90) days from the date of delivery of this deed.

5. By the acceptance of this deed and as part consideration therefor, the Grantee hereby assumes any and all agreements, covenants, obligations and liabilities of the Grantor in respect to any underground facilities, drainage culverts, walls, crossings and/or other structures of any nature and description located in whole or in part within the Premises.

6. By the acceptance of this deed and as part consideration therefor, the Grantee agrees to irrevocably waives, gives up and renounces any and all claims or causes of action against the Grantor in respect of claims, suits and/or enforcement actions (including any administrative or judicial proceedings and any remedial, removal or response actions) ever asserted, threatened, instituted or requested by any person and/or governmental agency on account of: (a) any release of oil or hazardous materials or substances of any description on, upon or into the Premises in contravention of any ordinance, law or statute (including, but not limited to, the Comprehensive Environmental Response, Compensation and Liability Act of 1980 (42 U.S.C. Section 9601, et seq., as amended); and (b) any and all damage to real or personal property, natural resources and/or harm or injury to persons alleged to have resulted from such release of oil or hazardous materials or substances.

7. By the acceptance of this deed and as part consideration therefor, the Grantee hereby agrees to build and forever maintain fences (together with any necessary gates), suitable to the Principal Engineering Officer of the Grantor, along the boundaries of the Premises which are common to remaining land or location of the Grantor (the "Fences"), if Fences are ever required in the sole and reasonable opinion of said Principal Engineering Officer; provided, however, that such requirement shall be subject to Grantee's receipt of all necessary, final and unappealable, municipal permits and approvals to erect such fence on or immediately adjacent (within 2 feet) to the common property boundary.

8. This conveyance is subject to the following restriction for the benefit of other land or location of the Grantor, to wit: that from the date of delivery of this deed, the Grantor shall not be liable to the Grantee or any lessee or user of the Premises (or any part thereof) for any damage to any buildings or property upon them caused by fire, whether communicated directly or indirectly by or from locomotive engines of any description upon the railroad operated by the Grantor, or otherwise.

9. By the acceptance of this deed and as part consideration therefor, the Grantee hereby agrees to make no use of the Premises which, in the sole and reasonable opinion of the Principal Engineering Officer of the Grantor, adversely affects, increases or decreases drainage to, from, upon or in any remaining land or location of the Grantor. The Grantee agrees to indemnify and save the Grantor harmless from and against any and all loss, cost, damage or expense including, but not limited to, the cost of defending all claims and/or suits for property damage, personal injury or death arising out of or in any way attributable to any breach of the foregoing covenant.

10. The Grantor excepts from this conveyance any and all overhead, surface or underground signal and communication line facilities of the Grantor located within the limits of the Premises and this conveyance is subject to the Grantor's use of any such facilities in their present locations and entry upon the Premises from time to time to maintain, repair, replace, renew, relay or remove such facilities. 11. Whenever used in this deed, the term "Grantor" shall not only refer to the **BOSTON AND MAINE CORPORATION**, but also its successors, assigns and affiliates and the term "Grantee" shall not only refer to the above-named Grantee, but also the Grantee's successors, assigns and grantees, as the case maybe.

12. The several exceptions, reservations, conditions, covenants and agreements contained in this deed shall be deemed to run with the land and be binding upon the Grantee forever. In addition to the acceptance and recording of this deed, the Grantee hereby signifies assent to the said several exceptions, reservations, conditions, covenants and agreements, by joining in its execution.

WITNESS WHEREOF, IN the said BOSTON AND MAINE CORPORATION has caused this release deed to be executed in its name and its corporate seal to be hereto affixed by David A. Fink, its President, thereunto duly authorized this 25TH day of June, 2019.

# **GRANTOR: BOSTON AND MAINE CORPORATION**

By:// sident



# **COMMONWEALTH OF MASSACHUSETTS**

Middlesex, ss.

6/25 , 2019

On this 25 day of JUNE , 2019, before me, the undersigned notary public, personally appeared David A. Fink, President as aforesaid, proved to me through satisfactory evidence of identification, which was personal knowledge, to be the person whose name is signed on the preceding or attached document, and acknowledged to me that he signed it voluntarily for its stated purpose.



10-23

Commission Expires: 8GRANTEE: IRON HORSE PROPERTIES, LLC

Witness

E.R. Hay By:

#### STATE OF NEW HAMPSHIRE

Rockingham ,ss.

June 28 ,2019

On this 28<sup>th</sup> day of <u>base</u>, 2019, before me, the undersigned notary public, personally appeared <u>Educars Rupperson</u>, <u>Manager</u> as aforesaid, proved to me through satisfactory evidence of identification, which was a New Hampshire driver's license, to be the person whose name is signed on the preceding or attached document, and acknowledged to me that he signed it voluntarily for its stated purpose.

Notary Public My Commission Expires: MCHAEL MY COMMISSION EXPIRES FEB. 1, 2022

HAMP

#### EXHIBIT "A"

Boston and Maine Corporation to Iron Horse Properties, LLC

> Conveyance of Land in Portsmouth, NH

Beginning at a point located 84.90 feet left of Station 2997+56.71 on the Boston and Maine Corporation Centerline of Location; thence turning and running over and across land now or formerly of said Boston and Maine Corporation the following three (2) courses, S 43°02'53" W a distance of 252.48 feet to a point; thence S 36°51'07" W a distance of 449.80 feet to a point at land of Iron Horse Properties, LLC, said point being 36.35 feet left of Station 2990+57.06 on the Boston and Maine Corporation Centerline of Location; thence turning and running along land of Iron Horse Properties, LLC N 48°48'48" W a distance of 105.59 feet to an iron rod, and continuing along the same course 34 feet +/- to the mean high water line of the North Mill Pond; thence turning and running 787 feet more or less along the mean high water line of said North Mill Pond to a point at land of the David F. Mahoney Marital OTIP Trust of 1999 at the mean high water line; thence turning and running along land of the Mahoney Trust S 50°34'45" E a distance of 40 feet more or less to an iron rod set; thence continuing along land of the Mahoney Trust S 50°34'45" E a distance of 107.37 feet to a point at land of the Boston and Maine Corporation; thence running across land of the Boston and Maine Corporation S 46°57'07" E a distance of 20.00 feet to the point of beginning. The above described parcel of land having an area of 72,337 square feet, more or less, as shown on plan entitled "Lot Line Relocation Plan Tax Map 164 - Lots 4 & 4-2" dated April 2019, prepared by Ambit Engineering, Inc. and recorded with Rockingham County Registry of Deeds as plan number D-41570.

# **Owner's Letter of Authorization**

This letter is to authorize Iron Horse Properties, LLC (Applicant/Owner) to represent the interest of Clipper Traders, LLC (owner) in all site design and permitting matters for the proposed development project located at 105 Bartlett Street in Portsmouth, New Hampshire on parcels of land identified as Tax Map 157 Lot 1. This authorization shall include any required signatures for local, state and federal permit applications.

E.R. Hayes Signature

Edward Hayer member 15 Aprilo Print Name C.T. Date

Print Name

4/15/20 Date

(Clipper Owner Authorization Form.docx)

# **Owner's Letter of Authorization**

This letter is to authorize <u>Iron Horse Properties</u>, <u>LLC</u> (Applicant/Owner) to represent the interest of <u>Portsmouth Lumber & Hardware</u>, <u>LLC</u> (owner) in all site design and permitting matters for the proposed development project located at 105 Bartlett Street in Portsmouth, New Hampshire on parcels of land identified as Tax Map 164 Lot 1 and Tax Map 157 Lot 2. This authorization shall include any required signatures for local, state and federal permit applications.

Witness

Edward Hayer Mg. Print Name PLH.

15 APR 2. Date

Print Name

4/15/20 Date

(Ports Lumber Owner Authorization Form.docx)

# Agent Letter of Authorization

I, Edward Hayes, Merror, of Iron Horse Properties, LLC (Applicant/Owner) hereby give <u>Tighe & Bond</u> (site/civil Engineer) permission to be my agent in all site design and permitting matters for the proposed development project located at 105 Bartlett Street in Portsmouth, New Hampshire on parcels of land identified as Tax Map 164 Lot 1 & Lot 4-2 and Tax Map 157 Lot 1 & Lot 2. This authorization shall include any required signatures for local, state and federal permit applications.

Signature

Witness

Edward Hayes, Print Name member

15 APR 20 Date

Print Name

15 APH20 Date

**To:** Colter Krzcuik, Tighe and Bond 177 Corporate Drive

Portsmouth, NH 03801

- **From:** NH Natural Heritage Bureau
- **Date:** 4/11/2022 (valid until 4/11/2023)
- **Re:** Review by NH Natural Heritage Bureau of request submitted 3/29/2022
- **Permits:** NHDES Alteration of Terrain Permit, NHDES Wetland Standard Dredge & Fill Major

NHB ID:	NHB22-1202	Applicant:	Iron Horse Properties, LLC, Rob Simmons
Location:	Portsmouth 105 Bartlett Street		
Project			
<b>Description:</b>	The re-development of an existing property into a multi-use and		
	multi-family residential complex.		

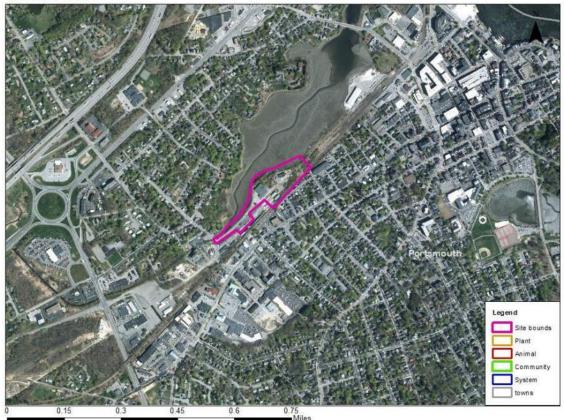
The NH Natural Heritage database has been checked by staff of the NH Natural Heritage Bureau and/or the NH Nongame and Endangered Species Program for records of rare species and exemplary natural communities near the area mapped below. The species considered include those listed as Threatened or Endangered by either the state of New Hampshire or the federal government.

It was determined that, although there was a NHB record (e.g., rare wildlife, plant, and/or natural community) present in the vicinity, we do not expect that it will be impacted by the proposed project. This determination was made based on the project information submitted via the NHB Datacheck Tool on 2022-03-29 10:56:56 AM, and cannot be used for any other project.

Based on the information submitted, no further consultation with the NH Fish and Game Department pursuant to Fis 1004 is required.

# MAP OF PROJECT BOUNDARIES FOR: NHB22-1202

# NHB22-1202



# Neil A. Hansen

From:	Jeremy Degler
Sent:	Tuesday, June 1, 2021 12:42 PM
То:	Neil A. Hansen; Patrick M. Crimmins
Cc:	Leonard Lord
Subject:	FW: NHFG TEWHA Review: NHB21-0540_Multi-Family Dev Portsmouth_AoT 210405-047

Good afternoon -

Please see below for the Fish & Game comments for the project at 105 Bartlett Street. They've requested that their conditions be incorporated into the sheet plans and provided for final review.

Let me know if you have any questions,

Jeremy Degler, PWS, CWS | Project Environmental Scientist

 Tighe & Bond | 177 Corporate Drive | Portsmouth, NH 03801

 Direct: 603.294.9211 | Cell: 603.732.7906

 www.tighebond.com | Follow us on: Twitter Facebook LinkedIn

# Tighe&Bond

From: Doperalski, Melissa <Melissa.J.Doperalski@wildlife.nh.gov>
Sent: Monday, May 31, 2021 9:44 PM
To: Jeremy Degler <JDegler@TigheBond.com>
Cc: McCarthy, Bethann <Bethann.M.McCarthy@des.nh.gov>; Price, David <DAVID.A.PRICE@des.nh.gov>; Giallongo
Stefanie <Stefanie.M.Giallongo@des.nh.gov>
Subject: NHFG TEWHA Review: NHB21-0540\_Multi-Family Dev Portsmouth\_AoT 210405-047

# [ Caution - External Sender ]

# Jeremy,

The New Hampshire Fish and Game has completed our review of the threatened and endangered wildlife and habitat assessment (TEWHA) report dated March 2021 and prepared by Tighe & Bond, for the removal of all existing structures and the subsequent development of two (2) multi-family apartment buildings with basement level parking and one (1) mixed-use building with first floor office and amenity space and upper story apartments on +/- 12 acres located at 105 Bartlett Street on five properties identified on tax maps as Map 157, Lots 1 and 2 (1.42 and 2.34 acres, respectively), Map 164, Lots 1 and 4-2 (1.19 and 5.73 acres, respectively), and a private roadway lot (1.60 acres) in Portsmouth, New Hampshire (Site).

# <u>NHFG provided comments on the wetlands application for this proposed project that included the applicant's proposed conservation measures below:</u>

Due to the presence of shrub thicket habitat and food sources, sweeps for protected species should be conducted prior to work commencement if conducted during the nesting periods for the species identified as potentially utilizing the site for feeding or breeding. If any erosion control blankets are used, they should be made of biodegradable, wildlife friendly netting to help avoid wildlife from becoming entangled in the materials. There should be no sumps in detention basin outlets and catch basins adjacent to wetlands and tidal areas to avoid entrapment and mortality to wildlife. The use of welded plastic or 'biodegradable plastic' netting or thread (e.g. polypropylene) in erosion control matting should be avoided, if needed. The use of erosion control berm, white

Filtrexx Degradable Woven Silt Sock, or several 'wildlife friendly' options such as woven organic material (e.g. coco or jute matting such as North American Green SC150BN or equivalent) are readily available.

NHFG commented in addition to the above on the following (email comm. 04/01/2021):

Kim Tuttle, NHFG Biologist:

- Where sumps have been removed from detention basin outlets and catch basins adjacent to wetlands and tidal areas, they should be immediately daylighted to enable entrapped wildlife to escape.
- Because of the high density development, a natural slow release fertilizer such as Pro Gro 5-3-4 or similar should be specified in the plans to protect water quality where fertilizer is needed. Please confirm that this has been included in the plans. Natural fertilizers should be specified for the long- term lawn care program for the development and the use of chemical pesticides, fungicides, and herbicides should be prohibited to reduce indirect impacts to tidal waters.

Based on the NHB datacheck results letter and the information provided in the assessment and associated plans, NHFG agrees with the TEWHA that if all conservation measures are incorporated as described, the project design will not jeopardize the continued existence of state or federally threatened and endangered. We request the following recommended permit conditions be incorporated into the sheet plans as requested and provided to NHDES cc NHFG for final review. Please update highlighted text below.

# New Hampshire Fish and Game AoT Permit Conditions Related to Threatened and Endangered Species:

- The shrub thicket habitat shall be surveyed for protected species prior to work commencement by an experienced wildlife biologist if conducted during the nesting periods for the species identified as potentially utilizing the site for feeding or breeding.
- No sumps shall be included in catch basins for the protection of wildlife.
- Due to the proximity of the site to North Mill Pond, the use of fertilizers shall be avoided to extent possible. If fertilizer is necessary, a natural slow release nitrogen fertilizer shall be used.
- All manufactured erosion and sediment control products, utilized for, but not limited to, slope protection, runoff diversion, slope interruption, perimeter control, and inlet protection, check dams, sediment traps, and silt fence installed in accordance with Env-Wq 1506.04, shall not contain welded plastic, plastic, or multi-filament or monofilament polypropylene netting or mesh.
- All observations of threatened or endangered species <u>shall be reported immediately</u> to the New Hampshire Fish and Game Department Nongame and Endangered Wildlife Environmental Review Program by phone at 603-271-2461 and by email at <u>NHFGreview@wildlife.nh.gov</u>. Email subject line: <u>NHBXX-XXXX, PROJECT NAME, Wildlife</u> <u>Species Observation</u>. Photographs shall be provided for verification as feasible; and
- The New Hampshire Fish and Game Department shall have access to the property during the term of the permit.

NHFG has completed its project review consistent with the requirements of RSA 212-A and Env-Wq 1503.19(h). No further coordination with NHFG is requested if the above recommended permit conditions are incorporated into the project plan set/project design, and there are no additional plan/design modifications.

Please let me know if you have any questions.

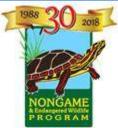
Thank you, Melissa

# Melissa Doperalski

Certified Wildlife Biologist® Nongame and Endangered Wildlife Program New Hampshire Fish and Game Department 11 Hazen Drive Concord, New Hampshire 03301

# Melissa.doperalski@wildlife.nh.gov Phone: 603-271-1738

http://www.wildlife.state.nh.us/nongame/index.html



Check out reptiles and amphibians of NH! http://www.wildlife.state.nh.us/nongame/reptiles-amphibians.html

Report your sightings of reptiles and amphibians in 3 ways:

1) Email details of observation or completed form to RAARP@wildlife.nh.gov

- 2) Enter your observation online at <u>http://nhwildlifesightings.unh.edu</u>.
- 3) Mail your reporting slip http://www.wildlife.state.nh.us/nongame/documents/raarp-report-form.pdf

# **Tighe&Bond**

**APPENDIX D** 



WETLANDS FUNCTIONAL ASSESSMENT WORKSHEET Water Division/Land Resource Management Wetlands Bureau <u>Check the Status of your Application</u>



RSA/Rule: RSA 482-A / Env-Wt 311.03(b)(10); Env-Wt 311.10

# APPLICANT LAST NAME, FIRST NAME, M.I.: Iron Horse Properties, LLC

As required by Env-Wt 311.03(b)(10), an application for a standard permit for minor and major projects must include a functional assessment of all wetlands on the project site as specified in Env-Wt 311.10. This worksheet will help you compile data for the functional assessment needed to meet federal (US Army Corps of Engineers (USACE); if applicable) and NHDES requirements. Additional requirements are needed for projects in tidal area; please refer to the <u>Coastal Area</u> <u>Worksheet (NHDES-W-06-079)</u> for more information.

Both a desktop review and a field examination are needed to accurately determine surrounding land use, hydrology, hydroperiod, hydric soils, vegetation, structural complexity of wetland classes, hydrologic connections between wetlands or stream systems or wetland complex, position in the landscape, and physical characteristics of wetlands and associated surface waters. The results of the evaluation are to be used to select the location of the proposed project having the least impact to wetland functions and values (Env-Wt 311.10). This worksheet can be used in conjunction with the <u>Avoidance and Minimization Written Narrative (NHDES-W-06-089)</u> and the <u>Avoidance and Minimization</u> <u>Checklist (NHDES-W-06-050)</u> to address Env-Wt 313.03 (Avoidance and Minimization). If more than one wetland/ stream resource is identified, multiple worksheets can be attached to the application. All wetland, vernal pools, and stream identification (ID) numbers are to be displayed and located on the wetlands delineation of the subject property.

# SECTION 1 - LOCATION (USACE HIGHWAY METHODOLOGY)

ADJACENT LAND USE: Roads, commercial buildings with lawns and parking lots, abandoned buildings, railroad

CONTIGUOUS UNDEVELOPED BUFFER ZONE PRESENT? Ves X No

DISTANCE TO NEAREST ROADWAY OR OTHER DEVELOPMENT (in feet): 0 ft

# SECTION 2 - DELINEATION (USACE HIGHWAY METHODOLOGY; Env-Wt 311.10)

CERTIFIED WETLAND SCIENTIST (if in a non-tidal area) or QUALIFIED COASTAL PROFESSIONAL (if in a tidal area) who prepared this assessment: Leonard Lord, PhD, CWS

DATE(S) OF SITE VISIT(S): 10/29/19, 12/2/2019	DELINEATION PER ENV-WT 406 COMPLETED? 🔀 Yes 🔲 No			
CONFIRM THAT THE EVALUATION IS BASED ON:				
Office and				
Field examination.				
METHOD USED FOR FUNCTIONAL ASSESSMENT (check one and fill in blank if "other"):				
USACE Highway Methodology.				
Other scientifically supported method (enter name/ title): Maine Citizens Guide to Evaluating, Restoring, and Managing Tidal Marshes (Bryan et al. 1997)				

SECTION 3 - WETLAND RESOURCE SUMMARY (USACE HIGHWAY METHODOLOGY; Env-Wt 311.10)				
WETLAND ID:	LOCATION: (LAT/ LONG) 43°04'23.7"N / 70°46'13.6"W			
WETLAND AREA: N/A	DOMINANT WETLAND SYSTEMS PRESENT: Mudflats, Rocky Shore, High Salt Marsh along the site			
HOW MANY TRIBUTARIES CONTRIBUTE TO THE WETLAND?	COWARDIN CLASS: E2US3N, E2RS2N, EEM1N			
IS THE WETLAND A SEPARATE HYDRAULIC SYSTEM?	IS THE WETLAND PART OF: A wildlife corridor or A habitat island?			
if not, where does the wetland lie in the drainage basin? Bottom	IS THE WETLAND HUMAN-MADE?			
IS THE WETLAND IN A 100-YEAR FLOODPLAIN?	ARE VERNAL POOLS PRESENT?			
ARE ANY WETLANDS PART OF A STREAM OR OPEN-WATER SYSTEM? Yes No	ARE ANY PUBLIC OR PRIVATE WELLS DOWNSTREAM/ DOWNGRADIENT? Yes No			
PROPOSED WETLAND IMPACT TYPE: Redevelopment of upland buffer	PROPOSED WETLAND IMPACT AREA: 245 sf			
SECTION 4 - WETLANDS FUNCTIONS AND VALUES (USACE H	IIGHWAY METHODOLOGY; Env-Wt 311.10)			
The following table can be used to compile data on wetlands functions and values. The reference numbers indicated in the "Functions/ Values" column refer to the following functions and values:				
1. Ecological Integrity (from RSA 482-A:2, XI)				
2. Educational Potential (from USACE Highway Methodology: Educational/Scientific Value)				
3. Fish & Aquatic Life Habitat (from USACE Highway Methodology: Fish & Shellfish Habitat)				
4. Flood Storage (from USACE Highway Methodology: Floodflow Alteration)				
5. Groundwater Recharge (from USACE Highway Methodology: Groundwater Recharge/Discharge)				
6. Noteworthiness (from USACE Highway Methodology: Threatened or Endangered Species Habitat)				
<ol> <li>Nutrient Trapping/Retention &amp; Transformation (from USACE Highway Methodology: Nutrient Removal)</li> <li>Production Export (Nutrient) (from USACE Highway Methodology)</li> </ol>				
<ul> <li>Scenic Quality (from USACE Highway Methodology: Visual Quality/Aesthetics)</li> <li>Sediment Trapping (from USACE Highway Methodology: Sediment /Toxicant Retention)</li> </ul>				
<ol> <li>Shoreline Anchoring (from USACE Highway Methodology: Sediment/Shoreline Stabilization)</li> <li>Uniqueness/Heritage (from USACE Highway Methodology)</li> </ol>				
13. Wetland-based Recreation (from USACE Highway Methodology: Recreation)				
<ol> <li>Wetland-based Recreation (from USACE Highway Methodology: Recreation)</li> <li>Wetland-dependent Wildlife Habitat (from USACE Highway Methodology: Wildlife Habitat)</li> </ol>				
First, determine if a wetland is suitable for a particular function and value ("Suitability" column) and indicate the rationale behind your determination ("Rationale" column). Please use the rationale reference numbers listed in Appendix A of USACE <i>The Highway Methodology Workbook Supplement</i> . Second, indicate which functions and values are principal ("Principal Function/value?" column). As described in <i>The Highway Methodology Workbook Supplement</i> , "functions and values can be principal if they are an important physical component of a wetland ecosystem (function				

#### NHDES-W-06-049

"Important Notes" are to include characteristics the evaluator used to determine the principal function and value of the wetland.

FUNCTIONS/ VALUES	SUITABILITY (Y/N)	RATIONALE (Reference #)	PRINCIPAL FUNCTION/VALUE? (Y/N)	IMPORTANT NOTES
1	🛛 Yes 🔀 No	Ecological Integrity: Rationale not included in Highway Methodology	☐ Yes ⊠ No	Highly developed buffer, filling, impaired water quality
2	☐ Yes ⊠ No	Education Potential: N/A	☐ Yes ⊠ No	No access
3	🛛 Yes 🔲 No	Fish & Aquatic Life: 1, 4	☐ Yes ⊠ No	Mudflat supports fish, shellfish, waterfowl but impaired water quality and no shellfish harvesting
4	🔲 Yes 🔀 No	Flood Storage: N/A	☐ Yes ⊠ No	
5	☐ Yes ⊠ No	Groundwater Recharge (only): N/A	☐ Yes ⊠ No	
6	☐ Yes ⊠ No	Noteworthiness (RTE):	☐ Yes ⊠ No	No rare species at site
7	☐ Yes ⊠ No	Nutrient Trapping/Retention: N/A	☐ Yes ⊠ No	
8	🛛 Yes 🔲 No	Production Export: 1,4,5,6,10	☐ Yes ⊠ No	Export of nutirents as food and in sediments but low ecological integrity
9	🛛 Yes 🔲 No	Scenic Quality:2,6,8,	☐ Yes ⊠ No	Scenic vistas surrounded by highly developed areas.
10	☐ Yes ⊠ No	Sediment Trapping: N/A	☐ Yes ⊠ No	
11	☐ Yes ⊠ No	Shoreline Anchoring: 2,3,10,12	☐ Yes ⊠ No	Shoreline is fill with bricks and rocks that provide anchoring
12	🛛 Yes 🔲 No	Uniqueness/Heritage: 1,314,17,19,22, 27	☐ Yes ⊠ No	Contributes to the character of the area. Scienic views in urban setting. Low ecological integrity.
13	🛛 Yes 🔲 No	Wetland Based Recreation: 2,5,7,8,9,10,	☐ Yes ⊠ No	Provides boating and fishing opportunities. Somewhat offset by low ecological integrity.

14

# SECTION 5 - VERNAL POOL SUMMARY (Env-Wt 311.10)

🔀 Yes

No

Delineations of vernal pools shall be based on the characteristics listed in the definition of "vernal pool" in Env-Wt 104.44. To assist in the delineation, individuals may use either of the following references:

- *Identifying and Documenting Vernal Pools in New Hampshire 3<sup>rd</sup> Ed.*, 2016, published by the New Hampshire Fish and Game Department; or
- The USACE *Vernal Pool Assessment* draft guidance dated 9-10-2013 and form dated 9-6-2016, Appendix L of the USACE New England District *Compensatory Mitigation Guidance*.

All vernal pool ID numbers are to be displayed and located on the wetland delineation of the subject property.

"Important Notes" are to include documented reproductive and wildlife values, landscape context, and relationship to other vernal pools/wetlands.

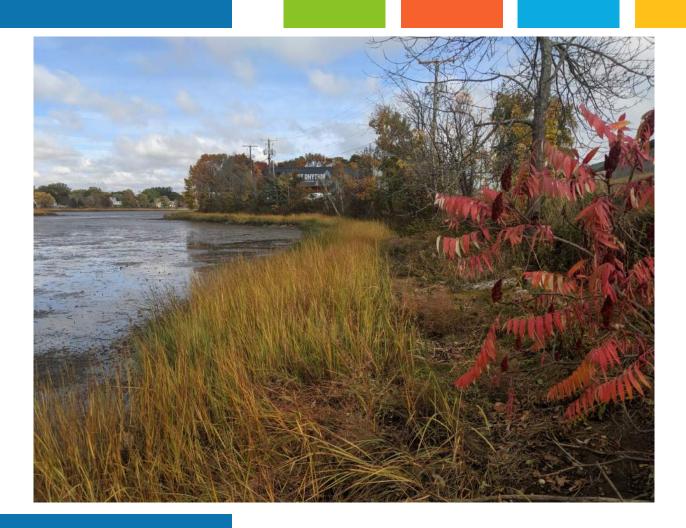
Note: For projects seeking federal approval from the USACE, please attach a completed copy of The USACE "Vernal Pool Assessment" form dated 9-6-2016, Appendix L of the USACE New England District *Compensatory Mitigation Guidance*.

VERNAL POOL ID NUMBER	DATE(S) OBSERVED	PRIMARY INDICATORS PRESENT (LIST)	SECONDAR INDICATOR PRESENT (LIS	S	LENGTH OF HYDROPERIOD	IMPORTANT NOTES
1						
2						
3						
4						
5						
SECTION 6 - STREAM RESOURCES SUMMARY						
DESCRIPTION OF STREAM: STREAM TYPE (ROSGEN):				):		
HAVE FISHERIES BEEN DOCUMENTED?			DOES THE STREAM SYSTEM APPEAR STABLE?			
OTHER KEY ON-SITE FUNCTIONS OF NOTE:						

number are defined in Section 4.					
FUNCTIONS/ VALUES	SUITABILITY (Y/N)	RATIONALE	PRINCIPAL FUNCTION/VALUE? (Y/N)	IMPORTANT NOTES	
1	Yes No		Yes No		
2	Yes No		Yes No		
3	Yes No		Yes No		
4	Yes No		Yes No		
5	Yes No		Yes No		
6	Yes No		Yes No		
7	Yes No		Yes No		
8	Yes No		Yes No		
9	Yes No		Yes No		
10	Yes No		Yes No		
11	Yes No		Yes No		
12	Yes No		Yes No		
13	Yes No		Yes No		
14 Yes Yes No					
SECTION 7 - ATTACHMENTS (USACE HIGHWAY METHODOLOGY; Env-Wt 311.10)					
Wildlife and vegetation diversity/abundance list.					
Photograph of wetland.					
	🔀 Wetland delineation plans showing wetlands, vernal pools, and streams in relation to the impact area and				
surrounding landscape. Wetland IDs, vernal pool IDs, and stream IDs must be indicated on the plans.					

The following table can be used to compile data on stream resources. "Important Notes" are to include characteristics the evaluator used to determine principal function and value of each stream. The functions and values reference

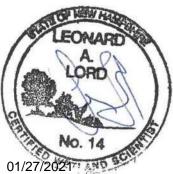
For projects in tidal areas only: additional information required by Env-Wt 603.03/603.04. Please refer to the <u>Coastal Area Worksheet (NHDES-W-06-079)</u> for more information.



Cathartes 105 Bartlett Street Project Portsmouth, NH

# WETLAND DELINEATION AND ASSESSMENT OF FUNCTIONS AND VALUES

April 2020 Last Revised: January 2021







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# **1.0 Introduction**

The purpose of this report is to characterize wetlands and buffers in the vicinity of a proposed multi-family development at 105 Bartlett Street in Portsmouth, NH. The site is long and narrow and is located between an active railroad and North Mill Pond. It includes commercial buildings with paved and gravel parking areas, abandoned railroad structures, disturbed forest, and a dense shrub thicket. The area is highly disturbed, being originally filled by the railroad in the late 1800s.

# 2.0 Methods

On October 29 and December 2, 2019, Tighe & Bond reviewed and assessed 2,000+/linear feet of tidal wetlands and buffers along the North Mill Pond. The review was limited to the vicinity of a proposed multi-family development, extending from Bartlett Street to an area opposite Cornwall Street, which runs roughly perpendicular to the parcel.

The wetland delineation review was based on criteria specified in the *Corps of Engineers Wetlands Delineation Manual, Technical Report Y-87-1* (January 1987), and the *Regional Supplement to the Corps of Engineers Wetland Delineation Manual: Northcentral and Northeast Region* (January 2012). The Highest Observable Tide Line was reviewed based on the definition found in NH Department of Environmental Services Wetland Rules, Env-Wt 101.49/Env-Wt 602.23. Wetlands were classified based on *Classification of Wetlands and Deepwater Habitats of the United States* (Cowardin et al., 1979).

The Highest Observable Tide Line (HOTL) had been previously delineated by another consulting firm in 2017. This line was reviewed by exporting the 2017 surveyed line into ArcGIS to overlay on an aerial photographic base map. This base map was then uploaded to an iPad and paired with a Trimble R1 submeter GPS for in-field verification. Using the iPad and GPS as a guide, the line was then evaluated in the field. The HOTL was deemed accurate and the previous 2017 delineation was accepted by Tighe & Bond. A previously unidentified freshwater wetland was also found within a six-foot +/- deep abandoned railroad turntable. Tighe & Bond delineated this area with sequentially numbered flagging and located the wetland boundary using the GPS technology described above.

Functions and values were assessed in the vicinity of the proposed project. Assessment methodologies were adapted from the *Maine Citizens Guide to Evaluating, Restoring, and Managing Tidal Marshes* (Bryan et al., 1997) and *The Highway Methodology Workbook Supplement—Wetland Functions and Values: A Descriptive Approach*, NAEEP-360-1-30a, US Army Corps of Engineers, New England Division, September 1999.

Photographs of the wetlands and buffers are provided in Appendix A.

# 3.0 North Mill Pond

North Mill Pond is a 79+/- acre tidal pond at the outlet of Hodgson Brook. It receives tidal flows under Maplewood Avenue at the northeast end of the pond. The pond consists predominantly of exposed mudflats at low tide, and is classified as Estuarine, Intertidal, Unconsolidated Shore, Mud, Regularly Flooded (E2US3N). A narrow band of salt marsh reaching up to 35+/- feet wide was identified between the mudflats and upland (Photo 1). The marsh is dominated by smooth cordgrass (*Spartina alterniflora*), with species such as

saltmeadow cordgrass (*Spartina patens*), sea lavender (*Limonium carolinianum*), and seaside goldenrod (*Solidago sempervirens*) more dominant toward the upland edge. This marsh area was classified as Estuarine, Intertidal, Emergent, Persistent, Regularly Flooded (E2EM1N).

North Mill Pond provides several important wetland functions and values, though many have been degraded by development and human activity. The following functions and values were assessed for the wetland in the vicinity of the proposed project.

# 3.1 Ecological Integrity

Ecological Integrity relates to how much the wetland has retained its native biotic and abiotic features and how these may have been degraded by human influences.

The Ecological Integrity of North Mill Pond has been compromised due to the presence of a tidal restriction, development of the upland buffer, water quality degradation, and filling along the project site. Efforts have been made in recent years to improve water quality entering the pond, improve tidal flushing, and restore some of the salt marshes. The peripheral salt marsh appears to be healthy and is comprised of native species along the project area.

## 3.2 Wildlife, Finfish, and Shellfish Habitat

The Wildlife, Finfish, and Shellfish Habitat function is the suitability of the habitat to support wildlife.

North Mill Pond contains extensive mudflats and a healthy but narrow peripheral salt marsh that contribute to wildlife habitat value. However, this value has been compromised by all the factors affecting Ecological Integrity described above. The area is likely to support a variety of wildlife, including migratory birds, finfish, and shellfish. Wildlife Action Plan mapping (Appendix B) depicts several small areas of the highest ranked wildlife value habitat around the pond. These high value habitats include two salt marsh areas in the vicinity of the proposed project; one directly across from the project and another just to the northeast of it.

## 3.3 Recreational and Commercial Potential

Recreational and Commercial Potential is the suitability of the wetland to support activities such as hiking, boating, hunting, bird watching, and shellfish harvesting.

North Mill Pond has the potential for use by small boats during high tide, though access appears to be limited to a boat launch on Marsh Lane, north of Maplewood Avenue. Shellfish harvesting is not allowed within the mudflats. Bird watching is a potential activity but public access is limited. There is an informal trail that runs through the proposed project area between Bartlett Street and Maplewood Avenue across private property that could be used for bird watching, but public access is not currently guaranteed. There is no visitor center, formally maintained trails, or access for disabled persons that would make this a more valuable area for recreation.

## **3.4 Aesthetic Quality**

Aesthetic Quality refers to the ability of the wetland to provide interesting views and natural vistas.

The areas surrounding North Mill Pond are highly developed commercial and residential areas. There are few public viewing areas, but in locations where the pond can be seen it generally offers wide vistas and aesthetically pleasing views.

## 3.5 Educational Potential

Educational Potential consists of the ability of the wetland to serve as an outdoor classroom.

There is no safe public access to North Mill Pond near the project site. In addition to being private property, the project site has dangerous construction debris and steep banks to the pond, further diminishing the educational potential of this wetland.

### **3.6 Noteworthiness**

Noteworthiness includes important qualities of the wetland not identified in previous functions, such as historic sites or unique natural features.

This area of North Mill Pond is noteworthy as it contains a salt marsh in a developed setting, which adds to its importance aesthetically and as part of the character of the area. In addition, the adjacent uplands have been proposed as part of the North Mill Pond Greenways project, which was presented to stakeholders in January 2019. (https://www.cityofportsmouth.com/planportsmouth/north-mill-pond-trail-and-greenway).

The wetland itself is not known for having any important historical features in the vicinity of the project area, though there have been historic structures and activities along its banks. The project area has some significance as the site of an old railroad yard with a turntable and roundhouse.

# 4.0 North Mill Pond Tidal Buffer

The North Mill Pond 100-foot tidal buffer can be divided into three zones within the project area: 1) a commercial area, including the Ricci Supply and Ace Hardware complex, the Great Rhythm Brewery building, a former railroad machine shop, and all the paved and unpaved impervious surfaces associated with those buildings; 2) the disturbed forest directly northeast and northwest of Great Rhythm Brewery, including the area around the old railroad turntable and roundhouse remains; and 3) the shrub thicket extending along the narrow portion of the parcel to the northeast. These areas all include historic filling 2-16 feet deep associated with railroad activities. The fill includes coal, coal ash, and possible slag.

## 4.1 Commercial Area Buffer

The commercial area (Photos 1-3) is comprised almost completely of impervious surfaces. These include buildings, paved and compact gravel parking lots, and a narrow strip of vegetation 10-20 feet wide extending down a steep bank to the tidal wetland. The vegetation includes lawn and species associated with disturbed sites such as staghorn sumac (*Rhus typhina*), autumn olive (*Elaeagnus umbellata*), black cherry (*Prunus serotina*), and Asiatic bittersweet (*Celastrus orbiculatus*). This area has little to offer in the way of functions and values other than contributing to stabilization of steep eroding

banks along the wetland. Runoff from this area likely contributes to the degraded water quality in North Mill Pond.

# 4.2 Disturbed Forest Buffer

The disturbed forested area northeast and southwest of Great Rhythm Brewery (Photos 4-6) is dominated by Norway Maple (*Acer platanoides*), black cherry, and staghorn sumac. The area includes significant rubble and debris as well as the railroad turntable and roundhouse remains. This area provides some screening for wildlife using the North Mill Pond and provides cover and food for small mammals and birds. However, it is dominated by invasive vegetation, and is highly disturbed by human activity.

# 4.3 Shrub Thicket Buffer

The shrub thicket northeast of the commercial area (Photos 7-8) is dominated by autumn olive with lesser amounts of staghorn sumac and other shrub species. This area provides wildlife habitat for small mammals and birds as well as screening for wildlife using North Mill Pond. Though invasive, the autumn olive provides prolific fruits utilized by birds and other frugivores. Bedding, clothing, campfire remains, trash, and other evidence suggests that this densely vegetated area has been used as camp sites by homeless individuals.

## 4.4 Buffer Impacts and Mitigation

The proposed project will not include any work within the 25-foot buffer to North Mill Pond. In addition, a 50-foot easement from the mean high water will be granted to the City of Portsmouth by the developer to build the North Mill Pond Trail and Greenway, which will provide improvements to the buffer, including invasive species management and revegetation with native species. Installation of the trail and greenway would result in improved functions and values of the wetland and buffer including: Ecological Integrity, Recreation Potential, Aesthetic Quality, and possibly Educational Potential. Existing impacts to the 100-foot buffer will be reduced from the trail and greenway improvements through the removal and restoration of impervious surfaces.

### Table 4.1

105 Bartlett Street Multi-Family Development Buffer Impact Reductions

Overall Bu	Overall Buffer Impact Area		
Wetland Buffer Setback	Existing Impact	Proposed Impact	
0 - 25 FT	12,788 SF	6,788 SF	
25 - 50 FT	30,479 SF	22,089 SF	
50 - 100 FT	66,844 SF	52,443 SF	
Total Impact	110,111 SF	81,320 SF	
NET BUFFER IMPROVEMENT		28,792 SF	

# **5.0 Excavated Palustrine Forested Wetland**

A small wetland was delineated by Tighe & Bond within the base of the six-foot +/- deep, concrete walled railroad roundtable (Photos 9-10) within the disturbed forested area. The soils in this wetland are poorly drained marine silts and clays. The vegetation is dominated

by Norway maple and red osier dogwood (*Cornus sericea*). Nearby test pits identified approximately two to four feet of fill in the vicinity of the structure. Therefore, it is likely this wetland was at least partly excavated into native marine sediments during construction of the turntable. It is unclear if this area was originally a wetland or if the wetland was created by the excavation. This wetland was classified as Palustrine, Forested, Deciduous, Saturated (PFO1B). The small size of the wetland and its location within a man-made structure in a highly disturbed landscape has resulted in this system providing negligible wetland functions and values.

# 6.0 Summary

Two wetlands were delineated and evaluated on the site:

North Mill Pond is a 79+/- acre tidal wetland with expansive mud flats (E2US3N) and a narrow fringe of salt marsh (E2EM1N). Wetland functions and values are primarily Wildlife, Finfish, and Shellfish Habitat, as well as Aesthetic Quality and Noteworthiness. It is noteworthy as an important aesthetic component of the area and as an important potential site for a greenways trail project. It also has compromised but improving Ecological Integrity and some Recreation Potential. Upland buffers to the wetland have been compromised by development and invasive species, but limited vegetation does provide some screening for wildlife in the wetland.

A small excavated forested wetland (PFO1B) was identified within the old railroad turntable, approximately six feet below existing grade within a concrete wall. The small size of the wetland and its location within a man-made structure in a highly disturbed landscape has resulted in this system providing negligible wetland functions and values.

# **Tighe&Bond**

**APPENDIX A** 



**Job Number:** C-0960006

Site: 105 Bartlett St., Portsmouth, NH

Photograph No.: 1	<b>Date:</b> 10/29/19	Direction Taken: Northeast
-------------------	-----------------------	----------------------------

**Description:** Salt marsh fringe along North Mill Pond at low tide opposite a commercial area in southwest portion of the site.



**Description:** Paved buffer and eroding banks along North Mill Pond at low tide along the commercial area in southwest portion of the site.





**Job Number:** C-0960006

Site: 105 Bartlett St., Portsmouth, NH

<b>Photograph No.: 3 Date:</b> 10/29/19	Direction Taken: Northeast
---	----------------------------

**Description:** Compact gravel drive and old railroad repair shop at the northern end of the commercial area with impervious surfaces.



Photograph No.: 4	Date: 10/29/19	Direction Taken: Northeast
-------------------	----------------	----------------------------

**Description:** Buffer fill slope with rubble adjacent to a narrow salt marsh along the disturbed forest just northwest of the Great Rhythm Brewing Company.





**Job Number:** C-0960006

Site: 105 Bartlett St., Portsmouth, NH

Photograph No.: 5	Date: 10/29/19	Direction Taken: Southwest
-------------------	----------------	----------------------------

**Description:** Lawn and disturbed forest buffer northwest of the Great Rhythm Brewing Company.



Photograph No.: 6Date: 10/29/19Direction Taken: East
--

**Description:** Remains of the railroad roundhouse and disturbed forest buffer northeast of the Great Rhythm Brewing Company.





**Job Number:** C-0960006

Site: 105 Bartlett St., Portsmouth, NH

Photograph No.: 7	Date: 10/29/19	Direction Taken: Northeast
-------------------	----------------	----------------------------

**Description:** Shrub thicket and existing informal trail at the northeast end of the proposed project area.



Photograph No.: 8	Date: 10/29/19	Direction Taken: Northeast

**Description:** Evidence of use as camp sites by homeless individuals within the shrub thicket at the northeast end of the project area.





**Job Number:** C-0960006

Site: 105 Bartlett St., Portsmouth, NH

Photograph No.: 9	Date: 12/2/19	Direction Taken: South
-------------------	---------------	------------------------

**Description:** Wetland dominated by Norway maple and red osier dogwood within the old railroad turntable approximately six feet below grade.



Photograph No.: 10	Date: 12/2/19	Direction Taken: n/a
--------------------	---------------	----------------------

**Description:** Poorly drained marine silts and clays observed in the bottom of the old railroad turntable.



# **Tighe&Bond**

**APPENDIX B** 

# 2015 HIGHEST RANKED WILDLIFE HABITAT BY ECOLOGICAL CONDITION

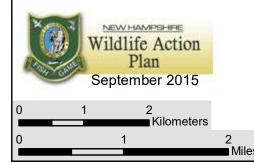
Highest Ranked Habitat in New Hampshire

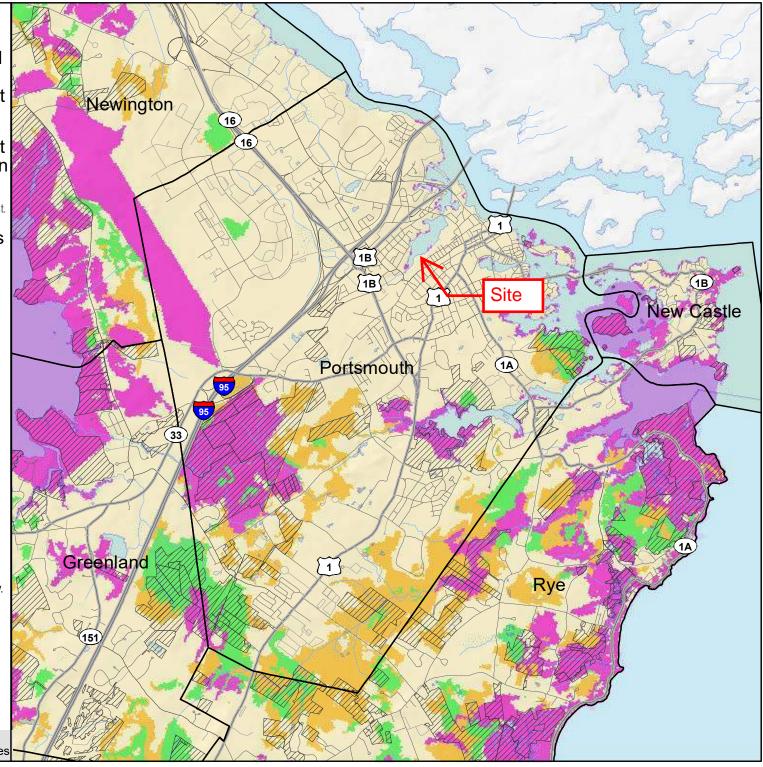
# Highest Ranked Habitat in the Biological Region

Biological region = TNC ecoregional subsection for terrestrial habitats or Aquatic Resource Mitigation region for wetlands and floodplain forest.

Supporting Landscapes

Base map data provided by NH GRANIT at UNH September 2019. Intended for planning use only.



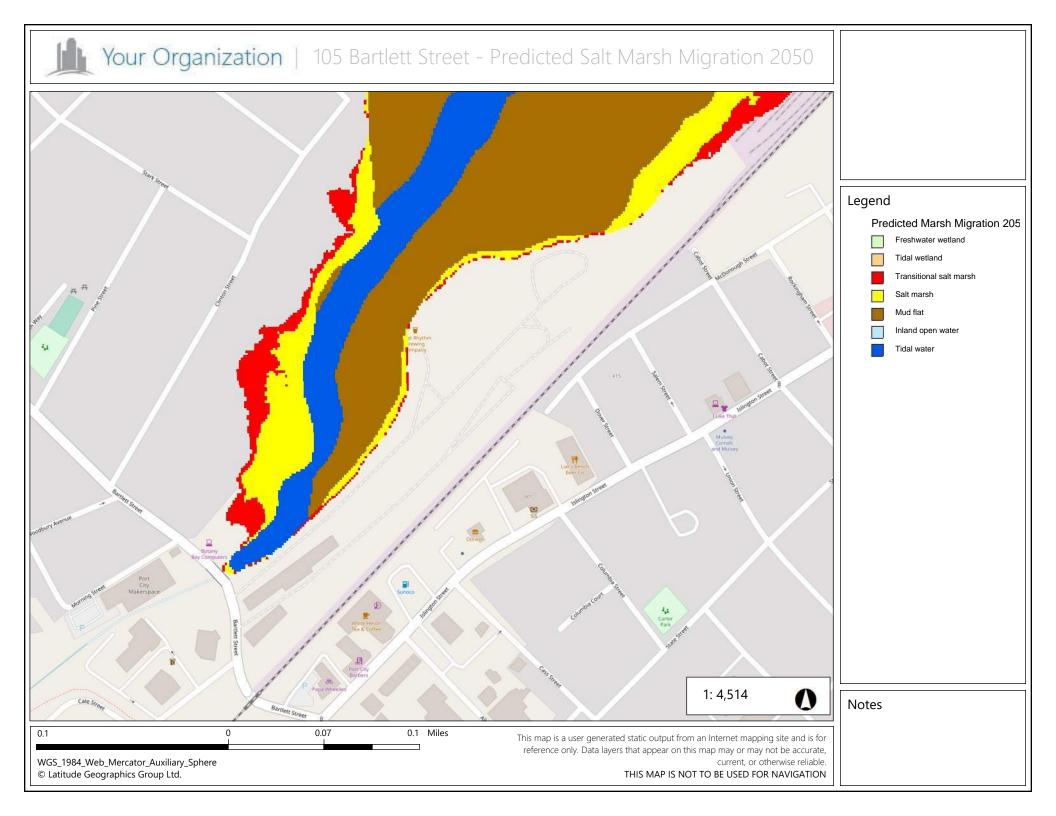


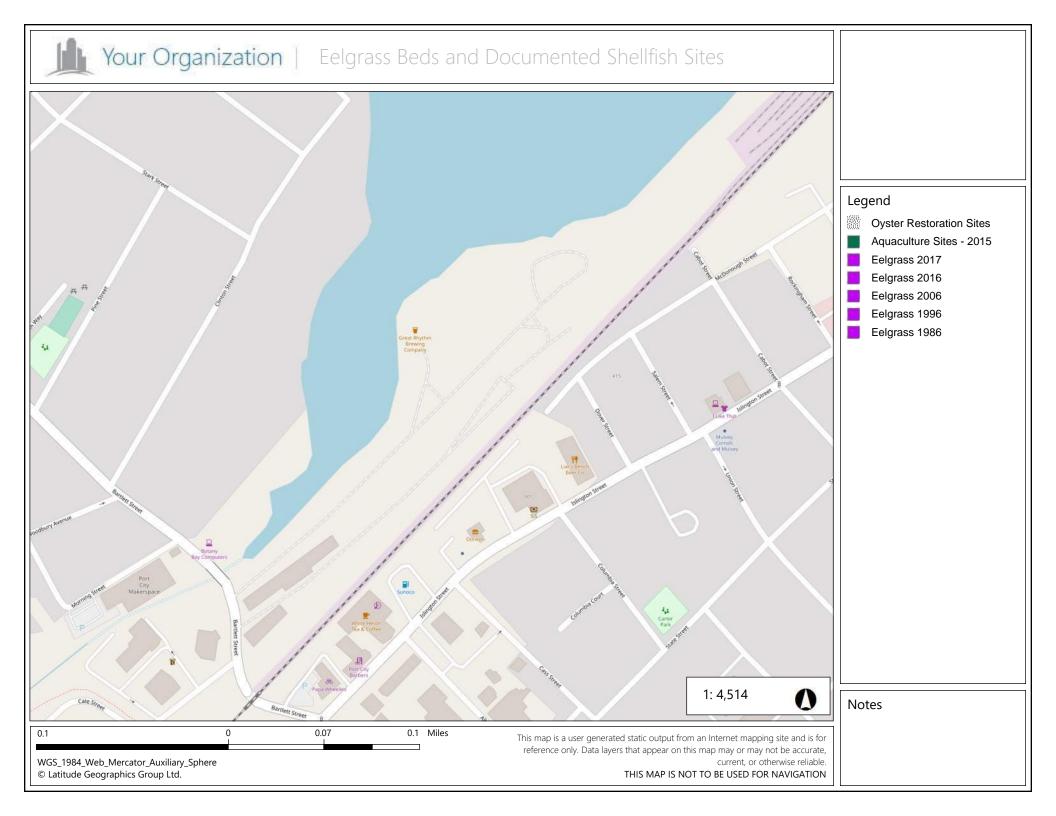
www.tighebond.com

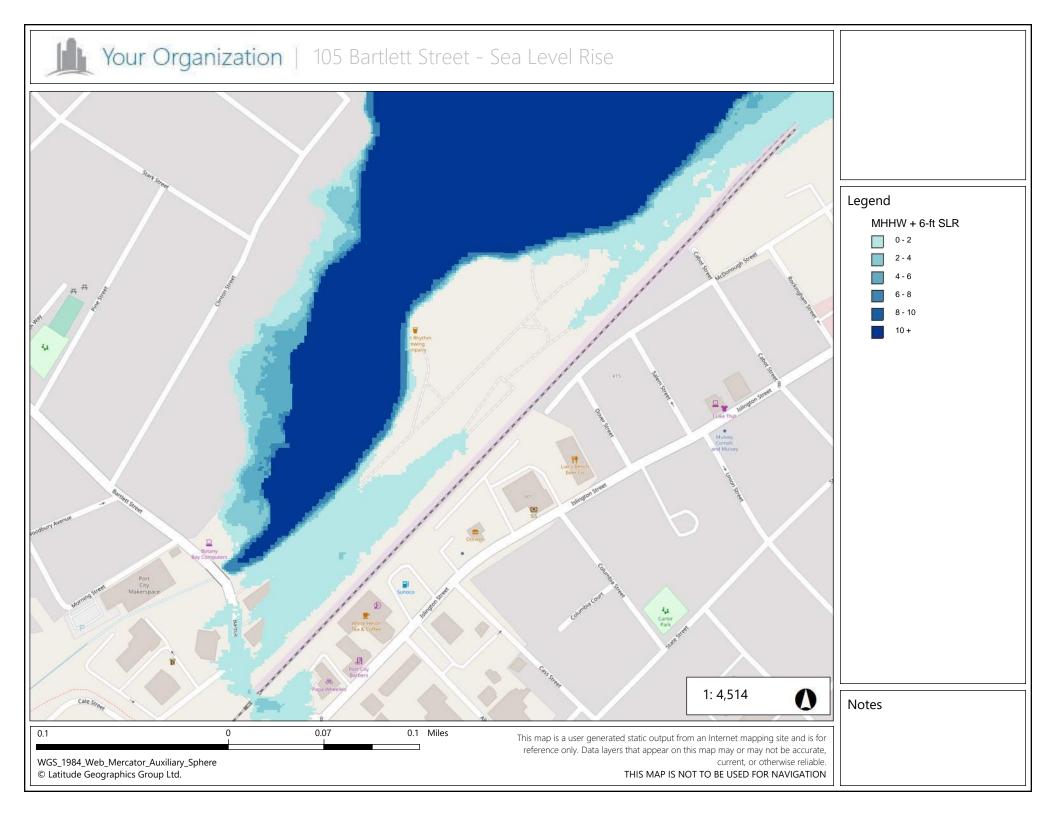


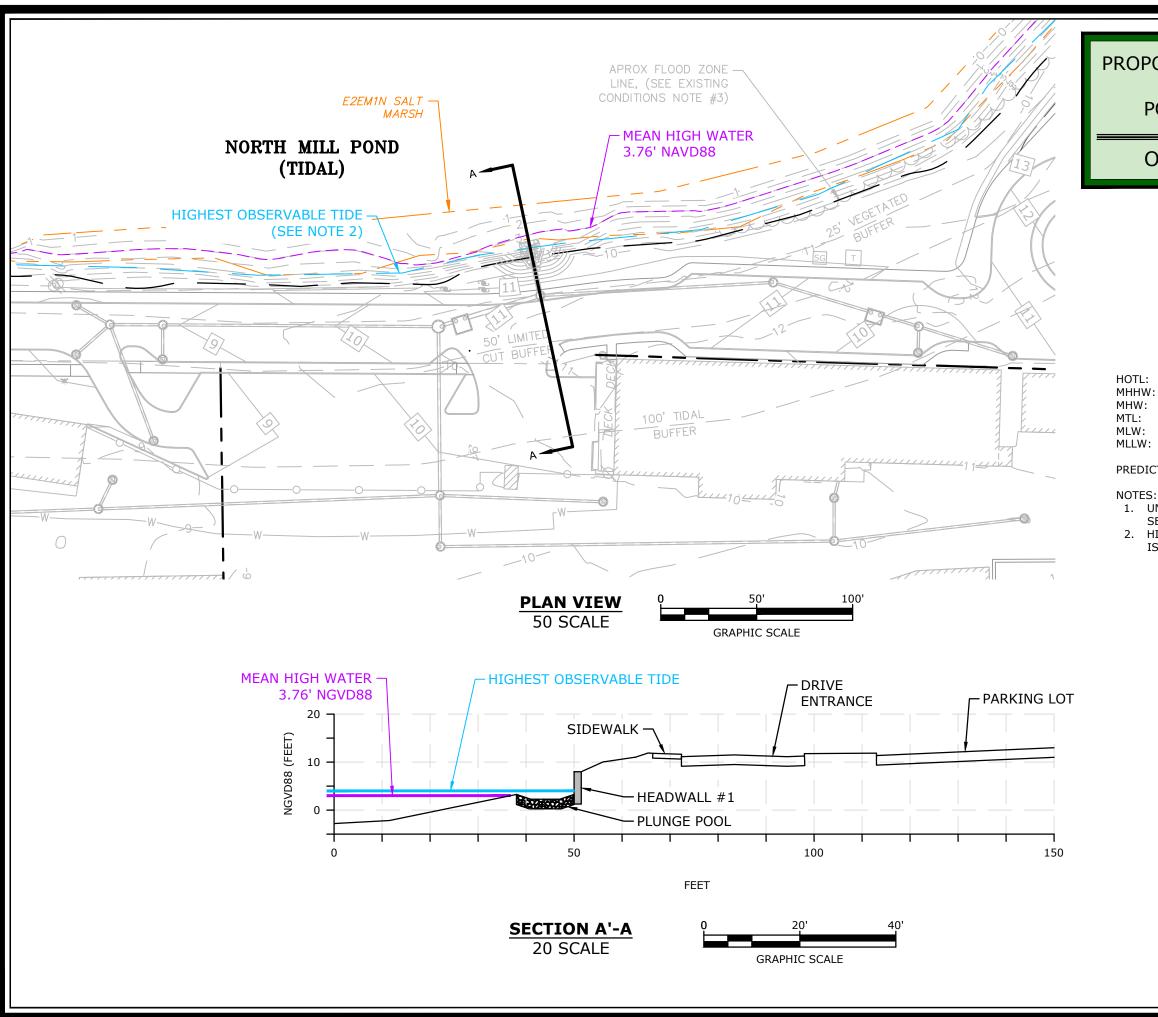
# **Tighe&Bond**

**APPENDIX E** 









# PROPOSED MULTI-FAMILY DEVELOPMENT 150 BARTLETT STREET PORTSMOUTH, NEW HAMPSHIRE

# **OUTFALL 1 - ELEVATION VIEW**



# TIDAL DATUMS (FEET)

NAVD88 7.89 4.18 3.76

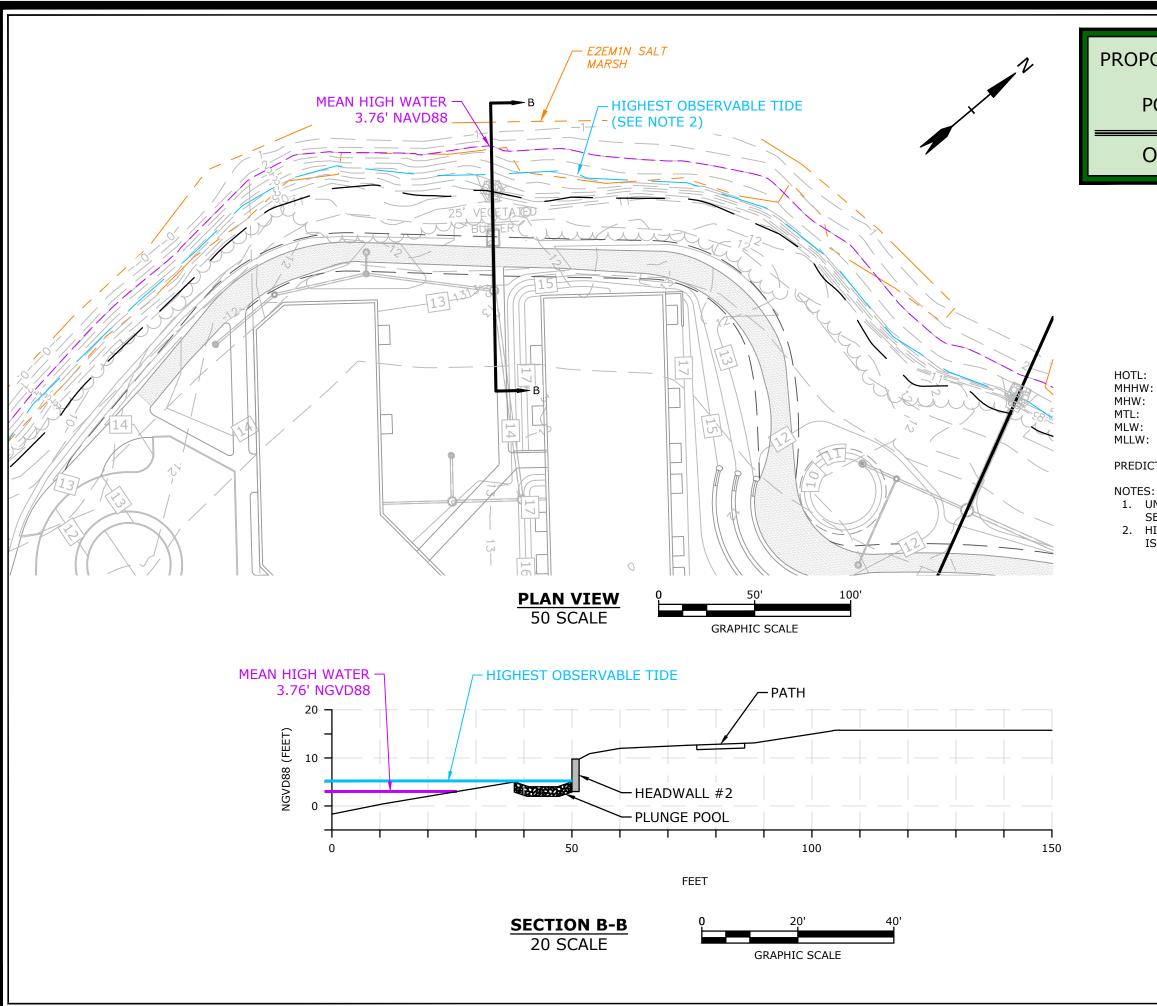
-0.32 -4.39

-4.71

PREDICTED SLR 2122: 5.0 FT

1. UNLESS OTHERWISE NOTED, DATUMS ARE FROM NOAA FOR SEAVEY ISLAND 2. HIGHEST OBSERVABLE TIDE LINE WAS FIELD DELINEATED AND IS APPROXIMATE.





# PROPOSED MULTI-FAMILY DEVELOPMENT 105 BARTLETT STREET PORTSMOUTH, NEW HAMPSHIRE

# **OUTFALL 2 - ELEVATION VIEW**

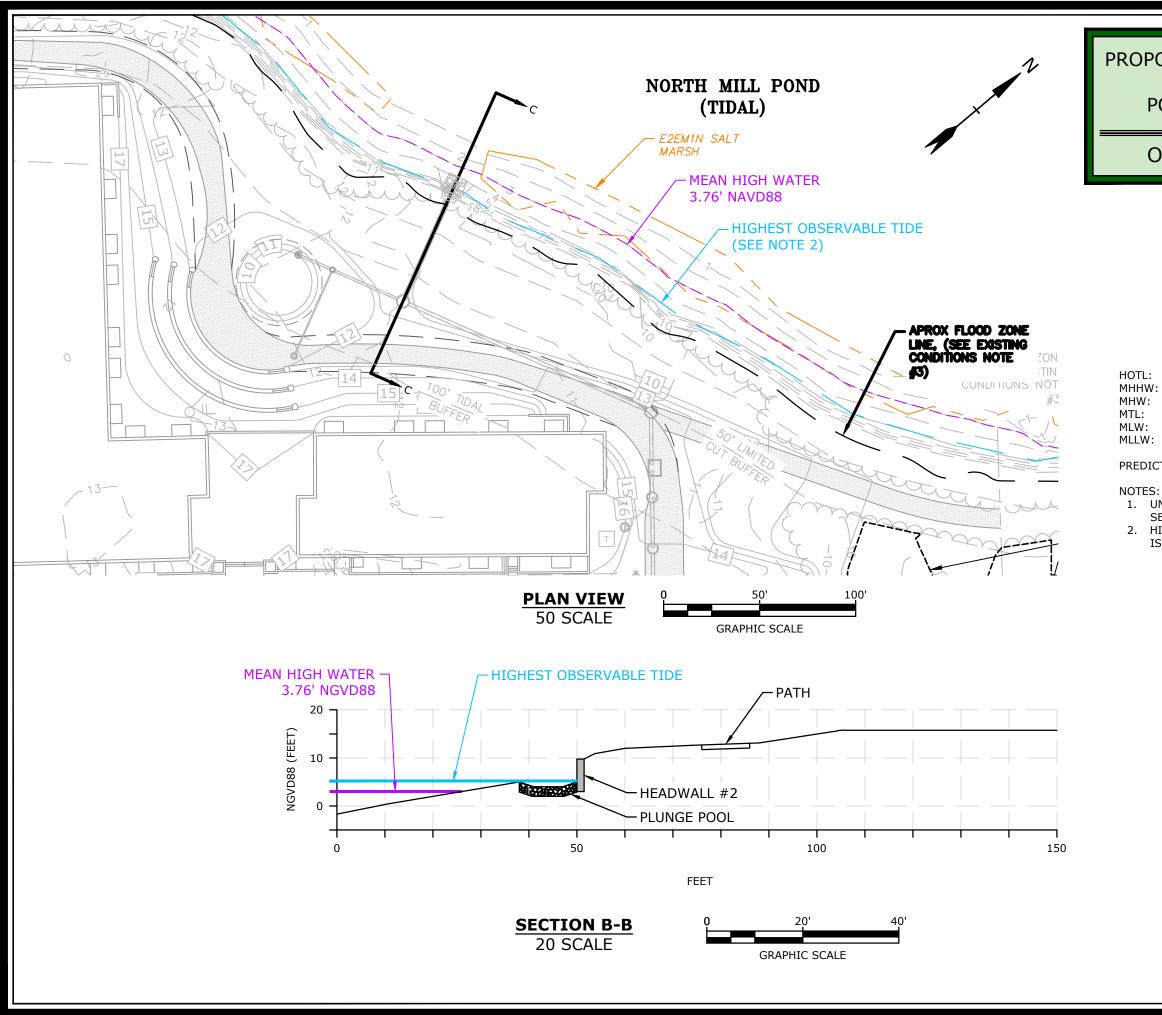
# TIDAL DATUMS (FEET)

NAVD88 7.89 4.18 3.76 -0.32 -4.39 -4.71

PREDICTED SLR 2122: 5.0 FT

1. UNLESS OTHERWISE NOTED, DATUMS ARE FROM NOAA FOR SEAVEY ISLAND 2. HIGHEST OBSERVABLE TIDE LINE WAS FIELD DELINEATED AND IS APPROXIMATE.





# PROPOSED MULTI-FAMILY DEVELOPMENT 105 BARTLETT STREET PORTSMOUTH, NEW HAMPSHIRE

# **OUTFALL 3 - ELEVATION VIEW**

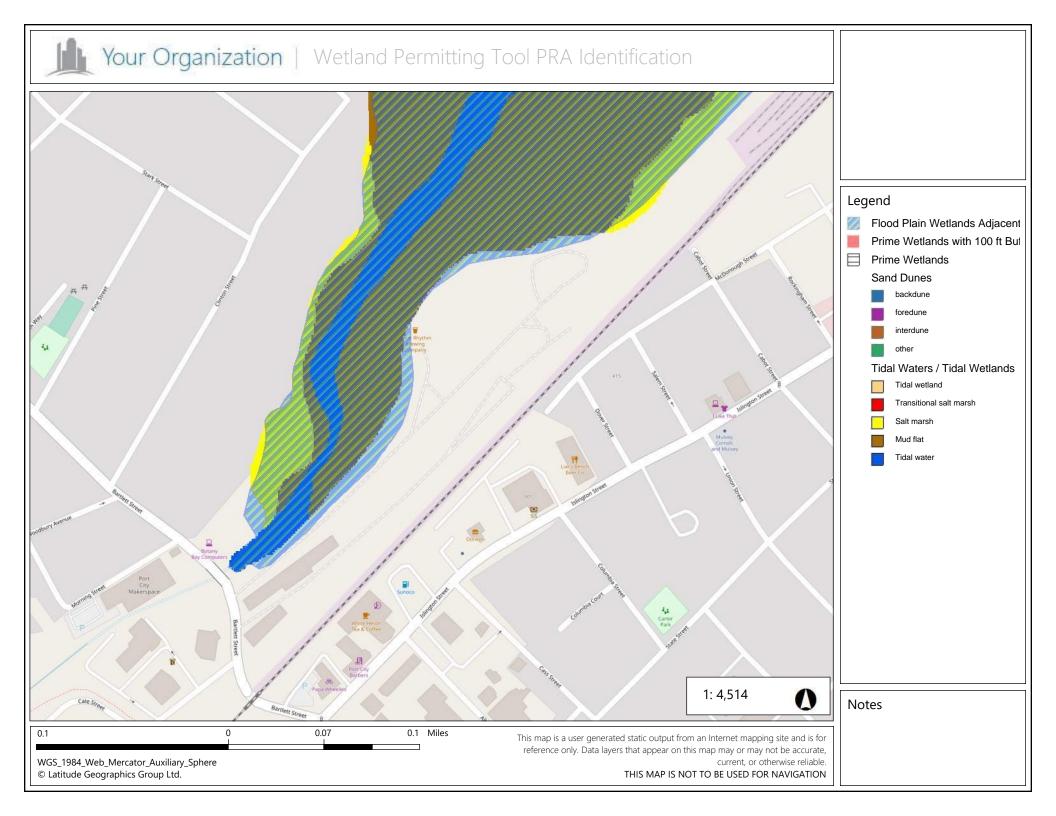
# TIDAL DATUMS (FEET)

NAVD88 7.89 4.18 3.76 -0.32 -4.39 -4.71

PREDICTED SLR 2122: 5.0 FT

1. UNLESS OTHERWISE NOTED, DATUMS ARE FROM NOAA FOR SEAVEY ISLAND 2. HIGHEST OBSERVABLE TIDE LINE WAS FIELD DELINEATED AND IS APPROXIMATE.





# **EFH Mapper Report**

# **EFH Data Notice**

Essential Fish Habitat (EFH) is defined by textual descriptions contained in the fishery management plans developed by the regional fishery management councils. In most cases mapping data can not fully represent the complexity of the habitats that make up EFH. This report should be used for general interest queries only and should not be interpreted as a definitive evaluation of EFH at this location. A location-specific evaluation of EFH for any official purposes must be performed by a regional expert. Please refer to the following links for the appropriate regional resources.

<u>Greater Atlantic Regional Office</u> <u>Atlantic Highly Migratory Species Management Division</u>

## **Query Results**

-----

Degrees, Minutes, Seconds: Latitude = 43° 4' 25" N, Longitude = 71° 13' 48" W Decimal Degrees: Latitude = 43.074, Longitude = -70.770

The query location intersects with spatial data representing EFH and/or HAPCs for the following species/management units.

# \*\*\* W A R N I N G \*\*\*

Please note under "Life Stage(s) Found at Location" the category "ALL" indicates that all life stages of that species share the same map and are designated at the queried location.

EFH						
Link	Data Caveats	Species/Management Unit	Lifestage(s) Found at Location	Management Council	FMP	
P	0	Atlantic Sea Scallop	ALL	New England	Amendment 14 to the Atlantic Sea Scallop FMP	
P	0	Atlantic Wolffish	ALL	New England	Amendment 14 to the Northeast Multispecies FMP	
P	0	Winter Flounder	Eggs Juvenile Larvae/Adult	New England	Amendment 14 to the Northeast Multispecies FMP	
P	0	Little Skate	Juvenile Adult	New England	Amendment 2 to the Northeast Skate Complex FMP	
P	0	Atlantic Herring	Juvenile Adult Larvae	New England	Amendment 3 to the Atlantic Herring FMP	
P	0	Atlantic Cod	Larvae Adult Eggs	New England	Amendment 14 to the Northeast Multispecies FMP	

https://www.habitat.noaa.gov/apps/efhmapper/efhreport/

EFH Report

Link	Data Caveats	Species/Management Unit	Lifestage(s) Found at Location	Management Council	FMP
Þ	0	Pollock	Juvenile Eggs Larvae	New England	Amendment 14 to the Northeast Multispecies FMP
P	Ø	Red Hake	Adult Eggs/Larvae/Juvenile	New England	Amendment 14 to the Northeast Multispecies FMP
Þ	Θ	Windowpane Flounder	Adult Larvae Eggs Juvenile	New England	Amendment 14 to the Northeast Multispecies FMP
P	0	Winter Skate	Juvenile	New England	Amendment 2 to the Northeast Skate Complex FMP
R	0	Smooth Skate	Juvenile	New England	Amendment 2 to the Northeast Skate Complex FMP
P	Ø	White Hake	Adult Eggs Juvenile	New England	Amendment 14 to the Northeast Multispecies FMP
R	0	Thorny Skate	Juvenile	New England	Amendment 2 to the Northeast Skate Complex FMP
P	Θ	Atlantic Mackerel	Eggs Larvae Juvenile	Mid-Atlantic	Atlantic Mackerel, Squid,& Butterfish Amendment 11
P	Ø	Bluefish	Adult Juvenile	Mid-Atlantic	Bluefish
R	0	Atlantic Butterfish	Adult	Mid-Atlantic	Atlantic Mackerel, Squid,& Butterfish Amendment 11

### Salmon EFH

No Pacific Salmon Essential Fish Habitat (EFH) were identified at the report location.

### **HAPCs**

No Habitat Areas of Particular Concern (HAPC) were identified at the report location.

## **EFH Areas Protected from Fishing**

No EFH Areas Protected from Fishing (EFHA) were identified at the report location.

Spatial data does not currently exist for all the managed species in this area. The following is a list of species or management units for which there is no spatial data. \*\*For links to all EFH text descriptions see the complete data inventory: <u>open data inventory --></u> Sevengill Shark, Sixgill Shark,

Smalltail Shark

Smooth Hammerhead Shark,

 Spatial data does not currently exist for all the managed species in this area. The following is a list of species or management units for which there is no spatial data.

 \*\*For links to all EFH text descriptions see the complete data inventory: open data inventory -->

 All spatial data is currently available for the Mid-Atlantic and New England councils,

 Secretarial EFH,

 Bigeye Sand Tiger Shark,

 Bigeye Sixgill Shark,

 Caribbean Sharpnose Shark,

 Galapagos Shark,

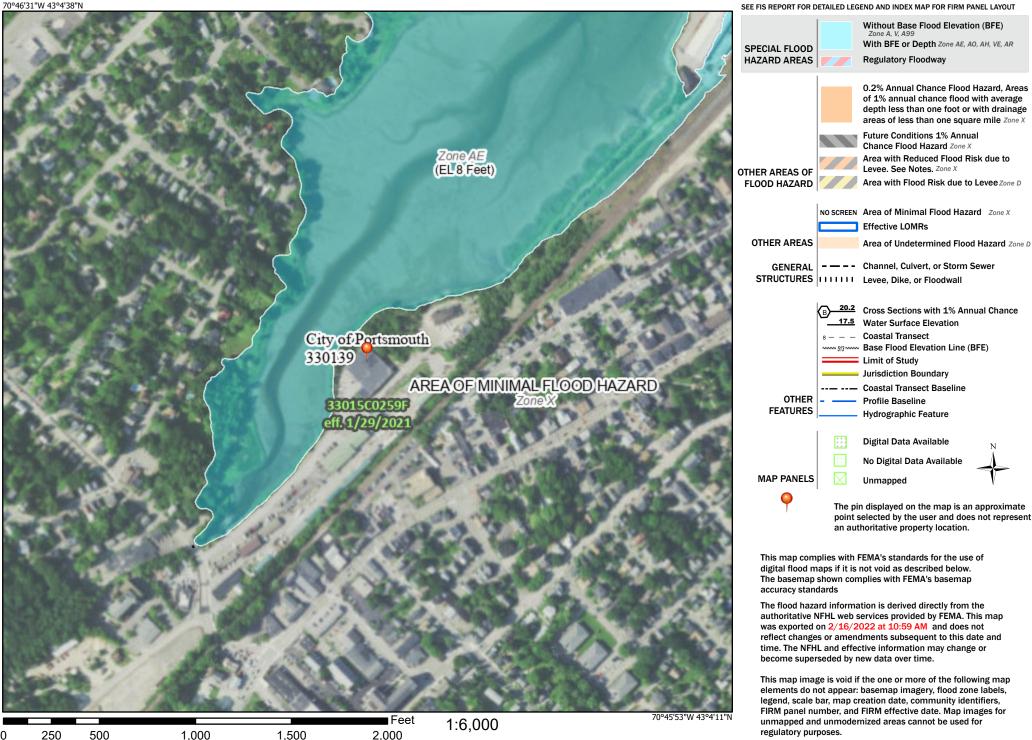
 Narrowtooth Shark,

https://www.habitat.noaa.gov/apps/efhmapper/efhreport/

# National Flood Hazard Layer FIRMette



### Legend



Basemap: USGS National Map: Orthoimagery: Data refreshed October, 2020

# **Tighe&Bond**

**APPENDIX F** 

# Tighe&Bond

C-0960-006 December 29, 2022

Ms. Lori Sommer, Wetland Mitigation Coordinator
New Hampshire DES Wetlands Bureau
29 Hazen Drive
PO Box 95
Concord, New Hampshire 03302

#### Re: NHDES Wetland Impact Permit – Preliminary Mitigation Proposal Iron Horse Properties, LLC, 105 Bartlett Street Portsmouth, NH

Dear Ms. Sommer:

On behalf of Iron Horse Properties, LLC, we are pleased to provide the following information relative to a Mitigation Proposal associated with the Wetland Impact Permit Application for the above reference project:

- Summary of Wetland and Buffer Functions and Mitigation Memo, dated March 30, 2021;
- Wetland Buffer Impact and Mitigation Plan, dated February 17, 2022;
- ARM Fund Calculator Form;

As per our pre-application meetings on March 18, 2021, and March 22, 2022, the proposed Multi-Family Development project at 105 Bartlett Street in Portsmouth will require a Wetland Impact Permit. The project is proposing to impact 209 SF of tidal wetland, 34,639 SF of tidal buffer, and 1,528 SF of forested wetland which will require mitigation for a total mitigation area of 36,376 SF. As described in the Wetland Permit Application, the 100-foot tidal buffer on these parcels can be divided into three zones within the project area: 1) a commercial area, including the Ricci Supply and Ace Hardware complex, the Great Rhythm Brewery building, a former railroad machine shop, and all the paved and unpaved impervious surfaces associated with those buildings; 2) the disturbed forest directly northeast and northwest of Great Rhythm Brewery, including the area around the old railroad turntable and roundhouse remains; and 3) the shrub thicket extending along the narrow portion of the parcel to the northeast. These areas all include historic filling 2-16 feet deep associated with railroad activities.

The proposed project will provide improvements to the buffer, including invasive species management and revegetation with native species. Installation of the North Mill Pond trail and greenway would result in improved functions and values of the wetland and buffer including: Ecological Integrity, Recreation Potential, Aesthetic Quality, and possibly Educational Potential. Existing impacts to the 100-foot buffer will be reduced by the trail and greenway improvements through the removal and restoration of impervious surfaces. A detailed description of the proposed restoration and enhancement of the buffer and be found in the enclosed Summary of Wetland and Buffer Functions and Mitigation Memo.

The result of the proposed mitigation will be 22,384 SF of restored previously disturbed tidal buffer area and 46,087 SF of previously disturbed tidal buffer enhancement area. The previously disturbed tidal buffer enhancement area will count towards mitigation at a 10:1 ratio. As such, the applicant respectfully proposes the following mitigation for the 36,376 SF of impact:

- 22,384 SF of restored previously disturbed tidal buffer area be counted toward the mitigation of the wetland buffer impact counted at a 1:1 ratio.
- 46,087 SF of previously disturbed tidal buffer enhancement area be counted towards mitigation at a 10:1 ratio, for an effective mitigation area of 4,609 SF.
- The balance of the previously disturbed tidal buffer and forested impacts, 9,383 SF, will be mitigated through a contribution to the ARM fund in the amount of \$60,377.45.

We look forward to working with you on this Mitigation Proposal. If you have any questions or need any additional information, please contact Neil Hansen by phone at (603) 294-9213 or by email at <u>nahansen@tighebond.com</u>.

Sincerely, TIGHE & BOND, INC.

Patrick M. Crimmins, PE Vice President

Enclosures Cc: Iron Horse Properties, LLC (via e-mail)

Neil A. Hansen, PE Project Manager

J:\C\C0960 Cathartes\C-0960-006 105 Bartlett Street\Report\_Evaluation\Applications\NHDES\Wetlands\Mitigation\C-0960-006 Mitigation Proposal.docx

# **105** Bartlett Street, Portsmouth – Summary of Wetland and Buffer Functions and Mitigation

То:	Lori Sommer, NHDES
	Stefanie Giallongo, NHDES
	David Price, NHDES
FROM:	Leonard A. Lord, PhD, CSS, CWS
DATE:	March 30, 2021

North Mill Pond is a 79+/- acre tidal wetland that includes expansive mud flats (E2US3N) with a narrow fringe of salt marsh (E2EM1N) along the project area. The upland buffer to this wetland has been highly degraded by development, impervious areas, trash, and rundown buildings. Below is a summary of the wetland and buffer functions and impact mitigation. Evaluation of these functions was primarily based on criteria adapted from the *Maine Citizens Guide to Evaluating, Restoring, and Managing Tidal Marshes* (Bryan et al., 1997).

For more information and photographs, please refer to the Tighe & Bond Wetland Delineation and Assessment of Functions and Values report included with the Wetland Impact Permit Application packet. For quantification of wetland and buffer impacts as well as quantification of proposed mitigation, please refer to the Wetland Buffer Impact Plan.

#### **Ecological Integrity**

- Existing Function at North Mill Pond: Compromised due to tidal restriction, development of the upland buffer, water quality degradation, and filling.
- Existing Function at Project Upland Buffer: Compromised due to development, rundown buildings, compaction and impervious surfaces, trash, invasive species, and filling/grading.
- Proposed Function Enhancement: The upland buffer will be enhanced by removing rundown buildings, upgrading the development, removal of trash, and removal of invasive species. Native plantings will be installed as part of the landscape plan and much of the area within 50 feet of the mean high water line will be seeded with a conservation/wildlife seed mix, with mowing occurring annually to discourage reestablishment of invasive species.
- Proposed Function Restoration: The project will result in a net reduction in impervious surfaces. Restoring impervious surfaces restores vegetation, reduces runoff to the tidal wetland, provides improved water quality treatment of runoff, allows for increased wetland screening for wildlife, and restores available wildlife habitat.

#### Wildlife, Finfish, and Shellfish Habitat

- Existing Function at North Mill Pond: Despite having compromised Ecological Integrity, North Mill Pond likely supports a variety of wildlife, including migratory birds, finfish, and shellfish. Salt marshes are among the Wildlife Action Plan highest ranked wildlife value habitats. There is a narrow band of salt marsh along the project area and larger salt marsh areas to the northeast and across the pond.
- Existing Function at Project Upland Buffer: The upland buffer in the project area has highly degraded Ecological Integrity. The vegetated portions of the buffer currently help support the wildlife habitat functions at North Mill Pond by providing screening and providing some water quality renovation of runoff. In addition, the pockets of

dense forest and shrubland vegetation are likely to provide habitat for small mammals and songbirds. Though limited in area and compromised by invasive species, the site does include a variety (four) of identified vegetation types, which would increase the potential to support a diversity of species. The vegetation types include a narrow Mixed Sapling/Shrub Thicket, a Norway Maple Grove, a Quaking Aspen Gray Birch Grove, and an Autumn Olive Thicket.

- Proposed Function Enhancement: Enhancement of Wildlife, Finfish, and Shellfish Habitat will be achieved through the methods and reasons described for enhancing Ecological Integrity.
- Proposed Function Restoration: Restoration of Wildlife, Finfish, and Shellfish Habitat associated with the upland buffer will be achieved through the methods and reasons described for restoring Ecological Integrity. This involves the restoration and revegetation of impermeable surfaces.

#### **Recreational and Commercial Potential**

- Existing Function at North Mill Pond: North Mill Pond has potential for use by small boats during high tides, is not suitable for shellfish harvesting, and is not suitable for hunting. There is potential for birdwatching, but there is currently no public access at the project site except in the commercial parking lot at the southwest end of the project. However, views of North Mill Pond and potential bird habitat from the parking lot are very limited and compromised by vehicular traffic, noise, and activity as compared to the northeastern end of the site.
- Existing Function at Project Upland Buffer: There is no Recreational or Commercial Potential associated with the upland buffer other than an informal walking trail used by local residents.
- Proposed Function Enhancement: Since there will be no attempt to enhance the existing bird watching or other recreational activities from the commercial parking lot, there will be no enhancement of this function.
- Proposed Function Restoration: The project will create and restore recreational opportunities by providing a public greenway trail that will allow for birdwatching and recreational enjoyment of the North Mill Pond and upland buffer. Expansive views of the North Mill Pond and associated bird habitat from the northern portion of the site will be made open to the public.

#### **Aesthetic Quality**

- Existing Function at North Mill Pond: The areas surrounding North Mill Pond are highly developed commercial and residential areas. There are few public viewing areas, but in locations where the pond can be seen it generally offers wide vistas and aesthetically pleasing views. There are no public viewing areas at the project site other than at the commercial parking lot at the southwest end of the project. However, views of North Mill Pond from the parking lot are very limited and compromised by vehicular traffic, noise, and human activity as compared to the northeastern end of the site.
- Existing Function at Project Upland Buffer: The upland buffer is highly degraded aesthetically. It is full of trash and rundown buildings at its northern end and is a highly developed commercial area at its southern end. There is essentially no aesthetic quality to the buffer.
- Proposed Function Enhancement: Since there will be no attempt to enhance existing aesthetics associated the public viewing or North Mill Pond from the commercial parking lot, there will be no enhancement of this function for the pond.

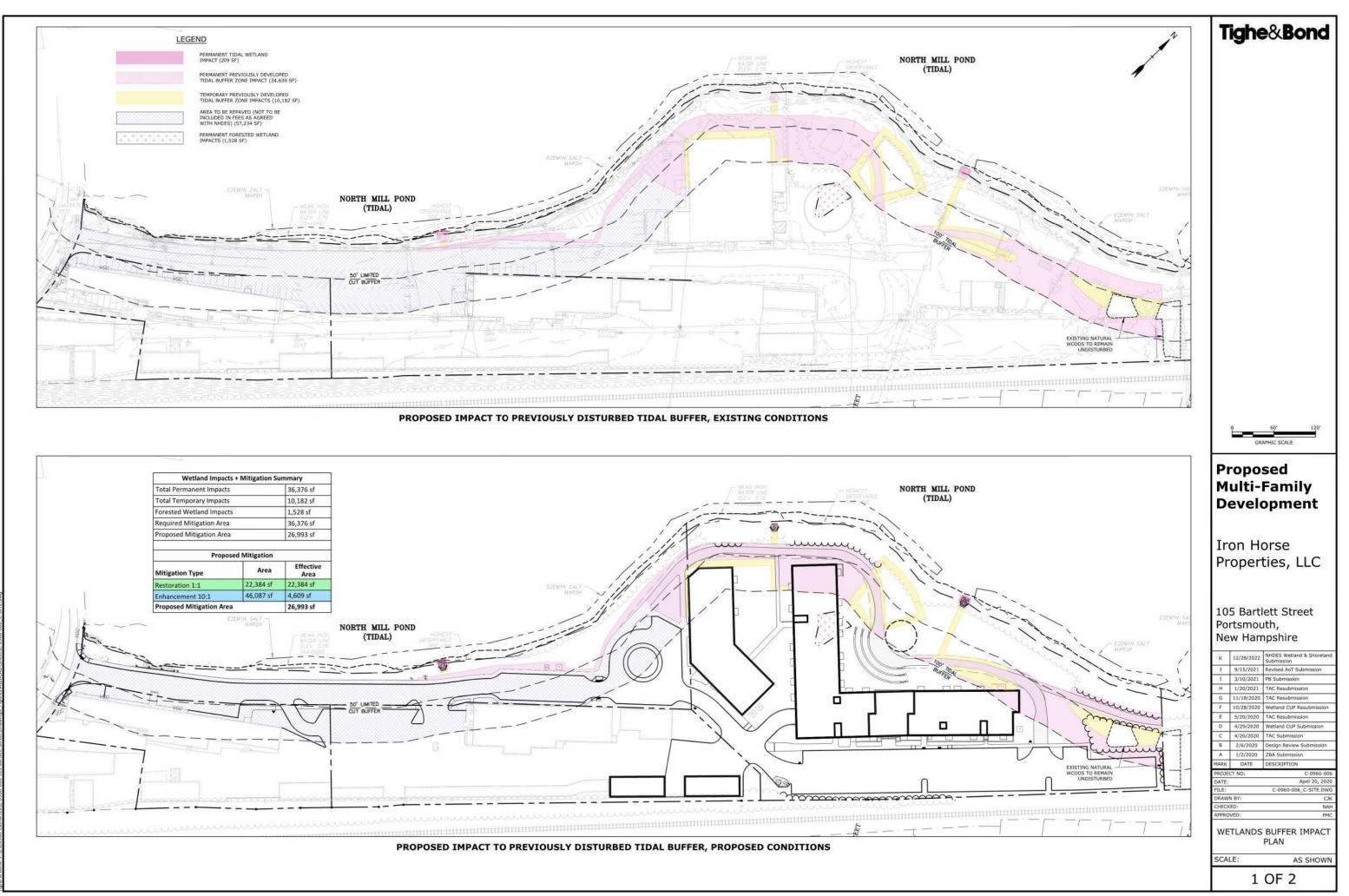
Proposed Function Restoration: The project will create and restore aesthetic enjoyment
of North Mill Pond through all the ways the Ecological Integrity will be restored and
enhanced. The upland buffer will be cleaned up, rundown buildings will be removed,
and a public greenway trail will be created that will allow for strolling and multiple
viewing opportunities along the North Mill Pond and upland buffer. Expansive views of
the North Mill Pond visible from the northern portion of the site that are not currently
available will be made open to the public.

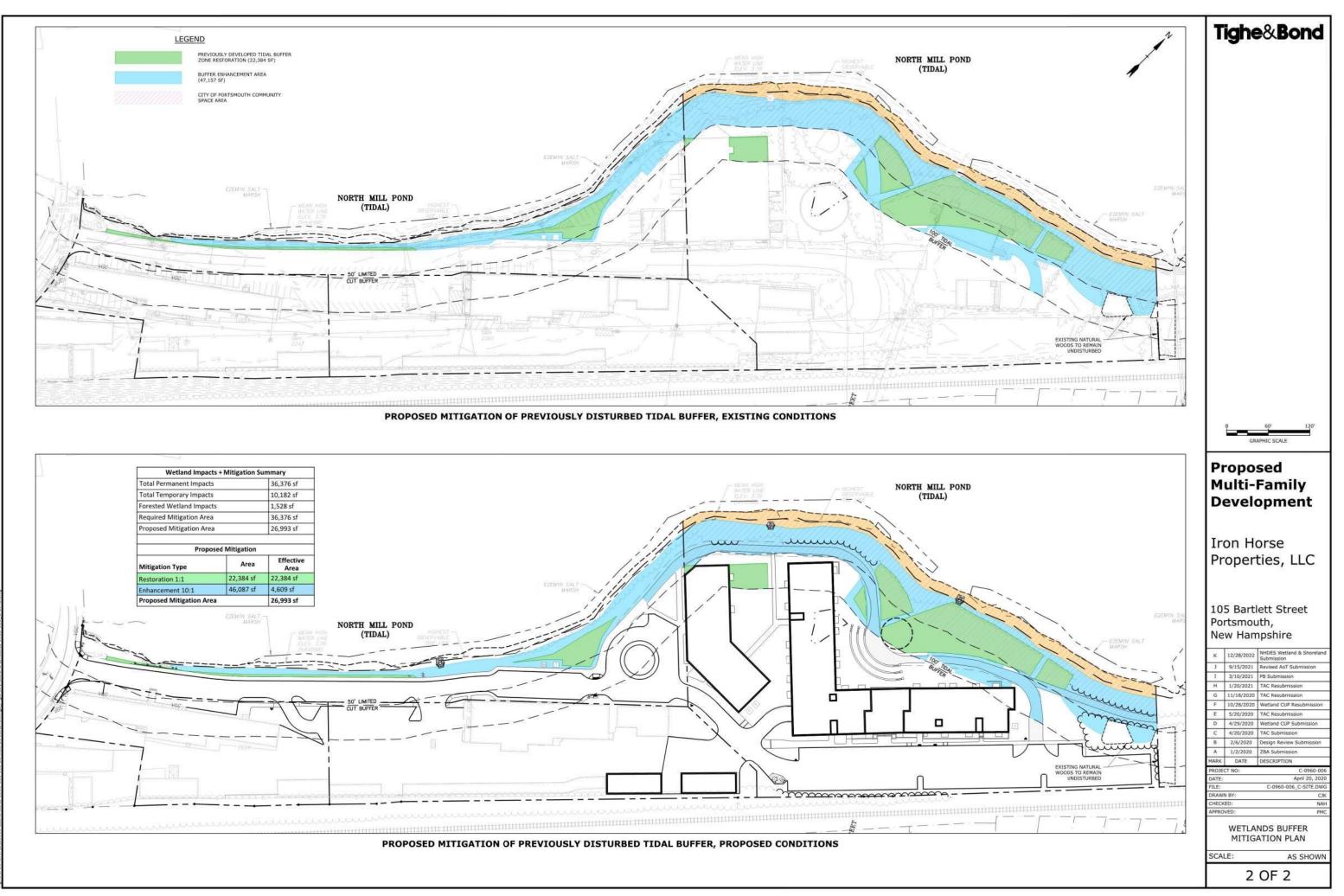
#### **Educational Potential**

- Existing Function at North Mill Pond: There is no safe public access to North Mill Pond near the project site. In addition to being private property, the southern portion of the site is a commercial parking lot, and the northern portion of the project site has dangerous trash and building debris. Access to the North Mill Pond is also limited by steep banks, further diminishing the educational potential of this wetland.
- Existing Function at Project Upland Buffer: Same as for North Mill Pond.
- Proposed Function Enhancement: Since there is currently no access for Educational Potential, this function does not exist and cannot be enhanced.
- Proposed Function Restoration: By restoring the upland buffer and providing access along a greenway trail, some educational potential will be achieved. Although there will be no direct access to the North Mill Pond provided from the trail, there will be multiple viewing points, including views of the pond, salt marsh, and mudflats from the project site. The trail will also connect to other nearby habitats including more extensive salt marsh, shrublands, and native grassland (little bluestem, *Schizachyrium scoparium*).

#### Noteworthiness

- Existing Function at North Mill Pond: This area of North Mill Pond does not include any rare species, though the larger salt marsh to the northeast and across the pond are considered as highly ranked wildlife habitat, which is noteworthy. In addition, the pond provides for some open vistas in a developed setting, which adds to its importance aesthetically and as part of the character of the area.
- Existing Function at Project Upland Buffer: The upland buffer is somewhat noteworthy as an old railroad yard, but it has been so degraded that this diminishes its noteworthiness.
- Proposed Function Enhancement: Restoring and enhancing the upland buffer while providing a greenway trail will enhance the character of the area and provide recreational, educational, and aesthetic opportunities to the public that would not otherwise be readily available.
- Proposed Function Restoration: Since noteworthiness is an existing function, it will be enhanced by the project, rather than restored.





#### 2022 VALUES

TOWN	LAND VALUE				
Plainfield	3154		ETLAND PAYMEN INSERT AMOUNTS IN		
Plaistow	53267		INSERT AMOUNTS IN	TIELLOW CEL	.23
Plymouth	7923				
Portsmouth	53267	1	Convert square feet	of impact to a	cres:
Randolph		INSERT SQ FT OF IMPACT	Square feet of impact		
Raymond	23309			43560.00	
Richmond	1456		Acres of impact =	0.2154	
Rindge	10261				
Rochester	29642	-			
Rollinsford	32458	2	Determine acreage of		struction:
Roxbury	761		Forested wetlands:	0.3231	
Rumney	4204		Tidal wetlands:	0.6462	
Rye	53267		All other areas:	0.3231	
Salem Salisbury	53267 2413				
Sanbornton	11075		M	4	
Sandown	37557	3	Wetland constructio		
Sandwich	5002		Forested wetlands:	\$33,103.65	
Sargent's	5002		Tidal Wetlands:	\$66,207.30	
Purchase	494		All other areas:	\$33,103,65	
Seabrook	53267		All Utilet alleas.	φ33, IU3.05	
Second College	53207				
Grant	494		Land acquisition cos	t (See land vo	lue table):
Grant Sharon		4 INSERT LAND VALUE	Town land value:	53267 53267	ide tablej.
Shelburne	583		Forested wetlands:	\$17,210.89	
Somersworth	43798	APPEARS TO THE LEFT.	Tidal wetlands:	\$17,210.89 \$34,421.78	
	43/98	(Insert the amount do not	All other areas:	\$17,210.89	
South Hampton	15895	copy and paste.)		ψ17,210.09	
Springfield	3452	5	Construction + land	costs:	
Stark	789		Forested wetland:	\$50,314.54	
Stewartstown	1242		Tidal wetlands:	\$100,629.08	
Stoddard	4934		All other areas:	\$50,314.54	
Strafford	8396		All other areas.	\$00,011.01	
Stratford	494	6	NHDES Administrati	ve cost:	
Stratham	53267	-	Forested wetlands:	\$10,062.91	
Success	494		Tidal wetlands:	\$20,125.82	
Sugar Hill	8401		All other areas:	\$10,062.91	
Sullivan	1665			1 1 1 1 1 1	
Sunapee	53267	***********	TOTAL ARM PAYME	NT******	
Surry	3226		Forested wetlands:	\$60,377.45	
Sutton	7136				
Swanzey	8224		Tidal wetlands:	\$120,754.90	
Tamworth	4771		All other areas:	\$60,377.45	
Temple	4371				
Thompson &					
Meserve's					
Purchase	494				
Thornton	5115				
Tilton	35234				
Troy	3430				
Tuftonboro	30222				
Unity	3136				
Wakefield	27165				
Walpole	8528				
Warner	3312				
Warren	852				
Washington Waterville	5420				
Valley	1737				
Weare Webster	11359 6440				
Wentworth Wentworth's	1477				
Location	494				
Westmoreland	2753				
Whitefield	2975				
Wilmot Wilton	4608				
	11438				
Winchester	3171 53267				
Windham					
Windsor	2522				
Wolfeboro	41723				
Woodstock	2321	1			



# **Tighe&Bond**

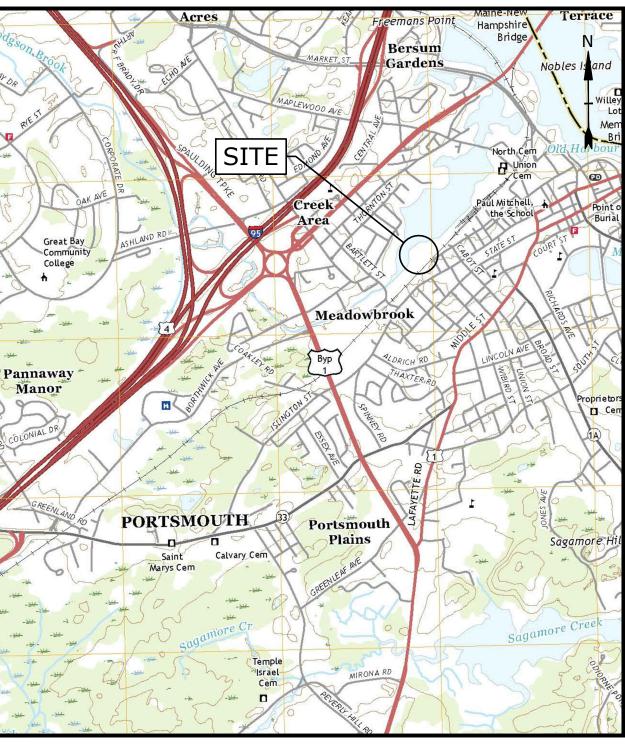
**APPENDIX G** 

# PROPOSED MULTI-FAMILY DEVELOPMENT **105 BARTLETT STREET** PORTSMOUTH, NEW HAMPSHIRE JANUARY 2, 2020 LAST REVISED: JANUARY 10, 2023

SHEET NO.	SHEET TITLE	LAST REVISE
	COVER SHEET	01/10/2023
1 OF 5	LOT LINE RELOCATION PLAN	01/19/2021
2 OF 5	LOT LINE RELOCATION PLAN	01/19/2021
3 OF 5	LOT LINE RELOCATION PLAN	01/19/2021
4 OF 5	LOT LINE RELOCATION PLAN	01/19/2021
5 OF 5	LOT LINE RELOCATION PLAN	01/19/2021
C-101	OVERALL EXISTING CONDITIONS AND DEMOLITION PLAN	12/28/2022
C-101.1	EXISTING CONDITIONS AND DEMOLITION PLAN	12/28/2022
C-101.2	EXISTING CONDITIONS AND DEMOLITION PLAN	12/28/2022
C-102	OVERALL SITE PLAN	12/28/2022
C-102.1	SITE PLAN	12/28/2022
C-102.2	SITE PLAN	12/28/2022
C-102.3	BASEMENT LEVEL SITE PLAN	12/28/2022
C-103.1	GRADING, DRAINAGE, AND EROSION CONTROL PLAN	12/28/2022
C-103.2	GRADING, DRAINAGE, AND EROSION CONTROL PLAN	12/28/2022
C-104.1	UTILITIES PLAN	12/28/2022
C-104.2	UTILITIES PLAN	12/28/2022
C-501	EROSION CONTROL NOTES AND DETAILS SHEET	12/28/2022
C-502	DETAILS SHEET	12/28/2022
C-503	DETAILS SHEET	12/28/2022
C-504	DETAILS SHEET	12/28/2022
C-505	DETAILS SHEET	12/28/2022
C-506	DETAILS SHEET	12/28/2022
C-507	DETAILS SHEET	12/28/2022
C-508	DETAILS SHEET	12/28/2022
C-509	DETAILS SHEET	12/28/2022
L-1	SITE LANDSCAPE PLAN	01/09/2023
L-2	FOUNDATION PLANTING PLAN	01/09/2023



# **T&B PROJECT NO: C0960-006**



LOCATION MAP SCALE: 1" = 2000'

**PREPARED BY:** PORTSMOUTH, NEW HAMPSHIRE 03801

603-433-8818

**OWNERS:** 

TAX MAP 157, LOT 1 CLIPPER TRADERS, LLC **105 BARTLETT STREET** PORTSMOUTH, NEW HAMPSHIRE 03801

TAX MAP 164, LOT 4-2 IRON HORSE PROPERTIES, LLC 105 BARTLETT STREET PORTSMOUTH, NH 03801

TAX MAP 157 LOT 2 TAX MAP 164, LOT 1 PORTSMOUTH HARDWARE & LUMBER, LLC **105 BARTLETT STREET** PORTSMOUTH, NH 03801

# SURVEYOR:

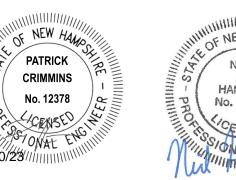
AMBIT ENGINEERING, INC. 200 GRIFFIN ROAD - UNIT 3 PORTSMOUTH, NEW HAMPSHIRE 03801

# **APPLICANT:**

IRON HORSE PROPERTIES, LLC

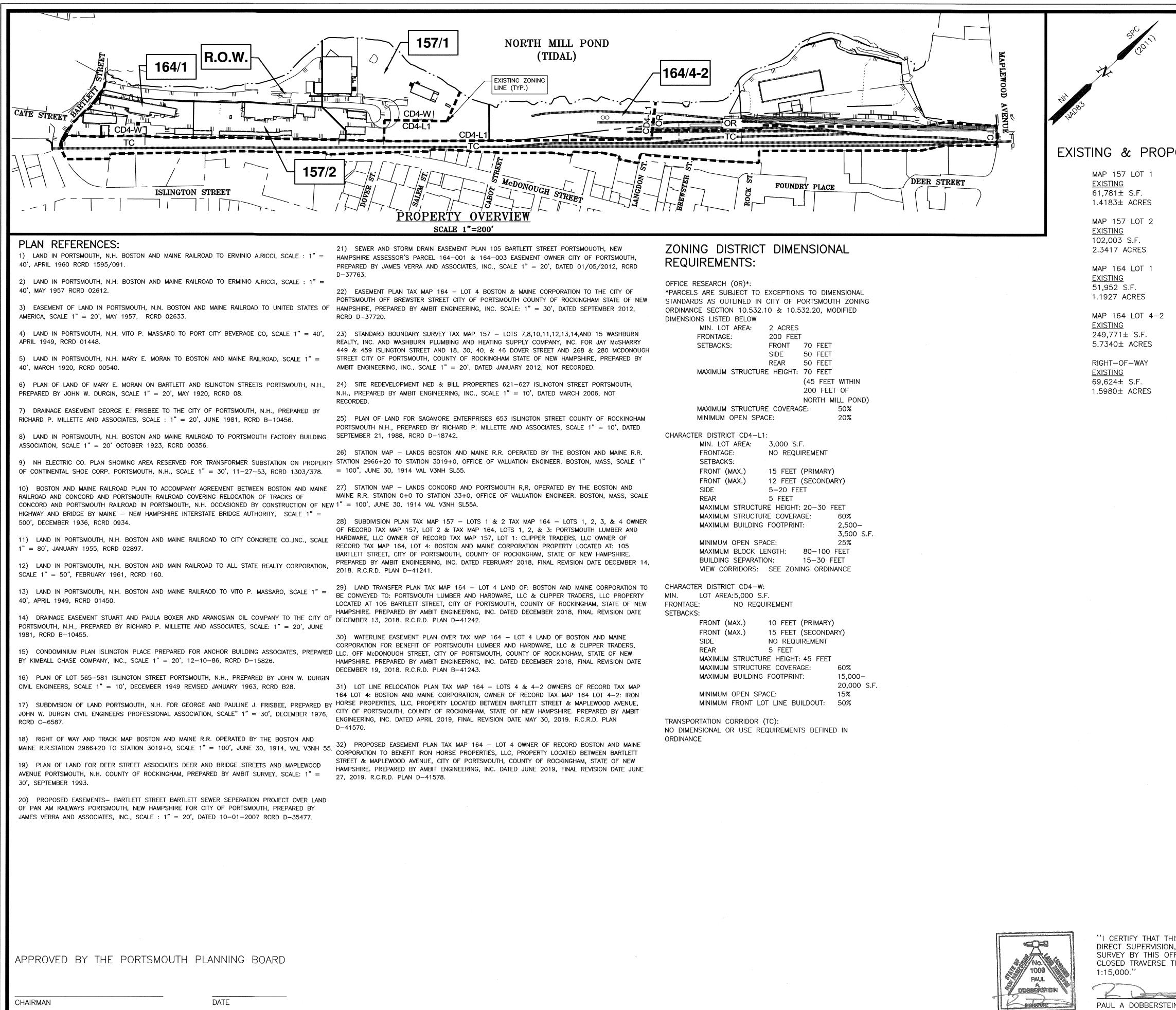
**105 BARTLETT STREET** PORTSMOUTH, NEW HAMPSHIRE 03801

LIST OF PERMI	TS	
LOCAL	STATUS	DATE
SITE PLAN REVIEW PERMIT	APPROVED	4/15/2021
LOT LINE REVISION PERMIT	APPROVED	4/15/2021
CONDITIONAL USE PERMIT - SHARED PARKING	APPROVED	4/15/2021
CONDITIONAL USE PERMIT - WETLAND BUFFER	APPROVED	4/15/2021
STATE		
NHDES - ALTERATION OF TERRAIN PERMIT	APPROVED	9/29/2021
NHDES - WETLAND PERMIT	PENDING	
NHDES - SHORELAND PERMIT	PENDING	
NHDES - SEWER CONNECTION PERMIT	PENDING	
FEDERAL		
EPA - NPDES CGP	PENDING	





# **NHDES WETLAND & SHORELAND SUBMISSION COMPLETE SET 28 SHEETS**



CKS	:							
	FRONT (M	IAX.)	10	FEET	(PRI	MARY)		
	FRONT (M	IAX.)	15	FEET	(SEC	ONDA	YY)	
	SIDE		NO	REQL	JIREM	ENT		
	REAR		5 F	EET				
	MAXIMUM	STRUCTUR	ΕH	EIGHT	: 45	FEET		
	MAXIMUM	STRUCTUR	EC	OVER/	AGE:		60%	
	MAXIMUM	BUILDING	FOC	TPRIN	IT:		15,000-	
							20,000 S.I	F.
	MINIMUM	OPEN SPA	CE:				15%	
	MINIMUM	FRONT LOT	r li	NE BL	JILDO	UT:	50%	

MAP 164 LOT 4-2

DIRECT SUPERVISION. SURVEY BY THIS OFF CLOSED TRAVERSE T

PAUL A DOBBERSTEIN



# AMBIT ENGINEERING, INC.

Civil Engineers & Land Surveyors 200 Griffin Road - Unit 3 Portsmouth, N.H. 03801-7114 Tel (603) 430-9282 Fax (603) 436-2315

# NOTES:

1) PARCELS ARE SHOWN ON THE CITY OF PORTSMOUTH ASSESSOR'S MAP 157 LOTS 1 & 2, MAP 164 AS LOTS 1 & 4-2, AND A RIGHT-OF-WAY WITH NO ASSESSOR'S MAP DESIGNATION.

2) OWNERS OF RECORD: MAP 157 LOT 1 CLIPPER TRADERS, LLC 105 BARTLETT STRET PORTSMOUTH, NH 03801 5598/2725 & 5970/1701

> MAP 157 LOT 2 & MAP 164 LOT 1 PORTSMOUTH LUMBER & HARDWARE, LLC 105 BARTLETT STREET PORTSMOUTH, NH 03801 5372/2606, 5808/1379, 5540/2567, & 5970/1693

MAP 164 LOT 4-2 IRON HORSE PROPERTIES, LLC 105 BARTLETT STREET PORTSMOUTH, NH 03801 5970/1686 & 6012/2502

RIGHT-OF WAY CLIPPER TRADERS, LLC, PORTSMOUTH LUMBER & HARDWARE, LLC, & IRON HORSE PROPERTIES, LLC 5970/1708

3) PORTIONS OF THE SUBJECT PARCELS ARE IN A SPECIAL FLOOD HAZARD AREA ZONE AE (EL.9) AS SHOWN ON FIRM PANEL 33015C0259E. EFFECTIVE DATE MAY 17, 2005.

4) PARCELS ARE LOCATED IN CHARACTER DISTRICT 4W (CD4-W), CHARACTER DISTRICT 4-L1 (CD4-L1), AND OFFICE RESEARCH (OR) ZONING DISTRICTS.

5) THE PURPOSE OF THIS PLAN IS TO SHOW A LOT LINE RELOCATION BETWEEN THE SUBJECT PARCELS IN THE CITY OF PORTSMOUTH.

6) VERTICAL DATUM IS MEAN SEA LEVEL NAVD88. BASIS OF VERTICAL DATUM IS REDUNDANT RTN GPS OBSERVATIONS (±0.3').

7) HORIZONTAL DATUM AND BASIS OF BEARINGS IS THE NH STATE PLANE COORDINATE SYSTEM NAD 83 (2011). BASIS OF HORIZONTAL DATUM IS REDUNDANT RTN GPS OBSERVATIONS.

1	REVISE PROPOSED LOT LINE	1/19/2
0	ISSUED FOR COMMENT	6/22/20
NO.	DESCRIPTION	DATE
	REVISIONS	
Т	LOT LINE RELOCATION AX MAP 157 - LOTS	

TAX MAP 157 LOT 1: CLIPPER TRADERS, LLC OWNER OF RECORD

TAX MAP 157 LOT 2 & TAX MAP 164 LOT 1: PORTSMOUTH LUMBER & HARDWARE, LLC OWNER OF RECORD TAX MAP 164 LOT 4-2: IRON HORSE PROPERTIES, LLC OWNER OF RECORD

RIGHT-OF-WAY (NO TAX MAP DESIGNATION): IRON HORSE PROPERTIES, LLC, PORTSMOUTH LUMBER & HARDWARE, LLC,

& CLIPPER TRADERS, LLC PROPERTY LOCATED BETWEEN: BARTLETT STREET & MAPLEWOOD AVENUE CITY OF PORTSMOUTH COUNTY OF ROCKINGHAM STATE OF NEW HAMPSHIRE

JUNE 2020

2429

SCALE AS NOTED SHEET 1 OF 5

FB 243 PG 22

### EXISTING & PROPOSED LOT AREAS:

<u>PROPOSED</u> 205,804± S.F. 4.7246± ACRES

PROPOSED 81,645 S.F. 1.8743 ACRES

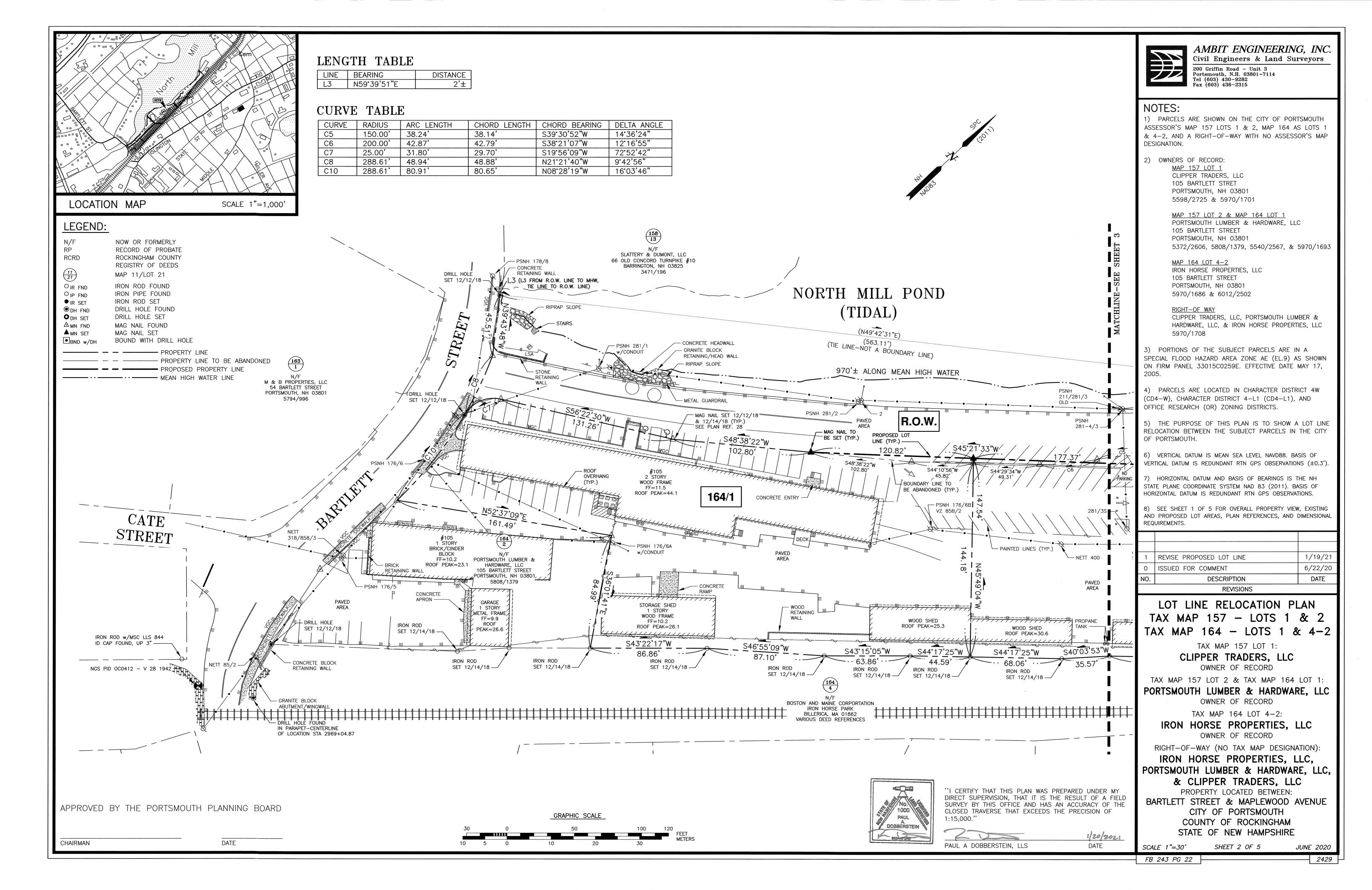
PROPOSED 52,289 S.F. 1.2004 ACRES

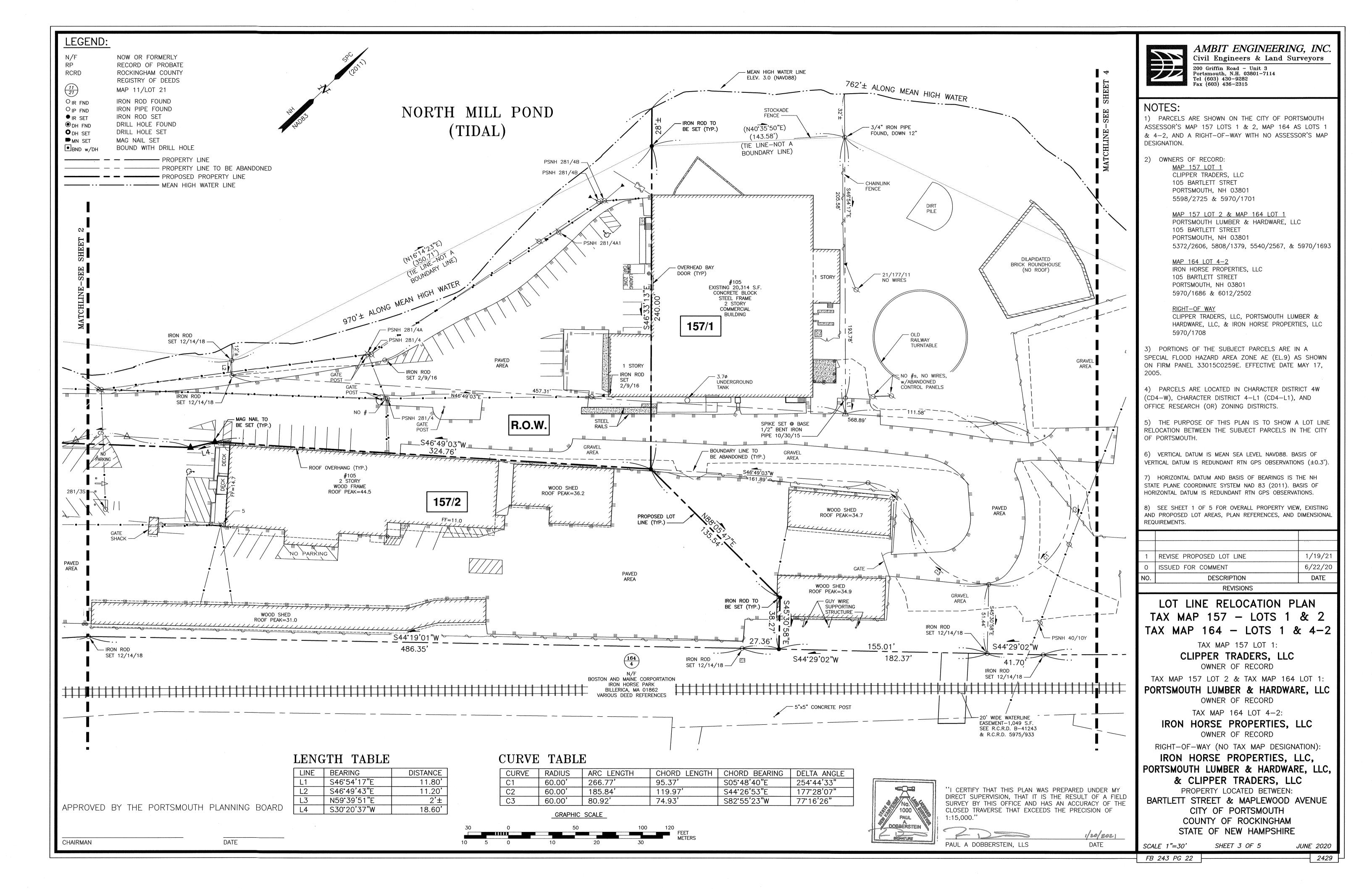
<u>PROPOSED</u> 119,519± S.F. 2.7454± ACRES

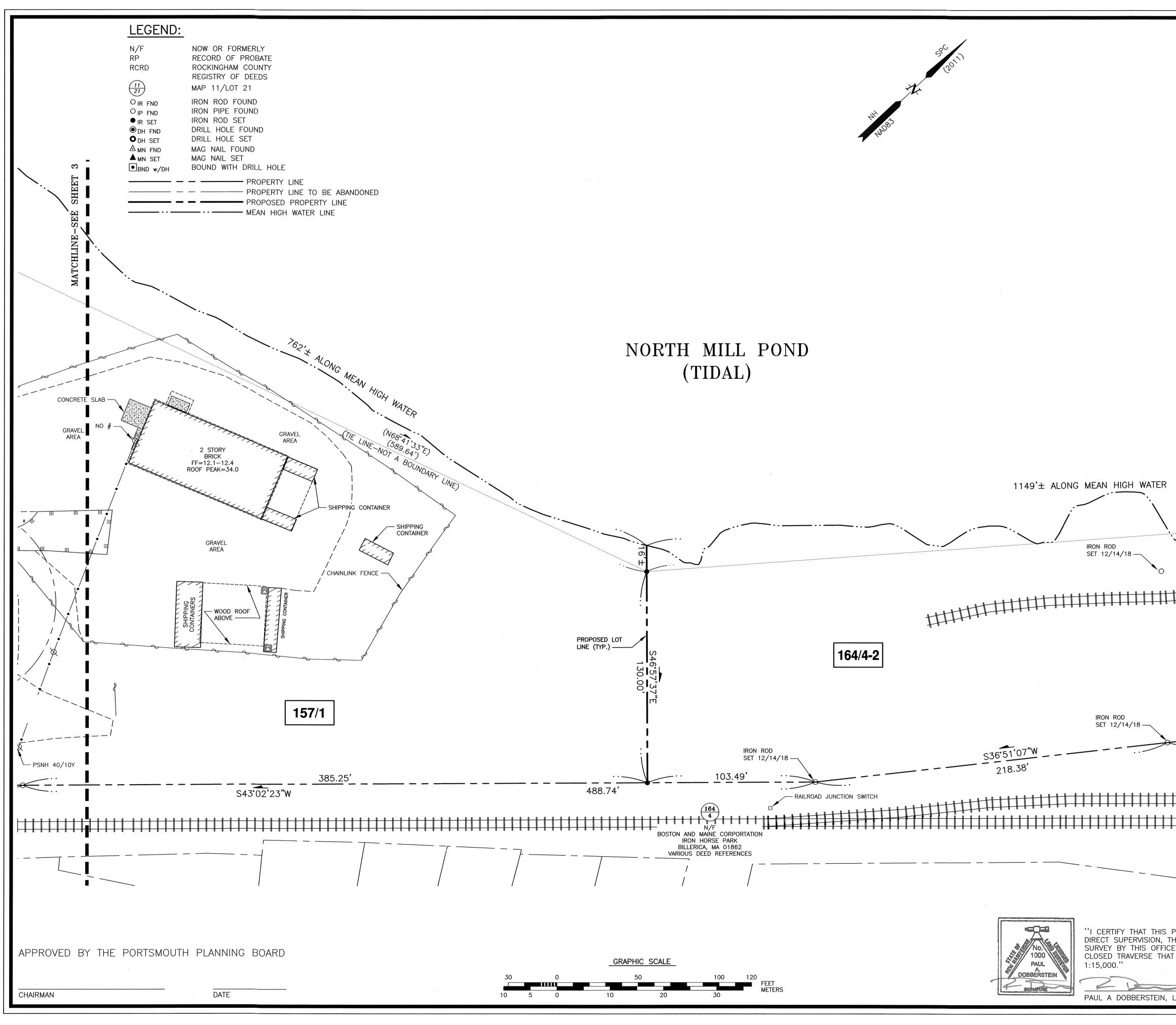
PROPOSED 75,792± S.F. 1.1.7399± ACRES

S	Р		JV	VAS	PR	FP.	ARF	DΙ	JND	FR	MY	,
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FI	CE	A١	١D	ΗA	S A	N,	ACC	URA	٨CY	OF	Tł	ΗE
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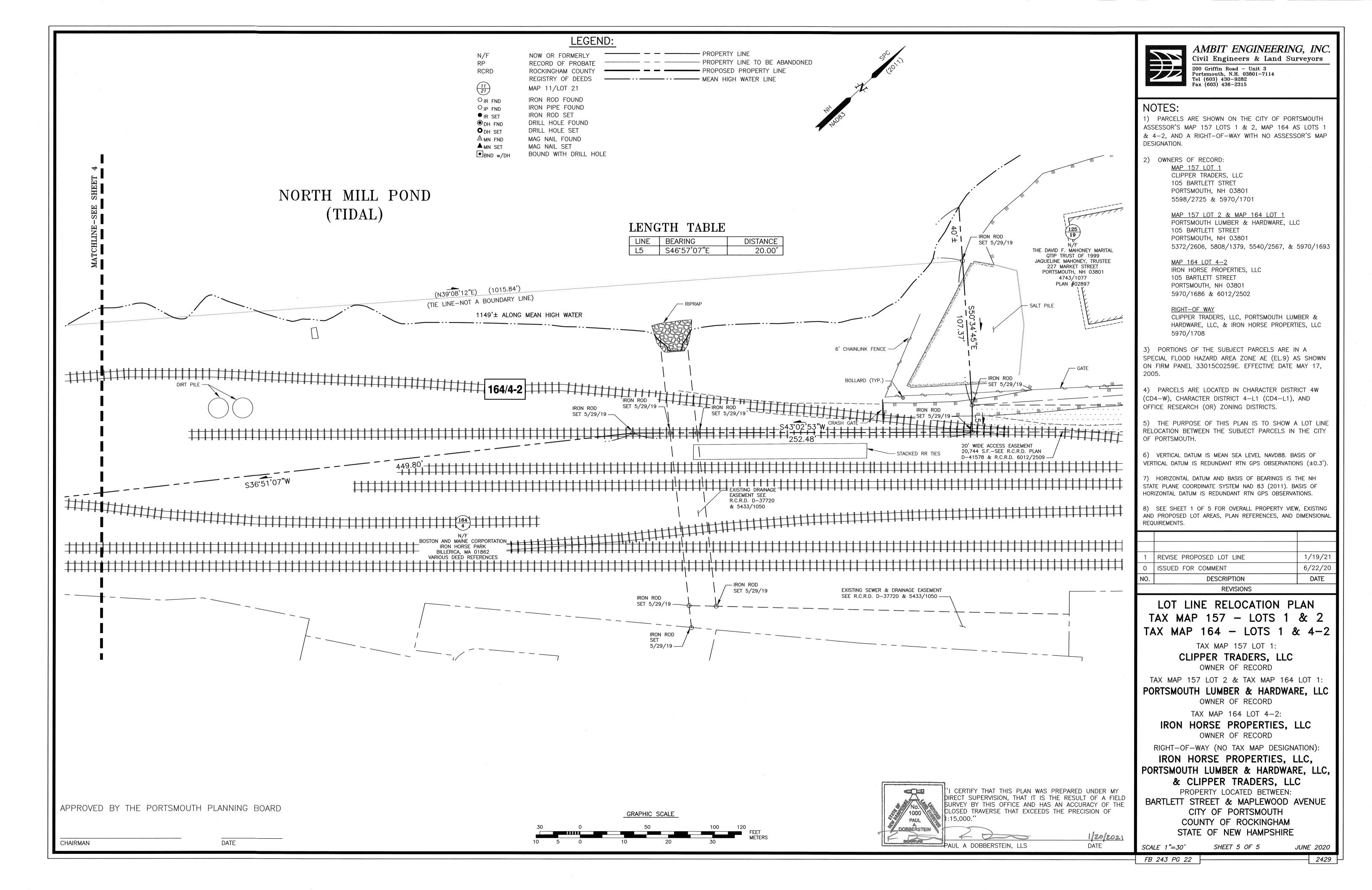
	1/20/2021
N, LLS	DATE

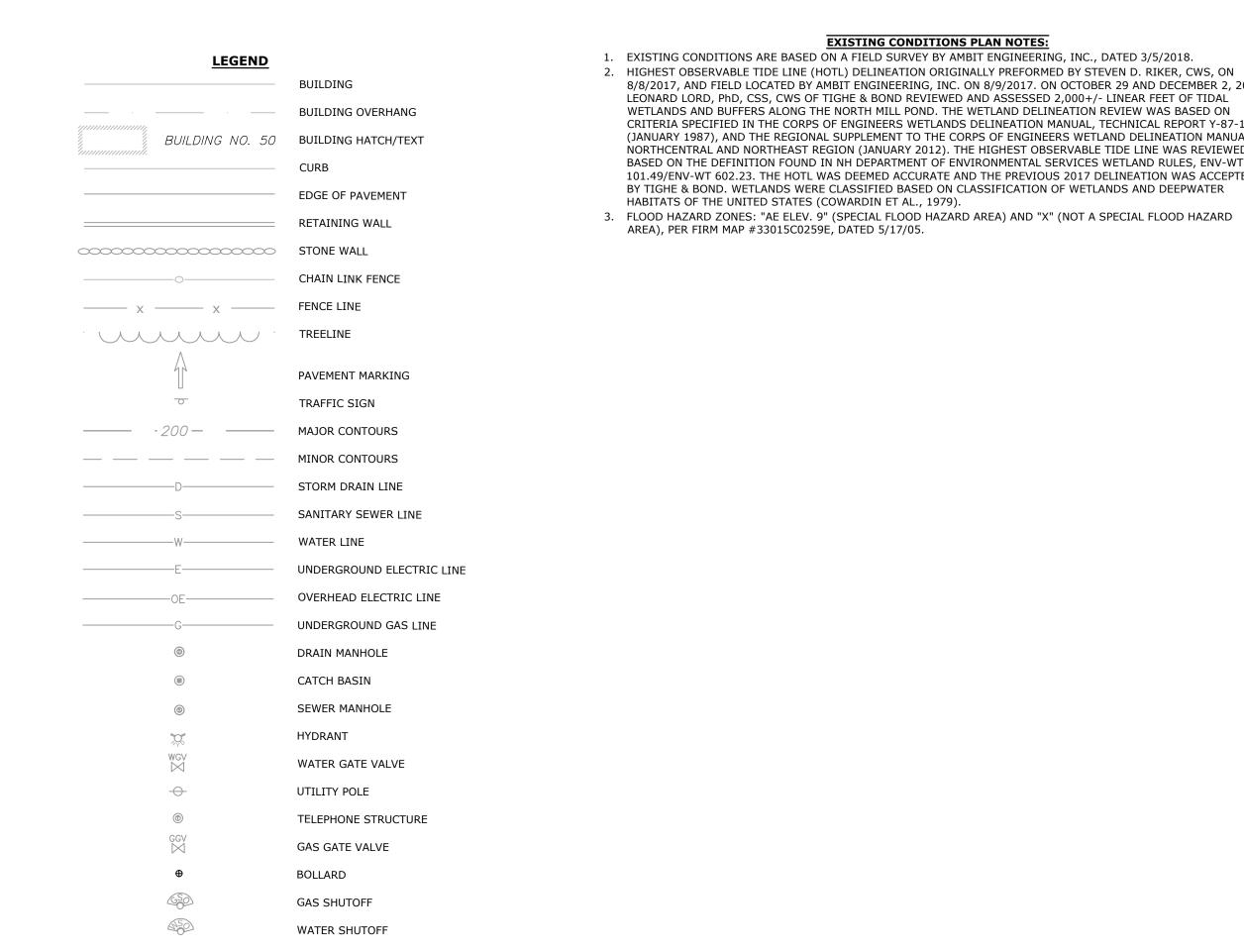


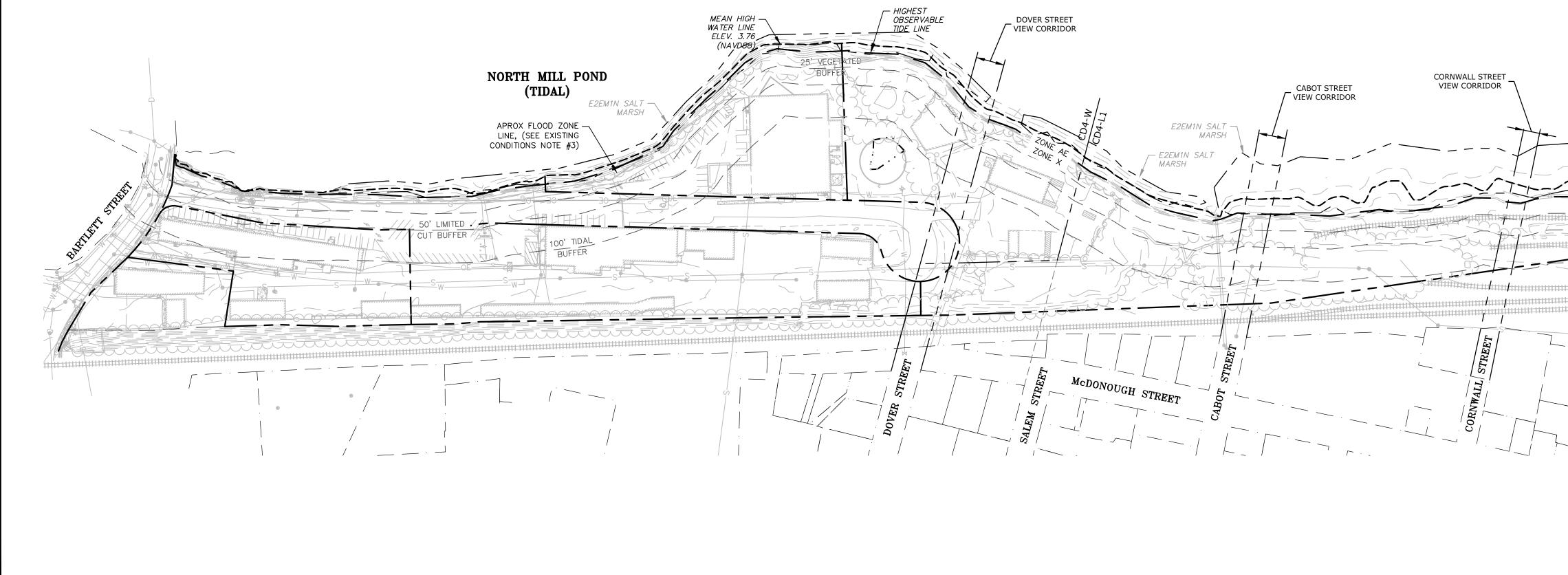




	AMBIT ENGINEER Civil Engineers & Land	
	200 Griffin Road – Unit 3 Portsmouth, N.H. 03801–7114 Tel (603) 430–9282 Fax (603) 436–2315	Surveyors
	NOTES: 1) PARCELS ARE SHOWN ON THE CITY OF ASSESSOR'S MAP 157 LOTS 1 & 2, MAP 16 & 4-2, AND A RIGHT-OF-WAY WITH NO ASS DESIGNATION.	64 AS LOTS 1
SEE SHEET 5	2) OWNERS OF RECORD: <u>MAP 157 LOT 1</u> CLIPPER TRADERS, LLC 105 BARTLETT STRET PORTSMOUTH, NH 03801 5598/2725 & 5970/1701	
MATCHLINE-S	MAP 157 LOT 2 & MAP 164 LOT 1 PORTSMOUTH LUMBER & HARDWARE 105 BARTLETT STREET PORTSMOUTH, NH 03801 5372/2606, 5808/1379, 5540/2567,	, LLC
	MAP 164 LOT 4–2 IRON HORSE PROPERTIES, LLC 105 BARTLETT STREET PORTSMOUTH, NH 03801 5970/1686 & 6012/2502	
	<u>RIGHT-OF WAY</u> CLIPPER TRADERS, LLC, PORTSMOUTH HARDWARE, LLC, & IRON HORSE PRO 5970/1708	
	3) PORTIONS OF THE SUBJECT PARCELS AF SPECIAL FLOOD HAZARD AREA ZONE AE (EL.S ON FIRM PANEL 33015C0259E. EFFECTIVE DA 2005.	9) AS SHOWN
	4) PARCELS ARE LOCATED IN CHARACTER D (CD4-W), CHARACTER DISTRICT 4-L1 (CD4- OFFICE RESEARCH (OR) ZONING DISTRICTS.	
۲ 	5) THE PURPOSE OF THIS PLAN IS TO SHO RELOCATION BETWEEN THE SUBJECT PARCELS OF PORTSMOUTH.	
	6) VERTICAL DATUM IS MEAN SEA LEVEL NAVD88 VERTICAL DATUM IS REDUNDANT RTN GPS OBSERV	
	7) HORIZONTAL DATUM AND BASIS OF BEARINGS STATE PLANE COORDINATE SYSTEM NAD 83 (2011 HORIZONTAL DATUM IS REDUNDANT RTN GPS OBSI	). BASIS OF
	8) SEE SHEET 1 OF 5 FOR OVERALL PROPERTY AND PROPOSED LOT AREAS, PLAN REFERENCES, A REQUIREMENTS.	
I	1REVISEPROPOSEDLOTLINE0ISSUEDFORCOMMENT	6/22/20
I	NO. DESCRIPTION	DATE
	LOT LINE RELOCATION	
	TAX MAP 157 - LOTS	
	TAX MAP 164 - LOTS 1	& 4-2
<del>╺╺╺╺╺╺╺╺╺╺╺</del>	TAX MAP 157 LOT 1: CLIPPER TRADERS, LI	C
	OWNER OF RECORD	
<del>┇┇┇┇┇┇┇┇┇┇┇┇</del> ┇┇┇┇┇	TAX MAP 157 LOT 2 & TAX MAP 1 PORTSMOUTH LUMBER & HARD	
	OWNER OF RECORD	VARL, LLC
	TAX MAP 164 LOT 4-2: IRON HORSE PROPERTIES OWNER OF RECORD	, LLC
	RIGHT-OF-WAY (NO TAX MAP DESI IRON HORSE PROPERTIES PORTSMOUTH LUMBER & HARDV	, LLC, VARE, LLC,
S PLAN WAS PREPARED UNDER MY THAT IT IS THE RESULT OF A FIELD FICE AND HAS AN ACCURACY OF THE HAT EXCEEDS THE PRECISION OF	& CLIPPER TRADERS, PROPERTY LOCATED BETWEE BARTLETT STREET & MAPLEWOO CITY OF PORTSMOUTH	N: D AVENUE
1/20/2021	COUNTY OF ROCKINGHA STATE OF NEW HAMPSHI	
N, LLS DATE	SCALE 1"=30' SHEET 4 OF 5 FB 243 PG 22	JUNE 2020
	rd 243 FG 22	2429 -





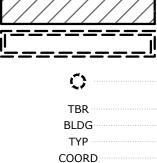


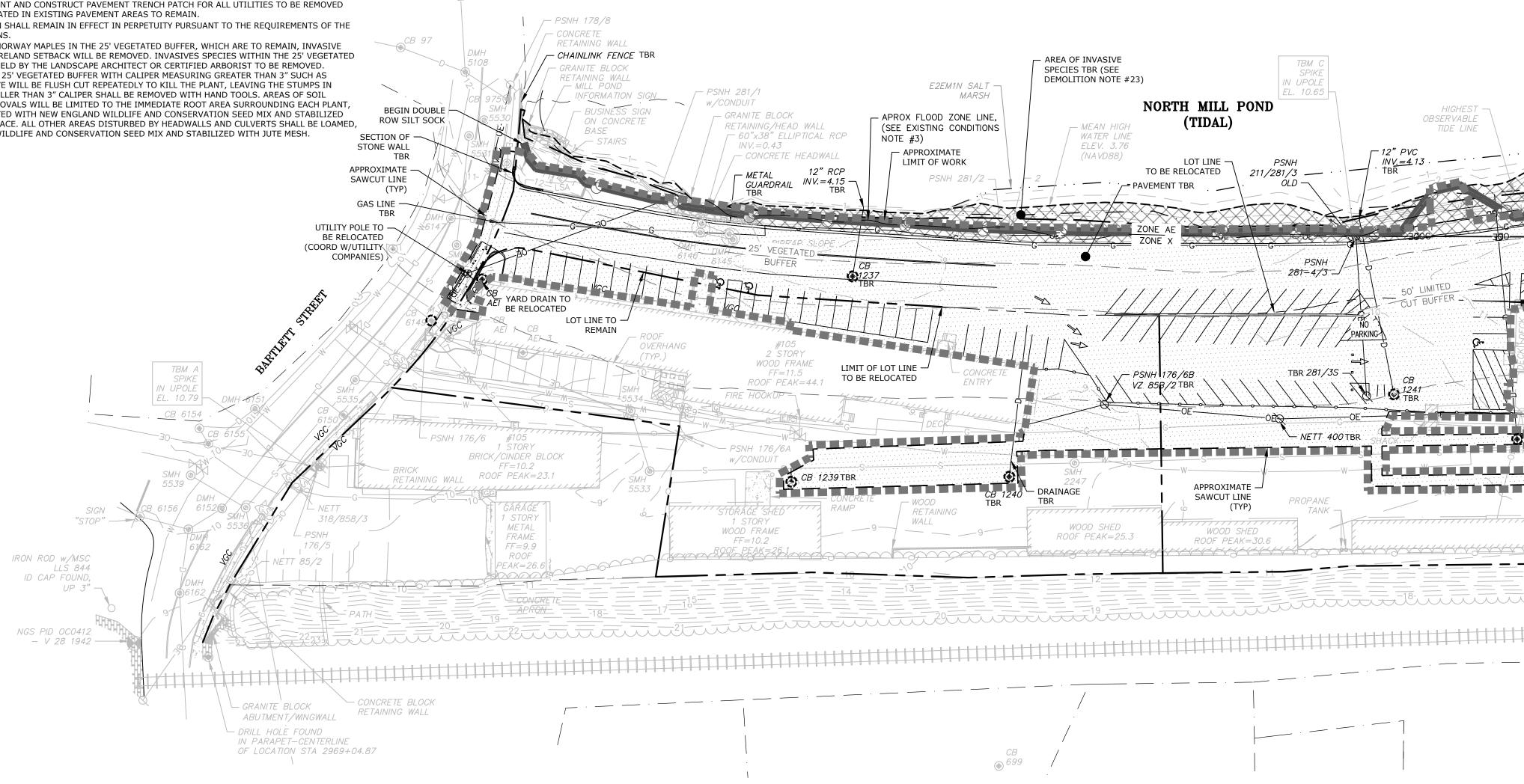
8/8/2017, AND FIELD LOCATED BY AMBIT ENGINEERING, INC. ON 8/9/2017. ON OCTOBER 29 AND DECEMBER 2, 2019, LEONARD LORD, PhD, CSS, CWS OF TIGHE & BOND REVIEWED AND ASSESSED 2,000+/- LINEAR FEET OF TIDAL WETLANDS AND BUFFERS ALONG THE NORTH MILL POND. THE WETLAND DELINEATION REVIEW WAS BASED ON CRITERIA SPECIFIED IN THE CORPS OF ENGINEERS WETLANDS DELINEATION MANUAL, TECHNICAL REPORT Y-87-1 (JANUARY 1987), AND THE REGIONAL SUPPLEMENT TO THE CORPS OF ENGINEERS WETLAND DELINEATION MANUAL: NORTHCENTRAL AND NORTHEAST REGION (JANUARY 2012). THE HIGHEST OBSERVABLE TIDE LINE WAS REVIEWED BASED ON THE DEFINITION FOUND IN NH DEPARTMENT OF ENVIRONMENTAL SERVICES WETLAND RULES, ENV-WT 101.49/ENV-WT 602.23. THE HOTL WAS DEEMED ACCURATE AND THE PREVIOUS 2017 DELINEATION WAS ACCEPTED BY TIGHE & BOND. WETLANDS WERE CLASSIFIED BASED ON CLASSIFICATION OF WETLANDS AND DEEPWATER

1 North Contraction of the second sec	<b>Tighe&amp;Bond</b>
	PATRICK CRIMMINS No. 12378 No. 12378
	PROTISES ON AL ENGINIE
	0 100' 200'
	GRAPHIC SCALE Proposed Multi-Family Development
	Iron Horse Properties, LLC
	105 Bartlett Street Portsmouth, New Hampshire
	K12/28/2022NHDES Wetland & Shoreland SubmissionJ9/15/2021Revised AoT SubmissionI3/10/2021PB SubmissionH1/20/2021TAC ResubmissionG11/18/2020TAC ResubmissionF10/28/2020Wetland CUP ResubmissionE5/20/2020TAC ResubmissionD4/29/2020Wetland CUP Submission
	C         4/20/2020         TAC Submission           B         2/6/2020         Design Review Submission           A         1/2/2020         ZBA Submission           MARK         DATE         DESCRIPTION           PROJECT NO:         C-0960-006           DATE:         April 20, 2020
	FILE:       C-0960-006_C-SITE.DWG         DRAWN BY:       CJK         CHECKED:       NAH         APPROVED:       PMC         OVERALL EXISTING
	CONDITIONS PLAN SCALE: AS SHOWN C-101



- 1. THE LOCATIONS OF UNDERGROUND UTILITIES ARE APPROXIMATE AND THE LOCATIONS ARE NOT GUARANTEED BY THE OWNER OR THE ENGINEER. IT IS THE CONTRACTOR'S RESPONSIBILITY TO LOCATE ALL UTILITIES, ANTICIPATE CONFLICTS, REPAIR EXISTING UTILITIES AND RELOCATE EXISTING UTILITIES REQUIRED TO COMPLETE THE WORK. 2. THE CONTRACTOR SHALL VERIFY LOCATION OF ALL EXISTING UTILITIES. CALL DIG SAFE AT LEAST 72 HOURS PRIOR TO THE COMMENCEMENT OF ANY DEMOLITION/CONSTRUCTION ACTIVITIES.
- 3. ALL MATERIALS SCHEDULED TO BE REMOVED SHALL BECOME THE PROPERTY OF THE CONTRACTOR UNLESS OTHERWISE SPECIFIED. THE CONTRACTOR SHALL DISPOSE OF ALL MATERIALS OFF-SITE IN ACCORDANCE WITH ALL FEDERAL, STATE, AND LOCAL REGULATIONS, ORDINANCES AND CODES. 4. COORDINATE REMOVAL, RELOCATION, DISPOSAL OR SALVAGE OF UTILITIES WITH THE OWNER AND APPROPRIATE
- UTILITY COMPANY. 5. ANY EXISTING WORK OR PROPERTY DAMAGED OR DISRUPTED BY CONSTRUCTION/ DEMOLITION ACTIVITIES SHALL BE REPLACED OR REPAIRED TO MATCH ORIGINAL EXISTING CONDITIONS BY THE CONTRACTOR AT NO ADDITIONAL COST
- TO THE OWNER. 6. SAW CUT AND REMOVE PAVEMENT ONE (1) FOOT OFF PROPOSED EDGE OF PAVEMENT OR EXISTING CURB LINE IN ALL AREAS WHERE PAVEMENT TO BE REMOVED ABUTS EXISTING PAVEMENT OR CONCRETE TO REMAIN.
- 7. IT IS THE CONTRACTOR'S RESPONSIBILITY TO FAMILIARIZE THEMSELVES WITH THE CONDITIONS OF ALL OF THE PERMIT APPROVALS.
- 8. THE CONTRACTOR SHALL OBTAIN AND PAY FOR ADDITIONAL PERMITS, NOTICES AND FEES NECESSARY TO COMPLETE THE WORK AND ARRANGE FOR AND PAY FOR NECESSARY INSPECTIONS AND APPROVALS FROM THE AUTHORITIES HAVING JURISDICTION.
- 9. THE CONTRACTOR SHALL BE RESPONSIBLE FOR ALL DEMOLITION AND OFF-SITE DISPOSAL OF MATERIALS REQUIRED TO COMPLETE THE WORK, EXCEPT FOR WORK NOTED TO BE COMPLETED BY OTHERS. 10. UTILITIES SHALL BE TERMINATED AT THE MAIN LINE PER UTILITY COMPANY STANDARDS. THE CONTRACTOR SHALL
- REMOVE ALL ABANDONED UTILITIES LOCATED WITHIN THE LIMITS OF WORK. 11. CONTRACTOR SHALL VERIFY ORIGIN OF ALL DRAINS AND UTILITIES PRIOR TO REMOVAL/TERMINATION TO DETERMINE IF DRAINS OR UTILITY IS ACTIVE, AND SERVICES ANY ON OR OFF-SITE STRUCTURE TO REMAIN. THE CONTRACTOR
- SHALL NOTIFY ENGINEER IMMEDIATELY OF ANY SUCH UTILITY FOUND AND SHALL MAINTAIN THESE UTILITIES UNTIL PERMANENT SOLUTION IS IN PLACE. 12. PAVEMENT REMOVAL LIMITS ARE SHOWN FOR CONTRACTOR'S CONVENIENCE. ADDITIONAL PAVEMENT REMOVAL MAY BE REQUIRED DEPENDING ON THE CONTRACTOR'S OPERATION. CONTRACTOR TO VERIFY FULL LIMITS OF PAVEMENT
- REMOVAL PRIOR TO BID. 13. ALL ITEMS WITHIN THE LIMIT OF WORK ARE TO REMAIN UNLESS SPECIFICALLY IDENTIFIED TO BE REMOVED OR OTHERWISE ALTERED BY THE CONTRACTOR. ITEMS TO BE REMOVED INCLUDE, BUT ARE NOT LIMITED TO: CONCRETE, PAVEMENT, MANHOLES, CATCH BASINS, UNDERGROUND PIPING & UTILITIES, POLES, STAIRS, STRUCTURES, FENCES, RAMPS, BUILDING FOUNDATIONS, TREES, AND LANDSCAPING. THE CONTRACTOR SHALL CONFIRM WITH THE ENGINEER IF THE TREATMENT OF CERTAIN ITEMS IS UNCLEAR.
- 14. COORDINATE ALL WORK WITHIN THE PUBLIC RIGHT OF WAYS WITH THE CITY OF PORTSMOUTH.
- 15. REMOVE TREES AND BRUSH AS REQUIRED FOR COMPLETION OF WORK. CONTRACTOR SHALL GRUB AND REMOVE ALL STUMPS WITHIN LIMITS OF WORK AND DISPOSE OF OFF SITE IN ACCORDANCE WITH FEDERAL, STATE, AND LOCAL LAWS AND REGULATIONS. 16. CONTRACTOR SHALL PROTECT ALL PROPERTY MONUMENTATION THROUGHOUT DEMOLITION AND CONSTRUCTION
- OPERATIONS. SHOULD ANY MONUMENTATION BE DISTURBED BY THE CONTRACTOR, THE CONTRACTOR SHALL EMPLOY A NEW HAMPSHIRE LICENSED SURVEYOR TO REPLACE DISTURBED MONUMENTS. 17. PROVIDE INLET PROTECTION BARRIERS AT ALL CATCH BASINS/CURB INLETS WITHIN CONSTRUCTION LIMITS AS WELL
- AS CATCH BASINS/CURB INLETS THAT RECEIVE RUNOFF FROM CONSTRUCTION ACTIVITIES. INLET PROTECTION BARRIERS SHALL BE MAINTAINED FOR THE DURATION OF THE PROJECT. INLET PROTECTION BARRIERS SHALL BE "HIGH FLOW SILT SACK" BY ACF ENVIRONMENTAL OR EQUAL. INSPECT BARRIERS WEEKLY AND AFTER EACH RAIN EVENT OF 0.25 INCHES OR GREATER. CONTRACTOR SHALL COMPLETE A MAINTENANCE INSPECTION REPORT AFTER EACH INSPECTION. SEDIMENT DEPOSITS SHALL BE REMOVED AFTER EACH STORM EVENT OR MORE OFTEN IF THE FABRIC BECOMES CLOGGED OR SEDIMENT HAS ACCUMULATED TO 1/3 THE DESIGN DEPTH OF THE BARRIER.
- 18. THE CONTRACTOR SHALL PHASE DEMOLITION AND CONSTRUCTION AS REOUIRED TO PROVIDE CONTINUOUS SERVICE TO EXISTING BUSINESSES AND HOMES THROUGHOUT THE CONSTRUCTION PERIOD. EXISTING BUSINESS AND HOME SERVICES INCLUDE, BUT ARE NOT LIMITED TO ELECTRICAL, COMMUNICATION, FIRE PROTECTION, DOMESTIC WATER AND SEWER SERVICES. TEMPORARY SERVICES, IF REQUIRED, SHALL COMPLY WITH ALL FEDERAL, STATE, LOCAL AND UTILITY COMPANY STANDARDS. CONTRACTOR SHALL PROVIDE DETAILED CONSTRUCTION SCHEDULE TO OWNER PRIOR TO ANY DEMOLITION/CONSTRUCTION ACTIVITIES AND SHALL COORDINATE TEMPORARY SERVICES TO ABUTTERS WITH THE UTILITY COMPANY AND AFFECTED ABUTTER.
- 19. EROSION CONTROL MEASURES SHALL BE INSTALLED PRIOR TO THE START OF ANY CLEARING OR DEMOLITION ACTIVITIES. 20. THE CONTRACTOR SHALL PAY ALL COSTS NECESSARY FOR TEMPORARY PARTITIONING, BARRICADING, FENCING,
- SECURITY AND SAFETY DEVICES REQUIRED FOR THE MAINTENANCE OF A CLEAN AND SAFE CONSTRUCTION SITE. 21. SAW CUT AND REMOVE PAVEMENT AND CONSTRUCT PAVEMENT TRENCH PATCH FOR ALL UTILITIES TO BE REMOVED
- AND PROPOSED UTILITIES LOCATED IN EXISTING PAVEMENT AREAS TO REMAIN. 22. ALL CONDITIONS ON THIS PLAN SHALL REMAIN IN EFFECT IN PERPETUITY PURSUANT TO THE REQUIREMENTS OF THE SITE PLAN REVIEW REGULATIONS.
- 23. WITH THE EXCEPTION OF THE NORWAY MAPLES IN THE 25' VEGETATED BUFFER, WHICH ARE TO REMAIN, INVASIVE SPECIES WITHIN THE 100' SHORELAND SETBACK WILL BE REMOVED. INVASIVES SPECIES WITHIN THE 25' VEGETATED BUFFER WILL BE FLAGGED IN FIELD BY THE LANDSCAPE ARCHITECT OR CERTIFIED ARBORIST TO BE REMOVED. INVASIVE SHRUBS WITHIN THE 25' VEGETATED BUFFER WITH CALIPER MEASURING GREATER THAN 3" SUCH AS BUCKTHORN AND AUTUMN OLIVE WILL BE FLUSH CUT REPEATEDLY TO KILL THE PLANT, LEAVING THE STUMPS IN PLACE. WOODY INVASIVES SMALLER THAN 3" CALIPER SHALL BE REMOVED WITH HAND TOOLS. AREAS OF SOIL DISTURBANCE FROM SUCH REMOVALS WILL BE LIMITED TO THE IMMEDIATE ROOT AREA SURROUNDING EACH PLANT, DRESSED WITH LOAM, REPLANTED WITH NEW ENGLAND WILDLIFE AND CONSERVATION SEED MIX AND STABILIZED WITH JUTE MESH STAKED IN PLACE. ALL OTHER AREAS DISTURBED BY HEADWALLS AND CULVERTS SHALL BE LOAMED, SEEDED WITH NEW ENGLAND WILDLIFE AND CONSERVATION SEED MIX AND STABILIZED WITH JUTE MESH.





# LEGEND

APPROXIMATE LIMIT OF PROPOSED SAW CUT

LIMIT OF WORK

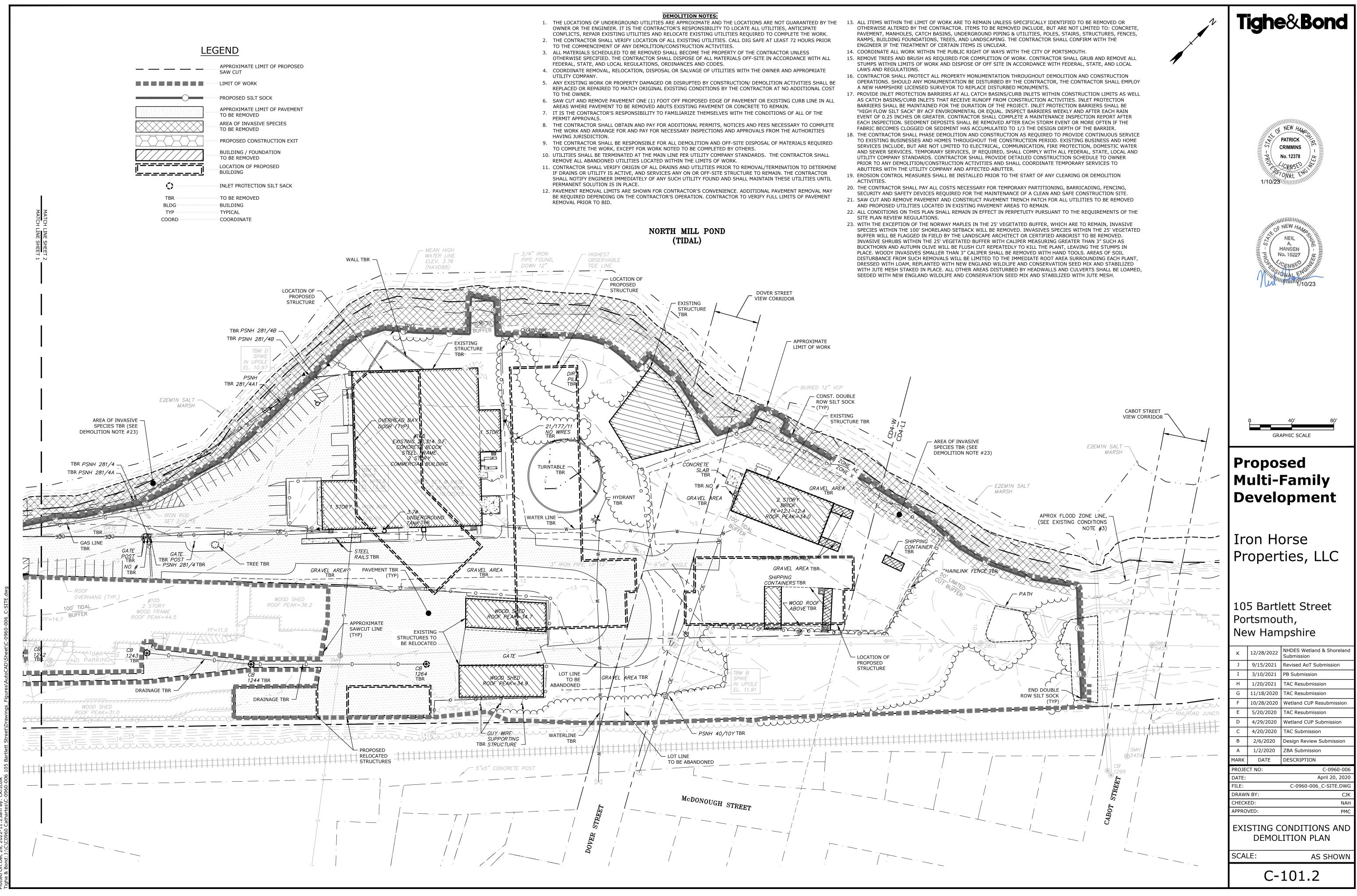
PROPOSED SILT SOCK APPROXIMATE LIMIT OF PAVEMENT TO BE REMOVED AREA OF INVASIVE SPECIES

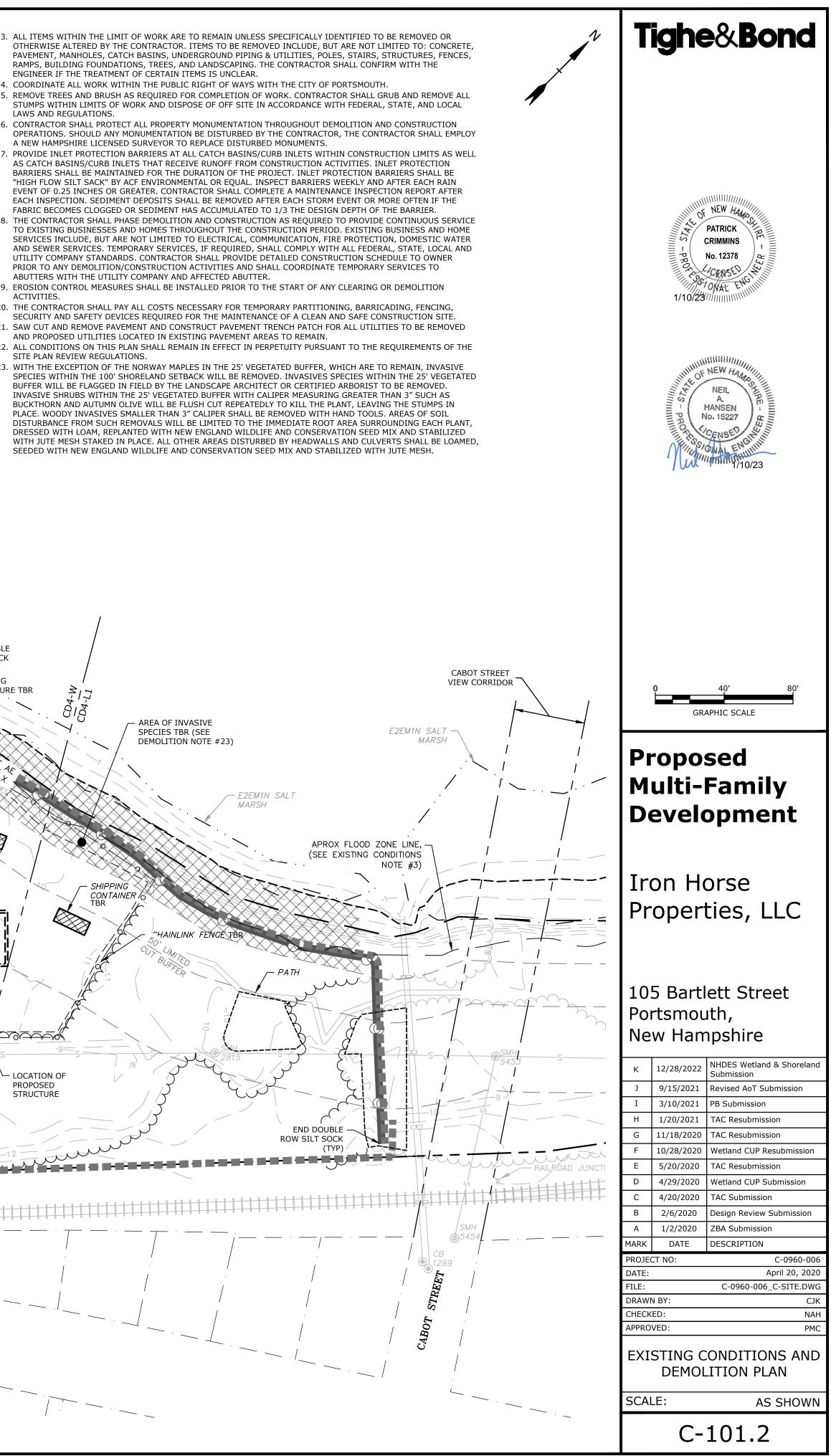
TO BE REMOVED PROPOSED CONSTRUCTION EXIT **BUILDING / FOUNDATION** TO BE REMOVED

LOCATION OF PROPOSED BUILDING INLET PROTECTION SILT SACK

TO BE REMOVED BUILDING TYPICAL COORDINATE

The second secon	<b>Tighe&amp;Bond</b>
	PATRICK PATRICK CRIMMINS No. 12378 No. 12378
MATCH LINE SHEET 2 MATCH LINE SHEET 1	NEIL NEIL NEIL HANSEN No. 15227 HONNEL NO. 15227 HUMBER NO. 15227 HUMBER NO. 15227
ARE4	0 40' 80'
SPE( DEMOLITI( TBR PSNH 2£ TBR PSNH 281	GRAPHIC SCALE Proposed Multi-Family Development
GAS LINE TBR TBR ROOF	Iron Horse Properties, LLC
$\frac{100' \text{ TIDAL}}{\text{BUFFER}}$	105 Bartlett Street Portsmouth, New Hampshire
CB 12-2 TB SMH SMH SMH SMH SMH SMH SMH SMH SMH SMH	K12/20/2022SubmissionJ9/15/2021Revised AoT SubmissionI3/10/2021PB SubmissionH1/20/2021TAC ResubmissionG11/18/2020TAC ResubmissionF10/28/2020Wetland CUP ResubmissionE5/20/2020TAC ResubmissionD4/29/2020Wetland CUP SubmissionC4/20/2020TAC Submission
	B2/6/2020Design Review SubmissionA1/2/2020ZBA SubmissionMARKDATEDESCRIPTIONPROJECT NO:C-0960-006DATE:April 20, 2020FILE:C-0960-006_C-SITE.DWGDRAWN BY:CJKCHECKED:NAHAPPROVED:PMC
	EXISTING CONDITIONS AND DEMOLITION PLAN SCALE: AS SHOWN C-101.1





MAX PRINCIPAL FRONT YARD:       10 FT       0 FT       0 FT       35 SPACES (BUILDING A, U         MINIMUM SIDE YARD:       15 FT <sup>1</sup> 6 FT <sup>2</sup> 214,54 FT       20 SPACES (BUILDING B, U       20 SPACES (PUILING U, U				SITE DATA: PROJECT LOCATION:	TAX MAP 157, LOT 1						OFF-STREET PAR		MENIS:	
					TAX MAP 157, LOT 2 TAX MAP 164, LOT 1	2					DWELLING UNITS:			
<text></text>	<text></text>	<text></text>	<text></text>	SITE ZONING DISTRICT:	PORTSMOUTH, NEW F	HAMPSHIRE T 4 (CD4-W)						-	BUILDING C, 17 UNITS IRED =	
		<text><text><text><text></text></text></text></text>	<text><text><text><text><text></text></text></text></text></text>	ALLOWED USE ON SITE:	WEST END INCENTIV	E OVERLAY DISTRICT	I TIFAMILY DWELLING						BUILDING B, 39 UNITS BUILDING C, 29 UNITS	
				PROPOSED GROUND FLOOI BUILDING A & BUILDING C: I	R USES: & B: RESIDENTIAL RESIDENTIAL & AMENIT						VISITORS: 1 SPACE FOR EVER	RY 5 DWELLING UNITS	152 UNITS	
	<pre>Hitro de la catalandor: So de la catalandor de la ca</pre>	<pre>Hitro de la catalandor: So de la catalandor de la ca</pre>	<pre>Hitro de la catalandor: So de la catalandor de la ca</pre>	BUILDING PLACEMENT (PR MAX PRINCIPAL FROM MINIMUM SIDE YARD	INCIPAL BUILDING): NT YARD: ::	10 FT 15 FT <sup>(1)</sup>	0 FT <6 FT <sup>(2)</sup>				TOTAL PARKING SPACES TOTAL PARKING SPACES	<u>PROVIDED:</u> PROVIDED =	53 SPACES (BUILDING A 42 SPACES (BUILDING E	A, UN B, UN
				FRONT LOT LINE BUI	LDOUT:	50% MIN	54%						210 SPACES 9 SPACES 9 SPACES (4 SPACES II	INCLU
				MAXIMUM FAÇADE M	ODULATION LENGTH:	80 FT 50 FT	<80 FT <50 FT				(1) 0010-77010110		1 SPACE INC	CLUD
The state of the state is the state of the state				MAXIMUM BUILDING	FOOTPRINT:	20,000 SF <sup>(4)</sup> 5,000 SF	19,214 SF						REQUIRED	
				MINIMUM OPEN SPAC	CE:	15%	58.1%				DRIVE AISLE WIDTH:			
				(1) - PER 10.516.20, MINI	MUM SIDE YARD SETBA	ACK ADJOINING A RAILROA	AD RIGHT OF WAY SHALL BE	15FT			1 BIKE SPACE / 5 DWELL	LING UNITS,	30 SPACES	
				<ul> <li>(3) - MAXIMUM BUILDING</li> <li>AS COMMUNITY SPACE</li> <li>(4) - ADDITIONAL 5,000 S</li> <li>(5) - NO MINIMUM LOT AR</li> </ul>	COVERAGE ALLOWED I CE. F OF GFA (INCREASED EA PER DWELLING UNI	IN THE WEST END INCENTI	IVE OVERLAY DISTRICT FOR	T 20% OF THE SITE TO	D BE ASSIGNED AS CO	MMUNITY SPACE.	*INDOOR BIKE STORAG	E WILL BE PROVIDED TI	HAT MEETS OR EXCEEDS TH	HE RI
MARKAY RECEIPTION OF AN ALL AND ALL				BUILDING FORM (PRINCIPA		4 STORIES <sup>(1)</sup>								
				GROUND FLOOR ABO MINIMUM GROUND S MINIMUM SECOND S	VE SIDEWALK GRADE: TORY HEIGHT:	36 IN 9 FT <sup>(3)</sup>								
<ul> <li>Manual Provided And Provided An</li></ul>				SHOPFRONT FA OTHER FAÇADE	TYPES:	20% TO 50% FLAT, GABLE, HIP,								
MARKANG SAMA AND A TRAVEL AND A MARKANG A	MARKANCERATE TO ANY	MARKANCERATE TO ANY	MARKANCERATE TO ANY	GABLE		6:12 - 12:12								
19. SACE IN THE OFFICE INCOMENDATION OF THE STATUS OF T	IST. TO REAL PROPERTY AND A CONTRACT AND A REAL CARDAN DATE OF A REAL PROPERTY AND A DATE OF A SOLUTION OF A DATE OF A REAL PROPERTY AND A DATE OF A SOLUTION OF A DATE OF A DATE OF A SOLUTION OF A DATE O	IST. TO REAL PROPERTY AND A CONTRACT AND A REAL CARDAN DATE OF A REAL PROPERTY AND A DATE OF A SOLUTION OF A DATE OF A REAL PROPERTY AND A DATE OF A SOLUTION OF A DATE OF A DATE OF A SOLUTION OF A DATE O	IST. TO REAL PROPERTY AND A CONTRACT AND A REAL CARDAN DATE OF A REAL PROPERTY AND A DATE OF A SOLUTION OF A DATE OF A REAL PROPERTY AND A DATE OF A SOLUTION OF A DATE OF A DATE OF A SOLUTION OF A DATE O	MANSARD/GAM		6:12 - 30:12	APARTMENT BUILDING							
				SPACE. (2) - ADDITIONAL 10' OF E	BUILDING HEIGHT (INC		RESPECTIVELY) ALLOWED			E TO BE				
20% 23%	206 206 <u>EXCLUSION CARGANACCES</u> <u>EXCLUSION CARGON SALEXARE</u> <u>12.0 MERCINA SUBCECTOR NALEXARE</u> <u>12.0 MERCINA</u> <u>12.0 ACRES</u> <u>12.0 ACRES</u> <u>10.0 MERCINA</u> <u>10.0 MERCINA <u>10.0 MERCINA</u> <u>10.0 MERCINA <u>10.0 MERCINA</u> <u>10.0 MERCINA <u>10.0 MERCINA <u>10.0 MERCINA</u> <u>10.0 MERCINA <u>10.0 MERCINA <u>10.</u></u></u></u></u></u></u></u></u></u></u></u></u></u></u></u></u></u></u></u></u></u></u></u></u></u></u></u></u></u></u></u></u></u></u></u></u></u></u></u></u></u></u></u></u></u></u></u></u></u></u></u></u></u></u></u></u></u></u>	206 206 <u>EXCLUSION CARGANACCES</u> <u>EXCLUSION CARGON SALEXARE</u> <u>12.0 MERCINA SUBCECTOR NALEXARE</u> <u>12.0 MERCINA</u> <u>12.0 ACRES</u> <u>12.0 ACRES</u> <u>10.0 MERCINA</u> <u>10.0 MERCINA <u>10.0 MERCINA</u> <u>10.0 MERCINA <u>10.0 MERCINA</u> <u>10.0 MERCINA <u>10.0 MERCINA <u>10.0 MERCINA</u> <u>10.0 MERCINA <u>10.0 MERCINA <u>10.</u></u></u></u></u></u></u></u></u></u></u></u></u></u></u></u></u></u></u></u></u></u></u></u></u></u></u></u></u></u></u></u></u></u></u></u></u></u></u></u></u></u></u></u></u></u></u></u></u></u></u></u></u></u></u></u></u></u></u>	206 206 <u>EXCLUSION CARGANACCES</u> <u>EXCLUSION CARGON SALEXARE</u> <u>12.0 MERCINA SUBCECTOR NALEXARE</u> <u>12.0 MERCINA</u> <u>12.0 ACRES</u> <u>12.0 ACRES</u> <u>10.0 MERCINA</u> <u>10.0 MERCINA <u>10.0 MERCINA</u> <u>10.0 MERCINA <u>10.0 MERCINA</u> <u>10.0 MERCINA <u>10.0 MERCINA <u>10.0 MERCINA</u> <u>10.0 MERCINA <u>10.0 MERCINA <u>10.</u></u></u></u></u></u></u></u></u></u></u></u></u></u></u></u></u></u></u></u></u></u></u></u></u></u></u></u></u></u></u></u></u></u></u></u></u></u></u></u></u></u></u></u></u></u></u></u></u></u></u></u></u></u></u></u></u></u></u>			> IN MECT END INCENTIVE								
MAP 164 LOT 1 MAP 157 LOT 2	MAP 164 LOT 1 1.20 ACRES MAP 157 LOT 2 1.87 ACRES 6.11' MAP 157 LOT 2 1.87 ACRES 1.87 ACRES 1.87 ACRES 1.87 ACRES 1.87 ACRES 1.87 ACRES 1.87 ACRES 1.87 ACRES 1.87 ACRES 1.1' 1.87 ACRES 1.87 ACRES 1.87 ACRES 1.87 ACRES 1.87 ACRES 1.87 ACRES 1.87 ACRES 1.87 ACRES 1.1' 1.87 ACRES 1.1'	MAP 154 LOT 1 1.20 ACRES	MAP 164 LOT 1 1.20 ACRES MAP 157 LOT 2 1.87 ACRES 6.11' MAP 157 LOT 2 1.87 ACRES 1.1' MAP 157 LOT 2 1.87 ACRES 6.1' MAP 157 LOT 2 1.87 ACRES 1.87 ACRES 1.87 ACRES 1.87 ACRES 1.87 ACRES 1.87 ACRES 1.87 ACRES 1.1'	(3) - MINIMUM GROUND S COMMUNITY SPACE.	TORY HEIGHT ALLOWEI	44,154 SF 20%	47,703 SF 23% <u>SECTION:</u>	<u>GRANTED:</u>	0% OF THE SITE TO BE	E ASSIGNED AS				
				(3) - MINIMUM GROUND S COMMUNITY SPACE:	TORY HEIGHT ALLOWEI	44,154 SF 20%	47,703 SF 23% <u>SECTION:</u>	<u>GRANTED:</u> 1/22/2020	APROX FLOOD ZONE LINE, (SEE EXISTINC CONDITIONS NOTE #3	POND EZEMIN SALT MARSH	WATER LINE ELEV. 3.76 (NAVD88)	5.00	OBSERVABLE TIDE LINE	
				(3) - MINIMUM GROUND S COMMUNITY SPACE:	TORY HEIGHT ALLOWEI	44,154 SF 20%	47,703 SF 23% <u>SECTION:</u>	<u>GRANTED:</u> 1/22/2020	APROX FLOOD ZONE LINE, (SEE EXISTINC CONDITIONS NOTE #3	POND	WATER LINE ELEV. 3.76 (NAVD88)	BLDG C	OBSERVABLE TIDE LINE	
				(3) - MINIMUM GROUND S COMMUNITY SPACE:	TORY HEIGHT ALLOWEI	44,154 SF 20%	47,703 SF 23% SECTION: LROAD: 10.516.20	<u>GRANTED:</u> 1/22/2020	APROX FLOOD ZONE LINE, (SEE EXISTINC CONDITIONS NOTE #3	POND	WATER LINE ELEV. 3.76 (NAVD88)	BLDG C	OBSERVABLE TIDE LINE	
				(3) - MINIMUM GROUND S COMMUNITY SPACE:	TORY HEIGHT ALLOWEI	44,154 SF 20%	47,703 SF 23% SECTION: LROAD: 10.516.20	<u>GRANTED:</u> 1/22/2020	APROX FLOOD ZONE LINE, (SEE EXISTINC CONDITIONS NOTE #3	POND	WATER LINE ELEV. 3.76 (NAVD88)	BLDG C	OBSERVABLE TIDE LINE	

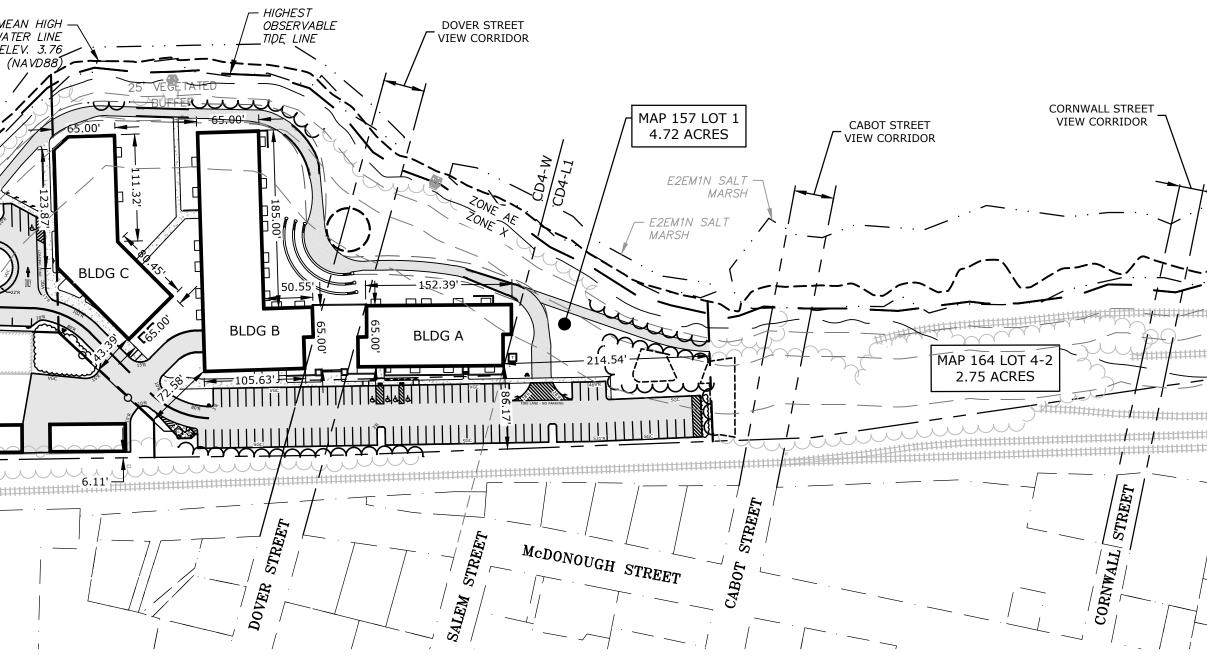
REET	PARKING	<b>REQUIREMENTS:</b>	

BUILDING A, 16 UNITS	16 SPACES
BUILDING B, 31 UNITS	31 SPACES
BUILDING C, 17 UNITS	17 SPACES
D =	64 SPACES
	37.7 SPACES
D =	114.4 SPACES
152 UNITS	31 SPACES
- <b>ח</b>	210 SPACES
.0 =	210 STACES
95 SPACES (SURFACE PARKI	(NG)
20 SPACES (PRIVATE ROAD)	(1) $(1)$
9 SPACES	
9 SPACES (4 SPACES INCLU	JDED IN SURFACE PARKING COUNT OF 95,
	DED IN BASEMENT PARKING COUNT OF 95
1 SPACE INCLUD	ED IN PRIVATE ROADWAY COUNT OF 20)
HARED PARKING ON SEPARAT	TE LOT
	PROPOSED
	8.5' X 19'
24 FT	24 FT
	BUILDING B, 31 UNITS BUILDING C, 17 UNITS D = BUILDING A, 20 UNITS BUILDING B, 39 UNITS BUILDING C, 29 UNITS D = 152 UNITS D = 95 SPACES (SURFACE PARKI 53 SPACES (BUILDING A, UN 42 SPACES (BUILDING A, UN 42 SPACES (BUILDING B, UN 20 SPACES (PRIVATE ROADN 210 SPACES 9 SPACES 9 SPACES 9 SPACES 9 SPACES (4 SPACES INCLU 4 SPACES INCLU 1 SPACE INCLUD HARED PARKING ON SEPARA <sup>T</sup> <u>REQUIRED</u> 8.5' X 19'

	<b>Tighe&amp;Bond</b>
PROPERTY LINE         PROPOSED PROPERTY LINE         PROPOSED EDGE OF PAVEMENT         PROPOSED CURB         PROPOSED BUILDING         PROPOSED PAVEMENT SECTION         PROPOSED POROUS PAVEMENT         Section         PROPOSED CONCRETE SIDEWALK         PROPOSED CONCRETE CURB         PROPOSED VERTICAL GRANTE CURB	Image: All of the second se
	Iron Horse Properties, LLC
STRET NDR	105 Bartlett Street Portsmouth, New HampshireK12/28/2022NHDES Wetland & Shoreland submissionJ9/15/2021Revised AoT SubmissionJ9/15/2021Revised AoT SubmissionI3/10/2021PB SubmissionH1/20/2021TAC ResubmissionG11/18/2020TAC ResubmissionG11/18/2020Vetland CUP ResubmissionF10/28/2020Vetland CUP ResubmissionE5/20/2020TAC ResubmissionD4/29/2020Vetland CUP SubmissionC4/20/2020TAC SubmissionB2/6/2020Design Review SubmissionA1/2/2020ZBA SubmissionMARKDATEDESCRIPTIONPROJECT NO:C-0960-006_C-SITE.DWGDRAWN BY:CJKCHECKED:NAHAPPROVED:PMC
	OVERALL SITE PLAN SCALE: AS SHOWN C-102

	PR
	PR
	SE
	PR
•	PR
BLDG	BU
ТҮР	ΤY
COORD	CC
30'R	PR
VGC	PR
SGC	PR

MVGC



1.	STRIPE PARKING AREAS AS SHOWN, INCLUDING PARKING SPACES, STOP BARS, ADA SYMBOLS, PAINTED ISLANDS, CROSS WALKS, ARROWS, LEGENDS AND CENTERLINES SHALL BE THERMOPLASTIC MATERIAL. THERMOPLASTIC MATERIAL SHALL MEET THE REQUIREMENTS OF AASHTO AASHTO M249. (ALL MARKINGS EXCEPT CENTERLINE AND MEDIAN ISLANDS TO BE CONSTRUCTED USING WHITE TRAFFIC PAINT. CENTERLINE AND MEDIAN ISLANDS TO BE CONSTRUCTED USING YELLOW TRAFFIC PAINT. ALL TRAFFIC PAINT SHALL MEET THE REQUIREMENTS OF AASHTO M248	
2.	TYPE "F"). ALL PAVEMENT MARKINGS AND SIGNS TO CONFORM TO "MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES", "STANDARD ALPHABETS FOR HIGHWAY SIGNS AND PAVEMENT MARKINGS", AND THE AMERICANS WITH DISABILITIES ACT REQUIREMENTS, LATEST EDITIONS.	
4.	SEE DETAILS FOR PARKING STALL MARKINGS, ADA SYMBOLS, SIGNS AND SIGN POSTS. CENTERLINES SHALL BE FOUR (4) INCH WIDE YELLOW LINES. STOP BARS SHALL BE EIGHTEEN (18) INCHES WIDE.	
	PAINTED ISLANDS SHALL BE FOUR (4) INCH WIDE DIAGONAL LINES AT 3'-0" O.C. BORDERED BY FOUR (4) INCH WIDE LINES. LINES. THE CONTRACTOR SHALL EMPLOY A NEW HAMPSHIRE LICENSED LAND SURVEYOR TO DETERMINE ALL LINES AND	
	GRADES. CLEAN AND COAT VERTICAL FACE OF EXISTING PAVEMENT AT SAW CUT LINE WITH RS-1 EMULSION IMMEDIATELY	
8.	PRIOR TO PLACING NEW BITUMINOUS CONCRETE. ALL MATERIALS AND CONSTRUCTION SHALL CONFORM WITH APPLICABLE FEDERAL, STATE, AND LOCAL CODES & SPECIFICATIONS.	
10.	COORDINATE ALL WORK WITHIN PUBLIC RIGHT OF WAY WITH THE CITY OF PORTSMOUTH. . CONTRACTOR TO SUBMIT AS-BUILT PLANS IN DIGITAL FORMAT (.DWG AND .PDF FILES) ON DISK TO THE OWNER AND ENGINEER UPON COMPLETION OF THE PROJECT. AS-BUILTS SHALL BE PREPARED AND CERTIFIED BY A NEW HAMPSHIRE LICENSED LAND SURVEYOR.	• BLDC TYP COOR
	<ul> <li>SEE BUILDING DRAWINGS FOR ALL CONCRETE PADS &amp; SIDEWALKS ADJACENT TO BUILDING.</li> <li>ALL WORK SHALL CONFORM TO THE CITY OF PORTSMOUTH DEPARTMENT OF PUBLIC WORKS, STANDARD SPECIFICATIONS.</li> </ul>	30'R VGC
	<ul> <li>CONTRACTOR TO PROVIDE BACKFILL AND COMPACTION AT CURB LINE AFTER CONCRETE FORMS FOR SIDEWALKS AND PADS HAVE BEEN STRIPPED. COORDINATE WITH BUILDING CONTRACTOR.</li> <li>COORDINATE ALL WORK ADJACENT TO BUILDING WITH BUILDING CONTRACTOR.</li> </ul>	SGC MVG0
	. THE PROPERTY MANAGER WILL BE RESPONSIBLE FOR TIMELY SNOW REMOVAL FROM ALL PRIVATE SIDEWALKS, DRIVEWAYS, AND PARKING AREAS. SNOW REMOVAL WILL BE HAULED OFF-SITE AND LEGALLY DISPOSED OF WHEN SNOW BANKS EXCEED 3 FEET IN HEIGHT.	
	ALL DIMENSIONS ARE TO THE FACE OF CURB UNLESS OTHERWISE NOTED. ALL CONDITIONS ON THIS PLAN SHALL REMAIN IN EFFECT IN PERPETUITY PURSUANT TO THE REQUIREMENTS OF THE	
	SITE PLAN REVIEW REGULATIONS. . THIS SITE PLAN SHALL BE RECORDED IN THE ROCKINGHAM COUNTY REGISTRY OF DEEDS. ALL IMPROVEMENTS	
	SHOWN ON THIS SITE PLAN SHALL BE CONSTRUCTED AND MAINTAINED IN ACCORDANCE WITH THE PLAN BY THE PROPERTY OWNER AND ALL FUTURE PROPERTY OWNERS. NO CHANGES SHALL BE MADE TO THIS SITE PLAN WITHOUT THE EXPRESS APPROVAL OF THE PORTSMOUTH PLANNING DIRECTOR.	
19.	. THE APPLICANT SHALL HAVE A SITE SURVEY CONDUCTED BY A RADIO COMMUNICATIONS CARRIER APPROVED BY THE CITY'S COMMUNICATIONS DIVISION. THE RADIO COMMUNICATIONS CARRIER MUST BE FAMILIAR AND CONVERSANT WITH THE POLICE AND RADIO CONFIGURATION. IF THE SITE SURVEY INDICATES THAT IT IS NECESSARY TO INSTALL A SIGNAL REPEATER EITHER ON OR NEAR THE PROPOSED PROJECT, THOSE COSTS SHALL BE THE RESPONSIBILITY OF THE PROPERTY OWNER. THE OWNER SHALL COORDINATE WITH THE SUPERVISOR OF RADIO COMMUNICATIONS FOR	
20	THE CITY. ALL TREES TO BE PLANTED ARE TO BE INSTALLED UNDER THE SUPERVISION OF THE CITY OF PORTSMOUTH DPW USING STANDARD INSTALLATION METHODS.	
21	. THE APPLICATION SHALL PREPARE A CONSTRUCTION MITIGATION AND MANAGEMENT PLAN (CMMP) FOR REVIEW AND APPROVAL BY THE CITY'S LEGAL AND PLANNING DEPARTMENTS.	
		R
	¥ /	
	//X	State -
	END VGC	
	BARTLETT STREET	50'R - VC
	(BT OTHERS)	
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	Allen Kill	×
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# LEGEND

PROPERTY LINE PROPOSED PROPERTY LINE PROPOSED EDGE OF PAVEMENT PROPOSED CURB

PROPOSED BUILDING

PROPOSED PAVEMENT SECTION

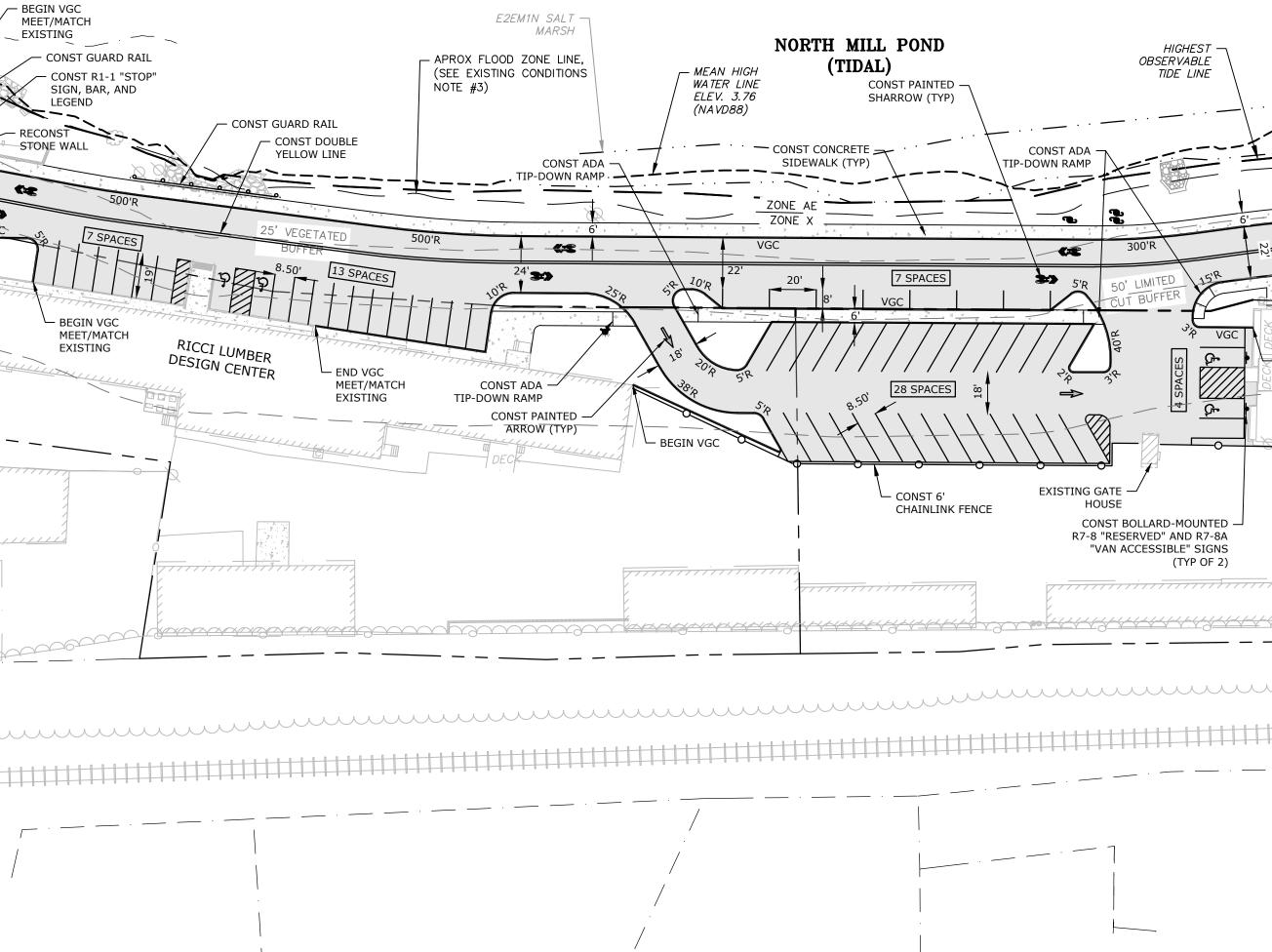
PROPOSED POROUS PAVEMENT SECTION

PROPOSED CONCRETE SIDEWALK

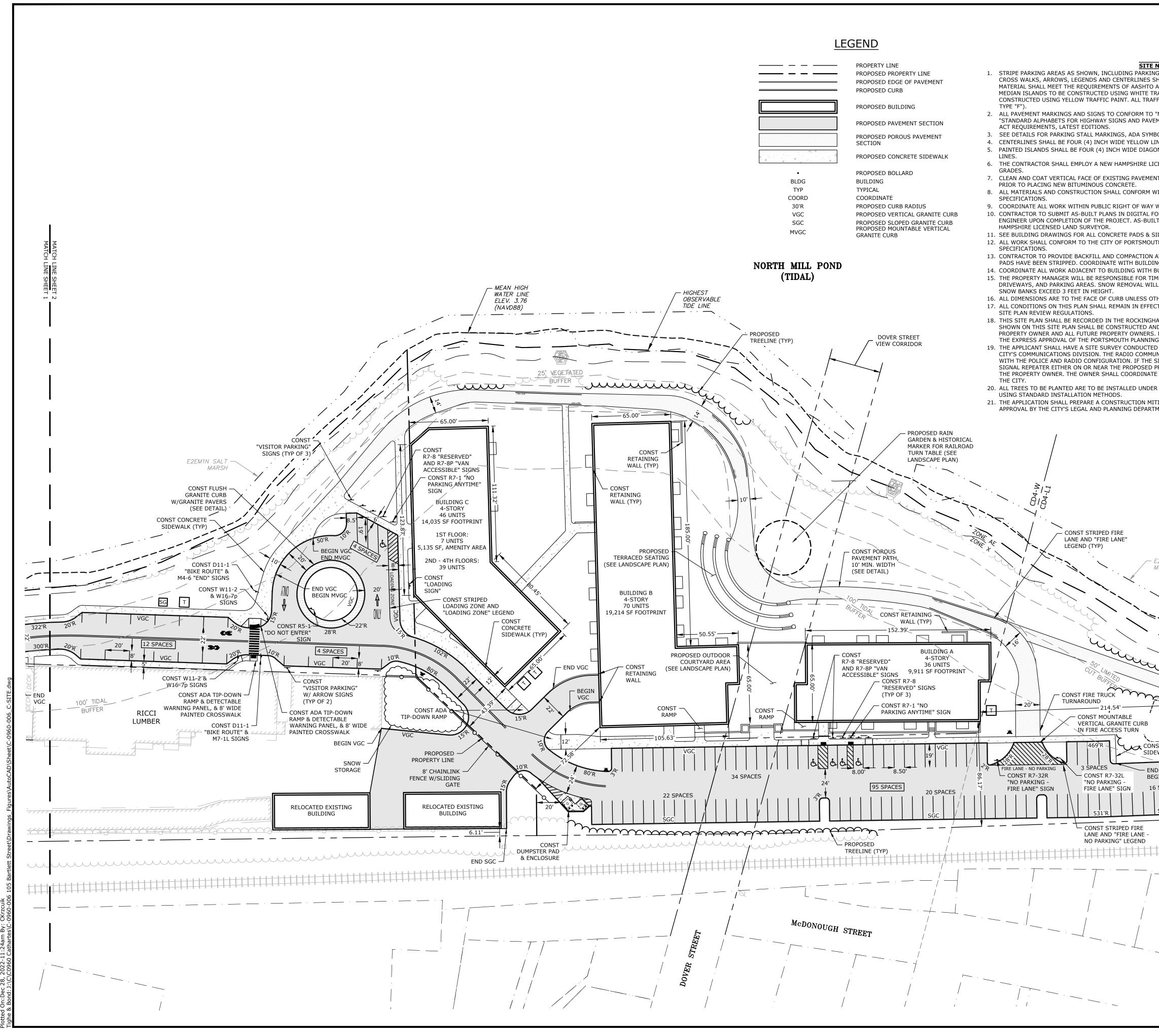
PROPOSED BOLLARD BUILDING TYPICAL

COORDINATE PROPOSED CURB RADIUS

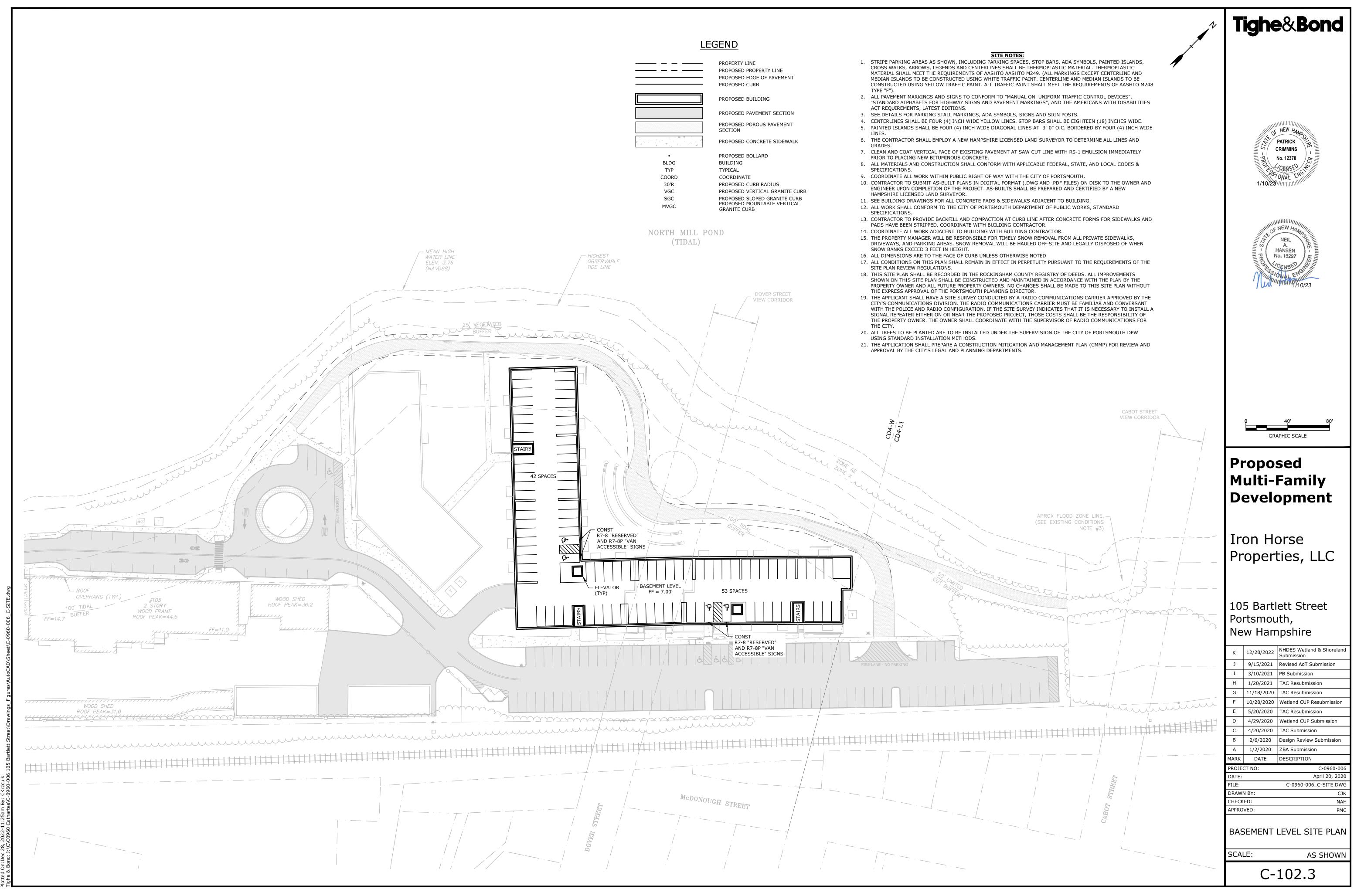
PROPOSED VERTICAL GRANITE CURB PROPOSED SLOPED GRANITE CURB PROPOSED MOUNTABLE VERTICAL GRANITE CURB



	<b>Tighe&amp;Bond</b>
	PATRICK PATRICK CRIMMINS No. 12378 No. 12378
MATCH LINE SHEET 2 MATCH LINE SHEET 1	NEIL A. HANSEN No. 15227 CENSED ONAL ENGLISHING
	Q 40' 80'
	GRAPHIC SCALE Proposed Multi-Family Development
322'R 20'R 300'R 20'R 20'	Iron Horse Properties, LLC
END VGC 100' TIDAL BUFFER	105 Bartlett Street Portsmouth, New HampshireK12/28/2022NHDES Wetland & Shoreland SubmissionJ9/15/2021Revised AoT SubmissionI3/10/2021PB SubmissionH1/20/2021TAC ResubmissionG11/18/2020TAC Resubmission
	F10/28/2020Wetland CUP ResubmissionE5/20/2020TAC ResubmissionD4/29/2020Wetland CUP SubmissionC4/20/2020TAC SubmissionB2/6/2020Design Review SubmissionA1/2/2020ZBA SubmissionMARKDATEDESCRIPTIONPROJECT NO:C-0960-006DATE:April 20, 2020FILE:C-0960-006_C-SITE.DWG
	DRAWN BY: CJK CHECKED: NAH APPROVED: PMC SITE PLAN SCALE: AS SHOWN
	C-102.1



$\mathcal{X}$	<b>Tighe&amp;Bond</b>
NOTES:	
NG SPACES, STOP BARS, ADA SYMBOLS, PAINTED ISLANDS, SHALL BE THERMOPLASTIC MATERIAL. THERMOPLASTIC O AASHTO M249. (ALL MARKINGS EXCEPT CENTERLINE AND TRAFFIC PAINT. CENTERLINE AND MEDIAN ISLANDS TO BE	
FFIC PAINT SHALL MEET THE REQUIREMENTS OF AASHTO M248 "MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES", EMENT MARKINGS", AND THE AMERICANS WITH DISABILITIES	
IBOLS, SIGNS AND SIGN POSTS. .INES. STOP BARS SHALL BE EIGHTEEN (18) INCHES WIDE. :ONAL LINES AT 3'-0" O.C. BORDERED BY FOUR (4) INCH WIDE	NUMMENT OF NEW HAMPO
ICENSED LAND SURVEYOR TO DETERMINE ALL LINES AND	
INT AT SAW CUT LINE WITH RS-1 EMULSION IMMEDIATELY WITH APPLICABLE FEDERAL, STATE, AND LOCAL CODES &	P No. 12378
WITH THE CITY OF PORTSMOUTH. FORMAT (.DWG AND .PDF FILES) ON DISK TO THE OWNER AND LTS SHALL BE PREPARED AND CERTIFIED BY A NEW	PATRICK CRIMMINS No. 12378 No. 12378 CENSED NOVAL ENGINIE
SIDEWALKS ADJACENT TO BUILDING. JTH DEPARTMENT OF PUBLIC WORKS, STANDARD	
AT CURB LINE AFTER CONCRETE FORMS FOR SIDEWALKS AND ING CONTRACTOR. BUILDING CONTRACTOR. IMELY SNOW REMOVAL FROM ALL PRIVATE SIDEWALKS,	NEIL HANSEN No. 15227
LL BE HAULED OFF-SITE AND LEGALLY DISPOSED OF WHEN THERWISE NOTED.	NEIL A. HANSEN No. 15227
ECT IN PERPETUITY PURSUANT TO THE REQUIREMENTS OF THE HAM COUNTY REGISTRY OF DEEDS. ALL IMPROVEMENTS	No. 15227
ND MAINTAINED IN ACCORDANCE WITH THE PLAN BY THE 5. NO CHANGES SHALL BE MADE TO THIS SITE PLAN WITHOUT NG DIRECTOR. ED BY A RADIO COMMUNICATIONS CARRIER APPROVED BY THE UNICATIONS CARRIER MUST BE FAMILIAR AND CONVERSANT SITE SURVEY INDICATES THAT IT IS NECESSARY TO INSTALL A PROJECT, THOSE COSTS SHALL BE THE RESPONSIBILITY OF TE WITH THE SUPERVISOR OF RADIO COMMUNICATIONS FOR	/ UM "mmm 1/10/23
ER THE SUPERVISION OF THE CITY OF PORTSMOUTH DPW	
ITIGATION AND MANAGEMENT PLAN (CMMP) FOR REVIEW AND TMENTS.	
CABOT STREET	
VIEW CORRIDOR	0 40' 80'
	GRAPHIC SCALE
E2EM1N_SALT MARSH	
	Dropood
	Proposed
E2EM1N SALT MARSH	Multi-Family
MARSH	_
	Multi-Family Development
APROX FLOOD ZONE LINE,	Multi-Family Development Iron Horse
APROX FLOOD ZONE LINE,	Multi-Family Development
APROX FLOOD ZONE LINE, (SEE EXISTING CONDITIONS NOTE #3)	Multi-Family Development Iron Horse
MARSH APROX FLOOD ZONE LINE, (SEE EXISTING CONDITIONS NOTE #3) I I I I I I I I I I I I I	Multi-Family Development Iron Horse Properties, LLC
MARSH APROX FLOOD ZONE LINE, (SEE EXISTING CONDITIONS NOTE #3) I I I I I I I I I I I I I	Multi-Family Development
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APROX FLOOD ZONE LINE, (SEE EXISTING CONDITIONS NOTE #3) HOTE #3 HOTE	Multi-Family DevelopmentMulti-Family DevelopmentIron Horse Properties, LLC105 Bartlett Street Portsmouth, New HampshireK12/28/2022K12/28/20219/15/2021Revised AoT Submission
APROX FLOOD ZONE LINE, (SEE EXISTING CONDITIONS NOTE #3)	Multi-Family DevelopmentIron Horse Properties, LLC105 Bartlett Street Portsmouth, New HampshireK12/28/2022K12/28/20229/15/2021Revised AoT SubmissionJ9/15/2021Revised AoT SubmissionI3/10/2021H1/20/2021
APROX FLOOD ZONE LINE, (SEE EXISTING CONDITIONS NOTE #3) VOTE #3) VOTE #3) EXISTING NATURAL WOODS TO REMAIN UNDISTURBED VOTE SGC 6 SPACES	Multi-Family DevelopmentNew HampshireK12/28/2021NHDES Wetland & Shoreland SubmissionJ9/15/2021Revised AoT SubmissionI3/10/2021PB Submission
APROX FLOOD ZONE LINE, (SEE EXISTING CONDITIONS NOTE #3)	Multi-Family DevelopmentIron Horse Properties, LLC105 Bartlett Street Portsmouth, New HampshireK12/28/2022K12/28/20229/15/2021Revised AoT SubmissionJ9/15/2021Revised AoT SubmissionI3/10/2021H1/20/2021TAC ResubmissionG11/18/2020TAC Resubmission
APROX FLOOD ZONE LINE, (SEE EXISTING CONDITIONS NOTE #3) EXISTING NATURAL WOODS TO REMAIN UNDISTURBED FROPOSED PROPOSED	Multi-Family DevelopmentIron Horse Properties, LLC105 Bartlett Street Portsmouth, New Hampshire11139/15/2021Revised AoT SubmissionI3/10/2021PB SubmissionI11
APROX FLOOD ZONE LINE, (SEE EXISTING CONDITIONS NOTE #3)	Multi-Family DevelopmentIron Horse Properties, LLC105 Bartlett Street Portsmouth, New Hampshirek12/28/202NHDES Wetland & Shoreland SubmissionJ9/15/2021Revised AoT SubmissionI3/10/2021PB SubmissionI1/12/2020K1/28/2022NHDES Wetland & Shoreland SubmissionJ9/15/2021Revised AoT SubmissionI3/10/2021PB SubmissionI1/20/2021TAC ResubmissionF10/28/2020Wetland CUP ResubmissionE5/20/2020TAC ResubmissionE5/20/2020Vetland CUP SubmissionC4/20/2020TAC ResubmissionB2/6/2020DDesign Review SubmissionA1/2/2020ZBA Submission
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APROX FLOOD ZONE LINE, (SEE EXISTING CONDITIONS NOTE #3) VIET #43 VIET CONCRETE EVALUATION CONCRETE EVALUATION CONCRETE EVALUATION CONCRETE EVALUATION CONCRETE EVALUATION CONCRETE SIN SGC 6 SPACES SOC STORAGE (TYP) STORAGE (TYP) STORAGE (TYP) STORAGE	Multi-Family Development         Iron Horse Properties, LLC         105 Bartlett Street Portsmouth, New Hampshire         K       12/28/202         NHDES Wetland & Shoreland Submission         J       9/15/2021         Revised AoT Submission         I       3/10/2021         PB Submission         H       1/20/2021         TAC Resubmission         F       10/28/2020         Wetland CUP Resubmission         E       5/20/2020         TAC Resubmission         C       4/29/2020         Wetland CUP Submission         C       4/20/2020         TAC Resubmission         B       2/6/2020         Date       Description         A       1/2/2020         RARK       DATE         DATE:       April 20, 2020
APROX FLOOD ZONE LINE, (SEE EXISTING CONDITIONS NOTE #3) VIET CONCRETE EWALK (TYP) VST CONCRETE EWALK (TYP) AD VGC SGC 6 SPACES SGC STORAGE (TYP) STORAGE (TYP) STORAGE (TYP) STORAGE	Multi-Family Development         Iron Horse Properties, LLC         105 Bartlett Street Portsmouth, New Hampshire         K       12/28/2022         NHDES Wetland & Shoreland Submission         J       9/15/2021         Revised AoT Submission         I       3/10/2021         PS Submission         H       1/20/202         TAC Resubmission         F       10/28/2020         Vetland CUP Resubmission         E       5/20/2020         TAC Resubmission         D       4/29/2020         Wetland CUP Submission         C       4/20/2020         PROJECT NO:       C-0960-006         DATE:       April 20, 2020         FLE:       C-0960-006_C-SITE.DWG         DRAWN BY:       CJK         CHECKED:       NAH
APROX FLOOD ZONE LINE, (SEE EXISTING CONDITIONS NOTE #3)	Multi-Family Development         Iron Horse Properties, LLC         105 Bartlett Street Portsmouth, New Hampshire         K       12/28/2022         NHDES Wetland & Shoreland Submission         J       9/15/2021         Revised AoT Submission         I       3/10/2021         PB Submission         H       1/20/2020         TAC Resubmission         F       10/28/2020         Wetland CUP Resubmission         E       5/20/2020         TAC Resubmission         B       2/6/2020         B       2/6/2020         PROJECT NO:       C-0960-006         DATE:       April 20, 2020         FILE:       C-0960-006_C-SITE.DWG         DRAWN BY:       CJK         CHECKED:       NAH         APPROVED:       PMC
APROX FLOOD ZONE LINE, (SEE EXISTING CONDITIONS NOTE #3) VIET CONCRETE EWALK (TYP) VST CONCRETE EWALK (TYP) AD VGC SGC 6 SPACES SGC STORAGE (TYP) STORAGE (TYP) STORAGE (TYP) STORAGE	Multi-Family Development         Iron Horse Properties, LLC         105 Bartlett Street Portsmouth, New Hampshire         K       12/28/2022         NHDES Wetland & Shoreland Submission         J       9/15/2021         Revised AoT Submission         I       3/10/2021         Pordsubmission         I       1/18/2020         TAC Resubmission         F       10/28/2020         Wetland CUP Resubmission         E       5/20/2020         TAC Resubmission         A       1/2/2020         Wetland CUP Submission         A       1/2/2020         PROJECT NO:       C-0960-006         DATE       DESCRIPTION         PROJECT NO:       C-0960-006         DATE:       April 20, 2020         FILE:       C-0960-006_C-SITE.DWG         DRAWN BY:       CIK         CHECKED:       NAH         APPROVED:       PMC
APROX FLOOD ZONE LINE, (SEE EXISTING CONDITIONS NOTE #3) VIET CONCRETE EWALK (TYP) VST CONCRETE EWALK (TYP) AD VGC SGC 6 SPACES SGC STORAGE (TYP) STORAGE (TYP) STORAGE (TYP) STORAGE	Multi-Family Development         Iron Horse Properties, LLC         105 Bartlett Street Portsmouth, New Hampshire         K       12/28/2022         NHDES Wetland & Shoreland Submission         J       9/15/2021         Revised AoT Submission         I       3/10/2021         PO TAS Resubmission         I       3/10/2021         Portsenouth         G       11/18/2020         TAC Resubmission         F       10/28/2020         Wetland CUP Resubmission         E       5/20/2020         TAC Resubmission         B       2/6/2020         Design Review Submission         A       1/2/2020         PROJECT NO:       C-0960-006         DATE       DESCRIPTION         PROJECT NO:       C-0960-006_C-STIE.DWG         DRAWN BY:       CJK         CHECKED:       NAH         APPROVED:       PMC         SITE PLAN         SCALE:       AS SHOWN
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#### **GRADING AND DRAINAGE NOTES:**

1.	COMPACTION REQUIREMENTS:
	BELOW PAVED OR CONCRETE AREAS

TRENCH	BEDDING MATERIAL AND
SAND BI	ANKET BACKETLI

- BELOW LOAM AND SEED AREAS
- \* ALL PERCENTAGES OF COMPACTION SHALL BE OF THE MAXIMUM DRY DENSITY AT THE OPTIMUM MOISTURE CONTENT AS DETERMINED AND CONTROLLED IN ACCORDANCE WITH ASTM D-1557, METHOD C FIELD DENSITY TESTS SHALL BE MADE IN ACCORDANCE WITH ASTM D-1556 OR ASTM-2922.
- 2. ALL STORM DRAINAGE PIPES SHALL BE HIGH DENSITY POLYETHYLENE (HANCOR HI-Q, ADS N-12 OR EQUAL), UNLESS OTHERWISE SPECIFIED.
- 3. SEE UTILITY PLAN FOR ALL SITE UTILITY INFORMATION. 4. ADJUST ALL MANHOLES, CATCH BASINS, CURB BOXES, ETC. WITHIN LIMITS OF WORK TO FINISH GRADE. 5. CONTRACTOR SHALL PROVIDE A FINISH PAVEMENT SURFACE AND LAWN AREAS FREE OF LOW SPOTS AND PONDING AREAS. CRITICAL AREAS INCLUDE BUILDING ENTRANCES, EXITS, RAMPS AND LOADING DOCK AREAS ADJACENT TO

95%

95%

90%

- THE BUILDING. 6. CONTRACTOR SHALL THOROUGHLY CLEAN ALL CATCH BASINS AND DRAIN LINES, WITHIN THE LIMIT OF WORK, OF
- SEDIMENT IMMEDIATELY UPON COMPLETION OF CONSTRUCTION. 7. ALL MATERIALS AND CONSTRUCTION SHALL CONFORM WITH APPLICABLE FEDERAL, STATE AND LOCAL CODES.
- 8. ALL DISTURBED AREAS NOT TO BE PAVED OR OTHERWISE TREATED SHALL RECEIVE 6" LOAM, SEED FERTILIZER AND MULCH. 9. ALL STORM DRAIN CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE NHOOT STANDARD SPECIFICATIONS FOR
- HIGHWAYS AND BRIDGES, LATEST EDITION.
- 10. ALL PROPOSED CATCH BASINS SHALL BE EQUIPPED WITH OIL/GAS SEPARATOR HOODS AND 4' SUMPS. 11. ALL WORK SHALL CONFORM TO THE CITY OF PORTSMOUTH DEPARTMENT OF PUBLIC WORKS. STANDARD SPECIFICATIONS AND WITH THE STATE OF NEW HAMPSHIRE DEPARTMENT OF TRANSPORTATION, "STANDARD
- SPECIFICATIONS OF ROAD AND BRIDGE CONSTRUCTION", CURRENT EDITION. 12. CONTRACTOR TO SUBMIT AS-BUILT PLANS IN DIGITAL FORMAT (.DWG AND .PDF FILES) ON DISK TO THE OWNER AND ENGINEER UPON COMPLETION OF THE PROJECT. AS-BUILTS SHALL BE PREPARED AND CERTIFIED BY A NEW HAMPSHIRE LICENSED LAND SURVEYOR.
- 13. SEE EXISTING CONDITIONS PLAN FOR BENCH MARK INFORMATION. 14. AREAS DISTURBED WITHIN THE 25' VEGETATED BUFFER BY HEADWALLS AND CULVERT CONSTRUCTION SHALL BE LOAMED, SEEDED WITH NEW ENGLAND WILDLIFE AND CONSERVATION SEED MIX AND STABILIZED WITH JUTE MESH.

#### **EROSION CONTROL NOTES:** 1. INSTALL EROSION CONTROL BARRIERS AS SHOWN AS FIRST ORDER OF WORK.

- 2. SEE GENERAL EROSION CONTROL NOTES ON "EROSION CONTROL NOTES & DETAILS SHEET" 3. PROVIDE INLET PROTECTION AROUND ALL EXISTING AND PROPOSED CATCH BASIN INLETS WITHIN THE WORK LIMITS AS WELL AS CATCH BASINS/CURB INLETS THAT RECEIVE RUNOFF FROM CONSTRUCTION ACTIVITIES. MAINTAIN FOR THE DURATION OF THE PROJECT.
- 4. INSTALL STABILIZED CONSTRUCTION EXIT(S). 5. INSPECT INLET PROTECTION AND PERIMETER EROSION CONTROL MEASURES DAILY AND AFTER EACH RAIN STORM OF 0.25 INCH OR GREATER. REPAIR/MODIFY PROTECTION AS NECESSARY TO MAXIMIZE EFFICIENCY OF FILTER. REPLACE ALL FILTERS WHEN SEDIMENT IS 1/3 THE FILTER HEIGHT.
- 6. ALL DISTURBED AREAS NOT TO BE PAVED OR OTHERWISE TREATED SHALL RECEIVE 6" LOAM, SEED, FERTILIZER AND MULCH.
- 7. CONSTRUCT EROSION CONTROL BLANKET ON ALL SLOPES STEEPER THAN 3:1. 8. PRIOR TO ANY WORK OR SOIL DISTURBANCE COMMENCING ON THE SUBJECT PROPERTY, INCLUDING MOVING OF
- EARTH, THE APPLICANT SHALL INSTALL ALL EROSION AND SILTATION MITIGATION AND CONTROL MEASURES AS REQUIRED BY STATE AND LOCAL PERMITS AND APPROVALS.
- 9. CONTRACTOR SHALL BE RESPONSIBLE TO CONTROL DUST AND WIND EROSION THROUGHOUT THE CONSTRUCTION PERIOD. DUST CONTROL MEASURES SHALL INCLUDE, BUT ARE NOT LIMITED TO, SPRINKLING WATER ON UNSTABLE SOILS SUBJECT TO ARID CONDITIONS.
- 10. THE CONTRACTOR SHALL REMOVE AND PROPERLY DISPOSE OF ALL TEMPORARY EROSION CONTROL DEVICES UPON COMPLETION OF CONSTRUCTION.
- 11. ALL CATCH BASIN SUMPS AND PIPING SHALL BE THOROUGHLY CLEANED TO REMOVE ALL SEDIMENT AND DEBRIS AFTER THE PROJECT HAS BEEN FULLY PAVED. 12. TEMPORARY SOIL STOCKPILE SHALL BE SURROUNDED WITH PERIMETER CONTROLS AND SHALL BE STABILIZED BY
- TEMPORARY EROSION CONTROL SEEDING. STOCKPILE AREAS TO BE LOCATED AS FAR AS POSSIBLE FROM THE DELINEATED EDGE OF WETLANDS. 13. SAFETY FENCING SHALL BE PROVIDED AROUND STOCKPILES OVER 10 FT.
- 14. CONCRETE TRUCKS WILL BE REQUIRED TO WASH OUT (IF NECESSARY) SHOOTS ONLY WITHIN AREAS WHERE
- CONCRETE HAS BEEN PLACED. NO OTHER WASH OUT WILL BE ALLOWED. 15. ALL CONDITIONS ON THIS PLAN SHALL REMAIN IN EFFECT IN PERPETUITY PURSUANT TO THE REQUIREMENTS OF THE SITE PLAN REVIEW REGULATIONS.

#### LEGEND

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BLDG

TYP

COORD

TC

BC

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11.45 TC -10.95 BC

CONTRACTOR A A A A

10.85

10.65 BC - 10.55

- RELOCATED

YARD DRAIN

PROPOSED MAJOR CONTOUR LINE PROPOSED MINOR CONTOUR LINE PROPOSED DRAIN LINE (TYP) PROPOSED UNDERDRAIN PROPOSED SILT SOCK

INLET PROTECTION SILT SACK

PROPOSED CATCHBASIN

PROPOSED DOUBLE GRATE CATCHBASIN

PROPOSED DRAIN MANHOLE

PROPOSED YARD DRAIN BUILDING TYPICAL COORDINATE TOP OF CURB BOTTOM OF CURB HEADWALL

|--|

INV.IN=6.00 SE

INV.OUT=5.90 SW

CB1242	CDS3
RIM=9.30	RIM=13.75
INV.OUT=5.80 SW	INV.IN=4.50 SE
CB1243	INV.OUT=4.50 NW
RIM=9.55	PCB1
INV.IN=6.65 NW	RIM=8.50
INV.OUT=6.55 SE	INV.OUT=5.30 E
CB1244	PCB2
RIM=10.00	RIM=8.45
INV.OUT=6.85 SW	INV.OUT=5.30 N
CB1264	PCB3
RIM=9.50	RIM=8.40
INV.OUT=6.50 NE	INV.OUT=5.50 NW
CDS1 RIM=10.65	PCB4
INV.IN=4.30 SE	RIM=8.55
INV.IN=4.30 SW	INV.OUT=5.10 NW
INV.OUT=4.20 NE	PCB5
CDS2	RIM=9.60
RIM=9.85	INV.OUT=6.10 NW
INV.IN=6.00 NE	

E2EM1N SALT -

- APROX FLOOD ZONE LINE,

MARSH

PCB6 RIM=9.80 INV.OUT=6.30 SW PCB7 RIM=10.00 INV.OUT=7.00 NE PCB8 RIM=10.75 INV.OUT=7.50 NW PCB9 RIM=12.65 INV.OUT=8.65 NW PCB10 RIM=12.15 INV.OUT=8.60 NW PCB11 RIM=8.60 INV.OUT=5.80 NE

PCB12 RIM=8.60 INV.OUT=5.45 S PDMH1 RIM=8.75 INV.IN=5.20 W INV.IN=5.20 S INV.IN=5.20 SE INV.OUT=5.10 NE PDMH2 RIM=8.90 INV.IN=5.00 SW INV.IN=5.00 SE INV.OUT=4.90 NE PDMH4

RIM=11.70 INV.IN=3.45 SW RIM=13.35 INV.IN=4.30 NE INV.IN=6.10 E INV.OUT=3.35 NW INV.IN=3.80 SE

PDMH5 RIM=11.30 INV.IN=5.05 NE INV.OUT=4.95 SW PDMH7 RIM=11.95 INV.IN=6.60 NW INV.IN=6.60 SW INV.IN=6.60 W

INV.OUT=6.50 SE

PDMH8 RIM=11.35 INV.IN=6.25 NW INV.IN=6.25 SE INV.IN=6.10 SW INV.OUT=6.00 NE PDMH9 RIM=14.05

RIM=11.72

PDMH11

PDMH12

RIM=8.75

PDMH13

NORTH MILL POND

(TIDAL)

RIM=9.60

INV.OUT=7.05 W

INV.IN=5.35 SW

INV.IN=5.40 SE

INV.IN=5.40 NE

INV.IN=4.70 SW

INV.OUT=4.65 NW

INV.IN=5.35 N

INV.OUT=5.35 NE

INV.IN=4.60 SE INV.OUT=4.60 NW INV.OUT=10.40 NE PDMH10 PDMH16

INV.IN=5.00 E INV.IN=5.60 NE INV.OUT=5.50 NW INV.IN=5.00 W INV.OUT=4.90 N PDMH17 RIM=15.50

PDMH14

PDMH15

RIM=10.00

INV.IN=6.45 NE

INV.IN=10.10 SW INV.IN=11.50 NE INV.OUT=10.00 NW PDMH18

RIM=15.30 INV.IN=9.00 SE INV.IN=6.00 SW INV.OUT=5.80 NW PDMH19 RIM=11.80

INV.OUT=8.88 SE

CONST OUTLET -

PLUNGE POOL

(SEE DETAIL)

CONST HW1 —

HIGHEST

OBSERVABLE

PDMH20 RIM=11.90 INV.OUT=8.88 N

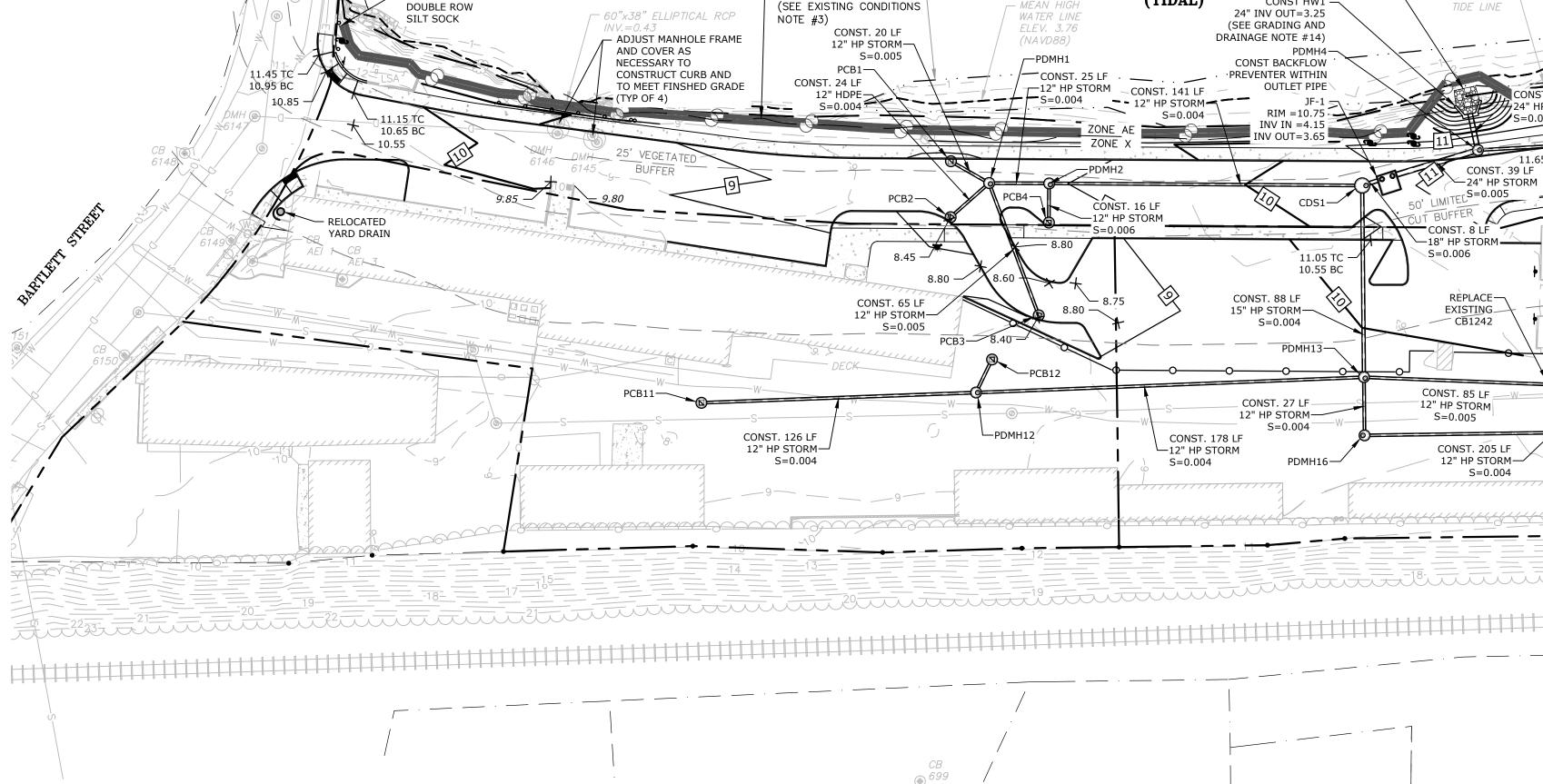
INV.IN=6.45 NW INV.OUT=6.35 SW POS1 RIM=10.50 INV.OUT=7.15 E RIM=13.50 PYD1 INV.IN=10.50 SW

RIM=12.50 INV.IN=10.50 NW INV.OUT=7.70 N PYD2 RIM=12.30 RIM=9.70

INV.IN=7.50 S INV.OUT=7.40 NE PYD3 RIM=11.00 INV.IN=7.10 SW INV.IN=8.00 NW

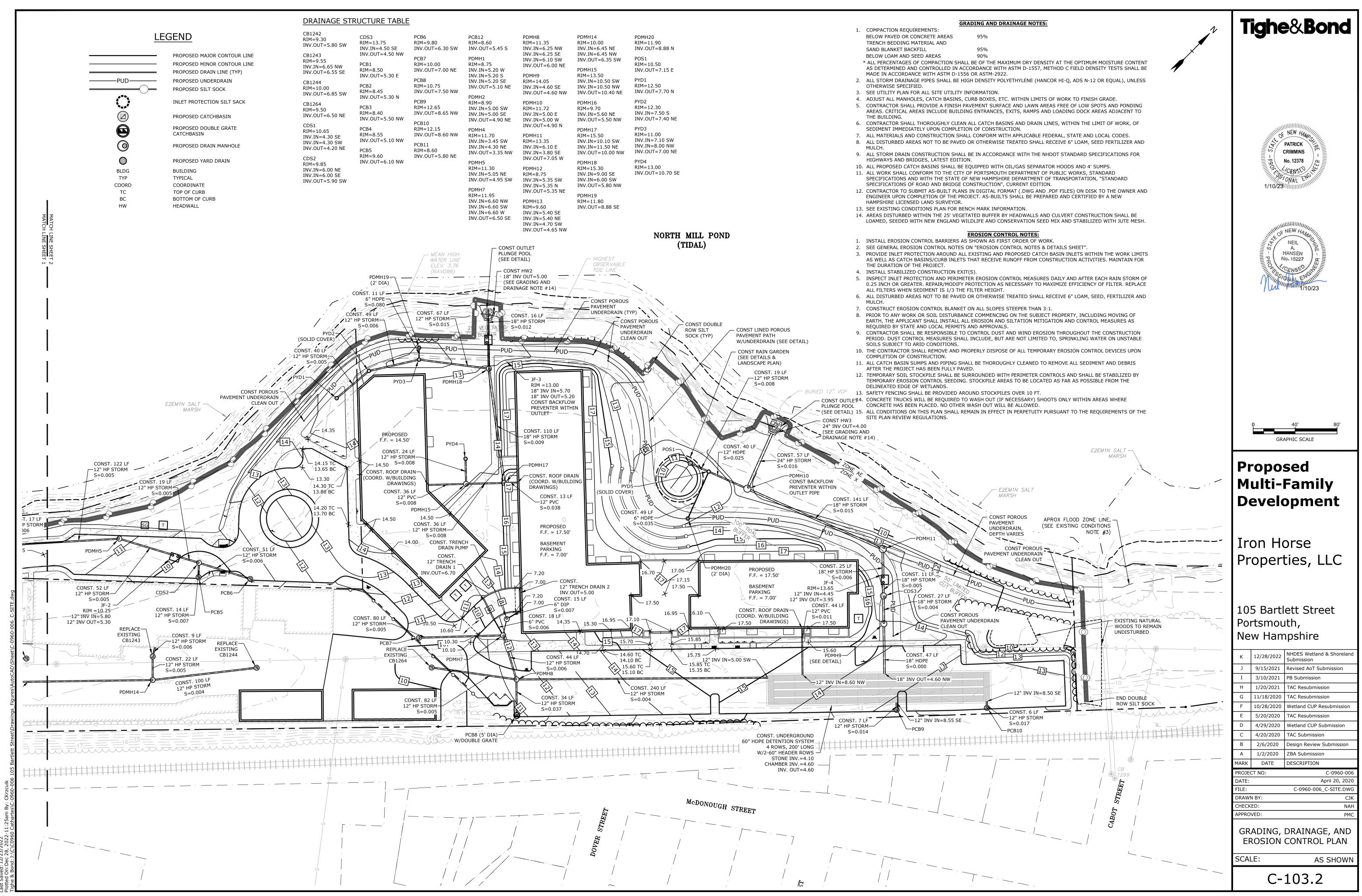
INV.OUT=7.00 NE PYD4 RIM=13.00 INV.OUT=10.70 SE

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1 A A A A A A A A A A A A A A A A A A A	<b>Tighe&amp;Bond</b>
	PATRICK PATRICK CRIMMINS No. 12378 No. 12378
	NEIL NEIL HANSEN No. 15227 HOENSED NO. 15227 HOENSED
	0 40' 80' GRAPHIC SCALE
	Proposed Multi-Family Development
	Iron Horse Properties, LLC
	105 Bartlett Street Portsmouth, New Hampshire
	K12/28/2022NHDES Wetland & Shoreland SubmissionJ9/15/2021Revised AoT SubmissionI3/10/2021PB SubmissionH1/20/2021TAC ResubmissionG11/18/2020TAC ResubmissionF10/28/2020Wetland CUP ResubmissionE5/20/2020TAC ResubmissionD4/29/2020Wetland CUP Submission
	C         4/20/2020         TAC Submission           B         2/6/2020         Design Review Submission           A         1/2/2020         ZBA Submission           MARK         DATE         DESCRIPTION           PROJECT NO:         C-0960-006           DATE:         April 20, 2020           FILE:         C-0960-006_C-SITE.DWG
	DRAWN BY: CJK CHECKED: NAH APPROVED: PMC GRADING, DRAINAGE, AND
	EROSION CONTROL PLAN



#### **UTILITY NOTES:**

- 1. THE LOCATIONS OF EXISTING UNDERGROUND UTILITIES ARE APPROXIMATE AND THE LOCATIONS ARE NOT GUARANTEED BY THE OWNER OR ENGINEER. IT IS THE CONTRACTOR'S RESPONSIBILITY TO LOCATE ALL UTILITIES, ANTICIPATE CONFLICTS, REPAIR EXISTING UTILITIES, AND RELOCATE EXISTING UTILITIES REQUIRED TO COMPLETE THE WORK AT NO ADDITIONAL COST TO THE OWNER.
- 2. COORDINATE ALL UTILITY WORK WITH APPROPRIATE UTILITY COMPANY. • NATURAL GAS - UNITIL
- WATER/SEWER CITY OF PORTSMOUTH
- ELECTRIC EVERSOURCE
- COMMUNICATIONS CONSOLIDATED COMMUNICATIONS & COMCAST 3. SEE EXISTING CONDITIONS PLAN FOR BENCHMARK INFORMATION.
- 4. SEE GRADING, DRAINAGE & EROSION CONTROL PLAN FOR PROPOSED GRADING AND EROSION CONTROL MEASURES. 5. THE APPLICANT SHALL COORDINATE WITH THE CITY'S CONSULTANT TO COMPLETE A WATER CAPACITY ANALYSIS USING THE CITY'S CAPACITY MODELING AND SHALL MODIFY THE WATER SERVICE DESIGN AS REQUIRED. THE PRIVATE WATER LINE THAT CURRENTLY FEEDS THE DEVELOPMENT LOT SHALL BE EITHER REPLACED OR ABANDONED DEPENDING ON THE OUTCOME OF THE STUDY. ALL MODIFICATIONS SHALL BE REVIEWED AND APPROVED BY THE DPW AND THE FIRE DEPARTMENT.
- 6. PROPOSED WATER MAIN WILL REMAIN PRIVATE AND A PRIVATE WATER MAIN MAINTENANCE AGREEMENT WITH THE CITY IS REQUIRED.
- 7. ALL WATER MAIN INSTALLATIONS SHALL BE CLASS 52, CEMENT LINED DUCTILE IRON PIPE.
- 8. ALL WATER MAIN INSTALLATIONS SHALL BE PRESSURE TESTED AND CHLORINATED AFTER CONSTRUCTION PRIOR TO ACTIVATING THE SYSTEM. CONTRACTOR SHALL COORDINATE CHLORINATION AND TESTING WITH THE CITY OF PORTSMOUTH WATER DEPARTMENT.
- 9. ALL SEWER PIPE SHALL BE PVC SDR 35 UNLESS OTHERWISE STATED. 10. COORDINATE ALL WORK WITHIN PUBLIC RIGHT OF WAYS WITH THE CITY OF PORTSMOUTH.
- 11. CONTRACTOR SHALL MAINTAIN UTILITY SERVICES TO ABUTTING PROPERTIES THROUGHOUT CONSTRUCTION.
- 12. CONNECTION TO EXISTING WATER MAIN SHALL BE CONSTRUCTED TO CITY OF PORTSMOUTH STANDARDS. 13. EXISTING UTILITIES TO BE REMOVED SHALL BE CAPPED AT THE MAIN AND MEET THE DEPARTMENT OF PUBLIC WORKS STANDARDS FOR CAPPING OF WATER AND SEWER SERVICES.
- 14. ALL ELECTRICAL MATERIAL WORKMANSHIP SHALL CONFORM TO THE NATIONAL ELECTRIC CODE, LATEST EDITION, AND ALL APPLICABLE STATE AND LOCAL CODES.
- 15. THE EXACT LOCATION OF NEW UTILITY SERVICES AND CONNECTIONS SHALL BE COORDINATED WITH THE BUILDING DRAWINGS AND THE APPLICABLE UTILITY COMPANIES.
- 16. ADJUST ALL MANHOLES, CATCH BASINS, CURB BOXES, ETC. WITHIN LIMITS OF WORK TO FINISH GRADE.
- 17. ALL UNDERGROUND CONDUITS SHALL HAVE NYLON PULL ROPES TO FACILITATE PULLING CABLES. 18. THE CONTRACTOR SHALL OBTAIN, PAY FOR, AND COMPLY WITH ALL REQUIRED PERMITS, ARRANGE FOR ALL INSPECTIONS, AND SUBMIT COPIES OF ACCEPTANCE CERTIFICATES TO THE OWNER PRIOR TO THE COMPLETION OF THIS PROJECT.
- 19. THE CONTRACTOR SHALL PROVIDE AND INSTALL ALL MANHOLES, BOXES, FITTINGS, CONNECTORS, COVER PLATES, AND OTHER MISCELLANEOUS ITEMS NOT NECESSARILY DETAILED ON THESE DRAWINGS TO RENDER INSTALLATION OF UTILITIES COMPLETE AND OPERATIONAL.
- 20. CONTRACTOR SHALL PROVIDE EXCAVATION, BEDDING, BACKFILL AND COMPACTION FOR NATURAL GAS SERVICES. 21. A 10-FOOT MINIMUM EDGE TO EDGE HORIZONTAL SEPARATION SHALL BE PROVIDED BETWEEN ALL WATER AND SANITARY SEWER LINES. AN 18-INCH MINIMUM OUTSIDE TO OUTSIDE VERTICAL SEPARATION SHALL BE PROVIDED AT ALL WATER/SANITARY SEWER CROSSINGS.
- 22. THE CONTRACTOR SHALL CONTACT "DIG-SAFE" 72 HOURS PRIOR TO COMMENCING CONSTRUCTION. THE CONTRACTOR SHALL HAVE THE "DIG-SAFE" NUMBER ON SITE AT ALL TIMES.
- 23. CONTRACTOR TO SUBMIT AS-BUILT PLANS ON REPRODUCIBLE MYLARS AND IN DIGITAL FORMAT (.DWG FILES) TO THE OWNER AND ENGINEER UPON COMPLETION OF THE PROJECT. AS-BUILTS SHALL BE PREPARED AND CERTIFIED BY A NEW HAMPSHIRE LICENSED LAND SURVEYOR OR PROFESSIONAL ENGINEER. 24. SAW CUT AND REMOVE PAVEMENT AND CONSTRUCT PAVEMENT TRENCH PATCH FOR ALL PROPOSED UTILITIES
- LOCATED IN EXISTING PAVEMENT AREAS TO REMAIN
- 25. HYDRANTS, GATE VALVES, FITTINGS, ETC. SHALL MEET THE REQUIREMENTS OF THE CITY OF PORTSMOUTH. 26. COORDINATE TESTING OF SEWER CONSTRUCTION WITH THE CITY OF PORTSMOUTH.
- 27. ALL SEWER PIPE WITH LESS THAN 6' OF COVER IN PAVED AREAS OR LESS THAT 4' OF COVER IN UNPAVED AREAS SHALL BE INSULATED.
- 28. CONTRACTOR SHALL COORDINATE ALL ELECTRIC WORK INCLUDING BUT NOT LIMITED TO: CONDUIT CONSTRUCTION, MANHOLE CONSTRUCTION, UTILITY POLE CONSTRUCTION, OVERHEAD WIRE RELOCATION, AND TRANSFORMER CONSTRUCTION WITH POWER COMPANY.
- 29. CONTRACTOR SHALL PHASE UTILITY CONSTRUCTION, PARTICULARLY WATER MAIN AND GAS MAIN CONSTRUCTION AS TO MAINTAIN CONTINUOUS SERVICE TO ABUTTING PROPERTIES. CONTRACTOR SHALL COORDINATE TEMPORARY SERVICES TO ABUTTERS WITH THE UTILITY COMPANY AND AFFECTED ABUTTER.
- 30. SITE LIGHTING SPECIFICATIONS, CONDUIT LAYOUT AND CIRCUITRY FOR PROPOSED SITE LIGHTING AND SIGN ILLUMINATION SHALL BE PROVIDED BY THE PROJECT ELECTRICAL ENGINEER. 31. CONTRACTOR SHALL CONSTRUCT ALL UTILITIES AND DRAINS TO WITHIN 10' OF THE FOUNDATION WALLS AND
- CONNECT THESE TO SERVICE STUBS FROM THE BUILDING. 32. ALL CONDITIONS ON THIS PLAN SHALL REMAIN IN EFFECT IN PERPETUITY PURSUANT TO THE REQUIREMENTS OF THE
- SITE PLAN REVIEW REGULATIONS.

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COMPANY)

ALTER THE MANHOLE STRUCTURE

DOWN (COORD W/ UTILITY

CONNECT TO GAS MAIN -(COORD W/UNITL)

– PSNH 176/6

AS NECESSARY TO CONSTRUCT TIP

318/858/3

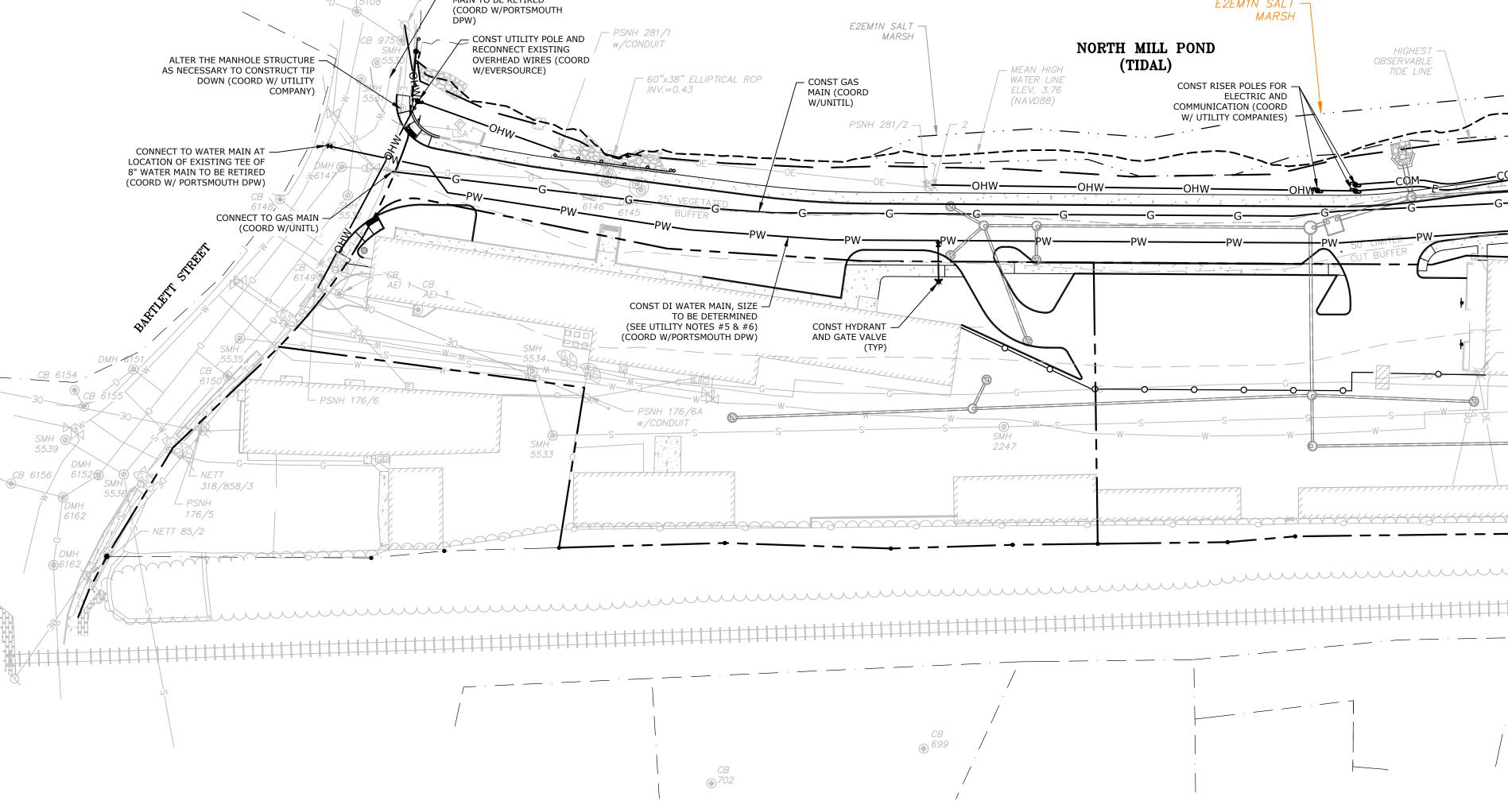
176/5

VETT 85/2

CONNECT TO WATER MAIN AT LOCATION OF EXISTING TEE OF 8" WATER MAIN TO BE RETIRED (COORD W/ PORTSMOUTH DPW) DPW)

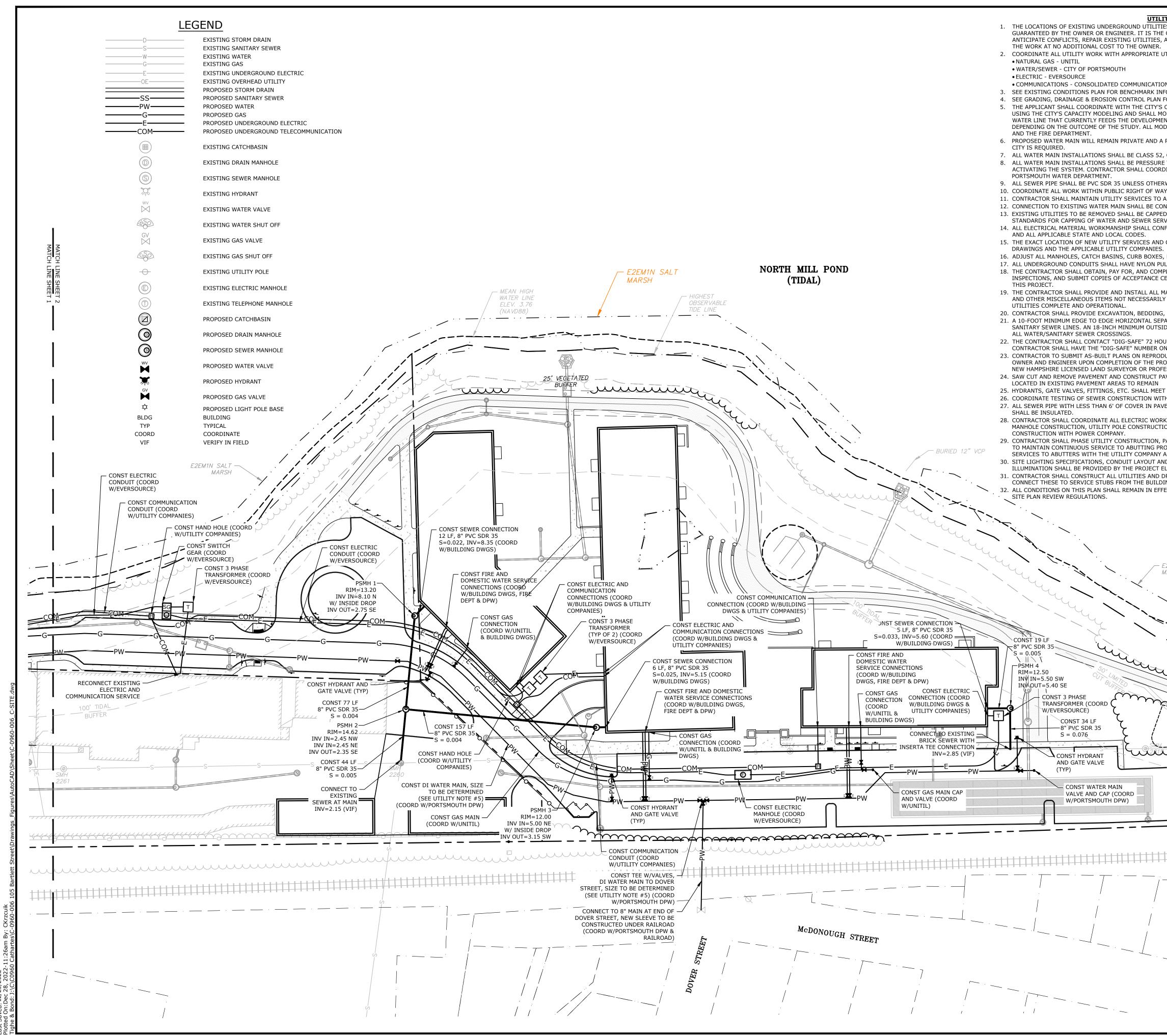
### LEGEND

	D	EXISTING STORM DRAIN	
	S	EXISTING SANITARY SEWER	
		EXISTING WATER EXISTING GAS	
	——Е———	EXISTING UNDERGROUND ELECTRIC	
	OE	EXISTING OVERHEAD UTILITY	
		PROPOSED STORM DRAIN	
	—SS——	PROPOSED SANITARY SEWER	
	—_PW— —G—	PROPOSED WATER PROPOSED GAS	
	—_F	PROPOSED UNDERGROUND ELECTRIC	
	—сом——	PROPOSED UNDERGROUND TELECOMMUNICATION	
		EXISTING CATCHBASIN	
		EXISTING DRAIN MANHOLE	
	S	EXISTING SEWER MANHOLE	
	≫yo wv	EXISTING HYDRANT	
	$\bowtie$	EXISTING WATER VALVE	
	ASO CV	EXISTING WATER SHUT OFF	
	GV	EXISTING GAS VALVE	
	(GSO)	EXISTING GAS SHUT OFF	
		EXISTING UTILITY POLE	
		EXISTING ELECTRIC MANHOLE	
		EXISTING TELEPHONE MANHOLE	
		PROPOSED CATCHBASIN	
	0	PROPOSED DRAIN MANHOLE	
	$\bigcirc$	PROPOSED SEWER MANHOLE	
	WV	PROPOSED WATER VALVE	
	GV	PROPOSED HYDRANT	
	GV M	PROPOSED GAS VALVE	
	¢	PROPOSED LIGHT POLE BASE	
	BLDG TYP	BUILDING TYPICAL	
	COORD	COORDINATE	
	VIF	VERIFY IN FIELD	
PSNH_178/8			
EXISTING 8" WATER MAIN TO BE RETIRE	D		E2EM1N SALT -



	2	<b>Tighe&amp;Bond</b>
		PATRICK CRIMMINS
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		CHECKED: NAH APPROVED: PMC UTILITIES PLAN
		SCALE: AS SHOWN C-104.1

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LITY NOTES: TIES ARE APPROXIMATE AND THE LOCATIONS ARE NOT THE CONTRACTOR'S RESPONSIBILITY TO LOCATE ALL UTILITIES, S, AND RELOCATE EXISTING UTILITIES REQUIRED TO COMPLETE	<b>Tighe&amp;Bond</b>
UTILITY COMPANY.	
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RE TESTED AND CHLORINATED AFTER CONSTRUCTION PRIOR TO RDINATE CHLORINATION AND TESTING WITH THE CITY OF	PATRICK PATRICK CRIMMINS No. 12378
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ID CONNECTIONS SHALL BE COORDINATED WITH THE BUILDING S. S, ETC. WITHIN LIMITS OF WORK TO FINISH GRADE.	
PULL ROPES TO FACILITATE PULLING CABLES. MPLY WITH ALL REQUIRED PERMITS, ARRANGE FOR ALL CERTIFICATES TO THE OWNER PRIOR TO THE COMPLETION OF	NEIL A. HANSEN No. 15227
MANHOLES, BOXES, FITTINGS, CONNECTORS, COVER PLATES, LY DETAILED ON THESE DRAWINGS TO RENDER INSTALLATION OF	HANSEN No. 15227
G, BACKFILL AND COMPACTION FOR NATURAL GAS SERVICES. EPARATION SHALL BE PROVIDED BETWEEN ALL WATER AND	HANSEN No. 15227 HANSEN No. 15227 CENSED
SIDE TO OUTSIDE VERTICAL SEPARATION SHALL BE PROVIDED AT OURS PRIOR TO COMMENCING CONSTRUCTION. THE ON SITE AT ALL TIMES. DDUCIBLE MYLARS AND IN DIGITAL FORMAT (.DWG FILES) TO THE ROJECT. AS-BUILTS SHALL BE PREPARED AND CERTIFIED BY A OFESSIONAL ENGINEER. PAVEMENT TRENCH PATCH FOR ALL PROPOSED UTILITIES	1/10/23
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	GRAPHIC SCALE
E2EM1N SALT	
	Proposed
E2EM1N SALT MARSH	Multi-Family
	Development
$\langle$	
	Iron Horse
	Properties, LLC
	105 Bartlett Street
EXISTING NATURAL WOODS TO REMAIN UNDISTURBED	Portsmouth,
<u>s</u> <u>s</u> <u>s</u> <u>s</u> <u>s</u> <u>s</u> <u>s</u> <u>s</u> <u>s</u> <u>s</u>	New Hampshire
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sire	DRAWN BY: CJK CHECKED: NAH
CABOT STREET	APPROVED: PMC
	UTILITIES PLAN
	SCALE: AS SHOWN
	SCALE: AS SHOWN

GENERAL PROJECT PROJECT APPLICANT:	INFORMATION IRON HORSE PROPERTIES, LLC	PROJECT MAP/LOT:	DUST CONTROL: 1. THE CONTRACTOR SHALL BE RESPONSIBLE TO C
	IRON HORSE PROPERTIES, LLC 105 BARTLETT STREET PORTSMOUTH, NH 03801 PROPOSED MULTI-FAMILY DEVELOPMENT 105 BARTLETT STREET PORTSMOUTH, NH 02001	MAP 157 / LOT 1 MAP 157 / LOT 2	PERIOD. 2. DUST CONTROL METHODS SHALL INCLUDE, BUT
PROJECT NAME:	PROPOSED MULTI-FAMILY DEVELOPMENT 105 BARTLETT STREET	MAP 164 / LOT 1 MAP 164 / LOT 4-2	EXPOSED AREAS, COVERING LOADED DUMP TRUE MULCHING.
	PORTSMOUTH, NH 03801 ONGITUDE: 43°-04'-20" N / 70°-46'-15" W		3. DUST CONTROL MEASURES SHALL BE UTILIZED S FROM THE SITE TO ABUTTING AREAS.
PROJECT DESCRIPT			STOCKPILES:
THE PROJECT CONSI	STS OF CONSTRUCTING THREE (3) MULTI-FAMILY AF	PARTMENT BUILDINGS WITH	1. LOCATE STOCKPILES A MINIMUM OF 50 FEET AW CULVERTS.
	LDINGS CONTAINING BASEMENT LEVEL PARKING.		2. ALL STOCKPILES SHOULD BE SURROUNDED WITH PRIOR TO THE ONSET OF PRECIPITATION.
DISTURBED AREA THE TOTAL AREA TO	BE DISTURBED IS APPROXIMATELY 6.5 ACRES.		3. PERIMETER BARRIERS SHOULD BE MAINTAINED A ACCOMMODATE THE DELIVERY AND REMOVAL OF
DIL CHARACTERIS	STICS SPECIFIC SOIL SURVEY CONDUCTED BY LEONARD LO		INTEGRITY OF THE BARRIER SHOULD BE INSPEC 4. PROTECT ALL STOCKPILES FROM STORMWATER F
TOBER 29 AND DE DROLOGIC SOIL G	CEMBER 2, 2019, THE SOILS ON SITE CONSIST OF UR ROUP RATING OF A TO D.		MEASURES SUCH AS BERMS, SILT SOCK, OR OTH OF MATERIAL BEYOND THE IMMEDIATE CONFINE
		UBSURFACE DRAINAGE WHICH	OFF SITE VEHICLE TRACKING: 1. THE CONTRACTOR SHALL CONSTRUCT STABILIZE EXCAVATION ACTIVITIES.
ONSTRUCTION SE	QUENCE OF MAJOR ACTIVITIES:		VEGETATION: 1. TEMPORARY GRASS COVER:
CONSTRUCT TEM	IPORARY AND PERMANENT SEDIMENT, EROSION AND SION, SEDIMENT AND DETENTION MEASURES SHALL		A. SEEDBED PREPARATION: a. SEE LANDSCAPE PLAN FOR SEEDBED PRI
EARTH MOVING	OPERATIONS THAT WILL INFLUENCE STORMWATER F		<ul> <li>B. SEEDING:</li> <li>a. SEE LANDSCAPE PLAN FOR SEEDING REC</li> </ul>
<ul> <li>NEW CONST</li> <li>CONTROL OF</li> <li>NEADNESS C</li> </ul>	F DUST		<ul> <li>a. SEE LANDSCAPE PLAN FOR SEEDING REC</li> <li>C. MAINTENANCE:</li> <li>a. TEMPORARY SEEDING SHALL BE PERIOD</li> </ul>
<ul> <li>CONSTRUCT</li> </ul>	OF CONSTRUCTION SITE TO RECEIVING WATERS		SOIL SURFACE SHOULD BE COVERED BY
STABILIZED USI	DITCHES, SWALES, DETENTION, RETENTION AND S NG THE VEGETATIVE AND NON-STRUCTURAL BMPS F		MEASURES USED IN THE INTERIM (MULC
TO THEM. CLEAR AND DISP			2. VEGETATIVE PRACTICE: A. SEE LANDSCAPE PLAN FOR PERMANENT MEA
GRADE AND GRA	IPORARY CULVERTS AND DIVERSION CHANNELS AS VEL ROADWAYS AND PARKING AREAS - ALL ROADS		<ul><li>a. THE CONTRACTOR SHALL PROTECT AND</li><li>b. IN NO CASE SHALL THE WEED CONTENT</li></ul>
BEGIN PERMANE	HIN 72 HOURS OF ACHIEVING FINISHED GRADE. NT AND TEMPORARY SEEDING AND MULCHING. ALL		SHALL COMPLY WITH STATE AND FEDER LATER THAN SEPTEMBER 15. IN NO CASI
DAILY, OR AS RE	MULCHED WITHIN 72 HOURS OF ACHIEVING FINISH QUIRED, CONSTRUCT TEMPORARY BERMS, DRAINS,	DITCHES, PERIMETER	3. DORMANT SEEDING (SEPTEMBER 15 TO FIRST SM A. FOLLOW PERMANENT MEASURES REQUIREME
EROSION CONTR	OL MEASURES, SEDIMENT TRAPS, ETC., MULCH AND S AND/OR BASINS SHALL BE USED AS NECESSARY T	SEED AS REQUIRED.	INDICATED RATE. APPLY MULCH AS INDICAT
SOILS ARE STAB	•	<b>-</b>	CONCRETE WASHOUT AREA:           1.         THE FOLLOWING ARE THE ONLY NON-STORMWAT
INSPECT AND MA	AINTAIN ALL EROSION AND SEDIMENT CONTROL MEA ANENT SEEDING AND LANDSCAPING.	ASURES.	NON-STORMWATER DISCHARGES ARE PROHIBITE A. THE CONCRETE DELIVERY TRUCKS SHALL, W
. REMOVE TRAPPE	D SEDIMENTS FROM COLLECTOR DEVICES AS APPRO DISION CONTROL MEASURES.	PRIATE AND THEN REMOVE	AT THEIR OWN PLANT OR DISPATCH FACILIT B. IF IT IS NECESSARY, SITE CONTRACTOR SHA
ECIAL CONSTRU	CTION NOTES:		DESIGN FACILITIES TO HANDLE ANTICIPATE C. CONTRACTOR SHALL LOCATE WASHOUT ARE
THE CONSTRUCT	TON SEQUENCE MUST LIMIT THE DURATION AND AR TO BE MANAGED IN A MANNER THAT MEETS THE RE		DRAINS, SWALES AND SURFACE WATERS OR D. INSPECT WASHOUT FACILITIES DAILY TO DE
RSA 430:53 AND	CHAPTER AGR 3800 RELATIVE TO INVASIVE SPECIE	-	MATERIALS NEED TO BE REMOVED.
	DNTROL MEASURES AND PRACTICES SHALL CONFORI		ALLOWABLE NON-STORMWATER DISCHARGES: 1. FIRE-FIGHTING ACTIVITIES; 2. FIRE HYDRANT FLUSHING:
PREPARED BY TH			<ol> <li>FIRE HYDRANT FLUSHING;</li> <li>WATERS USED TO WASH VEHICLES WHERE DETE</li> <li>WATER USED TO CONTROL DUST:</li> </ol>
EROSION CONTR	ORK OR SOIL DISTURBANCE, CONTRACTOR SHALL S OL MEASURES AS REQUIRED IN THE PROJECT MANU	IAL.	<ol> <li>WATER USED TO CONTROL DUST;</li> <li>POTABLE WATER INCLUDING UNCONTAMINATED</li> </ol>
SILT FENCES, MU	IALL INSTALL TEMPORARY EROSION CONTROL BARR JLCH BERMS, SILT SACKS AND SILT SOCKS AS SHO		<ol> <li>ROUTINE EXTERNAL BUILDING WASH DOWN WHI</li> <li>PAVEMENT WASH WATERS WHERE DETERGENTS</li> </ol>
	PROTECTION SHALL BE INSTALLED IN ALL EXISTIN		<ol> <li>UNCONTAMINATED AIR CONDITIONING/COMPRES</li> <li>UNCONTAMINATED GROUND WATER OR SPRING</li> </ol>
PROJECT.	ITHIN THE WORK LIMITS AND BE MAINTAINED FOR		10. FOUNDATION OR FOOTING DRAINS WHICH ARE U 11. UNCONTAMINATED EXCAVATION DEWATERING;
	TROLS INCLUDING SILT FENCES, MULCH BERM, SILT BE MAINTAINED FOR THE DURATION OF THE PROJE		12. LANDSCAPE IRRIGATION. WASTE DISPOSAL:
THE CONTRACTO	SILIZED. OR SHALL REMOVE AND PROPERLY DISPOSE OF ALL 1 ES UPON COMPLETION OF CONSTRUCTION.	EMPORARY EROSION	1.WASTE MATERIAL:A.ALL WASTE MATERIALS SHALL BE COLLECTE
	AREAS NOT OTHERWISE BEING TREATED SHALL REC	CEIVE 6" LOAM, SEED AND	RECEPTACLES. ALL TRASH AND CONSTRUCTI IN A DUMPSTER;
INSPECT ALL INL	ET PROTECTION AND PERIMETER CONTROLS WEEKL		<ul> <li>B. NO CONSTRUCTION WASTE MATERIALS SHALL</li> <li>C. ALL PERSONNEL SHALL BE INSTRUCTED REG</li> </ul>
EFFICIENCY OF F	INCH OR GREATER. REPAIR/MODIFY PROTECTION AS TILTER. REPLACE ALL FILTERS WHEN SEDIMENT IS 1,	/3 THE FILTER HEIGHT.	DISPOSAL BY THE SUPERINTENDENT. 2. HAZARDOUS WASTE:
CONSTRUCT ERC ABILIZATION:	SION CONTROL BLANKETS ON ALL SLOPES STEEPER		A. ALL HAZARDOUS WASTE MATERIALS SHALL I LOCAL OR STATE REGULATION OR BY THE M
AN AREA SHALL	BE CONSIDERED STABLE WHEN ONE OF THE FOLLOV SE GRAVELS HAVE BEEN INSTALLED IN AREAS TO BE		<ul> <li>B. SITE PERSONNEL SHALL BE INSTRUCTED IN</li> <li>3. SANITARY WASTE:</li> </ul>
B. A MINIMUM	OF 85% VEGETATED GROWTH HAS BEEN ESTABLISH OF 3" OF NON-EROSIVE MATERIAL SUCH AS STONE	IED;	A. ALL SANITARY WASTE SHALL BE COLLECTED PER WEEK BY A LICENSED SANITARY WASTE
INSTALLED;	OF 3 OF NON-EROSIVE MATERIAL SUCH AS STONE		SPILL PREVENTION:
E. IN AREAS TO	) BE PAVED, "STABLE" MEANS THAT BASE COURSE G NTS OF NHDOT STANDARD FOR ROAD AND BRIDGE (	RAVELS MEETING THE	1. CONTRACTOR SHALL BE FAMILIAR WITH SPILL PE STATE AND FEDERAL AGENCIES. AT A MINIMUM,
304.2 HAVE	BEEN INSTALLED. ZATION PRACTICES:	. ,	<ul> <li>MANAGEMENT SPILL PREVENTION PRACTICES OU</li> <li>2. THE FOLLOWING ARE THE MATERIAL MANAGEME</li> <li>THE DISK OF SPILLS OF OTHER ACCIDENTAL FYS</li> </ul>
A. ALL PROPOS	ED VEGETATED AREAS THAT DO NOT EXHIBIT A MIN GROWTH BY OCTOBER 15, OR WHICH ARE DISTURE		THE RISK OF SPILLS OR OTHER ACCIDENTAL EXF CONSTRUCTION TO STORMWATER RUNOFF:
SHALL BE ST	ABILIZED BY SEEDING AND INSTALLING EROSION C ATER THAN 3:1, AND SEEDING AND PLACING 3 TO 4	CONTROL BLANKETS ON	A. GOOD HOUSEKEEPING - THE FOLLOWING GO FOLLOWED ON SITE DURING CONSTRUCTION
SECURED W	ITH ANCHORED NETTING, ELSEWHERE. THE INSTALL R MULCH AND NETTING SHALL NOT OCCUR OVER AG	ATION OF EROSION CONTROL	a. ONLY SUFFICIENT AMOUNTS OF PRODUC b. ALL REGULATED MATERIALS STORED ON
FROZEN GRO	OUND AND SHALL BE COMPLETED IN ADVANCE OF THE S OR SWALES WHICH DO NOT EXHIBIT A MINIMUM (	HAW OR SPRING MELT EVENTS;	MANNER IN THEIR PROPER (ORIGINAL I UNDER A ROOF OR OTHER ENCLOSURE,
GROWTH BY	OCTOBER 15, OR WHICH DO NOT EXHIBIT A MINIMOM ( OCTOBER 15, OR WHICH ARE DISTURBED AFTER OC TEMPORARILY WITH STONE OR EROSION CONTROL	CTOBER 15, SHALL BE	<ul> <li>MANUFACTURER'S RECOMMENDATIONS FOLLOWED;</li> </ul>
THE DESIGN	FLOW CONDITIONS; BER 15, INCOMPLETE ROAD OR PARKING SURFACES		d. THE SITE SUPERINTENDENT SHALL INSF DISPOSAL OF MATERIALS;
FOR THE WI	NTER SEASON, SHALL BE PROTECTED WITH A MINIM	UM OF 3 INCHES OF CRUSHED	<ul> <li>e. SUBSTANCES SHALL NOT BE MIXED WIT MANUFACTURER;</li> </ul>
WINTER SEA	NHDOT ITEM 304.3, OR IF CONSTRUCTION IS TO CO SON BE CLEARED OF ANY ACCUMULATED SNOW AFT	ER EACH STORM EVENT;	f. WHENEVER POSSIBLE ALL OF A PRODUC CONTAINER.
CONSTRUCTION	SHALL BE INITIATED ON ALL LOAM STOCKPILES, AN ACTIVITY SHALL NOT OCCUR FOR MORE THAN TWEN	TY-ONE (21) CALENDAR DAYS	g. THE TRAINING OF ON-SITE EMPLOYEES RESPONSE INFORMATION DESCRIBING V
TEMPORARILY C	ENTH (14TH) DAY AFTER CONSTRUCTION ACTIVITY HEASED IN THAT AREA. STABILIZATION MEASURES TO		REGULATED SUBSTANCES. B. HAZARDOUS PRODUCTS - THE FOLLOWING P
A. TEMPORARY B. MULCHING.			ASSOCIATED WITH HAZARDOUS MATERIALS
ALL AREAS SHAL	L BE STABILIZED WITHIN 45 DAYS OF INITIAL DIST CTION ACTIVITY PERMANENTLY OR TEMPORARILY CE		a. PRODUCTS SHALL BE KEPT IN THEIR OR RESEALABLE;
NEARBY SURFAC	E WATERS OR DELINEATED WETLANDS, THE AREA S OR PRIOR TO A RAIN EVENT. ONCE CONSTRUCTION	HALL BE STABILIZED WITHIN	<ul> <li>DRIGINAL LABELS AND MATERIAL SAFET PRODUCT INFORMATION;</li> </ul>
PERMANENTLY IN	AN THESE AREAS, SILT FENCES, MULCH BERMS, HA	AY BALE BARRIERS AND ANY	c. SURPLUS PRODUCT THAT MUST BE DISP THE MANUFACTURER'S RECOMMENDED I
DURING CONSTR	ILLIZED CHANNELS WHERE POSSIBLE. SHEET RUNOF	SITE WITH EARTH DIKES,	C. PRODUCT SPECIFIC PRACTICES - THE FOLLO FOLLOWED ON SITE:
FILTERED THROU	JGH SILT FENCES, MULCH BERMS, HAY BALE BARRIE	RS, OR SILT SOCKS. ALL	<ul><li>a. PETROLEUM PRODUCTS:</li><li>i. ALL ON SITE VEHICLES SHALL BE MONIT</li></ul>
	ASIN INLETS SHALL BE PROVIDED WITH FLARED ENI E SHALL BE STABILIZED FOR THE WINTER BY OCTOB		PREVENTIVE MAINTENANCE TO REDUCE ii. PETROLEUM PRODUCTS SHALL BE STORE

12/ ec

#### CONTROL DUST THROUGHOUT THE CONSTRUCTION

#### F BE NOT LIMITED TO SPRINKLING WATER ON UCKS LEAVING THE SITE, AND TEMPORARY

- SO AS TO PREVENT THE MIGRATION OF DUST
- WAY FROM CATCH BASINS, SWALES, AND
- ITH TEMPORARY EROSION CONTROL MEASURES
- AT ALL TIMES, AND ADJUSTED AS NEEDED TO OF MATERIALS FROM THE STOCKPILE. THE ECTED AT THE END OF EACH WORKING DAY. RUN-OFF USING TEMPORARY EROSION CONTROL THER APPROVED PRACTICE TO PREVENT MIGRATION NES OF THE STOCKPILES.
- IZED CONSTRUCTION ENTRANCE(S) PRIOR TO ANY
- PREPARATION REQUIREMENTS;
- EQUIREMENTS;
- DDICALLY INSPECTED. AT A MINIMUM, 95% OF THE BY VEGETATION. IF ANY EVIDENCE OF EROSION OR RS SHALL BE MADE AND OTHER TEMPORARY ILCH, FILTER BARRIERS, CHECK DAMS, ETC.).
- EASURES AND PLANTINGS:
- ND MAINTAIN THE SEEDED AREAS UNTIL ACCEPTED; NT EXCEED ONE (1) PERCENT BY WEIGHT. ALL SEED ERAL SEED LAWS. SEEDING SHALL BE DONE NO ASE SHALL SEEDING TAKE PLACE OVER SNOW. SNOWFALL):
- MENTS. APPLY SEED MIXTURE AT TWICE THE ATED FOR PERMANENT MEASURES.
- ATER DISCHARGES ALLOWED. ALL OTHER
- ITED ON SITE: WHENEVER POSSIBLE, USE WASHOUT FACILITIES ITY;
- HALL DESIGNATE SPECIFIC WASHOUT AREAS AND TED WASHOUT WATER;
- REAS AT LEAST 150 FEET AWAY FROM STORM OR DELINEATED WETLANDS;
- DETECT LEAKS OR TEARS AND TO IDENTIFY WHEN

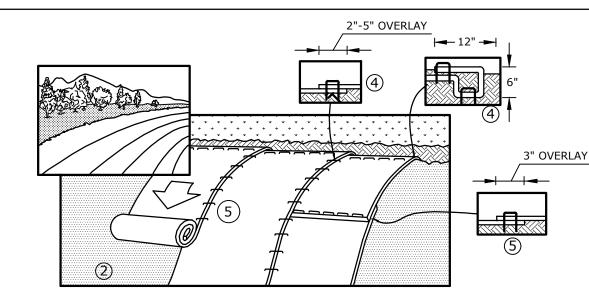
- ERGENTS ARE NOT USED;
- ED WATER LINE FLUSHING;
- HERE DETERGENTS ARE NOT USED; 'S ARE NOT USED;
- ESSOR CONDENSATION; IG WATER;
- UNCONTAMINATED;
- ED AND STORED IN SECURELY LIDDED TION DEBRIS FROM THE SITE SHALL BE DEPOSITED
- ALL BE BURIED ON SITE; EGARDING THE CORRECT PROCEDURE FOR WASTE
- . BE DISPOSED OF IN THE MANNER SPECIFIED BY MANUFACTURER; IN THESE PRACTICES BY THE SUPERINTENDENT.
- ED FROM THE PORTABLE UNITS A MINIMUM OF ONCE TE MANAGEMENT CONTRACTOR.
- PREVENTION MEASURES REQUIRED BY LOCAL, , CONTRACTOR SHALL FOLLOW THE BEST DUTLINED BELOW
- MENT PRACTICES THAT SHALL BE USED TO REDUCE XPOSURE OF MATERIALS AND SUBSTANCES DURING
- GOOD HOUSEKEEPING PRACTICE SHALL BE
- UCTS TO DO THE JOB SHALL BE STORED ON SITE; ON SITE SHALL BE STORED IN A NEAT, ORDERLY \_ IF POSSIBLE) CONTAINERS AND, IF POSSIBLE, E, ON AN IMPERVIOUS SURFACE;
- 5 FOR PROPER USE AND DISPOSAL SHALL BE
- SPECT DAILY TO ENSURE PROPER USE AND
- ITH ONE ANOTHER UNLESS RECOMMENDED BY THE
- JCT SHALL BE USED UP BEFORE DISPOSING OF THE S AND THE ON-SITE POSTING OF RELEASE
- WHAT TO DO IN THE EVENT OF A SPILL OF
- PRACTICES SHALL BE USED TO REDUCE THE RISKS
- DRIGINAL CONTAINERS UNLESS THEY ARE NOT
- ETY DATA SHALL BE RETAINED FOR IMPORTANT
- SPOSED OF SHALL BE DISCARDED ACCORDING TO METHODS OF DISPOSAL OWING PRODUCT SPECIFIC PRACTICES SHALL BE
- ITORED FOR LEAKS AND RECEIVE REGULAR
- E LEAKAGE; ii. PETROLEUM PRODUCTS SHALL BE STORED IN TIGHTLY SEALED CONTAINERS WHICH ARE

CLEARLY LABELED. ANY ASPHALT BASED SUBSTANCES USED ON SITE SHALL BE APPLIED ACCORDING TO THE MANUFACTURER'S RECOMMENDATIONS SECURE FUEL STORAGE AREAS AGAINST UNAUTHORIZED ENTRY;

- iv. INSPECT FUEL STORAGE AREAS WEEKLY;
- v. WHEREVER POSSIBLE, KEEP REGULATED CONTAINERS THAT ARE STORED OUTSIDE MORE THAN 50 FEET FROM SURFACE WATER AND STORM DRAINS, 75 FEET FROM PRIVATE WELLS, AND 400 FEET FROM PUBLIC WELLS;
- vi. COVER REGULATED CONTAINERS IN OUTSIDE STORAGE AREAS;
- vii. SECONDARY CONTAINMENT IS REQUIRED FOR CONTAINERS CONTAINING REGULATED SUBSTANCES STORED OUTSIDE, EXCEPT FOR ON PREMISE USE HEATING FUEL TANKS, OR ABOVEGROUND OR UNDERGROUND STORAGE TANKS OTHERWISE REGULATED. viii. THE FUEL HANDLING REQUIREMENTS SHALL INCLUDE:
  - (1) EXCEPT WHEN IN USE, KEEP CONTAINERS CONTAINING REGULATED SUBSTANCES CLOSED AND SEALED;
  - (2) PLACE DRIP PANS UNDER SPIGOTS, VALVES, AND PUMPS; (3) HAVE SPILL CONTROL AND CONTAINMENT EQUIPMENT READILY AVAILABLE IN ALL
  - WORK AREAS; (4) USE FUNNELS AND DRIP PANS WHEN TRANSFERRING REGULATED SUBSTANCES; (5) PERFORM TRANSFERS OF REGULATED SUBSTANCES OVER AN IMPERVIOUS
- SURFACE. ix. FUELING AND MAINTENANCE OF EXCAVATION, EARTHMOVING AND OTHER CONSTRUCTION
- RELATED EQUIPMENT SHALL COMPLY WITH THE REGULATIONS OF THE NEW HAMPSHIRE DEPARTMENT OF ENVIRONMENTAL SERVICES THESE REQUIREMENTS ARE SUMMARIZED IN WD-DWGB-22-6 BEST MANAGEMENT PRACTICES FOR FUELING AND MAINTENANCE OF EXCAVATION AND EARTHMOVING EQUIPMENT, OR ITS SUCCESSOR DOCUMENT. HTTPS://WWW.DES.NH.GOV/ORGANIZATION/COMMISSIONER/PIP/FACTSHEETS/DWGB/DOCUMENTS/DWGB-22-6.PDF
- FERTILIZERS FERTILIZERS USED SHALL BE APPLIED ONLY IN THE MINIMUM AMOUNTS DIRECTED BY THE SPECIFICATIONS;
- ii. ONCE APPLIED FERTILIZER SHALL BE WORKED INTO THE SOIL TO LIMIT EXPOSURE TO STORMWATER;
- iii. STORAGE SHALL BE IN A COVERED SHED OR ENCLOSED TRAILERS. THE CONTENTS OF ANY PARTIALLY USED BAGS OF FERTILIZER SHALL BE TRANSFERRED TO A SEALABLE PLASTIC BIN TO AVOID SPILLS. c. PAINTS:
- i. ALL CONTAINERS SHALL BE TIGHTLY SEALED AND STORED WHEN NOT REQUIRED FOR USE;
- ii. EXCESS PAINT SHALL NOT BE DISCHARGED TO THE STORM SEWER SYSTEM; iii. EXCESS PAINT SHALL BE DISPOSED OF PROPERLY ACCORDING TO MANUFACTURER'S INSTRUCTIONS OR STATE AND LOCAL REGULATIONS.
- D. SPILL CONTROL PRACTICES IN ADDITION TO GOOD HOUSEKEEPING AND MATERIAL MANAGEMENT PRACTICES DISCUSSED IN THE PREVIOUS SECTION, THE FOLLOWING
- PRACTICES SHALL BE FOLLOWED FOR SPILL PREVENTION AND CLEANUP: a. MANUFACTURER'S RECOMMENDED METHODS FOR SPILL CLEANUP SHALL BE CLEARLY
- POSTED AND SITE PERSONNEL SHALL BE MADE AWARE OF THE PROCEDURES AND THE LOCATION OF THE INFORMATION AND CLEANUP SUPPLIES; b. MATERIALS AND EQUIPMENT NECESSARY FOR SPILL CLEANUP SHALL BE KEPT IN THE
- MATERIAL STORAGE AREA ON SITE. EQUIPMENT AND MATERIALS SHALL INCLUDE BUT NOT BE LIMITED TO BROOMS, DUSTPANS, MOPS, RAGS, GLOVES, GOGGLES, KITTY LITTER, SAND, SAWDUST AND PLASTIC OR METAL TRASH CONTAINERS SPECIFICALLY FOR THIS PURPOSE;
- c. ALL SPILLS SHALL BE CLEANED UP IMMEDIATELY AFTER DISCOVERY; d. THE SPILL AREA SHALL BE KEPT WELL VENTILATED AND PERSONNEL SHALL WEAR
- APPROPRIATE PROTECTIVE CLOTHING TO PREVENT INJURY FROM CONTACT WITH A
- HAZARDOUS SUBSTANCE; e. SPILLS OF TOXIC OR HAZARDOUS MATERIAL SHALL BE REPORTED TO THE APPROPRIATE LOCAL, STATE OR FEDERAL AGENCIES AS REQUIRED;
- f. THE SITE SUPERINTENDENT RESPONSIBLE FOR DAY-TO-DAY SITE OPERATIONS SHALL BE THE SPILL PREVENTION AND CLEANUP COORDINATOR.
- E. VEHICLE FUELING AND MAINTENANCE PRACTICE: a. CONTRACTOR SHALL MAKE AN EFFORT TO PERFORM EQUIPMENT/VEHICLE FUELING AND
- MAINTENANCE AT AN OFF-SITE FACILITY; b. CONTRACTOR SHALL PROVIDE AN ON-SITE FUELING AND MAINTENANCE AREA THAT IS
- CLEAN AND DRY; c. IF POSSIBLE THE CONTRACTOR SHALL KEEP AREA COVERED;
- d. CONTRACTOR SHALL KEEP A SPILL KIT AT THE FUELING AND MAINTENANCE AREA;
- e. CONTRACTOR SHALL REGULARLY INSPECT VEHICLES FOR LEAKS AND DAMAGE;
- f. CONTRACTOR SHALL USE DRIP PANS, DRIP CLOTHS, OR ABSORBENT PADS WHEN REPLACING SPENT FLUID.

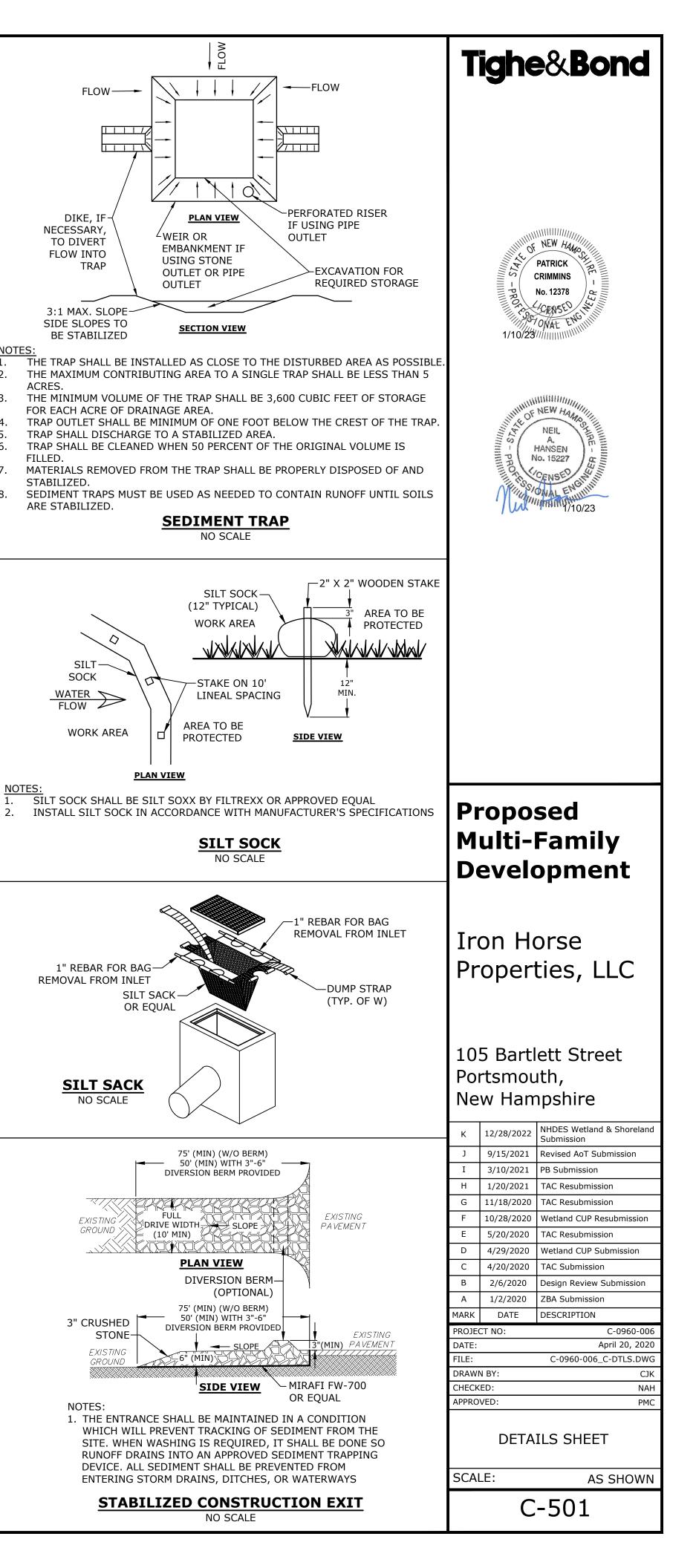
#### **EROSION CONTROL OBSERVATIONS AND MAINTENANCE PRACTICES**

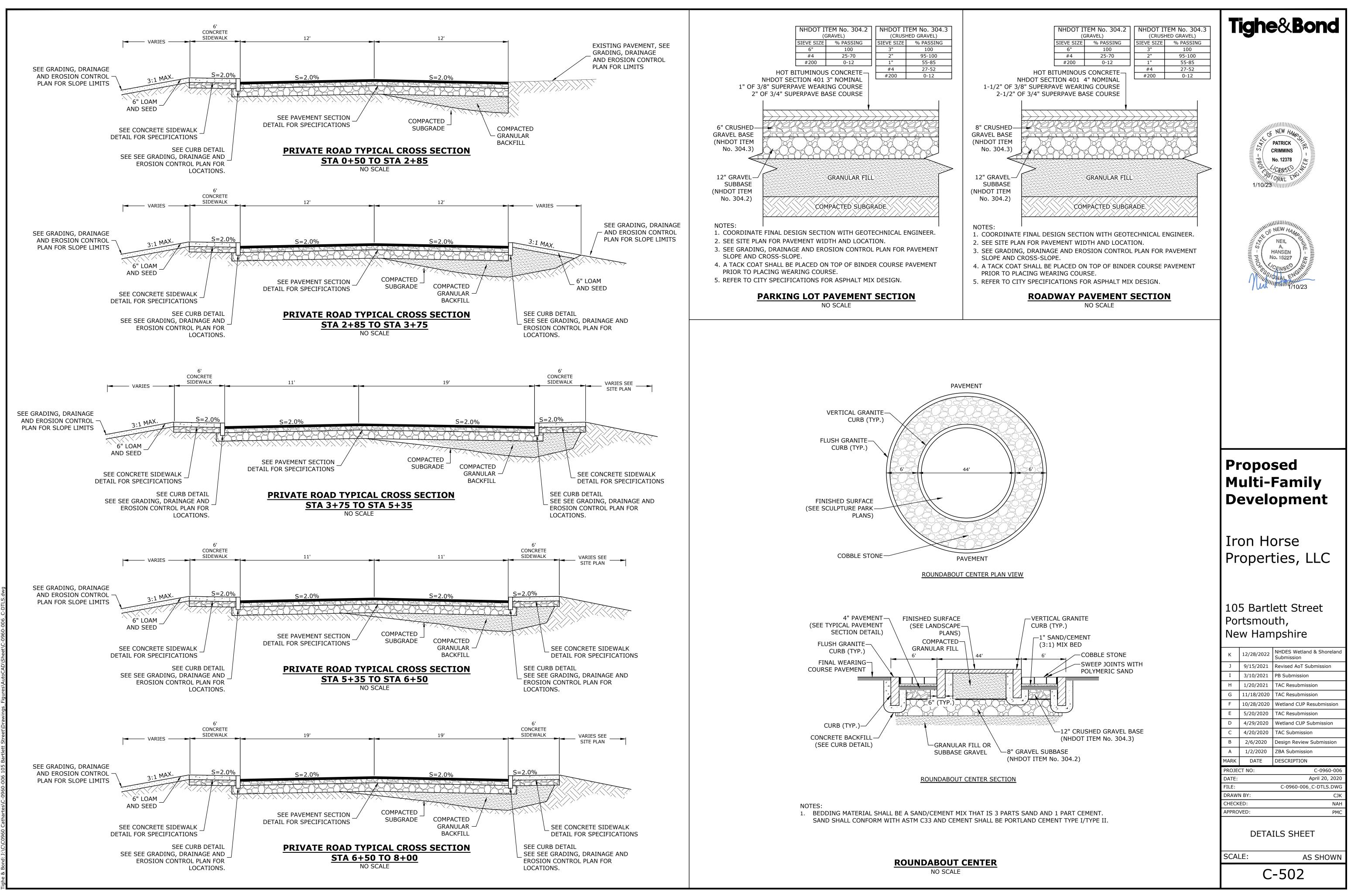
- THIS PROJECT EXCEEDS ONE (1) ACRE OF DISTURBANCE AND THUS REQUIRES A SWPPP. THE SWPPP SHALL BE PREPARED BY THE CONTRACTOR. THE CONTRACTOR SHALL BE FAMILIAR WITH THE SWPPP AND KEEP AN UPDATED COPY OF THE SWPPP ONSITE AT ALL TIMES. 2. THE FOLLOWING REPRESENTS THE GENERAL OBSERVATION AND REPORTING PRACTICES THAT
  - SHALL BE FOLLOWED AS PART OF THIS PROJECT: OBSERVATIONS OF THE PROJECT FOR COMPLIANCE WITH THE SWPPP SHALL BE MADE BY THE
  - CONTRACTOR AT LEAST ONCE A WEEK OR WITHIN 24 HOURS OF A STORM 0.25 INCHES OR GREATER:
- B. AN OBSERVATION REPORT SHALL BE MADE AFTER EACH OBSERVATION AND DISTRIBUTED TO THE ENGINEER, THE OWNER, AND THE CONTRACTOR;
- C. A REPRESENTATIVE OF THE SITE CONTRACTOR, SHALL BE RESPONSIBLE FOR MAINTENANCE AND REPAIR ACTIVITIES;
- D. IF A REPAIR IS NECESSARY, IT SHALL BE INITIATED WITHIN 24 HOURS OF REPORT.



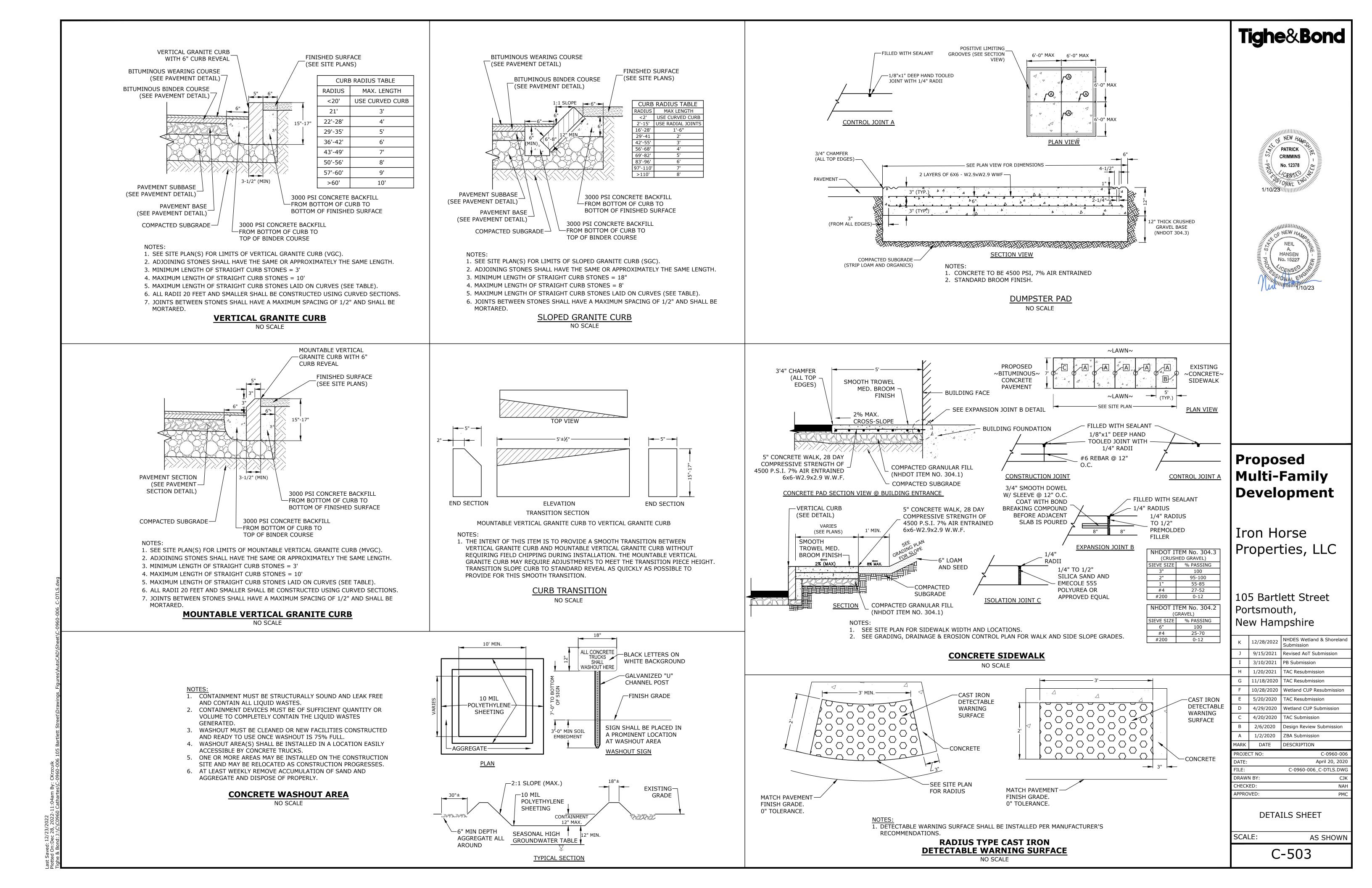
- NOTES: . EROSION CONTROL BLANKET SHALL BE AN ALL NATURAL PRODUCT WITH NO PHOTO DEGRADABLE COMPONENTS, NORTH AMERICAN GREEN SC150BN OR APPROVED EQUAL
- 2. STAKES SHALL BE BIODEGRADABLE BIOSTAKES OR ALL NATURAL WOOD ECOSTAKES OR APPROVED EQUAL. THE LENGTH OF STAKES SHALL BE BASED OFF OF THE MANUFACTURERS
- RECOMMENDATION. 3. PREPARE SOIL BEFORE INSTALLING BLANKETS, INCLUDING ANY NECESSARY APPLICATION OF LIME, COMPOST AND SEED.
- 4. BEGIN AT THE TOP OF THE SLOPE, 36" OVER THE GRADE BREAK, BY ANCHORING THE BLANKET IN A 6" DEEP X 6" WIDE TRENCH WITH APPROXIMATELY 12" OF BLANKET EXTENDED BEYOND THE UPSLOPE PORTION OF THE TRENCH. ANCHOR THE BLANKET WITH A ROW OF STAKES IN THE BOTTOM OF THE TRENCH. BACKFILL AND COMPACT THE TRENCH AFTER STAKING. APPLY SEED TO COMPACTED SOIL AND FOLD REMAINING 12" PORTION OF BLANKET BACK OVER SEED AND COMPACTED SOIL. SECURE BLANKET OVER COMPACTED SOIL WITH A ROW OF STAKES ACROSS THE WIDTH OF THE BLANKET.
- 5. ROLL THE BLANKETS DOWN THE SLOPE. ALL BLANKETS MUST BE SECURELY FASTENED TO THE SOIL SURFACE BY PLACING STAKES IN APPROPRIATE LOCATIONS AS SHOWN ON THE MANUFACTURERS PATTERN GUIDE.

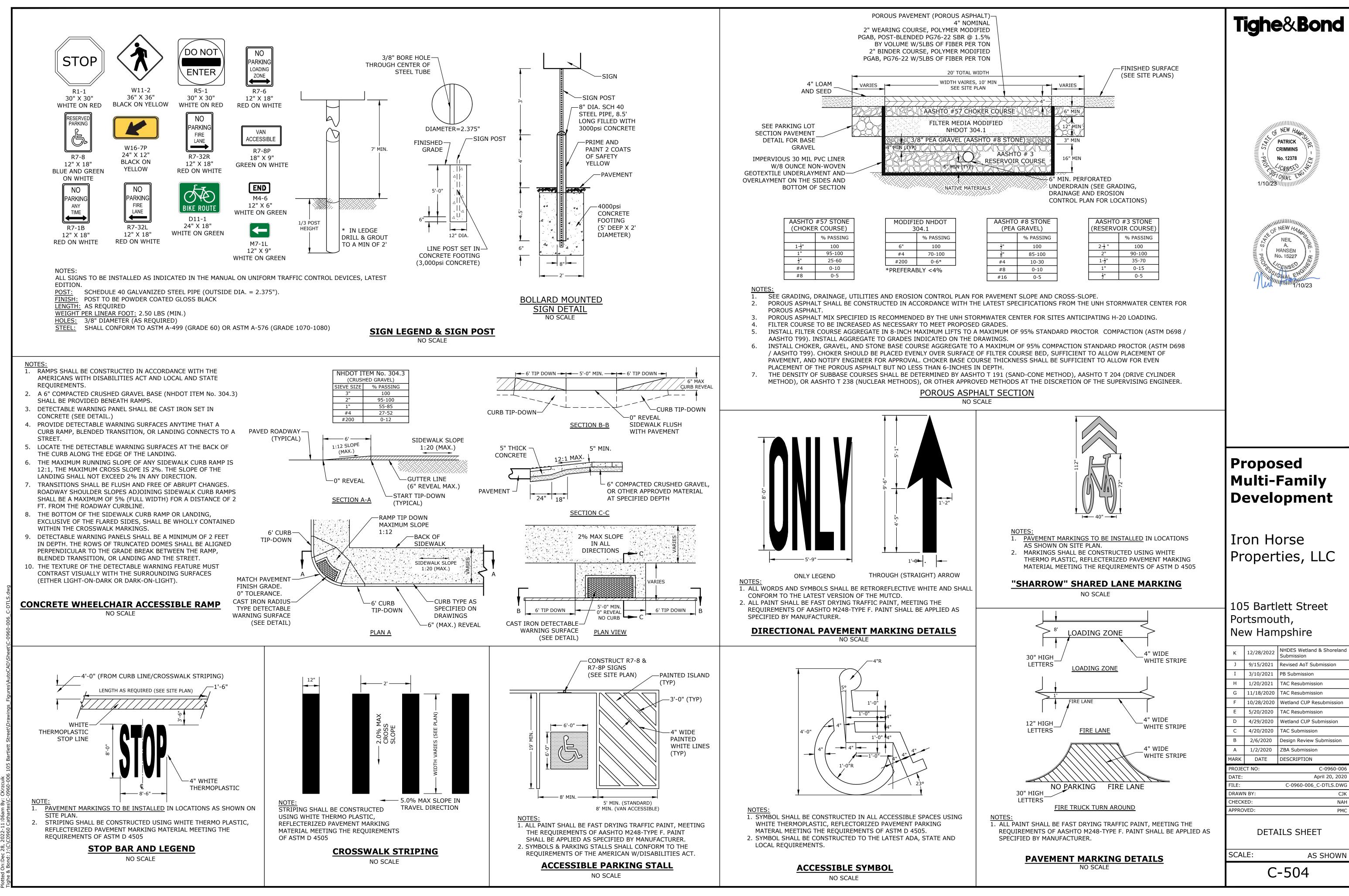
**EROSION CONTROL BLANKET** NO SCALE

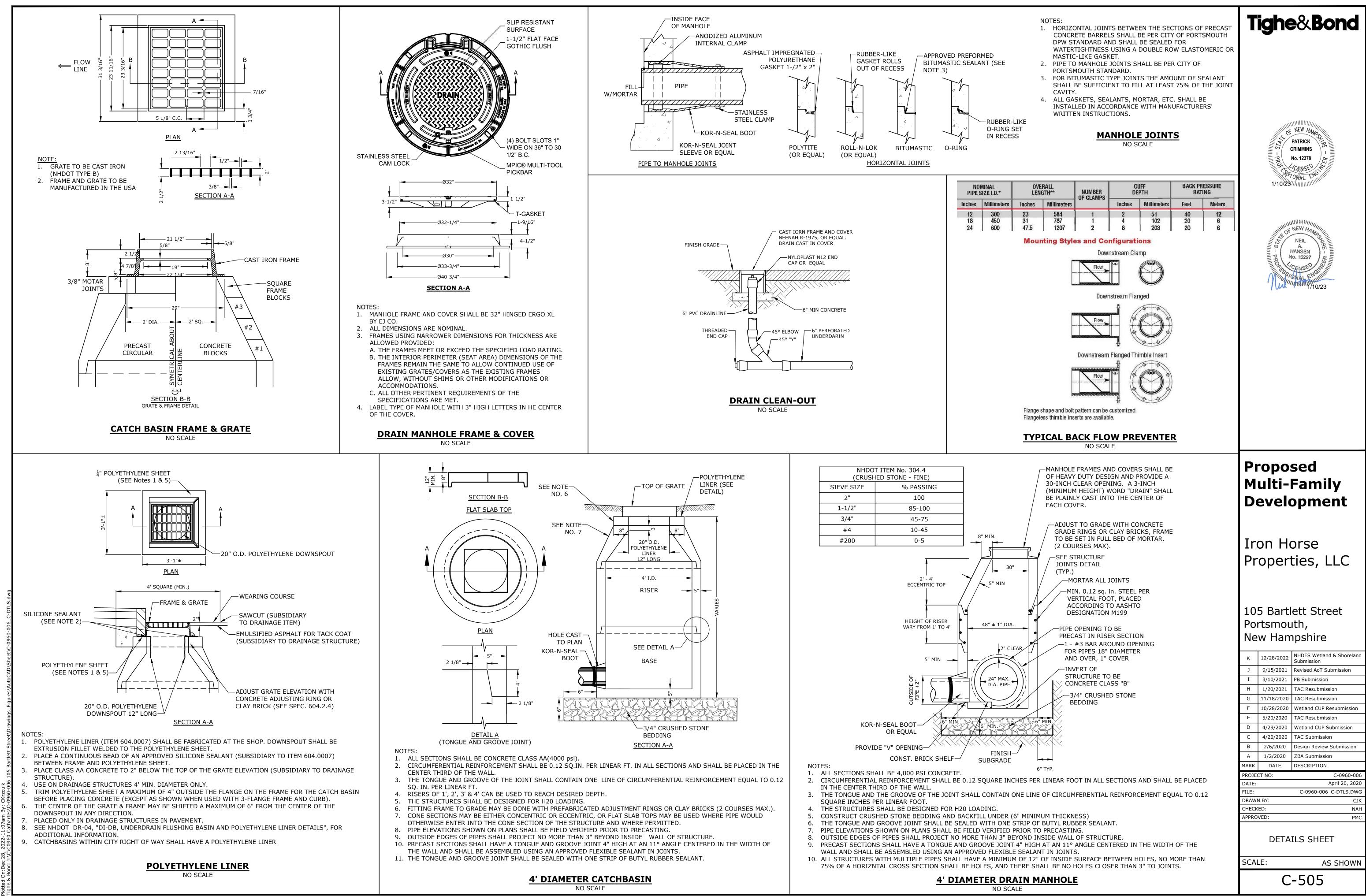


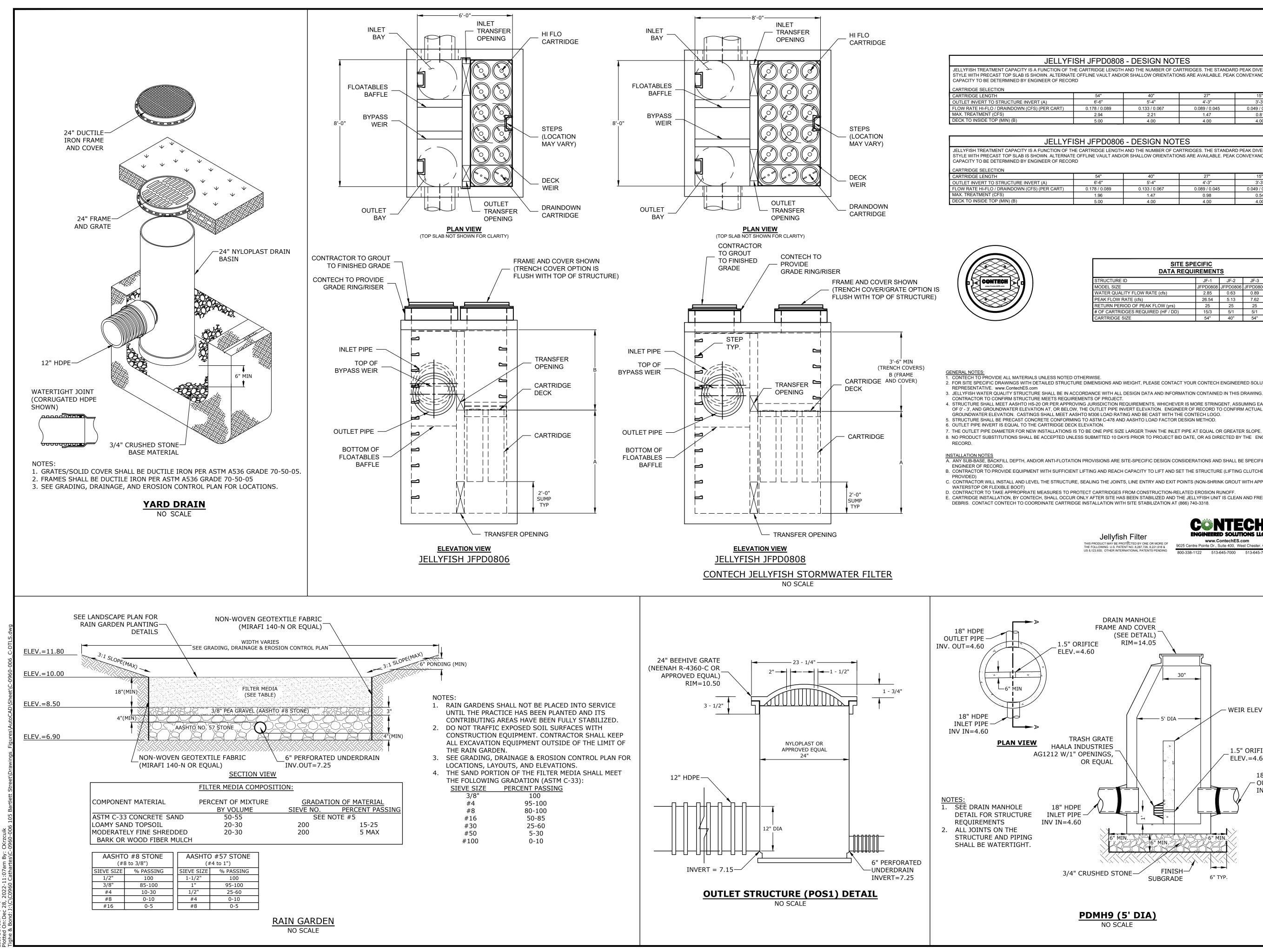


23/ 28,









23/ 28, 12/ Jec

#### JELLYFISH JFPD0808 - DESIGN NOTES

IELLYFISH TREATMENT CAPACITY IS A FUNCTION OF THE CARTRIDGE LENGTH AND THE NUMBER OF CARTRIDGES. THE STANDARD PEAK DIVERSION STYLE WITH PRECAST TOP SLAB IS SHOWN. ALTERNATE OFFLINE VAULT AND/OR SHALLOW ORIENTATIONS ARE AVAILABLE. PEAK CONVEYANCE

	54"	40"	27"	15"
	6'-6"	5'-4"	4'-3"	3'-3"
T)	0.178 / 0.089	0.133 / 0.067	0.089 / 0.045	0.049 / 0.025
	2.94	2.21	1.47	0.81
	5.00	4.00	4.00	4.00

JELLYFISH JFPD0806 - DESIGN NOTES

JELLYFISH TREATMENT CAPACITY IS A FUNCTION OF THE CARTRIDGE LENGTH AND THE NUMBER OF CARTRIDGES. THE STANDARD PEAK DIVERSION STYLE WITH PRECAST TOP SLAB IS SHOWN. ALTERNATE OFFLINE VAULT AND/OR SHALLOW ORIENTATIONS ARE AVAILABLE. PEAK CONVEYANCE

	54"	40"	27"	15"
	6'-6"	5'-4"	4'-3"	3'-3"
Г)	0.178 / 0.089	0.133 / 0.067	0.089 / 0.045	0.049 / 0.025
	1.96	1.47	0.98	0.54
	5.00	4.00	4.00	4.00

SITE SPECIFIC DATA REQUIREMENTS				
STRUCTURE ID	JF-1	JF-2	JF-3	JF-4
MODEL SIZE	JFPD0808	JFPD0806	JFPD0806	JFPD0806
WATER QUALITY FLOW RATE (cfs)	2.85	0.63	0.89	1.48
PEAK FLOW RATE (cfs)	26.54	5.13	7.62	8.19
RETURN PERIOD OF PEAK FLOW (yrs)	25	25	25	25
# OF CARTRIDGES REQUIRED (HF / DD)	15/3	5/1	5/1	8/2
CARTRIDGE SIZE	54"	40"	54"	54"

2. FOR SITE SPECIFIC DRAWINGS WITH DETAILED STRUCTURE DIMENSIONS AND WEIGHT, PLEASE CONTACT YOUR CONTECH ENGINEERED SOLUTIONS

4. STRUCTURE SHALL MEET AASHTO HS-20 OR PER APPROVING JURISDICTION REQUIREMENTS, WHICHEVER IS MORE STRINGENT, ASSUMING EARTH COVER OF 0' - 3', AND GROUNDWATER ELEVATION AT, OR BELOW, THE OUTLET PIPE INVERT ELEVATION. ENGINEER OF RECORD TO CONFIRM ACTUAL GROUNDWATER ELEVATION. CASTINGS SHALL MEET AASHTO M306 LOAD RATING AND BE CAST WITH THE CONTECH LOGO. 5. STRUCTURE SHALL BE PRECAST CONCRETE CONFORMING TO ASTM C-478 AND AASHTO LOAD FACTOR DESIGN METHOD.

7. THE OUTLET PIPE DIAMETER FOR NEW INSTALLATIONS IS TO BE ONE PIPE SIZE LARGER THAN THE INLET PIPE AT EQUAL OR GREATER SLOPE. 8. NO PRODUCT SUBSTITUTIONS SHALL BE ACCEPTED UNLESS SUBMITTED 10 DAYS PRIOR TO PROJECT BID DATE, OR AS DIRECTED BY THE ENGINEER OF

INSTALLATION NOTES A. ANY SUB-BASE, BACKFILL DEPTH, AND/OR ANTI-FLOTATION PROVISIONS ARE SITE-SPECIFIC DESIGN CONSIDERATIONS AND SHALL BE SPECIFIED BY B. CONTRACTOR TO PROVIDE EQUIPMENT WITH SUFFICIENT LIFTING AND REACH CAPACITY TO LIFT AND SET THE STRUCTURE (LIFTING CLUTCHES

C. CONTRACTOR WILL INSTALL AND LEVEL THE STRUCTURE, SEALING THE JOINTS, LINE ENTRY AND EXIT POINTS (NON-SHRINK GROUT WITH APPROVED D. CONTRACTOR TO TAKE APPROPRIATE MEASURES TO PROTECT CARTRIDGES FROM CONSTRUCTION-RELATED EROSION RUNOFF.

E. CARTRIDGE INSTALLATION, BY CONTECH, SHALL OCCUR ONLY AFTER SITE HAS BEEN STABILIZED AND THE JELLYFISH UNIT IS CLEAN AND FREE OF DEBRIS. CONTACT CONTECH TO COORDINATE CARTRIDGE INSTALLATION WITH SITE STABILIZATION AT (866) 740-3318.

30"

5' DIA —

FINISH-

SUBGRADE

6" TYP.



800-338-1122 513-645-7000 513-645-7993 FAX

WEIR ELEV.=6.70

1.5" ORIFICE

18" HDPE

OUTLET PIPE

INV. OUT=4.60

SCALE:

ELEV.=4.60

Jellyfish Filter THIS PRODUCT MAY BE PROTECTED BY ONE OR MORE OF THE FOLLOWING U.S. PATENT NO. 8,287,726, 8,221,618 & US 8,123,935; OTHER INTERNATIONAL PATENTS PENDING

DRAIN MANHOLE

(SEE DETAIL)

RIM=14.05

FRAME AND COVER

TRASH GRATE

OR EQUAL



Proposed Multi-Family Development

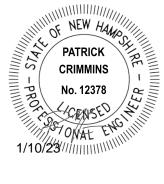
# 105 Bartlett Street Portsmouth, New Hampshire

к	12/28/2022	NHDES Wetland & Shoreland Submission	
J	9/15/2021	Revised AoT Submission	
Ι	3/10/2021	PB Submission	
Н	1/20/2021	TAC Resubmission	
G	11/18/2020	TAC Resubmission	
F	10/28/2020	Wetland CUP Resubmission	
E	5/20/2020	TAC Resubmission	
D	4/29/2020	Wetland CUP Submission	
С	4/20/2020	TAC Submission	
В	2/6/2020	Design Review Submission	
А	1/2/2020	ZBA Submission	
MARK	DATE	DESCRIPTION	
PROJECT NO: C-0960-006			
DATE:		April 20, 2020	
FILE:		C-0960-006_C-DTLS.DWG	
DRAWI	N BY:	CJK	
CHECKED: NAH			
APPROVED: PMC			
DETAILS SHEET			

C-506

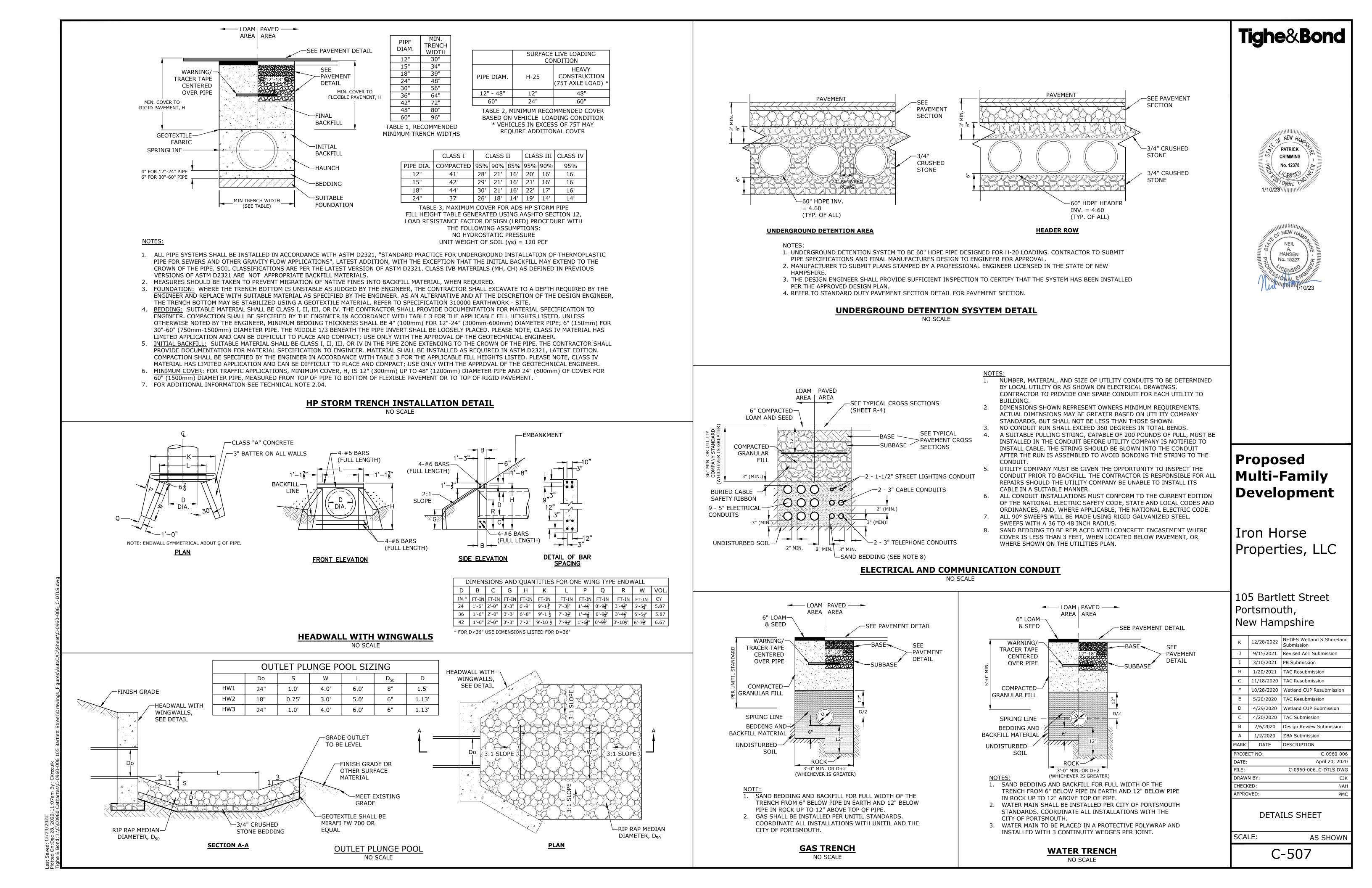
AS SHOWN

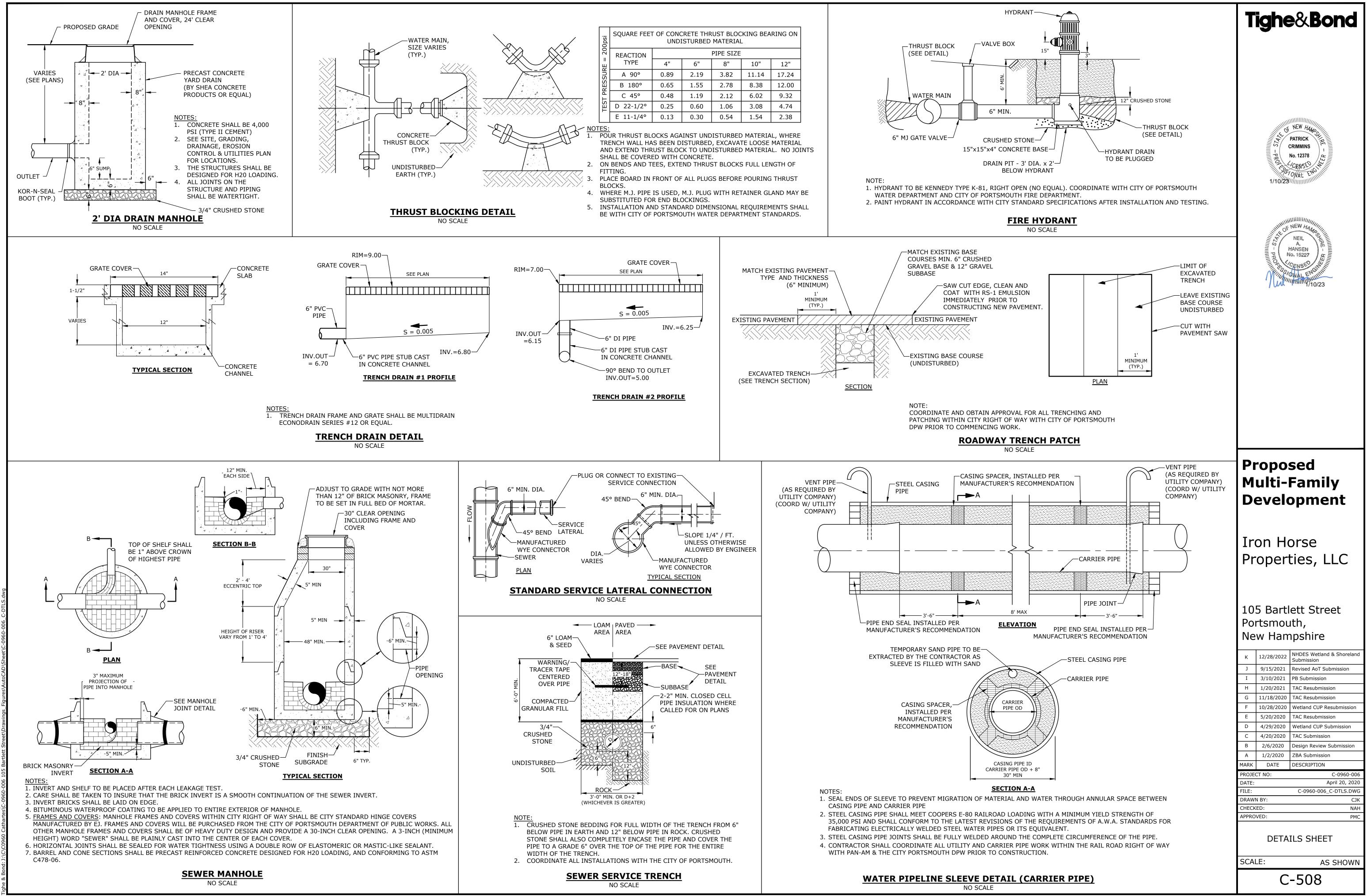
PDMH9 (5' DIA) NO SCALE



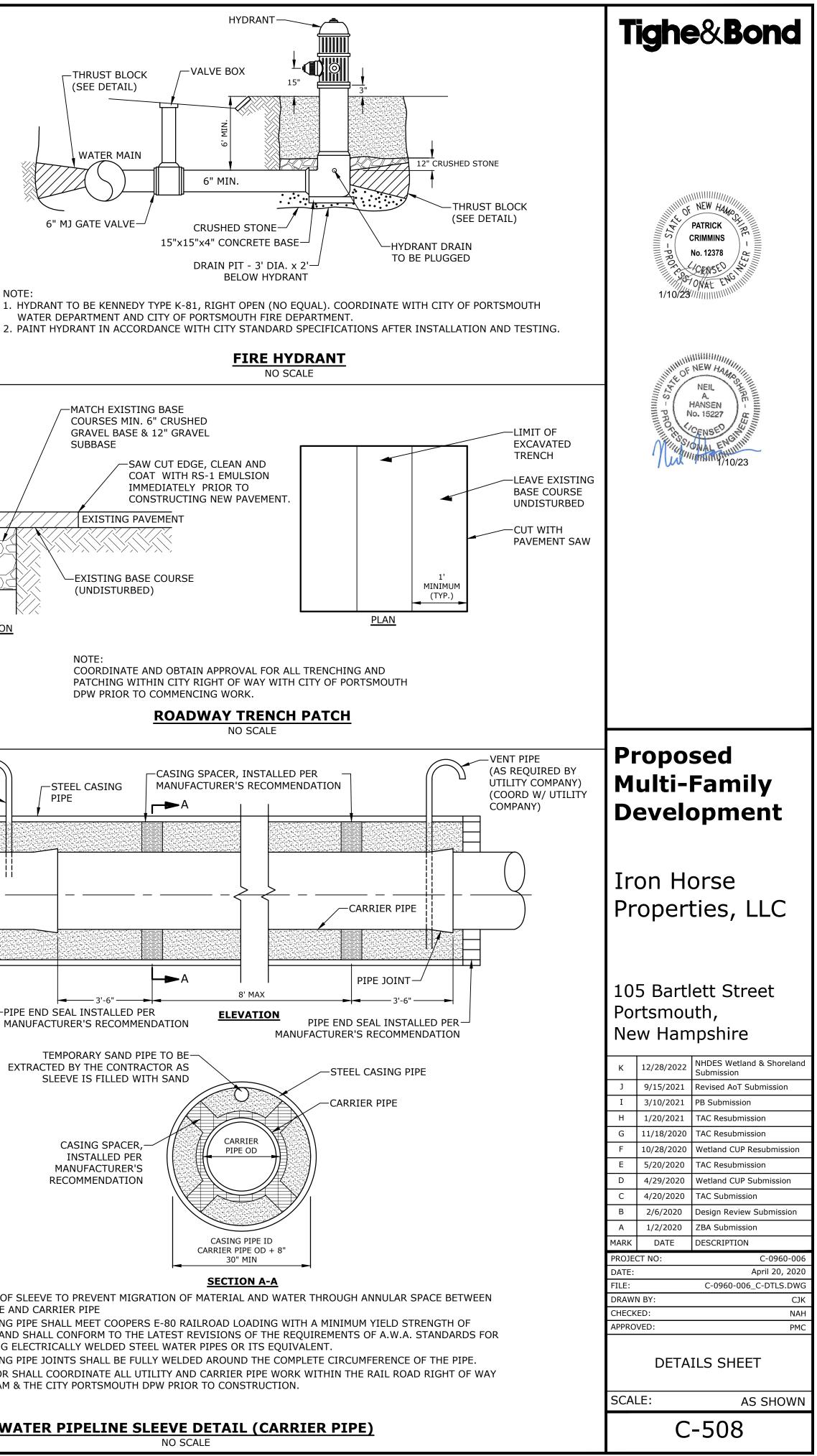


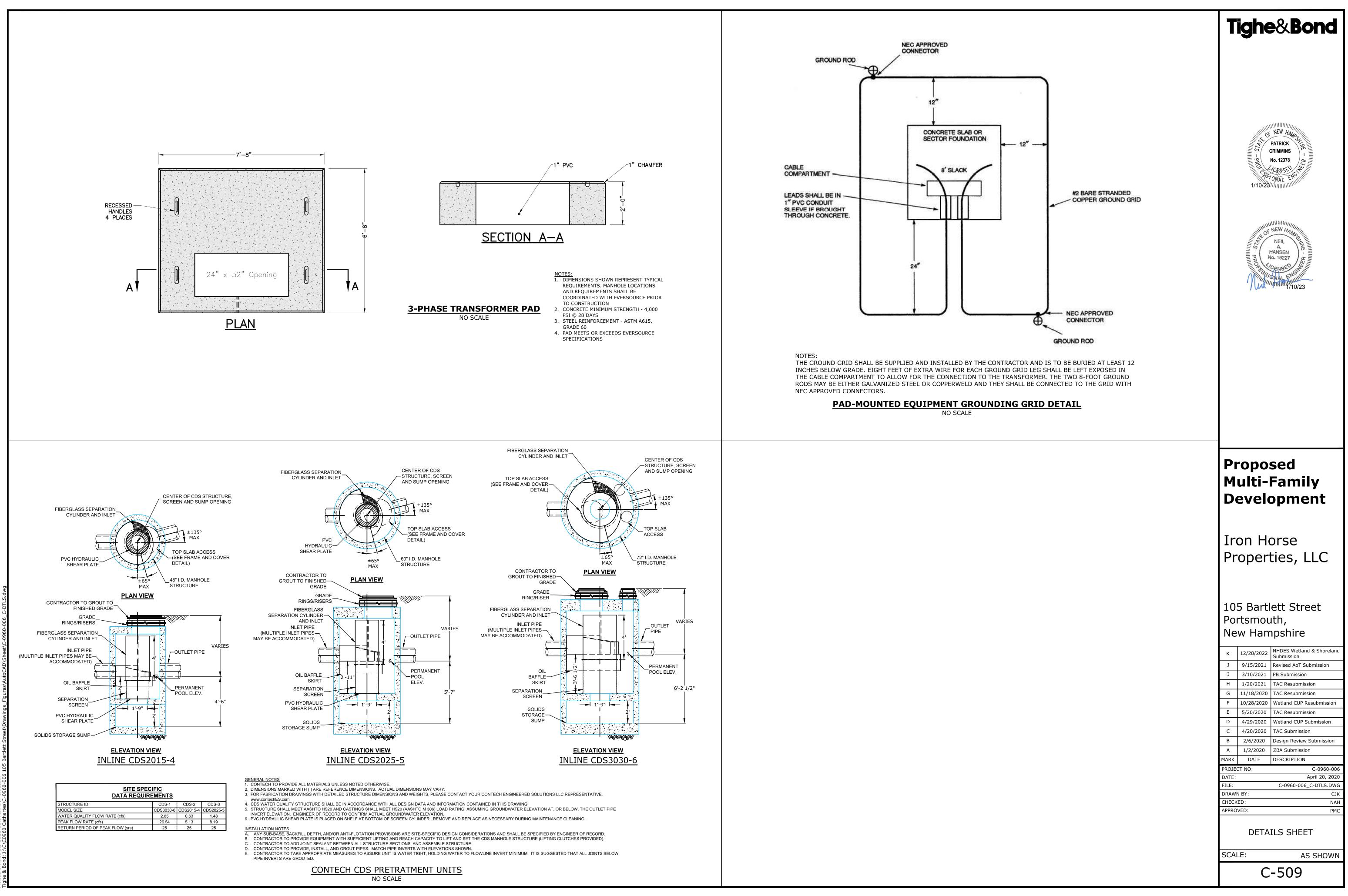
# Tighe&Bond



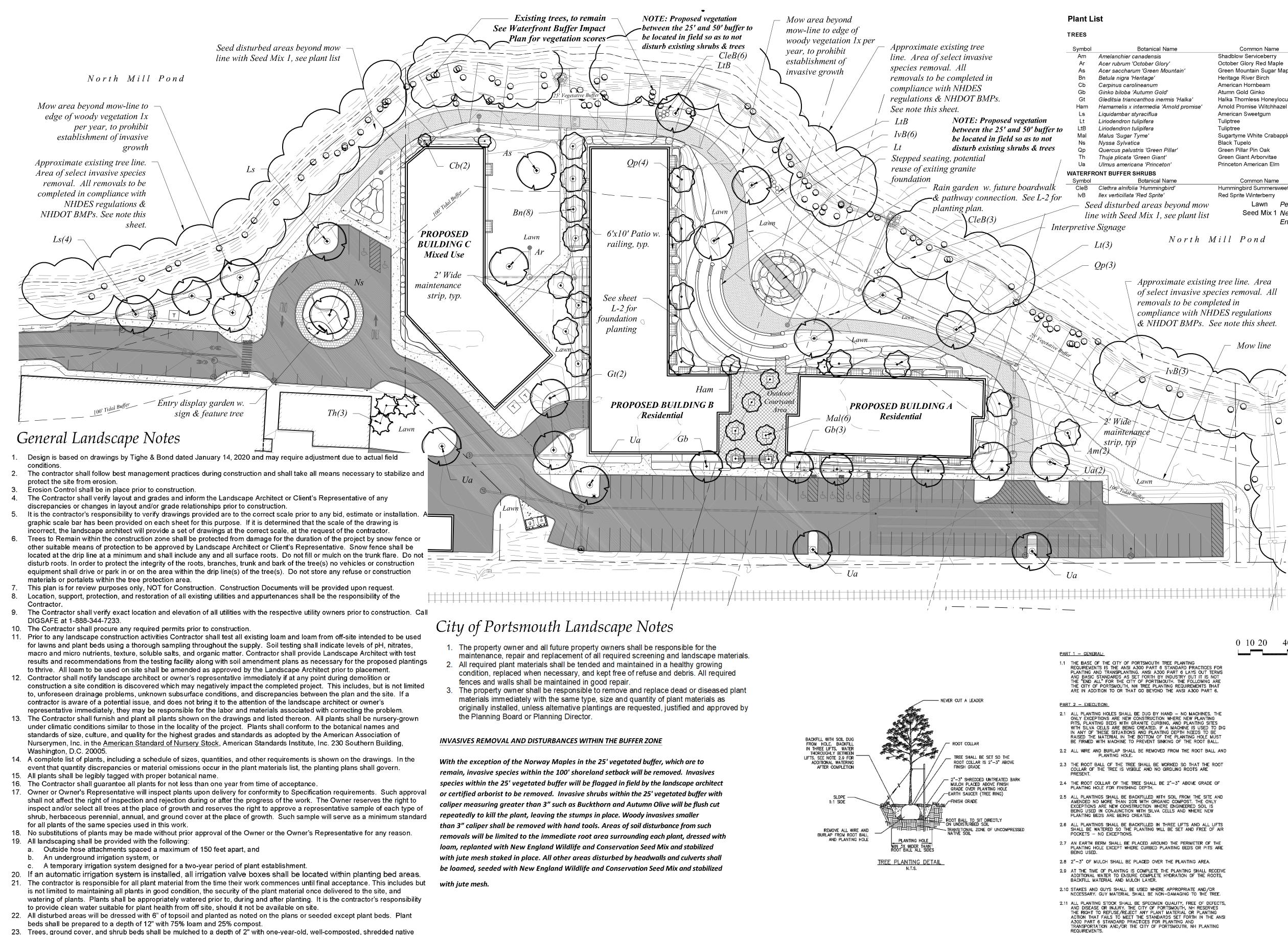


200psi	SQUARE FEET OF CONCRETE THRUST BLOCKING BEARING ON UNDISTURBED MATERIAL					
			PIPE SIZE			
Ш Ш	TYPE	4"	6"	8"	10"	12"
SURE	A 90°	0.89	2.19	3.82	11.14	17.24
PRES	B 180°	0.65	1.55	2.78	8.38	12.00
	C 45°	0.48	1.19	2.12	6.02	9.32
TEST	D 22-1/2°	0.25	0.60	1.06	3.08	4.74
	E 11-1/4°	0.13	0.30	0.54	1.54	2.38
= .						





12/23/2022 Dec 28, 2022



- 22. All disturbed areas will be dressed with 6" of topsoil and planted as noted on the plans or seeded except plant beds. Plant
- beds shall be prepared to a depth of 12" with 75% loam and 25% compost. 23. Trees, ground cover, and shrub beds shall be mulched to a depth of 2" with one-year-old, well-composted, shredded native bark not longer than 4" in length and ½" in width, free of woodchips and sawdust. Mulch for ferns and herbaceous perennials shall be no longer than 1" in length. Trees in lawn areas shall be mulched in a 5' diameter min. saucer. Color of mulch shall be black.
- 24. In no case shall mulch touch the stem of a plant nor shall mulch ever be more than 3" thick total (including previously applied mulch) over the root ball of any plant.
- 25. Secondary lateral branches of deciduous trees overhanging vehicular and pedestrian travel ways shall be pruned up to a height of 6' to allow clear and safe passage of vehicles and pedestrians under tree canopy. Within the sight distance triangles at vehicle intersections the canopies shall be raised to 8' min. 26. Snow shall be stored a minimum of 5' from shrubs and trunks of trees.
- 27. Landscape Architect is not responsible for the means and methods of the contractor

City of Portsmouth Tree Planting Detail

Botanical Name	Common Name	Quantity	Size	Comments	
er canadensis	Shadblow Serviceberry	2	2.5-3" Cal	B&B	
m 'October Glory'	October Glory Red Maple	1	2.5-3" Cal	B&B	
harum 'Green Mountain'	Green Mountain Sugar Maple	1	2.5-3" Cal	B&B	
ra 'Heritage'	Heritage River Birch	8	8-10' Ht	Multi-stem, B&B	
arolineanum	American Hornbeam	2	2.5-3" Cal	B&B	
ba 'Autumn Gold'	Atumn Gold Ginko	4	2.5-3" Cal	B&B	
riancanthos inermis 'Halka'	Halka Thornless Honeylocust	2	2.5-3" Cal	B&B	
s x intermedia 'Arnold promise'	Arnold Promise Witchhazel	1	8-10' Ht	Multi-stem, B&B	
ar styraciflua	American Sweetgum	5	2.5-3" Cal	B&B	
on tulipifera	Tuliptree	5	2.5-3" Cal	B&B	
on tulipifera	Tuliptree	1	3.5" Cal	B&B (5 pts)	
gar Tyme'	Sugartyme White Crabapple	6	1.5-2" Cal	B&B	
vatica	Black Tupelo	1	4" Cal	B&B	
alustris 'Green Pillar'	Green Pillar Pin Oak	7	2.5-3" Cal	B&B	
ta 'Green Giant'	Green Giant Arborvitae	3	2.5-3" Cal	B&B	
ericana 'Princeton'	Princeton American Elm	6	2.5-3" Cal	B&B	
R SHRUBS					
Botanical Name	Common Name	Quantity	Size	Comments	
ifolia 'Hummingbird'	Hummingbird Summersweet	9	10 gal	(1.75 pts)	
ata 'Red Sprite'	Red Sprite Winterberry	9	3-4'	B&B (1.75 pts)	
bed areas beyond mow	Lawn Penni	nton Smar	tseed Tall F	escue Blend	

Seed Mix 1 New England Wetland Plants, Inc. New England Conservation/Wildlife Mix



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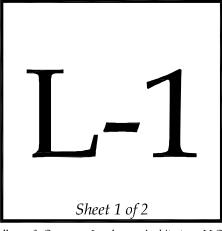
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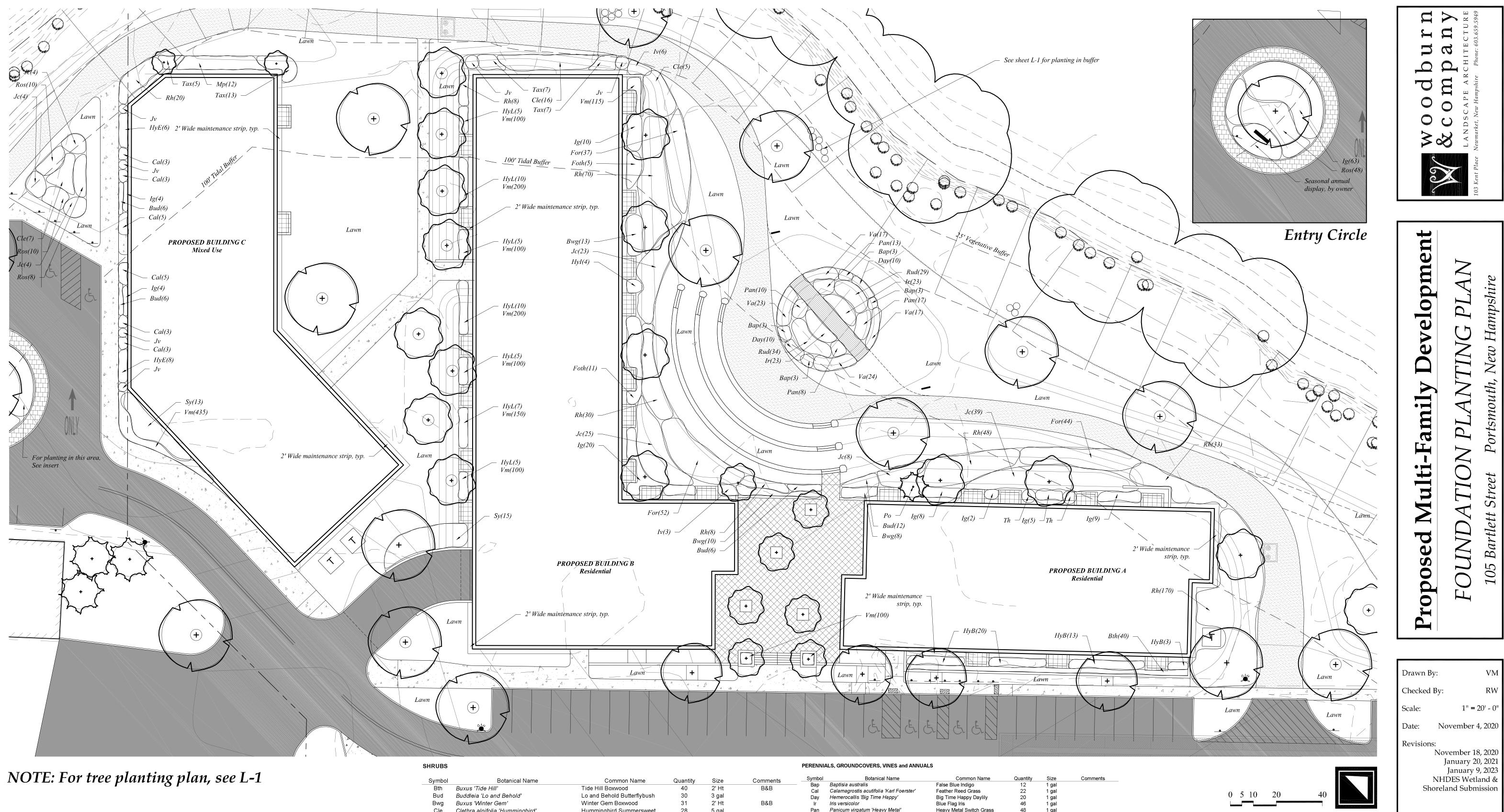
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Drawn By:	VM
Checked By:	RW
Scale:	1" = 40' - 0"
Date:	May 20, 2020
No	October 28, 2020 ovember 18, 2020 January 20, 2021 January 9, 2023 IDES Wetland & land Submission



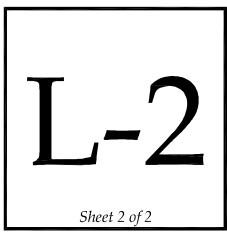
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symbol	Botanical Name
Bth	Buxus 'Tide Hill'
Bud	Buddleia 'Lo and Behold'
Bwg	Buxus 'Winter Gem'
Cle	Clethra alnifolia 'Hummingbird'
CleB	Clethra alnifolia 'Hummingbird'
For	Forsythia 'Gold Tide'
Foth	Fothergilla gardenii
НуВ	Hydrangea paniculata 'Bobo'
HyE	Hydrangea macrophylla 'Endless Summer'
Hyl	Hydrangea arborescens 'Incrediball'
HyL	Hydrangea paniculata 'Little Lime'
lg	llex glabra 'Shamrock'
lv	llex verticillata 'Red Sprite'
lvΒ	llex verticillata 'Red Sprite'
Jc	Juniperus chinensis 'Sargenti'
Jv	Juniperus virginiana 'Emerald Sentinel'
Мр	Myrica pensylvanica
Po	Picea orientalis 'Gowdy'
Rh	Rhus aromatica 'Grow-Low'
Ros	Rosa 'Blush Knockout'
Sy	Syringa meyeri 'Palibin'
Tax	Taxus media 'Ever-Low'
Th	Thuja occidentalis 'Smaragd'
Va	Vaccinium angustifolium

	Common Name	Quantity	Size	Comments	Symbol	Botanical Name	Common Name	Quantity	Size	Comments
	Tide Hill Boxwood	40	2' Ht	B&B	- Bap Cal	Baptisia australis Calamagrostis acutifolia 'Karl Foerster'	False Blue Indigo Feather Reed Grass	12 22	1 gal 1 gal	
	Lo and Behold Butterflybush	30	3 gal		Day	Hemerocallis 'Big Time Happy'	Big Time Happy Daylily	20	1 gal	
	Winter Gem Boxwood	31	2' Ht	B&B	lr	lris versicolor	Blue Flag Iris	46	1 gal	
	Hummingbird Summersweet	28	5 gal		Pan	Panicum virgatum 'Heavy Metal'	Heavy Metal Switch Grass	48	1 gal	
	Hummingbird Summersweet	9	10 gal	(1.75 pts)	Rud	Rudbeckia fulgida 'Goldsturm'	Black-Eyed Susan	63	1 gal	
	Gold Tide Forsythia	177	3 gal		Vm	Vinca minor 'Bowles'	Bowles Periwinkle	1600	2.5" pots	
	Dwarf Fothergilla	16	5 gal							
	Bobo Hydrangea	36	3 gal							
er'	Endless Summer Hydrangea	14	5 gal							
	Incrediball Hydrangea	4	5 gal							
	Little Lime Hydrangea	47	3 gal							
	Shamrock Inkberry	125	5 gal	full to ground						
	Red Sprite Winterberry	9	3 gal							
	Red Sprite Winterberry	9	3-4'	B&B (1.75 pts)						
	Sargent Juniper	107	5 gal							
	Emerald Sentinel Red Cedar	6	7-8' Ht	B&B						
	Northern Bayberry	12	5 gal							
	Gowdy Oriental Spruce	1	8-10' Ht	B&B						
	Grow Low Sumac	387	3 gal							
	Blush Knockout Rose	76	3 gal							
	Dwarf Korean Lilac	28	3-4' Ht	B&B						
	Ever-Low Yew	32	3 gal							
	Emerald Green Arborvitae	2	7-8' Ht	B&B						
	Lowbush Blueberry	67	1 gal							

Drawn By	y: VM						
Checked	By: RW						
Scale:	1" = 20' - 0"						
Date:	November 4, 2020						
	Revisions: November 18, 2020 January 20, 2021 January 9, 2023 NHDES Wetland & Shoreland Submission						



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