



TND ENGINEERING

TRAFFIC, TND, TRANSPORTATION AND CONSULTING

224 State Street
PORTSMOUTH, NH 03801
p. 603.479-7195
Email: Chellman@TNDEngineering.com

NH Dept of Environmental Services
Wetlands Bureau
29 Hazen Drive, PO Box 95
Concord, NH 03302-0095
Attention: Brandy Holmes
VIA Email Only: Brandy.L.Holmes@DES.NH.Gov

May 21, 2024

Re: Wetlands permit Application Wentworth-Gardner property

Dear Ms. Holmes:

Thank-you again for the call concerning the above application. As requested, I have separated the wetland portions of the application into this submittal.

As you go through the materials, you will note that the narrative remains the same as the underlying necessary work also remains the same. The City Clerk and Karen Bouffard signed the original forms (that you have paper copies of already, now presumably with the shoreland permit package), but I have included copies of those pages and the copies of the return receipts for the abutters' mailings.

As I mentioned on the phone, the site is quite small and also happens to fall on the dividing line between the Portsmouth & Kittery USGS maps. For that reason, I included the site location from the Portsmouth GIS mapping, which is still included. However, I have also added a map using the two USGS sheets that you will find on the page following the more usable GIS location page.

I am ready to assist with any questions you may have concerning this application.

Sincerely,



Rick Chellman, PE, LLS

Enclosed herewith is the application package for a small amount of work proposed at the Wentworth-Gardner property located at 49 Mechanic Street, tax map 103, parcel 41, in Portsmouth. The owner is the Wentworth-Gardner and Tobias Lear Houses Association (hereafter Wentworth-Gardner), a non-profit which has owned this property since 1940.

Project Description and Narrative

The initial catalyst for this application is the foundation repair that is necessary for the so-called “warehouse” building on this historic property. Based on a Condition Assessment Report prepared by Bedard Preservation and Restoration, LLC and Mae Williams, Preservation Consultant in June, 2023, this former warehouse building was constructed by 1760, and likely even earlier, circa 1740, along the Portsmouth waterfront adjacent to the Piscataqua river, a little south of the bridge to Pierce Island. The adjacent Wentworth-Gardner home itself was constructed in 1760 and it is not a part of this application (see Figure 1).



Figure 1: Site from East

Over the ensuing 270 years or so, the foundation walls along the west and part of the north sides have become deteriorated and in need of repair. Given the special historic nature of the building and grounds, the foundation repair will need to be completed by a specialist mason skilled in restoration, and all of the work will also be supervised by an archeologist. This repair work has also been funded by a grant from the State of New Hampshire under the LCHIP program. The second part of this application concerns portions of the grounds, which are today all grassed lawn.

Specifically, the building known as the warehouse is slated to continue to be used as a meeting space for gatherings on the property as it has a large ground floor space quite suitable for that purpose.

To enhance these meetings, which typically occur only during the summer season when the property is fully open to the public, the stewards of the property propose a walkway from the existing front of the Wentworth-Gardner house to a newly constructed patio just west of the warehouse; the walkway and patio are shown colored red in Figure 2, as is the foundation repair. Opening the warehouse doors on the west side will allow guests to gather inside and out as the weather permits, and the walkway will allow passage over the lawn area without slipping or sinking into the grass.

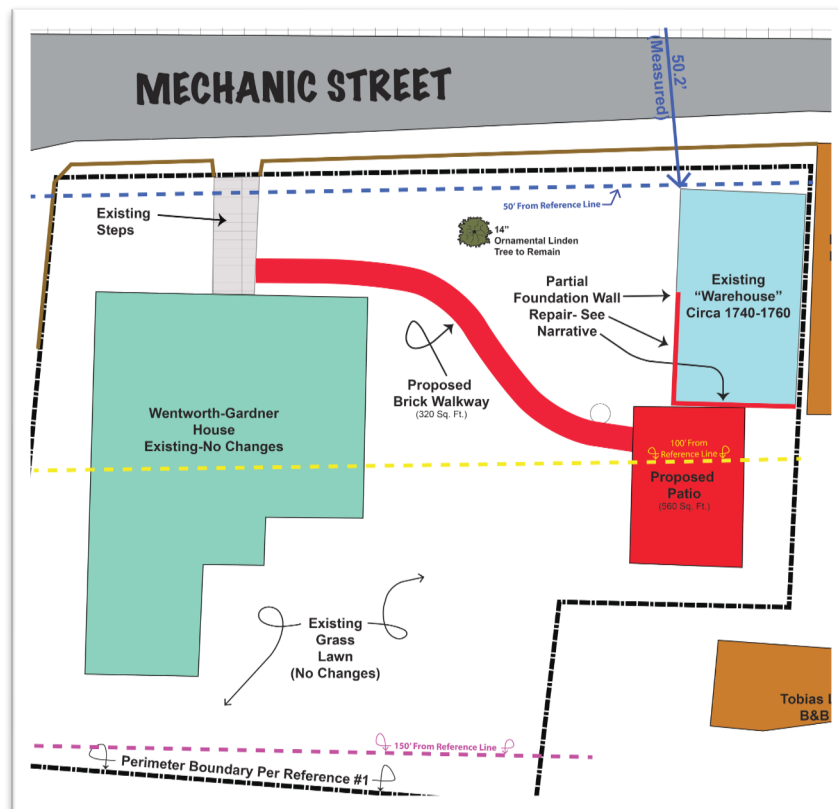


Figure 2: Partial Copy of Application Plan

The reference line of the Piscataqua, which is tidal, is the easterly side of a retaining wall that has been in place at least for many decades, and is quite substantial (Figures 2 and 3). The warehouse building's foundation is 50.2' from the reference line as personally measured with a laser in April of this year, so the warehouse is a conforming structure. The other setbacks associated with the shoreland are depicted on the accompanying plans, except the 250' limit which extends well beyond the boundaries of the Wentworth-Gardner property.



Figure 3: View South on Mechanic Street- Warehouse at Right

The repair work to the foundation will require some removal of the earth that has accumulated over the years simply to access the foundation itself. There is no accessible space under the building to access the foundation from that side. This earth removal that is necessary for these repairs will constitute “excavation” and it will be within 100’ of the reference line. The plans show what is expected to be the limits of the necessary repair, comprising the entire west wall and a portion of the north wall (red line on plan view). Because the foundation is not fully visible, the precise limits of the needed repair will not be fully known until the work is underway and the mason, the owner and the archeologist can confer on what has been discovered, but best estimates are where it has been shown on the plans.

The proposed construction will increase the impervious surface of the property to 32.5%, and for that reason, a drainage analysis was conducted.

New Hampshire Natural Heritage Bureau Review

A NH Natural Heritage Bureau Review datacheck was submitted and a reply received on April 23, 2024 (attached). This reply showed there was a NHB record “in the vicinity” of the proposed project, but it was further determined that the project is not expected to impact that record, and that no further consultation was required.

Wetlands and Forest

This property has been a part of the developed urban waterfront of Portsmouth

for more than 270 years.¹ The subject property itself is fully developed and manicured lawn with limited other plantings around the picket fence along some of the perimeter. No evidence of wetlands ponding or plant species were noted. The Wentworth-Gardner property is also a non-profit and it was considered an unnecessary expense to conduct a formal wetlands review by a wetlands scientist due to the developed, urban and small parcel size involved.

Similarly, there has not been any “forest” of any sort on or near the subject property for literally hundreds of years (again, see footnote 1). There is one ornamental Linden tree on the subject property near the center of its streetfront side (Figure 2).

As a significant historic resource, this property has been the recipient of grants through the years for its upkeep and enhancement. The work proposed in these applications is partly funded with an LCHIP grant recently received from the State.

Unlike many private properties near waterfront, where the owners seek to “open up” the vegetated area between a residence and the water for view purposes, this historic property’s appearance from the street has been and remains an important part of how the public experiences the property. While the restriction below just lapsed, it is an example of the importance attached to the need for an open front yard and one reason why a waiver is requested to not have any replantings required in the very narrow area of buffer extant. Indeed, such plantings could preclude necessary future grants for this public, non-profit site.

1.1 **Recipient's Covenants: Prohibited Activities.** The following acts or uses are expressly forbidden on, over, or under the Property, except as otherwise conditioned in this paragraph:

- (a) the Resource shall not be demolished, removed, razed, or otherwise destroyed except as provided in paragraphs 6 and 7;
- (b) no action shall be undertaken which would adversely affect the structural soundness of the Resource;
- (c) nothing shall be erected or allowed to grow on the Property which would impair the visibility of the Resource from street level;

Figure 4: Partial Copy of Restriction

Local Jurisdiction

This property lies within the Historic District of the City of Portsmouth and an

¹ This is not speculation or hyperbole. The historical assessment report completed in June 2023 as a part of the LCHIP grant proposal documented the warehouse as dating from 1740-1760, with several 18th century maps and documents showing the subject area developed as a store and as a warehouse, with piers, etc in the area and all of the area of the proposed walkway as a “garden” in 1798.

exemption was issued 3/25/2024 (attached). No zoning setbacks apply to the proposed work as it constitutes repair and the walkway/patio are not considered “structures” in the City’s zoning.

This application will be presented to the Conservation Commission for signature concurrent with the NHDES submission, and a signed copy will be sent immediately to NHDES on receipt.

Drainage Analysis & Calculations

Proposed Construction

The proposed construction is a 4’ walkway and a patio of 560 sq. ft., all of which is proposed to be constructed over an existing grassed lawn. The total area of the new construction is 880 square feet.

The site abuts a public street that in turn abuts the Piscataqua River. The street has a closed drainage system owned and maintained by the City of Portsmouth.

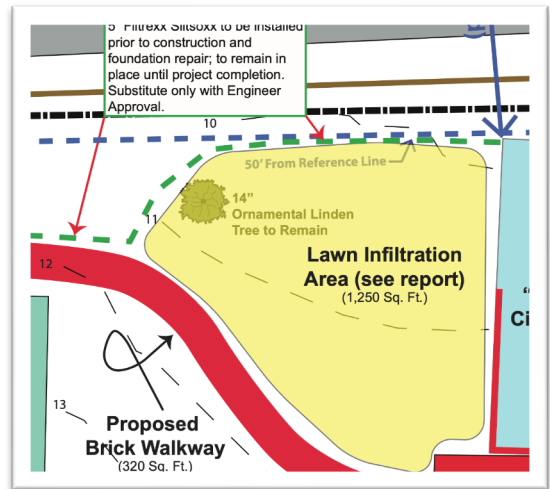


Figure 5: From Plans, Showing Infiltration Area

The calculations for a 10-year, 24 storm were completed for pre and post-construction conditions.

Existing Conditions:

Given the small areas involved, and its conservative outputs, the Rational Method was used to calculate runoff from each condition.

Drainage Area : 2,130 sq. ft
 10-year, 24 hour storm: 4.4” of rainfall. Or 0.183”/hour²

This yields a peak flow of 0.002 cubic ft/sec (0.013 gallons/sec)

TOWN	24-hour SCS Rainfall*					
	1 yr	2 yr	10 yr	25 yr	50 yr	100 yr
NEWFIELDS	2.6	3.0	4.4	5.2	5.7	6.4
NEWINGTON	2.6	3.0	4.4	5.2	5.7	6.4
NEWMARKET	2.6	3.0	4.3	5.2	5.7	6.4
NEWPORT	2.3	2.7	4.1	4.8	5.3	6.0
NEWTON	2.6	3.1	4.4	5.2	5.8	6.5
NORTH HAMPTON	2.6	3.1	4.4	5.2	5.8	6.5
NORTHFIELD	2.4	2.8	4.2	5.0	5.5	6.1
NORTHUMBERLAND	2.4	2.5	4.0	4.9	5.1	5.9
NORTHWOOD	2.5	2.9	4.3	5.1	5.6	6.3
NOTTINGHAM	2.5	3.0	4.3	5.1	5.7	6.4
ODELL	2.4	2.5	3.9	4.7	5.0	5.7
ORANGE	2.3	2.6	4.0	4.8	5.3	5.9
ORFORD	2.3	2.6	4.0	4.7	5.1	5.8
OSSIPEE	2.5	2.9	4.3	5.2	5.5	6.2
PELHAM	2.6	3.0	4.4	5.2	5.8	6.5
PEMBROKE	2.4	2.9	4.2	5.0	5.6	6.2
PETERBOROUGH	2.4	2.9	4.2	5.0	5.6	6.3
PIERMONT	2.3	2.5	3.9	4.7	5.1	5.8
PINKHAM'S GRANT	3.0	3.8	5.2	6.2	6.6	7.2
PITTSBURG	2.3	2.4	3.7	4.4	4.9	5.2
PITTSFIELD	2.5	2.9	4.2	5.1	5.6	6.2
PLAINFIELD	2.3	2.6	4.0	4.8	5.2	5.9
PLAISTOW	2.6	3.1	4.4	5.2	5.8	6.5
PLYMOUTH	2.4	2.7	4.2	4.9	5.3	5.9
PORTSMOUTH	2.6	3.1	4.4	5.2	5.8	6.5
RANDOLPH	2.7	3.3	4.6	5.2	6.1	6.4

Proposed (Build) Conditions:

² NHDES Appendix A 24-hour SCS Rainfall Table, partial copy above.

Drainage Area (same area including proposed to be disturbed): 880 sq. ft impervious and 1,250 sq. ft. pervious.
10-year, 24 hour storm: .183 in/hr
This yields a peak flow of 0.004 cubic ft/sec (0.033 gallons/sec)

The 10-year storm (0.183"/hr) will deposit on an area of 2,130 sq. ft. rainwater in the amount of 243 gal/hour or 0.067 gallons/second. Similarly, the undisturbed 1,250 sq. ft. area will receive direct 10-year rainfall in the amount of 143 gallons/hour or 0.04 gallons/second.

The undisturbed lawn area below the proposed construction will be 1,250 sq. ft. The upstream construction will increase the stormwater flow into this area by .004 cfs which is 0.03 gallons/second, or 108 gallons/hour. Combining the direct stormwater with the additional stormwater from the proposed construction will place 0.073 gallons/second or 261 gallons/hour into this 1,250 sq. ft. area.

A percolation test was run on site on April 26, which yielded a range of infiltration rates from 5.5 in/hr at the beginning of the test to 1.7 in/hr after several hours and saturation; 1.7 in/hr was used for design infiltration rate. This rate is consistent with, and in the middle of, a range of rates as studied and reported for similar lawn infiltration rates in Pennsylvania.³

The infiltration rate of the undisturbed land area can therefore absorb and infiltrate 1.7 in/hr over 1,250 sq. ft. or 177 cubic ft/hour which is 0.05 cubic feet/second or 0.37 gallons/second. Therefore, flow onto the undisturbed lawn area of 0.073 gallons/second with the proposed construction will be less than the infiltration capacity of 0.37 gallons/second and no excess runoff offsite will be caused by the proposed construction for the design storm.

Based on my analysis, it is my opinion as a professional engineer that the post-development volume and peak flow based on the 10-year, 24 hour storm event will not exceed pre-development volumes and peaks off this property within the protected shoreland, pursuant to RSA 483-B:9V (g) (1).

Sincerely,


Chester "Rick" Chellman, P.E., L.L.S.



³ Infiltration Rates on Residential Lawns in Central Pennsylvania, Hamilton & Waddington, Journal of Soil and Water Conservation, 1999 pp 564-568.

ATTACHMENTS

- Standard Dredge Fill Application
- NH Natural Heritage Bureau Review Letter and Maps
- Wentworth-Gardner Deed
- Site Map
- USGS composite map
- Tax Map 103
- City of Portsmouth Exemption for Historic District
- Abutters names, addresses and locations on Tax Map base
- Abutter letter
- Copies of mailing return receipts

Separate Plan Set

- Sheet 1, existing conditions and proposal with coverage calculations
- Sheet 2 with April 2024 photos
- Sheet 3 with drainage and erosion control



STANDARD DREDGE AND FILL WETLANDS PERMIT APPLICATION

Water Division / Land Resources Management
[Check the Status of your Application](#)



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

APPLICANT'S NAME:

TOWN NAME:

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?	<input type="checkbox"/> Yes <input type="checkbox"/> No
Does the property contain a PRA? If yes, provide the following information: <ul style="list-style-type: none"> • Does the project qualify for an Impact Classification Adjustment (e.g. NH Fish and Game Department (NHFG) 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. • Protected species or habitat? <ul style="list-style-type: none"> ○ If yes, species or habitat name(s): ○ NHB Project ID #: • Bog? • Floodplain wetland contiguous to a tier 3 or higher watercourse? • Designated prime wetland or duly-established 100-foot buffer? • Sand dune, tidal wetland, tidal water, or undeveloped tidal buffer zone? 	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Yes <input type="checkbox"/> No
Is the property within a Designated River corridor? If yes, provide the following information: <ul style="list-style-type: none"> • Name of Local River Management Advisory Committee (LAC): • A copy of the application was sent to the LAC on Month: Day: Year: 	<input type="checkbox"/> Yes <input type="checkbox"/> No

For dredging projects, is the subject property contaminated? • If yes, list contaminant:	<input type="checkbox"/> Yes <input type="checkbox"/> No
---	--

Is there potential to impact impaired waters, class A waters, or outstanding resource waters?	<input type="checkbox"/> Yes <input type="checkbox"/> No
---	--

For stream crossing projects, provide watershed size (see [WPPT](#) or Stream Stats):

SECTION 2 - PROJECT DESCRIPTION (Env-Wt 311.04(i))
 Provide a description of the project and the purpose of the project, the need for the proposed impacts to jurisdictional areas, an outline-of the scope of work to be performed, and whether impacts are temporary or permanent.

SECTION 3 - PROJECT LOCATION
 Separate wetland permit applications must be submitted for each municipality within which wetland impacts occur.

ADDRESS:

TOWN/CITY:

TAX MAP/BLOCK/LOT/UNIT:

US GEOLOGICAL SURVEY (USGS) TOPO MAP WATERBODY NAME:
 N/A

(Optional) LATITUDE/LONGITUDE in decimal degrees (to five decimal places):

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:		
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 5 - AUTHORIZED AGENT INFORMATION (Env-Wt 311.04(c))		
<input type="checkbox"/> N/A		
LAST NAME, FIRST NAME, M.I.:		
COMPANY 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 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.		
<input type="checkbox"/> 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.		

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

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

des.nh.gov

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):

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/ivers, the linear footage of impact is calculated by summing the lengths of disturbances to the channel and banks.

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

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

JURISDICTIONAL AREA		PERM. SF	PERM. LF	PERM. ATF	TEMP. SF	TEMP. LF	TEMP. ATF
Wetlands	Forested Wetland			<input type="checkbox"/>			<input type="checkbox"/>
	Scrub-shrub Wetland			<input type="checkbox"/>			<input type="checkbox"/>
	Emergent Wetland			<input type="checkbox"/>			<input type="checkbox"/>
	Wet Meadow			<input type="checkbox"/>			<input type="checkbox"/>
	Vernal Pool			<input type="checkbox"/>			<input type="checkbox"/>
	Designated Prime Wetland			<input type="checkbox"/>			<input type="checkbox"/>
	Duly-established 100-foot Prime Wetland Buffer			<input type="checkbox"/>			<input type="checkbox"/>
Surface	Intermittent / Ephemeral Stream			<input type="checkbox"/>			<input type="checkbox"/>
	Perennial Stream or River			<input type="checkbox"/>			<input type="checkbox"/>
	Lake / Pond			<input type="checkbox"/>			<input type="checkbox"/>
	Docking - Lake / Pond			<input type="checkbox"/>			<input type="checkbox"/>
	Docking - River			<input type="checkbox"/>			<input type="checkbox"/>
Banks	Bank - Intermittent Stream			<input type="checkbox"/>			<input type="checkbox"/>
	Bank - Perennial Stream / River			<input type="checkbox"/>			<input type="checkbox"/>
	Bank / Shoreline - Lake / Pond			<input type="checkbox"/>			<input type="checkbox"/>
Tidal	Tidal Waters			<input type="checkbox"/>			<input type="checkbox"/>
	Tidal Marsh			<input type="checkbox"/>			<input type="checkbox"/>
	Sand Dune			<input type="checkbox"/>			<input type="checkbox"/>
	Undeveloped Tidal Buffer Zone (TBZ)			<input type="checkbox"/>			<input type="checkbox"/>
	Previously-developed TBZ			<input type="checkbox"/>			<input type="checkbox"/>
	Docking - Tidal Water			<input type="checkbox"/>			<input type="checkbox"/>
TOTAL							

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):	SF	× \$0.40 =	\$
Seasonal docking structure:	SF	× \$2.00 =	\$
Permanent docking structure:	SF	× \$4.00 =	\$
Projects proposing shoreline structures (including docks) add \$400 =			\$
Total =			\$

The application fee for minor or major impact is the above calculated total or \$400, whichever is greater = \$

SECTION 13 - PROJECT CLASSIFICATION (Env-Wt 306.05)		
Indicate the project classification.		
<input checked="" type="checkbox"/> Minimum Impact Project	<input type="checkbox"/> Minor Project	<input type="checkbox"/> Major Project
SECTION 14 - REQUIRED CERTIFICATIONS (Env-Wt 311.11)		
Initial each box below to certify:		
Initials: <i>KLB</i>	To the best of the signer's knowledge and belief, all required notifications have been provided.	
Initials: <i>KLB</i>	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: <i>KLB</i>	The signer understands that: <ul style="list-style-type: none"> • The submission of false, incomplete, or misleading information constitutes grounds for NHDES to: <ol style="list-style-type: none"> 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. 	
Initials: <i>KLB</i>	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: Karen L. Bouffard for W-G&TLHA	DATE:
SIGNATURE (APPLICANT, IF DIFFERENT FROM OWNER):	PRINT NAME LEGIBLY:	DATE:
SIGNATURE (AGENT, IF APPLICABLE): <i>Karen L. Bouffard</i>	PRINT NAME LEGIBLY: Karen L. Bouffard	DATE: 5/14/2024
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: <i>Kevin J. Barnaby</i>	PRINT NAME LEGIBLY: Kevin L. Barnaby	DATE:
TOWN/CITY: Portsmouth	DATE: May 15, 2024	

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:	To the best of the signer’s knowledge and belief, all required notifications have been provided.
Initials:	The information submitted on or with the application is true, complete, and not misleading to the best of the signer’s knowledge and belief.
Initials:	<p>The signer understands that:</p> <ul style="list-style-type: none"> • The submission of false, incomplete, or misleading information constitutes grounds for NHDES to: <ol style="list-style-type: none"> 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.
Initials:	If the applicant is not the owner of the property, each property owner signature shall constitute certification by the signer that he or she is aware of the application being filed and does not object to the filing.

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

SIGNATURE (OWNER):	PRINT NAME LEGIBLY:	DATE:
SIGNATURE (APPLICANT, IF DIFFERENT FROM OWNER):	PRINT NAME LEGIBLY:	DATE:
SIGNATURE (AGENT, IF APPLICABLE):	PRINT NAME LEGIBLY:	DATE:

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:	PRINT NAME LEGIBLY:
TOWN/CITY:	DATE:

DIRECTIONS FOR TOWN/CITY CLERK:

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

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

DIRECTIONS FOR APPLICANT:

Submit the original permit application form bearing the signature of the Town/City Clerk, additional materials, and the application fee to NHDES by mail or hand delivery at the address at the bottom of this page. Make check or money order payable to "Treasurer – State of NH".



REQUEST WAIVER OF MINIMUM STANDARDS Water Division / Land Resources Management Shoreland Program



Check the status of your application.

RSA/ Rule: RSA 483-B:9, V(i) / Env-Wq 1409

You may use this form to request a waiver of the Minimum Standards of RSA 483-B:9, V of the Shoreland Water Quality Protection Act.

Waivers may only be granted if strict compliance with the minimum standards will provide no material benefit to the public and have no material adverse effect on the environment or the natural resources of the state.

To be eligible, applicants must clearly demonstrate how these criteria are satisfied (as described in Sections 1-3). Alternatively, you may request a waiver to accommodate the reasonable needs of persons with disabilities (as described in Sections 1 and 4).

Form with two sections: SECTION 1 - MINIMUM STANDARD(S) REQUESTED TO BE WAIVED (Env-Wq 1409.01) and SECTION 2 - EXPLAIN HOW STRICT COMPLIANCE WITH THE MINIMUM STANDARD(S) WOULD PROVIDE NO MATERIAL BENEFIT TO THE PUBLIC (Env-Wq 1409.01; RSA 483-B:9, V(i)).

shoreland@des.nh.gov or (603) 271-2147 29 Hazen Drive, PO Box 95, Concord, NH 03302-0095 des.nh.gov

SECTION 3 - EXPLAIN HOW GRANTING A WAIVER OF THE MINIMUM STANDARDS WOULD HAVE NO MATERIAL ADVERSE EFFECT ON THE ENVIRONMENT OR NATURAL RESOURCES OF THE STATE (Env-Wq 1409.01; RSA 483-B:9, V(i))

SECTION 4 - PERSONS WITH DISABILITIES (Env-Wq 1409.01; Env-Wq 1409.02(b); RSA 483-B:9, V(i))

Please provide an explanation of how the proposal is adequate to ensure that the intent of RSA 483-B is met. Please explain why granting a waiver is necessary to accommodate the individual's disability. Please note that medical details are not being requested. Please only describe the limitations faced by the individual(s) for whom the waiver is being requested.

Please also submit a statement signed by the physician attending the individual for the disability or disabilities certifying that the impacts or structures for which the waiver is being requested are necessary to accommodate the individual's disability or disabilities. Please note, details specific to the nature of the disability are not requested. Only specify that the project is necessary to meet the needs specific to the individual for whom the waiver is being requested.

Statement submitted.

New Hampshire Natural Heritage Bureau NHB DataCheck Results Letter

To: Rick Chellman, TND Engineering
224 State Street

Portsmouth, NH 03801

From: NH Natural Heritage Bureau

Date: 4/23/2024 (valid until 4/23/2025)

Re: Review by NH Natural Heritage Bureau of request submitted 4/10/2024

Permits: NHDES - Shoreland Standard Permit, NHDES - Standard Dredge & Fill - Minor

NHB ID: NHB24-1169

Applicant: Rick Chellman

Location: Portsmouthouth
49 Mechanic Street

Project

Description: Foundation repair of historic (1740-1760) Warehouse building,
construction a walkway and patio totaling 880 sq. ft.

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 4/10/2024 5:41:36 PM, 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.

New Hampshire Natural Heritage Bureau NHB DataCheck Results Letter

MAP OF PROJECT BOUNDARIES FOR: **NHB24-1169**

NHB24-1169





18.05
Rev.

DSEED

KNOW ALL MEN BY THESE PRESENTS,

that THE METROPOLITAN MUSEUM OF ART, a New York corporation, for and in consideration of Metro. Mus. of Art
 One Dollar (\$1.00) and other valuable considerations to it in hand before the delivery to
 hereof well and truly paid by the WENTWORTH-GARDNER AND TOBIAS LEAR HOUSES ASSOCIATION, Wentworth-
 a New Hampshire corporation, the receipt whereof it does hereby acknowledge, has given, T. L.H. Assn.
 granted, bargained, sold, and by these presents does give, grant, bargain, sell, alien, Del. to
 enforce, convey and confirm unto the grantee, its successors and assigns forever, ALL that
 certain parcel of land with the buildings thereon situate in Portsmouth in the County of
 Rockingham and State of New Hampshire, and bounded and described as follows, viz:

See
 Vol. 1
 Book 984
 Page 450

BEGINNING in Mechanic Street at the easterly corner of the granted premises at land now
 or formerly of Addie A. Curtis and running southwesterly by said last named land and by land
 now or formerly of Margaret Ballard Eighty-three (83) feet more or less to a corner; thence
 turning and running northwesterly by said land of said Ballard forty-two and two-tenths
 (42.2) feet more or less to a corner in the fence; thence turning and running westerly by
 said land of said Ballard forty-four and seven-tenths (44.7) feet to land now or formerly of

16

one Newton; thence turning and running by said last named land as the fence now stands
 Northwesterly fifteen and seven-tenths (15.7) feet to a corner in the fence; thence turning
 and running by said land Northeasterly seven (7) feet more or less to a corner in the fence;
 thence turning and running by said land northwesterly seventy-nine (79) feet more or less
 to Gardner Street; thence turning and running Northeasterly by said Gardner Street one
 hundred and six (106) feet more or less to Mechanic Street; thence turning and running south-
 easterly by said Mechanic Street one hundred and thirty-two feet more or less to the point
 of beginning.

BEING the same premises conveyed to The Metropolitan Museum of Art by R. T. H. Halsey by
 deed dated October 10, 1918. Said premises are known as the "Wentworth Gardner House".

TO HAVE AND TO HOLD the said granted premises with all the privileges and appurtenances
 to the same belonging to the grantee, its successors and assigns to their own proper use
 and benefit forever.

IN WITNESS WHEREOF, The Metropolitan Museum of Art has caused its corporate seal to be
 hereunto affixed and has executed these presents by its duly authorized officer this 1st
 day of August, 1940.

Signed, Sealed and Delivered in the presence of

E.M. Poole

THE METROPOLITAN MUSEUM OF ART (CORP. SEAL)

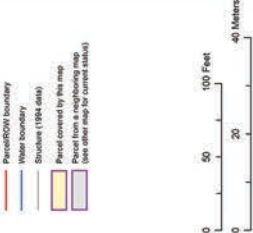
BY H.S. Morgan
Vice President

Attest:
G.L. Greenway
Asst. Secy.

SITE



- Partial Legend**
 See the cover sheet for the complete legend.
- 7.5A** Lot or lot and number
 - 2.56 ac** Parcel area in acres (ac) or square feet (sf)
 - 533-137** Address number
 - 533-137** Parcel number from a neighboring map
 - 533-137** Parcel lot dimension
 - 533-137** Street name
 - 533-137** Parcel boundary
 - 533-137** Parcel boundary
 - 533-137** Water boundary
 - 533-137** Structure (1994 data)
 - 533-137** Parcel covered by this map
 - 533-137** Parcel from a neighboring map (see other map for current status)



This map is for assessment purposes only. It is not intended for legal or title purposes. Building footprints are 2006 data and may not represent current structures. Street names appearing on this map may be paper street names. Address numbers shown on this map may not represent posted or legal addresses.



Portsmouth, New Hampshire
2023

Tax Map 103



Application for Approval - Exempt Activity

Historic District Commission

Owner:

Applicant (if different):

Wentworth Gardner House	Karen Bouffard
PO BOX 563	PO BOX 1167
Portsmouth, NH 03801	Portsmouth, NH 03801

Location of Structure: Map 127 Lot 012

Street Address: 49 Mechanic Street

Building Permit #: BLDG--24-222

To permit the following (please include photos of the existing conditions and clear description of the proposed work):

Repair foundation walls as necessary, replace sills as necessary, replace threshold (TBD), replace siding and trims as necessary, repair 13 windows. All work is replacement in-kind and with appropriate historic materials in adherence with the Secretary of Interior guidelines. All work to be completed by qualified historic masons, carpenters and painters. An archeologist has been retained for all ground disturbance work. The work is funded partially by a grant from LCHIP.

Action Taken by Planner 1	
<i>Date of Approval</i>	<i>03/25/2024</i>
<i>Stipulations:</i>	<i>Section 10.633.20 (1)</i>
<i>Signature of Planner 1:</i>	<i>Izak P. Gilbo</i>

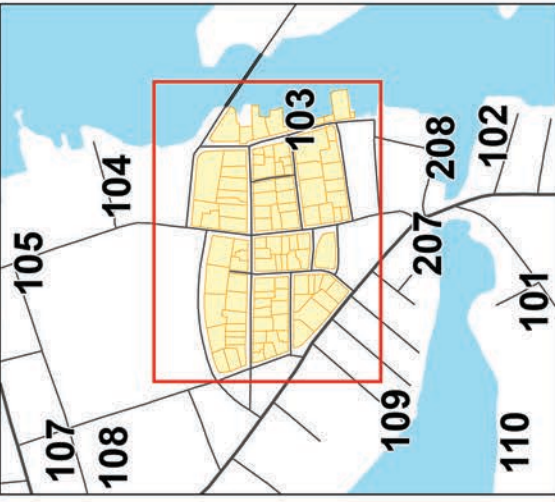
If approved, please note that:

Any and all changes or modifications in the design as approved shall require further review and approval.

Revised: 07 September 23

Streets appearing on this map may be paper (unbuilt) streets.
 Lot numbers take precedence over address numbers. Address numbers shown on this map may not represent posted or legal addresses.

Nearby Tax Maps

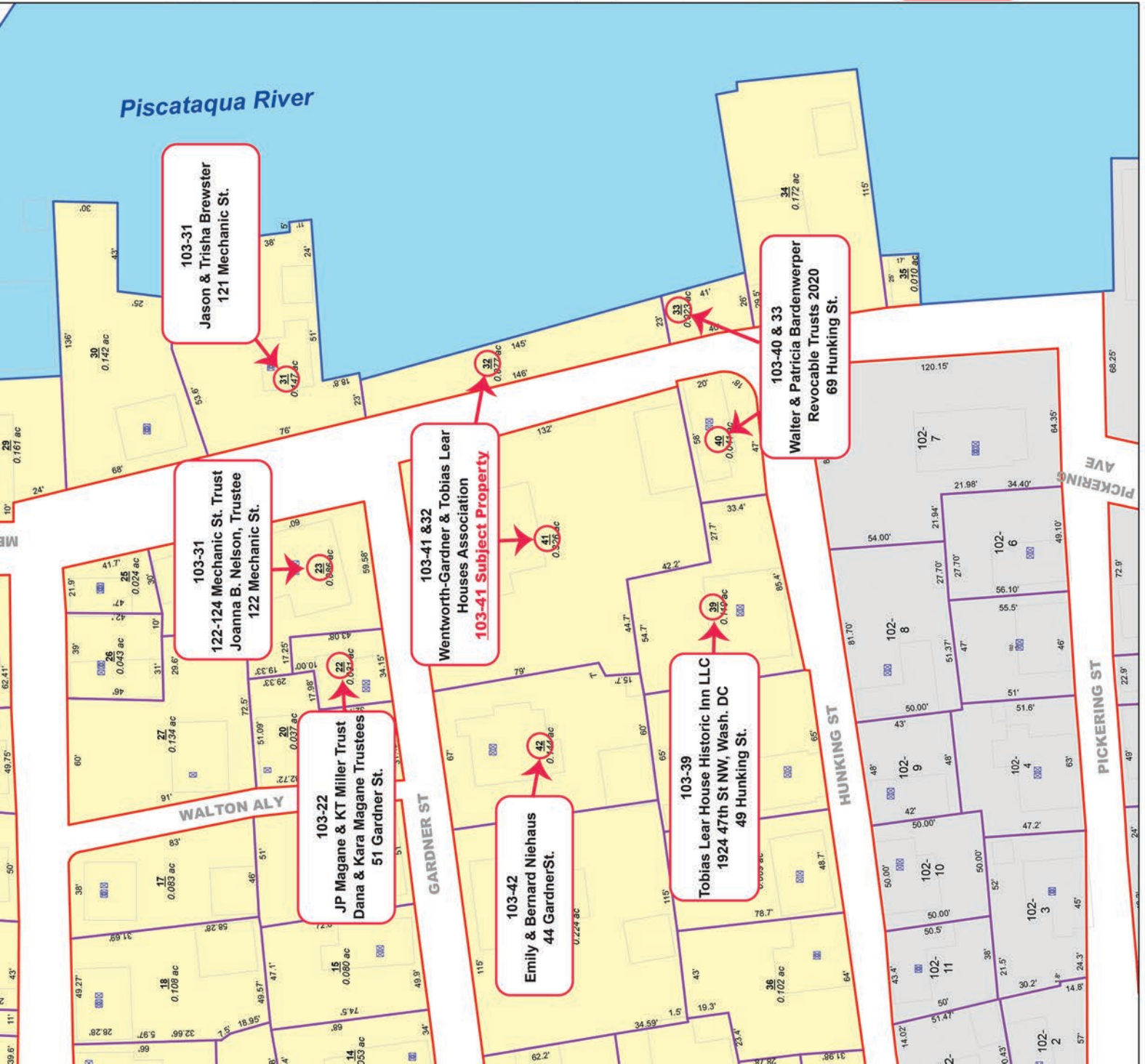


Map Location



**ABUTTING
 PROPERTIES
 PLACED ON:**
 Portsmouth, New Hampshire
 2023

Tax Map 103





TND ENGINEERING

TRAFFIC, TND, TRANSPORTATION AND CONSULTING

224 State Street
PORTSMOUTH, NH 03801
p. 603.479-7195
Email: Chellman@TNDEngineering.com

VIA Individual Certified Mail

May 9, 2024

JP Magane & KT Miller Trust
Dana & Kara Magane Trustees
51 Gardner St.
Portsmouth, NH 03801

Emily & Bernard Niehaus
44 Gardner St.
Portsmouth NH 03801

122-124 Mechanic St. Trust
Joanna B. Nelson, Trustee
122 Mechanic St.
Portsmouth, NH 03801

Tobias Lear House Historic Inn LLC
1924 47th St NW, Wash. DC 20007

Jason & Trisha Brewster
121 Mechanic St.
Portsmouth NH 03801

Walter & Patricia Bardenwerper
Revocable Trusts 2020
69 Hunking St.
Portsmouth NH 03801

Re: Wentworth-Gardner House Applications

Dear Abutter:

You are being notified as an abutting landowner to the Wentworth-Gardner House.

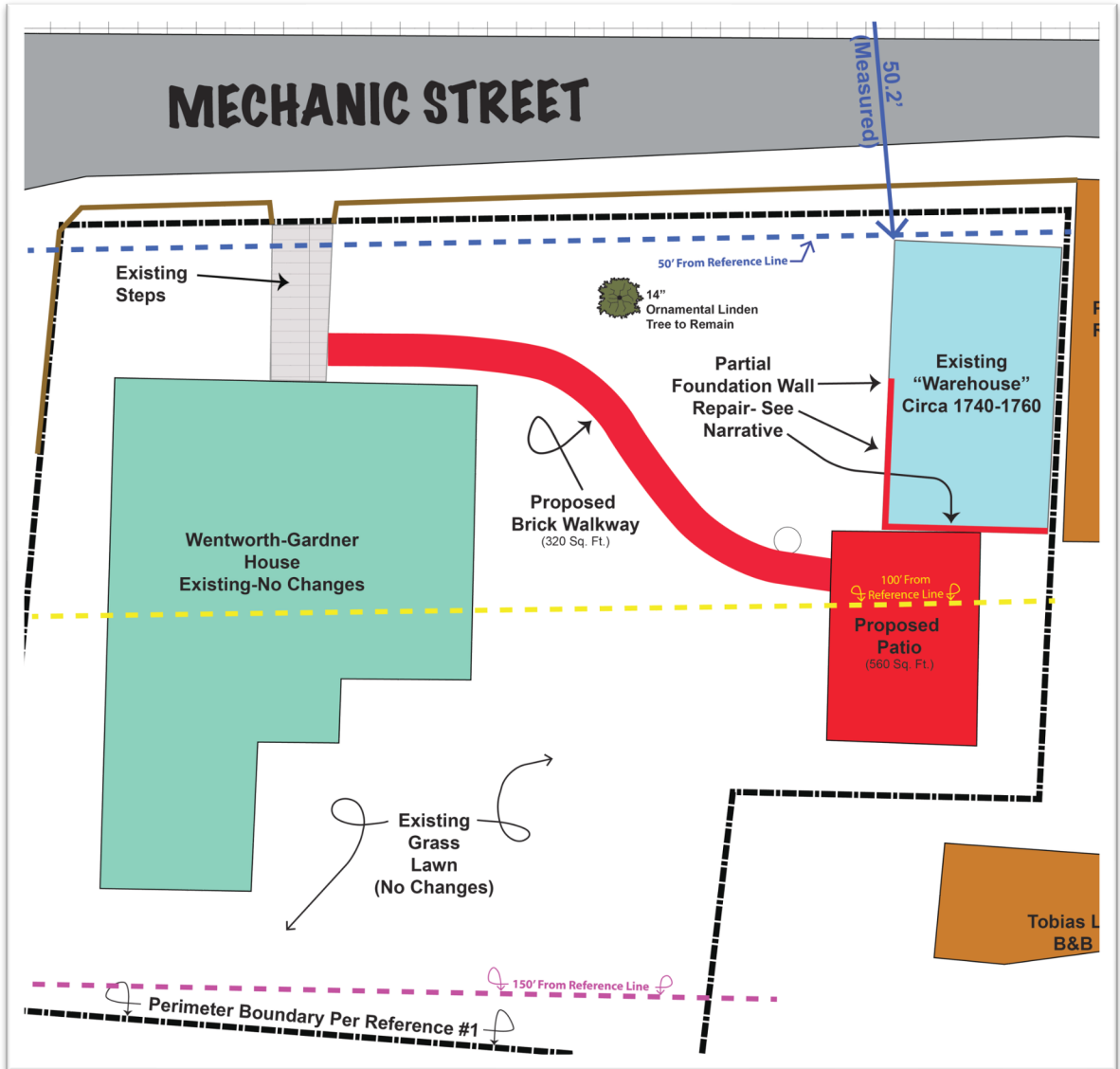
On behalf of Wentworth-Gardner, I have submitted applications to the State of New Hampshire, Department of Environmental Services, for the proposed patio and walkway, both of which require State approval. In addition, a portion of the north and west foundation of the warehouse building will be repaired and this too requires State approval. You are being notified as required by NH RSA 483-B:5.

A full set of plans will be filed with the City Clerk and they will also be available at the State offices in Concord. The file in Concord may be reviewed by scheduling a request to review by calling 603-271-2147. As an additional courtesy, a reduced copy of the proposal, and I am happy to address any concerns as well.

Sincerely,

Chester "Rick" Chellman, P.E., L.L.S.

Reduced copy of plans showing proposed walkway, patio, and foundation repair (all in red).



9589 0710 5270 2012 7902 28

U.S. Postal Service
CERTIFIED MAIL® RECEIPT
 Domestic Mail Only

For delivery information, visit our website at www.usps.com®.

Washington, DC 20007

Certified Mail Fee \$4.40

Extra Services & Fees (check box, add fee as appropriate)

<input type="checkbox"/> Return Receipt (hardcopy)	\$0.00
<input type="checkbox"/> Return Receipt (electronic)	\$0.00
<input type="checkbox"/> Certified Mail Restricted Delivery	\$0.00
<input type="checkbox"/> Adult Signature Required	\$0.00
<input type="checkbox"/> Adult Signature Restricted Delivery	\$0.00

Postage \$0.68

Total Postage and Fees \$5.08

Sent To: Tobias Lear House Historic Inn LLC
 1924 47th Street NW
 Washington, DC 20007

PS Form 3800, January 2023 PSN 7530-02-000-9047 See Reverse for Instructions

9589 0710 5270 2012 7902 04

U.S. Postal Service
CERTIFIED MAIL® RECEIPT
 Domestic Mail Only

For delivery information, visit our website at www.usps.com®.

Portsmouth, NH 03801

Certified Mail Fee \$4.40

Extra Services & Fees (check box, add fee as appropriate)

<input type="checkbox"/> Return Receipt (hardcopy)	\$0.00
<input type="checkbox"/> Return Receipt (electronic)	\$0.00
<input type="checkbox"/> Certified Mail Restricted Delivery	\$0.00
<input type="checkbox"/> Adult Signature Required	\$0.00
<input type="checkbox"/> Adult Signature Restricted Delivery	\$0.00

Postage \$0.68

Total Postage and Fees \$5.08

Sent To: Joanna B. Nelson/122-124 Mechanic St.
 122 Mechanic Street
 Portsmouth, NH 03801

PS Form 3800, January 2023 PSN 7530-02-000-9047 See Reverse for Instructions

9589 0710 5270 2012 7901 81

U.S. Postal Service
CERTIFIED MAIL® RECEIPT
 Domestic Mail Only

For delivery information, visit our website at www.usps.com®.

Portsmouth, NH 03801

Certified Mail Fee \$4.40

Extra Services & Fees (check box, add fee as appropriate)

<input type="checkbox"/> Return Receipt (hardcopy)	\$0.00
<input type="checkbox"/> Return Receipt (electronic)	\$0.00
<input type="checkbox"/> Certified Mail Restricted Delivery	\$0.00
<input type="checkbox"/> Adult Signature Required	\$0.00
<input type="checkbox"/> Adult Signature Restricted Delivery	\$0.00

Postage \$0.68

Total Postage and Fees \$5.08

Sent To: Emily & Bernard Niehaus
 44 Gardner Street
 Portsmouth, NH 03801

PS Form 3800, January 2023 PSN 7530-02-000-9047 See Reverse for Instructions

9589 0710 5270 2012 7902 35

U.S. Postal Service
CERTIFIED MAIL® RECEIPT
 Domestic Mail Only

For delivery information, visit our website at www.usps.com®.

Portsmouth, NH 03801

Certified Mail Fee \$4.40

Extra Services & Fees (check box, add fee as appropriate)

<input type="checkbox"/> Return Receipt (hardcopy)	\$0.00
<input type="checkbox"/> Return Receipt (electronic)	\$0.00
<input type="checkbox"/> Certified Mail Restricted Delivery	\$0.00
<input type="checkbox"/> Adult Signature Required	\$0.00
<input type="checkbox"/> Adult Signature Restricted Delivery	\$0.00

Postage \$0.68

Total Postage and Fees \$5.08

Sent To: Walter & Patricia Bardenwerper
 69 Hunking Street
 Portsmouth, NH 03801

PS Form 3800, January 2023 PSN 7530-02-000-9047 See Reverse for Instructions

9589 0710 5270 2012 7902 11

U.S. Postal Service
CERTIFIED MAIL® RECEIPT
 Domestic Mail Only

For delivery information, visit our website at www.usps.com®.

Portsmouth, NH 03801

Certified Mail Fee \$4.40

Extra Services & Fees (check box, add fee as appropriate)

<input type="checkbox"/> Return Receipt (hardcopy)	\$0.00
<input type="checkbox"/> Return Receipt (electronic)	\$0.00
<input type="checkbox"/> Certified Mail Restricted Delivery	\$0.00
<input type="checkbox"/> Adult Signature Required	\$0.00
<input type="checkbox"/> Adult Signature Restricted Delivery	\$0.00

Postage \$0.68

Total Postage and Fees \$5.08

Sent To: Jason & Trisha Brewster
 12 Mechanic Street
 Portsmouth, NH 03801

PS Form 3800, January 2023 PSN 7530-02-000-9047 See Reverse for Instructions

9589 0710 5270 2012 7901 98

U.S. Postal Service
CERTIFIED MAIL® RECEIPT
 Domestic Mail Only

For delivery information, visit our website at www.usps.com®.

Portsmouth, NH 03801

Certified Mail Fee \$4.40

Extra Services & Fees (check box, add fee as appropriate)

<input type="checkbox"/> Return Receipt (hardcopy)	\$0.00
<input type="checkbox"/> Return Receipt (electronic)	\$0.00
<input type="checkbox"/> Certified Mail Restricted Delivery	\$0.00
<input type="checkbox"/> Adult Signature Required	\$0.00
<input type="checkbox"/> Adult Signature Restricted Delivery	\$0.00

Postage \$0.68

Total Postage and Fees \$5.08

Sent To: JP Magane & KT Miller Trust
 51 Gardner Street
 Portsmouth, NH 03801

PS Form 3800, January 2023 PSN 7530-02-000-9047 See Reverse for Instructions