



The State of New Hampshire  
**DEPARTMENT OF ENVIRONMENTAL SERVICES**



**Thomas S. Burack, Commissioner**

August 10, 2013

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

**REQUESTED ACTION**

Approve Diane and Walter Hebold's request to perform the following work on Lake Winnepesaukee, in Gilford. File # 2013-00821. This project will not have significant impact on or adversely affect the values of Lake Winnepesaukee.

Construct a 365 sq. ft. perched beach with 4 ft. wide steps to the water, remove stone from 46 sq. ft. of lakebed to provide a 6 ft. gap at the shoreline end of a 66 ft. dog-leg breakwater, repair the remaining breakwater, "in-kind", replace the existing 10 ft. 6 in. pier with a 25 ft. pier which will extend lakeward from the existing 4 ft. x 37 ft. cantilevered pier, remove two 29 ft. seasonal piers and construct a 6 ft. x 30 ft. piling pier, replace 3 bumper piles, "in-kind", drive 4 tie-off piles and one 3-piling ice cluster on 207 ft. of frontage 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 as revised June 3, 2013 and received by the NH Department of Environmental Services (DES) on June 14, 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. These shall be the only structures on this water frontage and 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 except as authorized in the signed, notarized waiver of the 20 ft. setback from the owner of the lot identified as Lot 10.1 on Gilford Tax Map 25.
4. Appropriate siltation and erosion controls shall be in place prior to construction, shall be maintained during construction, and shall remain in place until the area is stabilized.
5. Work authorized shall be carried out such that discharges in spawning or nursery areas during spawning seasons shall be avoided, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
6. 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 the water at the work site has returned to normal clarity.
7. The repairs shall maintain the size, location and configuration of the pre-existing structures.
8. All construction related debris, including the breakwater material to be removed, shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
9. No portion of the piling pier shall extend more than 30 ft. from the shoreline at full lake elevation.
10. 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.

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

P.O. Box 95, 29 Hazen Drive, Concord, New Hampshire 03302-0095

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



11. 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.

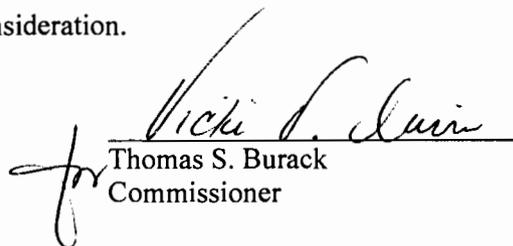
#### EXPLANATION

The DES Wetlands Bureau approved this project on July 10, 2013. DES supported its decision with the following findings:

1. Pursuant to RSA 482-A:11, Administrative Provisions, V, "Notwithstanding any rules adopted by the commissioner defining minor projects, a series of minor projects undertaken by a single developer or several developers over a period of 5 years or less may, when considered in the aggregate, amount to a major project in the opinion of the department; all such related projects shall be subject to a public hearing as provided in RSA 482-A:8. A series of minor projects shall be considered in the aggregate if they abut or if they are a part of an overall scheme of development or are otherwise consistent parts of an eventual whole."
2. The existing and proposed docking structures are directly related to structures on the abutting property identified as Lot 10.1 on Gilford Tax Map 25 and with those structure will comprise an "eventual whole" docking system.
3. This project in combination with the proposed abutting project applied for under Wetlands Permit #2013-00824 is classified as a major project per Rule Env-Wt 303.02(d), construction of a major docking facility which provides 5 or more slips.
4. Lot 10.0 on Gilford Tax Map 25 has an average of 101 ft. of frontage along Lake Winnepesaukee.
5. A maximum of 2 slips may be permitted on this frontage per Rule Env-Wt 402.13, Frontage Over 75'.
6. The existing docking facility on Lot 10.0 of Gilford Tax Map 25 provides 5 slips as defined per RSA 482-A:2, VIII. and therefore does not meet Rule Env-Wt 402.13.
7. The proposed docking facility on Lot 10.0 of Gilford Tax Map 25 will provide 4 slips as defined per RSA 482-A:2, VIII and therefore more nearly conforms to Rule Env-Wt 402.13.
8. The opening of the 6 ft. gap in the breakwater in combination with the reduction in the number of boat slips addresses the requirements of Rule Env-Wt 402.21, Modification of Existing Structures.
9. The proposed docking facilities on abutting Lot 10.1 on Gilford Tax Map 25 will provide 2 slips for a combined total of 6 slips.
10. A 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





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 COPY \*

ORIG. PWDS

ATTACHED



RECEIVED  
TOWN OF GILFORD

MAR 20 2013

## WETLANDS PERMIT APPLICATION

Department of

Planning and Land Use

File No. <b>2013-00821</b>	Check No. <b>004973</b>	Amount <b>\$795.00</b>	Initials <b>Emk</b>
		<p>Administrative Use Only</p>	<p>Administrative Use Only</p>

1. **REVIEW TIME:** If you do not know the review time for your project, refer to Attachment A to determine if your project's review time is Standard or Expedited.

Standard Review (Minimum, Minor or Major Impact)

Expedited Review (Minimum Impact)

2. **PROJECT LOCATION:** A separate application must be filed with each municipality that jurisdictional impacts will occur in.

ADDRESS: 56A Welch Island

TOWN/CITY: Gifford

TAX MAP: 250

BLOCK: 010

LOT: 000

UNIT:

US GEOLOGICAL SURVEY TOPO MAP WATERBODY NAME:

Winnepesaukee

LOCATION COORDINATES (If known): 43°35'51.94"N, 71°22'05.16"W

Latitude/Longitude  UTM  State Plane

3.  **PROPERTY OWNER** or  **APPLICANT INFORMATION** (check all that apply). If the applicant is not the property owner, attach property owner information and written permission from the property owner granting the applicant permission to act on their behalf.

NAME: Walter & Diane Hebold

MAILING ADDRESS: [REDACTED]

TOWN/CITY: Casco

STATE: ME

ZIP CODE: 04015

EMAIL or FAX: [REDACTED]

PHONE:

By initialing here, I, hereby authorize DES to communicate all matters relative to this application electronically (RSA 482-A:3, XIV (b)) :

4. **AGENT INFORMATION:**

NAME: Paul Goodwin

COMPANY: Watermark Marine Construction

MAILING ADDRESS: PO Box 6840

TOWN/CITY: Laconia

STATE: NH

ZIP CODE: 03247

EMAIL or FAX: [pwg@docksource.com](mailto:pwg@docksource.com)

PHONE: @603-293-4000

By initialing here, I, hereby authorize DES to communicate all matters relative to this application electronically (RSA 482-A:3, XIV (b)) : PWG

\* Complete this page last.

5. **PROPERTY OWNER / AUTHORIZED APPLICANT / AUTHORIZED AGENT SIGNATURE:** A letter of authorization from the property owner/applicant is required if the property owner/applicant does not sign below. Note the property owner permission requirement in no.3 above.

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.  
Link:<http://www.nh.gov/nhdhr/review/> (Copy link to your web browser)
6. I authorize DES and 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 which I am responsible for obtaining.
10. The mailing addresses I have provided are up to date and appropriate for receipt of DES correspondence. DES will not forward returned mail.

*SIGN*  
*Walter Hebold*

WALTER HEBOLD

3-15-2013

Property Owner/ Applicant / Authorized Agent

Print name legibly

Date

**APPLICATION SUBMITTAL DIRECTIONS:**

1. The Conservation Commission signature is ONLY required for Expedited Review; Standard Review applications do NOT require the Conservation Commission's signature;
2. Submit the original application form and materials, four copies, application fee and any required municipal fees (authorized by RSA 482-A:3,I) to the town/city clerk for the REQUIRED town /city clerk's signature and mailing via certified mail to DES. Municipal fees means an administrative fee not to exceed \$10 plus the cost of postage by certified mail.

6. This section is to be completed by the Town/City Clerk

As required by Chapter 482-A:3 (amended 1991), 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 and I have received and retained certified postal receipts (or copies) for all abutters identified by the applicant.

*Greg A. Morley Deputy*

Print name legibly

Date

Town/City

*Jennifer L Morley* 4/5/13 *G. Hebold*

**TOWN CLERK SUBMITTAL & MAILING DIRECTIONS:**

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

1. For applications where "Expedited Review" is checked on page 1, only accept the application if the Conservation Commission's signature has been obtained (Standard Review Applications do NOT require the Conservation Commission's signature);
2. Collect from the applicant the postal receipts demonstrating that all abutters and the Local Advisory Committee were sent proper notice;
3. Collect any administrative fees, not to exceed \$10 plus the cost of postage by certified mail (RSA 482-A:3,I).
4. Immediately sign the original application and four copies in the signature space provided in the space above;
5. 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;
6. 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, I; and
7. IMMEDIATELY send (DO NOT HOLD FOR OTHER MUNICIPAL REVIEWS) 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.

7. **CONSERVATION COMMISSION SIGNATURE FOR EXPEDITED REVIEW ONLY:**

ONLY Expedited Review applications require that the Conservation Commission signature is obtained prior to submittal the final application to the Town/City Clerk for signature and mailing to the NHDES Wetlands Bureau. The Conservation Commission may refuse to sign. If the Conservation Commission does not sign this statement for any reason, then the application is not eligible for expedited review and the "Standard Review" box should be checked on page 1. The application 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

8. **RELATED FILES/APPROVALS:** If applicable, indicate files and approvals that are related to the proposed project or project site. Link to all NHDES Programs, Bureaus and Units: <http://des.nh.gov/programs/index.htm> (Copy link to your web browser)

Wetlands Bureau enforcement, emergency authorizations: \_\_\_\_\_

Wetlands Bureau approvals, denials: 2001-01628, 1990-2076

Shoreland/ Alteration of Terrain/ Subsurface: 2012-00662

Other: \_\_\_\_\_

9. **PROJECT DESCRIPTION:** Provide a brief description of the project, outlining the scope of work to be performed, including the area of impact (square feet) of permanent impacts, temporary impacts (impacts that are not intended to remain after the project is completed), and after-the-fact impacts (work completed prior to receipt of this application by DES) to each jurisdictional area that will be impacted (wetlands, streams, rivers, lakes/ponds, prime wetland/buffer, tidal waters, salt marsh, sand dune, [upland] tidal buffer zone & docking structures). Docking structures provide the square footage of seasonal docking structures and permanent docking structures. **Please provide only a brief project description as instructed above and attach additional sheets to provide other information requirements, but DO NOT reply "See Attached" in the space provided below.**

We propose to remove 2 existing seasonal crank-up docks (less 203 sq ft) and construct a 6ft x 30ft piling dock (180 sq ft) and construct a cantilevered dock alongside the existing breakwater (74 sq ft). To address Env-Wt 402.21, we propose to reduce environmental impact by removal of the rock in a 6 ft gap at shore (less 46 sq ft) to allow water to flow alongshore. This is an island property and permanent docks are allowed under Env-Wt 402.06. Existing and proposed dockage provide 4 boatslips so there is no increase in the amount of dockage on site. This project will provide safer dockage on a island property accessible only via boat.

We also propose a perched beach (365 sq ft +/-) for safe swimmer access to the lake. This project has been designed to work around the existing trees. There is no tree removal proposed and the existing tree score shall remain. All work is behind full lake and the average slope is less than 25%. Work will be completed via barge.

Of course, all work will be surrounded with a turbidity curtain during construction and until stabilization.

10. **APPLICATION REQUIREMENTS:** *This application will be returned to you if items outlined in A – J.1 are not provided.* If applicable items outlined in J.2 - L are not provided, you may receive a letter requesting the outstanding information. Please note that a DES request letter is a courtesy and applications that do not include the required information may be denied. Copy links to your web browser.

A. 1. Is the project within a ¼ mile of a designated river?  Y  N

Designated river list and map link: <http://des.nh.gov/organization/divisions/water/wmb/rivers/designriv.htm>

2. If yes: Indicate river: \_\_\_\_\_

3. As required by RSA 482-A:3,1(d)(2), I have notified the Local River Advisory Committee (LAC) by sending a copy of the complete application and supporting materials via certified mail on: Month: \_\_\_ Day: \_\_\_ Year: \_\_\_

LAC link: <http://des.nh.gov/organization/divisions/water/wmb/rivers/lac/index.htm>

B. Property Owner or Authorized Applicant/Agent and Town/City Clerk signatures, no.'s 5 & 6 on pg. 2 of this form (Env-Wt 501.02(a) & 505.01(i))

C. Narrative of the project description, no. 9 above (Env-Wt 501.02(a) & 505.01(i))

D. Documentation from the 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/nhb\\_datacheck/](https://www2.des.state.nh.us/nhb_datacheck/) or by phone (603) 271-2215 x 323. Please attach the REQUIRED letter/memo and map provided by NHB.

E. A copy of a U. S. Geological Survey topographic map upon which the property lines and project limits have been outlined (surveyed property boundaries not required). 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))

Topographic Map Links: <http://des.nh.gov/organization/divisions/water/wetlands/categories/technical.htm>

F. 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(i))

G. Attach drawing(s)/plan(s) (including a construction sequence) showing additional data requirements listed in Env-Wt 501.02(a)(2) & 505.01(h). See no. 11 on pg.'s 4 & 5 for drawing/plan requirements.

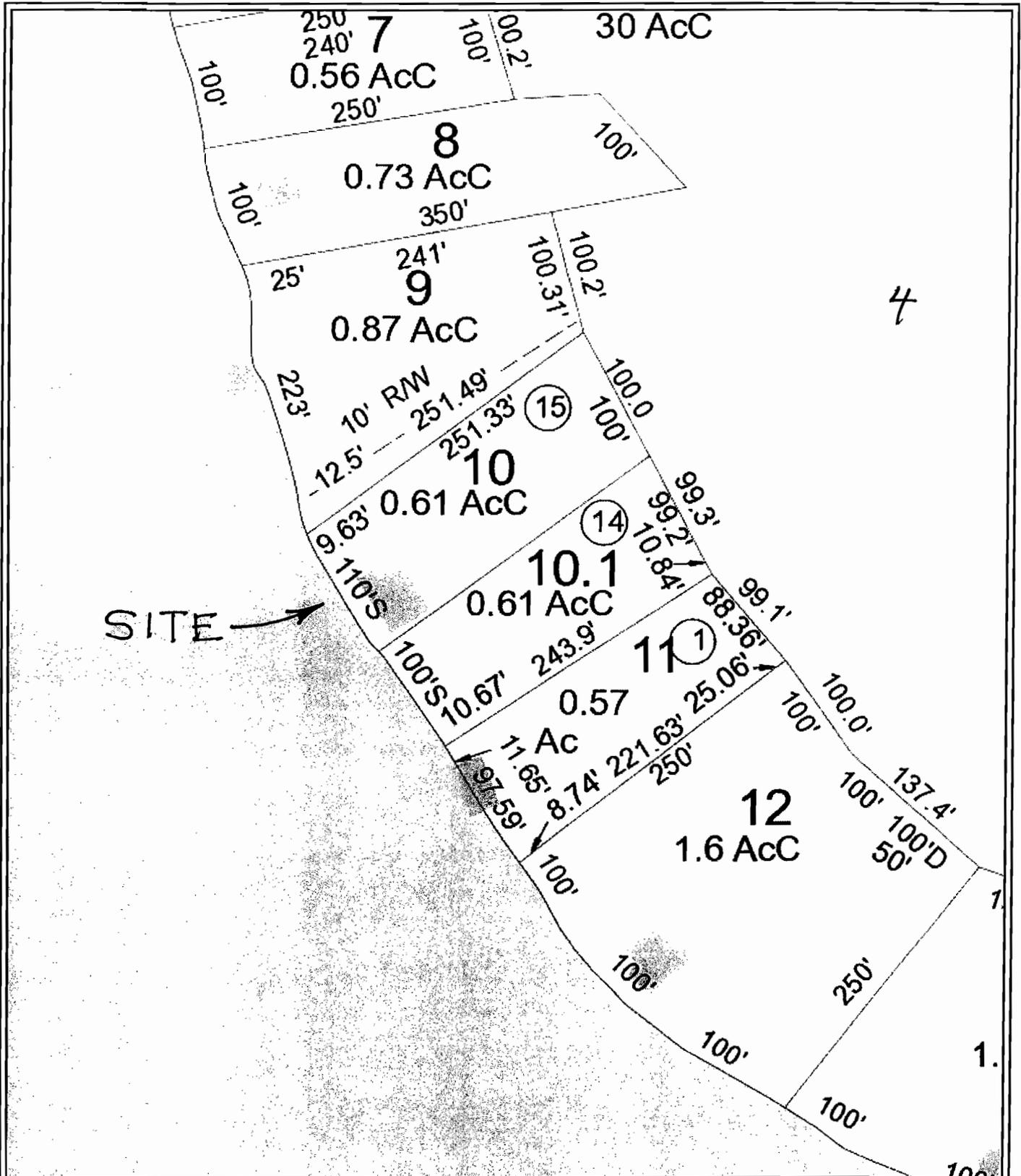
H. Attach a completed U.S. Army Corps of Engineers New Hampshire Programmatic General Permit (PGP) Appendix B – Required Information and Corps Secondary Impact Checklist: [http://www.nae.usace.army.mil/Regulatory/SGP/NH\\_PGP.pdf](http://www.nae.usace.army.mil/Regulatory/SGP/NH_PGP.pdf) (scroll to page 29 of 34 to reach Appendix B).

**10. APPLICATION REQUIREMENTS CONTINUED:**

- I. Attach the application fee, check or money order payable to: "Treasurer-State of NH" (RSA 482-A:3,I & Env-Wt 505.01(c))
- Minimum Impact (Standard & Expedited Review): Flat fee of \$ 200 **OR**
  - Minor or Major Impact (Standard Review): Complete the minor & major application fee table below.

MINOR & MAJOR APPLICATION FEE:			
Permanent impacts (non-docking):	365 sq. ft.	X \$0.20 =	73.00
Temporary impacts (non-docking):	sq. ft.	X \$ 0.20 =	
Temporary (seasonal) docking structure:	sq. ft.	X \$1.00 =	
Permanent docking structure:	261 sq. ft.	X \$2.00 =	522.00
Projects proposing shoreline structures add \$200 =			200.00
Total =			795.00
The Application Fee is the above calculated Total or \$200, whichever is greater =			

- J.1. Legible copy or tracing of the tax map from the municipal office (Env-Wt 501.02(a)(1)& 505.01(e)).
2. Confirm the submitted tax map illustrates the property of the applicant, the location of the proposed project on the property, and the location of properties of abutters (defined Env-Wt 101.03) with each lot labeled with the abutter's name(s) and mailing address(es); or provide 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).
  - If jurisdictional impacts occur within 20 feet of an abutting property line or imaginary extension thereof over surface water signed permission letter(s) from the affected abutters must be included with this application (Env-Wt 304.04). This letter must be notarized if your project is a boat docking facility (RSA 482-A:3-XIII(c)). Notarized abutter permission is not required for maintenance projects.
- K. **Need, Avoidance & Questions:**
- Minimum: 1. Attach a statement demonstrating need for the proposed project (Env-Wt 302.03); and  
2. Attach a statement demonstrating that the proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction. (Env-Wt 302.03 & 505.01(d)&(y)); **OR**
  - Minor & Major: Attach a response to questions outlined in Wetland Rule Env-Wt 302.04(a)
- L. Minor & Major Impact Projects ONLY: Does the project require compensatory mitigation pursuant to Env-Wt 302.03?
- Y  N **If yes:** Attach a completed Mitigation Agreement Form and materials outlined on the form (Env-Wt 501.02(a)(6) & 501.06)  
Link: [http://des.nh.gov/organization/commissioner/pip/forms/wetlands/documents/mitigation\\_form.doc](http://des.nh.gov/organization/commissioner/pip/forms/wetlands/documents/mitigation_form.doc)



SITE →

4



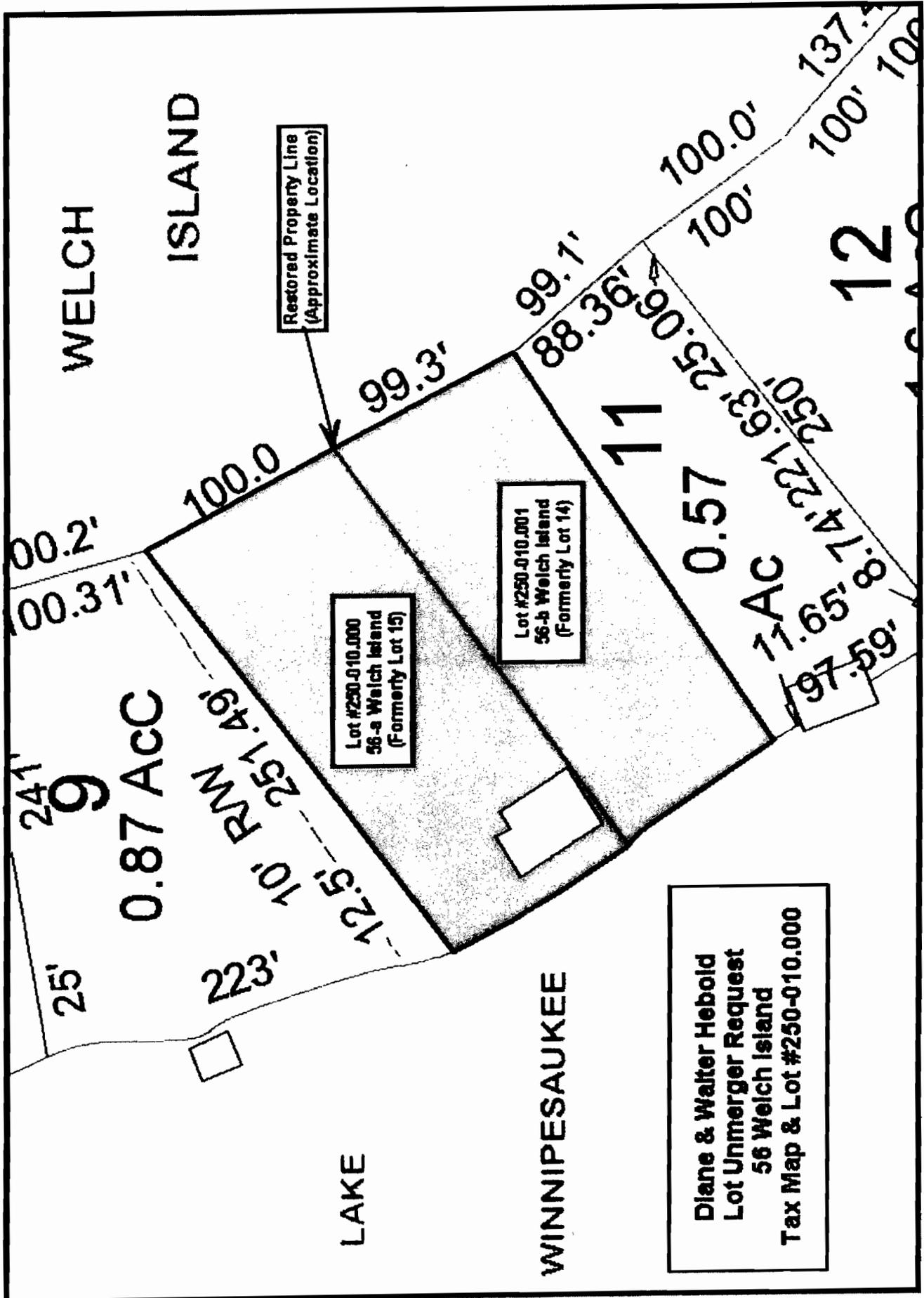
Hebold Property  
 Gilford, NH  
 1 Inch = 107 Feet  
 March 14, 2013



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

www.cai-info.com

CARTOGRAPHIC ASSOCIATES, INC.



WELCH

ISLAND

Restored Property Line  
(Approximate Location)

Lot #250-010.000  
56-a Welch Island  
(Formerly Lot 15)

Lot #250-010.001  
56-b Welch Island  
(Formerly Lot 14)

Diane & Walter Hebold  
Lot Unmerger Request  
56 Welch Island  
Tax Map & Lot #250-010.000

100.2'  
100.31'

0.87 ACC

251.49'  
10' RM  
12.5'

LAKE

WINNIPESAUKEE

99.3'

99.1'

88.36'

100.0'

137.4'

100'

12

0.57

1 AC

250'

63'

221'

174'

8'

97.59'

197.59'

100'

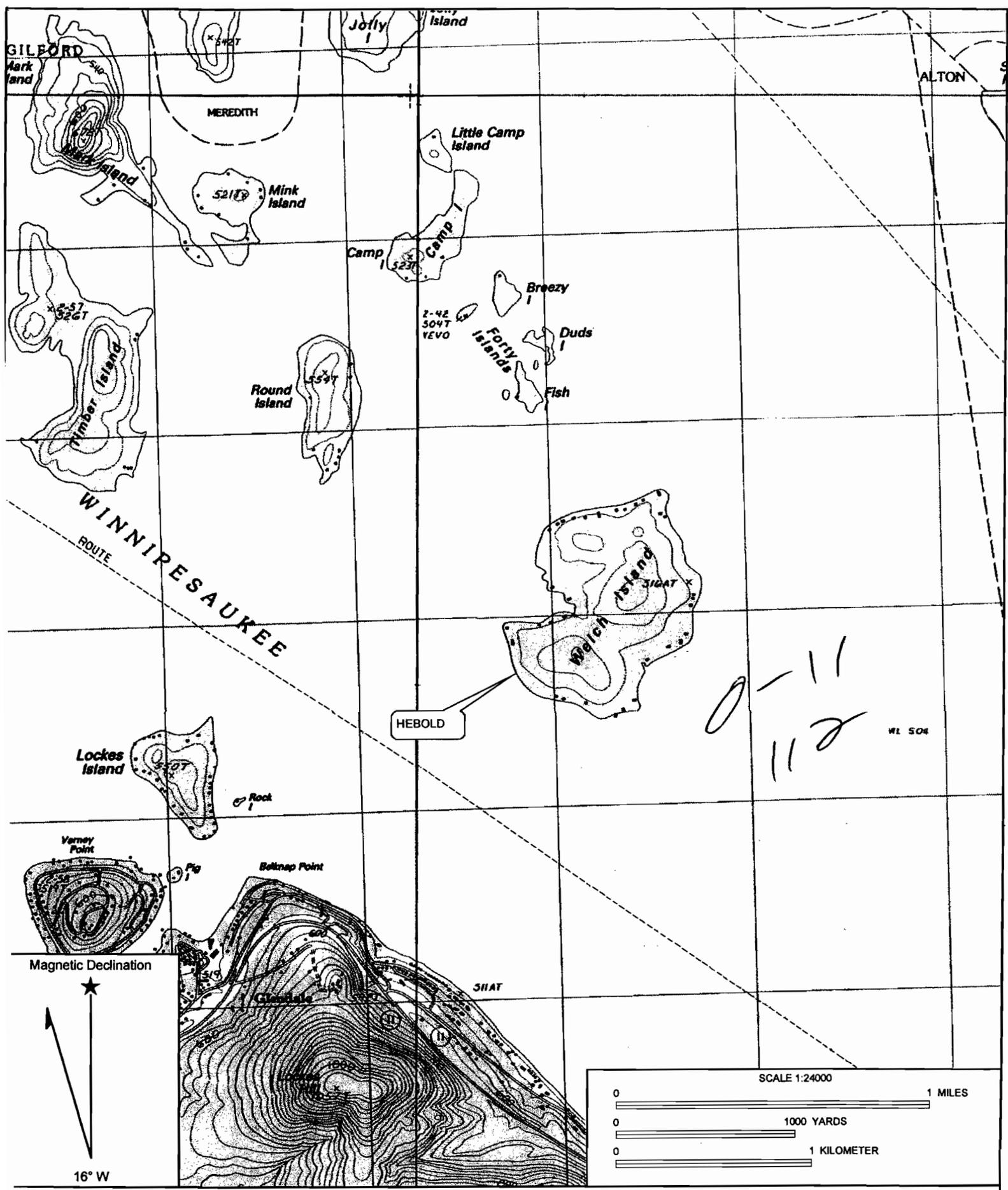
100'

100'

100'

100'

100'



Name: WEST ALTON  
 Date: 3/12/2013  
 Scale: 1 inch equals 2000 feet

Location: 043° 36' 04.38" N 071° 22' 10.35" W NAD 27  
 Caption: HEBOLD PROPERTY



## New Hampshire Natural Heritage Bureau

---

**To:** Paul Goodwin  
29 Gilford East Drive  
Gilford, NH 03249

**Date:** 3/13/2013

**From:** NH Natural Heritage Bureau

**Re:** Review by NH Natural Heritage Bureau of request dated 3/13/2013

NHB File ID: NHB13-0834

Applicant: Walter & Diane Hebold

Location: Tax Map(s)/Lot(s): 250-010-000 & 250-010-001  
Gilford

Project Description: reconfigure b/w and dock and install new dock

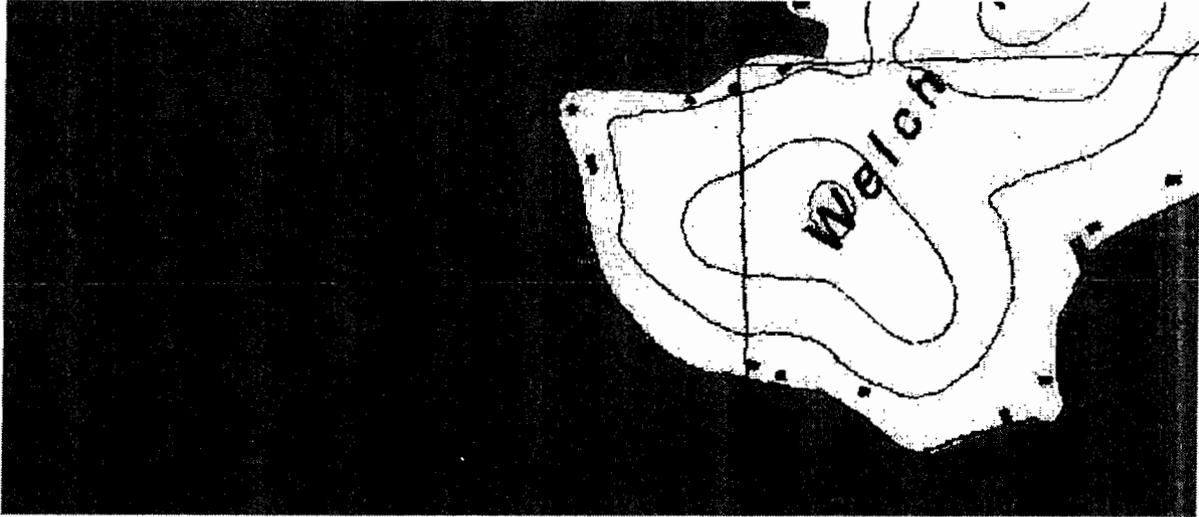
The NH Natural Heritage database has been checked for records of rare species and exemplary natural communities near the area mapped below. The species considered include those listed as Threatened or Endangered by either the state of New Hampshire or the federal government. We currently have no recorded 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 3/12/2014.



**MAP OF PROJECT BOUNDARIES FOR NHB FILE ID: NHB13-0834**



250-010-000: Walter & Diane Hebold - SITE  
[REDACTED]  
Casco, ME 04015

250-010-001: Diane Hebold  
[REDACTED]  
Casco, ME 04015

250-009-000: Alan Sherwood & Janis Mckittrick  
[REDACTED]  
Alton Bay, NH 03810

250-004-000: Janet Maynard Revoc. Trust  
[REDACTED]  
Gilford, NH 03247

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Certified Fee	3.10
Return Receipt Fee (Endorsement Required)	
Restricted Delivery Fee (Endorsement Required)	3.56



Janet Maynard Revocable Trust  
[REDACTED]  
Gilford, NH 03247

7011 2970 0000 6074 6398

U.S. Postal Service™  
**CERTIFIED MAIL™ RECEIPT**  
(Domestic Mail Only; No Insurance Coverage Provided)

For delivery information visit our website at [www.usps.com](http://www.usps.com)

**OFFICIAL USE**

Postage	\$ .46
Certified Fee	3.10
Return Receipt Fee (Endorsement Required)	
Restricted Delivery Fee (Endorsement Required)	3.56



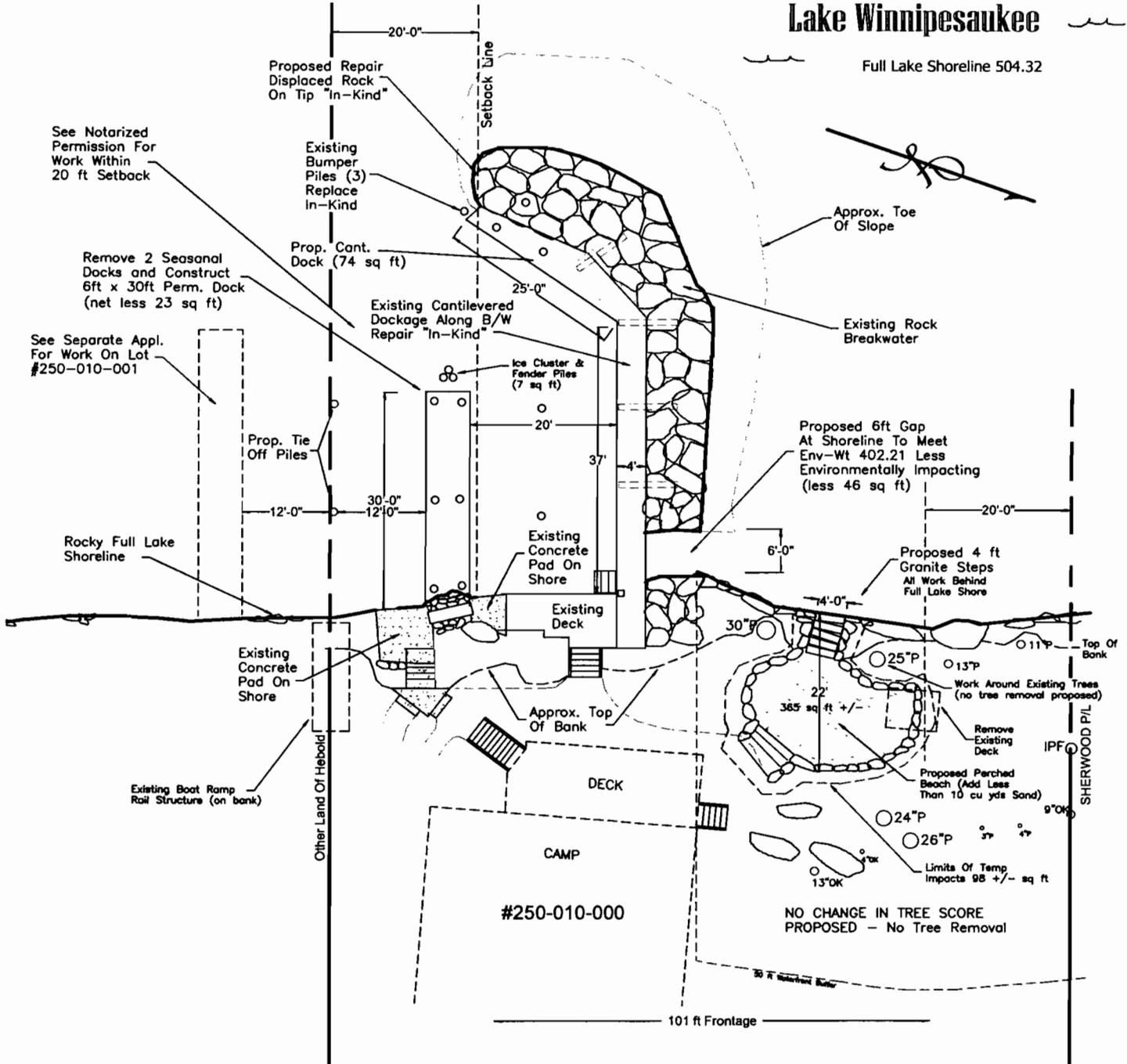
Alan Sherwood & Janet McKittrick  
[REDACTED]  
Alton Bay, NH 03810

7011 2970 0000 6074 6404

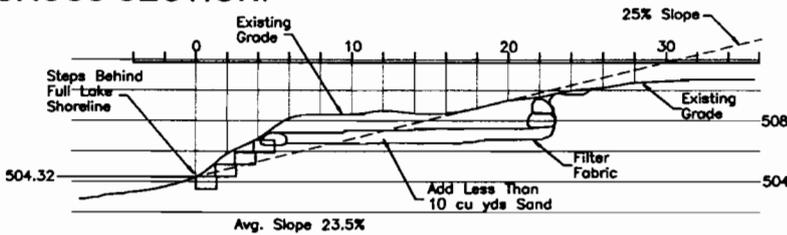
ABUTTER LIST  
& CERT. MAIL REC'TS

# Lake Winnepesaukee

Full Lake Shoreline 504.32



## CROSS SECTION:



NTS

**HEBOLD PROPERTY**  
 Welch Island, Gilford, NH  
 3/12/13 1" = 20'  
 REV 6/3/13



