

**From:** [Lewis, Eben](#)  
**To:** [JGMORRIS63@GMAIL.COM](mailto:JGMORRIS63@GMAIL.COM)  
**Cc:** [eweinrieb](#); [Kate E. Homet](#)  
**Subject:** NHDES Wetlands Bureau File 2023-03138, 60 Pleasant Point Drive, Portsmouth Tax Map 207 Lot 13  
**Date:** Monday, December 29, 2025 10:22:05 AM  
**Attachments:** [image001.png](#)  
[image002.png](#)  
[image003.png](#)  
[2025-12-29-PERMIT\\_WETLAND-2025252347.pdf](#)

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Good morning,

I've attached the approved amendment request. Feel free to reach out with any questions.

Best,  
~Eben

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Eben M. Lewis, Southeast Region Supervisor, Wetlands Bureau, Land Resources Management, Water Division, NH  
Department of Environmental Services, 222 International Drive, Suite 175, Portsmouth, NH 03801 Phone: (603) 559-1515  
Email: [eben.lewis@des.nh.gov](mailto:eben.lewis@des.nh.gov)



NHDES would greatly appreciate your feedback and wants to hear from you. Please take a moment to fill out our short (5-question) [NHDES Customer Service Satisfaction Survey](#).



The State of New Hampshire  
**Department of Environmental Services**

**Robert R. Scott, Commissioner**



December 29, 2025

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120-0 WILD ROSE LANE LLC  
209 WATER STREET  
NEWBURYPORT MA 01950

**Re: NHDES Wetlands Bureau File 2023-03138, 60 Pleasant Point Drive, Portsmouth Tax Map 207 Lot 13**

Dear Applicant:

The New Hampshire Department of Environmental Services (NHDES) Wetlands Bureau approved the above-referenced Wetlands Permit Amendment Request. Enclosed please find Amended Wetlands Permit 2023-03138 to: Retain an additional 320 square feet (SF) and impact a total of 31,300 SF of previously developed upland tidal buffer zone to replace an existing single-family residence with a new single-family residence and associated improvements, including construction of a pool, pervious patios, replace two sets of existing wooden stairs over the bank, and construction of a living shoreline to stabilize an eroding tidal bank. The permittee shall notify the department in writing at least one week prior to commencing any work under this permit and shall file a notice of completion of work and certificate of compliance with the department within 10 working days of completion of the work authorized by this permit.

This permit is not valid unless signed by the permittee and the principal contractor, if any, who will build or install the project. Prior to start of construction, a copy of this permit shall be posted in a secure manner in a prominent place at the site of the approved project. It shall remain posted until the project is completed. Transfer of this permit to a new owner shall require notification to, and approval of, the NHDES. **This permit does not convey any property right, nor does it preclude the need to meet any other applicable state, federal, or municipal legal requirements.**

In accordance with RSA 482-A:10, RSA 21-O:14, and Rules Ec-Wet 100-200, **any person aggrieved by this decision may file a Notice of Appeal directly with the NH Wetlands Council (Council) within 30 days of the decision date, December 29, 2025.** Every ground claiming the decision is unlawful or unreasonable must be fully set forth in the Notice of Appeal. Only the grounds set forth in the Notice of Appeal are considered by the Council. Information about the Council, including Council Rules, is available at <https://www.nhec.nh.gov/wetlands-council/about>. For appeal related issues, contact the Council Appeals Clerk at (603) 271-3650.

**This approval is based on the following findings:**

1. This project is classified as a major project per Rule Env-Wt 610.17(a)(1), for any dredging, filling, or construction activity, or any combination thereof, that is proposed to occur within 100 feet of the Highest Observable Tide Line (HOTL), and that is proposed to alter any tidal shoreline bank, tidal flat, wetlands, surface water, or undeveloped uplands.
2. The impacts within the protected shoreland associated with this project are approved under NHDES Shoreland Permit 2024-03139.
3. Per Rule Env-Wt 311.01(b), the applicant coordinated with the NH Fish and Game Department (NHF&G) and the Natural Heritage Bureau (NHB) to determine how to avoid and minimize project-related impacts on rare or protected animal species and habitat, and on protected plants or exemplary natural communities.
4. Per Rule Env-Wt 314.07(a) and subject to Env-Wt 314.07(b), the permittee has requested an amendment to the issued permit, and provided notice to all who received notice of the original application prior to filing the amended application to NHDES.
5. The Portsmouth Conservation Commission (PCC) provided comments on the amendment request on November 25, 2025. In summary, the PCC hired third party engineers to review the after-the-fact impacts.

[www.des.nh.gov](http://www.des.nh.gov)

29 Hazen Drive • PO Box 95 • Concord, NH 03302-0095  
(603) 271-3503 • Fax: (603) 271-2867 • TDD Access: Relay NH 1-800-735-2964

If you have any questions, please contact me at Eben.Lewis@des.nh.gov or (603) 559-1515.

Sincerely,

A handwritten signature in black ink, appearing to read 'E M Lewis', written in a cursive style.

Eben M. Lewis  
Southeast Region Supervisor, Wetlands Bureau  
Land Resources Management, Water Division

Enclosure

cc: Eric Weinrieb, Altus Engineering, Inc.  
Portsmouth Conservation Commission



The State of New Hampshire  
**Department of Environmental Services**

**Robert R. Scott, Commissioner**



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**WETLANDS PERMIT 2023-03138 PAGE 1 OF 3**

**NOTE CONDITIONS**

**PERMITTEE:** 120-0 WILD ROSE LANE LLC  
209 WATER STREET  
NEWBURYPORT MA 01950

**PROJECT LOCATION:** 60 PLEASANT POINT DRIVE, PORTSMOUTH TAX MAP 207 LOT 13

**WATERBODY:** PISCATAQUA RIVER

**APPROVAL DATE:** DECEMBER 29, 2025

**EXPIRATION DATE:** NOVEMBER 04, 2029

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The New Hampshire Department of Environmental Services' (NHDES) review of permit application 2023-03138 has found that it is consistent with RSA 482-A. NHDES hereby issues this Wetlands Permit authorizing the impacts described provided the Conditions imposed are met. To validate this Permit, the Permittee and the Principal Contractor are required to sign below.

**PERMIT DESCRIPTION:** Retain an additional 320 square feet (SF) and impact a total of 31,300 SF of previously developed upland tidal buffer zone to replace an existing single-family residence with a new single-family residence and associated improvements, including construction of a pool, pervious patios, replace two sets of existing wooden stairs over the bank, and construction of a living shoreline to stabilize an eroding tidal bank.

**THIS PERMIT IS SUBJECT TO THE FOLLOWING PROJECT-SPECIFIC CONDITIONS:**

1. All work shall be done in accordance with plans by Altus Engineering, Inc. dated December 1, 2025 and received by the NH Department of Environmental Services (NHDES) on December 1, 2025.
2. In accordance with Env-Wt 314.02(b) and (c), the permit shall be recorded at the Rockingham County Registry of Deeds. Any limitations or conditions in the permit so recorded shall run with the land beyond the expiration of the permit. The permittee shall provide the department with a copy of the permit stamped by the registry with the book and page and date of receipt.
3. In accordance with Env-Wt 609.10(b)(4), all work shall be done at low tide when the work area is fully exposed.
4. In accordance with Env-Wt 307.07, all development activities associated with any project shall be conducted in compliance with applicable requirements of RSA 483-B and Env-Wq 1400 during and after construction.
5. All pervious technologies used shall be installed and maintained to effectively absorb and infiltrate stormwater as required per RSA 483-B:6, II and Rule Env-Wq 1406.15(c) in order to ensure compliance with RSA 483-B:9, V(g).
6. No activity shall be conducted in such a way as to cause or contribute to any violation of surface water quality standards per Env-Wt 307.03(a).
7. All work including management of soil stockpiles, shall be conducted so as to minimize erosion, minimize sediment transfer to surface waters or wetlands, and minimize turbidity in surface waters and wetlands per Env-Wt 307.03(b).
8. In accordance with Env-Wt 307.03(g)(1), the person in charge of construction equipment shall inspect such equipment for leaking fuel, oil, and hydraulic fluid each day prior to entering surface waters or wetlands or operating in an area where such fluids could reach groundwater, surface waters, or wetlands.
9. In accordance with Env-Wt 307.03(g)(3) and (4), the person in charge of construction equipment shall maintain oil spill kits and diesel fuel spill kits, as applicable to the type(s) and amount(s) of oil and diesel fuel used, on site so as to be readily accessible at all times during construction; and train each equipment operator in the use of the spill kits.
10. In accordance with Env-Wt 307.03(g)(2), the person in charge of construction equipment shall repair any leaks prior to using the equipment in an area where such fluids could reach groundwater, surface waters, or wetlands.
11. In accordance with Env-Wt 307.03(h), equipment shall be staged and refueled outside of jurisdictional areas (unless allowed) and in accordance with Env-Wt 307.15.

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12. In accordance with Env-Wt 307.03(c)(3), water quality control measures shall be installed prior to start of work and in accordance with the manufacturer's recommended specifications.
13. In accordance with Env-Wt 307.03(c)(1), water quality control measures shall be selected and implemented based on the size and nature of the project and the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to jurisdictional areas.
14. In accordance with Env-Wt 307.03(c)(2), water quality control measures shall be comprised of wildlife-friendly erosion control materials.
15. In accordance with Env-Wt 307.03(c)(5), water quality control measures shall be maintained so as to ensure continued effectiveness in minimizing erosion and retaining sediment on-site during and after construction.
16. In accordance with Env-Wt 307.03(c)(6), water quality control measures shall remain in place until all disturbed surfaces are stabilized to a condition in which soils on the site will not experience accelerated or unnatural erosion by achieving and maintaining a minimum of 85% vegetative cover using an erosion control seed mix, whether applied in a blanket or otherwise, that is certified by its manufacturer as not containing any invasive species; or placing and maintaining a minimum of 3 inches of non-erosive material such as stone.
17. In accordance with Env-Wt 307.03(c)(7), temporary water quality control methods shall be removed upon completion of work when compliance with Env-Wt 307.03(c)(6) is achieved.
18. In accordance with Env-Wt 307.05(e), to prevent the use of soil or seed stock containing nuisance or invasive species, the contractor responsible for work shall follow Best Management Practices for the Control of Invasive and Noxious Plant Species (Invasive Plant BMPs).
19. In accordance with Env-Wt 307.11(a), fill shall be clean sand, gravel, rock, or other material that meets the project's specifications for its use; and does not contain any material that could contaminate surface or groundwater or otherwise adversely affect the ecosystem in which it is used.
20. In accordance with Env-Wt 307.12(e), wetland soils from areas vegetated with purple loosestrife or other state-listed invasive plant species shall not be used in the area being restored.
21. In accordance with Env-Wt 307.12(d), mulch used within an area being restored shall be natural straw or equivalent non-toxic, non-seed-bearing organic material.
22. In accordance with Env-Wt 307.12(g), impact areas restored by seeding or plantings shall not be deemed successful if the area is invaded by nuisance species such as common reed or purple loosestrife during the first full growing season following the completion of construction; and a remediation plan shall be submitted to the department that proposes measures to be taken to eradicate nuisance species during this same period.
23. In accordance with Env-Wt 307.12(f), if any impact area that is stabilized with seeding or plantings does not have at least 75% successful establishment of wetlands vegetation after 2 growing seasons, the area shall be replanted or reseeded, as applicable.
24. In accordance with Env-Wt 307.03(e), all exposed soils and other fills shall be permanently stabilized within 3 days following final grading.
25. In accordance with Env-Wt 307.12(i), areas where permanent impacts are not authorized shall be restored to their pre-impact conditions and elevation by replacing the removed soil and vegetation in their pre-construction location and elevation such that post-construction soil layering and vegetation schemes are as close as practicable to pre-construction conditions.
26. Within 60 days of completion of construction, the applicant shall submit a post-construction monitoring report to the department prepared by a professional engineer, certified wetland scientist, or qualified professional, as applicable. The monitoring report shall include date(s) of inspections, photos showing the extent of jurisdictional impacts, areas of restoration, progress of any plantings, and contain narratives, exhibits, and photographs, as necessary to report the status of the project area and restored jurisdictional area in accordance with Env-Wt 514.05(h) and Env-Wt 301.18(c).

**ANY INDIVIDUAL CONDUCTING WORK UNDER THIS PERMIT IS ADVISED OF THE FOLLOWING:**

1. This permit does not preclude the need to meet any other applicable state, federal, or municipal legal requirements.
2. The permit holder is responsible for reading, and ensuring compliance with, the applicable general conditions established in Env-Wt 307.
3. This permit does not in any way authorize the take of threatened or endangered species, as defined by RSA 212-A:2, or of any protected species or exemplary natural communities, as defined in RSA 217-A:3.
4. This approval does not convey any property right. The permittee is responsible for ensuring that they have the legal authority to access the subject lands and conduct the impacts described.

APPROVED:



Eben M. Lewis  
Southeast Region Supervisor, Wetlands Bureau  
Land Resources Management, Water Division

**THE SIGNATURES BELOW ARE REQUIRED TO VALIDATE THIS PERMIT (Env-Wt 314.01).**

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PERMITTEE SIGNATURE (required)

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PRINCIPAL CONTRACTOR SIGNATURE (required)