

86



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



**Robert R. Scott, Commissioner**

July 11, 2019

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

**REQUESTED ACTION**

Approve Broadview Holdings, LLC's request to perform the following work on Lake Winnepesaukee in Gilford. File # 2018-03706. This project will not have significant impact on or adversely affect the values of Lake Winnepesaukee.

Rebuild existing permanent 282 square foot deck partially over the water, 45 linear feet of breakwater, a 42 foot x 4 foot cantilevered dock and a 4 foot x12 foot walkway in kind, remove the existing 4 foot x 32 foot 6 inch piling pier and construct two 4 foot x 40 foot piling piers connected by a second 4 foot x12 foot walkway and accessed by the first forming a W shaped configuration, install two permanent boatlifts, two 14 foot x 30 foot seasonal canopies, and two ice clusters on 152 feet of frontage along Lake Winnepesaukee in Gilford.

The New Hampshire Department of Environmental Services (NHDES) imposed the following conditions as part of this approval:

1. All work shall be in accordance with plans by Watermark Marine Construction dated November 15, 2018, as received by DES on December 17, 2018.
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 DES Wetlands Program by certified mail, return receipt requested.
3. Any future proposal to construct a water access structure such as a beach or deck shall not be approved until the existing 282 square foot deck partially over the surface water is removed from the frontage.
4. 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.
5. Work shall be carried out in a time and manner to avoid disturbances to migratory waterfowl breeding and nesting areas.
6. Appropriate siltation and erosion controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized. Temporary controls shall be removed once the area has been stabilized.
7. 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 until suspended particles have settled and water at the work site has returned to normal clarity.
8. All construction-related debris shall be placed outside of the areas subject to RSA 482-A.
9. 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.
10. All seasonal structures shall be removed for the non-boating season.

11. Only those structures shown on the approved plans shall be installed or constructed along this frontage.
12. No portion of the new piers shall extend more than 40 feet from the shoreline at full lake elevation (Elevation 504.32).
13. The permittee may make repairs to the permitted structures as necessary, prior to the permit expiration date, provided that prior to performing any repair the permittee notifies the DES Wetlands Program and the Conservation Commission, in writing, of the proposed start and completion dates.
14. This permit shall not preclude DES from initiating appropriate action if DES later determines that any of the structures depicted as "existing" on the plans submitted by or on behalf of the permitted were not previously permitted or grandfathered.
15. The canopy, including the support frame and cover, shall be designed and constructed to be readily removed at the end of the boating season and the flexible canopy shall be removed for the non-boating season.

#### EXPLANATION

The NHDES approved this project on May 29, 2019. The NHDES supported its decision with the following findings:

1. This is a major impact project per Administrative Rule Env-Wt 303.02(d) modification of a docking system attached to a breakwater.
2. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
3. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
4. The applicant has an average of 152 feet of shoreline frontage along Lake Winnepesaukee.
5. A maximum of 3 slips may be permitted on this frontage per Rule Env-Wt 402.13, Frontage Over 75'.
6. The proposed docking facility will provide 3 slips as defined per RSA 482-A:2, VIII and therefore meets Rule Env-Wt 402.13.
7. The applicant agrees to accept a condition on the permit requiring the removal of the existing deck prior to the construction of any future perched beach on the frontage.
8. The existing 282 square foot deck partially over the water fails to comply with Rule Env-Wt 402.09, Structures Disallowed.
9. The existing deck provides similar functions to those that might be provided by a beach on the frontage.
10. There is currently no beach area on the subject property's frontage.
11. Maintenance of the existing deck for water access is less impacting to the bank and adjacent surface water than the removal of the deck and construction of a new beach.
12. 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 the 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.

Respectfully submitted,



Robert R. Scott  
Commissioner



# WETLANDS PERMIT APPLICATION

Water Division/ Wetlands Bureau *DR16. PHUDS*  
 Land Resources Management *ATTACHED.*



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

RSA 485-A:17, RSA 485-A:2, RSA 483-B

<b>RECEIVED</b> DEC 17 2018 NHDES LAND RESOURCES MANAGEMENT	<b>COMPLETE</b> DEC 17 2018	2018-03766 Check # 1546 Amount 1,041.67 Date 1/16/19
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**1. REVIEW TIME:** Indicate your Review Time below. To determine review time, refer to Guidance Document A for instructions.

Standard Review (Minimum, Minor or Major Impact)
  Expedited Review (Minimum Impact only)

**2. MITIGATION REQUIREMENT:**

If mitigation is required a Mitigation Pre-Application meeting must occur prior to submitting this Wetlands Permit Application. To determine if Mitigation is Required, please refer to the Determine if Mitigation is Required Frequently Asked Question.

Mitigation Pre-Application Meeting Date: Month: \_\_\_ Day: \_\_\_ Year: \_\_\_

N/A - Mitigation is not required

**3. PROJECT LOCATION:**

Separate wetland permit applications must be submitted for each municipality that wetland impacts occur within.

ADDRESS: 51 Broadview Terrace TOWN/CITY: Gilford

TAX MAP: 221 BLOCK: 033 LOT: 000 UNIT: 000

USGS TOPO MAP WATERBODY NAME: Lake Winnepesaukee  NA STREAM WATERSHED SIZE:  NA

LOCATION COORDINATES (if known): Easting: 1,051,978.78 Northing: 401,340.3  Latitude/Longitude  UTM  State Plane

**4. 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.

We propose to rebuild the existing "U" dock and deck "in-kind" (see old file #1993-00472) and construct a 4 ft x 40 ft "L" shaped dock attached to the existing dockage in a "W" configuration to provide 3 boatslips on 152 ft average frontage and install two permanent boatlifts and two 14 ft x 30 ft seasonal canvas canopies.

**5. SHORELINE FRONTAGE:**

N/A This does not have shoreline frontage. SHORELINE FRONTAGE: 152ft

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.

**6. RELATED NHDES LAND RESOURCES MANAGEMENT PERMIT APPLICATIONS ASSOCIATED WITH THIS PROJECT:**

Please indicate if any of the following permit applications are required and, if required, the status of the application. To determine if other Land Resources Management Permits are required, refer to the Land Resources Management Web Page.

Permit Type	Permit Required	File Number	Permit Application Status
Alteration of Terrain Permit Per RSA 485-A:17	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	_____	<input type="checkbox"/> APPROVED <input type="checkbox"/> PENDING <input type="checkbox"/> DENIED
Individual Sewerage Disposal per RSA 485-A:2	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	_____	<input type="checkbox"/> APPROVED <input type="checkbox"/> PENDING <input type="checkbox"/> DENIED
Subdivision Approval Per RSA 485-A	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	_____	<input type="checkbox"/> APPROVED <input type="checkbox"/> PENDING <input type="checkbox"/> DENIED
Shoreland Permit Per RSA 483-B	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	_____	<input type="checkbox"/> APPROVED <input type="checkbox"/> PENDING <input type="checkbox"/> DENIED

**7. 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 18- 3273

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: \_\_\_

N/A

**8. APPLICANT INFORMATION (Desired permit holder)**

LAST NAME, FIRST NAME, M.I.: OWNER IS APPLICANT...

TRUST / COMPANY NAME:

MAILING ADDRESS:

TOWN/CITY:

STATE:

ZIP CODE:

EMAIL or FAX: N/A

PHONE: N/A

ELECTRONIC COMMUNICATION: By initialing here: N/A. I hereby authorize NHDES to communicate all matters relative to this application electronically.**9. PROPERTY OWNER INFORMATION (if different than applicant)**

LAST NAME, FIRST NAME, M.I.:

TRUST / COMPANY NAME: Broadview Holdings, LLC

MAILING ADDRESS:

TOWN/CITY:

STATE:

ZIP CODE:

EMAIL or FAX: N/A

PHONE: N/A

ELECTRONIC COMMUNICATION: By initialing here: N/A. I hereby authorize NHDES to communicate all matters relative to this application electronically.**10. AUTHORIZED AGENT INFORMATION**

LAST NAME, FIRST NAME, M.I.: Irving, Jamie C.

COMPANY NAME: Watermark Marine Construction

MAILING ADDRESS: 1218 Union Avenue

TOWN/CITY: Laconia

STATE: NH

ZIP CODE: 03246

EMAIL or FAX: jci@watermarkmarine.com

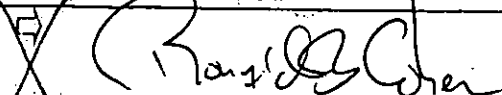
PHONE: 603-293-4000

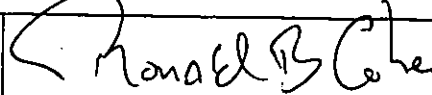
ELECTRONIC COMMUNICATION: By initialing here: JCI. I hereby authorize NHDES to communicate all matters relative to this application electronically.**11. PROPERTY OWNER SIGNATURE**

See the Instructions &amp; Required Attachments document for clarification of the below statements

By signing the application, I am certifying that:

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.
2. I have reviewed and submitted information & attachments outlined in the Instructions and Required Attachment document.
3. All abutters have been identified in accordance with RSA 482-A:3, I and Env-Wt 100-900.
4. I have read and provided the required information outlined in Env-Wt 302.04 for the applicable project type.
5. I have read and understand Env-Wt 302.03 and have chosen the least impacting alternative.
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.
7. I have submitted a Request for Project Review (RPR) Form ([www.nh.gov/nhdhr/review](http://www.nh.gov/nhdhr/review)) 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.
8. I authorize NHDES and the municipal conservation commission to inspect the site of the proposed project.
9. I have reviewed the information being submitted and that to the best of my knowledge the information is true and accurate.
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.
11. I am aware that the work I am proposing may require additional state, local or federal permits which I am responsible for obtaining.
12. The mailing addresses I have provided are up to date and appropriate for receipt of NHDES correspondence. NHDES will not forward returned mail.


  
Property Owner Signature


  
Print name legibly

 11/21/18  
Date
[lm@des.nh.gov](mailto:lm@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**

**12. 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
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**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 be reviewed in the standard review time frame.

**13. 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.

 Town/City Clerk Signature	Denise M. Gonyer Print name legibly	Gilford Town/City	12/12/18 Date
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**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.

14. IMPACT AREA		
For each jurisdictional area that will be / has been impacted, provide square feet and, if applicable, linear feet of impact.		
<i>Permanent impacts that will remain after the project is complete</i>		
<i>Temporary impacts not intended to remain (and will be restored to pre-construction conditions) after the project is complete</i>		
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	/	/
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	302 <input type="checkbox"/> ATF	840 <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
Vernal Pool	<input type="checkbox"/> ATF	<input type="checkbox"/> ATF
<b>TOTAL</b>	/	/

15. 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)	0 sq. ft.	X	\$0.20 =	\$ 0.00
Temporary (seasonal) docking structure:	840 sq. ft.	X	\$1.00 =	\$ 840.00
Permanent docking structure:	302 sq. ft.	X	\$2.00 =	\$ 604.00
Projects proposing shoreline structures (including docks) add \$200 =				\$ 200.00
Total =				\$ 1,644.00

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



# Cohen Property #51

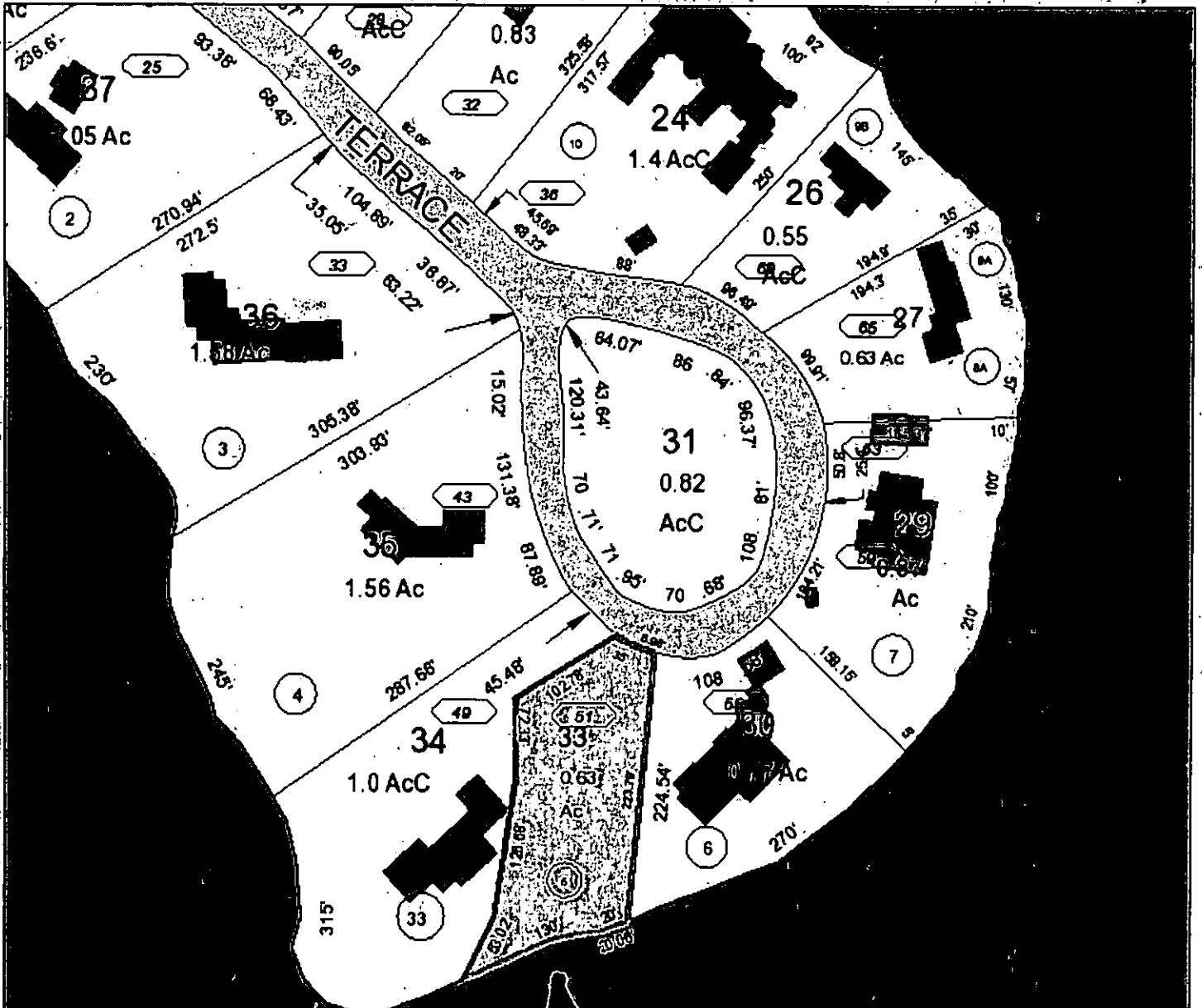
Gilford, NH



September 1, 2018

1 inch = 134 Feet

www.cai-tech.com



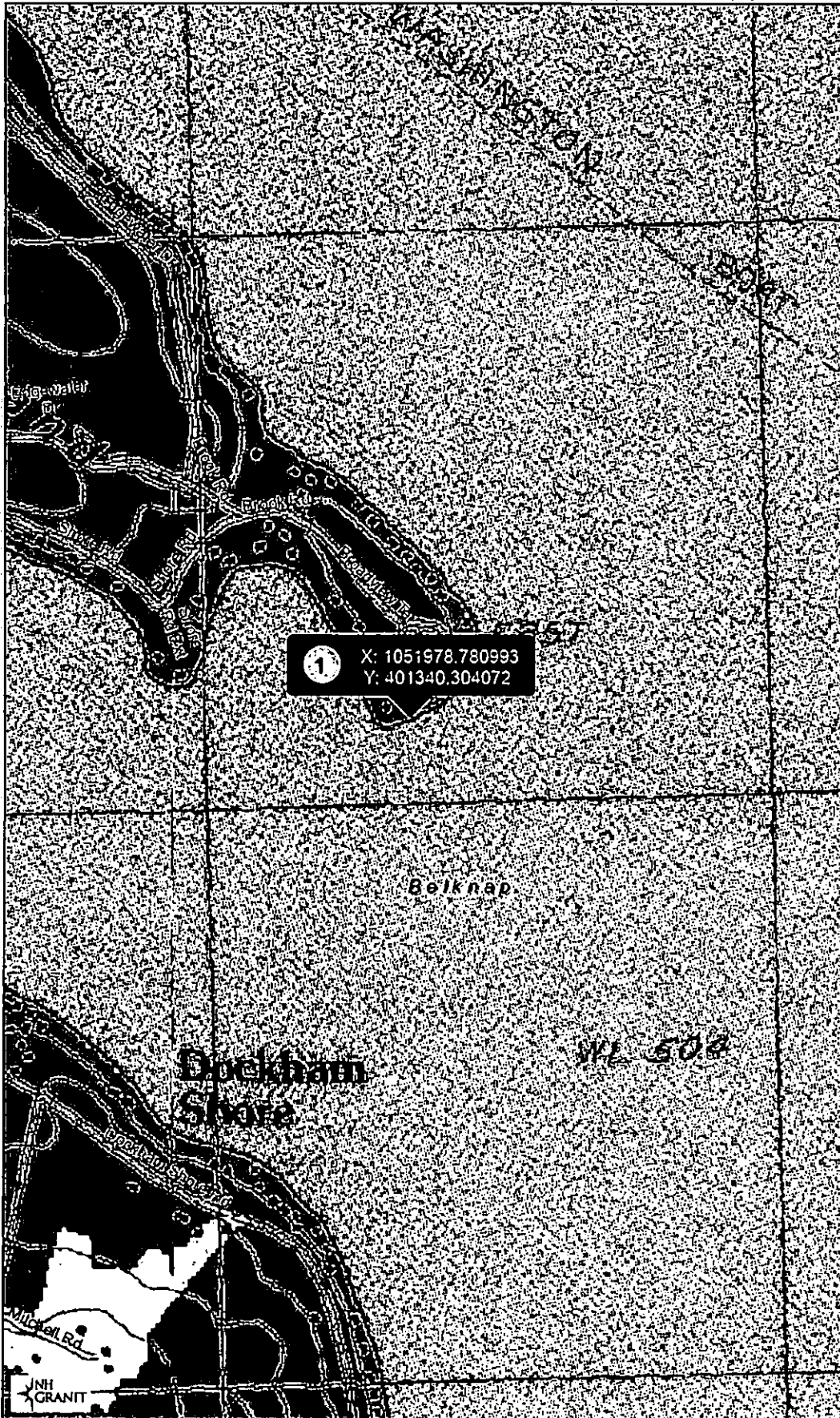
SITE

**BROADVIEW HOLDINGS, LLC**

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.



# Cohen Property #51



1 X: 1051978.780993  
Y: 401340.304072

## Legend

- State
- County
- City/Town

Map Scale

1: 10,000



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Map Generated: 9/1/2018

## Notes

Broadview Holdings, LLC  
51 Broadview Terrace, Gilford  
TML# 221-033-000  
NH Stateplane NAD83 (feet)  
Easting: 1,051,978.78  
Northing: 401,340.3







# New Hampshire Natural Heritage Bureau

To: Paul Goodwin  
Watermark Marine Construction  
1218 Union Avenue  
Laconia, NH 03246

Date: 10/18/2018

From: NH Natural Heritage Bureau

Re: Review by NH Natural Heritage Bureau of request dated 10/18/2018

NHB File ID: NHB18-3273

Applicant: Broadview Holdings, LLC

Location: Tax Map(s)/Lot(s): 221-033-000  
Gilford

Project Description: Rebuild existing dock and deck and install an addition to create a "W" shaped dock with two boatlifts and two 14x30 seasonal canvas canopies

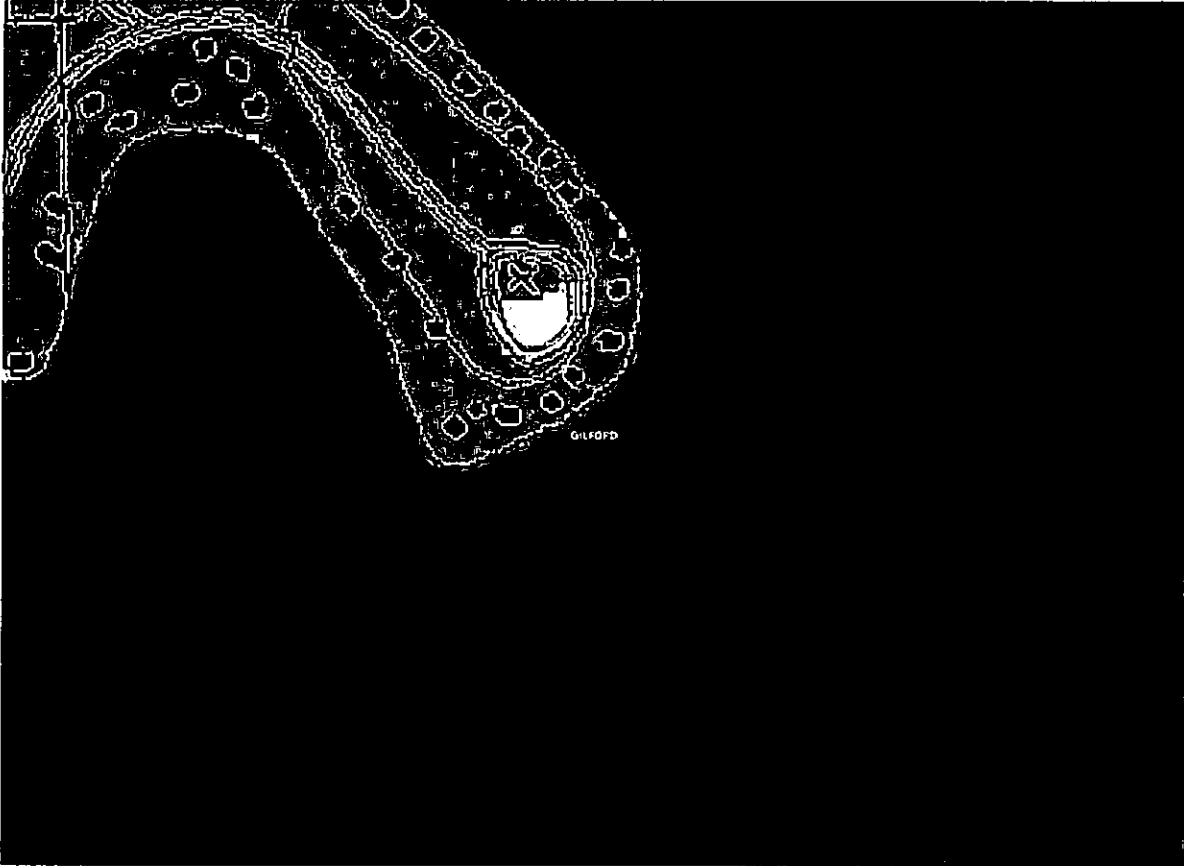
The NH Natural Heritage database has been checked for records of rare species and exemplary natural communities near the area mapped below. The species considered include those listed as Threatened or Endangered by either the state of New Hampshire or the federal government. We currently have no recorded 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 10/17/2019.



MAP OF PROJECT BOUNDARIES FOR NHB FILE ID: NHB18-3273





# 0 foot Abutters List Report

Gilford, NH  
September 01, 2018

## Subject Property:

Parcel Number: 221-033-000  
CAMA Number: 221-033-000  
Property Address: 51 BROADVIEW TERRACE

Mailing Address: BROADVIEW HOLDINGS LLC

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## Abutters:

Parcel Number: 221-030-000  
CAMA Number: 221-030-000  
Property Address: 55 BROADVIEW TERRACE

Mailing Address: BROADVIEW HOLDINGS LLC

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Parcel Number: 221-034-000  
CAMA Number: 221-034-000  
Property Address: 49 BROADVIEW TERRACE

Mailing Address: KEOHAN, MARY S TRUST KEOHAN,  
KEVIN M & MARY S TTEES



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

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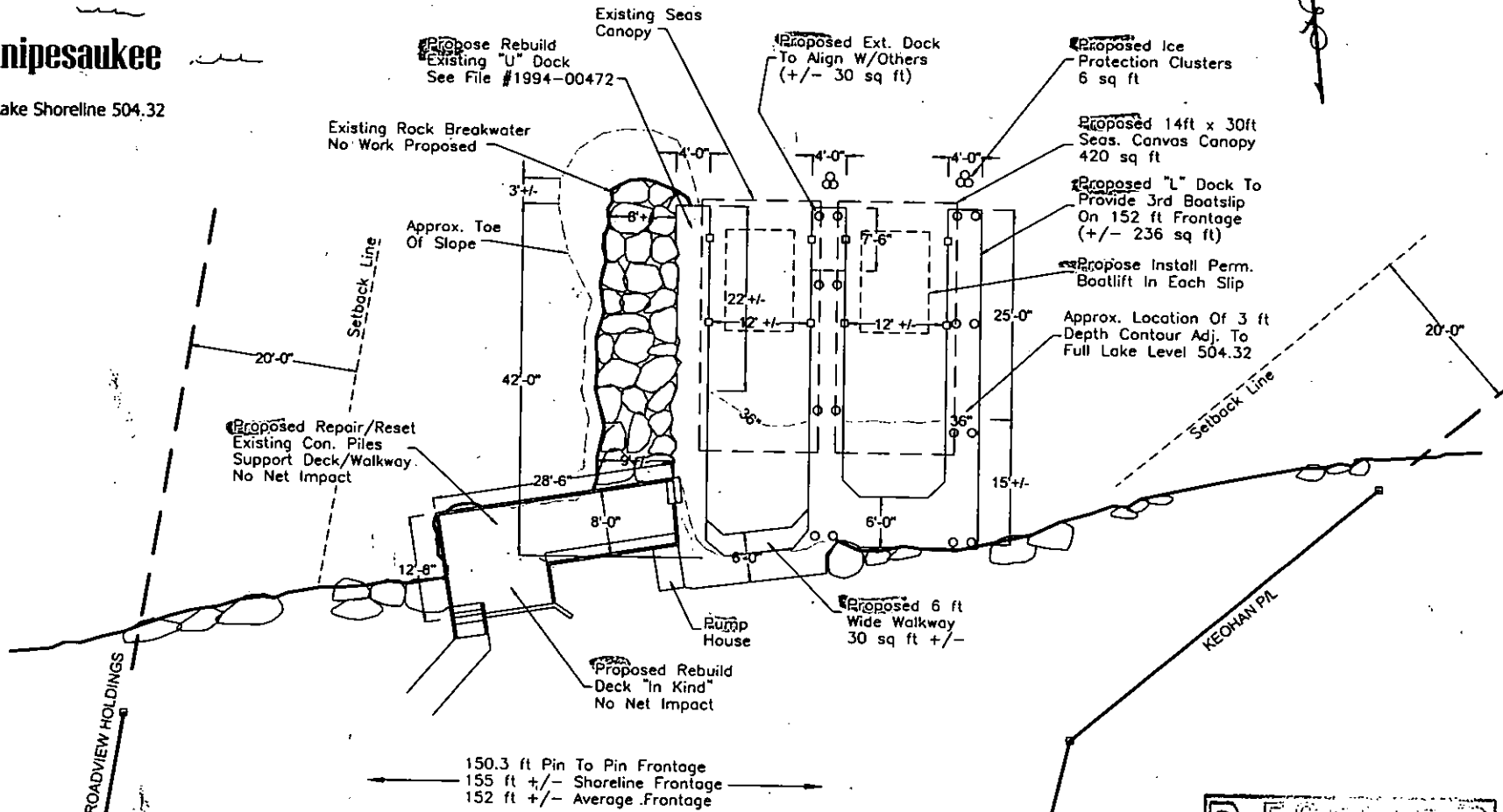
9/1/2018

Page 1 of 1

PROPOSED CONDITIONS:

Lake Winnepesaukee

Full Lake Shoreline 504.32

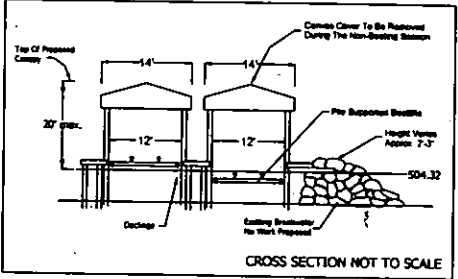
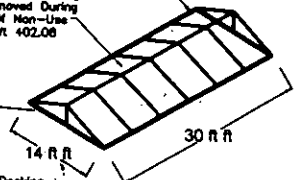


CANOPY DETAIL:

Seasonally Open Metal Frame Which Is Incapable Of Supporting A Snow Load And Without Sides Per Env-Wt 101.14

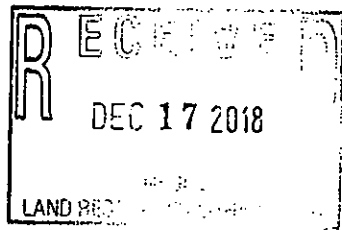
Canvas Fabric Covering To Be Removed During Seasons Of Non-Use Per Env-Wt 402.08

Support Frame To Be Constructed Of Thin Metal Tubing And Removable



CROSS SECTION NOT TO SCALE

Canopy Is An Accessory Docking Structure Per Env-Wt 101.03 And Is Supplementary To The Primary Docking Structure



BROADVIEW HOLDINGS, LLC  
51 Broadview Terrace  
Gilford, NH  
11/15/18 1" = 20'