

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

**Thomas S. Burack, Commissioner**

*Celebrating 25 Years of Protecting  
New Hampshire's Environment*



February 08, 2013

Her Excellency, Governor Margaret Wood Hassan  
and The Honorable Council  
State House  
Concord, NH 03301

**REQUESTED ACTION**

Approve Hampshire Hospitality Holdings LLC's request to perform the following work on Lake Winnepesaukee, in Meredith. File # 2012-00055. This project will not have significant impact on or adversely affect the values of Lake Winnepesaukee.

Amend permit to change piling supports to crib supports and remove tie off piles due to ledge.

The Department imposed the following conditions as part of this approval:

1. All work shall be in accordance with amended plans by Ambrose Marine Construction revision dated April 20, 2012, as received by the Department on January 02, 2013.
2. This permit shall not be effective until it has been recorded with the Belknap County Registry of Deeds office by the Permittee. A copy of the recorded permit shall be submitted to the DES Wetlands Bureau by certified mail, return receipt requested, prior to construction.
3. This permit is not valid until a copy of a covenant registered with the registry of deeds running with both lots, permanently transferring one slip from tax map U6, lot 147 to tax map U6, lot 149, is submitted to the Department.
4. This permanent docking system shall be for use by the general public. If at any time the docking system becomes restricted to private use and is no longer available to the general public, it shall be modified to meet regulations for private use facilities in effect at that time.
5. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement or revocation action if the DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.
6. Repairs to these structures may be conducted, as necessary, throughout the duration of this permit provided that the permittee notifies the Wetlands Bureau and Conservation Commission, in writing, of the proposed start and completion date prior to performing any repair.
7. Repairs shall maintain existing size, location and configuration.
8. Appropriate siltation, erosion, and turbidity controls shall be in place prior to construction, maintained during construction, and shall remain until the area is stabilized.
9. This permit does not allow for maintenance dredging.
10. The dock shall not extend more than 30 ft. lakeward at full lake elevation of 504.32 ft.
11. The maximum size of cribs shall not exceed 6 ft. long by 5 ft. wide and of such height as necessary to support the docking structure above the water level.
12. Crib material shall be timber, concrete, or other material approved by the Department of Environmental Services, and of such size and spacing as necessary to completely contain the ballast.

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

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

Phone: (603) 271-3501 • Fax: (603) 271-6683 • TDD Access: Relay NH 1-800-735-2964



13. The minimum clear spacing between cribs shall be 12 ft.
14. Canopies shall be of seasonal construction type with a flexible fabric cover. The seasonal support frame shall be designed to be removed for the non-boating season. The flexible fabric cover shall be removed during all seasons of non-use.
15. All activities shall be in accordance with the Shoreland Water Quality Protection Act, RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland.

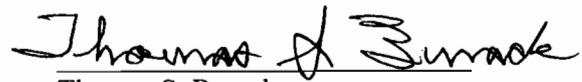
#### EXPLANATION

The DES Wetlands Bureau approved this project on January 09, 2013. DES supported its decision with the following findings:

1. This project is classified as a major project pursuant to Rule Env-Wt 303.02(m), because it is directly related to other applications or permits in the wetlands complex in a manner such that if the proposed action were considered as a single application the combined impact would be considered a major project.
2. The lot identified as Meredith tax map U6, lot 149 has an average of 183 ft. of frontage along Lake Winnepesaukee.
3. A maximum of 3 slips may be permitted on this frontage per Rule Env-Wt 402.13, Frontage Over 75'.
4. The proposed docking facility will provide 4 slips as defined per RSA 482-A:2, VIII.
5. This permit is contingent upon the transfer of one slip from the property identified tax map U6, lot 147, to tax map U6, lot 149.
6. The existing and proposed docking facilities on lots 147 and 149 will provide more than 5 slips as defined per RSA 482-A:2, VIII, therefore this project is classified as a major project per Rule Env-Wt 303.02 (d), construction or modification of docking facilities providing 5 or more slips.
7. Public hearing is waived with the finding that the project impacts will not significantly impair the resources of Lake Winnepesaukee.

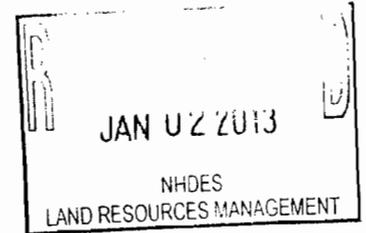
Application file documents are being forwarded to the Governor and Executive Council in connection with their consideration of this matter pursuant to RSA 482-A:3,II.(a) as it is a major project in public waters of the state.

We respectfully submit this request for your consideration.

  
Thomas S. Burack  
Commissioner



Ambrose Marine Construction  
PO Box 1323  
Meredith, NH 03253  
603.279.4444  
www.marinenh.com  
info@marinenh.com



December 30<sup>th</sup> 2012

State of New Hampshire  
Wetlands Bureau  
29 Hazen Drive, PO Box 95  
Concord, NH 03302-0095

RE: File # 2012-00055  
Hampshire Hospitality Holdings  
281 Daniel Webster Highway  
Meredith, NH 03253  
TM U6/149

Attn: Dale Keirstead

Dear Dale,

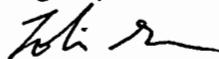
It was determined during the course of construction at the above referenced project that there is ledge in the lake bottom in the area permitted for the construction of three 6x30' piling supported piers and associated tie off pilings.

We would therefore like to amend the original permit to allow for the piers to be crib supported instead. Each of the total of six cribs will be 6'x5' and be separated by a 12' gap as seen on the included revised drawing. There will be no change in size, location or configuration of any of the approved facilities. In addition, the new facility will not have any tie off pilings. I have also included a photo of the end of a piling which was attempted to be driven indicating the resistance it met at lake bottom.

If there is any further information required or if you have any questions, please contact me at the number above.

Thank you for your consideration and attention to this matter.

Regards,



Tobin Greer  
Ambrose Marine Construction

cc: Town of Meredith Conservation Commission



**COMPLETE**  
 JAN 09 2012

DEPARTMENT OF ENVIRONMENTAL SERVICES  
 WETLANDS BUREAU  
 29 Hazen Drive, PO Box 95  
 Concord, NH 03302-0095  
 Phone: (603) 271-2147 Fax: (603) 271-6588

JAN 9 2012



Website: <http://des.nh.gov/organization/divisions/water/wetlands/index.htm>

## Standard Dredge and Fill Application Form

The Standard Dredge and Fill application package to be submitted to DES consists of:

1. Application form (this document).
2. Checklist(s) with required information attached. ("Checklist for Submission of your Standard Dredge and Fill Application," and if appropriate, "Compensatory Mitigation Information and Checklist").

Type or print clearly -- missing information may result in your application review being delayed if it is considered administratively incomplete. If you are completing this as a Word version on your computer, use your **tab** key to move through the document to enter data in the appropriate areas.

If you have questions about any terms used, check the Definitions section of the Instructions.

1.	Name of Landowner* (last, first, middle initial)	Owner daytime phone number	Owner fax number	Owner email
	Hampshire Hospitality Holdings, LLC	( 603 ) 279-7006	( )	michelle@millfalls.com
* If there are multiple landowners, please attach a separate page with the names of all landowners, and documentation as to the one person who represents the interests of the entire group.				
	Landowner (permanent) mailing address or PO Box	Town/City (owner mailing address)	State	Zip code
	281 Daniel Webster Hwy	Meredith	NH	03253
2.	Name of Applicant, if not the landowner	Applicant phone number	Applicant fax number	Applicant email
	Hampshire Hospitality Holdings, LLC	( 603 ) 279-7006	( )	michelle@millfalls.com
	Applicant street address	Applicant town/city	State	Zip code
	281 Daniel Webster Hwy	Meredith	NH	03253
3.	Company and Name of Agent	Agent phone number	Agent fax number	Agent email
	Ambrose Marine Construction	( 603 ) 279-4444	( 603 ) 279-5527	allen@marinenh.com
	Agent Street mailing address or PO Box	Town/City (agent mailing address)	State	Zip code
	P.O. Box 1323	Meredith	NH	03253
4.	Location(s) of the proposed work (fill in below)			
	Street address(es) or nearest intersection(s)	281 Daniel Webster Hwy		
	Town/City	Tax map	Block	Lot number(s)
	Meredith, NH	U4		148
5.	For projects classified as minor or major impact, are there any vernal pools located on the subject property? If "Yes," identify and label the location(s) of vernal pool(s) on the project plans.			Circle one: Yes / No

For DES Office Use Only:	Fee received (amount): 23,244.80	DES File # 2012-00055	Check # 59512	Date check received 1/9/12
Date of check	Initials: JR	Name on check:		

6.	<p>Based on information obtained from the Natural Heritage Bureau (NHB), are there any state or federal threatened or endangered species or exemplary natural communities on the subject property?</p> <p>Provide the NHB file number: <input type="text" value="NHB11-2377"/> and attach the documentation (letter/memo &amp; map)</p> <p>Natural Heritage information can be obtained at <a href="http://www.nhnaturalheritage.org">www.nhnaturalheritage.org</a>. Click on "Services" for links to: 1) the DataCheck web tool, or 2) a hard copy form to obtain the required letter and map from NHB. If you do not have Internet access, you may contact NHB directly at (603) 271-2215 x 323 for information about obtaining the required documentation.</p>	<p>Circle one: Yes <input type="radio"/> No <input checked="" type="radio"/></p>	
7.	<p>If there are any state or federal threatened or endangered species or exemplary natural communities located on the subject property, please provide a letter from NHB stating that the applicant has consulted with NHB. The letter should indicate either there is no impact, or include NHB guidelines for preventing or mitigating impacts.</p>		
8.	<p><b>Jurisdictional areas(s) where work is proposed; check box(es) below. Check the definitions in the instructions for additional information. (If your resource type is not listed, contact DES for guidance):</b></p>		
Nontidal wetland: swamp, wet meadow, etc.	Bank of surface water body	Intermittent (seasonal) stream	Name of water body from USGS topographic map:
Vernal pool	Lake or pond	XX Perennial stream or river	Tributary to:
Upland tidal buffer zone	Sand dune	Tidal wetland	Prime Wetland Buffer (within 100 feet of prime wetland)
Freshwater marsh	Bog/fen (peatland)	Atlantic Ocean	Municipally designated prime wetland
9.	<p>Provide a brief description of all proposed work including: 1) the size of the impact area (square feet) in the resource, 2) the size (in acres) of the entire parcel(s), and 3) the compensatory mitigation proposed, if applicable, per Env-Wt 302.03(c). Attach a separate page if you are not completing this using a computer.</p> <p><b>Provide (4) 6'x30' permanent piling piers supported on 24 pilings spaced 12' min and a 6' x 60' permanent wharf for access over a rocky shoreline. Provide (3) 12'x30' seasonal canopies within interior boatslips.</b></p>		
10.	<p>Does the project require compensatory mitigation to offset unavoidable impacts to wetlands? If Yes, attach a copy of the completed <b>Mitigation Checklist</b>.</p>		<p>Yes <input type="radio"/> No <input checked="" type="radio"/></p>
11.	<p>Have you requested a waiver of any wetland rules per Env-Wt 204? If Yes, attach your waiver request to this application.</p>		<p>Yes <input type="radio"/> No <input checked="" type="radio"/></p>
12.	<p>Is there any DES emergency authorization associated with this property? Are you aware of any DES enforcement issues related to this property? If Yes, provide the file number(s): _____</p>		<p>Yes <input type="radio"/> No <input checked="" type="radio"/></p>
13.	<p>Explain why it is necessary to impact a wetland or other jurisdictional area to construct your project.</p> <p>The proposed "need" is to provide the five additional boatslips the frontage will support and seasonal canopies to protect the owners/guests watercraft.</p>		
14.	<p>Explain why your project design proposes less environmental impact on areas in DES Wetlands jurisdiction than other alternatives. What other alternatives were considered? (Attach a separate page if you are not completing this expandable box on a computer)</p> <p>Less impacting piling pier construction (five slip structure). Seasonal canopies to meet Env-Wt 402.08 Canopies. Proposed piers meet Env-Wt 402.06 Permanent Docks (a) (1) &amp; (2)</p>		

15.	<b>Amount of Impact Proposed By Jurisdictional Area</b>			
	Indicate whether permanent or temporary impacts. This information is necessary to calculate the fee and classify your project. Leave box blank if not applicable to your proposed project.			
Jurisdictional area	Impact Type (indicate whether temporary or permanent)			Total
	Dredge	Fill	Structure	
Wetlands				sq. ft.
Impacts to very poorly drained soils (only required for pond construction)				sq. ft.
Prime wetland				sq. ft.
Vernal pool				sq. ft.
Prime Wetland Buffer (within 100 feet of designated prime wetland)				sq. ft.
Stream or River				sq. ft.
Bank of stream or river				sq. ft.
Bed of perennial stream				linear feet
				sq. ft.
Thread of Intermittent Stream				linear feet
<b>Bank of Lake (for beach construction &amp; replenishment, bank stabilization)</b>				
Shoreline (see following page for how to calculate this average length)				linear feet
Dredge/fill within bank				sq. ft.
Dredge/fill within bank				cubic yards
<b>Lake or Pond (below full lake elevation) Impacts for docks and structures listed in item 15 are entered below.</b>				
Shoreline subject to impacts				linear feet
				sq. feet
Dredge or fill of lakebed				cubic yards
		pilings		24 sq. ft.
Sand dune				sq. ft.
Tidal wetland				sq. ft.
Upland tidal buffer zone				sq. ft.
Undeveloped?/ Developed? (choose one or both, as appropriate)				

**16. Calculate and provide length of shoreline frontage.**  
**Shoreline frontage** is the average of two distances, 1) the actual natural navigable shoreline footage, and 2) a straight line drawn between property lines, both of which are measured at the normal high water line.

(a) Pin to pin distance (linear feet)	(b) Actual natural navigable shoreline (from pin to pin)	$\frac{(a) + (b)}{2}$	Shoreline frontage (linear feet)
803 +/-	1096' +/-	949.5'	1096' +/-

**17. Enter the information below if you are proposing any docking structures. Your plans must show proposed and existing docking structures.**

Docking structures (proposed)	Square Feet
Surface area of all permanent structures:	1,080.00
Surface area of all seasonal structures:	1,080.00

**18. Other DES Permitting Requirements**

   **y** Have you addressed requirements of Comprehensive Shoreland Protection Act (CSPA), RSA 483-B? If your property is in the "protected shoreland" – the area that is within 250 feet of a fourth order stream, a designated river, a lake or pond 10 acres or greater in size (on the DES *Official List of Public Waters*), or tidal water, you will need to comply with the requirements of the Comprehensive Shoreland Protection Act (CSPA). What is considered "protected shoreland"? To determine if your property is located in "protected shoreland," go to [www.des.nh.gov](http://www.des.nh.gov) for the following websites:

- A "fourth order" or larger stream or river (DES Shoreland program web page).
- Any river or river segment designated as protected under the N.H. Designated Rivers Program, RSA 483 (DES Rivers Management and Protection web page).
- Public waters (DES Dam Bureau web page)
- Tidal waters.

As of July 1, 2008, projects that involve construction, excavation, or filling within the protected shoreland, require a DES Shoreland Permit, unless the work is specifically permitted under a Wetlands Permit, OR exempted under Rule Env-Wq 1406.03 or Env-Wq 1406.04 (see [des.nh.gov/rules/desadmin\\_list.htm#env-wq1400](http://des.nh.gov/rules/desadmin_list.htm#env-wq1400)), and a DES Alteration of Terrain permit 50,000 square feet if any part of disturbance is within the protected shoreland. For more information go to the DES Alteration of Terrain program web page (and RSA 485-A:17).

   **n** Does this project require a DES Alteration of Terrain (AoT) permit? If yes, does this application and the other application reflect the same project area in its entirety?  
 Date of submittal to DES: \_\_\_\_\_  
 DES AoT File number: \_\_\_\_\_

   **n** Does this project require a DES Subdivision or Subsurface Disposal System permit(s)? If yes, does this application and the other application reflect the same project area in its entirety?  
 Date of Subsurface/Subdivision application submittal to DES: \_\_\_\_\_  
 DES Subsurface/Subdivision File number: \_\_\_\_\_

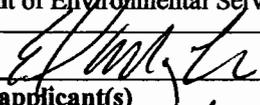
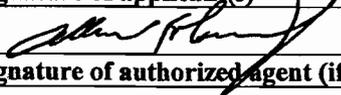
19. In accordance with RSA 482-A:3, XIV (b), I, Allen Folsom, hereby authorize DES to communicate all matters relative to this application electronically with the individual identified below at the email address identified below. I agree to send an electronic return/read receipt of all emails sent by the department and understand that the department will do the same. I also agree that DES will be notified immediately of any change in the email address identified below. Please note that DES limits the size of documents that can be received or stored electronically. Any submittals that have a file size over 5 MB must be provided in hard copy  
(Check one box only and supply email address)

Landowner email: Michelle@Mill Falls Co Applicant email: michelle@millfalls.com  
 Agent email: allen@marinenh.com

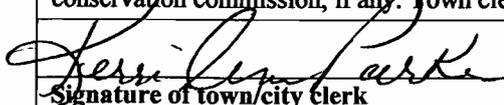
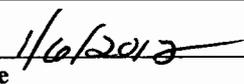
20. **FILING FEE:** A check or money order payable to the NH DES Wetlands Bureau must accompany this application. The minimum fee is \$200. Minor and major impact projects are charged at the rate of: \$0.20 per square foot of requested impact (if less than 1,000 square feet of impact is proposed, the minimum fee of \$200 applies). All applications for shoreline structures shall include a base fee of \$200. In addition, minor and major impact shoreline projects shall include fees charged at the rate of: \$0.20 per square foot for requested dredge or fill impacts; \$1 per square foot for requested seasonal docking structure; and \$2 per square foot for requested permanent docking structure. The application will be considered administratively incomplete until the required fee is paid in full. **Attach the appropriate fee calculation worksheet(s).**

21. **APPLICANT SIGNATURE.** By signing this application, I am certifying that:

- 1) All abutters have been identified in accordance with the definition given in the instructions and I or my agent have/has sent notices to those abutters by Certified Mail.
- 2) I have read and provided the required information outlined in Env-Wt 302.04 and listed on the "Checklist for Submission of Your Standard Dredge and Fill Application," dated June 2008.
- 3) I have read and understand Env-Wt 302.03 and have chosen the least impacting alternative.
- 4) I have reviewed the information being submitted and that to my knowledge the information is true and accurate.
- 5) I have submitted a copy of the application materials to the NH State Historic Preservation Officer.
- 6) Authorize the municipal conservation commission to inspect the site of the proposed project.
- 7) I understand that the willful submission of falsified or misrepresented information to the New Hampshire Department of Environmental Services is a criminal act, which may result in legal action.

	Rusty McClear – HHH, Inc.	12/12/2011
<b>Signature of applicant(s)</b>	<b>Print applicant's name(s)</b>	<b>Date</b>
	Allen P. Folsom, Jr.	12/10/2011
<b>Signature of authorized agent (if applicable)</b>	<b>Print agent name</b>	<b>Date</b>

22. **TOWN CLERK SIGNATURE:** I hereby certify that the applicant has filed five sets of all materials with the town/city of Meredon as required by Chapter 482-A:3, and I have received and retained certified postal receipts (or copies) for all abutters identified by the applicant. Upon signing the application below, I will forward immediately by certified mail to the DES the original application materials, including the filing fee, and distribute the three copies to each of the following: the local governing body, the municipal planning board, if any, and the municipal conservation commission, if any. Town clerk retains one copy.

	
<b>Signature of town/city clerk</b>	<b>Date</b>

The U.S. Army Corps of Engineers has reissued its New Hampshire Programmatic General Permit (PGP) effective June 28, 2007. The Corps is requiring the submission of a new Corps Secondary Impacts Checklist to be submitted with the DES wetland application. The Corps will review this information to assess direct, indirect (secondary impacts) and cumulative impacts. The Corps Secondary Impacts Checklist, Appendix B to the New Hampshire PGP, is attached to this DES wetland application. The PGP does not impose any obligation on DES to assess secondary impacts that does not already exist in state law.

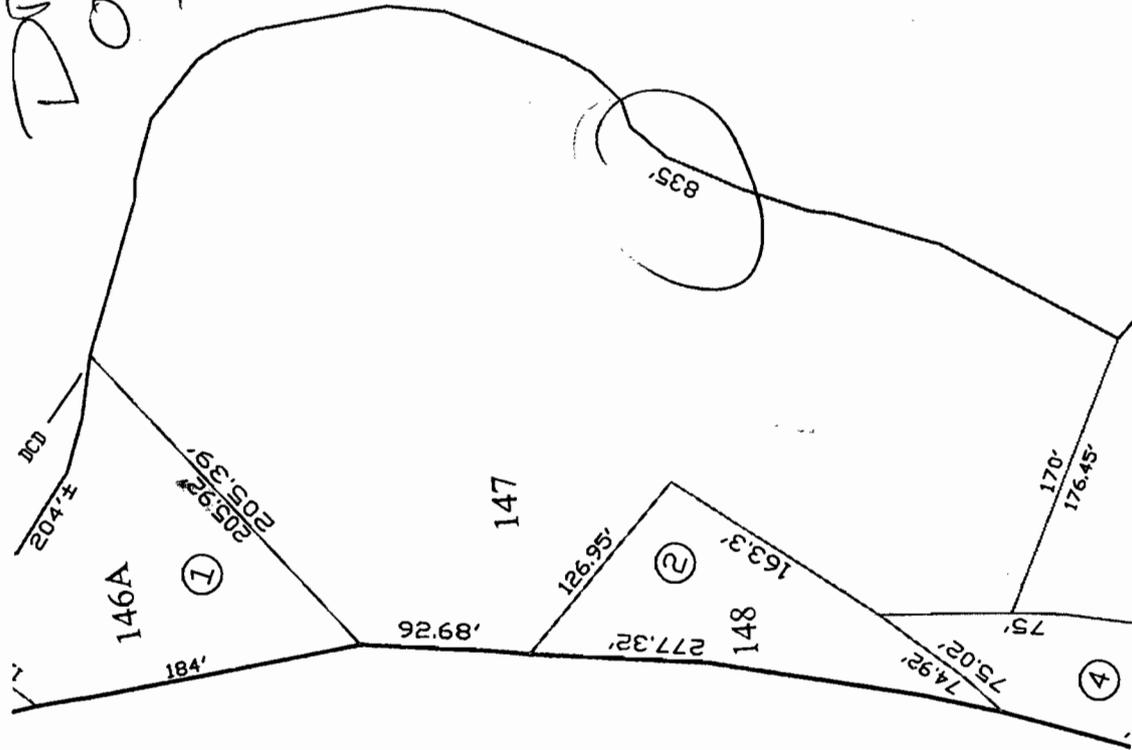
PARCEL NUMBER / 4  
SUBDIVISION LOT NO. ④  
STREET ADDRESS NO.

RIGHT OF WAY  
EASEMENT

E  
O

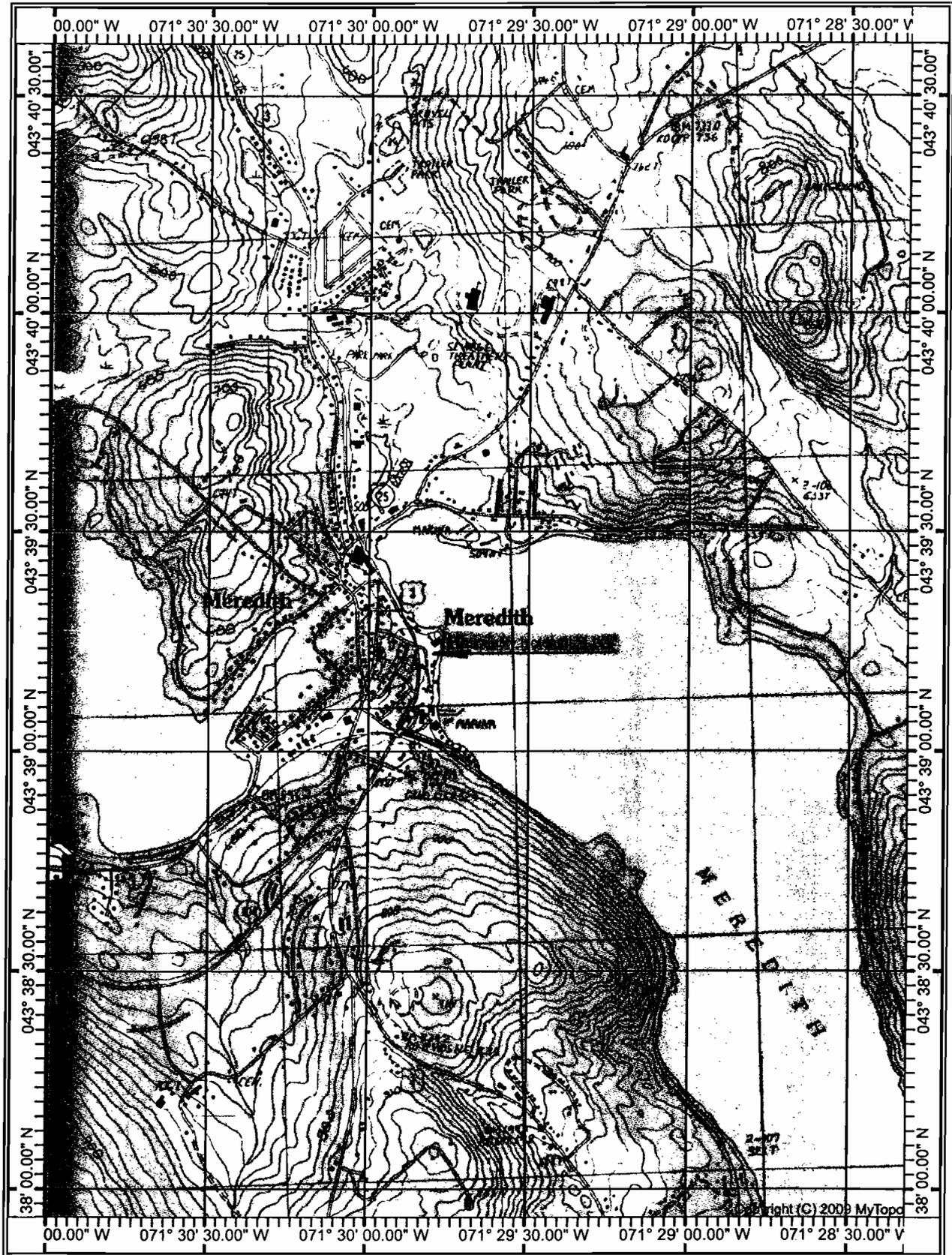
REVISED TO APRIL 1, 2011  
FOR ASSESSMENT PURPOSES ONLY  
NOT FOR PROPERTY CONVEYANCES

DRK  
07/08/12

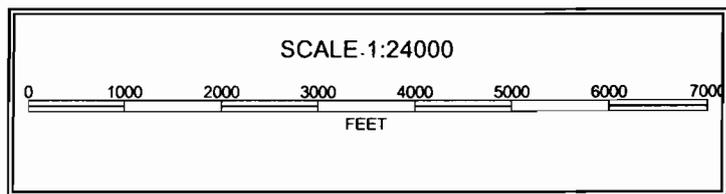


HIGHWAY





210  
98







NEW HAMPSHIRE NATURAL HERITAGE BUREAU  
NHB DATA CHECK RESULTS LETTER

MAP OF PROJECT BOUNDARIES FOR: NHB11-2377



NHB11-2377



NH NATURAL HERITAGE BUREAU



1:10000

Valid for one year from this date, 30 Nov 2011

Ambrose Marine Construction  
PO Box 1323  
Meredith, NH 03253  
603.279.4444  
www.marinenh.com  
info@marinenh.com

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Abutters List for File # 2012-00055  
Amended 10 May 2012 to Include Parcels 150 & 150A on Tax Map U06

**Abutters**

- 1)U06-148  
Meredith and Laconia Arts & Crafts  
279 Daniel Webster Highway  
Meredith NH 03253
- 2)U06- 146A  
Richard and Ronnie Vander-Veer  
[REDACTED]  
Jay, VT 05859
- 3)U06-149A  
Nash Realty Corp.  
PO Box 1670  
Meredith, NH 03253
- 4) U06-150  
Jacqueline L'Heureux Trust  
[REDACTED]  
Manchester, NH 03104
- 5) U06-150A  
Peter Greathead and Shari Traub  
[REDACTED]  
Andover, MA 01810

**RECEIVED**

MAY 14 2012

**ENVIRONMENTAL SERVICES**  
"BY NH DES WETLANDS BUREAU"

