WETLANDS PERMIT APPLICATION
(Standard Review, Major Impact)

FOR

Replacement of Single-Family Residence & Site Improvements

43 Holmes Court
Portsmouth, NH

Tax Map 101, Lot 14

February 21, 2023

Prepared For:

Stephen A. & Kathryn L. Singlar
21 Elliot Street
Exeter, NH 03833

Prepared By:

ALTUS ENGINEERING
133 Court Street
Portsmouth, NH 03801
Phone: (603) 433-2335

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133 Court Street
Portsmouth, NH
03801-4413

February 21, 2023

New Hampshire Department of Environmental Services
Land Resources Management, Wetlands Bureau
29 Hazen Drive
Concord, New Hampshire 03302-0095

Re: Wetlands Permit Application
Residential Redevelopment
Tax Map 101 Lot 14
43 Holmes Court LLC
Portsmouth, NH
Altus Project #5328

Dear Reviewer,

Attached please find a Wetlands Permit Application for a Major Impact project on an existing developed parcel in the City of Portsmouth accessed from Holmes Court.

The owner and applicant, Stephen A. & Kathryn L. Singlar, are proposing to raze and replace the single-family residence & construct other site improvements including improvements at 39 Holmes Court, an adjacent parcel owned by the applicants. All disturbed areas will be loamed & seeded, landscaped or otherwise returned to their original condition.

The enclosed plans illustrate the proposed improvements will take place entirely within the previously developed/disturbed/maintained tidal buffer zone and upland portions of the lots. Please note, there are no proposed disturbances to the resource (Piscataqua River).

The improvements as proposed are the least impacting alternative to the jurisdictional areas in order to achieve the desired residence replacement and improvements. The new residence is designed to better withstand the projected effects of climate change, reduce impervious areas on the parcel and provide treatment of stormwater runoff with infiltration.

Please feel free to contact us, the applicant's consulting engineer, at (603) 433-2335, if you have any questions. Thank you for your time and consideration.

Sincerely,

Erik B. Saari
Vice President

ebs/Altus-Letterhead-2022
Enclosures

Letter of Authorization

We, Stephen A. & Kathryn L. Singlar, principles of Tidal View 43 and Tidal View 39, the owners of 43 Holmes Court & 39 Holmes Court, Portsmouth, NH, hereby authorize Altus Engineering, Inc. of Portsmouth, NH to represent us as the Owner and Applicant in all matters concerning the engineering and related permitting on Portsmouth Tax Map 101, Lot 14 located at 43 Holmes Court and Tax Map 101 Lot 13 located at 39 Holmes Court in Portsmouth, New Hampshire. This authorization shall include any signatures required for Federal, State and Municipal permit applications.

Signature — Stephen A. Singlar — Stephen Singlar/Director — 1/20/23 — Date

Witness — RICHARD HACKEMAN — Print Name — 1/20/23 — Date

Signature — Kathryn L. Singlar — Kathryn Singlar/Manager — 1/20/23 — Date

Witness — RICHARD HACKEMAN — Print Name — 1/20/23 — Date

STEPHEN A. SINGLAR
KATHRYN L. SINGLAR
21 ELLIOT STREET
EXETER, NH 03833-4599

54-153/114

4314

DATE 2/10/23

PAY TO THE ORDER OF Treasurer State of NH $ 1,860.00

One thousand eight hundred Sixty and no 00/100 DOLLARS

Security Features Included. Details on Back.

Citizens

MEMO 4/3 Holmes - wetlands

MP

⑆011401533⑆ 3306218814⑈ 4314

ALTUS ENGINEERING

Civil
Site Planning
Environmental
Engineering

133 Court Street
Portsmouth, NH
03801-4413

February 21, 2023

Kelli Barnaby, City Clerk
City of Portsmouth
1 Junkins Avenue
Portsmouth, NH 03801

Re: NHDES Wetlands Permit Application
Tax Map 101, Lot 14
43 Holmes Court
Portsmouth, NH 03801
P5328

Dear Ms. Barnaby:

In accordance with RSA 482-A:3, attached please find one original and four copies of the application package submitted on behalf of Stephen A. & Kathryn L. Singlar (Tax map 101, Lot 14) owners and applicants, for a Wetlands Permit Application to the NHDES Wetlands Bureau.

The application proposes to raze and replace the existing house along with associated improvements on the existing residential lot. All disturbed areas will be loamed & seeded, landscaped or otherwise returned to their original condition or better. The property is accessed from Holmes Court. The improvements will impact previously developed areas within the NHDES 100-foot Tidal Buffer.

Please note, there are no proposed disturbances to the resource (Piscataqua River).

Please feel free to contact us, the Applicant's engineering consultant, at (603) 433-2335, if you have any questions. Thank you for your time concerning this matter.

Sincerely,

ALTUS ENGINEERING

Erik B. Saari
Vice President

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Enclosures

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: Stephen A. & Kathryn L. Singlar **TOWN NAME:** Portsmouth

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

SECTION 1 - REQUIRED PLANNING FOR ALL PROJECTS (Env-Wt 306.05; RSA 482-A:3, I(d)(2))

Please use the Wetland Permit Planning Tool (WPPT), the Natural Heritage Bureau (NHB) DataCheck Tool, the Aquatic Restoration Mapper, or other sources to assist in identifying key features such as: priority resource areas (PRAs), protected species or habitats, coastal areas, designated rivers, or designated prime wetlands.

Has the required planning been completed?	☒ Yes ☐ No
Does 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? o If yes, species or habitat name(s): no expected impacts o NHB Project ID #: 22-1800	☐ 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
Is the property within a Designated River corridor? If yes, provide the following information: • Name of Local River Management Advisory Committee (LAC): N/A • A copy of the application was sent to the LAC on Month: Day: Year:	☐ Yes ☒ No

For dredging projects, is the subject property contaminated? • If yes, list contaminant:	☐ 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 WPPT 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 be performed and whether impacts are temporary or permanent. DO NOT reply "See attached"; please use the space provided below.

Raze and replace existing single family residence, remove shed, maintain landscaping & construct associated improvements on entirely developed upland parcel adjacent to the resource (Piscataqua River). There are no direct impacts to the resource. All work occurs in previously developed and maintained areas which comprise the entire lot.

The new residence will be essentially the same footprint as the existing and the dwelling will be no closer to the resource. The existing patio will be replaced by a deck that will be further from the resource.

Stormwater management improvements are incorporated into the design including the use of pervious pavers (still counted as impervious in coverage calculations) and an overall reduction in impervious coverage on the lot.

SECTION 3 - PROJECT LOCATION

Separate wetland permit applications must be submitted for each municipality within which wetland impacts occur.

ADDRESS: 43 Holmes Court	
TOWN/CITY: Portsmouth	
TAX MAP/BLOCK/LOT/UNIT: 101/14	
US GEOLOGICAL SURVEY (USGS) TOPO MAP WATERBODY NAME: Piscataqua River ☐ N/A	
(Optional) LATITUDE/LONGITUDE in decimal degrees (to five decimal places):	43.0714° North -70.7485° West

SECTION 4 - APPLICANT (DESIRED PERMIT HOLDER) INFORMATION (Env-Wt 311.04(a)) If the applicant is a trust or a company, then complete with the trust or company information.		
NAME: Stephen A. & Kathryn L. Singlar		
MAILING ADDRESS: 21 Eliot Street		
TOWN/CITY: Exeter	STATE: NH	ZIP CODE: 03833
EMAIL ADDRESS: stephensinglar@yahoo.com		
FAX:	PHONE: 603-264-4599	
ELECTRONIC COMMUNICATION: By initialing here: SS, I hereby authorize NHDES to communicate all matters relative to this application electronically.		
SECTION 5 - AUTHORIZED AGENT INFORMATION (Env-Wt 311.04(c)) ☐ N/A		
LAST NAME, FIRST NAME, M.I.: Saari, Erik		
COMPANY NAME: Altus Engineering, Inc.		
MAILING ADDRESS: 133 Court Street		
TOWN/CITY: Portsmouth	STATE: NH	ZIP CODE: 03801
EMAIL ADDRESS: esaari@altus-eng.com		
FAX:	PHONE: 603-433-2335	
ELECTRONIC COMMUNICATION: By initialing here ES, I hereby authorize NHDES to communicate all matters relative to this application electronically.		
SECTION 6 - PROPERTY OWNER INFORMATION (IF DIFFERENT THAN APPLICANT) (Env-Wt 311.04(b)) If the owner is a trust or a company, then complete with the trust or company information. ☒ Same as applicant		
NAME:		
MAILING ADDRESS:		
TOWN/CITY:	STATE:	ZIP CODE:
EMAIL ADDRESS:		
FAX:	PHONE:	
ELECTRONIC COMMUNICATION: By initialing here , I hereby authorize NHDES to communicate all matters relative to this application electronically.		

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 areas were located by survey and correspond with the City of Portsmouth GIS data. All appropriate erosion & sedimentation controls will be employed to protect the Piscataqua Rive during demolition and construction activities.

Env-Wt 500 - The existing residence was constructed in 1749 but most of the historical integrity has been lost with additions and renovations over the decades. The entire lot has been disturbed, developed and maintained for many year. There are thin areas of landscaping, a single mature tree and lawn. There are no species of concern in the vicinity. Slight modification to the existing grades in the lawn and installation of stormwater treatment BMPs will benefit the resource by increasing the quality of the runoff. All disturbed areas in the previously developed tidal buffer zone will be stabilized as soon as possible.

Env-Wt 600, 700 & 900 - The project is defined as Major as it has impacts within the 100-foot buffer from the tidally influenced Piscataqua River. It is a betterment in that the project will significantly reduce impervious on the lot, provide for better stormwater control and treatment prior to discharge. NHB DataCheck review indicates there are no impacts expected within the vicinity of the proposed demolition or construction activities. Appropriate methods of erosion and sediment control will be installed prior to and maintained during construction activities. The demolition of the residence/installation of erosion controls will occur in a single phase.

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 Wetlands Best Management Practice Techniques For Avoidance and Minimization and the Wetlands Permitting: Avoidance, Minimization and Mitigation Fact Sheet. 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 Avoidance and Minimization Checklist, the Avoidance and Minimization Narrative, 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 pre-application meeting 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: Day: Year:

(☒ 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: ☐ 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.

JURISDICTIONAL AREA		PERMANENT			TEMPORARY		
		SF	LF	ATF	SF	LF	ATF
Wetlands	Forested Wetland			☐			☐
	Scrub-shrub Wetland			☐			☐
	Emergent Wetland			☐			☐
	Wet Meadow			☐			☐
	Vernal Pool			☐			☐
	Designated Prime Wetland			☐			☐
	Duly-established 100-foot Prime Wetland Buffer			☐			☐
Surface Water	Intermittent / Ephemeral Stream			☐			☐
	Perennial Stream or River			☐			☐
	Lake / Pond			☐			☐
	Docking - Lake / Pond			☐			☐
	Docking - River			☐			☐
Banks	Bank - Intermittent Stream			☐			☐
	Bank - Perennial Stream / River			☐			☐
	Bank / Shoreline - Lake / Pond			☐			☐
Tidal	Tidal Waters			☐			☐
	Tidal Marsh			☐			☐
	Sand Dune			☐			☐
	Undeveloped Tidal Buffer Zone (TBZ)			☐			☐
	Previously-developed TBZ	4450		☐	200		☐
	Docking - Tidal Water			☐			☐
TOTAL		4450			**200**		

SECTION 12 - APPLICATION FEE (RSA 482-A:3, I)

☐ **MINIMUM IMPACT FEE**: Flat fee of $400.

☐ **NON-ENFORCEMENT RELATED, PUBLICLY-FUNDED AND SUPERVISED RESTORATION PROJECTS, REGARDLESS OF IMPACT CLASSIFICATION:** Flat fee of $400 (refer to RSA 482-A:3, 1(c) for restrictions).

☒ **MINOR OR MAJOR IMPACT FEE:** Calculate using the table below:

Permanent and temporary (non-docking):	4650 SF	× $0.40 =	$ 1860
Seasonal docking structure:	SF	× $2.00 =	$
Permanent docking structure:	SF	× $4.00 =	$
Projects proposing shoreline structures (including docks) add $400 =			$
		Total =	$ 1860
The application fee for minor or major impact is the above calculated total or $400, whichever is greater =			$ 1860

SECTION 13 - PROJECT CLASSIFICATION (Env-Wt 306.05)

Indicate the project classification.

☐ Minimum Impact Project	☐ Minor Project	☒ Major Project

SECTION 14 - REQUIRED CERTIFICATIONS (Env-Wt 311.11)

Initial each box below to certify:

Initials: ES	To the best of the signer's knowledge and belief, all required notifications have been provided.
Initials: ES	The information submitted on or with the application is true, complete, and not misleading to the best of the signer's knowledge and belief.
Initials: ES	The signer understands that: • The submission of false, incomplete, or misleading information constitutes grounds for NHDES to: 1. Deny the application. 2. Revoke any approval that is granted based on the information. 3. If the signer is a certified wetland scientist, licensed surveyor, or professional engineer licensed to practice in New Hampshire, refer the matter to the joint board of licensure and certification established by RSA 310-A:1. • The signer is subject to the penalties specified in New Hampshire law for falsification in official matters, currently RSA 641. • The signature shall constitute authorization for the municipal conservation commission and the Department to inspect the site of the proposed project, except for minimum impact forestry SPN projects and minimum impact trail projects, where the signature shall authorize only the Department to inspect the site pursuant to RSA 482-A:6, II.
Initials: ES	If the applicant is not the owner of the property, each property owner signature shall constitute certification by the signer that he or she is aware of the application being filed and does not object to the filing.

SECTION 15 - REQUIRED SIGNATURES (Env-Wt 311.04(d); Env-Wt 311.11)

SIGNATURE (OWNER):	PRINT NAME LEGIBLY: ERIC WEINRIEB	DATE: 2/23/23
SIGNATURE (APPLICANT, IF DIFFERENT FROM OWNER):	PRINT NAME LEGIBLY:	DATE:
SIGNATURE (AGENT, IF APPLICABLE):	PRINT NAME LEGIBLY: ~~Erik Saari~~ ERIC WEINRIEB 2/23/23	DATE: ~~02/7/23~~

SECTION 16 - TOWN / CITY CLERK SIGNATURE (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: Kelli L Barnaby	PRINT NAME LEGIBLY: Kelli L. Barnaby
TOWN/CITY: Portsmouth	DATE: February 23, 2023

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".

Keep this checklist for your reference; do not submit with your application.

APPLICATION CHECKLIST

Unless specified, all items below are required. Failure to provide the required items will delay a decision on your project and may result in denial of your application. Please reference statute RSA 482-A, Fill and Dredge in Wetlands, and the Wetland Rules Env-Wt 100-900.

- ☒ The completed, dated, signed, and certified application (Env-Wt 311.03(b)(1)).
- ☒ Correct fee as determined in RSA 482-A:3, I(b) or (c), subject to any cap established by RSA 482-A:3, X (Env-Wt 311.03(b)(2)). Make check or money order payable to "Treasurer – State of NH".
- ☒ The Required Planning actions required by Env-Wt 311.01(a)-(c) and Env-Wt 311.03(b)(3).
- ☒ US Army Corps of Engineers (ACE) "Appendix B, New Hampshire General Permits (GPs), Required Information and Corps Secondary Impacts Checklist" and its required attachments (Env-Wt 307.02). This includes the US Fish and Wildlife Service IPAC review and Section 106 Historic/Archaeological Resource review.
- ☒ Project plans described in Env-Wt 311.05 (Env-Wt 311.03(b)(4)).
- ☒ Maps, or electronic shape files and meta data, and other attachments specified in Env-Wt 311.06 (Env-Wt 311.03(b)(5)).
- ☒ Explanation of the methods, timing, and manner as to how the project will meet standard permit conditions required in Env-Wt 307 (Env-Wt 311.03(b)(7)).
- ☐ If applicable, the information regarding proposed compensatory mitigation specified in Env-Wt 311.08 and Chapter Env-Wt 800 - Permittee Responsible Mitigation Project Worksheet, unless not required under Env-Wt 313.04 (Env-Wt 311.03(b)(8); Env-Wt 311.08; Env-Wt 313.04).
- ☒ Any additional information specific to the **type of resource** as specified in Env-Wt 311.09 (Env-Wt 311.03(b)(9); Env-Wt 311.04(j)).
- ☒ Project specific information required by Env-Wt 500, Env-Wt 600, and Env-Wt 900 (Env-Wt 311.03(b)(11)).
- ☒ A list containing the name, mailing address and tax map/lot number of each abutter to the subject property (Env-Wt 311.03(b)(12)).
- ☒ Copies of certified postal receipts or other proof of receipt of the notices that are required by RSA 482-A:3, I(d) (Env-Wt 311.03(b)(13)).
- ☒ Project design considerations required by Env-Wt 313 (Env-Wt 311.04(j)).
- ☒ Town tax map showing the subject property, the location of the project on the property, and the location of properties of abutters with each lot labeled with the name and mailing address of the abutter (Env-Wt 311.06(a)).
- ☒ Dated and labeled color photographs that:
  - (1) Clearly depict:
    - a. All jurisdictional areas, including but not limited to portions of wetland, shoreline, or surface water where impacts have or are proposed to occur.
    - b. All existing shoreline structures.
  - (2) Are mounted or printed no more than 2 per sheet on 8.5 x 11 inch sheets (Env-Wt 311.06(b)).
- ☒ A copy of the appropriate US Geological Survey map or updated data based on LiDAR at a scale of one inch equals 2,000 feet showing the location of the subject property and proposed project (Env-Wt 311.06(c)).
- ☒ A narrative that describes the work sequence, including pre-construction through post-construction, and the relative timing and progression of all work (Env-Wt 311.06(d)).

- ☒ For all projects in the protected tidal zone, a copy of the recorded deed with book and page numbers for the property (Env-Wt 311.06(e)).
- ☒ If the applicant is not the owner in fee of the subject property, documentation of the applicant's legal interest in the subject property, provided that for utility projects in a utility corridor, such documentation may comprise a list that:
  - (1) Identifies the county registry of deeds and book and page numbers of all of the easements or other recorded instruments that provide the necessary legal interest; and
  - (2) Has been certified as complete and accurate by a knowledgeable representative of the applicant (Env-Wt 311.06(f)).
- ☒ The NHB memo containing the NHB identification number and results as well as any written follow-up communications such as additional memos or email communications with either NHB or NHF&G (Env-Wt 311.06(g)). See Wetlands Permitting: Protected Species and Habitat Fact Sheet.
- ☐ A statement of whether the applicant has received comments from the local conservation commission and, if so, how the applicant has addressed the comments (Env-Wt 311.06(h)).
- ☐ For projects in LAC jurisdiction, a statement of whether the applicant has received comments from the LAC and, if so, how the applicant has addressed the comments (Env-Wt 311.06(i)).
- ☐ If the applicant is also seeking to be covered by the state general permits, a statement of whether comments have been received from any federal agency and, if so, how the applicant has addressed the comments (Env-Wt 311.06(j)).
- ☒ Avoidance and Minimization Written Narrative or the Avoidance and Minimization Checklist, or your own avoidance and minimization narrative (Env-Wt 311.07).
- ☐ For after-the-fact applications: information required by Env-Wt 311.12.
- ☒ Coastal Resource Worksheet for coastal projects as required under Env-Wt 600.
- ☒ Prime Wetlands information required under Env-Wt 700. See WPPT for prime wetland mapping.

Required Attachments for Minor and Major Projects

- ☒ Attachment A: Minor and Major Projects (Env-Wt 313.03).
- ☒ Functional Assessment Worksheet or others means of documenting the results of actions required by Env-Wt 311.10 as part of an application preparation for a standard permit (Env-Wt 311.03(b)(3); Env-Wt 311.03(b)(10)). See Functional Assessments for Wetlands and Other Aquatic Resources Fact Sheet. For shoreline structures, see shoreline structures exemption in Env-Wt 311.03(b)(10)).

Optional Materials

- ☐ Stream Crossing Worksheet which summarizes the requirements for stream crossings under Env-Wt 900.
- ☐ Request for concurrent processing of related shoreland / wetlands permit applications (Env-Wt 313.05).

PROTECTED TIDAL ZONE
PROJECT-SPECIFIC WORKSHEET
FOR STANDARD APPLICATION

Water Division/Land Resources Management
Wetlands Bureau
Check the Status of your Application

RSA/Rule: RSA 482-A/ Env-Wt 610

This worksheet summarizes the criteria and requirements for a Standard Permit for impact in the "Protected Tidal Zone", one of the six specific project types in tidal area described in Chapter Env-Wt 600. In addition to the project-specific criteria and requirements on this worksheet, all Standard Applications must meet the criteria and requirements listed in the Standard Application form (NHDES-W-06-012) and the Coastal Resource Worksheet.

SECTION 1 - APPLICATION REQUIREMENTS FOR PROTECTED TIDAL ZONE AND REQUIRED ATTACHMENTS (Env-Wt 610.04)

The following plans and other information shall be submitted with applications for work within the protected tidal zone:

- ☒ Existing and proposed contours at 2-foot intervals measured from the Highest Observable Tide Line (HOTL);
- ☒ If any portion of the subject parcel is located in a regulatory floodplain, the location of the 100-year flood boundary zone, and water elevation as shown on the applicable Federal Emergency Management Agency (FEMA) Flood Insurance Rate Map;
- ☒ All of applicable local and state setbacks;
- ☒ The dimensions and locations of all:
  - ☒ Existing and proposed structures;
  - ☒ Existing and proposed impervious areas;
  - ☒ Existing and proposed disturbed areas;
  - ☒ Areas to remain in an unaltered state;
  - ☒ Existing cleared areas, such as gardens, lawns, and paths; and
  - ☒ Proposed temporary impacts associated with the completion of the project;
- ☒ Proposed methods of erosions and siltation controls, identified graphically and labeled on a plan, or otherwise annotated as needed for clarity;
- ☒ A plan of any planting(s) proposed in the waterfront buffer, showing the proposed locations(s) and Latin names or common names of proposed species;
- ☒ If applicable, the location of an existing or proposed 6-foot wide foot path to the waterbody or a temporary access path;
- ☐ For any project proposing that the impervious area be at least 15% but not more than 20% within the protected tidal zone, a statement signed by the applicant certifying that the impervious area is not more than 20%
- ☒ For any project proposing that impervious area be greater than 20% within the protected tidal zone, plans for a stormwater management system that will infiltrate increased stormwater from development provided that if impervious area is or is proposed to be greater than 30%, the stormwater management systems shall be designed by a professional engineer;
- ☐ For any project involving pervious surfaces, a plan with specifications of how those surfaces will be maintained; and
- ☒ All other relevant features necessary to clearly define both existing conditions and the proposed project.

SECTION 2 - APPROVAL CRITERIA (Env-Wt 313.01)

☒ An application for structure construction within the protected tidal zone shall comply with Env-Wt 313.01.

SECTION 3 - DESIGN & CONSTRUCTION REQUIREMENTS (Env-Wt 610.03)

The construction of structures within the protected tidal zone shall comply with:

☒ The standards described in FEMA P-55, Coastal Construction Manual: Principles and Practices of Planning, Siting, Designing, Constructing and Maintaining Residential Buildings in Coastal Areas, 4th edition (2011); and

☒ Local resiliency planning ordinances.

SECTION 4 - PROTECTED TIDAL ZONE RESTRICTIONS (Env-Wt 610.05- 610.13)

☒ The restrictions identified in RSA 483-B:9, II shall apply to the protected tidal zone;

☒ The provisions of RSA 483-B:9, V(a) related to the maintenance of a waterfront buffer shall apply to the protected tidal zone within 50 feet of the HOTL;

☒ Accessory structures in the waterfront buffer shall comply with the applicable provisions of Env-Wq 1400;

☒ The provisions of RSA 483-B:9, V(b) related to the maintenance of a woodland buffer shall apply to the protected tidal zone within 150 feet of the HOTL;

☐ The provisions of RSA 483-B:9, V(c) related to individual sewage disposal systems shall apply to the protected tidal zone;

☒ The provisions of RSA 483-B:9, V(d) related to erosion and siltation shall apply to the protected tidal zone;

☒ The provisions of RSA 483-B:9, V(e) related to minimum lots and residential development shall apply to the protected tidal zone;

☒ The provisions of RSA 483-B:9, V(f) related to minimum lots and non-residential development shall apply to the protected tidal zone; and

☒ The provisions of RSA 483-B:9 V(g) related to impervious surfaces shall apply to the protected tidal zone.

SECTION 5 - PROJECT CLASSIFICATION (Env-Wt 610.17)

(a) A major project shall be:

(1) Any dredging, filling, or construction activity, or any combination thereof, that is proposed to:

a. Occur within 100 feet of the HOTL; and

b. Alter any tidal shoreline bank, tidal flat, wetlands, surface water, or undeveloped uplands; or

(2) A project that would be major based on an aggregation of projects under Env-Wt 400.

(b) A minor project shall be any dredging, filling, or construction activity, or any combination thereof, that:

(1) Involves work within 75 feet of a saltmarsh in the developed upland tidal buffer;

(2) Is not a major project; and

(3) Will disturb 3,000 square feet (SF) or more but less than 10,000 SF in the developed upland tidal buffer.

(c) A minimum impact project shall be any dredging, filling, or construction activity, or any combination thereof, that:

(1) Is in a previously developed upland area;

(2) Is within 100 feet of the HOTL; and

(3) Will disturb less than 3,000 SF.

COASTAL RESOURCE WORKSHEET

Water Division/Land Resources Management

Wetlands Bureau

Check the Status of your Application

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

APPLICANT LAST NAME, FIRST NAME, M.I.: Singlar, Stephen A. & Kathryn L.

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 project propose to raze and replace the single family residence with essentially the same footprint in the same location. The new residence will be building code compliant and designed to better withstand potential effects of climate change and sea level rise in the foreseeable future.

There are no proposed direct construction impacts to the resource (Piscataqua River).

The NHB data check review determined there are no expected impacts to any species within the vicinity of the construction project.

All disturbances occur in previously developed areas of the lot and will be stabilized as soon as possible,

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.

An erosion and sediment control plan has been prepared by Altus Engineering.
Best management practices will be employed during construction.
311.07 Avoidance and Minimization: No wetland impact is proposed, only work in the buffer.

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

A Functional assessment has been provided.
All wetland impact avoided and therefore minimized.
This project is the reconstruction of a house on a previously developed small waterfront lot.

Provide a project design narrative that includes the following:

A discussion of how the proposed project:

- Uses best management practices and standard conditions in Env-Wt 307;
- Meets all avoidance and minimization requirements in Env-Wt 311.07 and Env-Wt 313.03;
- Meets approval criteria in Env-Wt 313.01;
- Meets evaluation criteria in Env-Wt 313.01(c);
- Meets CFA requirements in Env-Wt 603.04; and
- Considers sea-level rise and potential flooding evaluated pursuant to Env-Wt 603.05;

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.

The single family residence will continue to be maintained and managed in a traditional manner.

The lawn areas will be mowed, landscaped areas maintained, driveway and parking areas to be swept and sealed as needed according to manufacturer's recommendations.

Provide design plans that meet the requirements of Env-Wt 603.07 (refer to Section 5);

Provide water depth supporting information required by Env-Wt 603.08 (refer to Section 6); and

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&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.

The shoreline abutting this project is intertidal.
Habitat types are identified on attached sketch, with photos.
No public passage is impeded as no structures are proposed in the intertidal wetland.

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;

Documented 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)

The intertidal wetland is mapped by NMFS as Essential Fish Habitat. No impact to intertidal wetland is proposed, only work in previously developed buffer.

The intertidal wetland does not contain mapped or observed eel grass beds, salt marsh vegetation, nor shellfish beds open for harvest.

Projects in coastal areas shall: **No impact to intertidal wetland is proposed**

Not impair the navigation, recreation, or commerce of the general public; and

Minimize alterations in prevailing currents. **No impact**

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; **No impact**

Adverse impacts to the movement of sediments along a shore; **No impact**

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. **No impact**

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 *Highway Methodology Workbook Supplement*, dated 1999; or **Attached**

  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; **Reconstruction of existing home on previously developed lot**

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. **Best management practices and erosion and sediment control plan**

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. **Impacts have been avoided and minimized**

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.

70 years + (2093)

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.

The replacement residence and associated site improvements are high value assets with low risk tolerance. The residence is not situated in the floodplain and the residence will be constructed at an elevation to minimize risk from future storm events and sea level rise

There will be a reduction in impervious area on the lot.

There is 95% confidence that projected sea level rise is less than 1 foot in the next 70 years per NOAA.

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.

See attached charts. Sea level rise is predicted to be 2.07 mm/year with 95% confidence. This equals less than 1 foot in the next 70 years.

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

Only areas directly adjacent to the Piscataqua River are subject to future flooding. (Elevation 8.0 + 1' SLR = 9.0' future flood elevation)

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

The parcel's developed areas are within area of minimal flood risk in the 100-yr 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 residence living areas are being constructed above elevation 9.0 the projected SLR.

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: **Not applicable.**

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 https://tidesandcurrents.noaa.gov/datum_options.html, 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

b. The qualified coastal professional who completed the CFA report and located the identified resources on the plan;

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).
- Dredging activities (Env-Wt 607).
- Tidal beach maintenance (Env-Wt 608).
- Tidal shoreline stabilization (Env-Wt 609).
- Protected tidal zone (Env-Wt 610).
- 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

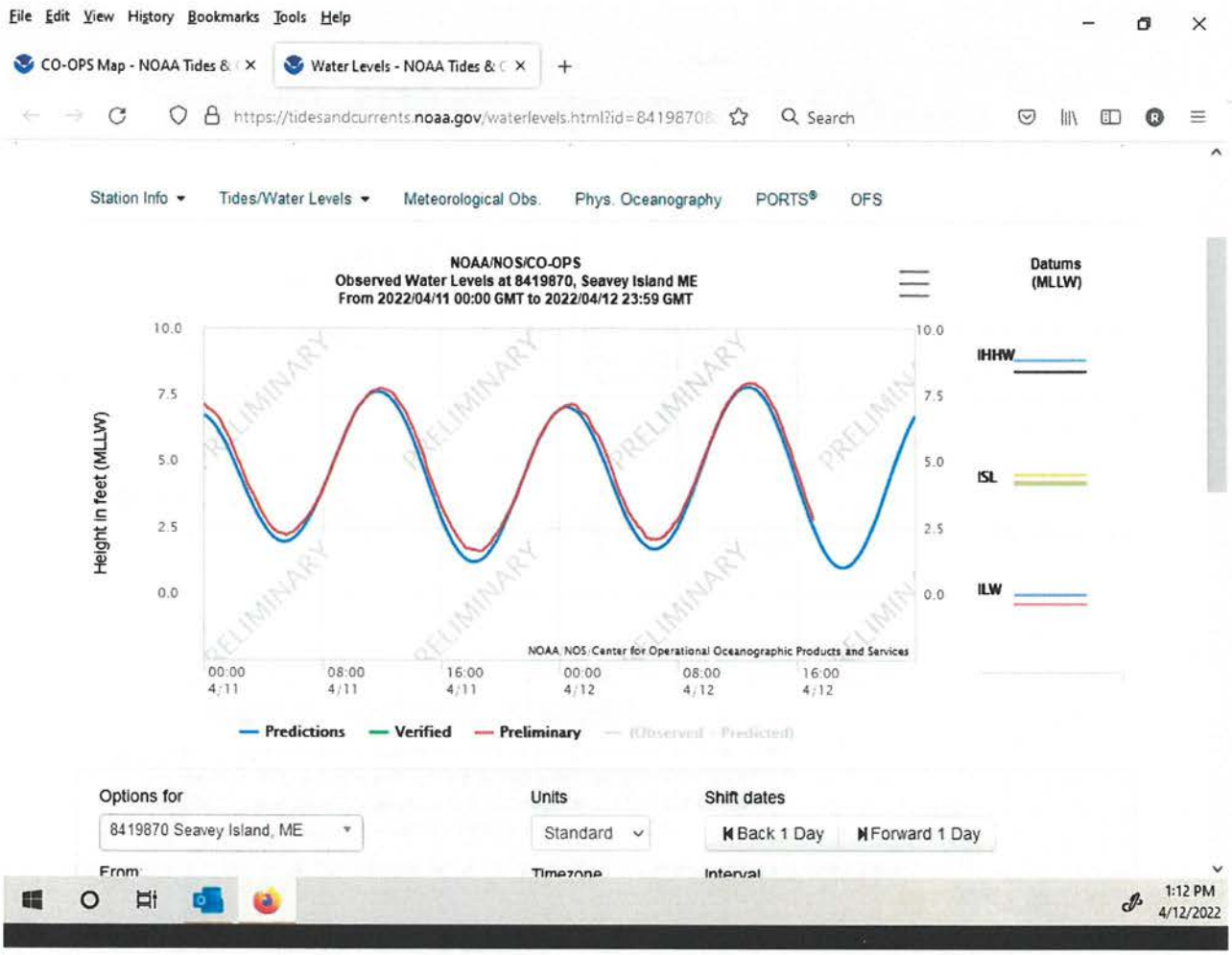
Be limited to public infrastructure or restoration projects that are in the interest of the general public, including a road, a bridge, energy infrastructure, or a project that addresses predicted sea-level rise and coastal flood risk.

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: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CO-OPS Map - NOAA Tides &
Water Levels - NOAA Tides &
https://tidesandcurrents.noaa.gov/waterlevels.html?id=8419870
Search
Station Info
Tides/Water Levels
Meteorological Obs.
Phys. Oceanography
PORTS®
OFS
NOAA/NOS/CO-OPS
Observed Water Levels at 8419870, Seavey Island ME
From 2022/04/11 00:00 GMT to 2022/04/12 23:59 GMT
Datums
(MLLW)
Height in feet (MLLW)
10.0
7.5
5.0
2.5
0.0
MHHW
MSL
MLW
PRELIMINARY
NOAA, NOS, Center for Operational Oceanographic Products and Services
00:00
4/11
08:00
4/11
16:00
4/11
00:00
4/12
08:00
4/12
16:00
4/12
Predictions
Verified
Preliminary
(Observed - Predicted)
Options for
8419870 Seavey Island, ME
Units
Standard
Shift dates
Back 1 Day
Forward 1 Day
From:
Timezone
Interval
1:12 PM
4/12/2022

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CO-OPS Map - NOAA Tides & | Sea Level Trends - NOAA Tides | Tide Predictions - NOAA Tides

https://tidesandcurrents.noaa.gov/sltrends/sltrends_station.shtml

Search

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U.S. Regions

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Global Regional Trends

Anomalies

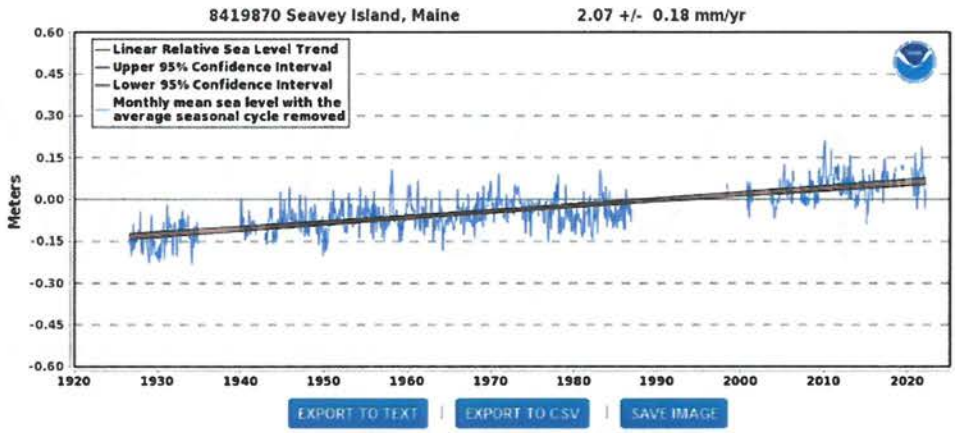
Select

Get Adobe Reader

Relative Sea Level Trend | Regional Scenarios | Interannual Variation | Average Seasonal Cycle

Variation Of 50-Year RSL Trends | Previous RSL Trends

Relative Sea Level Trend
8419870 Seavey Island, Maine



EXPORT TO TEXT | EXPORT TO CSV | SAVE IMAGE

The relative sea level trend is 2.07 millimeters/year with a 95% confidence interval of +/- 0.18 mm/yr based on monthly mean sea level data from 1926 to 2021 which is equivalent to a change of 0.68 feet in 100 years.

Data for 2003-2019 stored in database as station 8423898

The plot shows the monthly mean sea level without the regular seasonal fluctuations due to coastal ocean temperatures,

1:14 PM
4/12/2022

File Edit View History Bookmarks Tools Help

CO-OPS Map - NOAA Tides & | Datums - NOAA Tides & Curre

https://tidesandcurrents.noaa.gov/datums.html?id=8419870

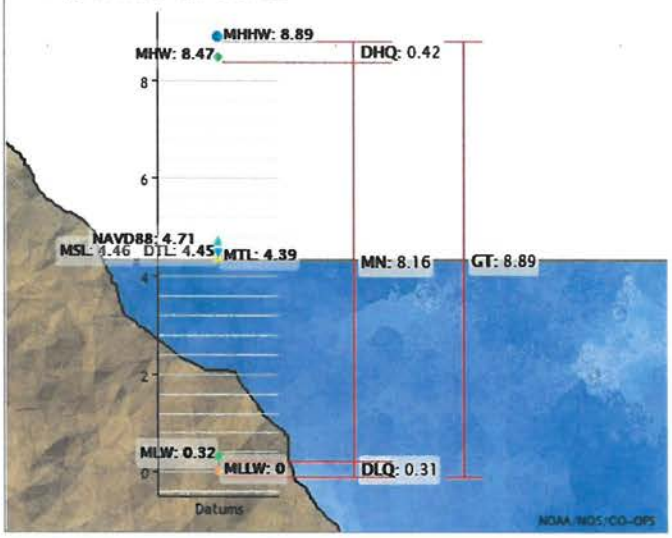
Search

Island, ME
Status: Accepted (Dec 6 2021)
Units: Feet
Control Station: 8418150 Portland, ME

Epoch: 1983-2001
Datum: MLLW

Datum	Value	Description
MHHW	8.89	Mean Higher-High Water
MHW	8.47	Mean High Water
MTL	4.39	Mean Tide Level
MSL	4.46	Mean Sea Level
DTL	4.45	Mean Diurnal Tide Level
MLW	0.32	Mean Low Water
MLLW	0.00	Mean Lower-Low Water
NAVD88	4.71	North American Vertical Datum of 1988
STND	-2.27	Station Datum
GT	8.89	Great Diurnal Range
MN	8.16	Mean Range of Tide
DHQ	0.42	Mean Diurnal High Water Inequality
DLQ	0.31	Mean Diurnal Low Water Inequality
HWI	3.92	Greenwich High Water

All figures in feet relative to MLLW



Showing datums for

8419870 Seavey Island, ME

Datum

MLLW

1:27 PM
4/12/2022

Wetland Functions and Values
43 Holmes Court, Portsmouth, NH

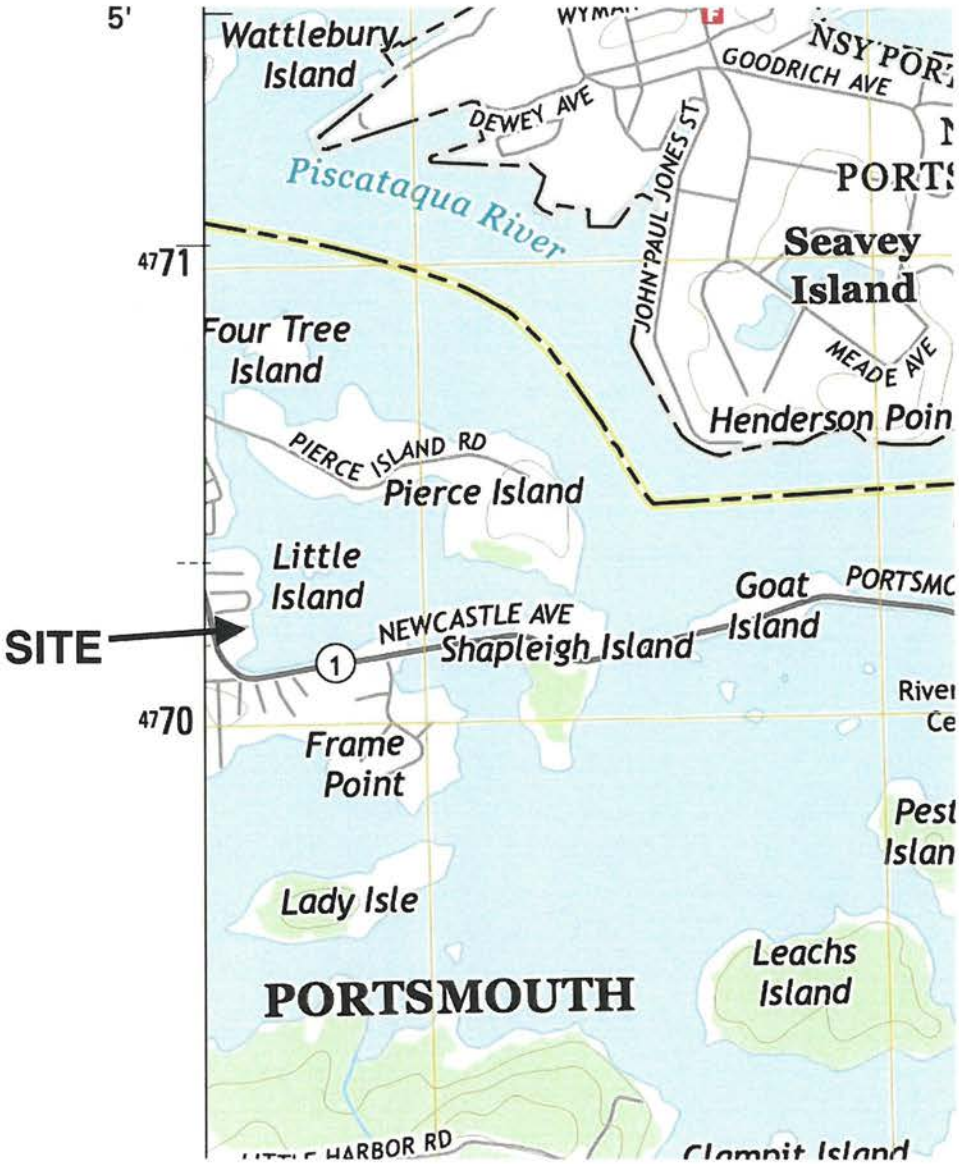
Prepared for:
Altus Engineering, Inc.
133 Court Street
Portsmouth, NH

Contents:

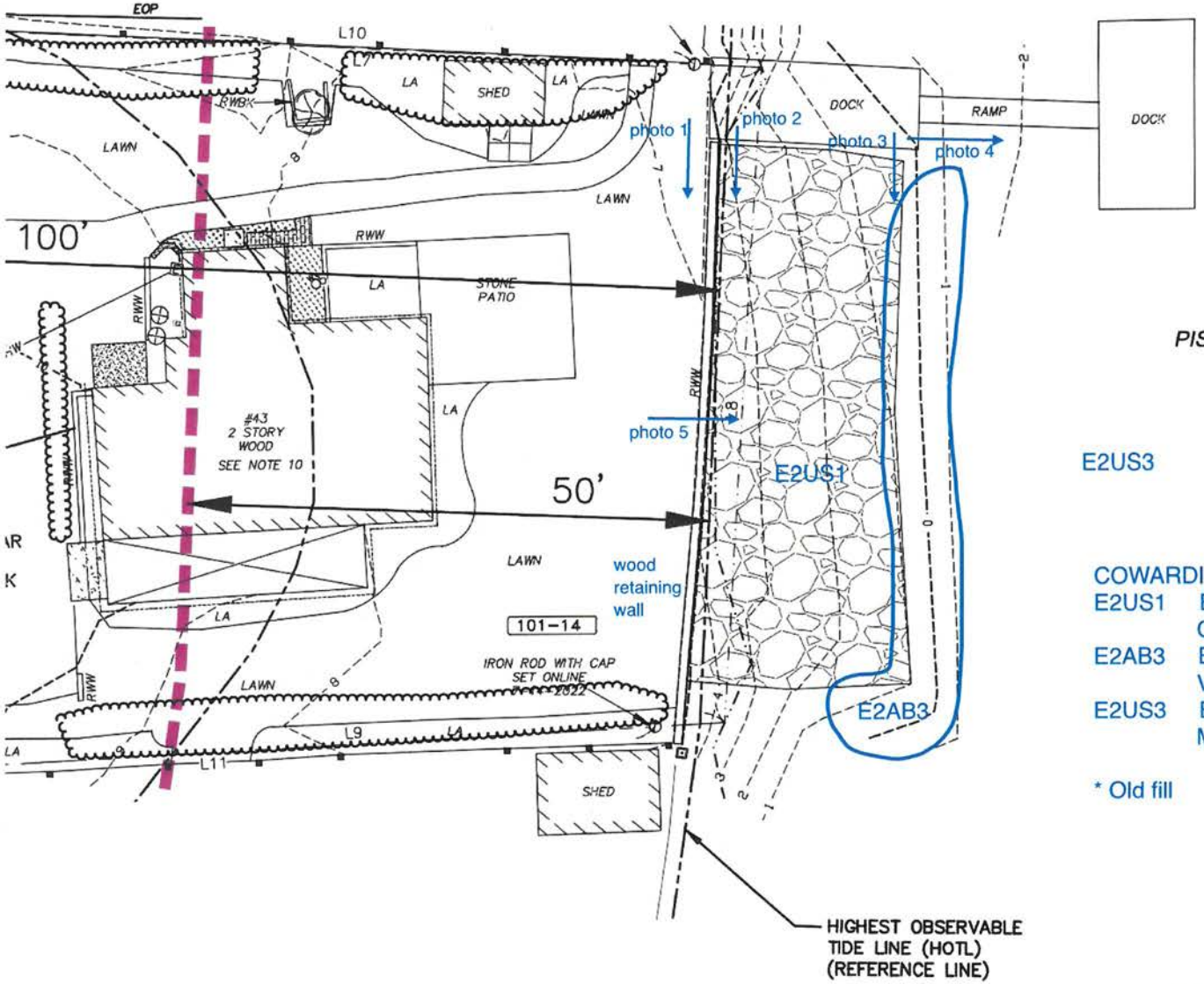
Prepared by:
Michael Cuomo, New Hampshire Certified Wetland Scientist #4
6 York Pond Road, York, Maine 03909
207 363 4532
mcuomosoil@gmail.com

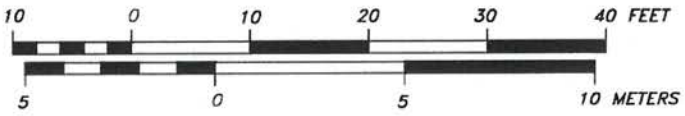
20 January 2023
Michael Cuomo

Locus Map
43 Holmes Court, Portsmouth
USGS Kittery Quadrangle
19 January 2023
Michael Cuomo



Wetland/Coastal Resources and Photo Log
43 Holmes Court, Portsmouth, NH





COWARDIN HABITAT CLASSIFICATION

E2US1 Estuarine, Intertidal, Unconsolidated Shore, Cobble-gravel*

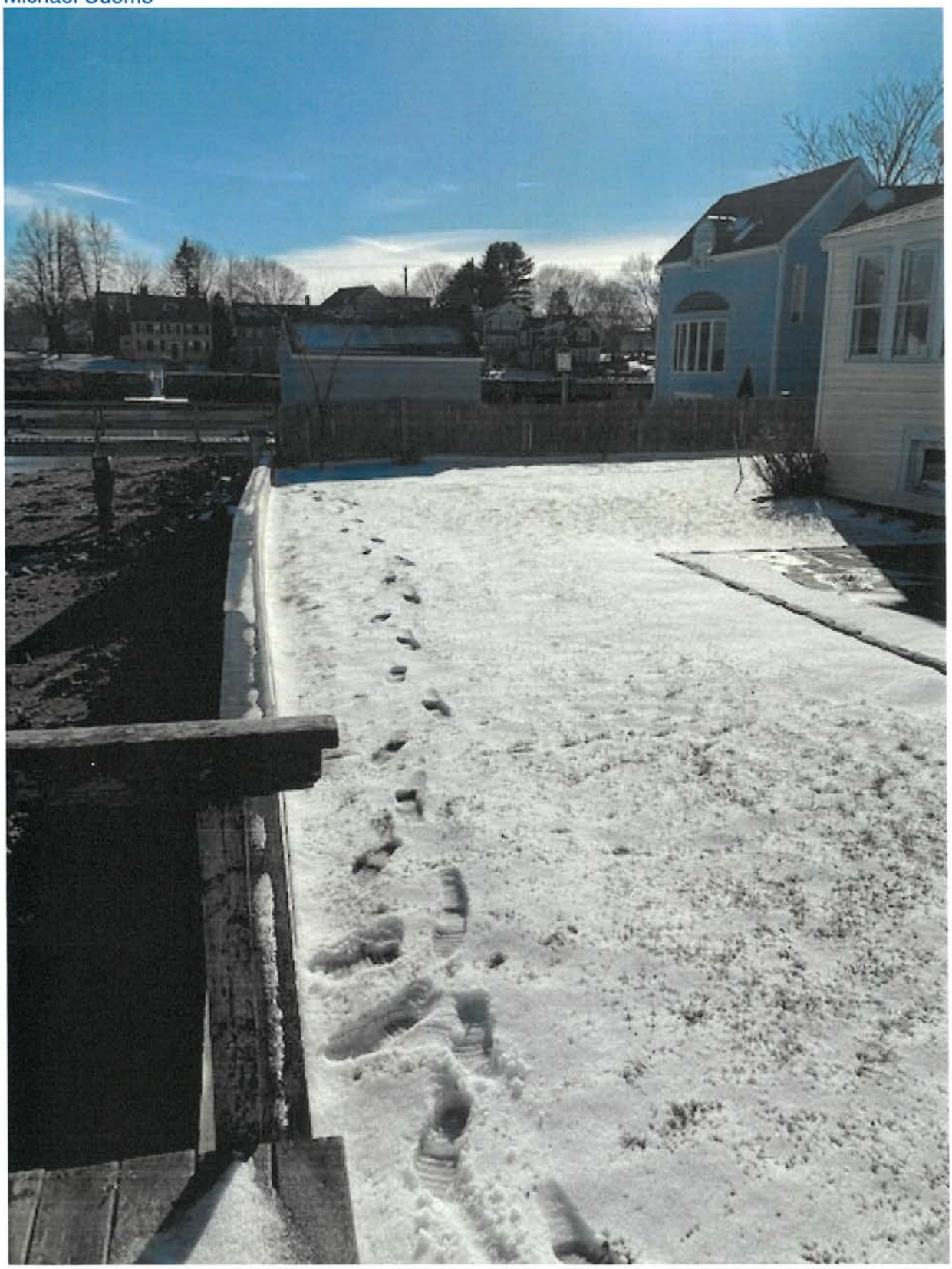
E2AB3 Estuarine, Intertidal, Aquatic Bed, Rooted Vascular

E2US3 Estuarine, Intertidal, Unconsolidated Shore, Mud

* Old fill

17 January 2023
Photos at approximate low tide
Michael Cuomo
Base plan modified from Altus Engineering progress print

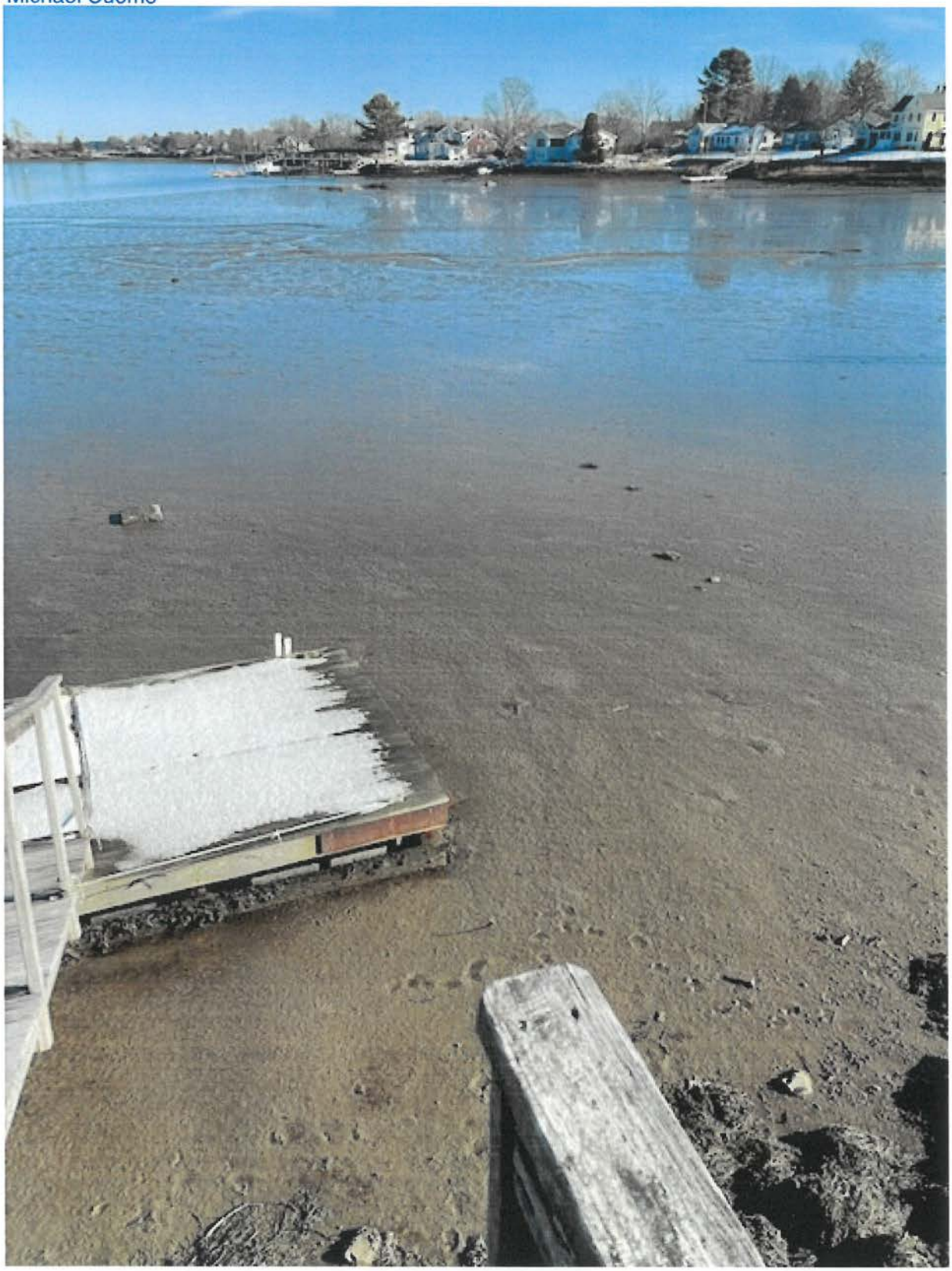
Homes Court, Portsmouth
Photo 1
17 January 2023
Michael Cuomo



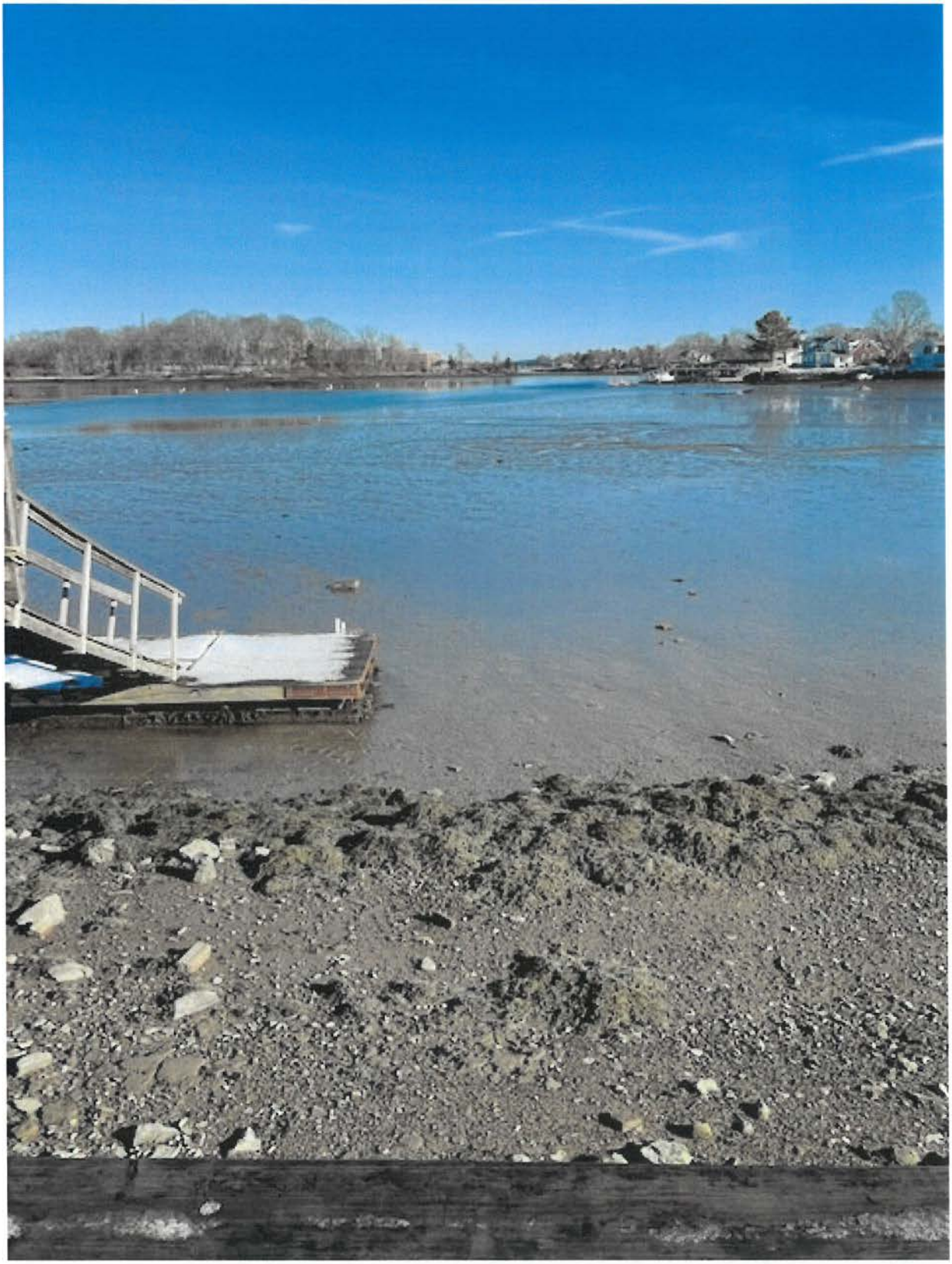
Holmes Court, Portsmouth
Photo 2
17 January 2023
Michael Cuomo

Holmes Court, Portsmouth
Photo 3
17 January 2023
Michael Cuomo

Holmes Court, Portsmouth
Photo 4
17 January 2023
Michael Cuomo



Holmes Court, Portsmouth
Photo 5
17 January 2023
Michael Cuomo



Michael Cuomo, Soil and Wetland Scientist
6 York Pond Road, York, Maine 03909
207 363 4532
mcuomosoil@gmail.com

Erik Saari, Vice President
Altus Engineering, Inc.
133 Court Street
Portsmouth, NH 03801-4413

20 January 2023

Dear Mr. Saari;

This letter is in reference to the property at 43 Holmes Court in Portsmouth, NH. I have conducted an evaluation of wetland functions and values to assist you in planning the redevelopment of this site.

Attached is the NHDES Wetlands Functional Assessment Worksheet. This letter summarizes the findings.

The wetlands at this site are below the highest observable tideline. There are no freshwater wetlands at this site. The wetlands are classified as follows, using the Cowardin system:

E2US1	Estuarine, Intertidal, Unconsolidated Shore, Cobble-gravel.
E2AB3	Estuarine, Intertidal, Aquatic Bed, Rooted Vascular.
E2US3	Estuarine, Intertidal, Unconsolidated Shore, Mud.

The principal functions identified using the NHDES Wetlands Functional Assessment Worksheet are:
Fish and Aquatic Life;
Uniqueness/Heritage; and
Wetland Dependent Wildlife Habitat.

The wetland at this site also performs these other important wetland functions: Ecological Integrity; Nutrient Trapping; Production Export; Scenic Quality; Sediment Trapping; Shoreline Anchoring; and Water-Based Recreation.

The wetland at this site performs these remaining wetland functions to a very limited degree: Education Potential; Flood Storage; Groundwater Recharge; and Noteworthiness.

Please call if you have questions regarding this work.

Sincerely,

Michael Cuomo
NH Wetland Scientist #004
NH Soil Scientist #006

WETLANDS FUNCTIONAL ASSESSMENT WORKSHEET

Water Division/Land Resource Management
Wetlands Bureau

Check the Status of your Application

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

APPLICANT LAST NAME, FIRST NAME, M.I.: Singlar, Stephen A. & Kathryn L.

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 Coastal Area Worksheet (NHDES-W-06-079) 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 Avoidance and Minimization Written Narrative (NHDES-W-06-089) and the Avoidance and Minimization Checklist (NHDES-W-06-050) 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: **high density residential**	
CONTIGUOUS UNDEVELOPED BUFFER ZONE PRESENT? ~~Yes~~ XXX No	
DISTANCE TO NEAREST ROADWAY OR OTHER DEVELOPMENT (in feet): **115ft**	
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: **Michael Cuomo, CWS 4**	
DATE(S) OF SITE VISIT(S): **20 May 22 & 17 Jan 23**	DELINEATION PER ENV-WT 406 COMPLETED? Yes ~~No~~
CONFIRM THAT THE EVALUATION IS BASED ON: Office and Field examination. **Evaluation based on field and office work**	
METHOD USED FOR FUNCTIONAL ASSESSMENT (check one and fill in blank if "other"): USACE Highway Methodology. **Yes** ~~Other scientifically supported method (enter name/title)~~	

SECTION 3 - WETLAND RESOURCE SUMMARY (USACE HIGHWAY METHODOLOGY; Env-Wt 311.10)	
WETLAND ID: **Between Little Harbor and Piscataqua River**	LOCATION: (LAT/ LONG) / **43.07128, -70.749427**
WETLAND AREA: **Huge**	DOMINANT WETLAND SYSTEMS PRESENT: **Estuarine**
HOW MANY TRIBUTARIES CONTRIBUTE TO THE WETLAND? **Many**	COWARDIN CLASS: **Intertidal, Rocky Shore, Aquatic Bed, and Unconsolidated Shore**
IS THE WETLAND A SEPARATE HYDRAULIC SYSTEM? ~~Yes~~ No if not, where does the wetland lie in the drainage basin? **Tidal terminus of drainage**	IS THE WETLAND PART OF: A wildlife corridor ~~xxxAxhabitatxisland?xx~~ IS THE WETLAND HUMAN-MADE? ~~Yes~~ No
IS THE WETLAND IN A 100-YEAR FLOODPLAIN? Yes ~~No~~	ARE VERNAL POOLS PRESENT? ~~Yes~~ No (If yes, complete the Vernal Pool Table)
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: **Buffer only**	PROPOSED WETLAND IMPACT AREA: **None**

SECTION 4 - WETLANDS FUNCTIONS AND VALUES (USACE HIGHWAY 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)
7. Nutrient Trapping/Retention & Transformation (from USACE Highway Methodology: Nutrient Removal)
8. Production Export (Nutrient) (from USACE Highway Methodology)
9. Scenic Quality (from USACE Highway Methodology: Visual Quality/Aesthetics)
10. Sediment Trapping (from USACE Highway Methodology: Sediment /Toxicant Retention)
11. Shoreline Anchoring (from USACE Highway Methodology: Sediment/Shoreline Stabilization)
12. Uniqueness/Heritage (from USACE Highway Methodology)
13. Wetland-based Recreation (from USACE Highway Methodology: Recreation)
14. Wetland-dependent Wildlife Habitat (from USACE Highway Methodology: Wildlife Habitat)

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 *The Highway Methodology Workbook Supplement*. Second, indicate which functions and values are principal ("Principal Function/value?" column). As described in *The Highway Methodology Workbook Supplement*, "functions and values can be principal if they are an important physical component of a wetland ecosystem (function only) and/or are considered of special value to society, from a local, regional, and/or national perspective". "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
Ecological Integrity 1	Yes ~~No~~ X		~~Yes~~ X No	**Old fill placed at base of wood retaining wall; pier and floating dock**
Education Potential 2	~~Yes~~ X No	**5**	~~Yes~~ X No	**Private property, no parking available**
Fish & Aquatic Life, Marine 3	Yes ~~No~~ X	**1, 2, 3, 4, 6**	Yes ~~No~~ X	**Intertidal zone of estuarine wetland; NMFS mapped as Essential Fish Habitat**
Flood Storage 4	~~Yes~~ X No	**5, 9, 11, 13,**	~~Yes~~ X No	**At lowest point in watershed, no downstream infrastructure**
Groundwater Recharge 5	~~Yes~~ X No	**7, 14**	~~Yes~~ X No	**Estuary**
Noteworthiness 6	~~Yes~~ X No		~~Yes~~ X No	**NHB22-1800**
Nutrient Trapping... 7	Yes ~~No~~ X	**2, 3, 4, 5, 6, 7, 10,**	~~Yes~~ X No	**No salt marsh present**
Production Export 8	Yes ~~No~~ X	**1, 2, 3, 4, 5, 6, 10,**	~~Yes~~ X No	**No salt marsh present**
Scenic Quality 9	Yes ~~No~~ X	**2, 8,**	~~Yes~~ X No	**Good scenic quality, no public access**
Sediment Trapping 10	Yes ~~No~~ X	**1, 2, 3, 4, 7, 8, 13,**	~~Yes~~ X No	**No salt marsh present**
Shoreline Anchoring 11	Yes ~~No~~ X	**1, 3, 4, 7, 9, 10, 11,**	~~Yes~~ X No	**Low velocity tidal mud falt**
Uniqueness/Heritage 12	Yes ~~No~~ X	**1, 2, 3, 4, 12, 14, 17, 19, 22, 26, 27**	Yes ~~No~~ X	**Part of extensive estuary system at mouth of river in historic area**
Water Based Recreation 13	Yes ~~No~~ X	**2, 5**	~~Yes~~ X No	**Recreation use common but access limited**

Wetland Dependent Wildlife Habitat 14	Yes ~~No~~ xxx	**6, 8, 12, 18, 19, 21**	Yes ~~No~~ xxx	**Base of food chain for many marine species**

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

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 3rd 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)	SECONDARY INDICATORS PRESENT (LIST)	LENGTH OF HYDROPERIOD	IMPORTANT NOTES
1		**DOES NOT APPLY; ESTUARINE SYSTEM**			
2					
3					
4					
5					

SECTION 6 - STREAM RESOURCES SUMMARY

DESCRIPTION OF STREAM:	STREAM TYPE (ROSGEN):
HAVE FISHERIES BEEN DOCUMENTED? Yes No	DOES THE STREAM SYSTEM APPEAR STABLE? Yes No

OTHER KEY ON-SITE FUNCTIONS OF NOTE:

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 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	**DOES NOT APPLY; ESTUARINE SYSTEM**	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 No		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.

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

NEW HAMPSHIRE DEPARTMENT OF Environmental Services

AVOIDANCE AND MINIMIZATION CHECKLIST

Water Division/Land Resources Management

Wetlands Bureau

Check the Status of your Application

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 Attachment A: Minor and Major Projects (NHDES-W-06-013).

The following definitions and abbreviations apply to this worksheet:

- "A/M BMPs" stands for Wetlands Best Management Practice Techniques for Avoidance and Minimization 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.: Stephen A. & Kathryn L. Singular	
PROJECT STREET ADDRESS: 43 Holmes Court	PROJECT TOWN: Portsmouth
TAX MAP/LOT NUMBER: 101/14	

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.	☐ Yes ☒ No

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

The project intends to replace an outdated, non-code compliant single family residence with a modern, code compliant and elevation adjusted single family residence in essentially the same footprint and location.

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.		
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 ☐ N/A
Env-Wt 313.03(b)(3) Env-Wt 904.07(c)(8)	The project maintains hydrologic connectivity between adjacent wetlands or stream systems.	☐ Check ☒ N/A
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 ☐ N/A
Env-Wt 311.10 A/M BMPs	The project clusters structures to avoid wetland impacts.	☐ Check ☒ N/A
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 ☒ N/A
Env-Wt 500 Env-Wt 600 Env-Wt 900	Wetland and stream crossings include features that accommodate aquatic organism and wildlife passage.	☐ Check ☒ N/A
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 ☒ N/A
SECTION 4 - NON-TIDAL 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 ☒ N/A
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 ☒ N/A
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 ☒ N/A
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 ☒ N/A
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 ☒ N/A
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

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: 43 Holmes Court LLC **TOWN NAME:** Portsmouth

Attachment A is required for *all minor and major projects*, and must be completed *in addition* to the Avoidance and Minimization Narrative or Checklist 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 Wetlands Best Management Practice Techniques For Avoidance and Minimization.

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.

THE PROJECT WILL RAZE AND REPLACE AN EXISTING SINGLE FAMILY RESIDENCE, INSTALL OVERHEAD UTILITIES UNDERGROUND. SOIL STABILIZATION, STORMWATER BMP'S AND SUBTLE GRADING CHANGES WILL BE CONSTRUCTED IN ADJACENT AREAS THAT WILL BE DISTURBED BY DEMOLITION ACTIVITIES.

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.

There are no impacts to the resource from this proposal.

The impacts are limited to removal and replacement of the residence, maintenance of existing landscaping, install overhead utilities underground, improve parking areas, decrease impervious area on the lot and associated site improvements.

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

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

Not applicable. There are no wetlands on the project site.

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.

The resource is not directly impacted by the proposed improvements. The proposed residence will replace a house that is not feasible to make code compliant and address concerns of climate change for the foreseeable future. All work within the 100-foot buffer will have appropriate erosion control measures put in place prior to beginning any demolition/construction activities. They will be maintained throughout the project and removed once the site is stabilized.

Existing trees and vegetation are intended to remain to the greatest extent possible.

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 project has no effects on public commerce, navigation or recreation. This is a private property.

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 project has no direct impacts to the resource. The replacement residence will be constructed in a manner and location to reduce the risk of flood damage.

Stormwater BMP's will be Installed to allow for the detention and treatment of runoff which will reduce erosion and minimize flood risk.

The minimum amount of work, in the shortest timeframe possible is proposed in the floodplain area in order to replace the structures and construct the associated site improvements.

There will be no fill added in 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.

Not applicable. The property does not contain such areas.

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 project has no effect on drinking water supplies as the adjacent wetland resource is tidal 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.

Not applicable, the project does not impact any 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.

Not applicable. This application does not pertain to such structures.

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.

Not applicable for this application.

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.

Not applicable to this application.

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.

Not applicable to this application.

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.

Not applicable to this application.

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.

Therea are no changes to the existing access point to the resource. Vegetation and lawn area will continue to be maintained. A paved impervious walk will be replaced with a stepping stone walk.

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: USACE Highway Methodology
NAME OF CERTIFIED WETLAND SCIENTIST (FOR NON-TIDAL PROJECTS) OR QUALIFIED COASTAL PROFESSIONAL (FOR TIDAL PROJECTS) WHO COMPLETED THE ASSESSMENT: MICHAEL CUOMO
DATE OF ASSESSMENT: JANUARY 20, 2023
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.

US Army Corps of Engineers ®
New England District

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 https://www.nae.usace.army.mil/Missions/Regulatory/ "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) https://www.nh.gov/nhdhr/review/rpr.htm.
- 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 (MHHW), 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

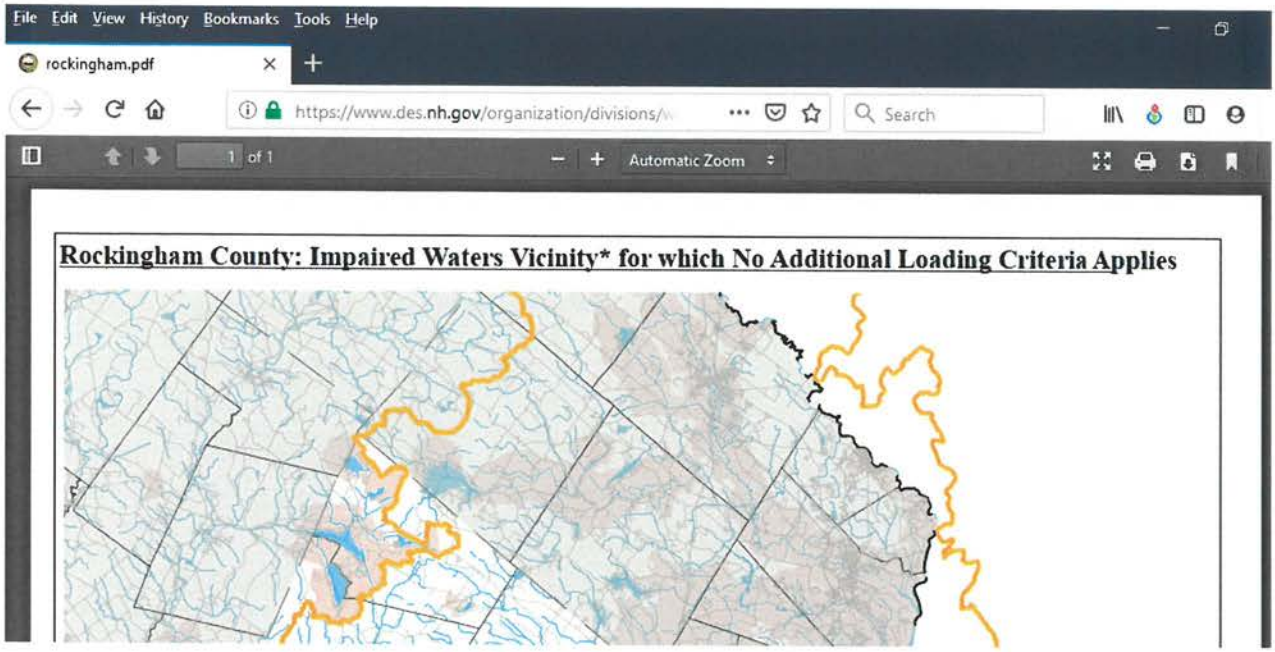
New Hampshire General Permits (GPs)
Appendix B - Corps Secondary Impacts Checklist
(for inland wetland/waterway fill projects in New Hampshire)

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

1. Impaired Waters	Yes	No
1.1 Will any work occur within 1 mile upstream in the watershed of an impaired water? See http://des.nh.gov/organization/divisions/water/wmb/section401/impaired_waters.htm to determine if there is an impaired water in the vicinity of your work area.*	X	
2. Wetlands	Yes	No
2.1 Are there are streams, brooks, rivers, ponds, or lakes within 200 feet of any proposed work?		X
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 https://www2.des.state.nh.us/nhb_datacheck/. The book Natural Community Systems of New Hampshire also contains specific information about the natural communities found in NH.		X
2.3 If wetland crossings are proposed, are they adequately designed to maintain hydrology, sediment transport & wildlife passage?		
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.)		X
2.5 The overall project site is more than 40 acres?		X
2.6 What is the area of the previously filled wetlands?	0 S.F.	
2.7 What is the area of the proposed fill in wetlands?	0 S.F.	
2.8 What is the % of previously and proposed fill in wetlands to the overall project site?	0% / 0%	
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: https://www2.des.state.nh.us/nhb_datacheck/ USFWS IPAC website: https://ecos.fws.gov/ipac/location/index No expected impacts	X	

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: • PDF: https://wildlife.state.nh.us/wildlife/wap-high-rank.html. • Data Mapper: www.granit.unh.edu. • GIS: www.granit.unh.edu/data/downloadfreedata/category/databycategory.html.		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
4. Flooding/Floodplain Values	Yes	No
4.1 Is the proposed project within the 100-year floodplain of an adjacent river or stream?	X	
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 (www.nh.gov/nhdhr/review) 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**	X	

*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.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https://www.des.nh.gov/organization/divisions/
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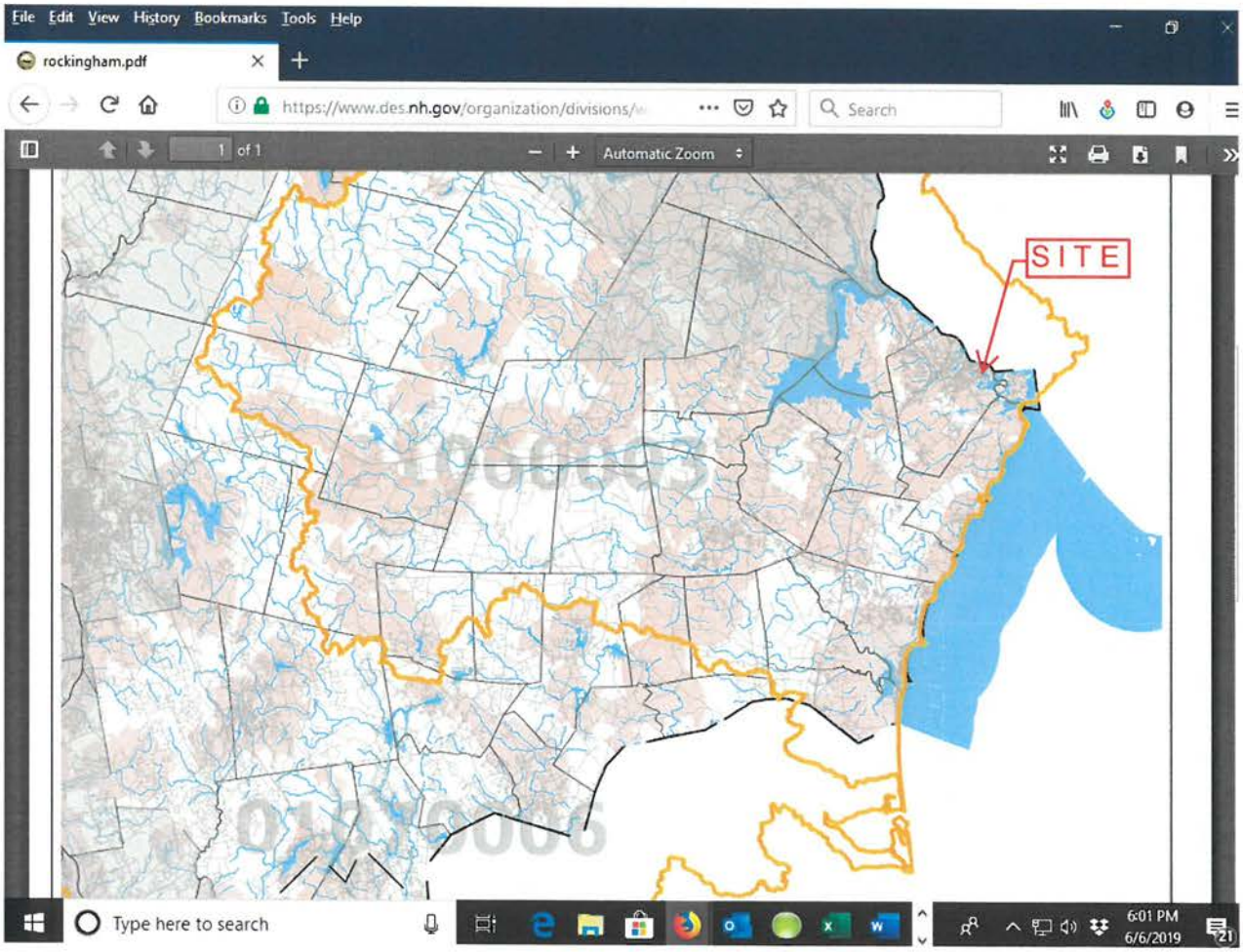
1 of 1
Automatic Zoom
Rockingham County: Impaired Waters Vicinity* for which No Additional Loading Criteria Applies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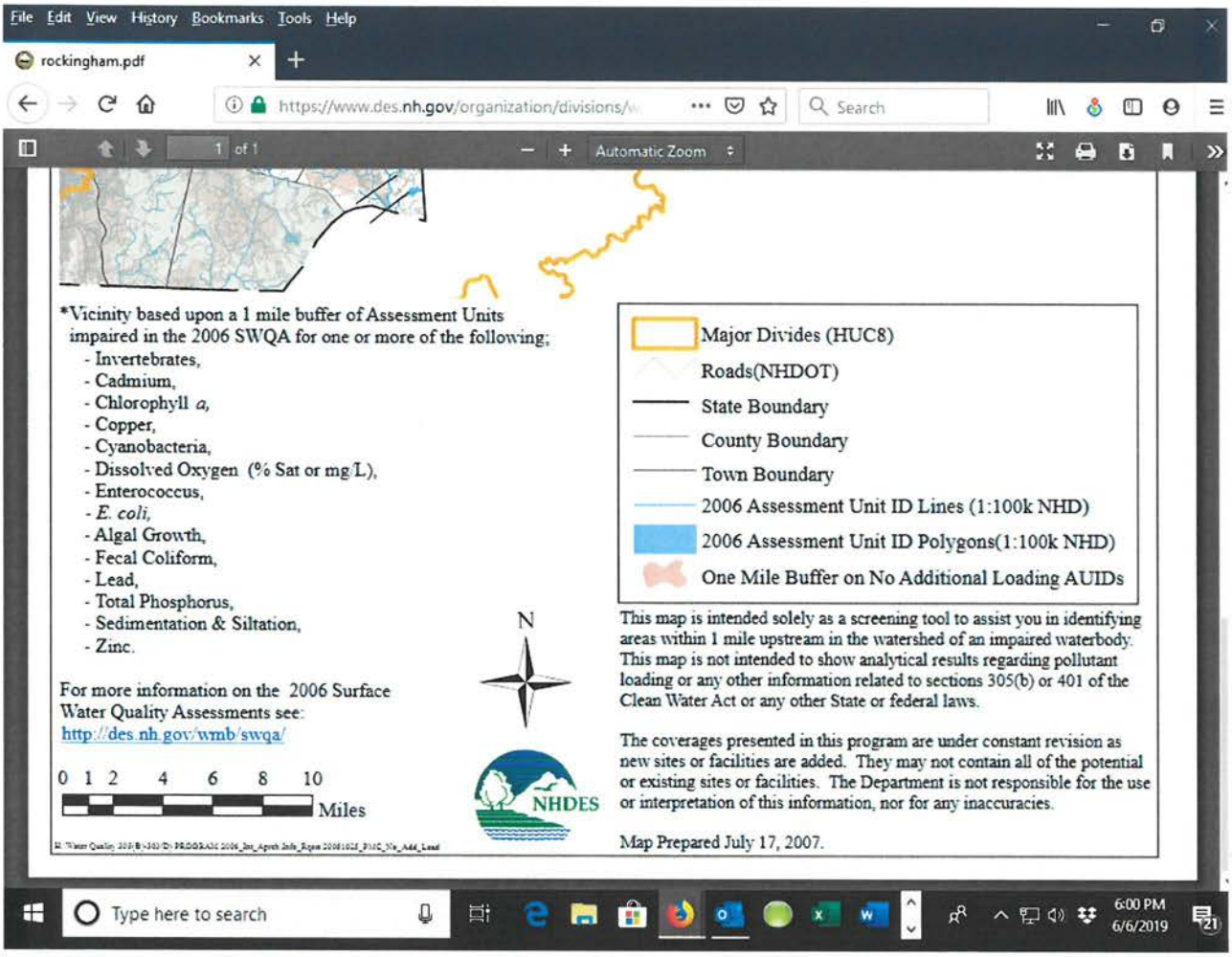


IMPAIRED WATERS MAP (LEGEND)

SHORELAND APPLICATION WORKSHEET

This worksheet *must* be submitted to the NHDES Wetlands Bureau with every Shoreland Permit Application. **A separate shoreland application worksheet must be submitted for each individual lot of record where impacts are proposed.**

For the purposes of this worksheet, "**pre-construction**" impervious surface area[3] means all human made impervious surfaces[4] currently present within the protected shoreland of a lot, whether to be removed or to remain after the project is completed. "**Post-construction**" impervious area means all impervious surfaces that will exist within the protected shoreland of a lot upon completion of the project, including both new and any remaining pre-construction impervious surfaces. All answers shall be given in square feet.

Calculating the Impervious Area of a Lot

CALCULATING THE IMPERVIOUS AREA OF A LOT WITHIN 250 FEET OF THE REFERENCE LINE (Env-Wq 1406.12)			
	STRUCTURE DESCRIPTION	**PRE-CONSTRUCTION IMPERVIOUS AREAS**	**POST-CONSTRUCTION IMPERVIOUS AREAS**
PRIMARY STRUCTURE(S) House and all **attached** decks and porches.	Residence/Porch/Deck	837 FT^2	1172 FT^2
ACCESSORY STRUCTURES All other impervious surfaces excluding lawn furniture, well heads, and fences. Common accessory structures include, but are not limited to: driveways, walkways, patios, and sheds.	Shed	58 FT^2	0 FT^2
	Paved Driveway	890 FT^2	510 FT^2
	Brick/Stone Walks	68 FT^2	160 FT^2
	Patio	200 FT^2	0 FT^2
	Conc. pads/walls	67 FT^2	8 FT^2
	Ret. wall & Dock	69 FT^2	69 FT^2
	TOTAL:	**(A)** 2189 FT^2	**(B)** 1919 FT^2
Area of the lot located within 250 feet of reference line:			**(C)** 5353 FT^2
Percentage of lot covered by pre-construction impervious area within 250 feet of the reference line: *[divide (A) by (C) x 100]*			**(D)** 40.9 %
Percentage of lot to be covered by post-construction impervious area within 250 feet of the reference line upon completion of the project: *[divide (B) by (C) x 100]*			**(E)** 35.8 %

[3] **"Impervious surface area"** as defined in Env-Wq 1402.13 means, for purposes of the impervious surface limitation specified in RSA 483-B:9, V(g), the sum total of the footprint of each impervious surface that is located within the protected shoreland.

[4] **"Impervious Surface"** as defined in RSA 483-B:4, VII-b means any modified surface that cannot effectively absorb or infiltrate water. Examples of impervious surfaces include, but are not limited to, roofs, and unless designed to effectively absorb or infiltrate water, decks, patios, and paved, gravel, or crushed stone driveways, parking areas, and walkways.

Stormwater Management Requirements

THE IMPERVIOUS AREA THRESHOLDS (RSA 483-B:9, V(g))
☒ A net decrease or no net increase in impervious area is proposed (If **line E** is less than or equal to **line D**).
☐ The percentage of post-construction impervious area **(line E)** is less than or equal to 20%. This project **does not** require a stormwater management plan and **does not** require a plan demonstrating that each waterfront buffer grid segment at least meets the minimum required tree and sapling point score.
☐ A net increase in impervious area is proposed and the percentage of post-construction impervious area **(line E)** is greater than 20%, but less than 30%. This project **requires** a stormwater management but, **does not** require a plan demonstrating that each waterfront buffer grid segment at least meets the minimum required tree and sapling point score. *See details on the Application Checklist*
☐ A net increase in impervious area is proposed and the percentage of post-construction impervious area **(line E)** is greater than 30%. This project **requires** a stormwater management plan designed and certified by a professional engineer **and requires** plans demonstrating that each waterfront buffer grid segment meets at least the minimum required tree and sapling point score. *See details on the Application Checklist*

Natural Woodland Area Requirement

DETERMINING THE AREA TO REMAIN AS NATURAL WOODLAND	
Total area of the lot between 50 feet and 150 feet of the reference line within which the vegetation currently exists as natural woodland[5] **(see definition below)**.	**(F)** 0 FT^2
Total area of the lot between 50 feet and 150 feet from the reference line.	**(G)** 2000 FT^2
At least 25% of area **(G)** must remain in as natural woodland. *[0.25 x G]*	**(H)** 500 FT^2
Place the lesser of area **(F)** and calculation **(H)** on this line. In order to remain compliant with the **natural woodland area requirement**, this is the minimum area that must remain as natural woodland between 50 feet and 150 feet from the reference line. This area **must** be represented on all plans and this area, exclusive of existing lawn, must remain in an unaltered state[6].	**(I)** 0 FT^2
Name of person who prepared this worksheet: Erik Saari	
Name and date of the plan this worksheet is based upon: Site Plan, September 2022	

[5] **"Natural Woodland"** means a forested area consisting of various species of trees, saplings, shrubs, and ground covers in any combination and at any stage of growth (483-B:4, XI).

[6] **"Unaltered State"** means native vegetation allowed to grow without cutting, limbing, trimming, pruning, mowing, or other similar activities except as needed for renewal or to maintain or improve plant health (483-B:4, XXIV-b).

43 HOLMES CT

Location	43 HOLMES CT	**Mblu**	0101/ 0014/ 0000/ /
Acct#	32810	**Owner**	SINGLAR STEPHEN A & KATHRYN L
PBN		**Assessment**	$812,100
Appraisal	$812,100	**PID**	32810
Building Count	1		

Current Value

Appraisal			
Valuation Year	**Improvements**	**Land**	**Total**
2022	$158,600	$653,500	$812,100
Assessment			
Valuation Year	**Improvements**	**Land**	**Total**
2022	$158,600	$653,500	$812,100

Owner of Record

Owner	SINGLAR STEPHEN A & KATHRYN L	**Sale Price**	$1,200,000
Co-Owner		**Certificate**	
Address	21 ELLIOT ST EXETER, NH 03833	**Book & Page**	6393/1443
		Sale Date	03/24/2022
		Instrument	21

Ownership History

Ownership History					
Owner	**Sale Price**	**Certificate**	**Book & Page**	**Instrument**	**Sale Date**
SINGLAR STEPHEN A & KATHRYN L	$1,200,000		6393/1443	21	03/24/2022
43 HOLMES COURT LLC	$0		5829/1407	40	06/23/2017
SANDERS JAMES H REVO TRUST	$0		3170/0184		08/06/1996

Building Information

Building 1 : Section 1

Year Built: 1749

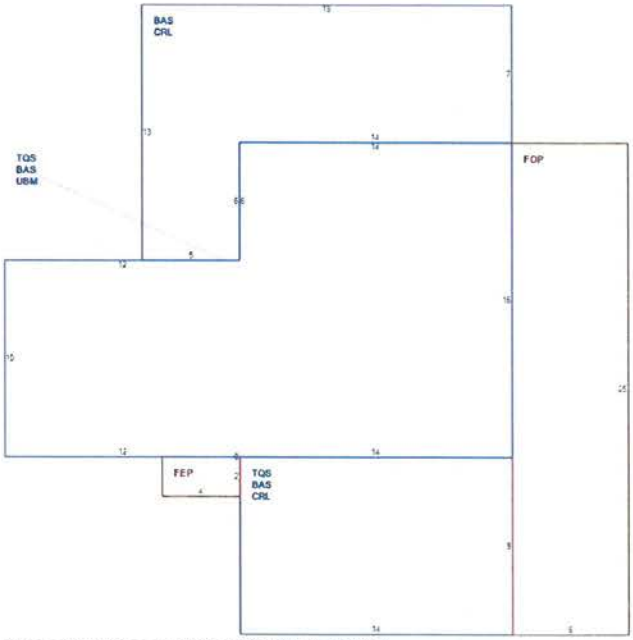
Living Area: 986
Replacement Cost: $232,607
Building Percent Good: 66
Replacement Cost Less Depreciation: $153,500

Building Attributes	
Field	**Description**
Style:	Antique
Model	Residential
Grade:	B-
Stories:	1.75
Occupancy	1
Exterior Wall 1	Vinyl Siding
Exterior Wall 2	
Roof Structure:	Gable/Hip
Roof Cover	Asph/F Gls/Cmp
Interior Wall 1	Plastered
Interior Wall 2	
Interior Flr 1	Hardwood
Interior Flr 2	Inlaid Sht Gds
Heat Fuel	Gas
Heat Type:	Steam
AC Type:	None
Total Bedrooms:	2 Bedrooms
Total Bthrms:	1
Total Half Baths:	0
Total Xtra Fixtrs:	0
Total Rooms:	6
Bath Style:	Avg Quality
Kitchen Style:	Avg Quality
Kitchen Gr	
WB Fireplaces	0
Extra Openings	0
Metal Fireplaces	0
Extra Openings 2	0
Bsmt Garage	

Building Photo

(https://images.vgsi.com/photos2/PortsmouthNHPhotos//\00\01\65\81.jpg)

Building Layout



(ParcelSketch.ashx?pid=32810&bid=32810)

Building Sub-Areas (sq ft)			Legend
Code	**Description**	**Gross Area**	**Living Area**
BAS	First Floor	633	633
TQS	Three Quarter Story	470	353
CRL	Crawl Space	289	0
FEP	Porch, Enclosed	8	0
FOP	Porch, Open	150	0
UBM	Basement, Unfinished	344	0
		1,894	986

Extra Features

Extra Features	Legend
No Data for Extra Features	

Land

Land Use

Use Code	1013
Description	SFR WATERFRONT
Zone	WB
Neighborhood	101
Alt Land Appr	No
Category	

Land Line Valuation

Size (Acres)	0.13
Frontage	
Depth	
Assessed Value	$653,500
Appraised Value	$653,500

Outbuildings

Outbuildings						Legend
Code	**Description**	**Sub Code**	**Sub Description**	**Size**	**Value**	**Bldg #**
RD1	BOAT DOCK LT			96.00 UNITS	$1,900	1
RD1	BOAT DOCK LT			160.00 UNITS	$3,200	1

Valuation History

Appraisal			
Valuation Year	**Improvements**	**Land**	**Total**
2021	$158,600	$653,500	$812,100
2020	$158,600	$653,500	$812,100
2019	$158,600	$653,500	$812,100

Assessment			
Valuation Year	**Improvements**	**Land**	**Total**
2021	$158,600	$653,500	$812,100
2020	$158,600	$653,500	$812,100
2019	$158,600	$653,500	$812,100

Book: 6393 Page: 1443

E # 22013238 03/24/2022 08:52:43 AM
Book 6393 Page 1443 Page 1 of 2
Register of Deeds, Rockingham County

Cathy Ann Stacey

LCHIP	ROA611599	25.00
TRANSFER TAX	RO114059	18,000.00
RECORDING		14.00
SURCHARGE		2.00

Return To:
Stephen A. Singlar and Kathryn L. Singlar
21 Elliot Street
Exeter, NH 03833

Transfer Tax: $18,000.00

WARRANTY DEED

KNOW ALL PERSONS BY THESE PRESENTS: That 43 Holmes Court, LLC, a New Hampshire limited liability company of 30 Walden Court, Portsmouth, NH 03801, for consideration paid, grants to Stephen A. Singlar and Kathryn L. Singlar, husband and wife, as joint tenants with rights of survivorship of 21 Elliot Street, Exeter, NH 03833, with WARRANTY COVENANTS:

A certain lot or parcel of land with the buildings thereon, situate in Portsmouth, in the County of Rockingham and State of New Hampshire, bounded and described as follows:

Beginning at the point 78 feet from the land now or formerly of James Fay and running northerly 70 feet, more or less, to the land now or formerly of William Chase; thence turning and running easterly by the land of said Chase to the low water mark; thence turning and running southerly along the low water mark of the Piscataqua River to the land now or formerly of Samuel Langdon; thence turning and running westerly by the land now or formerly of said Langdon the point begun at; a part of the westerly boundary land is bounded on Holmes Court, so-called.

Meaning and intending to describe and convey the same premises conveyed to 43 Holmes Court, LLC, by virtue of a Deed from James H. Sanders, Trustee of the James H. Sanders 1986 Revocable Trust, dated June 20, 2017 and recorded in the Rockingham County Registry of Deeds at Book 5829, Page 1407.

TOGETHER WITH and subject to any and all covenants, easements, conditions, stipulations, and restrictions of record, insofar as the same are enforceable and in effect.

This is not homestead property.

IN WITNESS WHEREOF, the undersigned have executed this document on this 23rd day of March, 2022.

WARRANTY DEED
(continued)

43 HOLMES COURT, LLC

BY: _____
James H. Sanders, Manager

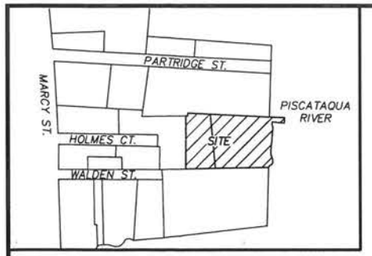
State of NEW HAMPSHIRE
County of ROCKINGHAM March 23, 2022

Personally appeared, James H. Sanders, Manager of 43 Holmes Court, LLC, known to me, or satisfactorily proven to be the person whose name is subscribed to the foregoing and acknowledged that he executed the same for the purposes therein contained.

_____
Notary Public
My Commission Expires:

[SEAL]

CYNTHIA M GIBB
NOTARY PUBLIC
State of New Hampshire
My Commission Expires
June 30, 2026



LOCUS
(N.T.S.)

REFERENCE PLANS:

1. PLAN OF LOT, NO. 24 HOLMES COURT, PORTSMOUTH, NH, JUNE 1947, JOHN W. DURGIN FILE NO. 2611.
2. PLAN OF LOT, PORTSMOUTH, NH, NO. 39 HOLMES COURT, AUGUST 1975, JOHN W. DURGIN FILE NO. 2366, PLAN NO. 3273.
3. PLAN OF LOT, PORTSMOUTH, NH, FOR SAMUEL PENDELTON, JR., AUGUST 1975 JOHN W. DURGIN FILE NO. 2366, PLAN NO. 4383.
4. PLAN OF LAND FOR JOHN H. & JUDITH A. MILLER, 33 HOLMES COURT, PORTSMOUTH, NH, DATED MARCH 12, 1984, RECORDED AS RCRD PLAN #C-12350.

PURSUANT TO RSA 676:18,III AND RSA 672:14

I CERTIFY THAT THIS SURVEY PLAT IS NOT A SUBDIVISION PURSUANT TO THIS TITLE AND THAT THE LINES OF STREETS AND WAYS SHOWN ARE THOSE OF PUBLIC OR PRIVATE STREETS OR WAYS ALREADY ESTABLISHED AND THAT NO NEW WAYS ARE SHOWN.

James Verra — 8-15-2022
JAMES VERRA — DATE

STATE OF NEW HAMPSHIRE — NO. 625 JAMES VERRA — LICENSED LAND SURVEYOR — SIGNATURE

NOTES:

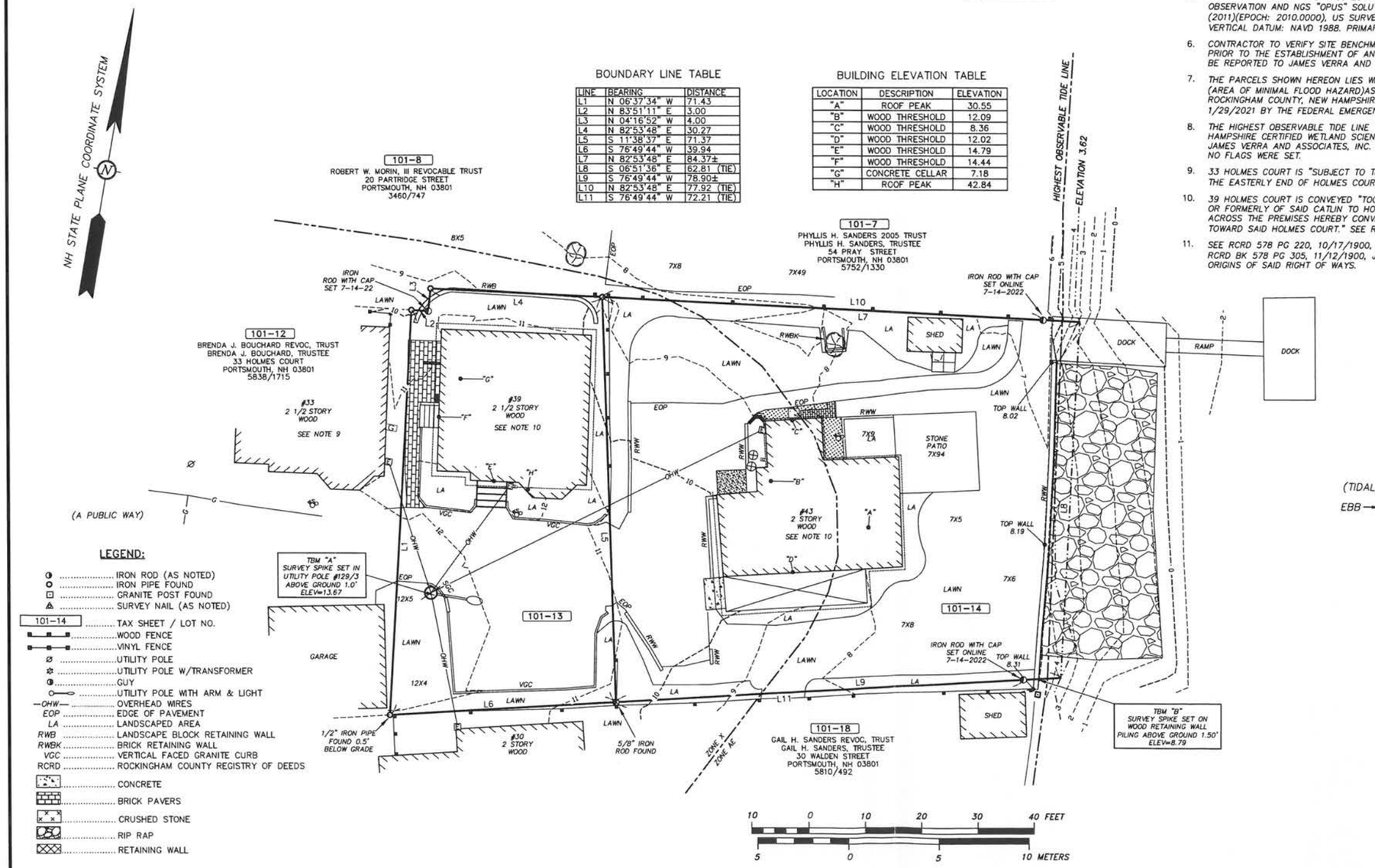
1. OWNER OF RECORD.....39 HOLMES COURT, LLC.
   ADDRESS.....30 WALDEN STREET, PORTSMOUTH, NH 03801
   DEED REFERENCE.....5829/1412
   TAX SHEET / LOT.....101-13
   PARCEL AREA.....2,672 S.F.
   OWNER OF RECORD.....43 HOLMES COURT, LLC.
   ADDRESS.....30 WALDEN STREET, PORTSMOUTH, NH 03801
   DEED REFERENCE.....5829/1407
   TAX SHEET / LOT.....101-14
   PARCEL AREA.....5,353 S.F.±(TO ELEV. 3.62)
2. ZONED:.....WATERFRONT BUSINESS — FRONT YARD SETBACK.....30'
   MINIMUM LOT AREA..20,000 S.F. — SIDE YARD SETBACK.....30'
   FRONTAGE.....100' — REAR YARD SETBACK.....
3. THE RELATIVE ERROR OF CLOSURE WAS LESS THAN 1 FOOT IN 15,000 FEET.
4. THE LOCATION OF ALL UNDERGROUND UTILITIES SHOWN HEREON ARE APPROXIMATE AND ARE BASED UPON THE FIELD LOCATION OF ALL VISIBLE STRUCTURES (IE CATCH BASINS, MANHOLES, WATER GATES ETC.) AND INFORMATION COMPILED FROM PLANS PROVIDED BY UTILITY COMPANIES AND GOVERNMENTAL AGENCIES. ALL CONTRACTORS SHOULD NOTIFY, IN WRITING, SAID AGENCIES PRIOR TO ANY EXCAVATION WORK AND CALL DIG-SAFE @ 1-888-DIG-SAFE.
5. HORIZONTAL DATUM: NAD 1983 ESTABLISHED BY SURVEY GRADE GPS OBSERVATION AND NGS "OPUS" SOLUTION. REFERENCE FRAME: NAD83 (2011)(EPOCH: 2010.0000), US SURVEY FOOT.
   VERTICAL DATUM: NAVD 1988. PRIMARY BENCHMARK: CITY OF PORTSMOUTH "ROBE".
6. CONTRACTOR TO VERIFY SITE BENCHMARKS BY LEVELING BETWEEN 2 BENCHMARKS PRIOR TO THE ESTABLISHMENT OF ANY GRADES OR ELEVATIONS. DISCREPANCIES ARE TO BE REPORTED TO JAMES VERRA AND ASSOCIATES, INC..
7. THE PARCELS SHOWN HEREON LIES WITHIN ZONE AE (ELEVATION 8) & ZONE X (AREA OF MINIMAL FLOOD HAZARD)AS IDENTIFIED ON FLOOD INSURANCE RATE MAP, ROCKINGHAM COUNTY, NEW HAMPSHIRE, MAP NUMBER 33015C0278F, EFFECTIVE DATE 1/29/2021 BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY.
8. THE HIGHEST OBSERVABLE TIDE LINE WAS DELINEATED BY MICHAEL CUOMO, NEW HAMPSHIRE CERTIFIED WETLAND SCIENTIST #004 ON MAY 20, 2022 & RECORDED BY JAMES VERRA AND ASSOCIATES, INC. UNDER THE DIRECTION OF MICHAEL CUOMO. NO FLAGS WERE SET.
9. 33 HOLMES COURT IS "SUBJECT TO THE RIGHT OF WAY ACROSS SAID PREMISES FROM THE EASTERLY END OF HOLMES COURT." SEE RCRD BK 5838 PG 1715.
10. 39 HOLMES COURT IS CONVEYED "TOGETHER WITH A RIGHT OF WAY ACROSS LAND NOW OR FORMERLY OF SAID CATLIN TO HOLMES COURT AND SUBJECT TO THE RIGHT OF WAY ACROSS THE PREMISES HEREBY CONVEYED FROM LAND NOW OR FORMERLY OF DOWNS TOWARD SAID HOLMES COURT." SEE RCRD BK 5829 PG 1412.
11. SEE RCRD 578 PG 220, 10/17/1900, J. CORNELIUS COAKLEY TO JAMES FAY AND RCRD BK 578 PG 305, 11/12/1900, J. CORNELIUS COAKLEY TO MARGARET FOX FOR THE ORIGINS OF SAID RIGHT OF WAYS.

BOUNDARY LINE TABLE

LINE	BEARING	DISTANCE
L1	N 06°37'34" W	71.43
L2	N 83°51'11" E	3.00
L3	N 04°16'52" W	4.00
L4	N 82°53'48" E	30.27
L5	S 11°38'37" E	71.37
L6	S 76°49'44" W	39.94
L7	N 82°53'48" E	84.37±
L8	S 06°51'36" E	62.81 (TIE)
L9	S 76°49'44" W	78.90±
L10	N 82°53'48" E	77.92 (TIE)
L11	S 76°49'44" W	72.21 (TIE)

BUILDING ELEVATION TABLE

LOCATION	DESCRIPTION	ELEVATION
"A"	ROOF PEAK	30.55
"B"	WOOD THRESHOLD	12.09
"C"	WOOD THRESHOLD	8.36
"D"	WOOD THRESHOLD	12.02
"E"	WOOD THRESHOLD	14.79
"F"	WOOD THRESHOLD	14.44
"G"	CONCRETE CELLAR	7.18
"H"	ROOF PEAK	42.84



LEGEND:

- IRON ROD (AS NOTED)
- IRON PIPE FOUND
- GRANITE POST FOUND
- SURVEY NAIL (AS NOTED)
- 101-14 ..... TAX SHEET / LOT NO.
- WOOD FENCE
- VINYL FENCE
- UTILITY POLE
- UTILITY POLE W/TRANSFORMER
- GUY
- UTILITY POLE WITH ARM & LIGHT
- —OHW— ..... OVERHEAD WIRES
- EOP ..... EDGE OF PAVEMENT
- LA ..... LANDSCAPED AREA
- RWB ..... LANDSCAPE BLOCK RETAINING WALL
- RWBK ..... BRICK RETAINING WALL
- VGC ..... VERTICAL FACED GRANITE CURB
- RCRD ..... ROCKINGHAM COUNTY REGISTRY OF DEEDS
- CONCRETE
- BRICK PAVERS
- CRUSHED STONE
- RIP RAP
- RETAINING WALL

P5328

SURVEYOR:
James Verra and Associates, Inc.
LAND SURVEYORS
101 SHATTUCK WAY - SUITE 8
NEWINGTON, N.H. 03801- 7876
603-436-3557
JOB NO: 23999

ENGINEER:
ALTUS ENGINEERING, INC.
133 COURT STREET — PORTSMOUTH, NH 03801
(603) 433-2335 — www.ALTUS-ENG.com

ISSUED FOR:
ENGINEERING DESIGN

ISSUE DATE:
8-15-2022

REVISIONS
NO. DESCRIPTION — BY — DATE

DRAWN BY: GTD
APPROVED BY: JV
DRAWING FILE: 23999.DWG

SCALE:
22" x 34" - 1" = 10'
11" x 17" - 1" = 5'

OWNER/APPLICANT:
30 HOLMES COURT, LLC. &
43 HOLMES COURT, LLC.
30 WALDREN STREET
PORTSMOUTH, NH 03801
ASSESSOR'S PARCELS
MAP 101 - LOTS 13 & 14

OWNER:
30 HOLMES COURT, LLC. &
43 HOLMES COURT, LLC.
30 WALDREN STREET
PORTSMOUTH, NH 03801
ASSESSOR'S PARCELS
MAP 101 - LOTS 13 & 14

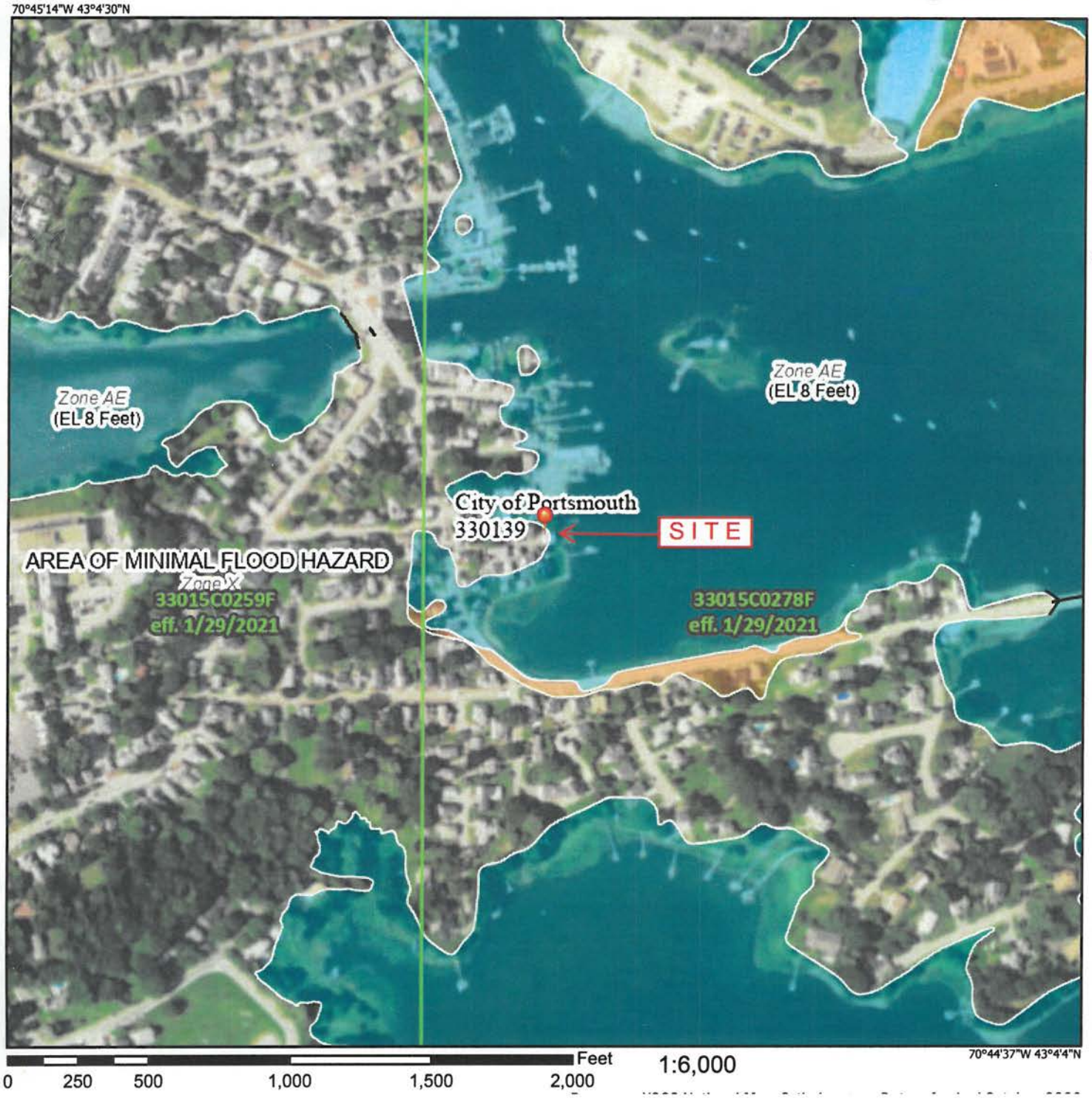
PROJECT:
PROPOSED SITE DEVELOPMENT PLANS
HOLMES COURT
#39 & #43
PORTSMOUTH, NH
ASSESSOR'S PARCELS
MAP 101-LOTS 13 & 14

TITLE:
EXISTING CONDITIONS PLAN

SHEET NUMBER:
1 OF 1

National Flood Hazard Layer FIRMette

FEMA



Legend

SEE FIS REPORT FOR DETAILED LEGEND AND INDEX MAP FOR FIRM PANEL LAYOUT

SPECIAL FLOOD HAZARD AREAS
- Without Base Flood Elevation (BFE) *Zone A, V, A99*
- With BFE or Depth *Zone AE, AO, AH, VE, AR*
- Regulatory Floodway

OTHER AREAS OF FLOOD HAZARD
- 0.2% Annual Chance Flood Hazard, Area of 1% annual chance flood with average depth less than one foot or with drainag areas of less than one square mile *Zone*
- Future Conditions 1% Annual Chance Flood Hazard *Zone X*
- Area with Reduced Flood Risk due to Levee. See Notes. *Zone X*
- Area with Flood Risk due to Levee *Zone D*

OTHER AREAS
- NO SCREEN — Area of Minimal Flood Hazard *Zone X*
- Effective LOMRs
- Area of Undetermined Flood Hazard *Zone*

GENERAL STRUCTURES
- Channel, Culvert, or Storm Sewer
- Levee, Dike, or Floodwall

OTHER FEATURES
- 20.2 — Cross Sections with 1% Annual Chance
- 17.5 — Water Surface Elevation
- Coastal Transect
- 513 — Base Flood Elevation Line (BFE)
- Limit of Study
- Jurisdiction Boundary
- Coastal Transect Baseline
- Profile Baseline
- Hydrographic Feature

MAP PANELS
- Digital Data Available
- No Digital Data Available
- Unmapped

N

The pin displayed on the map is an approximate point selected by the user and does not represe an authoritative property location.

This map complies with FEMA's standards for the use of digital flood maps if it is not void as described below. The basemap shown complies with FEMA's basemap accuracy standards

The flood hazard information is derived directly from the authoritative NFHL web services provided by FEMA. This map was exported on 6/22/2022 at 12:35 PM and does not reflect changes or amendments subsequent to this date and time. The NFHL and effective information may change or become superseded by new data over time.

This map image is void if the one or more of the following map elements do not appear: basemap imagery, flood zone labels, legend, scale bar, map creation date, community identifiers, FIRM panel number, and FIRM effective date. Map images for unmapped and unmodernized areas cannot be used for regulatory purposes.

New Hampshire Natural Heritage Bureau
NHB DataCheck Results Letter

To: Eric Weinrieb, Altus Engineering, Inc.
133 Court Street

Portsmouth, NH 03801

From: NH Natural Heritage Bureau
Date: 5/25/2022 (valid until 5/25/2023)
Re: Review by NH Natural Heritage Bureau of request submitted 5/20/2022
Permits: MUNICIPAL POR - Portsmouth, NHDES - Wetland Standard Dredge & Fill - Major

NHB ID: **NHB22-1800** **Applicant:** Stephen Singlar

Location: Portsmouth
43 Holmes Court

Project Description: Replace existing single family residence with similar size residence. Construction could occur late fall 2022 or may wait till Spring 2023.

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 5/20/2022 11:15:47 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.

Department of Natural and Cultural Resources
Division of Forests and Lands
(603) 271-2214 fax: 271-6488

DNCR/NHB
172 Pembroke Rd.
Concord, NH 03301

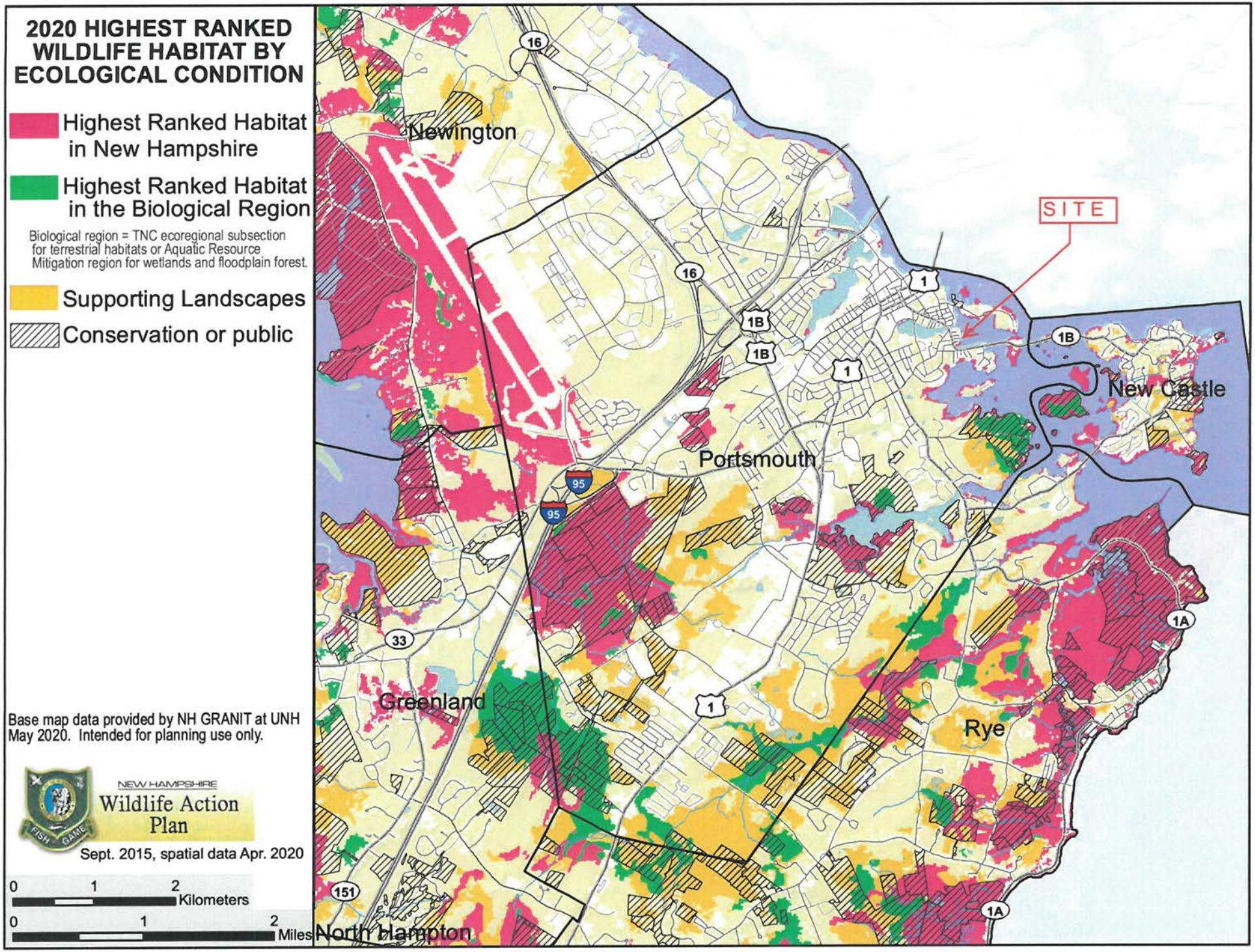
New Hampshire Natural Heritage Bureau
NHB DataCheck Results Letter

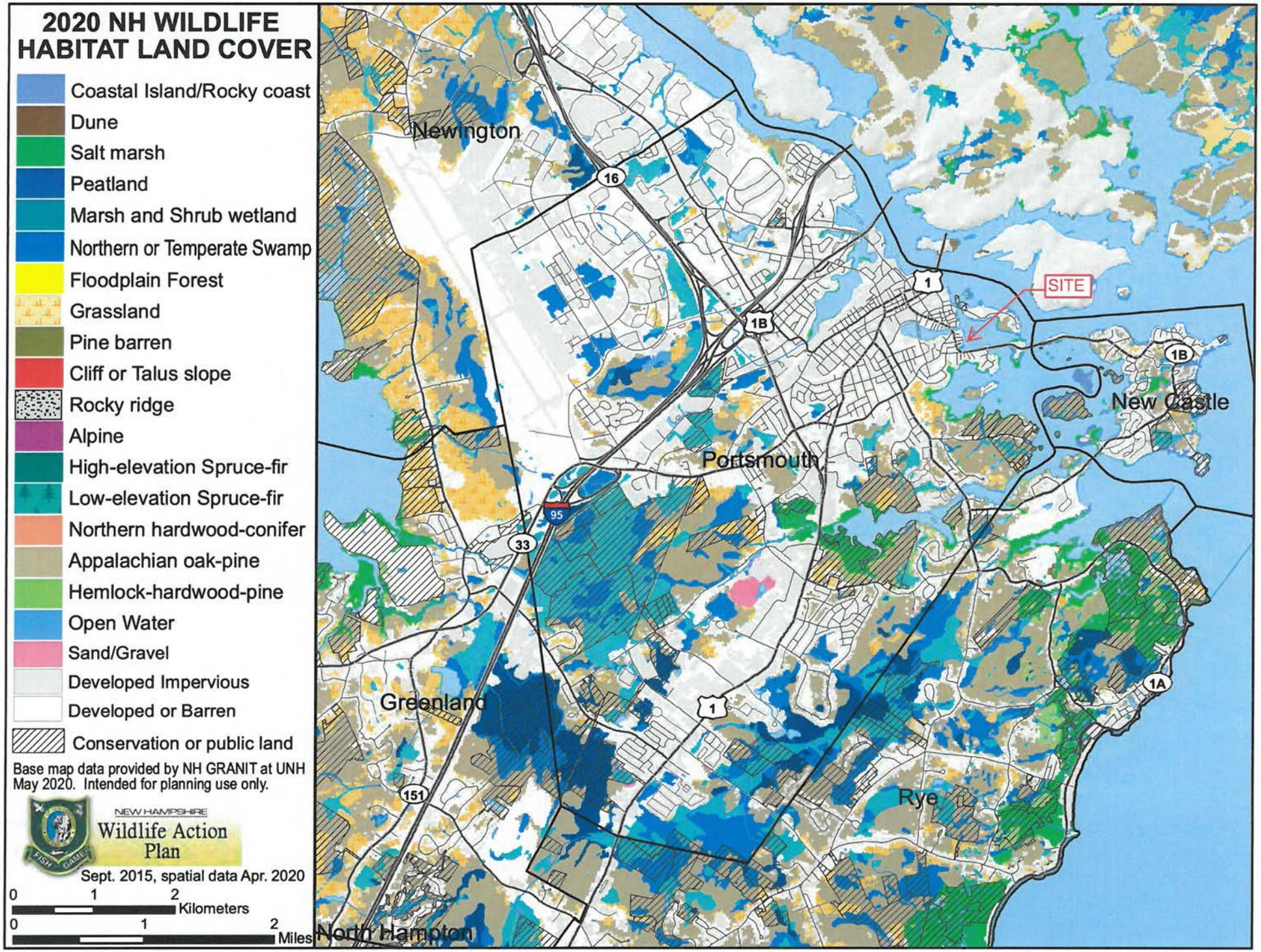
MAP OF PROJECT BOUNDARIES FOR: **NHB22-1800**

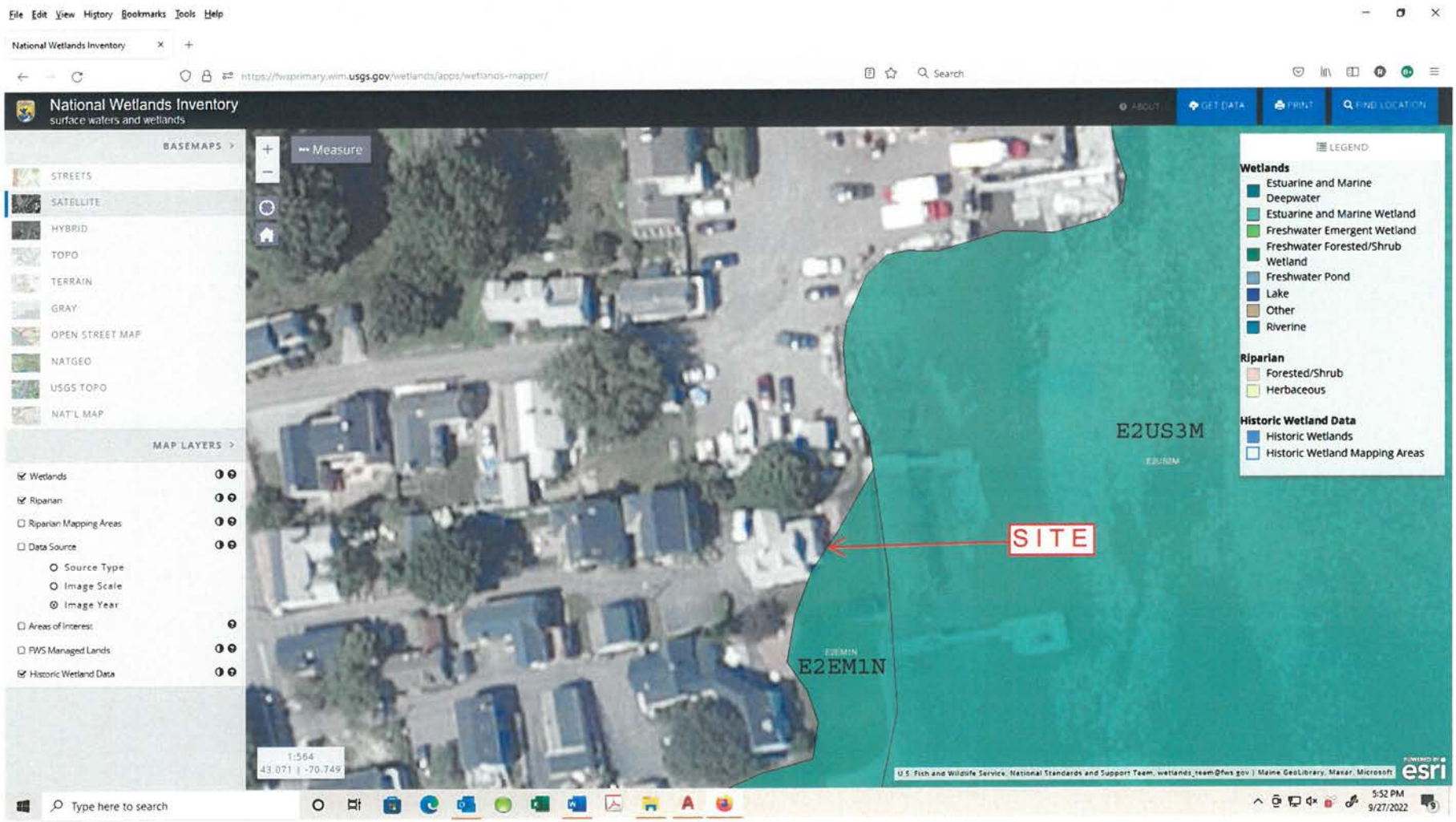
NHB22-1800

Department of Natural and Cultural Resources
Division of Forests and Lands
(603) 271-2214 fax: 271-6488

DNCR/NHB
172 Pembroke Rd.
Concord, NH 03301


2020 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
Conservation or public
SITE
Newington
Portsmouth
New Castle
Greenland
Rye
North Hampton
Base map data provided by NH GRANIT at UNH May 2020. Intended for planning use only.
NEW HAMPSHIRE Wildlife Action Plan
Sept. 2015, spatial data Apr. 2020
0 1 2 Kilometers
0 1 2 Miles


2020 NH WILDLIFE HABITAT LAND COVER
Coastal Island/Rocky coast
Dune
Salt marsh
Peatland
Marsh and Shrub wetland
Northern or Temperate Swamp
Floodplain Forest
Grassland
Pine barren
Cliff or Talus slope
Rocky ridge
Alpine
High-elevation Spruce-fir
Low-elevation Spruce-fir
Northern hardwood-conifer
Appalachian oak-pine
Hemlock-hardwood-pine
Open Water
Sand/Gravel
Developed Impervious
Developed or Barren
Conservation or public land
Base map data provided by NH GRANIT at UNH May 2020. Intended for planning use only.
NEW HAMPSHIRE Wildlife Action Plan
Sept. 2015, spatial data Apr. 2020
0 1 2 Kilometers
0 1 2 Miles
Newington
Portsmouth
New Castle
Greenland
Rye
North Hampton
SITE
16
1
1B
95
33
151
1A



USFWS Wetland Inventory Map

Michael Cuomo, Soil Scientist
6 York Pond Road, York, Maine 03909
207 363 4532
mcuomosoil@gmail.com

Erik Saari, P.E.
Altus Engineering, Inc.
133 Court Street
Portsmouth, NH 03801-4413

26 May 2022

Dear Mr. Saari;

This letter is in reference to the property at 43 Holmes Court in Portsmouth, NH. On 20 May 2022 I conducted a Highest Observable Tideline determination to assist you in planning the redevelopment of this site.

Highest Observable Tide Line is defined in NH Code of Administrative Rules Env-Wt 101.45 as "...a line defining the farthest landward limit of tidal flow, not including storm events, that can be recognized by such indicators as the presence of a strand line of flotsam and debris, the landward margin of salt tolerant vegetation, or a physical barrier that blocks farther flow of the tide."

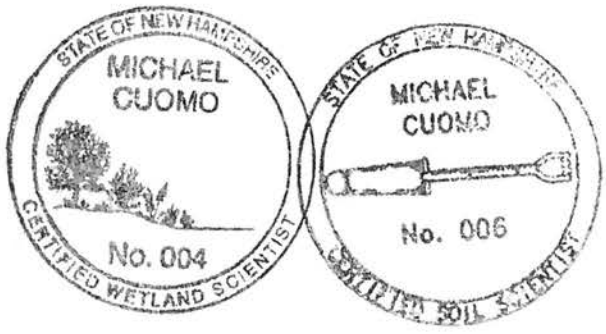
The location of the Highest Observable Tide Line was recorded by James Verra and Associates under my direction.

There are no other wetlands on the parcel.

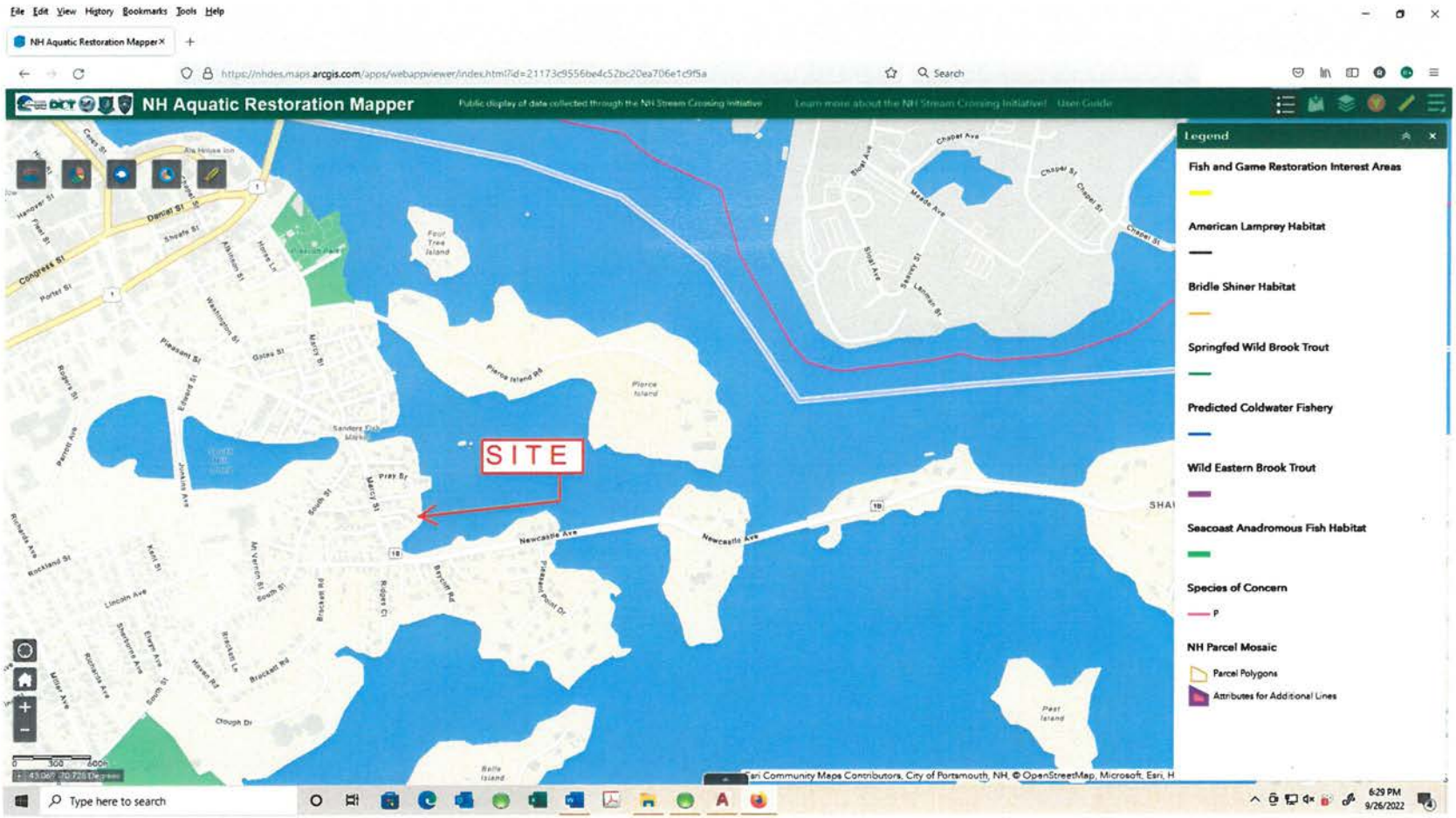
Please call if you have questions regarding this work.

Sincerely,

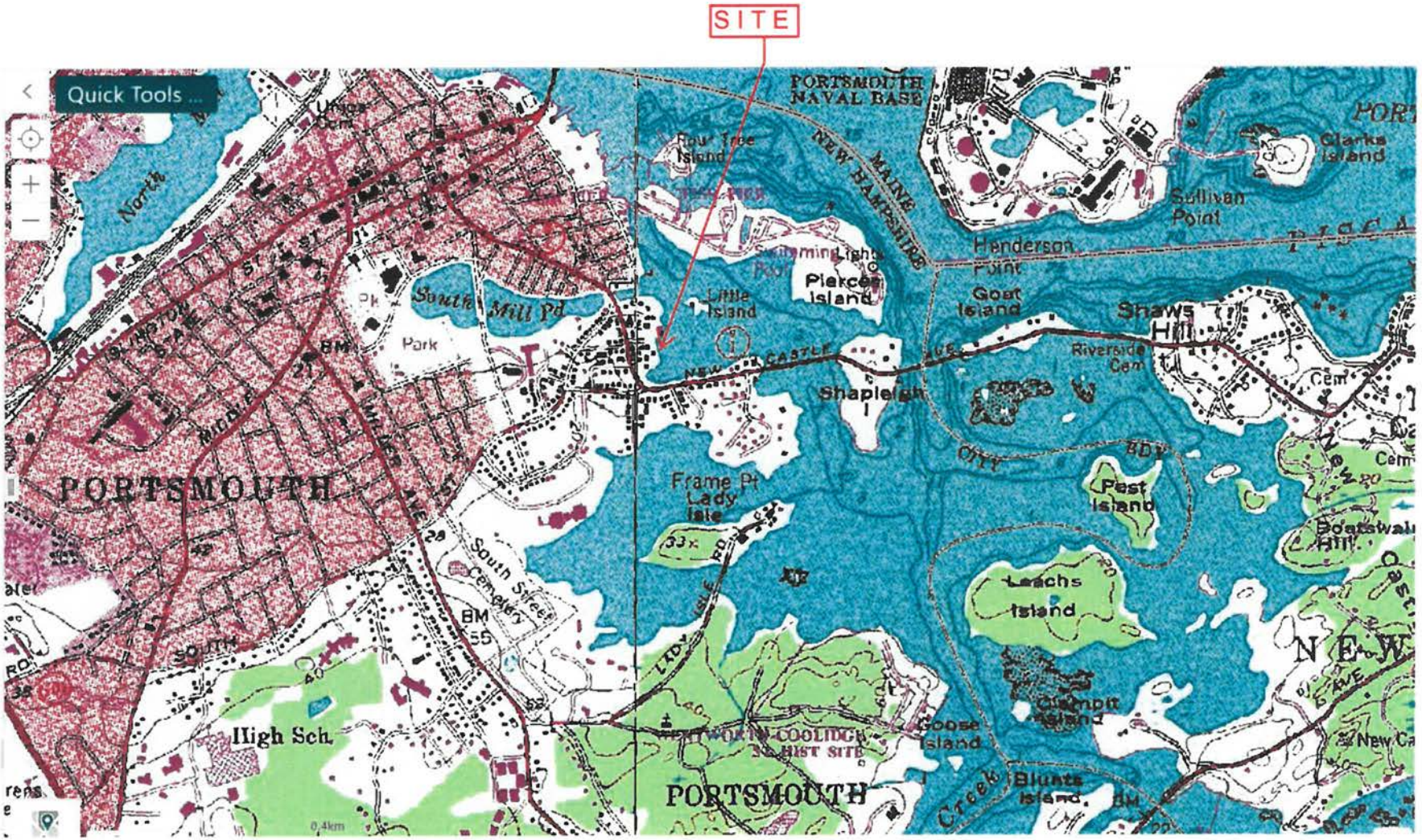
Michael Cuomo
NH Wetland Scientist #004
NH Soil Scientist #006



WETLAND PERMIT PLANNING TOOL (WPPT) RESULTS



NH Aquatic Restoration Mapper Results – No Expected Impacts



U.S.G.S. MAP DETAIL

AERIAL PHOTOGRAPH – 2021 PORTSMOUTH GIS DATABASE

Photo 1 – Looking westerly down Holmes Court and at front of the garage at 39 Holmes Ct.- January 11, 2023

Photo 2 – Looking easterly at 43 Holmes court from garage at 39 Holmes Ct. - January 11, 2023

Photo 3 – Looking southerly at existing section of lawn at 39 Holmes Ct. - January 11, 2023

Photo 4 – Looking easterly at the water and 43 Holmes Court - January 11, 2023

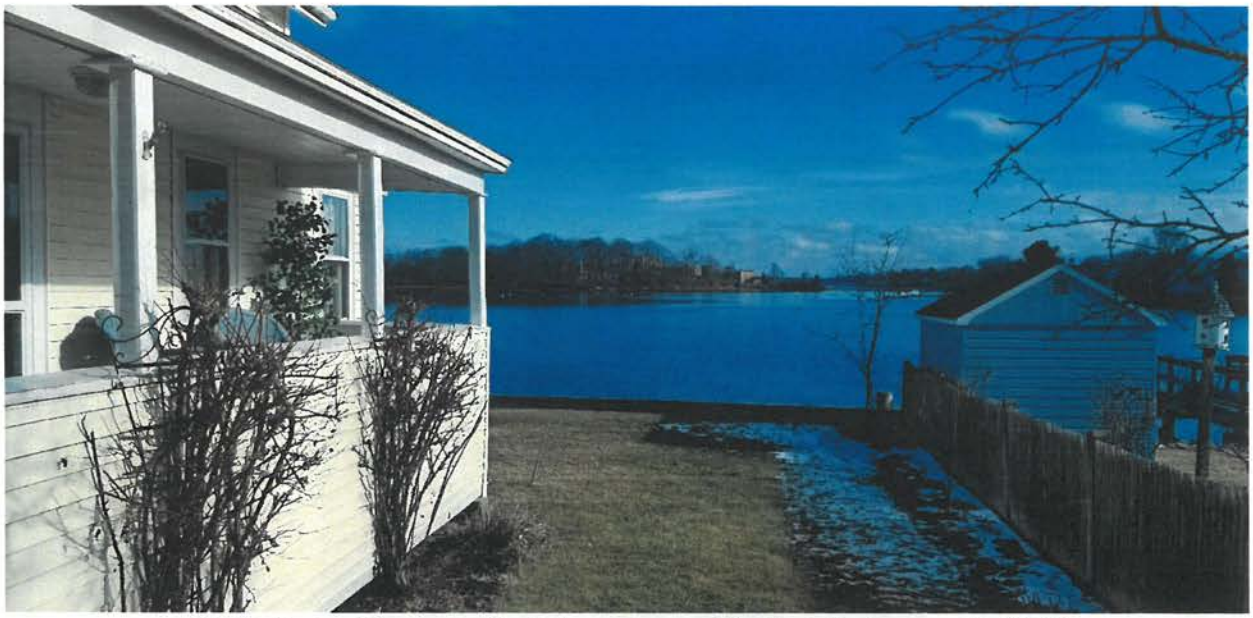


Photo 5 – Looking easterly at the water and backyard - January 11, 2023

Photo 6 – Looking northerly at the water, backyard, dock, and stone patio - January 11, 2023

Photo 7 – Looking northerly along the retaining wall in the backyard - January 11, 2023.

Photo 8 – Looking northerly along the retaining wall along the Piscataqua River - January 11, 2023.

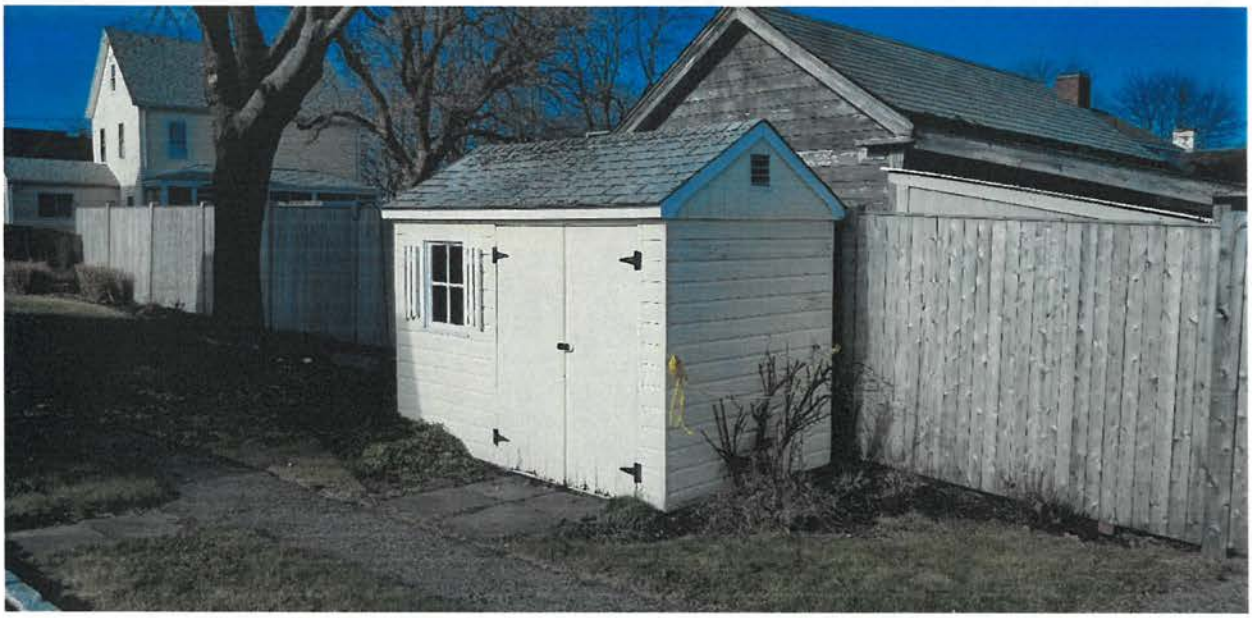


Photo 9 – Looking westerly at the shed in the backyard - January 11, 2023.

Photo 10 – Looking westerly in the backyard at the stone patio - January 11, 2023.

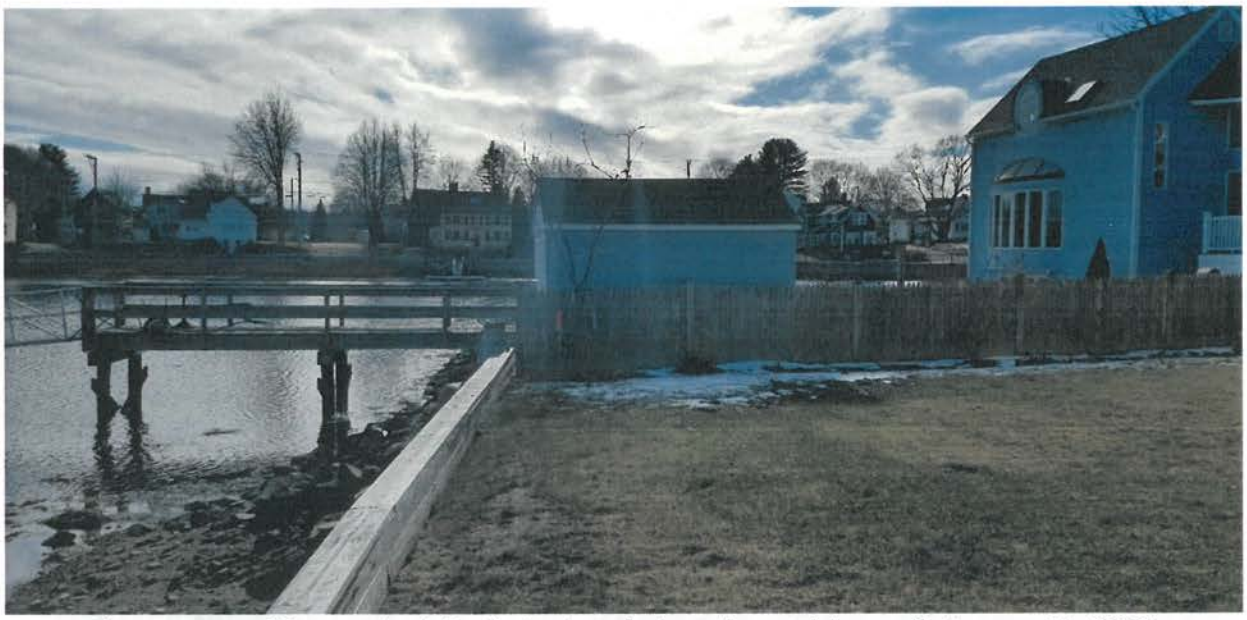


Photo 11 – Looking southerly in the backyard along the retaining wall - January 11, 2023.

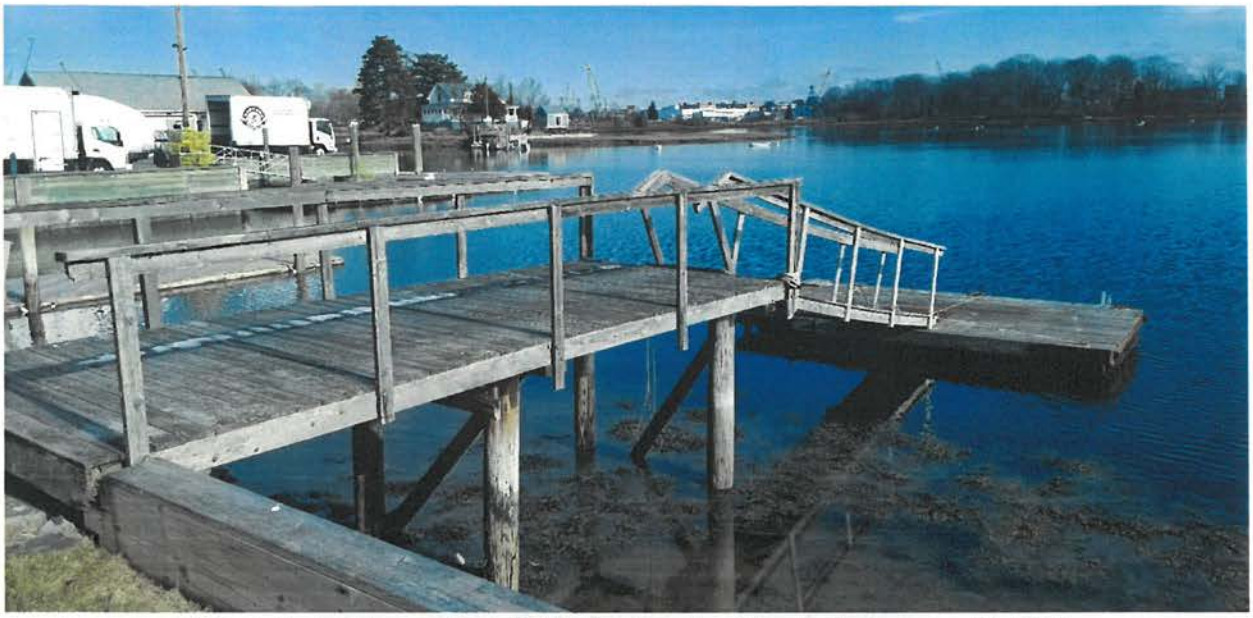


Photo 12 - Looking easterly in the backyard at the dock - January 11, 2023.

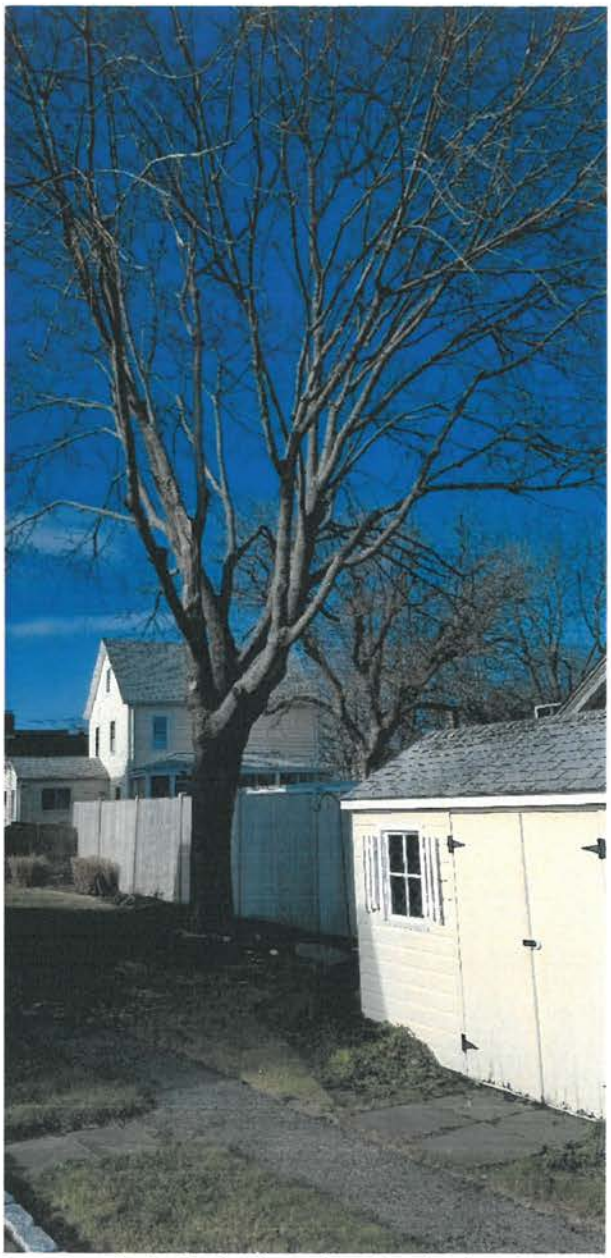


Photo 13 – Looking westerly in the backyard at the shed and tree - January 11, 2023.

Photo 14 – Looking easterly along the side of the house - January 11, 2023.

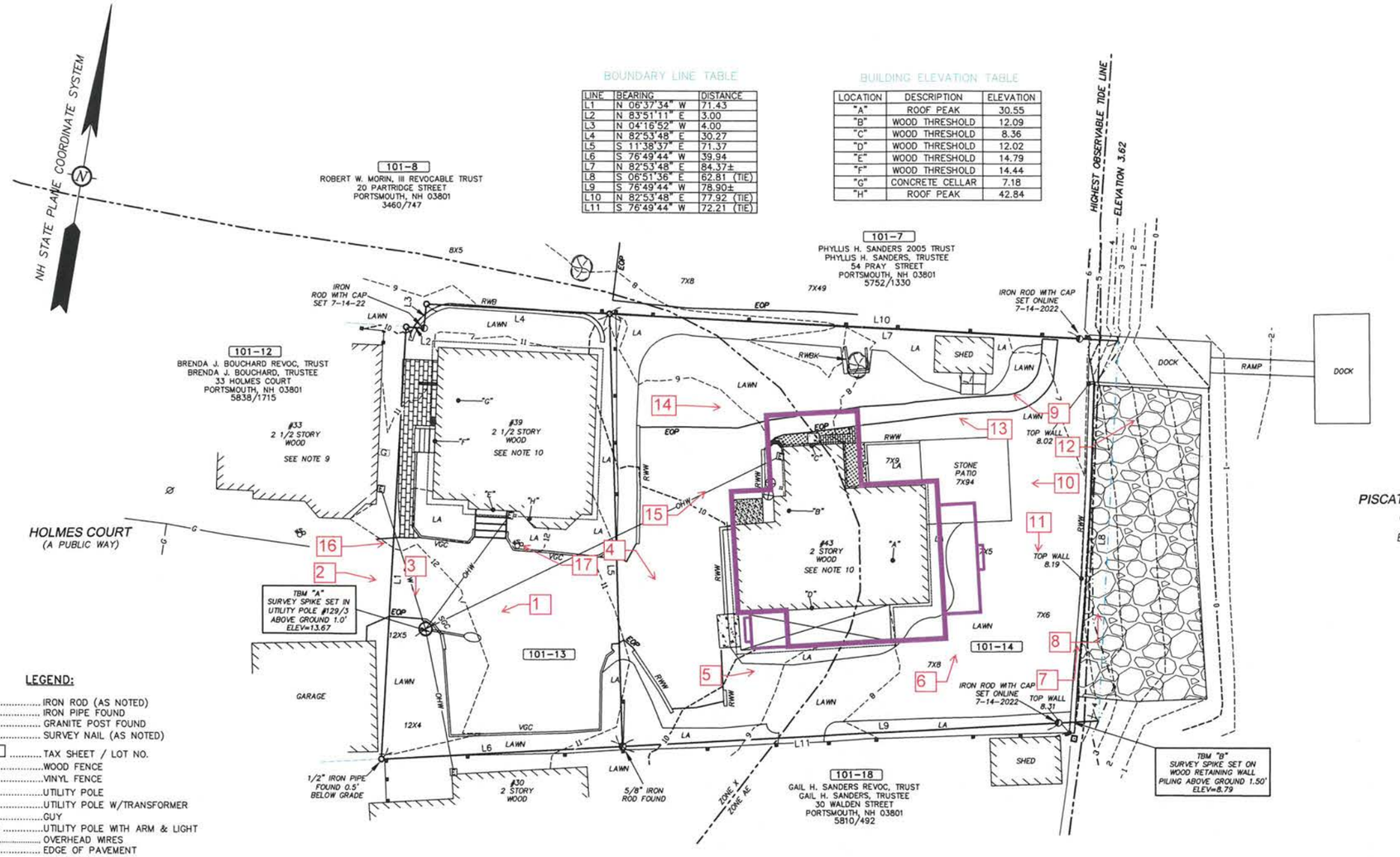
Photo 15 - Looking northerly at the driveway and proposed house corners - January 11, 2023.

BOUNDARY LINE TABLE

LINE	BEARING	DISTANCE
L1	N 06°37'34" W	71.43
L2	N 83°51'11" E	3.00
L3	N 04°16'52" W	4.00
L4	N 82°53'48" E	30.27
L5	S 11°38'37" E	71.37
L6	S 76°49'44" W	39.94
L7	N 82°53'48" E	84.37±
L8	S 06°51'36" E	62.81 (TIE)
L9	S 76°49'44" W	78.90±
L10	N 82°53'48" E	77.92 (TIE)
L11	S 76°49'44" W	72.21 (TIE)

BUILDING ELEVATION TABLE

LOCATION	DESCRIPTION	ELEVATION
"A"	ROOF PEAK	30.55
"B"	WOOD THRESHOLD	12.09
"C"	WOOD THRESHOLD	8.36
"D"	WOOD THRESHOLD	12.02
"E"	WOOD THRESHOLD	14.79
"F"	WOOD THRESHOLD	14.44
"G"	CONCRETE CELLAR	7.18
"H"	ROOF PEAK	42.84



LEGEND:

- IRON ROD (AS NOTED)
- IRON PIPE FOUND
- GRANITE POST FOUND
- SURVEY NAIL (AS NOTED)
- 101-14 ..... TAX SHEET / LOT NO.
- WOOD FENCE
- VINYL FENCE
- UTILITY POLE
- UTILITY POLE W/TRANSFORMER
- GUY
- UTILITY POLE WITH ARM & LIGHT
- OHW — OVERHEAD WIRES
- EOP — EDGE OF PAVEMENT
- LA — LANDSCAPED AREA
- RWB — LANDSCAPE BLOCK RETAINING WALL
- RWBK — BRICK RETAINING WALL
- VGC — VERTICAL FACED GRANITE CURB
- RCRD — ROCKINGHAM COUNTY REGISTRY OF DEEDS
- CONCRETE
- BRICK PAVERS
- CRUSHED STONE
- RIP RAP
- RETAINING WALL

GRAPHIC SCALE

10 0 5 10 20 40

(IN FEET)

P5328

ALTUS ENGINEERING, INC.

133 Court Street Portsmouth, NH 03801
(603) 433-2335 www.altus-eng.com

NOT FOR CONSTRUCTION

ISSUED FOR: CLIENT REVIEW

ISSUE DATE: AUGUST 10, 2022

REVISIONS

NO.	DESCRIPTION	BY	DATE
0	DISCUSSION	EBS	08/10/22

DRAWN BY: RLH
APPROVED BY: EBS
DRAWING FILE: 5328.DWG

SCALE:
22" x 34" - 1" = 10'
11" x 17" - 1" = 5'

OWNER/APPLICANT:
30 HOLMES COURT, LLC. &
43 HOLMES COURT, LLC.
30 WALDREN STREET
PORTSMOUTH, NH 03801
ASSESSOR'S PARCELS
MAP 101 - LOTS 13 & 14

PROJECT:
PROPOSED SITE DEVELOPMENT PLANS
HOLMES COURT
#39 & #43
PORTSMOUTH, NH
ASSESSOR'S PARCELS
MAP 101-LOTS 13 & 14

TITLE:
PHOTO KEY

SHEET NUMBER:
1 OF 1


Zoom To
Share
Search
Selection
Themes
Markup
Pray St
Marcy St
Partridge St
Holmes Ct
Walden St
S School St
Humphreys Ct
101-1
101-2
101-3
101-4
101-5
101-6
101-7
101-8
101-9
101-11
101-12
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101-14
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101-19
101-20
101-21
101-22
101-22-A
101-42
101-43
101-57
101-58
101-74
101-75
101-76
SITE
Keyboard shortcuts
Map data ©2022
20 ft
Terms of Use
Report a map error

Tax Map

Please mail the completed form and required material to:

New Hampshire Division of Historical Resources
State Historic Preservation Office
Attention: Review & Compliance
19 Pillsbury Street, Concord, NH 03301-3570

RECEIVED JUN 10 2022

DHR Use Only	
R&C #	13954
Log In Date	6/10/22
Response Date	__/__/__
Sent Date	__/__/__

Request for Project Review by the New Hampshire Division of Historical Resources

☒ This is a new submittal
☐ This is additional information relating to DHR Review & Compliance (R&C) #:

GENERAL PROJECT INFORMATION

Project Title Residence Redevelopment

Project Location 43 Holmes Court

City/Town Portsmouth Tax Map 101 Lot # 14

NH State Plane - Feet Geographic Coordinates: Easting 1229485 Northing 209555
(See RPR Instructions and R&C FAQs for guidance.)

Lead Federal Agency and Contact *(if applicable)* ACOE
(Agency providing funds, licenses, or permits)
Permit Type and Permit or Job Reference # Not yet assigned

State Agency and Contact *(if applicable)* NHDES Wetlands

Permit Type and Permit or Job Reference # Not yet assigned

APPLICANT INFORMATION

Applicant Name 43 Holmes Court, LLC

Mailing Address 30 Walden St. Phone Number

City Portsmouth State NH Zip 03801 Email stephensinglar@yahoo.com

CONTACT PERSON TO RECEIVE RESPONSE

Name/Company Erik Saari, Altus Engineering, Inc.

Mailing Address 133 Court St. Phone Number 603-433-2335

City Portsmouth State NH Zip 03801 Email esaari@altus-eng.com

This form is updated periodically. Please download the current form at www.nh.gov/nhdhr/review. ***Please refer to the Request for Project Review Instructions for direction on completing this form.*** Submit one copy of this project review form for each project for which review is requested. **Please include a self-addressed stamped envelope**. Project submissions will not be accepted via facsimile or e-mail. This form is required. Review request form must be complete for review to begin. Incomplete forms will be sent back to the applicant without comment. Please be aware that this form may only initiate consultation. For some projects, additional information will be needed to complete the Section 106 review. All items and supporting documentation submitted with a review request, including photographs and publications, will be retained by the DHR as part of its review records. Items to be kept confidential should be clearly identified. For questions regarding the DHR review process and the DHR's role in it, please visit our website at: www.nh.gov/nhdhr/review or contact the R&C Specialist at marika.s.labash@dncr.nh.gov or 603.271.3558.

PROJECTS CANNOT BE PROCESSED WITHOUT THIS INFORMATION

Project Boundaries and Description

- [X] Attach the Project Mapping ***using EMMIT or relevant portion of a 7.5' USGS Map.*** *(See RPR Instructions and R&C FAQs for guidance.)*
- [X] Attach a detailed narrative description of the proposed project.
- [X] Attach a site plan. The site plan should include the project boundaries and areas of proposed excavation.
- [X] Attach photos of the project area (overview of project location and area adjacent to project location, and specific areas of proposed impacts and disturbances.) *(Informative photo captions are requested.)*
- [X] A DHR records search must be conducted to identify properties within or adjacent to the project area. Provide records search results via EMMIT or in **Table 1**. *(Blank table forms are available on the DHR website.)* Please note, using EMMIT Guest View for an RPR records search does not provide the necessary information needed for DHR review.
  EMMIT or in-house records search conducted on 06 / 03 / 2022.

Architecture

Are there any buildings, structures (bridges, walls, culverts, etc.) objects, districts or landscapes within the project area? [X] Yes [ ] No
If no, skip to Archaeology section. If yes, submit all of the following information:

Approximate age(s):

- [X] Photographs of ***each*** resource or streetscape located within the project area, with captions, along with a mapped photo key. (Digital photographs are accepted. All photographs must be clear, crisp and focused.)
- [X] If the project involves rehabilitation, demolition, additions, or alterations to existing buildings or structures, provide additional photographs showing detailed project work locations. (i.e. Detail photo of windows if window replacement is proposed.)

Archaeology

Does the proposed undertaking involve ground-disturbing activity? [X] Yes [ ] No
If yes, submit all of the following information:

- [X] Description of current and previous land use and disturbances.
- [X] Available information concerning known or suspected archaeological resources within the project area (such as cellar holes, wells, foundations, dams, etc.)

Please note that for many projects an architectural and/or archaeological survey or other additional information may be needed to complete the Section 106 process.

DHR Comment/Finding Recommendation *This Space for Division of Historical Resources Use Only*

[ ] Insufficient information to initiate review. [✓] Additional information is needed in order to complete review.

[ ] No Potential to cause Effects [ ] No Historic Properties Affected [ ] No Adverse Effect [ ] Adverse Effect

Comments: PLEASE PROVIDE PROJECT PLANS DEPICTING AREAS OF GROUND-DISTURBING ACTIVITY & AREAS OF PRIOR IMPACT (i.e. UTILITIES, ETC).
Please provide NDC comment to DHR for our review.

If plans change or resources are discovered in the course of this project, you must contact the Division of Historical Resources as required by federal law and regulation.

Authorized Signature: Jamie Miller, DSHPO Date: 6/29/22

ALTUS ENGINEERING

Civil
Site Planning
Environmental
Engineering

133 Court Street
Portsmouth, NH
03801-4413

February 21, 2023

NHDES Reviewer
Wetlands Bureau
29 Hazen Drive
Concord, NH 03301

Re: NHDHR Comments
Tax Map 101, Lot 14
43 Holmes Court
Portsmouth, NH 03801
P5328

Dear Reviewer:

The NHDHR Request for Review returned the following comment "Please provide HDC comment to DHR for our review" on 6/29/22.

The proposed site improvements have now been approved at the City of Portsmouth Zoning Board of Adjustment on December 20, 2022 and a formal application to the HDC will be submitted on or about February 10, 2023. It is anticipated the Historic District Commission will approve the replacement of the single family residence at 43 Holmes Court based on their verbal discussions at a work session in 2022.

Altus Engineering will forward the results of that deliberation to NHDES Wetlands Bureau when it is received.

Please feel free to contact us, the Applicant's engineering consultant, at (603) 433-2335, if you have any questions. Thank you for your time concerning this matter.

Sincerely,

ALTUS ENGINEERING

Erik B. Saari
Vice President

ebs/5328.05.CoverLtr-Portsmouth.docx

Enclosures

CITY OF PORTSMOUTH

Planning Department
1 Junkins Avenue
Portsmouth, New
Hampshire 03801

(603) 610-7216

ZONING BOARD OF ADJUSTMENT

January 4, 2023

Stephen A and Kathryn L Singlar
21 Elliot Street
Exeter, 03833

RE: **Board of Adjustment request for property located at 43 Holmes Court (LU-22-227)**

Dear Property Owners:

The Zoning Board of Adjustment, at its regularly scheduled meeting of **December 20, 2022**, considered your application for demolishing the existing dwelling and constructing a new single-family dwelling which requires the following: 1) Variances from Section 10.531 to allow a) a lot area of 5,353 square feet where 20,000 square feet is required; b) 0 feet of street frontage where 100 feet is required; c) 75' of lot depth where 100 feet is required; d) a 17 foot front yard where 30 feet is required; e) a 14 foot left side yard where 30 feet is required; and f) a 14 foot right side yard where 30 feet is required. 2) A Variance from Section 10.440, Use # 1.10 to allow a single family dwelling where the use is not permitted. Said property is shown on Assessor Map 101 Lot 14 and lies within the Waterfront Business (WB) and Historic District. As a result of said consideration, the Board voted to **grant** the variances as presented and advertised.

The Board's decision may be appealed up to thirty (30) days after the vote. Any action taken by the applicant pursuant to the Board's decision during this appeal period shall be at the applicant's risk. Please contact the Planning Department for more details about the appeals process.

Approvals may also be required from other City Commissions or Boards. Once all required approvals have been received, applicant is responsible for applying for and securing a building permit from the Inspection Department prior to starting any project work.

This approval shall expire unless a building permit is issued within a period of two (2) years from the date granted unless an extension is granted in accordance with Section 10.236 of the Zoning Ordinance.

The Findings of Fact associated with this decision are available: attached here or as an attachment in the Viewpoint project record associated with this application and on the Zoning Board of Adjustment Meeting website:

https://www.cityofportsmouth.com/planportsmouth/zoning-board-adjustment/zoning-board-adjustment-archived-meetings-and-material

The minutes and audio recording of this meeting are available by contacting the Planning Department.

Very truly yours,

Beth L Margeson

Beth Margeson, Acting Chair of the Zoning Board of Adjustment

cc: Shanti Wolph, Chief Building Inspector

Rosann Maurice-Lentz, City Assessor

Derek Durbin, Durbin Law Offices PLL

Findings of Fact | Variance
City of Portsmouth Zoning Board of Adjustment

Date: December 20, 2022

Property Address: 43 Holmes Court

Application #: LU-22-227

Decision: **Granted**

Findings of Fact:

Effective August 23, 2022, amended RSA 676:3, I now reads as follows: The local land use board shall issue a final written decision which either approves or disapproves an application for a local permit and make a copy of the decision available to the applicant. **The decision shall include specific written findings of fact that support the decision. Failure of the board to make specific written findings of fact supporting a disapproval shall be grounds for automatic reversal and remand by the superior court upon appeal, in accordance with the time periods set forth in RSA 677:5 or RSA 677:15, unless the court determines that there are other factors warranting the disapproval.** If the application is not approved, the board shall provide the applicant with written reasons for the disapproval. If the application is approved with conditions, the board shall include in the written decision a detailed description of the all conditions necessary to obtain final approval.

The proposed application meets/does not meet the following purposes for granting a Variance:

Section 10.233 Variance Evaluation Criteria	**Finding** (Meets Criteria)	**Relevant Facts**
10.233.21 Granting the variance would not be contrary to the public interest.	**YES**	• The existing use is residential and will not be changing.
10.233.22 Granting the variance would observe the spirit of the Ordinance.	**YES**	• The property has existed as residential and the surrounding properties are residential. Creating a commercial business on the property would be disruptive to the entire street and neighborhood.
10.233.23 Granting the variance would do substantial justice.	**YES**	• The nature of Holmes Court is such that it would be impractical to justify that it would contribute to the

		waterfront business district. • The existing use will remain residential.
10.233.24 Granting the variance would not diminish the values of surrounding properties.	**YES**	• The existing use will remain residential. • The property has existed as residential and the surrounding properties are residential. Creating a commercial business on the property would be disruptive to the entire street and neighborhood.
10.233.25 Literal enforcement of the provisions of the Ordinance would result in an unnecessary hardship. (a)The property has special Conditions that distinguish it from other properties in the area. AND (b)Owing to these special conditions, a fair and substantial relationship does not exist between the general public purposes of the Ordinance provision and the specific application of that provision to the property; and the proposed use is a reasonable one. OR Owing to these special conditions, the property cannot be reasonably used in strict conformance with the Ordinance, and a variance is therefore necessary to enable a reasonable use of it.	**YES**	• The property has existed as residential and the surrounding properties are residential. Creating a commercial business on the property would be disruptive to the entire street and neighborhood.

Stipulations
1.
2.
3.
4.

ALTUS ENGINEERING

Civil
Site Planning
Environmental
Engineering

133 Court Street
Portsmouth, NH
03801-4413

February 7, 2023

New Hampshire Department of Environmental Services
29 Hazen Drive
PO Box 95
Concord, NH 03302-0095

Re: NHDES Wetlands Permit
Proposed Residence Redevelopment Plans
Tax Sheet 101, Lot 14
43 Holmes Court
Portsmouth, NH
P5328

ABUTTER'S LIST (Wetlands & Shoreland Permit Applications Only) –

Tax Map / Parcel	Abutter Name & Address
101 / 7	Phyllis H. Sanders 2005 Trust 54 Pray Street Portsmouth, NH 03801
101 / 12	Brenda J. Bouchard Rev. Trust of 1999 33 Holmes Court Portsmouth, NH 03801
101 / 18	Gail H. Sanders Rev. Trust of 1998 30 Walden Street Portsmouth, NH 03801

wde/5328.029.abutters.list-wetlands-shoreland-ap-only.doc

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Sent To PHYLLIS H. SANDERS 2005 TRUST
Street and Apt. No., or PO Box No. 5 + PRAY STREET
City, State, ZIP+4® PORTSMOUTH NH 03801

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

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Total Postage and Fees	$5.02

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Sent To BRENDA J. BOUCHARD REV. TR. OF 1999
Street and Apt. No., or PO Box No. 33 HOLMES COURT
City, State, ZIP+4® PORTSMOUTH NH 03801

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

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☐ Adult Signature Restricted Delivery	$
Postage	$0.87
Total Postage and Fees	$5.02

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Sent To GAIL H. SANDERS REV. TR. OF 1999
Street and Apt. No., or PO Box No. 30 WALDEN STREET
City, State, ZIP+4® PORTSMOUTH NH 03801

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

ABUTTER STATEMENT LETTER
WETLAND PERMIT APPLICATION

Altus Engineering, Inc.
133 Court Street
Portsmouth, NH 03801

RE: Wetland Permit Application

Tax Map 101, Lot 14
43 Holmes Court
Portsmouth, NH 03801

To whom it may concern,

I/We have reviewed the plan prepared by Altus Engineering, Inc., acting as Agent for 43 Holmes Court, LLC which depicts proposed improvements associated with the replacement of the residence at 43 Holmes Court and have no objections to the work as proposed.

_____ _____

Phyllis H. Sanders 2005 Trust
Tax Map 101, Lot 7
Portsmouth, NH

Date

ABUTTER STATEMENT LETTER
WETLAND PERMIT APPLICATION

Altus Engineering, Inc.
133 Court Street
Portsmouth, NH 03801

RE: Wetland Permit Application

Tax Map 101, Lot 14
43 Holmes Court
Portsmouth, NH 03801

To whom it may concern,

I/We have reviewed the plan prepared by Altus Engineering, Inc., acting as Agent for 43 Holmes Court, LLC which depicts proposed improvements associated with the replacement of the residence at 43 Holmes Court and have no objections to the work as proposed.

_____ _____

Gail H. Sanders Revoc. Trust
Tax Map 101, Lot 18
Portsmouth, NH

Date

ALTUS ENGINEERING

Civil
Site Planning
Environmental
Engineering

133 Court Street
Portsmouth, NH
03801-4413

February 7, 2023

Re: NHDES Wetlands Permit Application
Tax Map 101 Lot 14
43 Holmes Court
Portsmouth, NH
P5328

Dear Abutter:

Pursuant to State of New Hampshire RSA Chapter 482-A, this letter is to notify you that 43 Holmes Court, LLC (Tax Map 101, Lot 14), owner and applicant, is submitting a Wetland Permit Application to the NHDES Wetlands Bureau.

The application proposes to raze and replace the existing residence along with other site improvements. The demolition & subsequent utility installations and other site improvements will impact areas within the previously disturbed and developed 100' tidal buffer zone. There are additional impacts located between the 100-foot and 250-foot zones of the Shoreland Protection Buffer.

This letter is for the notification of abutting property owners only. As the improvements are less than 20-feet from your common property line we are required to attempt to obtain a letter from you stating you have no objections to the proposed improvements that are within 20-feet of the property line.

Please review the plan and if you have no objections to the components of the project that are within 20-feet of the common property line, sign the enclosed form and return it in the self-addressed envelope. If the applicant cannot obtain your consent, they have the right to apply to NHDES for a waiver of the requirement. The majority of the proposed work takes place no closer than the common property line. Every effort to limit the minimal amount of disturbance will be made.

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

Sincerely,

Erik Saari
Vice President

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