

The State of New Hampshire
Department of Environmental Services

Thomas S. Burack, Commissioner

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



September 28, 2012

His Excellency, Governor John H. Lynch
 and The Honorable Council
 State House
 Concord, NH 03301

REQUESTED ACTION

Approve Don B. & Sharon M. Brown Revocable Trust's request to perform the following work on Lake Winnepesaukee, in Gilford. File # 2012-01956. This project will not have significant impact on or adversely affect the values of Lake Winnepesaukee.

Expand an existing 14 ft. x 30 ft. seasonal canopy to 32 ft. x 30 ft. in order to cover two slips, adjacent to an existing dog-leg shaped breakwater and "W" shaped permanent dock on an average of 152 ft. of frontage along Lake Winnepesaukee, in Gilford.

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

1. All work shall be in accordance with plans by Watermark Marine Construction dated July 18, 2012, as received by the NH Department of Environmental Services (DES) on July 24, 2012.
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. 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.
4. This permit shall not preclude DES from taking any enforcement or revocation action if DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.
5. 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.

www.des.nh.gov

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

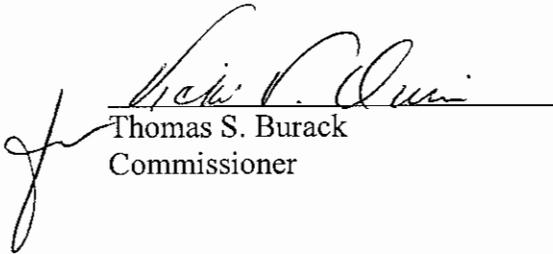
EXPLANATION

The DES Wetlands Bureau approved this project on August 27, 2012. DES supported its decision with the following findings:

1. This project is classified as a major project per Rule Env-Wt 303.02(d), modification of a docking facility associated with a breakwater.
2. The proposed modification to the docking facility will not increase the number of slips provided by the facility.
3. 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

TSB/CGA/emk



THE STATE OF NEW HAMPSHIRE
 DEPARTMENT OF ENVIRONMENTAL SERVICES
 LAND RESOURCES MANAGEMENT
 WETLANDS BUREAU
 29 Hazen Drive, PO Box 95
 Concord, NH 03302-0095



Phone: (603) 271-2147 Fax: (603) 271-6588
 Website: <http://des.nh.gov/organization/divisions/water/wetlands/index.htm>
 Permit Application Status: <http://des.nh.gov/onestop/index.htm>

WETLANDS PERMIT APPLICATION

			202-01956
			1262
			\$ 740.00
			DB

1. REVIEW TIME AND IMPACT TYPE: Use Attachment "A" to determine review time and impact type.

Expedited Review, Minimum Impact Standard Review, Minimum Impact Standard Review, Minor or Major Impact

2. PROJECT LOCATION:

ADDRESS: 218 Edgewater Drive		TOWN/CITY: Gilford	
TAX MAP: 218	BLOCK: 002	LOT: 000	UNIT: 000
LOCATION COORDINATES: 43.61.15 N 71.43.65 W		<input checked="" type="checkbox"/> Latitude/Longitude <input type="checkbox"/> UTM <input type="checkbox"/> State Plane	

3. PROPERTY OWNER INFORMATION:

NAME: Don B. and Sharon M. Brown Revocable Trust	
EMAIL or FAX: dandsb@roadrunner.com	PHONE:
MAILING ADDRESS: 15 Brushwood Drive	
TOWN/CITY: Atkinson	STATE: NH ZIP CODE: 03811

4. APPLICANT INFORMATION:

NAME: SAME	
EMAIL or FAX:	PHONE:
MAILING ADDRESS:	
TOWN/CITY:	STATE: ZIP CODE:

5. AGENT INFORMATION:

NAME: Jamie Irving	COMPANY NAME: Watermark Marine Construction
EMAIL or FAX: jci@docksource.com	PHONE: 603-293-4000
MAILING ADDRESS: PO Box 6840	
TOWN/CITY: Laconia	STATE: NH ZIP CODE: 03246

6. CHECK BOX TO INDICATE APPLICABLE PROJECT TYPES:

<input checked="" type="checkbox"/> Excluding culverts and bridges, all work in the bed or bank of a lake/pond of which the property owner(s) listed on page 1 do NOT own the entire bed and banks of the lake/pond.	<input type="checkbox"/> Work in a wetland, stream, river (excluding docks on rivers), prime wetland, prime wetland buffer, tidal water, salt marsh, sand dune, tidal buffer zone or in a pond of which the entire bed and banks are owned by the property owner(s) listed on page 1.
<input type="checkbox"/> Dock construction, maintenance, repair or replacement on a RIVER.	<input type="checkbox"/> All culvert and bridge construction, maintenance, repair or replacement.

7. PROJECT DESCRIPTION:

Extend existing 14ft x 30ft seasonal canopy to 30ft x 32ft (+/-) to cover second boat slip...

8. INDICATE AREA OF PROPOSED IMPACTS FOR EACH RESOURCE:

Resource:	Permanent Sq. Ft.	Permanent Lin. Ft.	Temporary Sq. Ft.	Temporary Lin. Ft.	After-the-fact Sq. Ft.	After-the-fact Lin. Ft.
Forested wetland		-		-		-
Scrub-shrub wetland		-		-		-
Emergent wetland		-		-		-
Wet meadow		-		-		-
Bog		-		-		-
Prime wetland		-		-		-
Prime wetland buffer		-		-		-
Docking structure		-	540	-		-
Tidal Buffer Zone		-		-		-
Tidal water		-		-		-
Salt Marsh		-		-		-
Sand dune		-		-		-
Intermittent Stream						
Perennial Stream						
River						
Lake						
Pond						
Other						
Total			540			

9 - 13. IF APPLICABLE, PROVIDE:

9. Cubic yards of proposed sand for beach replenishment: **NA**

10. Cubic yards of proposed dredge material for surface water dredge: **NA**

11. Contributing watershed size(s) of impacted stream(s) and river(s) (acres or square miles):

12. U. S. Geological Survey Topographic Map Waterbody name: **Lake Winnepesaukee**

13. ONLY Required for docking structures	(a) Straight line distance pin to pin (lin. ft.)	(b) Actual natural navigable shoreline pin to pin (lin. ft.)	(a) + (b) / 2 = Shoreline Frontage (lin. ft.):
	150.12	153.34	151.73

14. APPLICATION FEE:

Minimum Impact, Expedited Review Application: Flat fee of \$ 200
- OR -
 Minimum, Minor or Major Impact, Standard Review Application: Complete calculation below

Total temporary and permanent impacts:	_____ sq. ft.	X \$0.20 =	_____
Temporary Docking Structure:	540.00 sq. ft.	X \$1.00 =	540.00
Permanent Docking Structure:	_____ sq. ft.	X \$2.00 =	_____
Projects proposing shoreline structures add \$200 or NA =			200.00
Total =			740.00

The Application Fee is above calculated Total or \$200, whichever is greater = _____

15. INDICATE RELATED FILE / APPROVAL NO. AND STATUS:

Existing Wetlands Bureau file no. this application is replacing:

Wetlands Bureau enforcement (subject and abutting properties):

Wetlands Bureau emergency authorization (subject property):

Wetlands Bureau denials (subject and abutting properties):

Wetlands Bureau withdrawals (subject and abutting properties):

Wetlands Bureau approvals (subject and abutting properties): **2005-01930**

Shoreland Program waiver or permit:

Alteration of Terrain Bureau:

Watershed Management Program:

Subsurface Systems Bureau:

Other NHDES Programs and Bureaus:

City/Town:

State Agencies:

Federal Agencies:

Link to all NHDES Programs, Bureaus and Units: <http://des.nh.gov/programs/index.htm>

16. THE SUBMITTED APPLICATION WILL BE RETURNED TO YOU IF THE FOLLOWING INFORMATION IS NOT PROVIDED:

- A. Attach application fee, check or money order payable to the NH DES Wetlands Bureau (RSA 482-A:3, I & Env-Wt 505.01(c))
- B. Applicant and Town Clerk signatures, numbers 19 and 23 on pages 5 and 6 of this form (Env-Wt 501.01(d)&(e) & 505.01(m)&(o))
- C. Narrative description of the proposed project, number 7 on page 2 of this form (Env-Wt 501.02(a) & 505.01(l))
- D. Documentation from Department of Resources and Economic Development's Natural Heritage Bureau (NHB) indicating that NHB has reviewed your project. Documentation can be obtained online at: <https://www2.des.state.nh.us/nhbdatacheck/> or by phone (603) 271-2215 x 323. Please attach the REQUIRED letter/memo and map provided by NHB.
- E. Attach a U. S. Geological Survey topographic map upon which the property lines and project limits have been outlined. The map must be at an unaltered scale of 1:24,000 or 1" = 2,000 feet (1:25,000 metric map). (Env-Wt 501.02(a)(4) & 505.01(g))
- F. Attach a legible copy or tracing of the tax map from the municipal office (Env-Wt 501.02(a)(1)& 505.01(e))
- G. Attach legible and labeled color photographs clearly depicting the jurisdictional areas to be impacted, the resource outside of impact area, any shoreline structures and culvert inlet/outlets (Env-Wt 501.02(a)(3) & 505.01(j))
- H. Attach overview, cross-section and profile plans as applicable (Env-Wt 501.02(a)(2) & 505.01(h))

17A. INFORMATION REQUIRED FOR COMPLETION OF TECHNICAL REVIEW FOR ALL PROJECTS:

- A. Is the project within a ¼ mile of a designated river? <http://des.nh.gov/organization/divisions/water/wmb/rivers/desigriv.htm>
 - Y N. If yes: 1. Indicate river: _____
 - 2. As required by RSA 482-A:3, I(d)(2), I have notified the Local River Advisory Committee (<http://des.nh.gov/organization/divisions/water/wmb/rivers/lac/index.htm>) by sending a copy of the complete application and supporting materials via certified mail on: Day: __ Month: __ Year: __
 - 3. Attach a copy of the certified mail receipt with your application submittal (RSA 482-A:3, I(d)(2))
- B. Attach a completed U.S. Army Corps of Engineers New Hampshire Programmatic General Permit (PGP) Appendix B – Required Information and Corps Secondary Impact Checklist (Attachment B).
- C. Does the project require compensatory mitigation pursuant to Env-Wt 302.03? Y N
If yes, attach materials outlined in AND a completed Mitigation Agreement Form (Env-Wt 501.02(a)(6) & 501.06)
Link: http://des.nh.gov/organization/commissioner/pip/forms/wetlands/documents/mitigation_form.doc
- D. Attach a copy or tracing of the town tax map showing the property of the applicant, the location of the proposed project on the property, and the location of properties of abutters with each lot labeled with the abutter's name(s) and mailing address(es); or a list of abutters' names and mailing addresses to cross-reference with the tax map (Env-Wt 501.02(a)(1)& 505.01(f)). Abutter Notification Exceptions see Env-Wt 501.01(c)
- E. Attach a construction sequence (Env-Wt 501.02(a)(5) & 505.01)
- F. Is/are (a) waiver(s) to wetland rules being requested? Y N If yes, attach the waiver request(s) as outlined in Env-Wt 204
- G. All stream/river crossing projects, attach a response to Env-Wt 904.01, General Design Considerations (except single family residential access for Tier 1 and Tier 2 crossings pursuant to Env-Wt 303.04(z) & 901.03(e))
- H. If the applicant is not the property owner, attach a written letter of permission from the property owner granting the applicant permission to act on their behalf
- I. Will impacts occur within 20 feet of an abutting property line or imaginary extension thereof over surface water? Y N
If yes, attach the signed permission letter(s) from the affected abutters (Env-Wt 304.04). This letter must be notarized if your project is a boat docking facility (RSA 482-A:3-XIII(c))

17B. INFORMATION REQUIRED FOR COMPLETION OF TECHNICAL REVIEW FOR MINIMUM IMPACT PROJECTS:

- J. Refer to Attachment A: Determination for Project Impact Classification & Review Time, Section 2: Minimum Impact Project Requirements, and indicate the letter for the Minimum Impact rule that describes your project: Env-Wt 303.04 ____
- K. Attach required pages from Attachment A: Determination for Project Impact Classification & Review Time, as instructed on the attachment.
- L. Attach a statement demonstrating need for the proposed project (Pursuant to Env-Wt 302.03)
- M. Attach a statement demonstrating that the proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction in accordance with Env-Wt 302.03. (Env-Wt 505.01(d)&(y)).

17C. INFORMATION REQUIRED FOR COMPLETION OF TECHNICAL REVIEW FOR MINOR AND MAJOR IMPACT PROJECTS:

- N. Attach a response to questions outlined in Env-Wt 302.04(a)
- O. Attach a vernal pool survey and report (Env-Wt 302.04(a))
- P. If a wetland delineation is required, provide a NH Certified Wetland Scientist Stamp on attached plans (Env-Wt 301.01)

WETLAND RULES (S) FOR APPLICABLE PROJECT TYPE(S) PLAN REQUIREMENTS:

<input type="checkbox"/> Minimum	Env-Wt 505.01
<input checked="" type="checkbox"/> Minor and Major	Env-Wt 501.02
<input type="checkbox"/> Subdivision	Env-Wt 304.09(c)
<input type="checkbox"/> Vegetative & riprap bank stabilization (river, stream, lake, pond)	Env-Wt 404.03 & 404.04
<input type="checkbox"/> Retaining Walls	Env-Wt 404.05
<input type="checkbox"/> Shoreline	Env-Wt 501.02(c)
<input type="checkbox"/> Tidal	Env-Wt 501.02(b)
<input type="checkbox"/> Protected Shoreland (SWQP)	Env-Wt 501.02(d)
<input type="checkbox"/> New Tier 1 Stream Crossing (Exempt: Env-Wt 303.04(z))	Env-Wt 903.03(a) & 904.01
<input type="checkbox"/> Tier 1 stream crossing or replacement	Env-Wt 903.03(a) & 904.01
<input type="checkbox"/> New Tier 2 stream crossing (Exempt: Env-Wt 303.04(z))	Env-Wt 903.03(a), 904.01, 904.03 (e), 904.03(f)
<input type="checkbox"/> Tier 2 stream crossing repair or replacement	Env-Wt 903.03(a), 904.01, 904.03 (e), 904.03(f)
<input type="checkbox"/> All Tier 3 Stream Crossings	Env-Wt 903.03 (a) & (b) , 904.01, 904.04(d), 904.04(g), 904.05
Wetland Rules Link: http://des.nh.gov/organization/commissioner/legal/rules/documents/env-wt100-900.pdf	

19. APPLICANT AND AGENT SIGNATURES REQUIRED FOR ALL APPLICATIONS:

By signing the application, I am certifying that:

1. All abutters have been identified in accordance with RSA 482-A:3, I and Env-Wt 100-900.
2. I have read and provided the required information outlined in Env-Wt 302.04 for the applicable project type.
3. I have read and understand Env-Wt 302.03 and have chosen the least impacting alternative.
4. Any structure that I am proposing to repair/replace was either previously permitted by the Wetlands Bureau or would be considered grandfathered per Env-Wt 101.44.
5. I have submitted a copy of the application materials to the NH State Historic Preservation Officer.
6. I authorize the municipal conservation commission to inspect the site of the proposed project.
7. I have reviewed the information being submitted and that to the best of my knowledge the information is true and accurate.
8. 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.
9. I am aware that the work I am proposing may require additional state, local or federal permits.
10. The mailing addresses I have provided are up to date and appropriate for receipt of DES correspondence. DES will not forward returned mail.

 Signature of Applicant	DONALD B. BROWN Print name legibly	7-16-2012 Date
Signature of Authorized Agent (if applicable)	Print name legibly	Date

20. ELECTRONIC COMMUNICATION:

By initialing here, I the applicant or authorized agent in accordance with RSA 482-A:3, XIV (b), hereby authorize DES to communicate all matters relative to this application electronically with the individual's email addresses provided on pg. 1 of the application:

21. CONSERVATION COMMISSION SIGNATURE REQUIRED FOR EXPEDITED APPLICATIONS ONLY:

Expedited Applications ONLY require that the Conservation Commission signature is obtained prior to submitting the final application to the Town/City Clerk for signature and mailing to the NHDES Wetlands Bureau. *The Conservation Commission is not required to sign. If the Conservation Commission does not sign this statement for any reason, then the application is not eligible for expedited review and shall be reviewed in the standard review time.*

The signature below certifies that the municipal conservation commission has reviewed this application, and: 1) waives its right to intervene per RSA 482-A:11; 2) believes that the application and submitted plans accurately represent the proposed project; and 3) has no objection to permitting the proposed work.

Authorized Commission Signature

Print name legibly

Date

22. APPLICATION SUBMITTAL:

APPLICANT:

1. If sought, obtain the Conservation Commissions signature as outlined above on this page, no. 21;
2. Submit the original application form and materials, four copies, application fee check and any required municipal fees (authorized by RSA 482-A:3,1) to the town/city clerk.

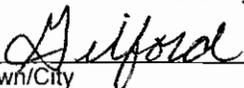
TOWN/CITY CLERK:

Per RSA 482-A:3,1(d):

1. Collect from the applicant the postal receipts demonstrating that all abutters and the Local Advisory Committee were sent proper notice;
2. Immediately sign the original application and four copies in the signature space provided on this pg. no. 23 below;
3. Retain one copy of the application form and all attachments that will remain with the town/city clerk and will be made reasonably accessible to the public;
4. Immediately distribute a copy of the application with attachments to the municipal Conservation Commission, the local governing body (Board of Selectmen or Town/City Council), and the Planning Board in accordance with RSA 482-A:3, 1; and
5. IMMEDIATELY send the original application materials and filing fee, by CERTIFIED MAIL to the NHDES Wetlands Bureau at the address indicated on the front of this application.

23. TOWN/CITY CLERK SIGNATURE REQUIRED FOR ALL APPLICATIONS:

I hereby certify that the applicant has filed five application forms, five detailed plans, and five USGS location maps with the town/city indicated below. As required by Chapter 482-A:3 (amended 1991), and I have received and retained certified postal receipts (or copies) for all abutters identified by the applicant.


Town/City

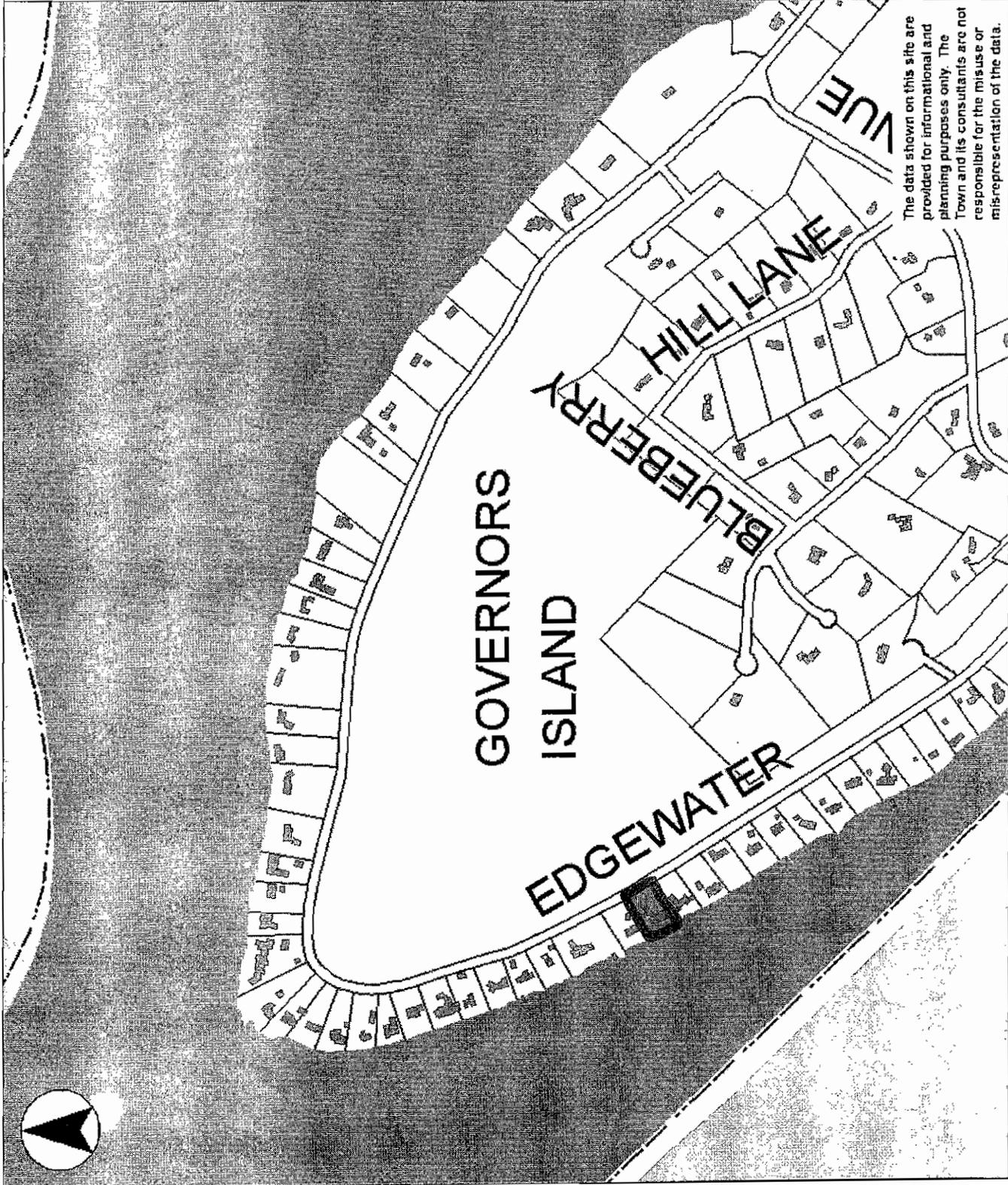

Signature or Town/City Clerk

Denise M Gonyer
Print name legibly

7-20-12
Date



- Abutting Towns
- Buildings
- Water Bodies
- Rivers & Streams
- Open Water
- Parcels
- Common
- Property Line
- Private Road
- Road
- Dashed Road

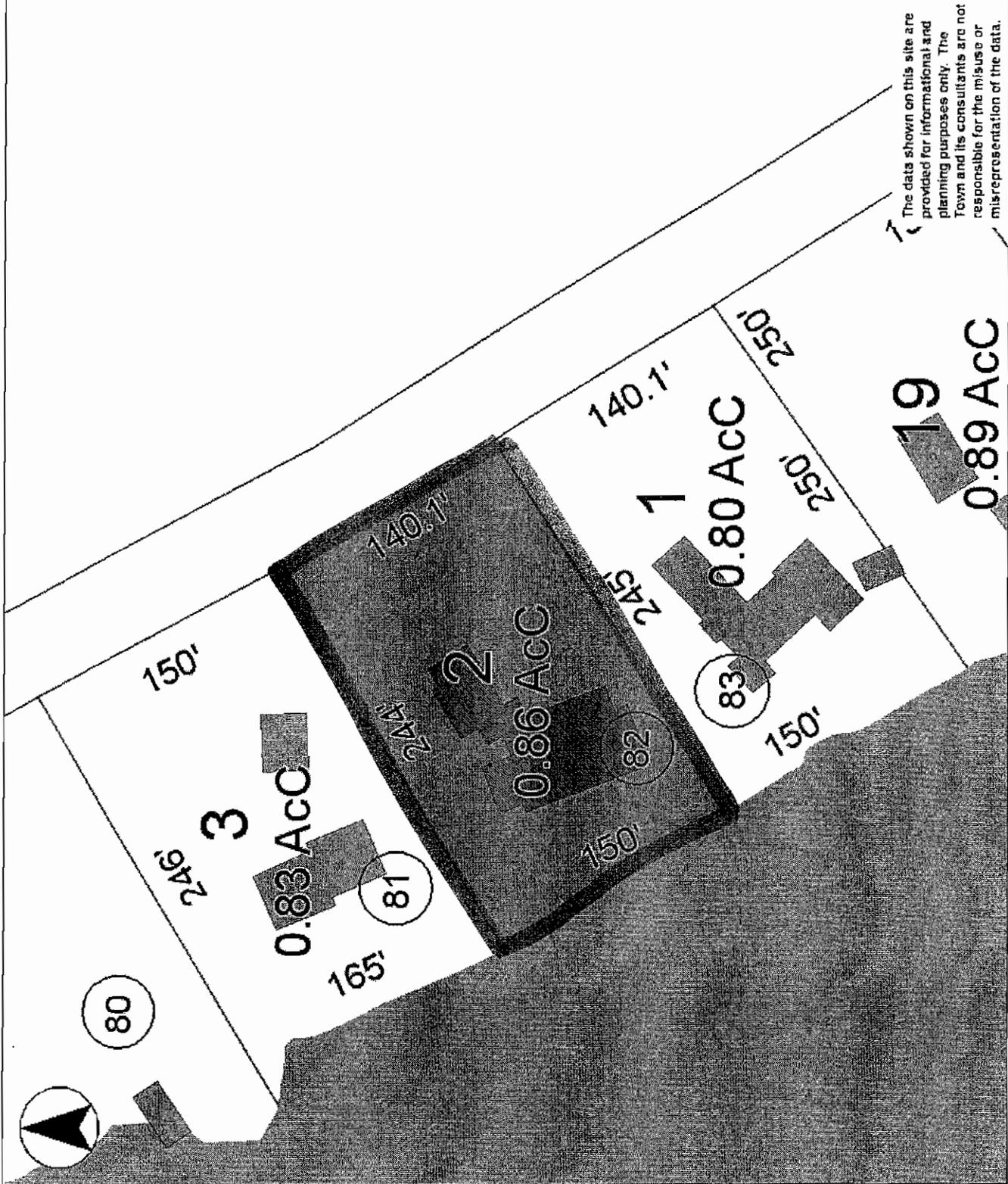


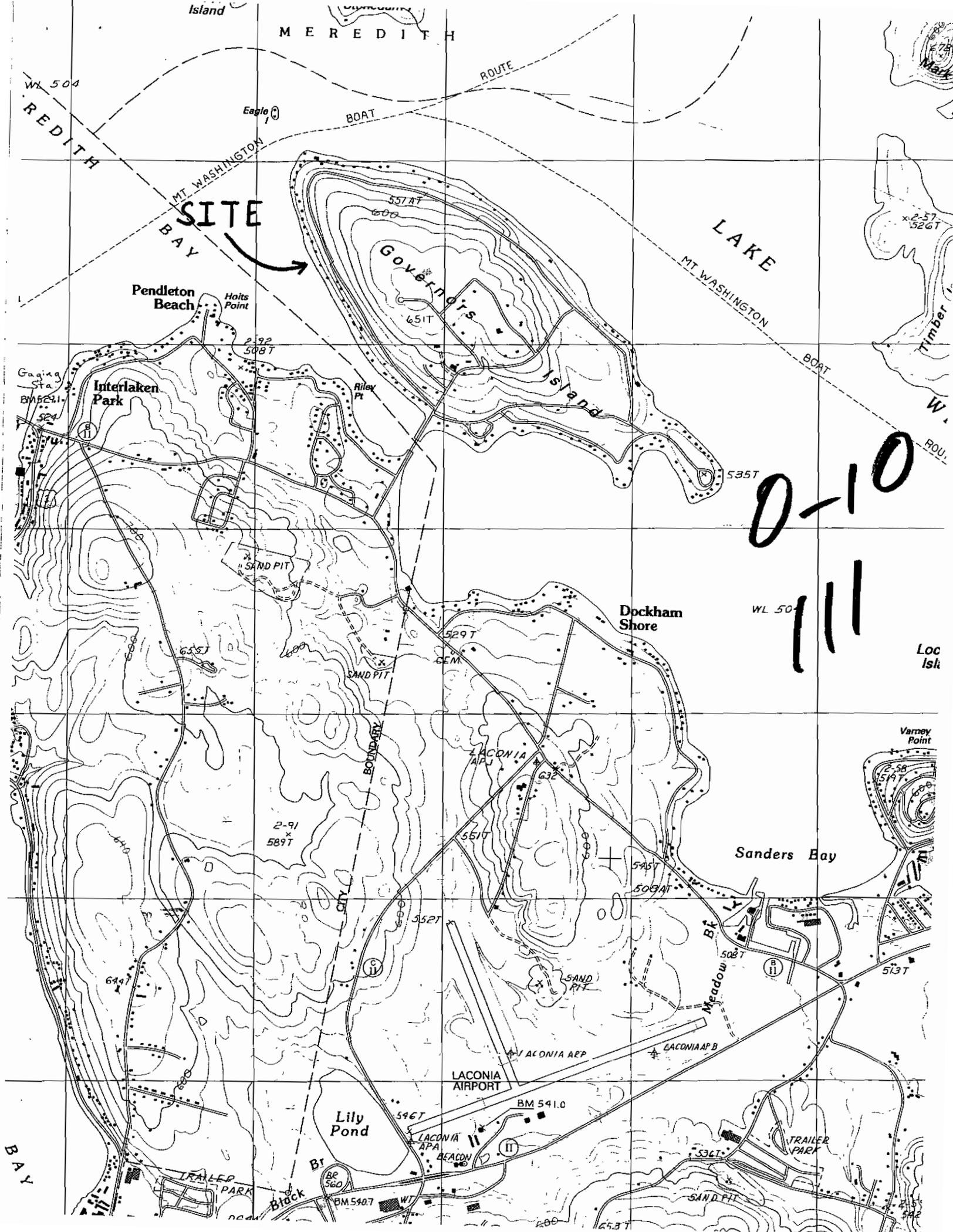
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- Abutting Towns
- Buildings
- Water Bodies
- Rivers & Streams
- Open Water
- Misc Parcel Lines
- Bridge
- Cemetery
- Essament
- Hooks
- Right-Of-Way
- Private Road ROW
- Utility
- Wetland
- Parcels
- Common
- Property Line
- Private Road
- Road
- Dashed Road

The data shown on this site are provided for informational and planning purposes only. The Town and its consultants are not responsible for the misuse or misrepresentation of the data.





SITE

0-10

111

MEREDITH

LAKE

REDITH BAY

MT WASHINGTON BOAT ROUTE

MT WASHINGTON BOAT ROUTE

Government's Island

Pendleton Beach

Interlaken Park

Dockham Shore

Sanders Bay

LACONIA AIRPORT

Lily Pond

BAY

TRAILER PARK

TRAILER PARK

Loc Isk

Varney Point

Eagle

BOAT

ROUTE

WL 504

Hoits Point

Riley Pt

Gaging Sta

BM 5251

5087

SAND PIT

SAND PIT

CEM

LACONIA AP A

LACONIA AP B

BM 541.0

BM 5407

SAND PIT

x 2-57

5267

Timber

W

ROUTE

2-91

5897

5517

5527

632

5957

50847

5087

5137

6447

5467

5367

542

542



New Hampshire Natural Heritage Bureau

To: Jamie Irving
Watermark Marine Construction
PO Box 6840
Laconia , NH 03247

Date: 6/25/2012

From: NH Natural Heritage Bureau

Re: Review by NH Natural Heritage Bureau of request dated 6/25/2012

NHB File ID: NHB12-1570

Applicant: Jamie Irving

Location: Tax Map(s)/Lot(s): 218-002-000
Gilford

Project Description: Install a seasonal boat canopy over existing dockage...

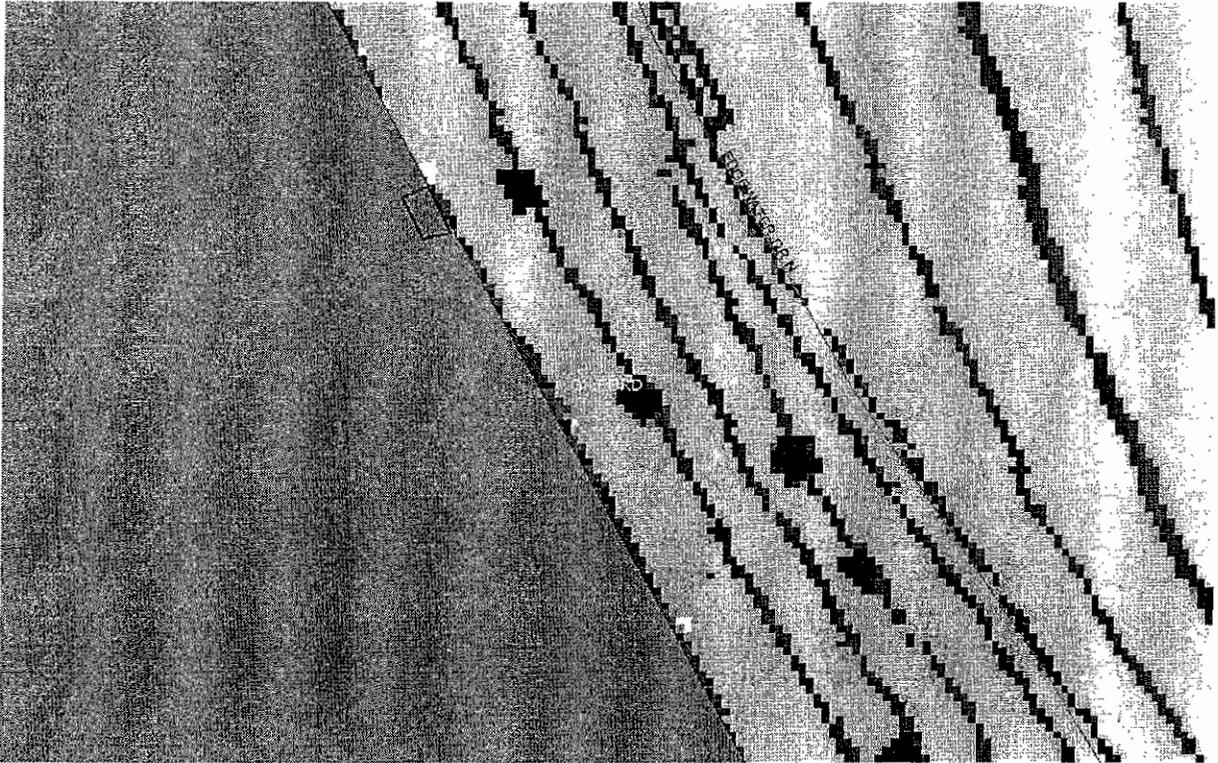
The NH Natural Heritage database has been checked for records of rare species and exemplary natural communities near the area mapped below. The species considered include those listed as Threatened or Endangered by either the state of New Hampshire or the federal government. We currently have no recorded 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.

This report is valid through 6/24/2013.



MAP OF PROJECT BOUNDARIES FOR NHB FILE ID: NHB12-1570



ABUTTER LIST

#218-002-000

Donald B. and Sharon M. Brown Revocable Trust
SITE

#218-001-000

Douglas F. Dooley
80 Surrey Lane
Dracut, MA 01826

#218-003-000

Iannazzi Family Realty Trust
22 Alden Road
Andover, MA 01810

7998 9446 0000 0511 7011

U.S. Postal Service™ CERTIFIED MAIL™ RECEIPT (Domestic Mail Only; No Insurance Coverage Provided)	
For delivery information visit our website at www.usps.com®	
OFFICIAL USE	
Postage	\$.45
Certified Fee	2.95
Return Receipt Fee (Endorsement Required)	
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$ 3.40
Sent To Douglas Dooley	
Street, Apt. No.; or PO Box No. 80 Surrey Lane	
City, State, ZIP+4 Dracut, MA 01826	
PS Form 3800, August 2006 See Reverse for Instructions	

LAKEPORT NH, 03246
JUL 19 2012
Postmark Here
U.S. POSTAL SERVICE

7998 9446 0000 0511 7011

U.S. Postal Service™ CERTIFIED MAIL™ RECEIPT (Domestic Mail Only; No Insurance Coverage Provided)	
For delivery information visit our website at www.usps.com®	
OFFICIAL USE	
Postage	\$.45
Certified Fee	2.95
Return Receipt Fee (Endorsement Required)	
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$ 3.40
Sent To Iannazzi Family Realty	
Street, Apt. No.; or PO Box No. 22 Alder Road	
City, State, ZIP+4 Andover, MA 01810	
PS Form 3800, August 2006 See Reverse for Instructions	

LAKEPORT NH, 03246
JUL 19 2012
Postmark Here
U.S. POSTAL SERVICE

Abutter List and
Certified Mail Receipts



JUL 24 2012

DEPARTMENT OF
MARINE SERVICES

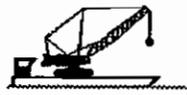
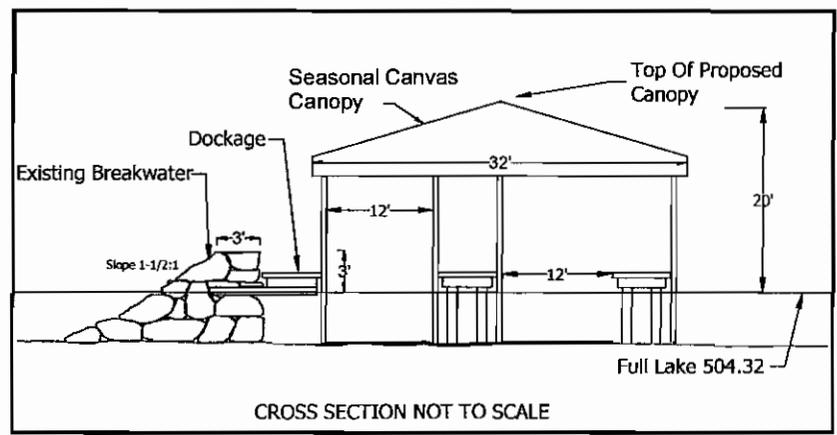
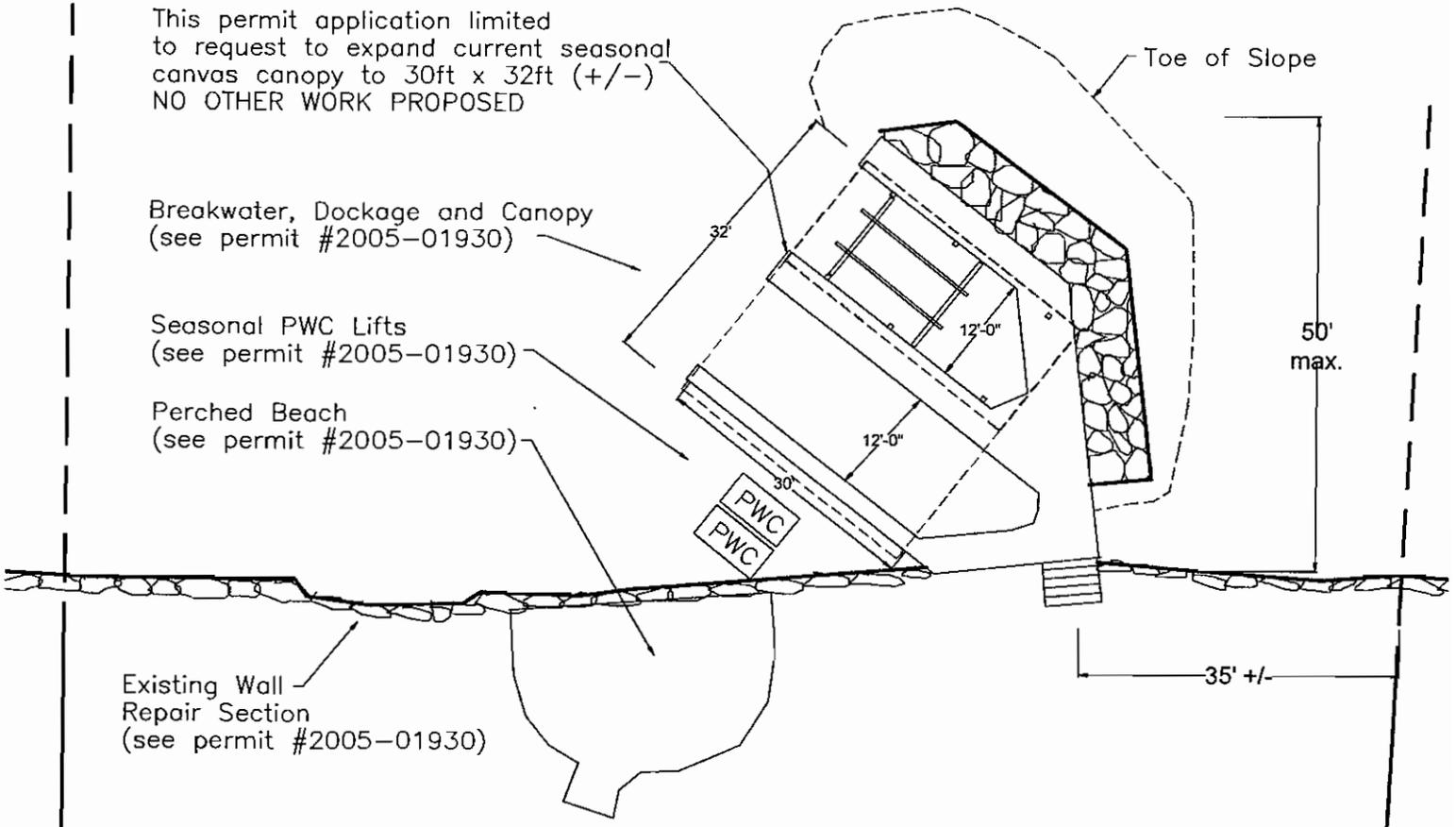
This permit application limited to request to expand current seasonal canvas canopy to 30ft x 32ft (+/-)
NO OTHER WORK PROPOSED

Breakwater, Dockage and Canopy
(see permit #2005-01930)

Seasonal PWC Lifts
(see permit #2005-01930)

Perched Beach
(see permit #2005-01930)

Existing Wall
Repair Section
(see permit #2005-01930)



Watermark Marine Construction
Gilford, New Hampshire
(603) 293-4000/Fax (603) 524-8100
www.docksource.com/www.shorefrontproducts.com

BROWN PROPERTY
Governor's Island
Gilford, NH
7/18/12 1" = 20'

