



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



**Robert R. Scott, Commissioner**

**REQUEST FOR MORE INFORMATION**

July 28, 2020

Mr. Christian Boysen  
Optimus Senior Living  
46 Lowell Road  
Southampton, MA 01073  
(Via Email: [cboysen@optimusseniorliving.com](mailto:cboysen@optimusseniorliving.com))

RE: Alteration of Terrain Permit Application #200609-080  
Tax Map 109, Lot 17, Block 17– Allenstown, NH

Dear Mr. Boysen:

The Department of Environmental Services (DES) is in receipt of an application and supporting plans and information, for an Alteration of Terrain Permit for the above referenced project. After review of the information submitted, the following items need to be addressed in order for DES to make a **final determination** on the application for a permit:

1. In order to align Alteration of Terrain administrative rule Env-Wq 1503.19(h) with statutory requirements of RSA 212-A:9, III, the NHDES adopted a rule amendment effective June 2, 2020. The department shall not issue an AOT permit unless the applicant demonstrates that all of the following criteria are met: As required by RSA 212-A:9, III, the project has been designed in a manner that will not “jeopardize the continued existence of [state- or federally-listed threatened or endangered] species or result in the destruction or modification of habitat of such species which is determined by the executive director [of the New Hampshire fish and game department (NHF&G)] to be critical”, as demonstrated by the report of a study of the proposed project site that is performed by a wildlife biologist who has education and experience in performing property surveys for threatened or endangered species, using an accepted process such as that established in EPA’s ecological risk assessment methodologies (<https://www.epa.gov/ecobox>), that is:
  - a. Submitted to the department with the application and which demonstrates that:
    - i. No threatened or endangered species, designated critical habitat for threatened or endangered species, or travel corridors for threatened or endangered species is present on the site or potentially impacted by the project; or
    - ii. If any threatened or endangered species, designated critical habitat for threatened or endangered species, or travel corridors for threatened or endangered species is present on the site or potentially impacted by the project, the applicant has coordinated with NHF&G on potential impacts of the proposed project thereon, such that the proposed project, including any conservation measures recommended by NHF&G to the benefit of the affected species, cannot reasonably be expected to jeopardize the continued existence of such species or result in the destruction or modification of designated critical habitat; and
  - b. Reviewed by the department in consultation with NHF&G.

**It is highly recommended that you contact NHFG to discuss the scope of the study required for this site and proposed project.**

2. The Natural Heritage Bureau (NHB) identified threatened and/or endangered (T&E) species with the datacheck tool. Follow up with the NHB and NH Fish & Game Dept. as necessary to address concerns associated with T&E species, and how the requirements of Env-Wq 1503.19(h) can be met. Summarize how their comments are being addressed, and provide copies of correspondence to NHDES.
3. On the BMP worksheet for the Groundwater Recharge Volume (GRV), indicate where the recharge will occur and calculate the volume which can be recharged at each practice. As a simplified check on recharge volume, the discarded flow during 1-year or 2-year storm can be referenced.
4. The Stormwater Pond Design Criteria worksheets are labeled Wet Pond 4P and 5P. This does not match the labels on the plans for the ponds or the HydroCad. Please relabel the works sheets to be consistent with the plans and HydroCad.
5. Confirm whether errors and warnings, if any, were included in the printed HydroCAD report as required by Env-Wq 1504.09(b)(4). If not, include in your re-submittal.
6. After any necessary revisions to the HydroCAD analysis to respond to the above, submit a revised summary table of the 2-year, 10-year and 50-year pre- and post-development flows, as well as the 2-year pre- and post-development runoff volumes or 1-year flow (pre) as necessary to show compliance with the requirements of Env-Wq 1507.059(b). Also, include a revision date on the HydroCAD analysis, such as in the file name or in the Project Notes screen.
7. When project activities are located within 50 feet of a water body or wetland, please show a double row of perimeter controls on the plans.
8. Pursuant to *Env-Wq 1507.08, Long-Term Maintenance*, provide the following with the Inspection and Maintenance Manual:
  - a. a plan clearly showing the locations of all the stormwater practices described in the I&M manual (8.5" x 11" or 11" x 17" sheet is recommended);
  - b. although not required by Env-Wq 1500, please also include a note indicating that inspection and maintenance records must be provided to DES upon request.
9. Construction Entrance Detail:
  - a. Pursuant to Env-Wq 1506.09, the entrance must be 75 feet in length unless a 3 inch to 6 inch berm is installed.
  - b. The stone size must be a minimum of 3".
10. The total area of disturbance exceeds 5 acres. Include a plan sheet that shows the construction will be phased and clearly indicate that each area must be stabilized before advancing to a successive phase. (Env-Wq 1505.03 and Env-Wq 1504.06(l)).
11. Env-Wq 1503.21(c) requires that that the permit holder and a qualified engineer certify that the project was completed in accordance with the approved plans, or that deviations were made which did not require an amended or new permit. A permit condition will require this certification
12. Please include a sediment trap detail in accordance with Env-Wq 1506.10.
13. Please add the following notes to your plans:
  - Erosion control practices are to be inspected weekly and after 0.5" of rainfall.
14. Pursuant to Env-Wq 1503.15(b), changes to the revised plans are to be called out and a revision date must be added to each page that has been changed. Graphical revision call-outs should be included on the plans. If any

changes to the plans or the hydrologic/hydraulic analysis were made other than those identified above, please indicate what additional changes were made in your response letter. Please only send copies of revised plan sheets.

In addition, please be prepared to submit a CD within one week after the permit approval. The CD needs to contain all of the information submitted to the department for a permit approval, including the application, the approved plans, etc; all in PDF format. A hard copy of the *revised* plan sheets and drainage report are still needed for approval.

Please be aware that pursuant to RSA 485-A:17, **all of the information requested above must be provided in a single and complete response within the next 120 days, by November 25, 2020, or your application will be denied.** Please include the file number on your response to this request, as well as a narration of the changes from the current application. If you have any questions, please call me at (603) 426-8787 or email at: [michael.hansen@des.nh.gov](mailto:michael.hansen@des.nh.gov).

Sincerely,

A handwritten signature in cursive script, appearing to read "Michael H.", followed by a long horizontal line extending to the right.

Michael Hansen, P.E.  
Alteration of Terrain Bureau

cc: Allenstown Planning Board (via email)  
Matt Peterson, Keach Nordstrom Assoc. Inc. (via email)