

scm



The State of New Hampshire
Department of Environmental Services



Robert R. Scott, Commissioner

November 20, 2019

142

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

REQUESTED ACTION

Approve Malcom 2015 Trust's request to perform the following work on Lake Winnepesaukee in Meredith. File # 2019-02422. This project will not have significant impact on or adversely affect the values of Lake Winnepesaukee.

Install a 6 foot x 40 foot seasonal pier along the northern portion of the frontage and install a second 6 foot x 40 foot seasonal pier 24 feet east of an existing 6 foot x 40 foot seasonal pier on an average of 755 linear feet of shoreline frontage along Lake Winnepesaukee on Bear Island in Meredith.

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 revised plans by Ames Associates revision dated September 10, 2019 and received by the NH Department of Environmental Services (NHDES) on September 30, 2019.
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 authorized shall be carried out such that there are no discharges in or to spawning or nursery areas during spawning seasons. Impacts to such areas shall be avoided or minimized to the maximum extent practicable during all other times of the year.
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.

www.des.nh.gov

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

NHDES Main Line: (603) 271-3503 • Subsurface Fax: (603) 271-6683 • Wetlands Fax: (603) 271-6588

TDD Access: Relay NH 1 (800) 735-2964

9. Only those structures shown on the approved plans shall be installed or constructed along this frontage.
10. 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.
11. The contractor responsible for completion of the work shall use techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
12. No portion of the seasonal piers shall extend more than 40 feet from the shoreline at full lake elevation (elevation 504.32).
13. All seasonal structures shall be removed for the non-boating season.

EXPLANATION

The NHDES approved this project on October 07, 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 systems that provides 5 or more boat slips.
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 NHDES' jurisdiction per Rule Env-Wt 302.03.
3. The applicant has demonstrated by plan and example that each factor listed in Rule 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 755 feet of shoreline frontage along Lake Winnepesaukee.
5. The existing and proposed docking structures will provide a total of 6 slips as defined per RSA 482-A:2, VIII and therefore meet Rule Env-Wt 402.13.
6. The NHDES' 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.

We respectfully request your approval of this item.



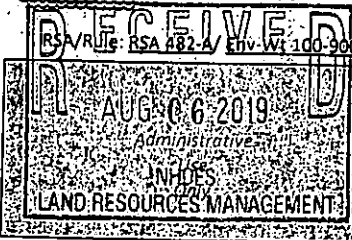
Robert R. Scott
Commissioner



WETLANDS PERMIT APPLICATION

Water Division/ Wetlands Bureau
Land Resources Management

Check the status of your application: www.des.nh.gov/onestop



File No.	2019-0422
Check No.	1582
Amount	5680.00
Initials	LSJ

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 Questions.
 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 within which wetland impacts occur.
 ADDRESS: Bear Island TOWN/CITY: Meredith
 TAX MAP: 15 BLOCK: LOT: 7 UNIT:
 USGS TOPO MAP WATERBODY NAME: Lake Winnepesaukee NA STREAM WATERSHED SIZE: NA
 LOCATION COORDINATES (if known): 1053653 / 416185
 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.
 Install two 6'x40' seasonal docks. The first will be located approximately 24' NE of the existing 6'x40' seasonal dock. The second will be located along the shoreline of Waterfront Buffer Segment 5.

5. SHORELINE FRONTAGE:
 N/A This does not have shoreline frontage. SHORELINE FRONTAGE: 755'±
 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 (Env-Wt 101.89).

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 Webpage.

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 19 - 2251

b. This project is within a Designated River corridor. The project is within ¼ mile of: _____; and date a copy of the application was sent to the Local River Management Advisory Committee: Month: ___ Day: ___ Year: ___
 N/A - This project is not within a Designated River corridor.

8. APPLICANT INFORMATION (Desired permit holder)

LAST NAME, FIRST NAME, M.I.: _____

TRUST / COMPANY NAME: **Malcolm 2015 Trust** MAILING ADDRESS: _____

TOWN/CITY: _____ STATE: _____ ZIP CODE: _____

EMAIL or FAX: _____ PHONE: _____

ELECTRONIC COMMUNICATION: By initialing here: _____, 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: _____ MAILING ADDRESS: _____

TOWN/CITY: _____ STATE: _____ ZIP CODE: _____

EMAIL or FAX: _____ PHONE: _____

ELECTRONIC COMMUNICATION: By initialing here _____, I hereby authorize NHDES to communicate all matters relative to this application electronically.

10. AUTHORIZED AGENT INFORMATION

LAST NAME, FIRST NAME, M.I.: **Roseberry, Nicol** COMPANY NAME: **Ames Associates**

MAILING ADDRESS: **164 NH Route 25**

TOWN/CITY: **Meredith** STATE: **NH** ZIP CODE: **03253**

EMAIL or FAX: **nicol@amesassociates.com** PHONE: **603-279-5705**


ELECTRONIC COMMUNICATION: By initialing here NR hereby authorize NHDES to communicate all matters relative to this application electronically.

11. PROPERTY OWNER SIGNATURE

See the Instructions & 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) 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 National Historic Preservation Act (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 NHDES 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

 Property Owner Signature

Scott R. Malcolm Print name legibly


8/2/19 Date

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.

	Kerri A. PARKER <small>Print name legibly</small>	Meredith <small>Town/City</small>	8/15/19 <small>Date</small>
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DIRECTIONS FOR TOWN/CITY CLERK:

Per RSA 482-A:3,

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.
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 completed.
Intermittent Streams: linear footage distance of disturbance is measured along the thread of the channel.
Perennial Streams/Rivers: the total linear footage distance is calculated by summing the lengths of disturbance to the channel and each bank.

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 channel	/ <input type="checkbox"/> ATF	/ <input type="checkbox"/> ATF
Perennial Stream / River channel	/ <input type="checkbox"/> ATF	/ <input type="checkbox"/> ATF
Lake / Pond	/ <input type="checkbox"/> ATF	/ <input type="checkbox"/> ATF
Bank - Intermittent stream	/ <input type="checkbox"/> ATF	/ <input type="checkbox"/> ATF
Bank - Perennial stream / River	/ <input type="checkbox"/> ATF	/ <input type="checkbox"/> ATF
Bank - Lake / Pond	/ <input type="checkbox"/> ATF	/ <input type="checkbox"/> ATF
Tidal water	/ <input type="checkbox"/> ATF	/ <input type="checkbox"/> ATF
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	<input type="checkbox"/> ATF	480 <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
TOTAL	/	480 /

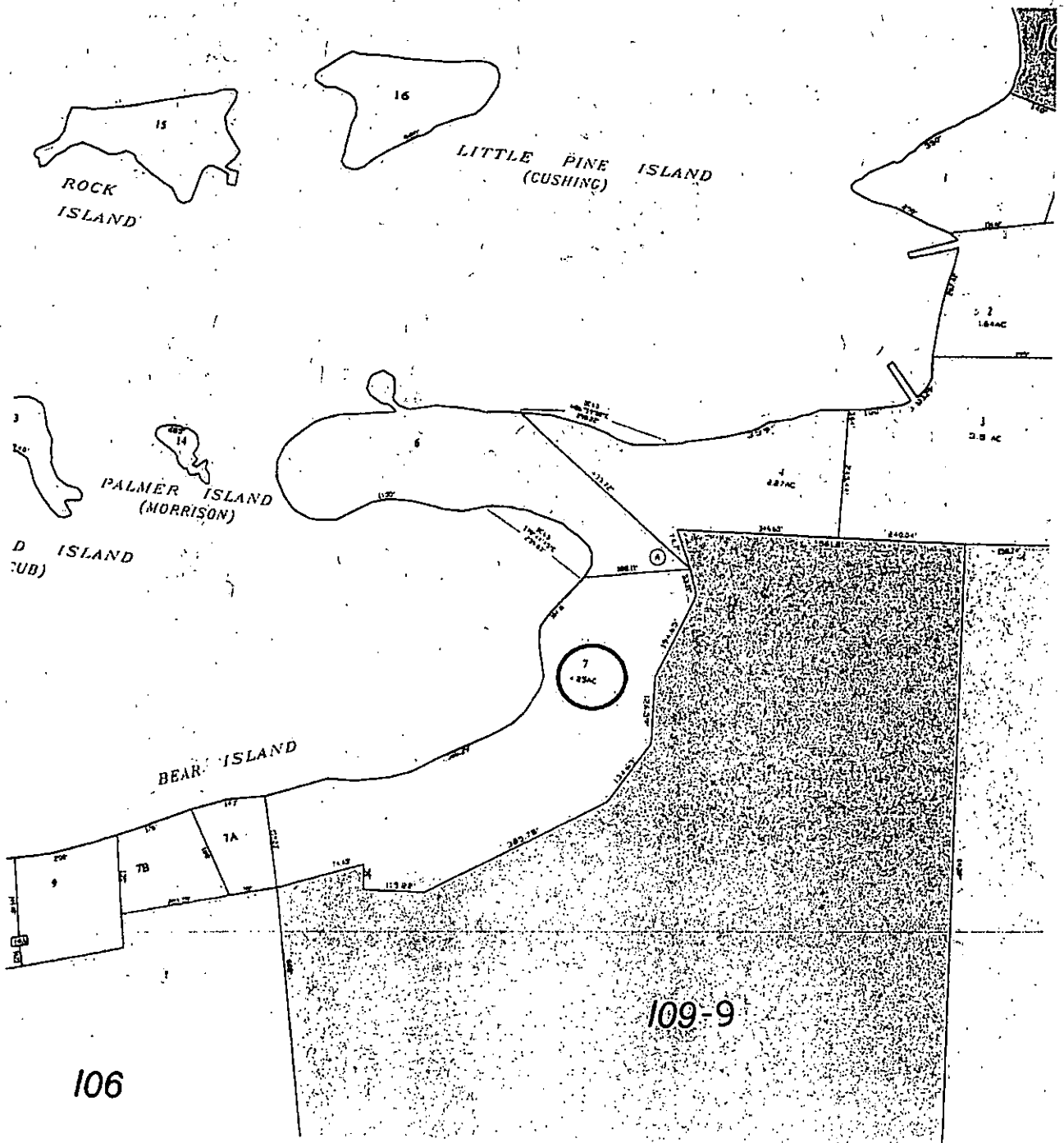
15- APPLICATION FEE: See the Instructions & Required Attachments document for further instruction

Minimum Impact Fee: Flat fee of \$ 200

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

Permanent and Temporary (non-docking)	_____ sq. ft.	X \$0.20 =	\$ _____
Temporary (seasonal) docking structure:	480 sq. ft.	X \$1.00 =	\$ 480.00
Permanent docking structure:	_____ sq. ft.	X \$2.00 =	\$ _____
Projects proposing shoreline structures (including docks) add \$200 =			\$ 200.00
Total =			\$ _____
The Application Fee is the above calculated Total or \$200, whichever is greater =			\$ 680.00

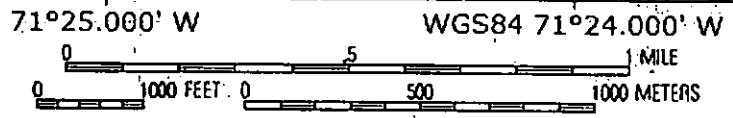
TAX MAP



USGS MAP



MN 15 1/2° TN



71°25.000' W

WGS84 71°24.000' W



NEW HAMPSHIRE NATURAL HERITAGE BUREAU
NHB DATACHECK RESULTS LETTER

To: Nicol Roseberry, Ames Associates
164 NH Route 25

Meredith, NH 03253

From: NH Natural Heritage Bureau

Date: 7/23/2019 (valid for one year from this date)

Re: Review by NH Natural Heritage Bureau of request submitted 7/17/2019

NHB File ID: NHB19-2251

Applicant: Nicol Roseberry

Location: Meredith
Tax Maps: 15-7

Project

Description: Install a second seasonal dock, 6'x40', at a location 24'± NE of the existing seasonal dock. Install a third seasonal dock, 4'x40', north of the second (proposed) dock. No alteration/regrading of land or lake bed, no concrete pads, no removal of trees.

The NH Natural Heritage database has been checked by staff of the NH Natural Heritage Bureau and/or the NH Nongame and Endangered Species Program 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.

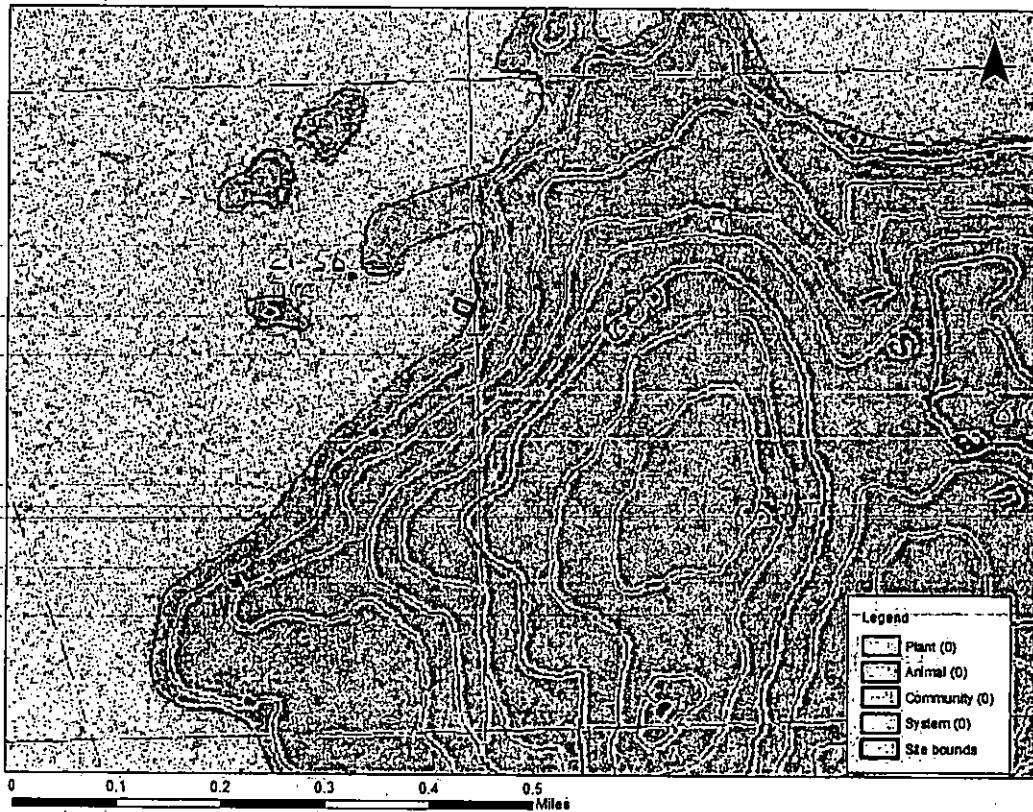
It was determined that, although there was a NHB record (e.g., rare wildlife, plant, and/or natural community) present in the vicinity, we do not expect that it will be impacted by the proposed project. This determination was made based on the project information submitted via the NHB Datacheck Tool on 7/17/2019, and cannot be used for any other project.



NEW HAMPSHIRE NATURAL HERITAGE BUREAU
NHB DATACHECK RESULTS LETTER

MAP OF PROJECT BOUNDARIES FOR: NHB19-2251

NHB19-2251



ABUTTER LIST & CERTIFIED RECEIPTS

Owner Map-Lot

Robert Higley 15-4

Holland Family Revocable Tr 2018 15-6
Varnum & Bettyanne Holland, Tees

Joan C. Olitski 15-7A

Society for the Protection of 19-9
NH Forests

7018 2290 0000 1676 3022

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Certified Mail Fee	\$3.50
Extra Services & Fees (check box, add fee as appropriate)	\$0.00
<input type="checkbox"/> Return Receipt (hardcopy)	\$0.00
<input type="checkbox"/> Return Receipt (electronic)	\$0.00
<input type="checkbox"/> Certified Mail Restricted Delivery	\$0.00
<input type="checkbox"/> Adult Signature Required	\$0.00
<input type="checkbox"/> Adult Signature Restricted Delivery	\$0.00
Postage	\$0.55
Total Postage and Fees	\$4.05

Sent To: Malcolm
Street and Apt. No., or PO Box No. _____
City _____
State _____ Zip _____

0226 07
Postmark Here

08/02/2019

PS Form 3800, April 2015 PSN 7530-02-000-9047-10. See Reverse for Instructions.

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Extra Services & Fees (check box, add fee as appropriate)	\$0.00
<input type="checkbox"/> Return Receipt (hardcopy)	\$0.00
<input type="checkbox"/> Return Receipt (electronic)	\$0.00
<input type="checkbox"/> Certified Mail Restricted Delivery	\$0.00
<input type="checkbox"/> Adult Signature Required	\$0.00
<input type="checkbox"/> Adult Signature Restricted Delivery	\$0.00
Postage	\$0.55
Total Postage and Fees	\$4.05

Sent To: Holland Fam Rev Tr 2018
Street and Apt. No., or PO Box No. _____
City _____
State _____ Zip _____

0226 07
Postmark Here

08/02/2019

PS Form 3800, April 2015 PSN 7530-02-000-9047-10. See Reverse for Instructions.

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LEBANON, NH 03853

Certified Mail Fee	\$3.50
Extra Services & Fees (check box, add fee as appropriate)	\$0.00
<input type="checkbox"/> Return Receipt (hardcopy)	\$0.00
<input type="checkbox"/> Return Receipt (electronic)	\$0.00
<input type="checkbox"/> Certified Mail Restricted Delivery	\$0.00
<input type="checkbox"/> Adult Signature Required	\$0.00
<input type="checkbox"/> Adult Signature Restricted Delivery	\$0.00
Postage	\$0.55
Total Postage and Fees	\$4.05

Sent To: J.C. Olitski
Street and Apt. No., or PO Box No. _____
City _____
State _____ Zip _____

0226 07
Postmark Here

08/02/2019

PS Form 3800, April 2015 PSN 7530-02-000-9047-10. See Reverse for Instructions.

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CONCORD, NH 03301

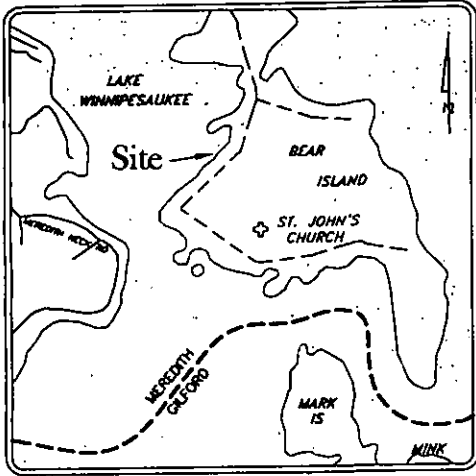
Certified Mail Fee	\$3.50
Extra Services & Fees (check box, add fee as appropriate)	\$0.00
<input type="checkbox"/> Return Receipt (hardcopy)	\$0.00
<input type="checkbox"/> Return Receipt (electronic)	\$0.00
<input type="checkbox"/> Certified Mail Restricted Delivery	\$0.00
<input type="checkbox"/> Adult Signature Required	\$0.00
<input type="checkbox"/> Adult Signature Restricted Delivery	\$0.00
Postage	\$0.55
Total Postage and Fees	\$4.05

Sent To: Soc for the Protection NH Forests
Street and Apt. No., or PO Box No. _____
City _____
State _____ Zip _____

0226 07
Postmark Here

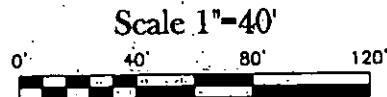
08/02/2019

PS Form 3800, April 2015 PSN 7530-02-000-9047-10. See Reverse for Instructions.



Owner of Record:
Malcolm 2015 Trust

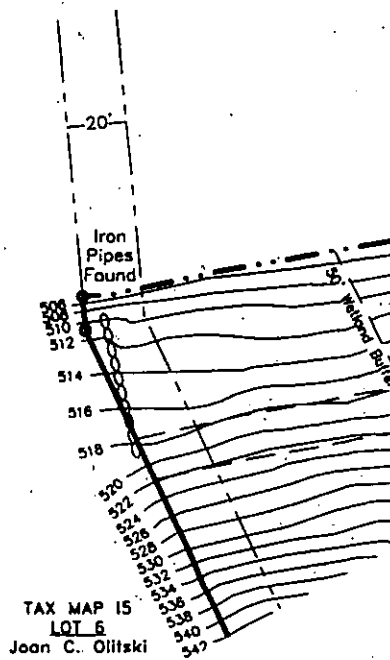
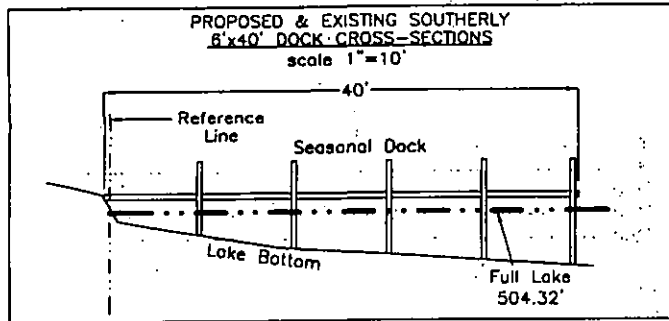
Locus Map
-not to scale-



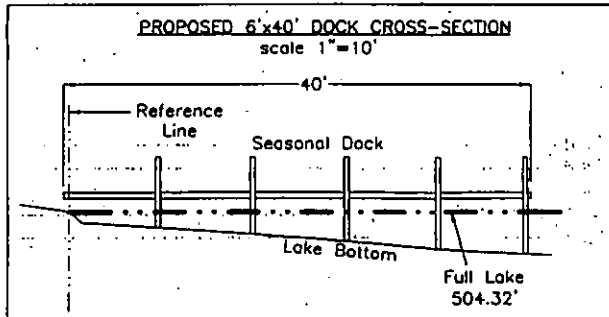
TAX MAP 15
LOT 6
Holland Family
Revocable Trust 2018

General Notes:

1. Property lines shown are based on a boundary survey of this property performed by Ames Associates.
2. Average shoreline frontage: along reference line 825'±
straight line 886'±
average 755'±
3. **Project Description:** Keep the existing 6'x40' seasonal dock, and install a new 6'x40' seasonal dock approximately 24' northeast of the existing dock. Install a second proposed 6'x40' seasonal dock along the shoreline of Waterfront Buffer Segment 5 to use for kayaks within water that is shallower in that area. Total slips along this shoreline will be six.
4. **Proposed Impact:** Total = 720 sq ft
(2) new 6'x40' seasonal docks = 480 sq ft
(1) existing 6'x40' seasonal dock = 240 sq ft
5. No trees within the Waterfront Buffer will be removed for installation of the docks. No excavation of the shoreline will take place.
6. **CONSTRUCTION SEQUENCE:** Keep the existing 6'x40' dock, and install the proposed 6'x40' seasonal dock 24' northeast of the existing dock. Install the second proposed 6'x40' seasonal dock along the shoreline of Waterfront Buffer Segment 5.



TAX MAP 15
LOT 6
Joan C. Ollitski



Wetland Application Plan
PROPOSED CONDITIONS
land of
MALCOLM 2015 TRUST
Tax Map 15 Lot 7
Bear Island, Meredith NH



AMES ASSOCIATES
164 NH Route 25
Meredith, NH 03253
603-279-5705
603-279-7878 FAX
LAND SURVEYORS • SEPTIC DESIGNERS
ENVIRONMENTAL CONSULTANTS
WETLAND & SOIL SCIENCE
WWW.AMESASSOCIATES.COM
PLAN DATE 7/30/2019 REVISION DATE 9/10/2019 DRAWN BY NR

RECEIVED
SEP 30 2019
AMES
LAND RESOURCES MANAGEMENT