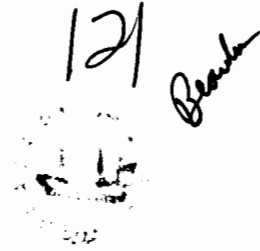




The State of New Hampshire  
Department of Environmental Services

Clark B. Freise, Assistant Commissioner



May 29, 2017

His Excellency, Governor Christopher T. Sununu  
and The Honorable Council  
State House  
Concord, NH 03301

REQUESTED ACTION

Approve The Steven K. Deutsch Trust et. al.'s request to perform the following work on Lake Winnepesaukee, in Gilford. File # 2017-00716. This project will not have significant impact on or adversely affect the values of Lake Winnepesaukee.

Dredge 7.5 cubic yards from 329 square ft. of lakebed to restore water depth within boat slips, repair a 68 linear foot breakwater in two sections (one 6 ft., one 62 ft.) with a 9 ft. gap between them and a 9 ft. gap at the shoreline with an existing attached 5 ft. x 30 ft. cantilevered pier, a 4 ft. x 30 ft. piling pier and a 6 ft. x 30 ft. wharf connected by a 6 ft. x 42 ft. 11 inch cantilevered walkway in an "E" configuration, construct a 6 ft. x 31 ft. piling pier and a 6 ft. x 45 ft. piling pier connected by a 6 ft. x 12 ft. walkway in an "H" configuration, drive two ice clusters and 4 tie-off pilings, and install a seasonal boatlift and two personal watercraft lifts on an average of 310 ft. of frontage along Governor's Island, on 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 December 1, 2016, as received by NHDES on March 16, 2017.
2. This permit is not valid and effective until it has been recorded with the appropriate county Registry of Deeds by the applicant. Prior to starting work under this permit, the permittee shall submit a copy of the recorded permit to the NHDES Wetlands Program by certified mail, return receipt requested.
3. All development activities associated with this project shall be conducted in compliance with applicable requirements of RSA 483-B and N.H. Code of Administrative Rules Env-Wq 1400 during and after construction.
4. Work shall be carried out in a time and manner to avoid disturbances to migratory waterfowl breeding and nesting areas.
5. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area and shall remain in place until suspended particles have settled and water at the work site has returned to normal clarity.
6. All dredged material shall be placed outside of the areas subject to RSA 482-A. Any spoil material deposited within 250 feet of any surface water shall comply with RSA-483-B.
7. Any subdivision of the property frontage will require removal of a sufficient portion of the docking structures to comply with the dock size and density requirements in effect at the time of the subdivision.
8. Only those structures shown on the approved plans shall be installed or constructed along this frontage. All portions of the structures, including the breakwater toe of slope, shall be at least 20 ft. from the abutting property lines or the imaginary extension of those lines into the water.

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

9. Pilings shall be spaced a minimum of 12 ft. apart as measured piling center to piling center.
10. No portion of the piers shall extend more than 45 ft. from the shoreline at full lake elevation (Elev. 504.32).
11. All seasonal watercraft lifts shall be removed for the non-boating season.
12. Only existing rocks that have fallen from the structure(s) shall be used for the repairs. No additional rocks shall be used, whether obtained from the site or brought to the site.
13. The repairs shall maintain the size, location, and configuration of the pre-existing structures.
14. All construction-related debris shall be placed outside of areas subject to RSA 482-A jurisdiction.

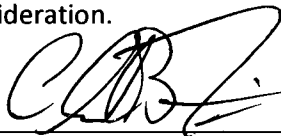
#### EXPLANATION

The NHDES Wetlands Bureau approved this project on April 28, 2017. The NHDES supported its decision with the following findings:

1. This project is classified as a major project per Rule Env-Wt 303.02(d), construction of major docking facilities associated with a breakwater.
2. The applicant has an average of 310 ft. of shoreline frontage along Governor's Island, on Lake Winnepesaukee.
3. A maximum of 5 slips may be permitted on this frontage per Rule Env-Wt 402.13, Frontage Over 75'.
4. The proposed docking facilities will provide a total of 5 slips as defined per RSA 482-A:2, VIII and, therefore, meets Rule Env-Wt 402.13.
5. The Department finds that because the project is not of significant public interest and will not significantly impair the resources of Lake Winnepesaukee a public hearing under RSA 482-A:8 is not required.

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.



---

Clark B. Freise  
Assistant Commissioner

# DES COPY WETLANDS PERMIT APPLICATION

Land Resources Management

Wetlands Bureau

Check the status of your application: [www.des.nh.gov/onestop](http://www.des.nh.gov/onestop)



RSA/Rule: RSA 482-A/ Env-Wt 100-900



		File No. <u>2017-00716</u>
		Check No. <u>4780</u>
		Amount <u>\$1,509.80</u>
		Initials <u>LSL</u>

### 1. REVIEW TIME

Indicate your Review Time below. Refer to Guidance Document A for instructions.

Standard Review (Minimum, Minor or Major Impact)

Expedited Review (Minimum Impact only)

### 2. PROJECT LOCATION

Separate applications must be filed with each municipality that jurisdictional impacts will occur in.

ADDRESS: **350 Edgewater Drive**

TOWN/CITY: **Gilford**

TAX MAP: **218**

BLOCK: **027**

LOT: **000**

UNIT: **000**

USGS TOPO MAP WATERBODY NAME: **Lake Winnepesaukee**

NA

STREAM WATERSHED SIZE:

NA

LOCATION COORDINATES (If known): **43°37'01.28" N 71°25'53.61" W**

Latitude/Longitude

UTM

State Plane

### 3. PROJECT DESCRIPTION

Provide a brief description of the project outlining the scope of work. Attach additional sheets as needed to provide a detailed explanation of your project. DO NOT reply "See Attached" in the space provided below.

Install a "U" shaped piling dock consisting of two 6ft x 45ft dock fingers and a 6ft x 12ft connecting walkway and install two three-pile ice protection clusters, four fender pilings, two seasonal PWC lifts and a single seasonal boatlift. Additionally, repair existing dockage and breakwater and perform a maintenance dredge to remove <sup>+/</sup>7.5yds<sup>3</sup> in an area totaling <sup>+/</sup>329ft<sup>2</sup>.

### 4. SHORELINE FRONTAGE

NA This lot has no shoreline frontage.

SHORELINE FRONTAGE: **310ft**

Shoreline frontage is calculated by determining the average of the distances of the actual natural navigable shoreline frontage and a straight line drawn between the property lines, both of which are measured at the normal high water line.

### 5. RELATED PERMITS, ENFORCEMENT, EMERGENCY AUTHORIZATION, SHORELAND, ALTERATION OF TERRAIN, ETC.

**#1996-00688, #1996-02209, #2000-00600, #2010-00571, #2011-00300**

### 6. NATURAL HERITAGE BUREAU & DESIGNATED RIVERS

See the Instructions & Required Attachments document for instructions to complete a & b below.

a. Natural Heritage Bureau File ID: NHB 16 - 3680

b.  Designated River the project is in ¼ miles of: \_\_\_\_\_; and

date a copy of the application was sent to the Local River Management Advisory Committee: Month: \_\_\_ Day: \_\_\_ Year: \_\_\_

NA

[shoreland@des.nh.gov](mailto:shoreland@des.nh.gov) or (603) 271-2147  
NHDES Wetlands Bureau, 29 Hazen Drive, PO Box 95, Concord, NH 03302-0095  
[www.des.nh.gov](http://www.des.nh.gov)



<b>8. APPLICANT INFORMATION (Desired permit holder)</b>			
LAST NAME, FIRST NAME, M.I.: <b>Deutsch, Steven and lane</b>			
TRUST / COMPANY NAME: <b>The Steven K. Deutsch Trust (et al)</b>		MAILING ADDRESS: [REDACTED]	
TOWN/CITY: <b>Miami</b>		STATE: <b>FL</b>	ZIP CODE: <b>33156</b>
EMAIL or FAX: <b>N/A</b>		PHONE: <b>N/A</b>	
ELECTRONIC COMMUNICATION: By initialing here: <b>N/A</b> , I hereby authorize NHDES to communicate all matters relative to this application electronically			
<b>9. PROPERTY OWNER INFORMATION (If different than applicant)</b>			
LAST NAME, FIRST NAME, M.I.: <b>Deutsch, Steven and lane</b>			
TRUST / COMPANY NAME: <b>The Steven K. Deutsch Trust (et al)</b>		MAILING ADDRESS: [REDACTED]	
TOWN/CITY: <b>Miami</b>		STATE: <b>FLORIDA</b>	ZIP CODE: <b>33156</b>
EMAIL or FAX: <b>N/A</b>		PHONE: <b>N/A</b>	
ELECTRONIC COMMUNICATION: By initialing here: <b>N/A</b> , I hereby authorize NHDES to communicate all matters relative to this application electronically			
<b>10. AUTHORIZED AGENT INFORMATION</b>			
LAST NAME, FIRST NAME, M.I.: <b>Irving, Jamie C.</b>		COMPANY NAME: <b>Watermark Marine Construction</b>	
MAILING ADDRESS: <b>1218 Union Avenue</b>			
TOWN/CITY: <b>Laconia</b>		STATE: <b>NH</b>	ZIP CODE: <b>03246</b>
EMAIL or FAX: <b>jcl@watermarkmarine.com</b>		PHONE: <b>603-293-4000</b>	
ELECTRONIC COMMUNICATION: By initialing here: <b>JCI</b> , I hereby authorize NHDES to communicate all matters relative to this application electronically			
<b>11. PROPERTY OWNER SIGNATURE:</b>			
See the Instructions & Required Attachments document for clarification of the below statements			
By signing the application, I am certifying that:			
<ol style="list-style-type: none"> <li>1. I authorize the applicant and/or agent indicated on this form to act in my behalf in the processing of this application, and to furnish upon request, supplemental information in support of this permit application.</li> <li>2. I have reviewed and submitted information &amp; attachments outlined in the Instructions and Required Attachment document.</li> <li>3. All abutters have been identified in accordance with RSA 482-A:3, I and Env-Wt 100-900.</li> <li>4. I have read and provided the required information outlined in Env-Wt 302.04 for the applicable project type.</li> <li>5. I have read and understand Env-Wt 302.03 and have chosen the least impacting alternative.</li> <li>6. 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 101.47.</li> <li>7. I have submitted a Request for Project Review (RPR) Form (<a href="http://www.nh.gov/nhdhr/review">www.nh.gov/nhdhr/review</a>) to the NH State Historic Preservation Officer (SHPO) at the NH Division of Historical Resources to identify the presence of historical/ archeological resources while coordinating with the lead federal agency for NHPA 106 compliance.</li> <li>8. I authorize NHDES and the municipal conservation commission to inspect the site of the proposed project.</li> <li>9. I have reviewed the information being submitted and that to the best of my knowledge the information is true and accurate.</li> <li>10. 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.</li> <li>11. I am aware that the work I am proposing may require additional state, local or federal permits which I am responsible for obtaining.</li> <li>12. The mailing addresses I have provided are up to date and appropriate for receipt of NHDES correspondence. NHDES will not forward returned mail.</li> </ol>			
 Property Owner Signature		<b>Steven K Deutsch</b> Print name legibly	<b>3/31/17</b> Date


[shoreland@des.nh.gov](mailto:shoreland@des.nh.gov) or (603) 271-2147  
NHDES Wetlands Bureau, 29 Hazen Drive, PO Box 95, Concord, NH 03302-0095  
[www.des.nh.gov](http://www.des.nh.gov)

## MUNICIPAL SIGNATURES

### 11. CONSERVATION COMMISSION SIGNATURE

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.


	Print name legibly	Date
-----------------------------------------------------------------------------------	--------------------	------

#### DIRECTIONS FOR CONSERVATION COMMISSION

1. Expedited review ONLY requires that the conservation commission's signature is obtained in the space above.
2. Expedited review requires the Conservation Commission signature be obtained **prior** to the submittal of the original application to the Town/City Clerk for signature.
3. The Conservation Commission may refuse to sign. If the Conservation Commission does not sign this statement for any reason, the application is not eligible for expedited review and the application will reviewed in the standard review time frame.

### 12. TOWN / CITY CLERK SIGNATURE

As required by Chapter 482-A:3 (amended 2014), I hereby certify that the applicant has filed four application forms, four detailed plans, and four USGS location maps with the town/city indicated below.

	Print name legibly <i>Jennifer L. Mooney Deputy</i>	Town/City <i>Gilford</i>	Date <i>3/13/17</i>
-------------------------------------------------------------------------------------	------------------------------------------------------------	-----------------------------	------------------------

#### DIRECTIONS FOR TOWN/CITY CLERK:

Per RSA 482-A:3,1

1. For applications where "Expedited Review" is checked on page 1, if the Conservation Commission signature is not present, NHDES will accept the permit application, but it will NOT receive the expedited review time.
2. IMMEDIATELY sign the original application form and four copies in the signature space provided above;
3. 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.
4. 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; and
5. Retain one copy of the application form and one complete set of attachments and make them reasonably accessible for public review.

#### DIRECTIONS FOR APPLICANT:

1. 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.

**13. IMPACT AREA:**

For each jurisdictional area that will be/has been impacted, provide square feet and, if applicable, linear feet of impact

Permanent: Impacts that will remain after the project is complete.

Temporary: Impacts not intended to remain (and will be restored to pre-construction conditions) after the project is complete.

JURISDICTIONAL AREA	PERMANENT Sq. Ft. / Lin. Ft.	TEMPORARY Sq. Ft. / Lin. Ft.
Forested wetland	<input type="checkbox"/> ATF	<input type="checkbox"/> ATF
Scrub-shrub wetland	<input type="checkbox"/> ATF	<input type="checkbox"/> ATF
Emergent wetland	<input type="checkbox"/> ATF	<input type="checkbox"/> ATF
Wet meadow	<input type="checkbox"/> ATF	<input type="checkbox"/> ATF
Intermittent stream	<input type="checkbox"/> ATF	<input type="checkbox"/> ATF
Perennial Stream / River	/	/
Lake / Pond	329 /	/
Bank - Intermittent stream	/	/
Bank - Perennial stream / River	/	/
Bank - Lake / Pond	/	/
Tidal water	/	/
Salt marsh	<input type="checkbox"/> ATF	<input type="checkbox"/> ATF
Sand dune	<input type="checkbox"/> ATF	<input type="checkbox"/> ATF
Prime wetland	<input type="checkbox"/> ATF	<input type="checkbox"/> ATF
Prime wetland buffer	<input type="checkbox"/> ATF	<input type="checkbox"/> ATF
Undeveloped Tidal Buffer Zone (TBZ)	<input type="checkbox"/> ATF	<input type="checkbox"/> ATF
Previously-developed upland in TBZ	<input type="checkbox"/> ATF	<input type="checkbox"/> ATF
Docking - Lake / Pond	622	<input type="checkbox"/> ATF
Docking - River	<input type="checkbox"/> ATF	<input type="checkbox"/> ATF
Docking - Tidal Water	<input type="checkbox"/> ATF	<input type="checkbox"/> ATF
<b>TOTAL</b>	<b>951 /</b>	<b>/</b>

**14. APPLICATION FEE:** See the Instructions & Required Attachments document for further instruction

Minimum Impact Fee: Flat fee of \$ 200

Minor or Major Impact Fee: Calculate using the below table below

Permanent and Temporary (non-docking) 329 sq. ft. X \$0.20 = \$ 65.80

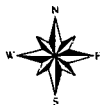
Temporary (seasonal) docking structure: sq. ft. X \$1.00 = \$

Permanent docking structure: 622 sq. ft. X \$2.00 = \$ 1,244.00

**Projects proposing shoreline structures (including docks) add \$200 = \$ 200.00**

**Total = \$ 1,509.80**

The Application Fee is the above calculated Total or \$200, whichever is greater = \$ 1,509.80



# Deutsch Property

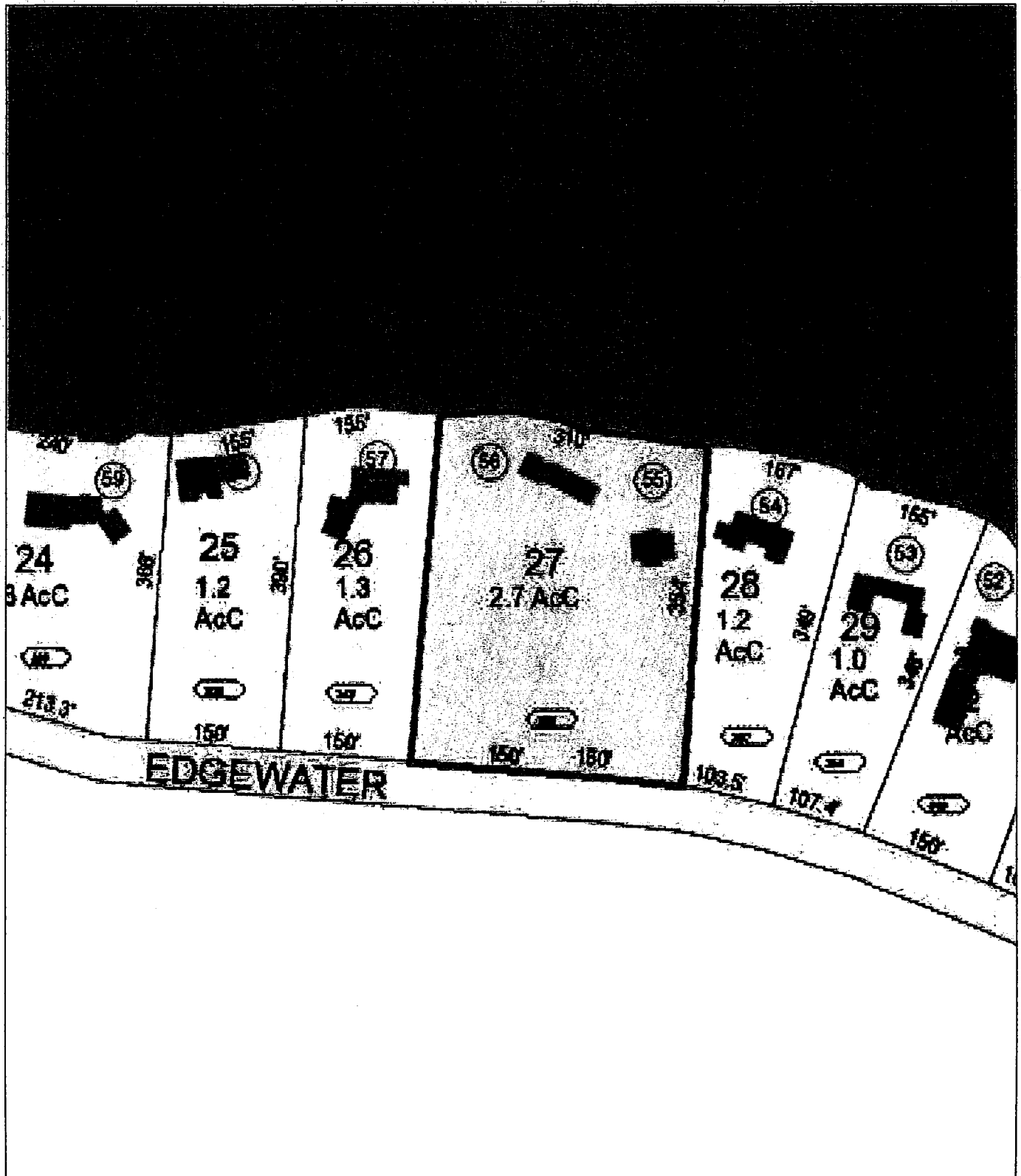
Gilford, NH



December 5, 2016

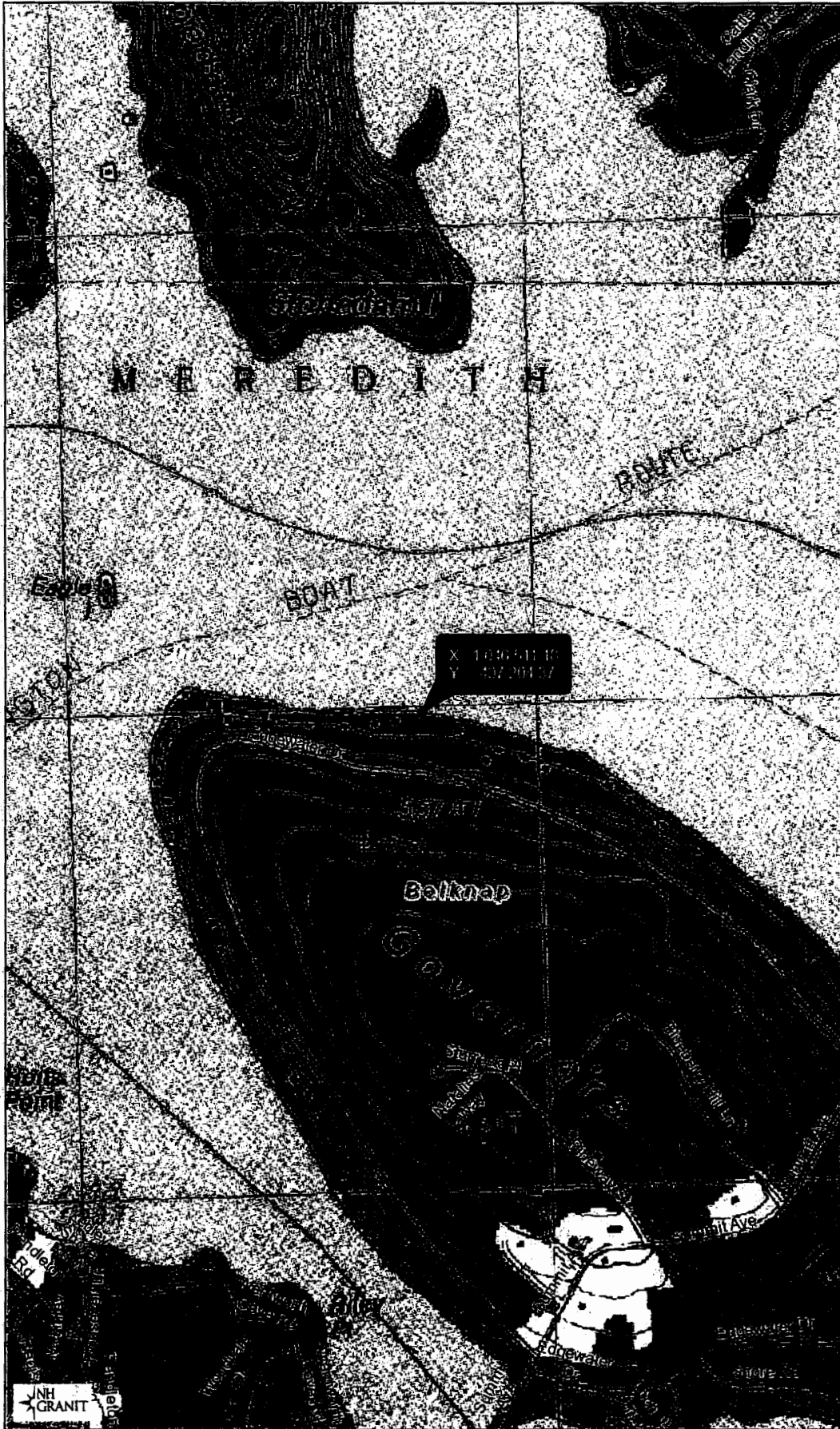
1 inch = 150 Feet

[www.cai-tech.com](http://www.cai-tech.com)



Data shown on this map is provided for planning and informational purposes only. The municipality and CAI Technologies are not responsible for any use for other purposes or misuse or misrepresentation of this map.

# Deutsch Property



## Legend

- State
- County
- City/Town
- Interstates
- Turnpikes
- US Routes
- State Routes
- Local Roads

010  
112

## Map Scale

1: 12,000

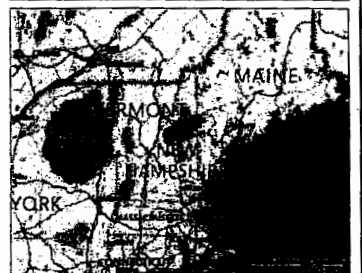


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Map Generated: 12/5/2016

## Notes

Steven and Lane Deutsch  
 350 Edgewater Drive, Gilford  
 TML #218-027-000  
 NH Stateplane NAD83 (feet)  
 Easting: 1,046,511.18  
 Northing: 407,204.37







## New Hampshire Natural Heritage Bureau

---

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

**Date:** 12/7/2016

**From:** NH Natural Heritage Bureau

**Re:** Review by NH Natural Heritage Bureau of request dated 12/7/2016

NHB File ID: NHB16-3680

Applicant: Steven and Iane Deutsch

Location: Tax Map(s)/Lot(s): 218-027-000  
Gilford

Project Description: Install a "U" shaped piling dock, two three-pile ice protection clusters, four fender pilings, two seasonal PWC lifts and a single seasonal boatlift. Additionally repair existing piling dock and breakwater and dredge +/- 329 sq. ft. for access into boatslip...

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 12/6/2017.



MAP OF PROJECT BOUNDARIES FOR NHB FILE ID: NHB16-3680





# 0 foot Abutters List Report

Gilford, NH  
December 05, 2016

### Subject Property:

Parcel Number: 218-027-000  
CAMA Number: 218-027-000  
Property Address: 350 EDGEWATER DR

Mailing Address: DEUTSCH, IANE D TRUST & DEUTSCH,  
STEVEN K TRUST  
[REDACTED]  
MIAMI, FL 33156

### Abutters:

Parcel Number: 218-026-000  
CAMA Number: 218-026-000  
Property Address: 342 EDGEWATER DR

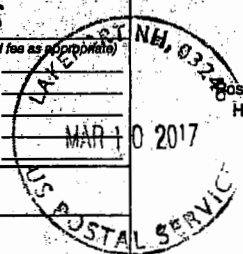
Mailing Address: MACONE, THOMAS J & DEBRA J  
TRUSTEES MACONE REALTY TRUST  
[REDACTED]  
STONEHAM, MA 02180

Parcel Number: 218-028-000  
CAMA Number: 218-028-000  
Property Address: 360 EDGEWATER DR

Mailing Address: SMITH, RODNEY & KARLA TRUSTEES  
SMITH FAMILY REV TRUST  
[REDACTED]  
BOXFORD, MA 01921

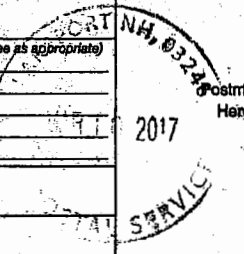
7016 0910 0001 9084 2334

U.S. Postal Service™ <b>CERTIFIED MAIL® RECEIPT</b> Domestic Mail Only	
For delivery information, visit our website at <a href="http://www.usps.com">www.usps.com</a>	
<b>OFFICIAL USE</b>	
Certified Mail Fee	\$ 3.35
Extra Services & Fees (check box, add fee as appropriate)	
<input type="checkbox"/> Return Receipt (hardcopy)	\$
<input type="checkbox"/> Return Receipt (electronic)	\$
<input type="checkbox"/> Certified Mail Restricted Delivery	\$
<input type="checkbox"/> Adult Signature Required	\$
<input type="checkbox"/> Adult Signature Restricted Delivery	\$
Postage	\$ .46
Total Postage and Fees	\$ 3.81
Rodney and Karla Smith [REDACTED] Boxford, MA 01921	
See Reverse for Instructions	

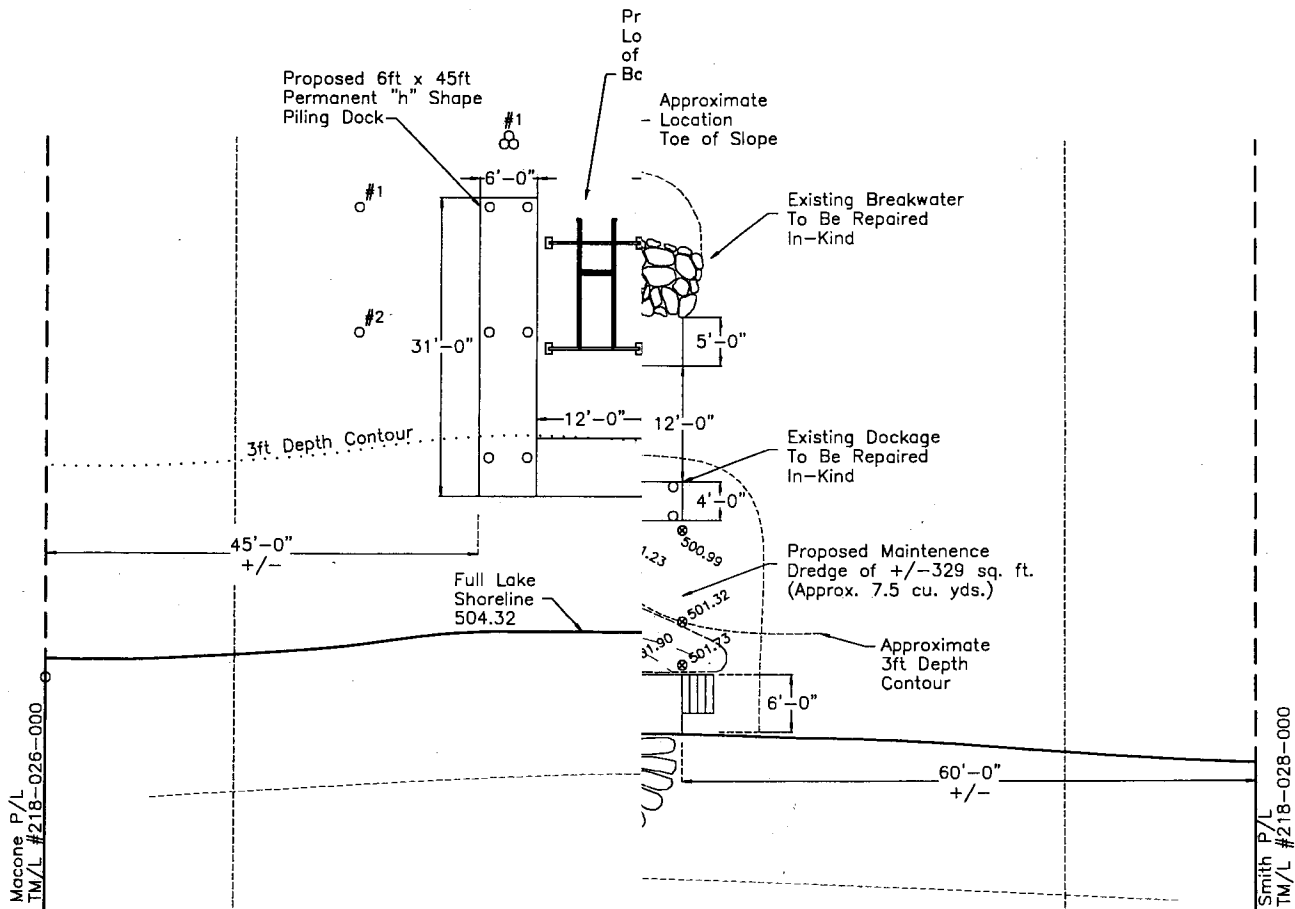


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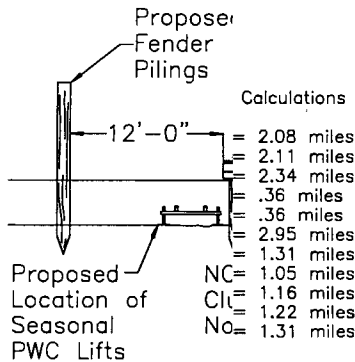
U.S. Postal Service™ <b>CERTIFIED MAIL® RECEIPT</b> Domestic Mail Only	
For delivery information, visit our website at <a href="http://www.usps.com">www.usps.com</a>	
<b>OFFICIAL USE</b>	
Certified Mail Fee	\$ 3.35
Extra Services & Fees (check box, add fee as appropriate)	
<input type="checkbox"/> Return Receipt (hardcopy)	\$
<input type="checkbox"/> Return Receipt (electronic)	\$
<input type="checkbox"/> Certified Mail Restricted Delivery	\$
<input type="checkbox"/> Adult Signature Required	\$
<input type="checkbox"/> Adult Signature Restricted Delivery	\$
Postage	\$ .46
Total Postage and Fees	\$ 3.81
Thomas and Debra Macone [REDACTED] Stoneham, MA 02180	
See Reverse for Instructions	



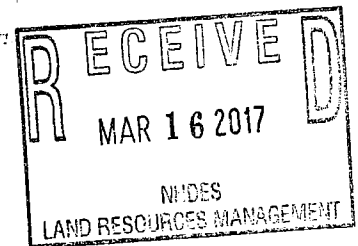
www.cai-tech.com



Profile View



ge Fetch = 1.47 miles



Deutsch Property  
Gilford, NH  
12/01/16 1" = 20'