



Noble's Island Condominiums Deck Replacements
500 Market Street, Portsmouth

EXPEDITED MINIMUM IMPACT PERMIT APPLICATION

Noble's Island Condominiums

April 2021

Tighe&Bond

N5079-001
April 27, 2021

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

Re: **Minimum Impact Expedited Wetland Impact Application
Noble's Island Condominiums Deck Replacements
Tax Map 120, Lot 2, 500 Market Street, Portsmouth, NH**

Dear Ms. Giallongo:

Tighe & Bond is pleased to submit this Expedited Minimum Impact permit application on behalf of the Noble's Island Condominium residents for impacts within the previously developed tidal buffer associated with the replacement of degraded decks of three condominium buildings.

Project Description

The proposed project is located on Noble's Island at 500 Market Street in a highly developed area near the Portsmouth working waterfront. The project area has a long history of residential and commercial use, but was redeveloped for the current uses in the early 1980's. The Noble's Island Condominiums consist of three buildings that sit above the Piscataqua River. Four additional commercial buildings with parking lots are also located on the parcel. The intensive development has resulted in nearly 83% impervious surfaces and an extensively armored riprap perimeter. A wetland impact permit was obtained for the site in 1997 to restabilize the riprap and reduce the slope from 1:1 to 1.25:1 (NHDES #1997-00089).

The proposed project is needed to address the safety of the residents of the Noble's Island Condominiums. Each building includes 12-foot wide decks off the ground floor that extend toward the Piscataqua River. The decks are currently cantilevered and supported by rusting steel beams. The proposed deck replacements will be confined to the same footprint as the existing decks but, unlike the existing design, will incorporate concrete piers as supports. Replacement of the decks will involve 27+/- square feet (sf) of permanent impacts at grade and within the existing deck footprint for the concrete piers. Temporary impacts associated with excavation and placement of the piers are estimated to result in up to 1,240 sf of soil disturbance. All work will be completed within the previously developed tidal buffer zone, with no direct wetland impacts.

Jurisdictional Wetlands

The parcel was reviewed for jurisdictional wetlands by Tighe & Bond environmental scientist Leonard Lord, PhD, NHCWS #14, on March 15, 2021. There was no snow on the ground at the time of the investigation. Criteria for wetland determinations were based on those outlined in the *Corps of Engineers Wetlands Delineation Manual, Technical Report Y-87-1* (January 1987), and the *Regional Supplement to the Corps of Engineers Wetland Delineation Manual: Northcentral and Northeast Region* (January 2012). Determination of the Highest Observable Tide Line (HOTL) was made in accordance with Env-Wt 622.23 of the NH Wetlands Bureau rules. The HOTL was delineated and located using a GPS unit with sub-meter accuracy. No freshwater wetlands were found on the site.

The mudflats at the toe of the riprap slope were classified under the Cowardin system as estuarine, unconsolidated shore, mud substrate, and regularly flooded (E2US3N). Tidal flows to Noble's Island were noted to be somewhat restricted by a railroad bridge and a bridge over Market Street before reaching the project area.

Waiver Request

The attached permit application includes a request for a waiver from Env-Wt 603.08(a) and (b), which require location and documentation of three tidal events by a licensed land surveyor. This level of study and expense is excessive for a simple deck repair done for the safety of the condominium residents with no increase in the project footprint and no direct wetland impacts.

The NOAA predicted tidal datums from nearby Seavey Island have been presented and utilized in the Coastal Vulnerability Analysis as conservative estimates of tidal heights. These heights are conservative because tides flow through two moderate restrictions between Seavey Island and the project site, which should dampen tidal extremes. From this analysis, the deck replacement project was determined to have a high risk tolerance and is not at risk of flooding under a predicted sea level rise (SLR) of 1.3 feet by 2050.

Summary of Agency Coordination

- An informal email request was submitted to Eben Lewis of NHDES regarding the calculation of impacts for the project on February 19, 2021 and was responded to by Stefanie Giallongo as the project reviewer on February 22, 2021.
- A DataCheck request was completed through the NH Natural Heritage Bureau April 1, 2021 with a finding of no recorded occurrences for sensitive species near the project area.
- A U.S. Army Corps of Engineers Appendix B Checklist, associated US Fish and Wildlife IPaC review, and associated Section 106 Historic/Archaeological review were not filed as part of this wetland impact permit because the upland tidal buffer does not fall under Army Corps of Engineers jurisdiction.
- All of the proposed work is within the 100-foot tidal buffer; therefore, no NHDES shoreland permitting is required.
- This project will be presented to the Portsmouth Conservation Commission on May 12, 2021. The Conservation Commission signature for the attached application will be sent to NHDES shortly after.

Appendices

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

- Appendix A – Forms
 - Expedited Minimum Impact Application
 - Copy of the Fee Payment
 - Wetlands Rule Waiver Request
 - Coastal Resources Worksheet, Design Narrative, NOAA Tidal Datums
- Appendix B – Photographs
- Appendix C – Tax Maps, Abutter Information, Certified Postal Receipts

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APPENDIX A

- Appendix D – Natural Heritage Bureau DataCheck Results
- Appendix E – Figures
 - Figure 1 - USGS Locus Map
 - Figure 2 - Existing Conditions Plan
 - Figure 3 – Elevation Profile Plan
 - Figure 4 - Surveyed Site Plan (1983)
 - Figure 5 – Wetland Permit Planning Tool Results
 - Figure 6 – FEMA Flood Map
 - Figure 7 – Impervious Surfaces Map
- Appendix F – Engineering Plans

Should you have any questions or require any additional information, please contact me at 603-433-8818 or Llord@TigheBond.com.

Very truly yours,

TIGHE & BOND, INC.



Leonard A Lord, PhD, NHCWS, NHCSS
Sr. Environmental Scientist

Enclosures

Copy: Portsmouth City Clerk
Portsmouth Conservation Commission
Portsmouth Planning Board
Portsmouth Board of Selectmen
Noble's Island Condominiums c/o Michael Street



INSERT COPY OF CHECK HERE WITH ACCOUNT NUMBER BLACKED OUT



Env-Wt 310.01
EXPEDITED MINIMUM IMPACT (EXP)
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: **Noble's Island Condominiums** **TOWN NAME:** **Portsmouth**

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

SECTION 1 - REQUIRED PLANNING FOR ALL PROJECTS (Env-Wt 306.05; Env-Wt 603.03; Env-Wt 603.05)

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.

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 (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). <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No • Protected species or habitat? <input type="checkbox"/> Yes <input type="checkbox"/> No <ul style="list-style-type: none"> ○ If yes, species or habitat name(s): <input style="width: 100px;" type="text"/> ○ NHB Project ID #: <input style="width: 100px;" type="text"/> • Bog? <input type="checkbox"/> Yes <input type="checkbox"/> No • Floodplain wetland contiguous to a tier 3 or higher watercourse? <input type="checkbox"/> Yes <input type="checkbox"/> No • Designated prime wetland or duly-established 100-foot buffer? <input type="checkbox"/> Yes <input type="checkbox"/> No • Sand dune, tidal wetland, tidal water, or undeveloped tidal buffer zone? <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): <input style="width: 100px;" type="text"/> • A copy of the application was sent to the LAC on Month: <input style="width: 50px;" type="text"/> Day: <input style="width: 50px;" type="text"/> Year: <input style="width: 50px;" type="text"/> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
For dredging projects, is the subject property contaminated? <ul style="list-style-type: none"> • If yes, list contaminant(s): <input style="width: 100px;" type="text"/> <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 checked="" type="checkbox"/> No	
For stream crossing projects, provide watershed size (see Wetland Permit Planning Tool or Stream Stats): <input style="width: 100px;" type="text"/>	

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

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SECTION 2 - ELIGIBILITY (Env-Wt 306.03; Env-Wt 310.01; Env-Wt 310.03)

You must confirm that your project meets **ALL** of the following statements to qualify for the EXP process:

- The project qualifies as minimum impact project (Env-Wt 306.03).
- The project does not include activities that are prohibited under RSA 482-A (Env-Wt 306.03(a)).
- The project does not include any work in a jurisdictional area that was started without first obtaining the applicable approval (Env-Wt 306.03(b)).
- No work has been done on the subject property pursuant to another EXP or a Statutory Permit-by-Notification (SPN) within 12 months of the date this EXP will be issued. Alternatively, if any work has been done on the subject property pursuant to another EXP or a SPN within 12 months of the date this EXP will be issued, then you are submitting information, including a plan, with this application demonstrating that:
 - The work proposed in this EXP application is wholly unrelated to and separate from the work already done under the EXP or SPN; and
 - The work proposed in this EXP application, when combined with work that has been done under previously issued EXPs or SPNs within the last 12 months, does not constitute a project for which a Standard Permit is required (Env-Wt 310.03(a)).
- If the project is located in a PRA, it also qualifies for an impact classification adjustment under Env-Wt 407.02 or a project-type exception (PTE) under Env-Wt 407.04 (Env-Wt 310.01(d)(6)).

My project meets all statements above. Proceed to Section 3.

My project does not meet all of the statements above. **Your project does not qualify for the EXP process. Your project either is not permissible or requires a Standard Permit.**

SECTION 3 - INFORMATION ON THE PROPOSED PROJECT (Env-Wt 310.01(c))

Identify the rule(s)/provision(s) which make the project a minimum impact project. Refer to the project list below and the [Expedited Minimum Impact \(EXP\) Project Classification Guidance Document](#).

- Aquatic Vegetation Control Projects (Env-Wt 510.08(a))
- Water Access Structure Construction Projects (Env-Wt 511.06(a))
- Beach Replenishment Projects (Env-Wt 511.07(a))
- Deck or Patio Repair Projects (Env-Wt 511.08(a)) N/A Coastal Projects not applicable to Env-Wt 500
- Breakwater Maintenance and Repair Projects (Env-Wt 512.07(b))
- Docking and Accessory Docking Structure Construction, Repair, and Replacement Projects (Env-Wt 513.24(a))
- Docking Structure Modification Projects (Env-Wt 513.25(a))
- Accessory Docking Structure Installation, Construction, Modification, Repair, and Replacement Projects (Env-Wt 513.26(a))
- Canopy Projects (Env-Wt 513.27(a))
- Bank/Shoreline Stabilization Construction Projects (Env-Wt 514.07(a))
- Dug-in Basins and Boathouse Construction or Modification Projects (Env-Wt 515.06(a), (b))
- Dug-in Basins and Boathouse Maintenance and Repair Projects (Env-Wt 515.07(a))
- Intake and Outflow Structure Construction, Maintenance and Repair Projects (Env-Wt 516.05; Env-Wt 516.06(b))
- Trail or Pathway Projects (Env-Wt 517.06(a); Env-Wt 517.06(d))
- Boardwalk Projects (Env-Wt 517.07(a); (Env-Wt 517.09))
- Dry Hydrants and Other Non-Docking Structure Projects (Env-Wt 518.07(a)(1), (b))
- Pond Construction, Maintenance, and Repair Projects (Env-Wt 519.08(a), (b); Env-Wt 519.09(a))
- Residential Utility Installation Projects (Env-Wt 521.06(a)(7))

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- Non-tidal Dredging Projects (Env-Wt 523.04(a))
- Residential, Commercial, and Industrial Development Projects (Env-Wt 524.06(b))
- Restoration/Enhancement Projects (Env-Wt 525.05)
- Dam Construction, Reconstruction, or Replacement Projects (Env-Wt 526.06(a))
- Dam Modification, Repair, or Maintenance Projects (Env-Wt 526.07(a))
- Pubic Highway Projects (Env-Wt 527.06; Env-Wt 527.07)
- Coastal Projects (Env-Wt 600)
- Stream Crossing Projects (Env-Wt 903.01(e))
- All Other Projects (Env-Wt 407.03)

Provide the project-specific information required by the rule(s)/provision(s). Refer to Chapters Env-Wt 400, Env-Wt 500, Env-Wt 600, and/or Env-Wt 900, as applicable, for project-specific application and design requirements.

Coastal Resource Worksheet is attached.

Please see applicable Standard Project Specific Worksheets for guidance.

For projects located on waterbodies, provide the linear feet of shoreline frontage on the property: 880 linear feet

Not applicable

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".

Replace degraded existing cantilevered ground floor decks but add concrete supporting piers within the footprint of the existing decks. Permanent impacts include the addition of supporting concrete piers beneath and within the footprint of the existing decks. Temporary impacts are required to install the bottoms of the piers four feet below existing grade.

Identify the type of jurisdictional resources to be impacted and the area of impact in square feet and/or linear feet:
 All impacts will be within uplands of the previously developed tidal buffer.

Permanent impacts of 62 concrete piers, each with a 1.77 sf (16 in. x 16 in.) base placed 4 ft below grade with approximately 0.44 sf (8 in. x 8 in.) of permanent impact at grade= 110 sf below grade and 27 sf of permanent impacts at grade and within the footprint of the existing decks.

Temporary impacts associated with excavaton and placement of the piers @ 20 sf/pier = 1,240 sf

The decks are 4,632 sf

Not applicable)

SECTION 4 - PROJECT LOCATION (Env-Wt 310.01(b))

ADDRESS: 500 Market Street

TOWN/CITY: Portsmouth

TAX MAP/LOT NUMBER: 120/2

US GEOLOGICAL SURVEY (USGS) TOPO MAP WATERBODY NAME: Piscataqua River

N/A

LATITUDE/LONGITUDE in decimal degrees (to five decimal places):
 43.08179° North
 -70.76292° West

SECTION 5 - APPLICANT (DESIRED PERMIT HOLDER) INFORMATION (Env-Wt 310.01(a))

If the applicant is a trust or a company, then the name of the trust or company should be written as the applicant's name.

NAME: Noble's Island Condominiums

MAILING ADDRESS: c/o Michael Street, CP Management, 11 Court Street

TOWN/CITY: Exeter

STATE: NH

ZIP CODE: 03833

PHONE: 603-778-6300

EMAIL ADDRESS (OPTIONAL): MichaelS@CPManagement.com

ELECTRONIC COMMUNICATION: By initialing here: _____, I hereby authorize NHDES to communicate all matters relative to this application electronically.

SECTION 6 - AUTHORIZED AGENT INFORMATION (Env-Wt 310.01(a))

If the agent is a company, then the name of the company should be written as the agent's name.

NAME: Tighe & Bond

MAILING ADDRESS: Attn: Leonard Lord, 177 Corporate Drive

TOWN/CITY: Portsmouth

STATE: NH

ZIP CODE: 03801

PHONE: 603-433-8818

EMAIL ADDRESS (OPTIONAL): LLord@TigheBond.com

ELECTRONIC COMMUNICATION: By initialing here: LL, I hereby authorize NHDES to communicate all matters relative to this application electronically.

SECTION 7 - PROPERTY OWNER INFORMATION, IF DIFFERENT FROM APPLICANT (Env-Wt 310.01(a))

If the owner is a trust or a company, then the name of the trust or company should be written as the owner's name.

NAME: [REDACTED]

MAILING ADDRESS: [REDACTED]

TOWN/CITY: [REDACTED] STATE: [REDACTED] ZIP CODE: [REDACTED]

PHONE: [REDACTED] EMAIL ADDRESS (OPTIONAL): [REDACTED]

ELECTRONIC COMMUNICATION: By initialing here: [REDACTED], I hereby authorize NHDES to communicate all matters relative to this application electronically.

SECTION 8 - APPLICATION FEE (RSA 482-A:3, I)

\$400 for minimum impact projects. Please make your check or money order payable to: "Treasurer - State of NH".

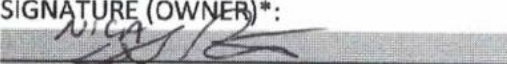
SECTION 9 - REQUIRED CERTIFICATIONS (Env-Wt 310.01(d))

Initial each box below to certify:


Initials: [REDACTED] LL [REDACTED]	The proposed project meets the conditions and limits of the applicable minimum impact project rule.
Initials: [REDACTED] LL [REDACTED]	All abutters have been notified.
Initials: [REDACTED] [REDACTED] [REDACTED]	If the project is to repair or replace a docking structure, the docking structure is an existing legal structure. <input checked="" type="checkbox"/> N/A
Initials: [REDACTED] LL [REDACTED]	The proposal is the alternative with the least adverse impact to jurisdictional areas, as required by Env-Wt 310.01(d)(4).
Initials: [REDACTED] LL [REDACTED]	The project is not an after-the-fact application.
Initials: [REDACTED] LL [REDACTED]	The project is: <ul style="list-style-type: none"> • Not located in a PRA, or • Is located in a PRA but is subject to a classification adjustment under Env-Wt 407.02 or a project-type exception under Env-Wt 407.04.
Initials: [REDACTED] LL [REDACTED]	The applicant is aware of the limits of the EXP and understands and will comply with all conditions in the EXP and all applicable conditions in Env-Wt 307.

Initials: [Redacted] LL [Redacted]	To the best of the signer's knowledge and belief, all required notifications have been provided.
Initials: [Redacted] LL [Redacted]	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: [Redacted] LL [Redacted]	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"> Deny the application. Revoke any approval that is granted based on the information. 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 trail projects, where the signature shall authorize only the Department to inspect the site pursuant to RSA 482-A:6, II.
Initials: N/A [Redacted] [Redacted]	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 10 - REQUIRED SIGNATURES (Env-Wt 310.01(d))

SIGNATURE (OWNER)*: 	PRINT NAME LEGIBLY: NICA BOARD DAVID PORTER PRESIDENT	DATE: 4/23/21
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*Note: If the applicant is not the owner of the property, each property owner also shall sign and date the application provided that property owner signatures shall not be required for transportation projects adjacent to existing rights-of-way where an easement will be obtained prior to the start of construction (Env-Wt 311.11(d)). Check the following box if your project meets this exception: .

SIGNATURE (APPLICANT, IF DIFFERENT FROM OWNER): [Redacted]	PRINT NAME LEGIBLY: [Redacted]	DATE: [Redacted]
SIGNATURE (AGENT, IF APPLICABLE): 	PRINT NAME LEGIBLY: Leonard Lord	DATE: 4/23/2021

SECTION 11 - CONSERVATION COMMISSION SIGNATURE (Env-Wt 310.01(h))**

The signed statement from the Conservation Commission may be submitted electronically.
 The signature below certifies that the municipal Conservation Commission or, if there is no conservation commission, the local governing body, has reviewed this application and the municipality waives its right to intervene on the project, per RSA 482-A:11.

AUTHORIZED COMMISSION SIGNATURE: [Redacted]	PRINT NAME LEGIBLY: [Redacted]	DATE: [Redacted]
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Signature to be provided to NHDES following the 5/12/21 Conservation Commission meeting.

SECTION 12 - LOCAL RIVER MANAGEMENT ADVISORY COMMITTEE SIGNATURE (Env-Wt 310.01(i))**		
The signature below certifies that the LAC waives its right to intervene per RSA 482-A:11: (<input checked="" type="checkbox"/> N/A This project is not within a Designated River Corridor)		
AUTHORIZED LAC REPRESENTATIVE SIGNATURE: _____	PRINT NAME LEGIBLY: _____	DATE: _____

**Note: If the application is administratively complete, except for the signed statement from the Conservation Commission and/or LAC, the application will be processed under the application processing times established in RSA 482-A:3, XIV (Env-Wt 310.02(h)). The applicant may also indicate that they are applying for a minimum impact application under standard processing timelines.

SECTION 14 - TOWN / CITY CLERK SIGNATURE (Env-Wt 310.01(f))	
As required by RSA 482-A:3, I(a)(1), I hereby certify that the municipality has received four copies of the application, including all attachments.	
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 single, 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.

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

APPLICATION CHECKLIST

Required for all applications:

- The completed, dated, signed and certified application (Env-Wt 310.01).
- Application fee of \$400, as determined in RSA 482-A:3, I (Env-Wt 310.01(e)). Make check or money order payable to "Treasurer – State of NH".
- [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](#). N/A
- A copy of the town tax map(s) showing the location of the proposed project in relation to abutters (Env-Wt 310.01(b)(2)).
- A list of abutters' names and mailing addresses to cross-reference with the tax map (Env-Wt 310.01(b)(3)).
- A copy of the appropriate US Geological Survey map with the property and project clearly marked (Env-Wt 310.01(b)(4)).
- Photos that meet all of the following criteria:
 - Clearly show the area to be impacted,
 - Are mounted or printed no more than two per sheet on 8.5-inch x 11-inch paper, and
 - Are annotated to explain impact (Env-Wt 310.01(b)(6)).
- The results and identification number of the NHB DataCheck (Env-Wt 310.01(b)(8)). See [Wetlands Permitting: Protected Species and Habitat](#) Fact Sheet.
- An accurate drawing showing the precise location, with detailed dimensions clearly annotated to document existing site conditions and to show the proposed impacts to the jurisdictional areas (Env-Wt 310.01(c)(4)).
- An accurate drawing to show the impact of the proposed activity on jurisdictional areas, including the following (Env-Wt 310.01(c)(5)):
 - An overview of the property and proposed impact areas in relation to property lines,
 - The scale, if any, used on the drawing,
 - If the drawing is not to scale, the dimensions of all existing and proposed structures and all other relevant features necessary to clearly define the project,
 - A labeled north-pointing arrow to indicate orientation,
 - A legend that clearly indicates all symbols, line types, and shading used on the plan,
 - The location of the jurisdictional areas delineated in accordance with Env-Wt 400,
 - Proposed sequence of construction including pre-construction through post-construction activities and the relative timing and progression of all work,
 - The location and type of siltation and turbidity controls indicated graphically and labeled or annotated as necessary,
 - For any project using a temporary coffer dam and for any repair of a tier 3 stream crossing, the date, signature, and seal of the licensed professional engineer who prepared or had responsibility for the plan(s),
 - For restoration/enhancement projects, the information required to be shown on a map by Env-Wt 525,
 - For tidal minimum impact projects, the information required to be shown on a map by Env-Wt 600, and
 - For minimum impact stream crossing projects, the information required to be shown on a map by Env-Wt 900.
- The linear distance of the project from abutting property boundaries (Env-Wt 310.01(c)(7)).

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Required for certain project type, as applicable:

- The type of dock construction (Env-Wt 310.01(c)(8)).
- The diameter of culvert(s) to be used for road or driveway crossings (Env-Wt 310.01(c)(8)).
- The additional information specified in Env-Wt 522 for minimum impact agricultural applications (Env-Wt 310.01(c)(8)).
- Plans for maintenance of retaining walls, as specified in Env-Wt 514 (if applicable; Env-Wt 310.01(c)(8)).
- Specifications and plans for maintenance of rip-rap, as required by Env-Wt 514 (Env-Wt 310.01(c)(8)).
- Any other project-specific plan or information required under Env-Wt 500 and as described in the project-specific worksheet (Env-Wt 310.01(c)(8)).
- Information required on the [Coastal Resource Worksheet](#) for coastal projects under Env-Wt 600.
- Prime Wetlands information required under Env-Wt 700.
- Information requested on the [Stream Crossing Worksheet](#) required by Env-Wt 900.



EXPEDITED (EXP) MINIMUM IMPACT WETLANDS PERMIT APPLICATION REVIEW PROCESS



Water Division/Land Resources Management Wetlands Bureau

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

In accordance with Env-Wt 310.02, the department must review an application for an expedited permit (EXP) for administrative completeness and compliance with applicable department rules within 30 calendar days of receipt if the application has been signed by:

- The municipal conservation commission or, if there is no conservation commission, the local governing body, certifying that the municipality waives its right to intervene on the project, which may be submitted electronically; and
- The LAC, if the project is within LAC jurisdiction, certifying that the LAC waives its right to intervene on the project. "LAC jurisdiction" means the authority conferred by RSA 483:8-a, III upon a local river management advisory committee relative to activities within a designated river or river corridor, provided that for the purpose of routine roadway maintenance activities conducted under an EXP, LAC jurisdiction is limited to activities in or within 250 feet of a tier 2 or tier 3 designated river that have a direct surface water connection to the designated river (Env-Wt 103.27).

Administrative Completeness Review:

If the application is administratively complete, complies with applicable requirements, and has the signature(s) mentioned above, the department will issue an EXP and post the information on [OneStop](#) within one business day of determining that the application was complete and in compliance with all applicable requirements.

If the application is lacking anything other than the signatures mentioned above and the project qualifies for an EXP, the department will send a written notice to the applicant that:

- Identifies each item that is missing; and
- Informs the applicant that in order to proceed under the EXP, the applicant must submit all necessary information within 20 days of the date of the notice or the application will be denied.

If the application was administratively complete except for one or both of the signatures required above, the department will send a written notice to the applicant that the application will be processed under the application processing times established in RSA 482-A:3, XIV.

If the applicant receives the above-mentioned notice and wishes to proceed under an EXP, the applicant must submit a revised application for an EXP that provides all of the required information within 20 days of the date of the notice. If the applicant does not submit all necessary information to the department within 20 days, the department will deny the EXP.

Technical Review:

If the information submitted as part of the application is not sufficient for the department to determine that the project meets the criteria for an EXP, the department shall send a request for more information, together with any written technical comments the department deems necessary, within 30 calendar days of receipt of the application. Such request and technical comments shall be sent by electronic means if the applicant or applicant's agent has indicated that doing so is acceptable.

If the project proposed in the EXP application does not comply with applicable requirements, the department will deny the application and notify the applicant in writing of the reason(s) for the denial.

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WETLANDS RULE WAIVER OR DWELLING OVER WATER WAIVER REQUEST FORM

WATER DIVISION/LAND RESOURCES MANAGEMENT
WETLANDS BUREAU



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

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

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

SECTION 1 - PROJECT LOCATION INFORMATION (Env-Wt 204.03(c))			
ADDRESS: 500 Market Street	TOWN/CITY: Portsmouth	STATE: NH	ZIP CODE: 03801
TAX MAP/LOT NUMBER: 120/2			
SECTION 2 - WAIVER REQUESTOR INFORMATION (Env-Wt 204.03(a))			
LAST NAME, FIRST NAME, M.I.: Tighe & Bond			
MAILING ADDRESS: Attn: Leonard Lord, 177 Corporate Drive			
TOWN/CITY: Portsmouth		STATE: NH	ZIP CODE: 03801
EMAIL ADDRESS (if available): LLord@TigheBond.com or if not FAX NUMBER: [REDACTED]		DAYTIME TELEPHONE NUMBER: 603-433-8818	
SECTION 3 - APPLICANT INFORMATION (Env-Wt 204.03(b))			
If request is being made on behalf of someone else, include the following information regarding the person being represented. If requestor is the applicant, check the following box and proceed to Section 4.			
<input type="checkbox"/> Requestor is the applicant.			
LAST NAME, FIRST NAME, M.I.: Noble's Island Condominiums			
MAILING ADDRESS: c/o Michael Street, CP Management, 11 Court St.			
TOWN/CITY: Exeter		STATE: NH	ZIP CODE: 03833
EMAIL ADDRESS (if available): MichaelS@CPManagement.com or if not FAX NUMBER: [REDACTED]		DAYTIME PHONE NUMBER: 603-778-6300	

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SECTION 4 - WAIVER INFORMATION
SECTION 4A - WAIVER TO RULE Env-Wt 100-900
<input type="checkbox"/> N/A - If you are not requesting a rule waiver, check this box and proceed to Section 4b
Provide the number of the specific section of each rule for which a waiver is sought (Env-Wt 204.03(d)): Env-Wt 603.08 (a) & (b)
Provide a complete explanation of why a waiver is being requested, including an explanation of the operational and economic consequences of complying with the requirement and, if the requested waiver would extend the duration of a permit, the reason(s) why the permit holder was not able to complete the project within the specified time (Env-Wt 204.03(f)(1)): A waiver is sought to omit the required surveyed field observations of three tide events. This level of study and expense is excessive for a simple deck repair/replacement within the previously developed tidal buffer with no increase in the project footprint. The project has a high risk tolerance and is not at a risk of flooding under a predicted sea level rise of 1.3 feet by 2050. This estimate is based on the use of conservative existing tidal heights. Furthermore, the project is needed for the safety of the residents.
If applicable, provide a complete explanation of the alternative that is proposed to be substituted for the requirement in Env-Wt, including written documentation or data, or both, to support the alternative (Env-Wt 204.03(g)): NOAA predicted tide heights for the project were used from Seavey Island, which is only 4,000 +/- feet away. Use of tidal heights from Seavey Island is likely to be conservative because there are moderate tidal restrictions under a railroad bridge and under Market Street between Seavey Island and the project area. The restrictions are likely to have a dampening effect on tidal extremes, making the tidal heights used in the attached permit application conservative.
SECTION 4B – DWELLING OVER WATERS WAIVER UNDER RSA 482-A:26, III(b).
<input type="checkbox"/> N/A - If you are not requesting a standard waiver, check this box and proceed to Section 5)
Identify the specific standard to which a waiver is being requested (Env-Wt 204.03(e)): RSA 482-A: [redacted]
Provide a complete explanation of why a waiver is being requested, including a complete explanation of how the statutory criteria of RSA 482-A:26, III(b) will be met (Env-Wt 204.03(f)(2)): [redacted]

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

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

The waiver is only needed for the application approval.

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

Env-Wt 204.06

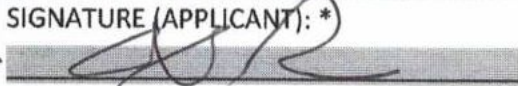

(a1)The waiver will not result in an adverse impact to the environment or public safety. (a2)It will not interfere with public waters. (a3) It will not result in an adverse impact on abutting properties. NH RSA 482-A:26 (Dwellings Over Water) is not applicable.

SECTION 6 - REQUIRED CERTIFICATIONS (Env-Wt 204.04)

Initial each box and sign below to certify:

Initials: LL	The information provided is true, complete, and not misleading to the knowledge and belief of the signer.
Initials: LL	The signer understands that: <ul style="list-style-type: none"> Any waiver granted based on false, incomplete, or misleading information shall be subject to revocation; and He or she is subject to the penalties for falsification in official matters, currently established in RSA 641.

SECTION 7 - REQUESTOR SIGNATURE (Env-Wt 204.04)

SIGNATURE (APPLICANT): * 	PRINT NAME, LEGIBLY: NICA DAVID PORTER, PRESIDENT OF NICA BOARD	DATE: 4/23/21
SIGNATURE (REQUESTOR): 	PRINT NAME LEGIBLY: Leonard Lord	DATE: 4/23/2021

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



WETLANDS RULE WAIVER OR DWELLING OVER WATER WAIVER REQUEST FORM CRITERIA/DECISION



WATER DIVISION/LAND RESOURCES MANAGEMENT WETLANDS BUREAU

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

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

SECTION 1 - WAIVER CRITERIA

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

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

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

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

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

SECTION 2 – DECISION (Env-Wt 204.07)

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



COASTAL RESOURCE WORKSHEET

Water Division/Land Resources Management Wetlands Bureau



[Check the Status of your Application](#)

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

APPLICANT LAST NAME, FIRST NAME, M.I.: Noble's Island Condominiums

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 purpose of the project is to replace existing degraded decks on the ground floor of the three buildings that make up Noble Island Condominiums. The existing decks are cantilevered and supported by rusting steel beams. The decks will be replaced within the same footprint but will have concrete piers as supports instead of the cantilevered beams. The concrete piers will be within the footprint of the existing decks.

Work will be conducted entirely within disturbed areas of the Previously Developed Tidal Buffer Zone.

Impacts from the project have been avoided and minimized by maintaining the necessary repair work to within the existing footprint of the degraded decks. Future work will be avoided by changing the construction from cantilevered beams to more durable concrete pier supports.

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For standard permit projects, provide:

- A Coastal Functional Assessment (CFA) report in accordance with Env-Wt 603.04 (refer to Section 3). N/A
- A vulnerability assessment in accordance with Env-Wt 603.05 (refer to Section 4). Required for all permit types

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.

Impacts from the project have been avoided and minimized by maintaining the necessary repair work to within the existing footprint of the degraded decks. Wetland functions and values will not be impacted by the project. Erosion and sediment control Best Management Practices will be utilized to protect from siltation.

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

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

Provide a project design narrative that includes the following:

- A discussion of how the proposed project:
 - 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.

A project design narrative is attached.

- 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.

N/A

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)

Projects in coastal areas shall:

- Not impair the navigation, recreation, or commerce of the general public; and
- Minimize alterations in prevailing currents.

An applicant for a permit for work in or adjacent to tidal waters/wetlands or the tidal buffer zone shall demonstrate that the following have been avoided or minimized as required by Env-Wt 313.04:

- Adverse impacts to beach or tidal flat sediment replenishment;
- Adverse impacts to the movement of sediments along a shore;
- Adverse impacts on a tidal wetland’s ability to dissipate wave energy and storm surge; and
- Adverse impacts of project runoff on salinity levels in tidal environments.

For standard permit applications submitted for minor or major projects:

- Attach a CFA based on the data screening information and on-site evaluation required by Env-Wt 603.03. The CFA for tidal wetlands or tidal waters shall be:
 - Performed by a qualified coastal professional; and
 - Completed using one of the following methods:
 - a. The US Army Corps of Engineers (USACE) Highway Methodology Workbook, dated 1993, together with the USACE New England District *Highway Methodology Workbook Supplement*, dated 1999; or
 - b. An alternative scientifically-supported method with cited reference and the reasons for the alternative method substantiated.

For any project that would impact tidal wetlands, tidal waters, or associated sand dunes, the applicant shall:

N/A

- Use the results of the CFA to select the location of the proposed project having the least impact to tidal wetlands, tidal waters, or associated sand dunes;
- Design the proposed project to have the least impact to tidal wetlands, tidal waters, or associated sand dunes;
- Where impact to wetland and other coastal resource functions is unavoidable, limit the project impacts to the least valuable functions, avoiding and minimizing impact to the highest and most valuable functions; and
- Include on-site minimization measures and construction management practices to protect coastal resource areas.

Projects in coastal areas shall use results of this CFA to:

- Minimize adverse impacts to finfish, shellfish, crustacean, and wildlife;
- Minimize disturbances to groundwater and surface water flow;
- Avoid impacts that could adversely affect fish habitat, wildlife habitat, or both; and
- Avoid impacts that might cause erosion to shoreline properties.

SECTION 4 - VULNERABILITY ASSESSMENT (Env-Wt 603.05)

Refer to the New Hampshire Coastal Flood Risk Summary Part 1: Science and New Hampshire Coastal Flood Risk Summary Part II: Guidance for Using Scientific Projections or other best available science to:

Determine the time period over which the project is designed to serve.

25 years

Identify the project's relative risk tolerance to flooding and potential damage or loss likely to result from flooding to buildings, infrastructure, salt marshes, sand dunes and other valuable coastal resource areas.

NH Coastal Flood Risk Summary Part II, Step 2 Table: High Risk Tolerance

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

NH Coastal Flood Risk Summary Part II, Step 3 Table A: High Risk Tolerance, SLR 2050 = 1.3 feet

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

None

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

100 year floodplain (Zone AE) base flood elevation is 8 feet. The existing grade at the project is at elevation 10-15 feet on the downslope side where the concrete piers will be, but the decking will be at 12 feet or higher.

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

The project is not vulnerable based on SLR. The base flood elevation for a 1% chance flood event is 8 feet with a predicted SLR of 1.3 feet by 2050, which would bring the base flood elevation to 9.3 feet. The concrete piers, which are resistant to flooding, will be at elevation 10 feet or above at grade and the decking will be at 12 feet or above.

Where there are conflicts between the project's purpose and the vulnerability assessment results, schedule a application meeting with the de partment to evaluate design alternatives, engineering approaches, and use of the best available science.

Pre-application meeting date held: N/A

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; N/A: No work in wetlands or water bodies
- 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).
- Tidal shoreline stabilization (Env-Wt 609).
- Dredging activities (Env-Wt 607).
- Protected tidal zone (Env-Wt 610).
- Tidal beach maintenance (Env-Wt 608).
- Sand Dunes (Env-Wt 611).

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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: NOAA tidal datums were used from nearby Seavey Island. See waiver request.

- 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: N/A

- 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; N/A: No impacts to tidal wetlands or waters
- The avoidance and minimization requirements in Env-Wt 311.07 and Env-Wt 313.03;
- The approval criteria in Env-Wt 313.01;
- The evaluation criteria in Env-Wt 313.05;
- The project specific criteria in Env-Wt 600;
- The CFA required by Env-Wt 603.04; and
- The vulnerability assessment required by Env-Wt 603.05.

Projects in tidal surface waters or tidal wetlands shall:

- Optimize the natural function of the tidal wetland, including protection or restoration of habitat, water quality, and self-sustaining stability to storm surge;
- Be designed with a preference for living shorelines over hardened stabilization practices; and
- Be limited to public infrastructure or restoration projects that are in the interest of the general public, including a road, a bridge, energy infrastructure, or a project that addresses predicted sea-level rise and coastal flood risk.

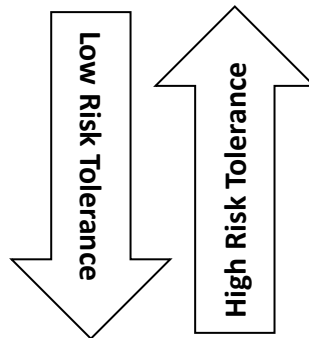
SECTION 10 – GUIDANCE

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

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

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

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



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

Project Design Narrative

Project Discussion

Env-Wt 307. Surface waters will not be impacted by the project. All work will be conducted within uplands and will employ proper erosion and sediment control BMPs. No equipment will be used within surface waters or wetlands and no invasive species will be used to stabilize the site. The NH Natural Heritage Bureau DataCheck has determined that no rare species or critical habitats will be impacted. All work on this project is within previously developed and landscaped areas and will be consistent with the Shoreland Water Quality Protection Act. No work will be adjacent to designated prime wetlands. The project does not involve dredging or filling of wetlands. Areas of temporary soil disturbance will be stabilized within three days of final grading as described in the construction sequencing below. The project is 11 feet from the closest point to the property line. No work is being done within 10 feet of a property line without an abutter's prior written consent.

Env-Wt 311.07 & 313.03. Impacts from the project have been avoided and minimized by maintaining the necessary repair work to within the existing footprint of the degraded decks. All work is being done within the previously developed tidal buffer. No wetlands will be directly impacted.

Env-Wt 313.01. As described throughout this application, the project will meet all permit approval criteria.

Env-Wt 313.01(c). Impacts from the project have been avoided and minimized by maintaining the necessary repair work to within the existing footprint of the degraded decks. All work is being done within the previously developed tidal buffer. No wetlands will be directly impacted.

Env-Wt 603.04. N/A (Expedited Minimum Permit Application)

Env-Wt 603.05. A Vulnerability Assessment is included on the Coastal Worksheet and includes consideration of sea level rise and flooding. Design plans are attached that include water depth information. The project has a high risk tolerance and is not at a risk of flooding under a predicted sea level rise (SLR) of 1.3 feet by 2050.

Construction Sequencing

1. Install erosion and sediment controls (silt socks) between the proposed work and the top of the riprap slope.
2. All work involving soil disturbance and concrete pier installation shall be maintained at least 10 feet from the abutting property line at Building A unless prior written consent is obtained from the affected abutter.
3. Remove existing cantilevered decks, including decking, joists, and exterior portions of cantilevered steel beams.
4. Dispose of materials properly off-site and outside of jurisdictional areas.
5. Install concrete piers.
6. Install new decks.
7. Stabilize disturbed soils within three days of final grading or temporary suspension of work. Stabilization may utilize wood chips or ground bark mulch at least 4 inches thick [cf. Env-Wq. 1506.01(d)], especially where conditions are unfavorable for grass.

Otherwise, hydroseed or hand seed with an appropriate grass mix using weed-free mulch and tackifier. The mulch and/or seed mix shall not contain invasive species.

8. Water and spot seed grass as needed to assure complete stabilization.

9. Remove silt socks once work is complete and the disturbed areas have been stabilized.

Project Maintenance and Management

The replaced decks will be inspected regularly. They will either be constructed of long-lasting synthetic materials or regularly maintained through painting or staining. Replacement of the cantilevered steel beams with concrete piers should also increase the life of the project as the concrete is more resistant to the elements.

Areas disturbed during the project will be reviewed during deck inspections to assure ongoing soil stabilization. Spot seeding and/or mulching will be used as needed to assure ongoing soil stabilization.



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

Station Info **Tides/Water Levels** Meteorological Obs. Phys. Oceanography

PORTS® ([/ports/ports.html?id=8419870](#))

OFS ([/ofs/ofs_station.shtml?stname=Seavey+Island&ofs=gom&stnid=8419870&subdomain=0](#))

Datums for 8419870, Seavey Island ME

NOTICE: All data values are relative to the NAVD88.

Elevations on NAVD88

Station: 8419870, Seavey Island, ME

Status: Accepted (Aug 8 2016)

Units: Feet

Control Station: 8418150 Portland, ME

T.M.: 0

Epoch: ([/datum_options.html#NTDE](#)) 1983-2001

Datum: NAVD88

Datum	Value	Description
MHHW (/datum_options.html#MHHW)	4.22	Mean Higher-High Water
MHW (/datum_options.html#MHW)	3.81	Mean High Water
MTL (/datum_options.html#MTL)	-0.24	Mean Tide Level
MSL (/datum_options.html#MSL)	-0.19	Mean Sea Level
DTL (/datum_options.html#DTL)	-0.20	Mean Diurnal Tide Level
MLW (/datum_options.html#MLW)	-4.30	Mean Low Water
MLLW (/datum_options.html#MLLW)	-4.62	Mean Lower-Low Water
NAVD88 (/datum_options.html)	0.00	North American Vertical Datum of 1988
STND (/datum_options.html#STND)	-6.97	Station Datum
GT (/datum_options.html#GT)	8.84	Great Diurnal Range
MN (/datum_options.html#MN)	8.11	Mean Range of Tide

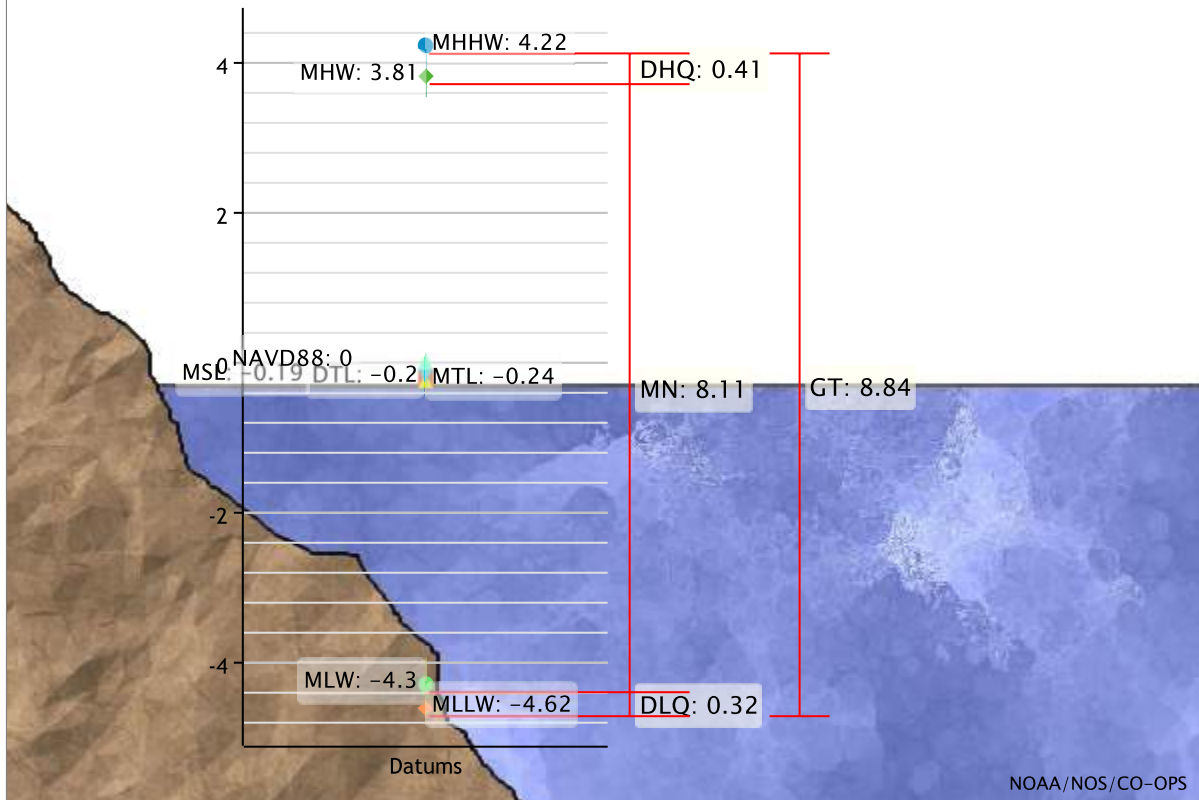
Datum	Value	Description
DHQ (/datum_options.html#DHQ)	0.41	Mean Diurnal High Water Inequality
DLQ (/datum_options.html#DLQ)	0.32	Mean Diurnal Low Water Inequality
HWI (/datum_options.html#HWI)	3.92	Greenwich High Water Interval (in hours)
LWI (/datum_options.html#LWI)	10.04	Greenwich Low Water Interval (in hours)
Max Tide (/datum_options.html#MAXTIDE)	7.90	Highest Observed Tide
Max Tide Date & Time (/datum_options.html#MAXTIDEDT)	02/07/1978 10:42	Highest Observed Tide Date & Time
Min Tide (/datum_options.html#MINTIDE)	-7.97	Lowest Observed Tide
Min Tide Date & Time (/datum_options.html#MINTIDEDT)	11/30/1955 00:00	Lowest Observed Tide Date & Time
HAT (/datum_options.html#HAT)	5.90	Highest Astronomical Tide
HAT Date & Time	06/15/1995 05:12	HAT Date and Time
LAT (/datum_options.html#LAT)	-6.29	Lowest Astronomical Tide
LAT Date & Time	01/21/1996 22:54	LAT Date and Time

Tidal Datum Analysis Periods

11/01/2000 - 10/31/2001

Datums for 8419870, Seavey Island, ME

All figures in feet relative to NAVD88



NOAA/NOS/CO-OPS

Showing datums for

8419870 Seavey Island, ME

Datum

NAVD88

Data Units Feet

Meters

Epoch Present (1983-2001)

Superseded (1960-1978)

Submit

Show nearby stations

Tighe&Bond

APPENDIX B

Photographic Log

Client: Noble's Island Condominiums

Job Number: N5079-001

Site: 500 Market Street, Portsmouth, NH

Photograph No.: 1	Date: 3/15/2021	Direction Taken: Northeast
Description: Building A deck in the left foreground with exposed mudflats at the toe of the riprap slope (E2US3N). Mid-background is the abutting property at 450 Market Street.		

Photograph No.: 2	Date: 3/15/2021	Direction Taken: North
Description: The north end of the deck on Building B is in the foreground and Building C is in the background.		

Photographic Log

Client: Noble's Island Condominiums
Site: 500 Market Street, Portsmouth, NH

Job Number: N5079-001


Photograph No.: 3	Date: 3/15/2021	Direction Taken: South
Description: View of the north end of the Building B deck, facing south.		

Photograph No.: 4	Date: 3/15/2021	Direction Taken: North
Description: Building C deck with a view of the air conditioner pens for each unit.		

Photographic Log

Client: Noble's Island Condominiums
Site: 500 Market Street, Portsmouth, NH

Job Number: N5079-001

Photograph No.: 5	Date: 3/15/2021	Direction Taken: South
Description: View of the north end of the Building C deck.		
		

Photograph No.: 6	Date: 3/15/2021	Direction Taken: East
Description: Rusting supports under the decks will be removed and supplanted by concrete piers.		
		

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APPENDIX C

Nobles Island Abutters



Property Information

Property ID 0120-0002-0000
Location 500 MARKET ST
Owner NOBLES ISLAND CONDOS MASTER CARD



**MAP FOR REFERENCE ONLY
 NOT A LEGAL DOCUMENT**

City of Portsmouth, NH makes no claims and no warranties, expressed or implied, concerning the validity or accuracy of the GIS data presented on this map.

Geometry updated 4/1/2019
 Data updated 7/17/2019

Print map scale is approximate. Critical layout or measurement activities should not be done using this resource.

Noble's Island Condominium Abutters

Property ID	Site Address	Account	Owner Name	Owner Name 2	Owner Address	City	State	Zip
0120-0001-0002	448 MARKET ST #2	33583	STEWART MAX M		448 MARKET ST	PORTSMOUTH	NH	03801
0120-0001-0003	450 MARKET ST #3	33584	DAVIDSON-TISE REVOCABLE TRUST	DAVIDSON BRUCE R & TISE REBECCA J TTEES	1465 WOODBURY AVE PMB 217	PORTSMOUTH	NH	03801
0120-0001-0004	452 MARKET ST #4	33585	PAPPAS BRYAN C LIVING TRUST	PAPPAS BRYAN C TRUSTEE	2 BRACKETT LN	PORTSMOUTH	NH	03801
0120-0002-010L	500 MARKET ST #10L	33586	LASALA BARBARA D TRUST	LASALA JOSEPH I TRUST	500 MARKET ST #10L	PORTSMOUTH	NH	03801
0120-0002-010R	500 MARKET ST #10R	33587	PORTER DAVID S	PORTER CAROL A	500 MARKET ST 10R	PORTSMOUTH	NH	03801
0120-0002-011L	500 MARKET ST #11L	33588	AVA TRUST 6/5/07	JONES SANDRA B LANCIANI ROBERT J CO TRUS	1200 SALEM ST UNIT 129	LYNNFIELD	MA	01940
0120-0002-011R	500 MARKET ST #11R	33589	KUDRICK SCOTT P	KUDRICK AMY E	500 MARKET ST #11R	PORTSMOUTH	NH	03801
0120-0002-012L	500 MARKET ST #12L	33590	DEEGAN ALEXANDRA L		500 MARKET ST 12L	PORTSMOUTH	NH	03801
0120-0002-012R	500 MARKET ST #12R	33591	NEW ENGLAND ALL STAR CONSULT LLC		253 MAIN ST	NASHUA	NH	03060
0120-0002-013L	500 MARKET ST #13L	33592	SCHWANBECK MARC A		500 MARKET ST UNIT 13L	PORTSMOUTH	NH	03801-3494
0120-0002-013R	500 MARKET ST #13R	33593	PEIRCE TRACY B REVOCABLE TRUST OF 2007	PEIRCE TRACY B TRUSTEE	500 MARKET ST UNIT 13R	PORTSMOUTH	NH	03801
0120-0002-014L	500 MARKET ST #14L	33594	MCKENNA JAMES T JR REVOCABLE TRUST	MCKENNA JAMES T JR TRUSTEE	500 MARKET ST UNIT 14L	PORTSMOUTH	NH	03801
0120-0002-014R	500 MARKET ST #14R	33595	GOEPFERT CHRISTOPHER		500 MARKET ST #14R	PORTSMOUTH	NH	03801
0120-0002-015L	500 MARKET ST #15L	33596	RUSSELL PETER H REVOC LIV TRUST	RUSSELL PETER H TRUSTEE	500 MARKET ST 15L	PORTSMOUTH	NH	03801
0120-0002-015R	500 MARKET ST #15R	33597	RODRIGUEZ GIULLIANO		500 MARKET ST #15R	PORTSMOUTH	NH	03801
0120-0002-004L	500 MARKET ST #4L	33598	SHOALS REALTY LLC (50% INT)		81 CABLE RD	RYE	NH	03870
0120-0002-004R	500 MARKET ST #4R	33599	KORKOLIS IOANNIS	OTSUBO MASAMI	1295 EDGEHILL RD SUITE 36	COLUMBUS	OH	43212
0120-0002-005L	500 MARKET ST #5L	33600	JONES BRUCE M		635 SCRUTON POND RD	BARRINGTON	NH	03825
0120-0002-005R	500 MARKET ST #5R	33601	CHASE PATRICIA F		500 MARKET ST 5R	PORTSMOUTH	NH	03801
0120-0002-006L	500 MARKET ST #6L	33602	VALENTINE TRUST	VALENTINE THOMAS J AND BETTY TRUSTEES	500 MARKET ST 6L	PORTSMOUTH	NH	03801
0120-0002-006R	500 MARKET ST #6R	33603	LORD FRANCES A REVOC TRUST	LORD FRANCES A TRUSTEE	PO BOX 6699	PORTSMOUTH	NH	03802-6699
0120-0002-007L	500 MARKET ST #7L	33604	MONAHAN TIMOTHY T	MONAHAN PAULINE B	500 MARKET ST 7L	PORTSMOUTH	NH	03801
0120-0002-007R	500 MARKET ST #7R	33605	CHAMPAGNE ROBERT R REVOCABLE TRUST	CHAMPAGNE ROBERT R TRUSTEE	120 SAGAMORE RD	RYE	NH	03870
0120-0002-008L	500 MARKET ST #8L	33606	SNOWBOUND TRUST 1998	LUISI WILLIAM D TRUSTEE	500 MARKET ST UNIT 8L	PORTSMOUTH	NH	03801
0120-0002-008R	500 MARKET ST #8R	33607	ONWARD AND UPWARD REVOC TRUST	JANIGAN JANET CAROL TRUSTEE	PO BOX 754	RYE	NH	03870
0120-0002-009L	500 MARKET ST #9L	33608	BUCKLEY WILLIAM R JR REVOC TRUST	GOULD REBECCA 1996 REVOC TRUST	500 MARKET ST UNIT 9L	PORTSMOUTH	NH	03801
0120-0002-009R	500 MARKET ST #9R	33609	BUCKLEY WILLIAM R JR REVOC TRUST	GOULD REBECCA 1996 REVOC TRUST	500 MARKET ST UNIT 9L	PORTSMOUTH	NH	03801
0120-0002-001C	500 MARKET ST #1C	37429	STANHOPE PETER E REVOC TRUST	STANHOPE PETER E TRUSTEE	500 MARKET ST #1C	PORTSMOUTH	NH	03801
0120-0002-001E	500 MARKET ST #1E	37430	NOBLE 1E LLC		500 MARKET ST UNIT 1E	PORTSMOUTH	NH	03801
0120-0002-001A	500 MARKET ST #1A	37431	WILSON HOLDINGS LLC		C/O 47 WEBSTER RD	OXFORD	MA	01540
0120-0002-001B	500 MARKET ST #1B	37432	RS EXETER HOLDINGS LLC		19 EXETER FALLS DR	EXETER	NH	03833
0120-0002-003B	500 MARKET ST #3B	37433	ME NH VT LABORERS DISTRT COUNC	ATTN: CHRIS PITULA	7 LABORERS WAY	HOPKINTON	MA	01748
0120-0002-003A	500 MARKET ST #3A	37434	ME NH VT LABORERS DISTRT COUNC	ATTN: CHRIS PITULA	7 LABORERS WAY	HOPKINTON	MA	01748
0120-0002-002C	500 MARKET ST #2C	37435	PMC REALTY TRUST	CARROLL JANETTE M TRUSTEE	500 MARKET ST STE 2C	PORTSMOUTH	NH	03801
0120-0002-002A	500 MARKET ST #2A	37437	PMC REALTY TRUST	CARROLL JANETTE M TRUSTEE	500 MARKET ST STE 2C	PORTSMOUTH	NH	03801
0120-0002-016B	500 MARKET ST #16B	37438	GREATER PORTS CHAMBER COMMERCE		500 MARKET ST 16A	PORTSMOUTH	NH	03801
0120-0002-0015	500 MARKET ST #15	37440	REID AND COMPANY EXECUTIVE	SEARCH LLC	500 MARKET ST #15	PORTSMOUTH	NH	03801

Noble's Island Condominium Abutters

0120-0002-0014	500 MARKET ST #14	37441	PHF REALTY COMPANY LLC		500 MARKET ST #14	PORTSMOUTH	NH	03801
0120-0002-0013	500 MARKET ST #13	37442	PHF REALTY COMPANY LLC		500 MARKET ST #14	PORTSMOUTH	NH	03801
0120-0002-0012	500 MARKET ST #12	37443	PHF REALTY COMPANY LLC		500 MARKET ST #14	PORTSMOUTH	NH	03801
0120-0002-0011	500 MARKET ST #11	37444	BUTLER WELD R REVOCABLE TRUST	BUTLER WELD R TRUSTEE	11 KINGS HIGHWAY SOUTH	ELIOT	ME	03903- 2111
0120-0002-0010	500 MARKET ST #10	37445	NOBLE PORTSMOUTH RLTY TRUST		PO BOX 159	HAMPTON FALLS	NH	03844
0120-0002-0009	500 MARKET ST #9	37446	FROZEN POND REALTY LLC		175 CANAL ST., STE-401	MANCHESTER	NH	03101
0120-0002-0008	500 MARKET ST #8	37447	NOUCAS JAMES G JR	NOUCAS MARY P	64 THAXTER RD	PORTSMOUTH	NH	03801
0120-0002-0007	500 MARKET ST #7	37448	EW 500 MARKET LLC		520 SOUTH ST	PORTSMOUTH	NH	03801
0120-0002-0006	500 MARKET ST #6	37449	BIGELOW REALTY LLC	C/O BIGELOW & CO CPA	500 N COMMERCIAL ST	MANCHESTER	NH	03101- 1106
0120-0002-0004	500 MARKET ST #4	37451	NI REALTY CO	C/O BIGELOW & CO CPA PC	500 N COMMERCIAL ST	MANCHESTER	NH	03101- 1106
0120-0002-0005	500 MARKET ST #5	37454	NI REALTY CO	C/O BIGELOW & CO CPA PC	500 N COMMERCIAL ST	MANCHESTER	NH	03101- 1106
0120-0002-001D	500 MARKET ST #1D	37455	CHAMPERNOWNE REAL ESTATE LLC	C/O ESSENTIAL PLANNING	500 MARKET ST #1D	PORTSMOUTH	NH	03801
0120-0002-001F	500 MARKET ST #1F	37456	WILSON HOLDINGS LLC		C/O 47 WEBSTER RD	OXFORD	MA	01540
0120-0002-001G	500 MARKET ST #1G	37457	ALTMAN AND WAGNER REAL EST LLC		500 1G MARKET ST	PORTSMOUTH	NH	03801
0120-0002-002B	500 MARKET ST #2B	37458	PMC REALTY TRUST	CARROLL JANETTE M TRUSTEE	500 MARKET ST STE 2C	PORTSMOUTH	NH	03801
0120-0002-016A	500 MARKET ST #16A	37459	GREATER PORTS CHAMBER COMMERCE		500 MARKET ST 16A	PORTSMOUTH	NH	03801
0120-0001-0001	446 MARKET ST #1	37746	GREATER PISCATAQUA COMMUNITY	NEW HAMPSHIRE CHARITABLE FOUNDATION	37 PLEASANT STREET	CONCORD	NH	03301

INSERT COPIES OF ABUTTER CERTIFIED MAIL RECEIPTS HERE

Tighe&Bond

APPENDIX D

New Hampshire Natural Heritage Bureau
NHB DataCheck Results Letter

To: Leonard Lord
177 Corporate Dr
Portsmouth, NH 03042

From: NH Natural Heritage Bureau

Date: 4/1/2021 (This letter is valid through 4/1/2022)

Re: Review by NH Natural Heritage Bureau of request dated 4/1/2021

Permit Types: Wetland Standard Dredge & Fill - Minimum
Portsmouth

NHB ID: NHB21-1083

Applicant: Leonard Lord

Location: Portsmouth
Tax Map: 120, Tax Lot: 2
Address: 500 Market St

Proj. Description: Work within the Previously Developed Tidal Buffer Zone (upland). Replace degraded existing cantilevered ground floor condominium decks but add concrete supporting piers, all within the footprint of the existing decks. No expansion of existing impacts.

The NH Natural Heritage database has been checked 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. We currently have no recorded occurrences for sensitive species near this project area.

A negative result (no record in our database) does not mean that a sensitive species is not present. Our data can only tell you of known occurrences, based on information gathered by qualified biologists and reported to our office. However, many areas have never been surveyed, or have only been surveyed for certain species. An on-site survey would provide better information on what species and communities are indeed present.

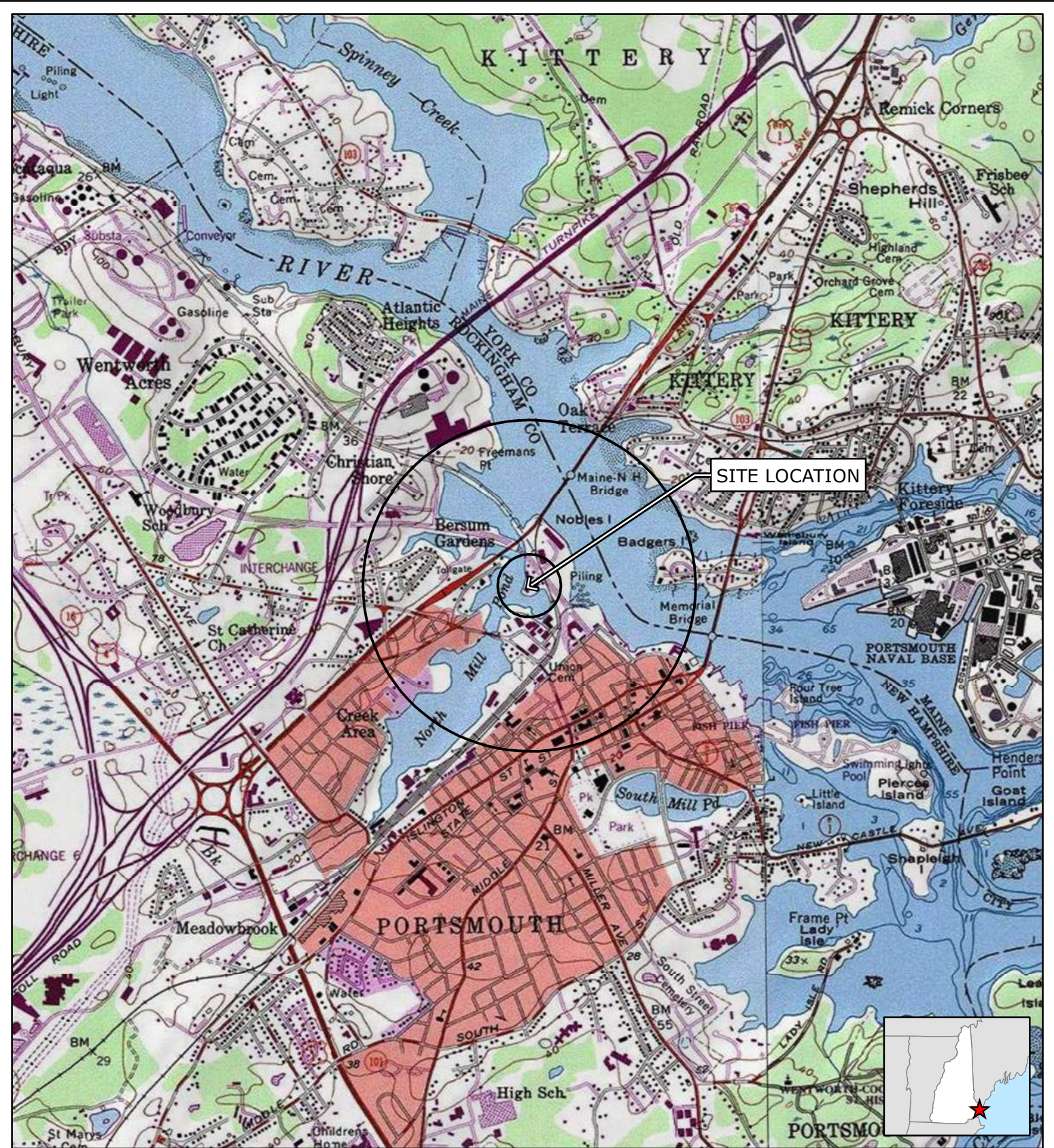
New Hampshire Natural Heritage Bureau
NHB DataCheck Results Letter

MAP OF PROJECT BOUNDARIES FOR: NHB21-1083



Tighe&Bond

APPENDIX E



SITE LOCATION



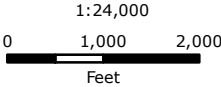
**FIGURE 1
SITE LOCUS MAP**

Noble Island
 Condominium Association
 Deck Replacement Project
 500 Market Street
 Portsmouth, New Hampshire

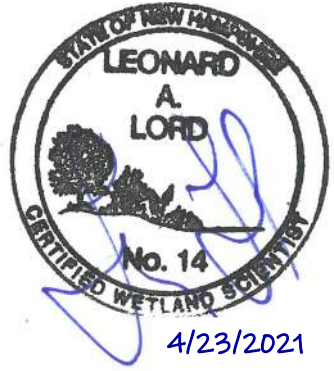
March 2021



Based on USGS Topographic Map for Portsmouth [Site Quad] and Kittery, New Hampshire
 Circles indicate 500-foot and half-mile radii



Wetlands were delineated by Tighe & Bond Environmental Scientist Leonard Lord, PhD, NHCWS #14, on March 15, 2021. Criteria for wetland determinations were based on those outlined in the *Corps of Engineers Wetlands Delineation Manual, Technical Report Y-87-1* (January 1987), and the *Regional Supplement to the Corps of Engineers Wetland Delineation Manual: Northcentral and Northeast Region* (January 2012). Determination of the Highest Observable Tide Line (HOTL) was made in accordance with Env-Wt 622.23 of the NH Wetlands Bureau rules.

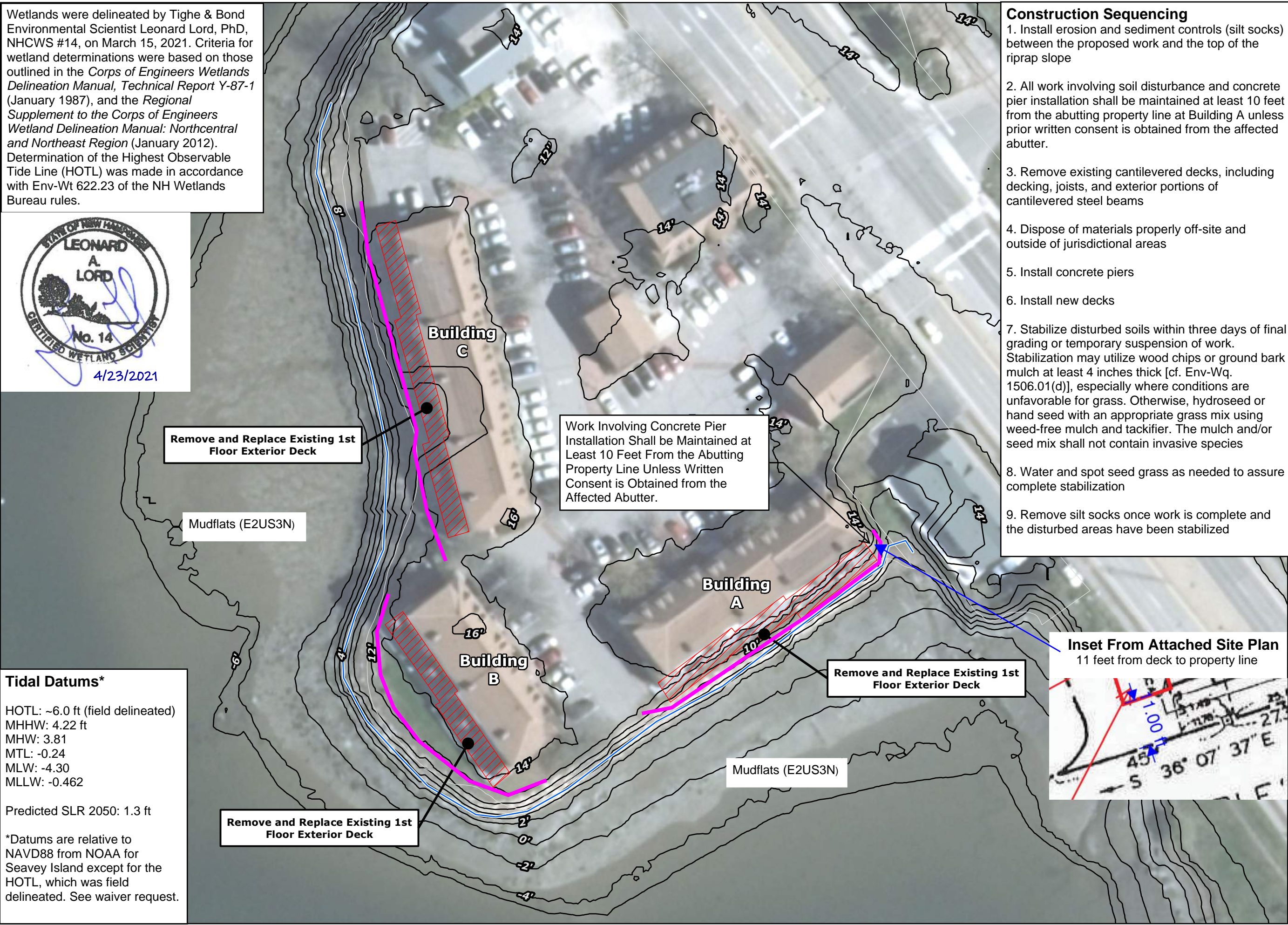


Tidal Datums*

HOTL: ~6.0 ft (field delineated)
 MHHW: 4.22 ft
 MHW: 3.81
 MTL: -0.24
 MLW: -4.30
 MLLW: -0.462

Predicted SLR 2050: 1.3 ft

*Datums are relative to NAVD88 from NOAA for Seavey Island except for the HOTL, which was field delineated. See waiver request.



- Construction Sequencing**
1. Install erosion and sediment controls (silt socks) between the proposed work and the top of the riprap slope
 2. All work involving soil disturbance and concrete pier installation shall be maintained at least 10 feet from the abutting property line at Building A unless prior written consent is obtained from the affected abutter.
 3. Remove existing cantilevered decks, including decking, joists, and exterior portions of cantilevered steel beams
 4. Dispose of materials properly off-site and outside of jurisdictional areas
 5. Install concrete piers
 6. Install new decks
 7. Stabilize disturbed soils within three days of final grading or temporary suspension of work. Stabilization may utilize wood chips or ground bark mulch at least 4 inches thick [cf. Env-Wq. 1506.01(d)], especially where conditions are unfavorable for grass. Otherwise, hydroseed or hand seed with an appropriate grass mix using weed-free mulch and tackifier. The mulch and/or seed mix shall not contain invasive species
 8. Water and spot seed grass as needed to assure complete stabilization
 9. Remove silt socks once work is complete and the disturbed areas have been stabilized

FIGURE 2 EXISTING CONDITIONS

LEGEND

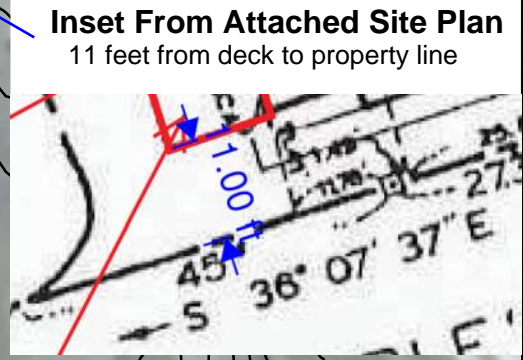
- Highest Observable Tide Line
- 2-foot Contour
- Deck
- Approximate Parcel Boundary
- Silt Sock Erosion Control

LOCUS MAP



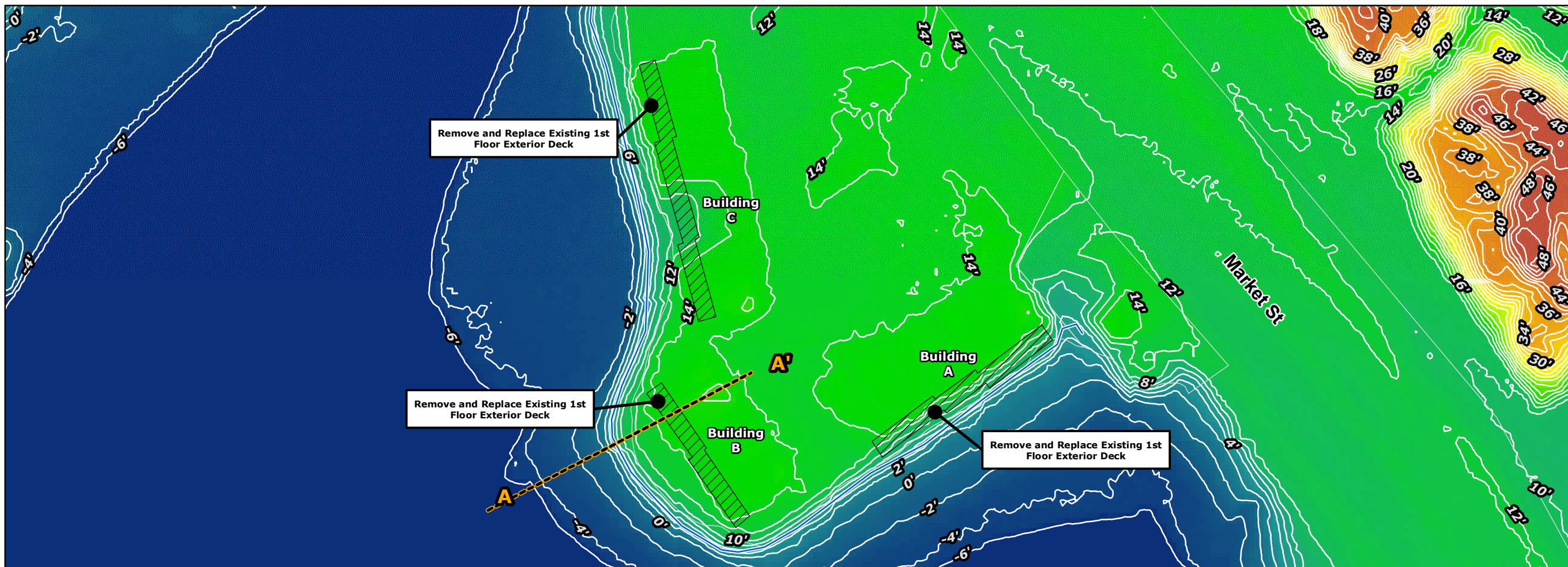
North arrow and scale bar: 0, 25, 50 Feet. 1 in = 50 ft

- NOTES**
1. Orthophotography courtesy of NH GRANIT (2015).
 2. 2-foot contours generated from 2014 coastal bare earth LIDAR DEM. DEM downloaded from NH GRANIT.



Noble Island Condominium Association Deck Replacement Project
 500 Market Street
 Portsmouth, New Hampshire
 March 2021





**FIGURE 3
ELEVATION**

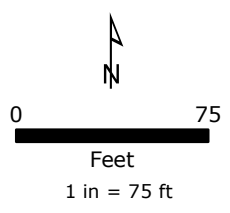
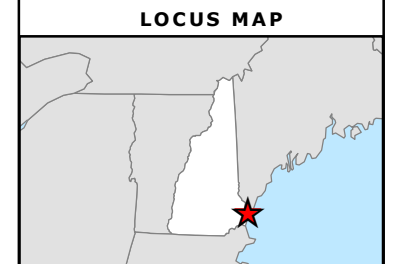
LEGEND

- Elevation Profile Cross Section
- Highest Observable Tide Line
- 2-foot Contour
- Deck
- Approximate Parcel Boundary

Value

High : 50.9186

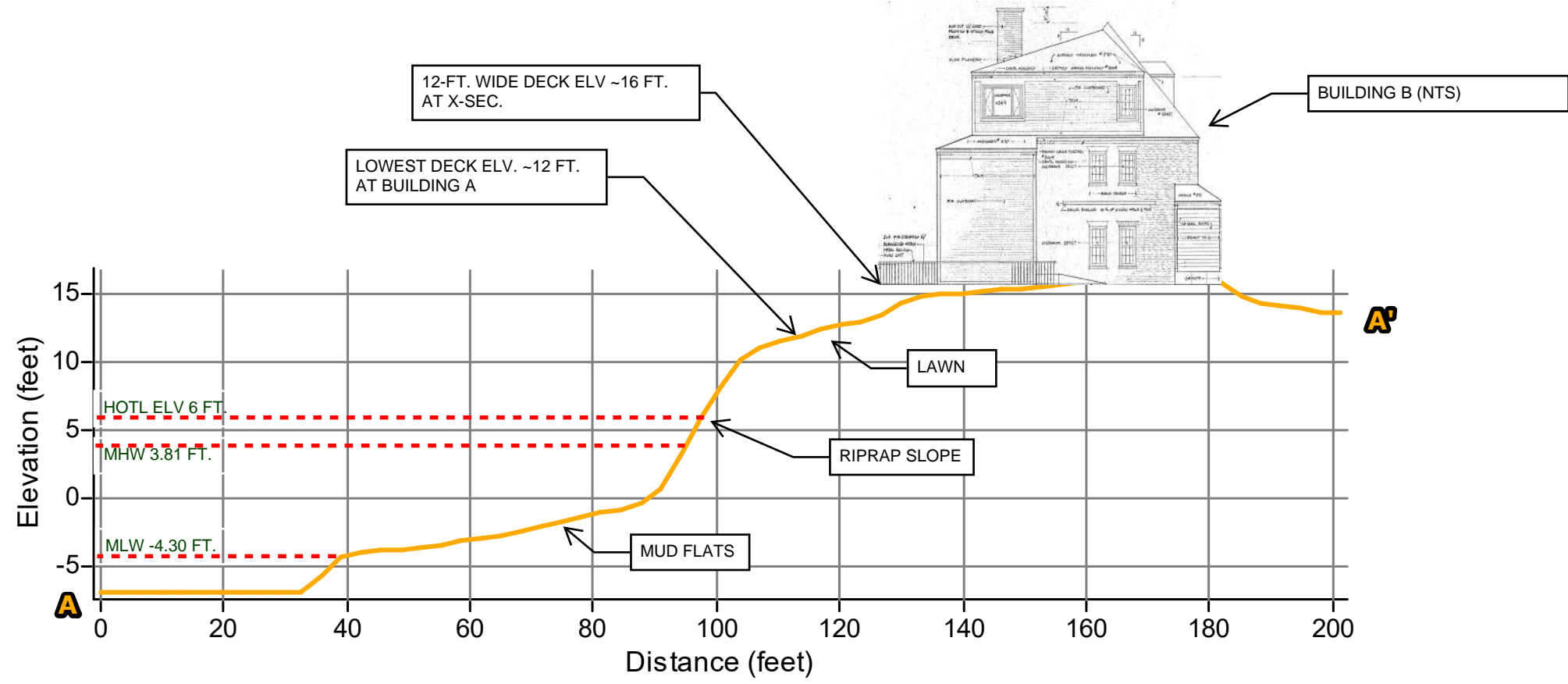
Low : -6.88976



- NOTES**
1. Orthophotography courtesy of Esri.
 2. 2-foot contours generated from 2014 coastal bare earth LIDAR DEM. DEM downloaded from NH GRANIT.

**Noble Island
Condominium Association
Deck Replacement Project
500 Market Street
Portsmouth, New Hampshire**

April 2021



Building B Elevation Profile
NAVD88 MHW AND MLW TIDAL DATUMS FROM NOAA.GOV FOR SEAVEY ISLAND, ME

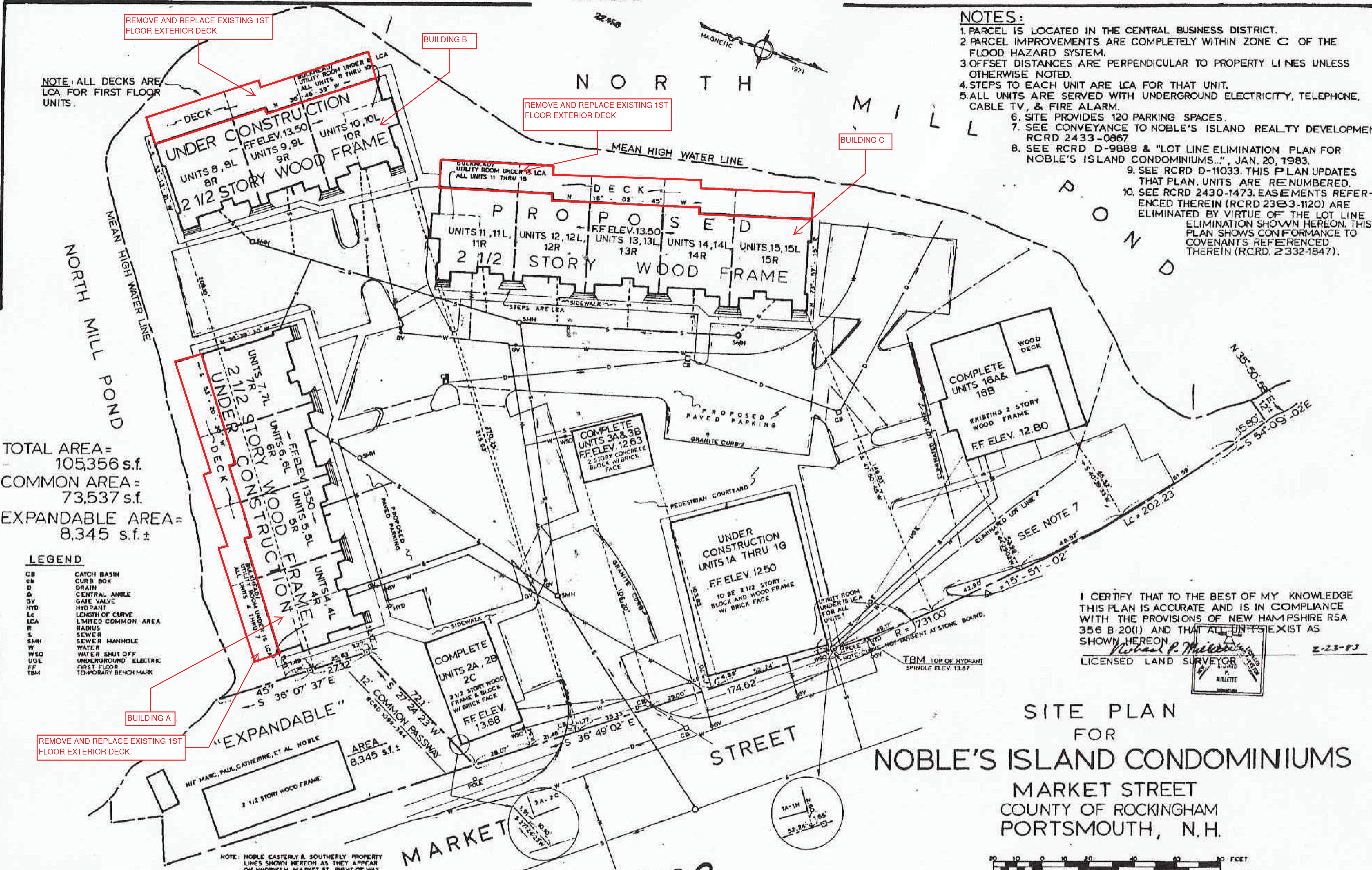
NOTES:

1. PARCEL IS LOCATED IN THE CENTRAL BUSINESS DISTRICT.
2. PARCEL IMPROVEMENTS ARE COMPLETELY WITHIN ZONE C OF THE FLOOD HAZARD SYSTEM.
3. OFFSET DISTANCES ARE PERPENDICULAR TO PROPERTY LINES UNLESS OTHERWISE NOTED.
4. STEPS TO EACH UNIT ARE LCA FOR THAT UNIT.
5. ALL UNITS ARE SERVED WITH UNDERGROUND ELECTRICITY, TELEPHONE, CABLE TV, & FIRE ALARM.
6. SITE PROVIDES 120 PARKING SPACES.
7. SEE CONVEYANCE TO NOBLE'S ISLAND REALTY DEVELOPMENT RCRD 2433-0867.
8. SEE RCRD D-9888 & "LOT LINE ELIMINATION PLAN FOR NOBLE'S ISLAND CONDOMINIUMS..." JAN. 20, 1983.
9. SEE RCRD D-11033. THIS PLAN UPDATES THAT PLAN. UNITS ARE RE-NUMBERED.
10. SEE RCRD 2430-1473. EASEMENTS REFERENCED THEREIN (RCRD 2303-1120) ARE ELIMINATED BY VIRTUE OF THE LOT LINE ELIMINATION SHOWN HEREON. THIS PLAN SHOWS CONFORMANCE TO COVENANTS REFERENCED THEREIN (RCRD. 2332-1847).

N O R T H

M I L L

P O N D



TOTAL AREA = 105,356 s.f.
 COMMON AREA = 73,537 s.f.
 EXPANDABLE AREA = 8,345 s.f.±

LEGEND

- CB CATCH BASIN
- CB BOX CURB BOX
- DRAIN
- GA GATE VALVE
- HYD HYDRANT
- LCA LENGTH OF CURVE
- LCA LIMITED COMMON AREA
- R RADIUS
- SMH SEWER MANHOLE
- W WATER
- WSO WATER SHUT OFF
- UOE UNDERGROUND ELECTRIC
- FF FIRST FLOOR
- TBM TEMPORARY BENCH MARK

I CERTIFY THAT TO THE BEST OF MY KNOWLEDGE THIS PLAN IS ACCURATE AND IS IN COMPLIANCE WITH THE PROVISIONS OF NEW HAMPSHIRE RSA 356 B:20(i) AND THAT ALL UTILITIES EXIST AS SHOWN HEREON.

Richard P. Millette
 LICENSED LAND SURVEYOR
 2-23-83

SITE PLAN FOR
 NOBLE'S ISLAND CONDOMINIUMS
 MARKET STREET
 COUNTY OF ROCKINGHAM
 PORTSMOUTH, N.H.



SCALE: 1" = 20'

JANUARY 20, 1983

PORTSMOUTH PLANNING BOARD
Edward Clarke 2-25-83

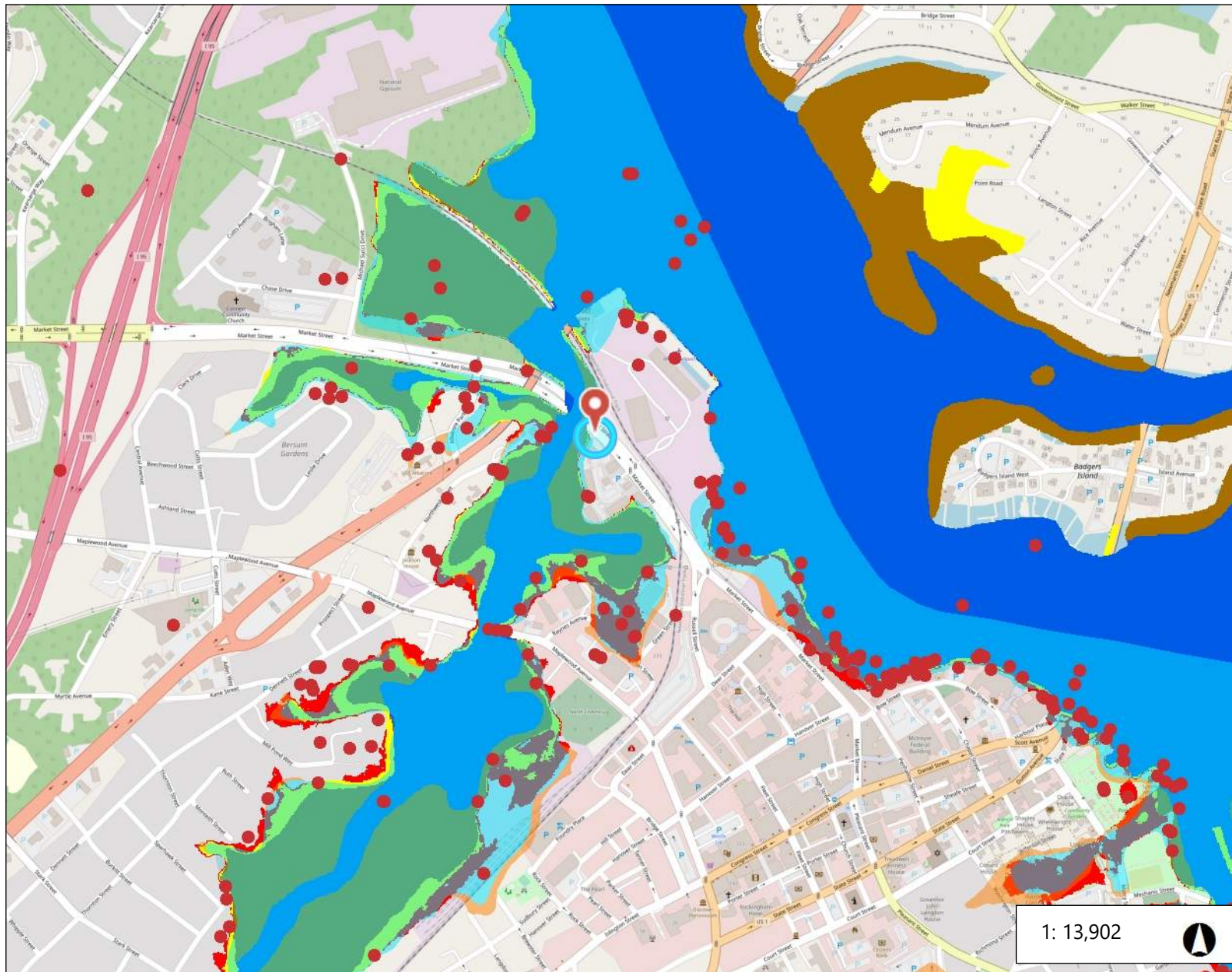
For Recording Purposes Only -
 Not a sub-division.

D-11709
 Sheet 1 of 8

RICHARD P. MILLETTE AND ASSOC. THE HILL PORTSMOUTH, NH 0380'



Figure 5
Wetlands Permit Planning
Tool Results



Legend

- Oyster Restoration Sites
- Aquaculture Sites - 2015
- NHDES Wetland and Shorelar
- Prime Wetlands with 100 ft Buffer
- Prime Wetlands
- Peatlands
- Designated Rivers**
- Subject to SWQPA
- Not Subject to SWQPA
- FEMA Floodplains**
- 1 pct. Annual Chance Flood Hazard
- Floodway
- 0.2 pct. Annual Chance Flood Hazard
- Area of Undetermined Flood Hazard
- Area Protected by Levee
- Sand Dunes**
- backdune
- foredune
- interdune
- other
- Predicted Marsh Migration 205**
- Freshwater wetland
- Tidal wetland
- Transitional salt marsh
- Salt marsh
- Mud flat

Notes

- Salt marsh and migration pathways
- Eelgrass beds
- Shellfish Sites
- Projected sea-level rise
- 100 yr FEMA floodplain

0.4 0 0.22 0.4 Miles

WGS_1984_Web_Mercator_Auxiliary_Sphere
© Latitude Geographics Group Ltd.

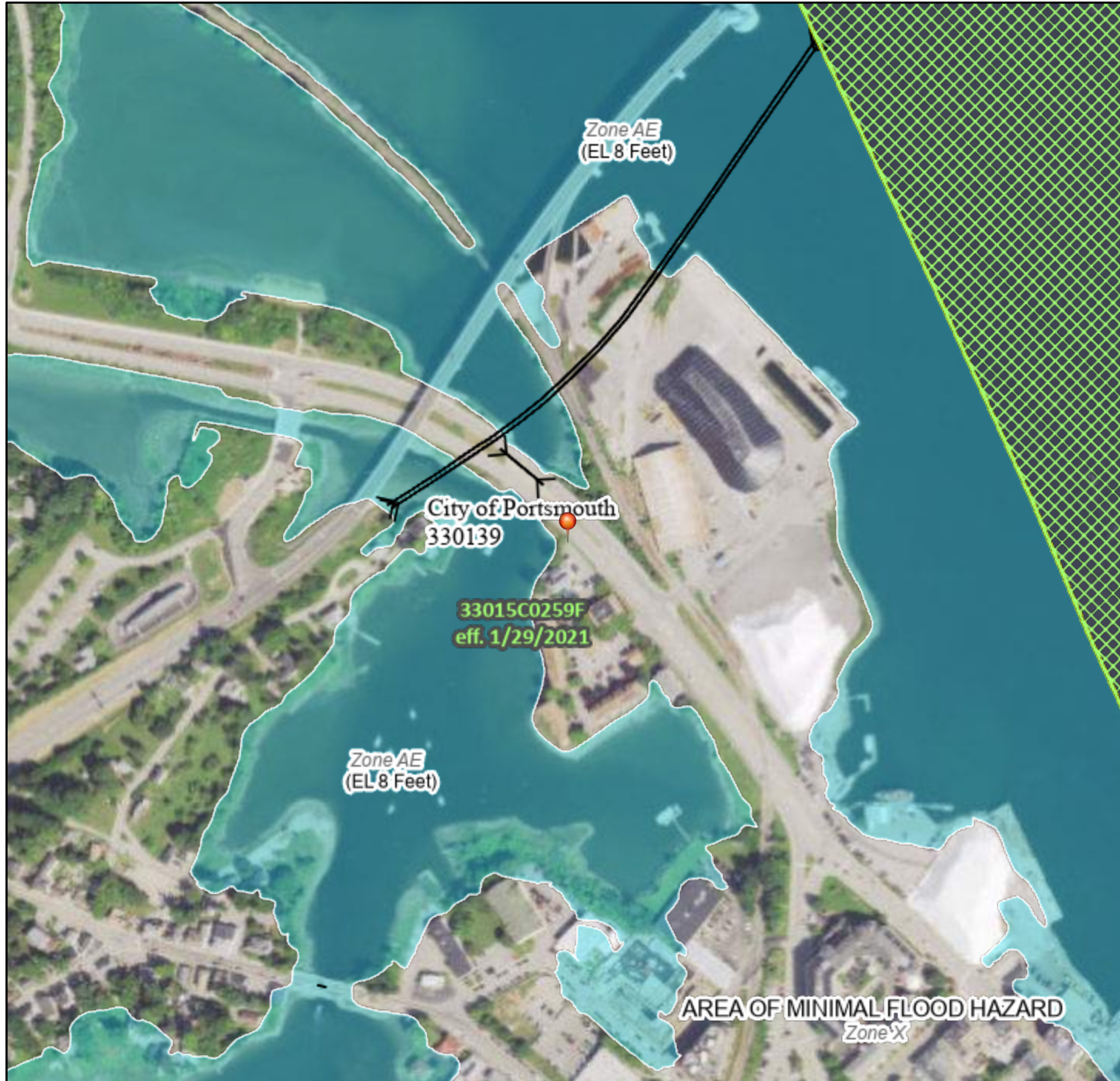
This map is a user generated static output from an Internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.

THIS MAP IS NOT TO BE USED FOR NAVIGATION

National Flood Hazard Layer FIRMMette



70°46'6"W 43°5'11"N



0 250 500 1,000 1,500 2,000 Feet 1:6,000

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

Legend Figure 6

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

- | | |
|------------------------------------|---|
| SPECIAL FLOOD HAZARD AREAS | <ul style="list-style-type: none"> Without Base Flood Elevation (BFE)
<i>Zone A, V, A99</i> With BFE or Depth <i>Zone AE, AO, AH, VE, AR</i> Regulatory Floodway |
| OTHER AREAS OF FLOOD HAZARD | <ul style="list-style-type: none"> 0.2% Annual Chance Flood Hazard, Areas of 1% annual chance flood with average depth less than one foot or with drainage areas of less than one square mile <i>Zone X</i> Future Conditions 1% Annual Chance Flood Hazard <i>Zone X</i> Area with Reduced Flood Risk due to Levee. See Notes. <i>Zone X</i> Area with Flood Risk due to Levee <i>Zone D</i> |
| OTHER AREAS | <ul style="list-style-type: none"> NO SCREEN Area of Minimal Flood Hazard <i>Zone X</i> Effective LOMRs Area of Undetermined Flood Hazard <i>Zone D</i> |
| GENERAL STRUCTURES | <ul style="list-style-type: none"> Channel, Culvert, or Storm Sewer Levee, Dike, or Floodwall |
| OTHER FEATURES | <ul style="list-style-type: none"> B 20.2 Cross Sections with 1% Annual Chance Water Surface Elevation 17.5 Coastal Transect Base Flood Elevation Line (BFE) Limit of Study Jurisdiction Boundary Coastal Transect Baseline Profile Baseline Hydrographic Feature |
| MAP PANELS | <ul style="list-style-type: none"> Digital Data Available No Digital Data Available Unmapped |
-
- The pin displayed on the map is an approximate point selected by the user and does not represent 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 4/3/2021 at 6:12 AM 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.

**FIGURE 7
IMPERVIOUS AREA**

LEGEND

-  Highest Observable Tide Line
-  Impervious Surface (2015)
-  Deck
-  Site Parcel
-  Approximate Parcel Boundary

LOCUS MAP



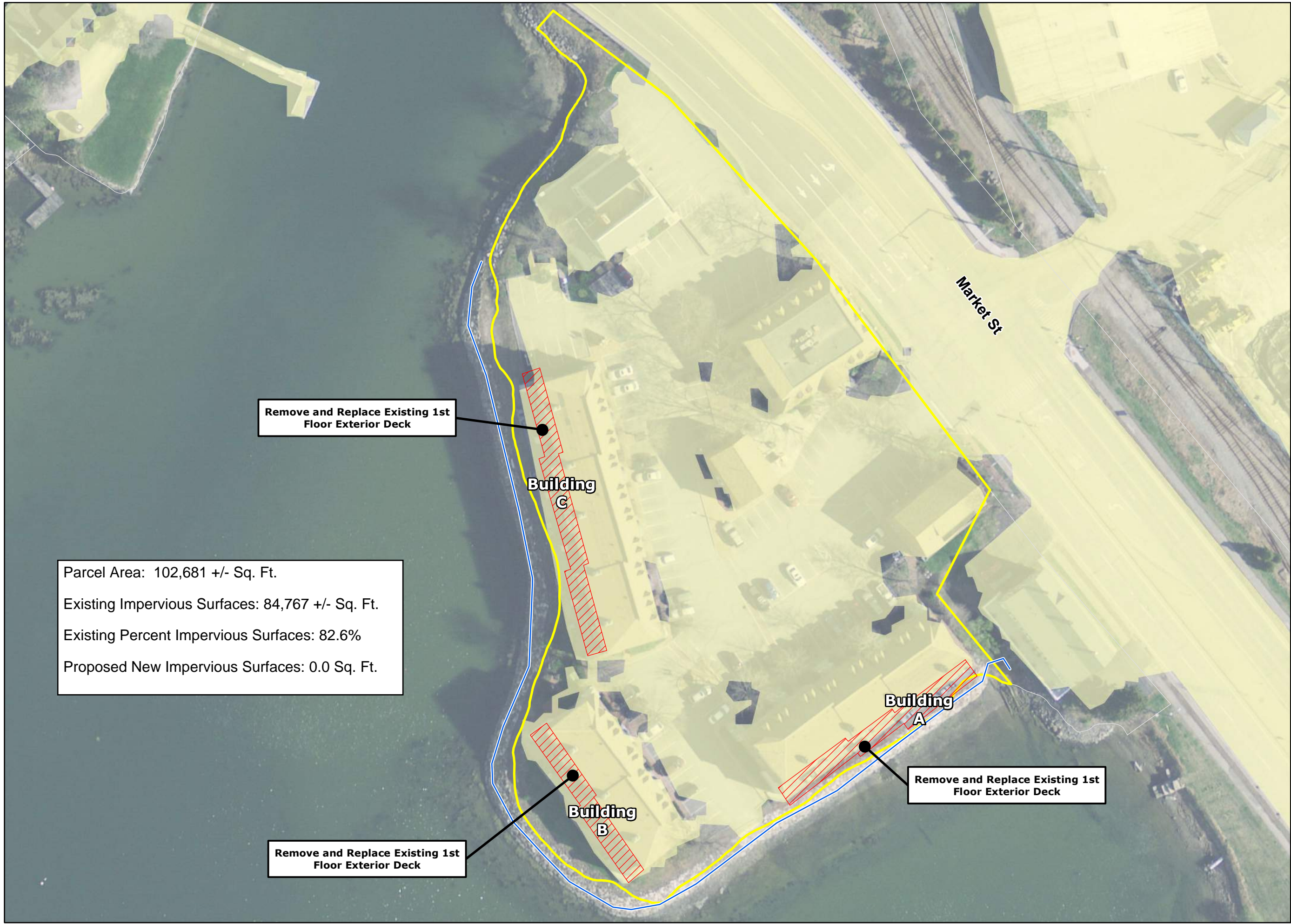
0 55
Feet
1 in = 55 ft

NOTES

1. Orthophotography courtesy of Esri.
2. Impervious surface downloaded from NH GRANIT.

**Noble Island
Condominium Association
Deck Replacement Project
500 Market Street
Portsmouth, New Hampshire**

April 2021



Remove and Replace Existing 1st Floor Exterior Deck

Building C

Parcel Area: 102,681 +/- Sq. Ft.
Existing Impervious Surfaces: 84,767 +/- Sq. Ft.
Existing Percent Impervious Surfaces: 82.6%
Proposed New Impervious Surfaces: 0.0 Sq. Ft.

Remove and Replace Existing 1st Floor Exterior Deck

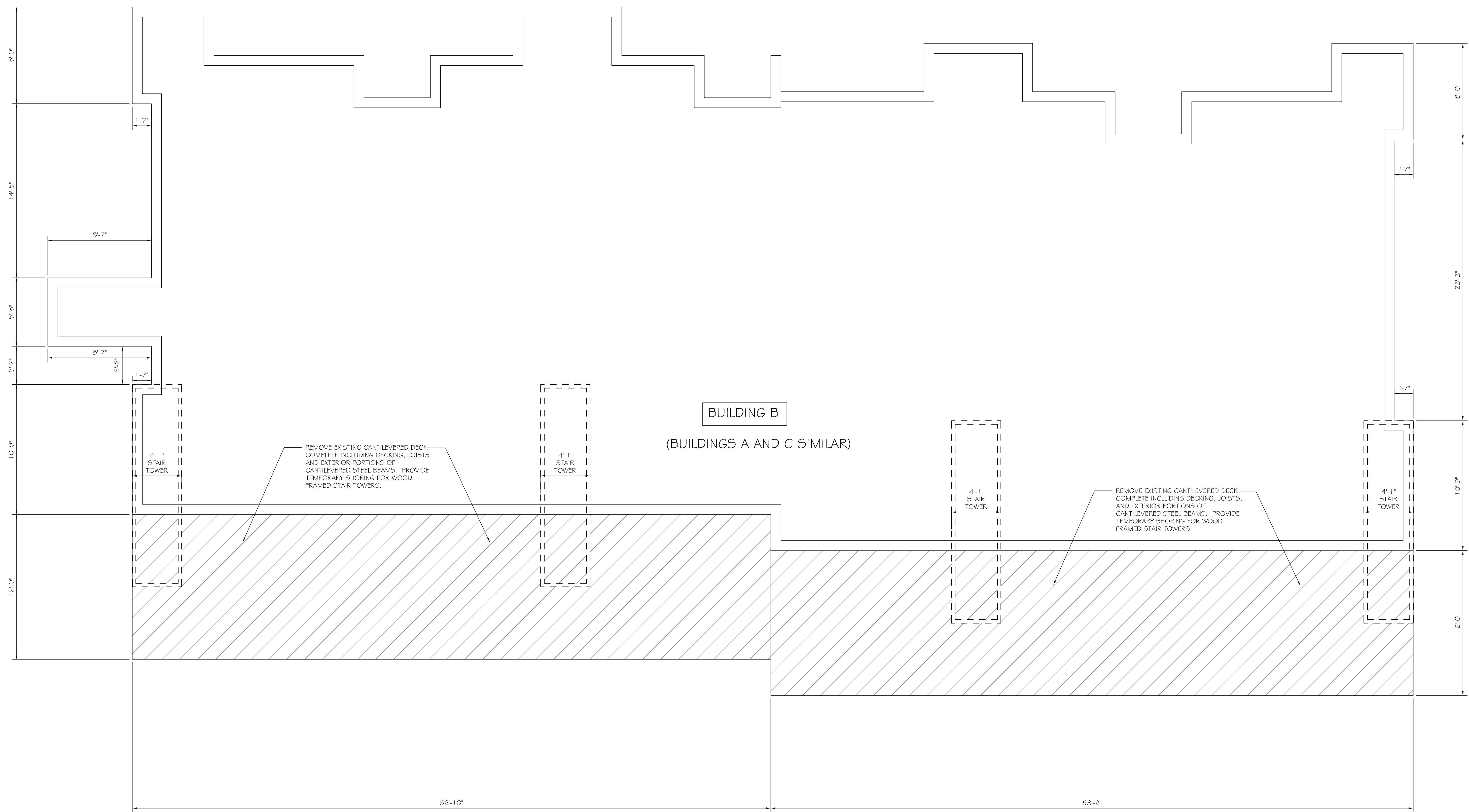
Building B

Remove and Replace Existing 1st Floor Exterior Deck

Building A

Tighe&Bond

APPENDIX F



BUILDING B
(BUILDINGS A AND C SIMILAR)

4'-1"
STAIR
TOWER

REMOVE EXISTING CANTILEVERED DECK
COMPLETE INCLUDING DECKING, JOISTS,
AND EXTERIOR PORTIONS OF
CANTILEVERED STEEL BEAMS. PROVIDE
TEMPORARY SHORING FOR WOOD
FRAMED STAIR TOWERS.

4'-1"
STAIR
TOWER

4'-1"
STAIR
TOWER

REMOVE EXISTING CANTILEVERED DECK
COMPLETE INCLUDING DECKING, JOISTS,
AND EXTERIOR PORTIONS OF
CANTILEVERED STEEL BEAMS. PROVIDE
TEMPORARY SHORING FOR WOOD
FRAMED STAIR TOWERS.

4'-1"
STAIR
TOWER

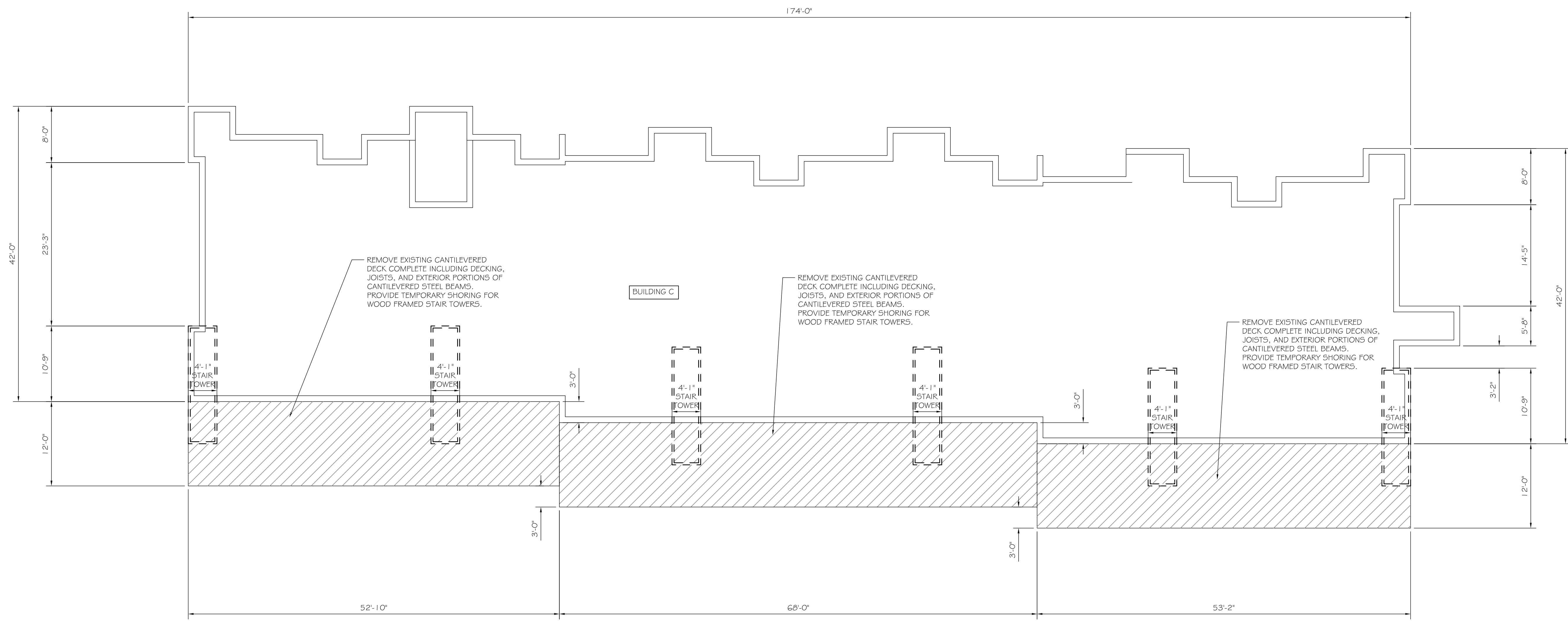
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Office: (207) 878-1751
80 Leighton Road
Falmouth, Maine 04105
Fax: (207) 878-1788
E-Mail: adp@adpengineering.com

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SHEET TITLE: **DEMOLITION PLAN - BUILDING B**
CONCEPTUAL - NOT FOR CONSTRUCTION

REVISIONS	DATE
No.	BY
1	ASW
2	ASW
3	ASW
4	ASW
5	ASW
6	ASW
7	ASW
8	ASW
9	ASW
10	ASW

DATE : 2/12/21
SCALE : 1/4" = 1'-0"
DESIGN BY: ASW
DRAWN BY: ASW
FILE #:
PROJECT NUMBER:
20089
SHEET NO:
50-B



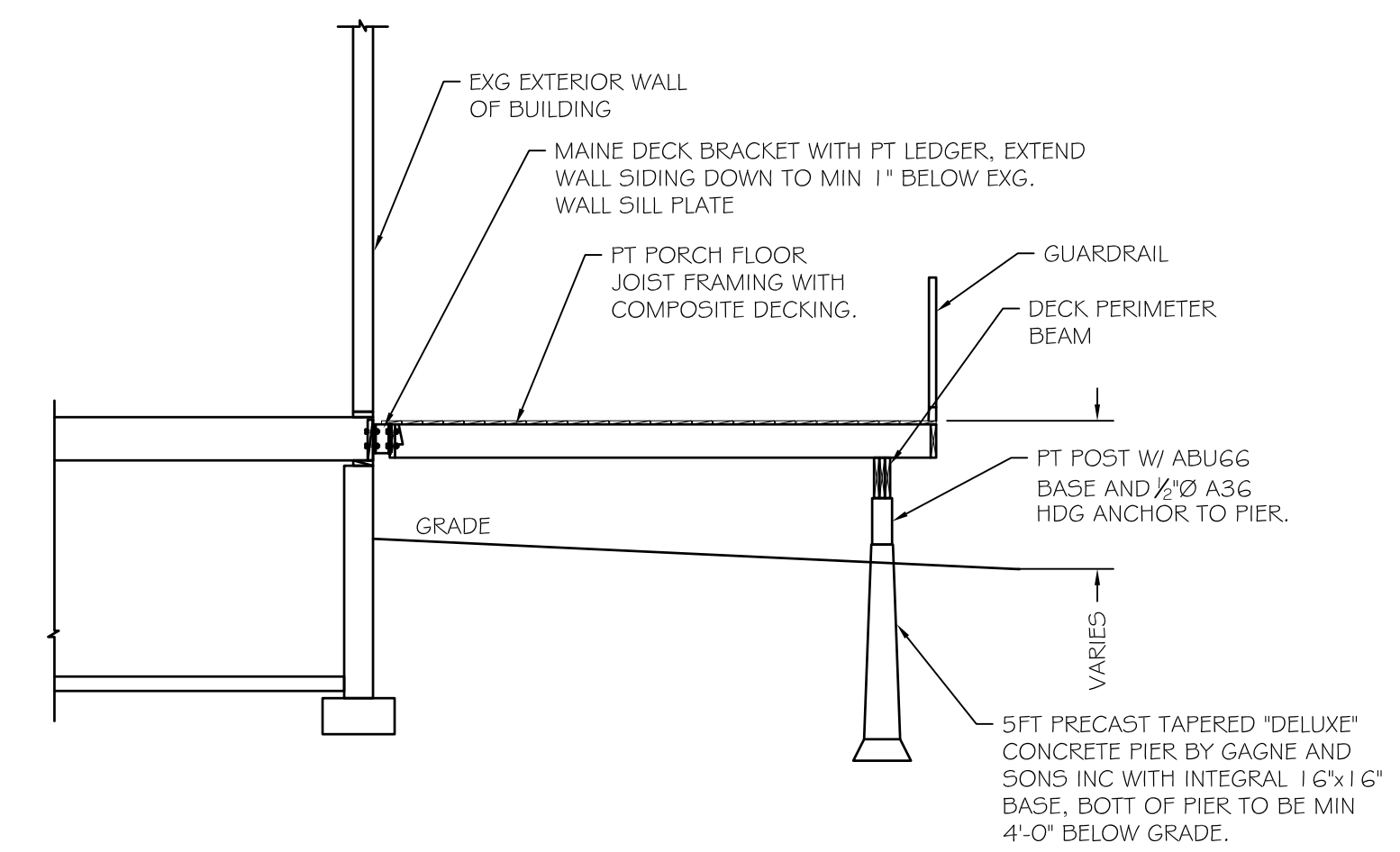
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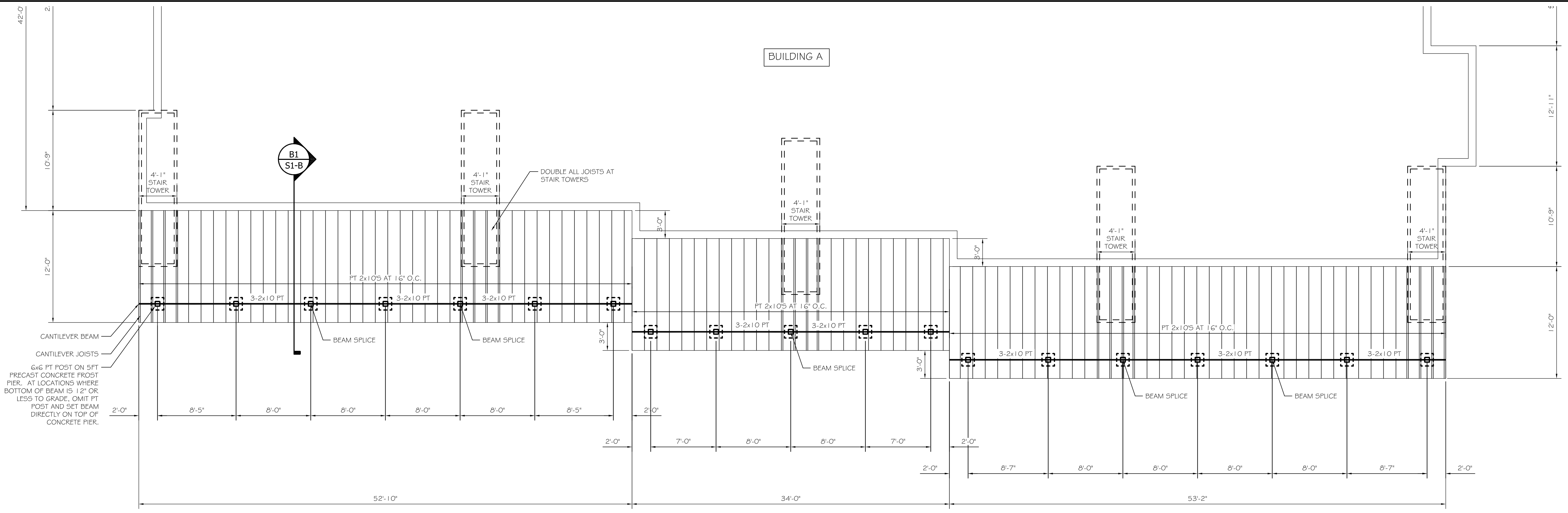
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20089
 SHEET NO:
50-C



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B2 PIER DETAIL
 SCALE: NTS

B1 DECK SECTION
 SCALE: 1/4" = 1'-0"



A4 1ST FLOOR DECK FRAMING PLAN
 SCALE: 3/16" = 1'-0"

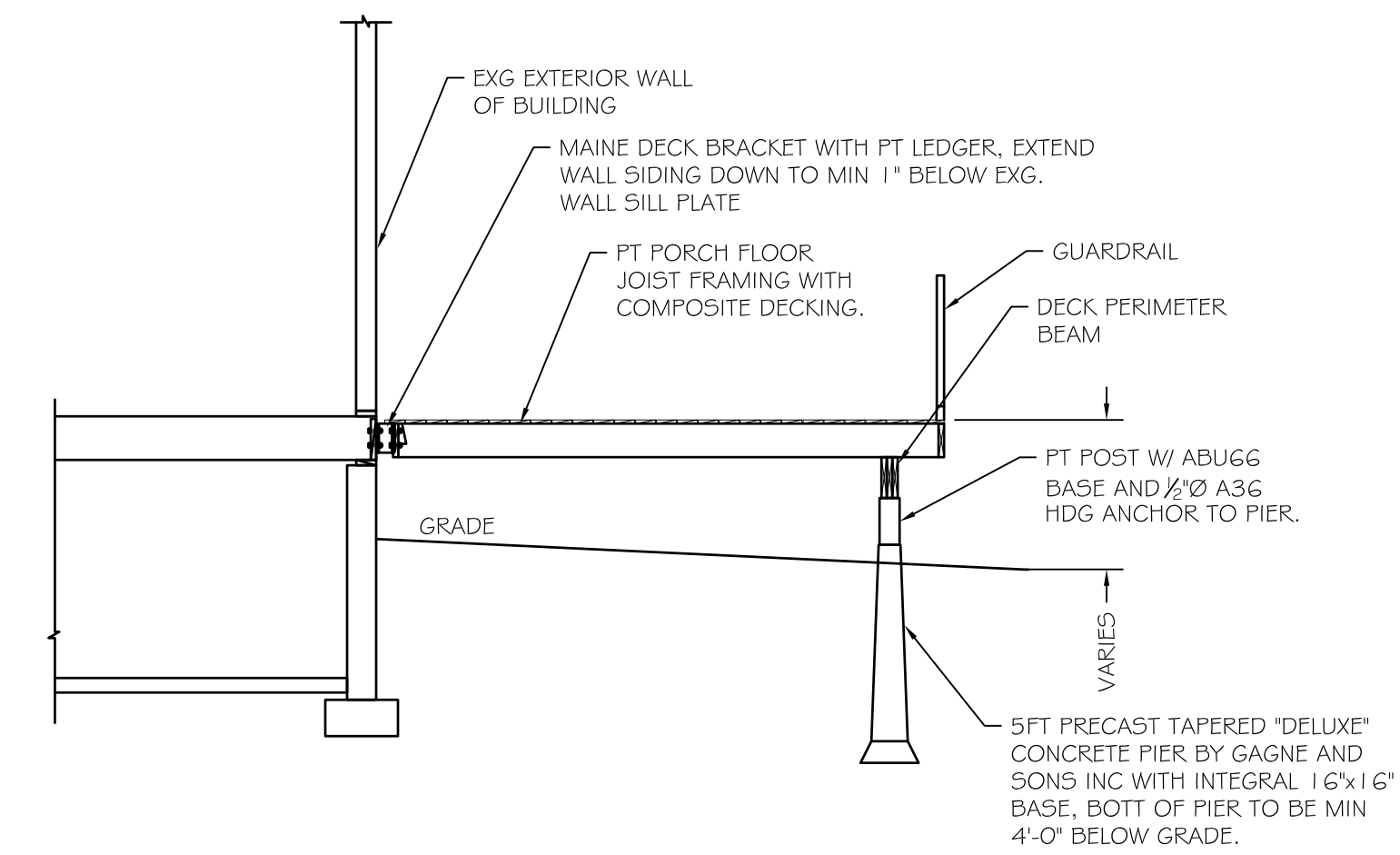
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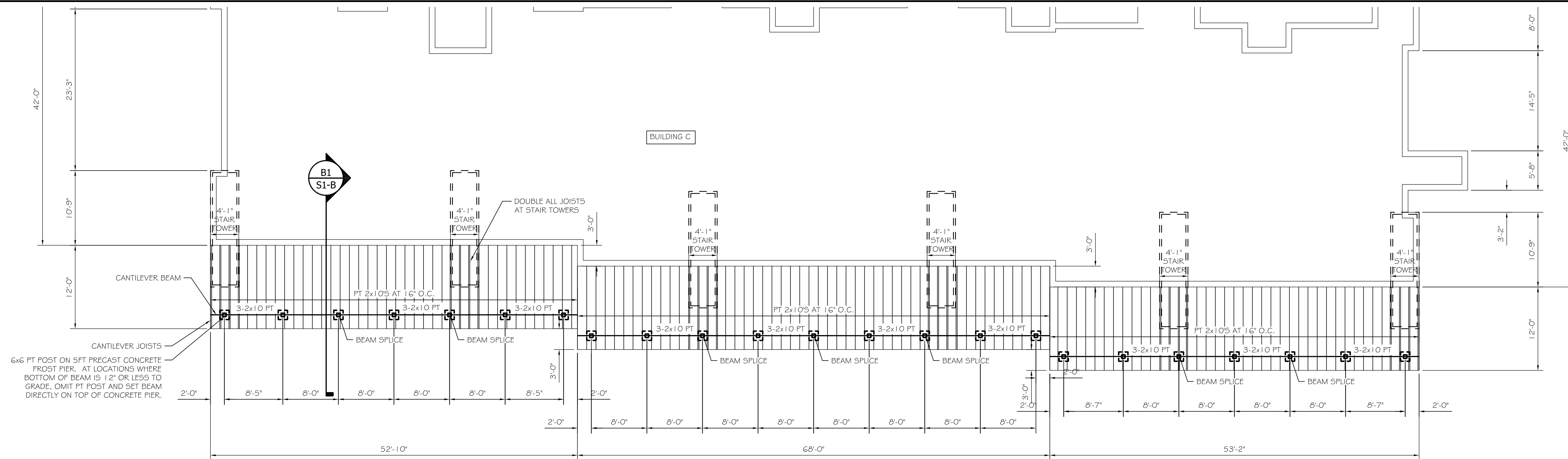
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 SHEET NO:
S1-A



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B2 PIER DETAIL
 SCALE: NTS

B1 DECK SECTION
 SCALE: 1/4" = 1'-0"



A4 1ST FLOOR DECK FRAMING PLAN
 SCALE: 1/8" = 1'-0"

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PROJECT: 500 MARKET ST PORTSMOUTH, NH
 SHEET TITLE: DECK FRAMING PLAN - BUILDING C
 CONCEPTUAL - NOT FOR CONSTRUCTION

NO.	BY	DATE
1		
2		
3		
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DATE :	2/12/21
SCALE :	1/4" = 1'-0"
DESIGN BY:	ASW
DRAWN BY:	ASW
FILE #:	
PROJECT NUMBER:	20089
SHEET NO.:	S1-C



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