

THE STATE OF NEW HAMPSHIRE
DEPARTMENT OF ENVIRONMENTAL SERVICES
WETLANDS COUNCIL



Docket No. 24-06 WtC

APPEAL OF SAGAMORE LANDING CONDOMINIUM ASSOCIATION
AND DAVID AND MARGARET WITHAM
NHDES Wetlands Permit No. 2018 03677

Assented-to Motion Regarding Scheduling of Council Hearing

NOW COME David and Margaret Witham and Sagamore Landing Condominium Association ("Appellants"), through undersigned counsel, Sheehan Phinney Bass and Green, PA, and requests that any Council hearing in this matter be scheduled for the April 2026 Council meeting, saying in support as follows:

1. At the Prehearing Conference on November 20, 2025, the Parties and the Hearing Officer discussed the schedule for a hearing before the Council, in the event a hearing is necessary following the Hearing Officer's resolution of the outstanding legal issues.

2. The Parties have conferred and the April 14, 2026 Council meeting works for all parties and witnesses.

3. Appellants request that the hearing in this Appeal, if one is necessary, take place during the April 14, 2026 Council meeting.

4. The State and the Intervenors assent to this request.

WHEREFORE, Appellants respectfully request the Council:

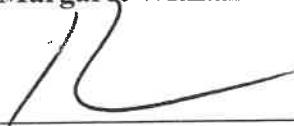
A. Schedule any necessary hearing in this matter during the Council's April 2026 meeting;

B. Grant such other and further relief as is just.

Respectfully submitted,

**Appellants, Sagamore Landing Condominium Assoc. &
David and Margaret Witham**

Dated: December 5, 2025

By: 
John Mark Turner (NH Bar #15610)
Nicolas H.U. Harris (NH Bar #278783)
1000 Elm Street, PO Box 3701
Manchester, NH 03105
(603) 627-8143
(603) 627-8237
jturner@sheehan.com
nharris@sheehan.com

CERTIFICATION

I hereby certify that on this date, a copy of the foregoing was sent via e-mail or first class mailed pursuant to Ec-Wet 201.03 to counsel and parties of record listed below:

James J. Steinkrauss, Esq. (via email at jjs@rathlaw.com)
(Counsel for the Intervenors – the Dickinsons)
Rath, Young and Pignatellie, P.C.
One Capital Plaza
Concord, NH 03302
(603) 226-2600

Keely Lovato, Esq. (via email at keely.lovato@doj.nh.gov)
(Counsel for the New Hampshire Department of Environmental Protection)
Office of the Attorney General
Environmental Protection Bureau
1 Granite Place South
Concord, NH 03301
(603) 271-3679

Portsmouth Municipal Clerk (via first class mail)
1 Junkins Avenue
Portsmouth, NH 03801

Portsmouth Conservation Commission (via first class mail)
1 Junkins Avenue
Portsmouth, NH 03801

David and Margaret Witham (through counsel via email at jturner@sheehan.com)
238 Walker Bungalow Road
Portsmouth, NH 03801

Mary Ann Tilton, Wetlands Assistant Bureau Administrator (via email at keely.lovato@doj.nh.gov)
NH Department of Environmental Services
29 Hazen Drive, P.O. Box 95
Concord, NH 03302-0095

Rene Pelletier, Director of Water Division (via email at keely.lovato@doj.nh.gov)
Wetlands Bureau Administrator
NH Department of Environmental Services
29 Hazen Drive, P.O. Box 95
Concord, NH 03302-0095

Michelle A. Doucette, Appeals Clerk (via email at appeals@des.nh.gov)
New Hampshire Department of Justice
C/O New Hampshire Wetlands Council
1 Granite Place South
Concord, NH 03301

Sagamore Landing Condominium Assoc. (through counsel via email to jturner@sheehan.com)
c/o Danielle Megliola
284 Walker Bungalow Road
Portsmouth, NH 03801

Martin & Cristina Kurowski (via first class mail)
212 Walker Bungalow Road
Portsmouth, NH 03801

Dated: December 5, 2025

By: 
John-Mark Turner