



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



**Thomas S. Burack, Commissioner**

April 27, 2016

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

**REQUESTED ACTION**

Approve Joseph J. Bradley's request to perform the following work on Lake Winnepesaukee, in Gilford. File # 2015-03404. This project will not have significant impact on or adversely affect the values of Lake Winnepesaukee.

Working in conjunction with the northerly abutter (DES File 2015-03406), remove a 941 sq. ft. 3 slip docking structure that straddles the property line, construct a 4 ft. x 33 ft. piling pier to be connected to an existing 3 slip docking structure by a 4 ft. x 12 ft. walkway resulting in a "W" shaped structure accessed by a 6 ft. x 19 ft. walkway, drive three ice clusters, install one permanent boatlift with a 14 ft. x 30 ft. seasonal canopy and one seasonal boatlift, impact 695 sq. ft. of bank to repair two 59.5 linear ft. retaining walls, and impact 410 sq. ft. of bank to expand a perched beach to be 32 ft. x 15 ft. with 6 ft. wide stairs for access to the water on an average of 162 ft. of frontage along Lake Winnepesaukee, on Governor's Island, in Gilford.

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

1. All work shall be in accordance with revised plans by Watermark Marine Construction dated March 10, 2016, as received by DES on March 16, 2016.
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. No portion of the new docking structure shall be constructed prior to the complete removal of the 941 sq. ft. "U" shaped structure identified for removal on the approved plans.
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. This permit does not authorize the removal of trees or saplings within the waterfront buffer that would result in a tree and sapling point score below the minimum required per RSA 483-B:9, V, (a)(2)(D)(iv).
6. 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. 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 in place until suspended particles have settled and water at the work site has returned to normal clarity.
8. All dredged and excavated material and construction-related debris shall be placed outside of the areas subject to RSA 482-A. Any spoil material deposited within 250 ft. of any surface water shall comply with RSA-483-B.

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

9. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tackifiers on slopes less than 3:1 or netting and pinning on slopes steeper than 3:1.
10. A combination of trees, shrubs and ground covers representing the density and species diversity of the vegetation present prior to construction shall be replanted beginning at a distance no greater than 5 ft. landward from the beach area.
11. No person undertaking any activity shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards in RSA 485-A and Env-Wq 1700.
12. 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).
13. Any subdivision of the property 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.
14. Only those structures shown on the approved plans shall be installed or constructed along this frontage. All new portions of the docking structures, shall be at least 20 ft. from the abutting property lines or the imaginary extension of those lines into the water.
15. Pilings shall be spaced a minimum of 12 ft. apart as measured piling center to piling center.
16. No portion of the docking structures other than the ice clusters shall extend more than 53 ft. from the shoreline at full lake elevation (Elev. 504.32 ft.).
17. All seasonal structures, including watercraft lifts, shall be removed for the non-boating season.
18. 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.
19. Stone placed along the beach front for the purpose of retaining sand shall be placed above and landward of those rocks currently located along the normal high water line (Elev. 504.32 ft.). The rocks existing at the normal high water line shall remain undisturbed such that the natural shoreline remains visible and intact.
20. The steps installed for access to the water shall be located completely landward of the normal high water line.
21. No more than 10 cubic yards of sand shall be used and all sand shall be located above the normal high water line.
22. The permittee shall provide appropriate diversion of surface water runoff to prevent erosion of beach area.
23. 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.
24. Repairs shall maintain the size, location, and configuration of the pre-existing structures.
25. Only existing rocks that have fallen from the wall(s) shall be used in their repair. No additional rocks shall be used, whether obtained from the site or brought to the site.

#### EXPLANATION

The DES Wetlands Bureau approved this project on March 28, 2016. DES supported its decision with the following findings:

1. In accordance with 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. On December 24, 2015 the Department received applications for docking structure modifications on contiguous properties identified as Lot 50 on Gilford Tax Map 221 and Lot 84 on Gilford Tax Map 217. A third property that had previously separated the subject properties has been purchased, divided, and merged into the subject properties by the owners of those properties thus increasing the frontage of each along lake Winnepesaukee.
3. The owners of the now contiguous properties jointly propose to remove the 941 sq. ft. "U" shaped, 3 slip docking structure that had provided slips for the defunct lot and propose to expand their respective docking facilities to provide one additional slip each. The net result of these projects is a reduction in the number of slips provided on the combined frontages from 9 slips to 8 slips.
4. These projects are classified as major impact projects pursuant to Rule Env-Wt 303.02, (d), modification of docking facilities that will provide 5 or more slips.
5. This property, identified as Lot 50 on Gilford Tax Map 221, has an average of 162 ft. of frontage along Lake Winnepesaukee.
6. A maximum of 3 slips may be permitted on this frontage per Rule Env-Wt 402.13, Frontage Over 75 ft.
7. The Applicant's existing docking facility provides 3 slips and docking structure to be removed provides an additional 2 slips on the frontage for a total of 5 existing slips on the frontage.
8. The proposed docking facility will provide 4 slips as defined per RSA 482-A:2, VIII, a reduction of one slip and more nearly conforming with the slip limit of Rule Env-Wt 402.13.
9. 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.

  
\_\_\_\_\_  
for Thomas S. Burack  
Commissioner



RSA/Rule: Env-Wq 100-900

# WETLANDS PERMIT APPLICATION

Water Division/ Wetlands Bureau  
Land Resources Management

Check the status of your application: <http://des.nh.gov/onestop>

*DES ORIGINAL*

*COPY*



*COLOR PHOTOS ATT.*

			File No: <i>2015-03404</i>
			Check No: <i>4372</i>
			Amount: <i>\$6,227.00</i>
			Initials: <i>LSL</i>

**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: **97 Shore Road**      TOWN/CITY: **Gilford**

TAX MAP: **217**      BLOCK: **050**      LOT: **000**      UNIT:

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

LOCATION COORDINATES (If known): **N: 43°36'12.2128", W: 71°25'9.7461"**       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.

Remove "U" shaped permanent dockage and add a finger pier to existing dock (file #2004-00756) resulting in a net impact reduction of 108 sq ft surface area, one less boatslip, and less 379 sq ft lake bottom impacts to meet Env-Wt 402.21. Install a seasonal boatlift, install a permanent boatlift, install a 14 ft x 30 ft seasonal canvas canopy, and expand the existing perched beach (file #2011-03121) by 250 sq ft and re-construct 59.5 lin. ft. wood wall with rock in existing location (no net impact), remove wood steps and restore bank...Also see Goebel permit application...

**4. RELATED PERMITS, ENFORCEMENT, EMERGENCY AUTHORIZATION, SHORELAND, ALTERATION OF TERRAIN, ETC.**

1988-01558, 2004-00756, 2011-0254

**5. 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 15 - 3664

b.  Designated River the project is in ¼ miles of \_\_\_\_\_; and  
date a copy of the application was sent to Local River Advisory Committee: Month: \_\_\_ Day: \_\_\_ Year: \_\_\_

NA



**6. 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:

PHONE:

ELECTRONIC COMMUNICATION: By initiaing here: \_\_\_\_\_, I hereby authorize DES to communicate all matters relative to this application electronically

**7. PROPERTY OWNER INFORMATION (If different than applicant)**

LAST NAME, FIRST NAME, M.I.: Bradley, Joseph J.

TRUST / COMPANY NAME:

MAILING ADDRESS:

TOWN/CITY: Wayland

STATE: MA

ZIP CODE: 01778

EMAIL or FAX:

PHONE:

ELECTRONIC COMMUNICATION: By initiaing here \_\_\_\_\_, I hereby authorize DES to communicate all matters relative to this application electronically

**8. AUTHORIZED AGENT INFORMATION**

LAST NAME, FIRST NAME, M.I.: Wilson, Michelle L.

COMPANY NAME: Watermark Marine Construction

MAILING ADDRESS: P. O. Box 6840

TOWN/CITY: Laconia

STATE: NH

ZIP CODE: 03247

EMAIL or FAX: mlw@docksource.com

PHONE: 603-293-4000

ELECTRONIC COMMUNICATION: By initiaing here MLW, I hereby authorize DES to communicate all matters relative to this application electronically

**9. PROPERTY OWNER SIGNATURE:**

See the Instructions & Required Attachment 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, 1 and Env-WI 100-800.
4. I have read and provided the required information outlined in Env-WI 302.04 for the applicable project type.
5. I have read and understand Env-WI 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-WI 101.47.
7. I have submitted a Request for Project Review (RPPR) Form ([www.nh.gov/nhdtreview](http://www.nh.gov/nhdtreview)) to the NH State Historic Preservation Officer (SHPO) at the NH Division of Historical Resources to be reviewed for the presence of historical/archeological resources.
8. I authorize DES 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 DES correspondence. DES will not forward returned mail.

	Joseph J. Bradley	Date
Property Owner Signature	Print name legibly	2/14 2015

sjbrad@des.nh.gov or (603) 271-2147  
 NHDES Wetlands Bureau, Concord, NH 03303-0095  
[www.des.nh.gov](http://www.des.nh.gov)

## MUNICIPAL SIGNATURES

### 10. 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.

<input type="checkbox"/>	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 reviewed in the standard review time frame.

### 11. 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.

<input type="checkbox"/>	Jennifer L Mooney Deputy Print name legibly	Gilford Town/City	12/21/15 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 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.

**12. 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	/	/
Bank - Intermittent stream	/	/
Bank - Perennial stream / River	/	/
Bank - Lake / Pond	250 / 17	695 / 59.5
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	209	420
Docking - River	<input type="checkbox"/> ATF	<input type="checkbox"/> ATF
Docking - Tidal Water	<input type="checkbox"/> ATF	<input type="checkbox"/> ATF
<b>TOTAL</b>	/	/

**13. 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) 250 + 695 sq. ft. X \$0.20 = \$ 189.00

Temporary (seasonal) docking structure: 420 sq. ft. X \$1.00 = \$ 420.00

Permanent docking structure: 209 sq. ft. X \$2.00 = \$ 418.00

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

**Total = \$ 1,227.00**

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



Joseph J. Bradley  
97 Shore Road  
Gillford, NH 03249  
TML#217-050 000

# BRADLEY



## Legend

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

010  
—  
111

Map Scale

1: 12,000



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Map Generated: 11/19/2015

## Notes

Joseph J. Bradley  
97 Shore Road, Gifford, NH 03249  
TML # 217-050-000



BRADLEY



# New Hampshire Natural Heritage Bureau

**To:** Michelle Wilson  
PO Box 6840  
Laconia, NH 03247

**Date:** 11/19/2015

**From:** NH Natural Heritage Bureau

**Re:** Review by NH Natural Heritage Bureau of request dated 11/19/2015

NHB File ID: NHB15-3664

Applicant: Joseph J. Bradley

Location: Tax Map(s)/Lot(s): 217,050,000  
Gilford

**Project Description:** This proposed dock project includes seas, and perm. boatlifts, PWC lifts, Ice Clusters, Modify finger piers, add addition finger pier, repair in kind existing dockage, seasonal canvas canopy, and remove an existing dock, enlarge existing beach, remove pile supports, remove wood stairs, remove stump.

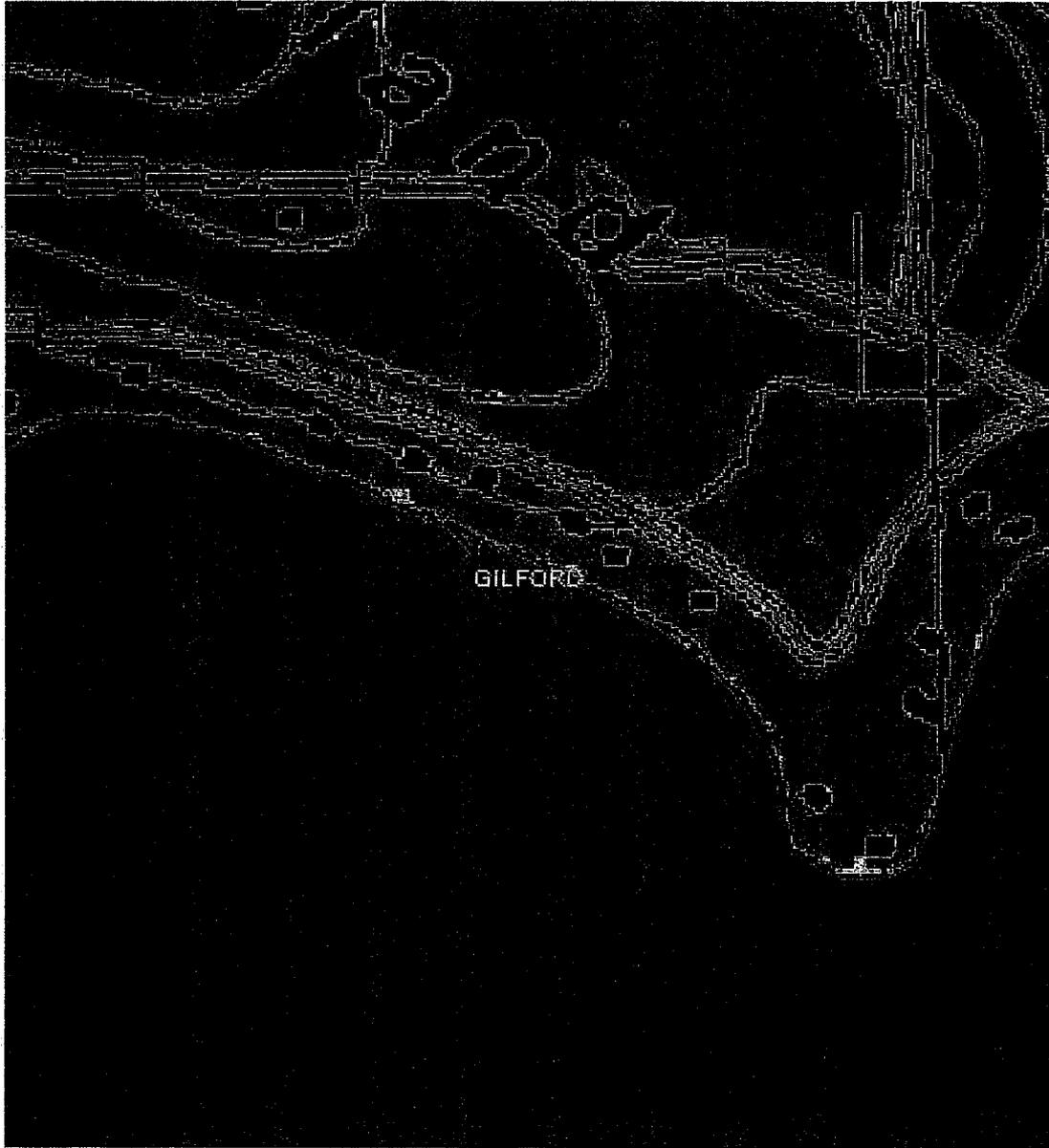
The NH Natural Heritage database has been checked for records of rare species and exemplary natural communities near the area mapped below. The species considered include those listed as Threatened or Endangered by either the state of New Hampshire or the federal government. We currently have no recorded 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 11/18/2016.



MAP OF PROJECT BOUNDARIES FOR NHB FILE ID: NHB15-3664





# 20 foot Abutters List Report

Gilford, NH

November 19, 2015

### Subject Property:

Parcel Number: 221-050-000  
CAMA Number: 221-050-000  
Property Address: 97 SHORE RD

Mailing Address: BRADLEY, JOSEPH J  
[REDACTED]  
WAYLAND, MA 01778

### Abutters:

Parcel Number: 217-084-000  
CAMA Number: 217-084-000  
Property Address: 89 SHORE RD

Mailing Address: GOEBEL, SCOTT C & AMY K C  
[REDACTED]  
HINGHAM, MA 02043

Parcel Number: 221-049-000  
CAMA Number: 221-049-000  
Property Address: 101 SHORE RD

Mailing Address: KETTLE COVE LLC  
[REDACTED]  
LEXINGTON, MA 02420

7015 0640 0007 1604 9402

**U.S. Postal Service™**  
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**OFFICIAL USE**

Certified Mail Fee \$ 3.47

Extra Services & Fees (check box, add fee as appropriate)

Return Receipt (hardcopy) \$

Return Receipt (electronic) \$

Certified Mail Restricted Delivery \$

Adult Signature Required \$

Adult Signature Restricted Delivery \$

Postage \$ .48

Total Postage and Fees \$ 3.95

Sent To  
Street & Apt. No., [REDACTED]  
City, State, ZIP+4®  
Hingham, MA 02043

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

7015 0640 0007 1604 9389

**U.S. Postal Service™**  
**CERTIFIED MAIL® RECEIPT**  
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**OFFICIAL USE**

Certified Mail Fee \$ 3.47

Extra Services & Fees (check box, add fee as appropriate)

Return Receipt (hardcopy) \$

Return Receipt (electronic) \$

Certified Mail Restricted Delivery \$

Adult Signature Required \$

Adult Signature Restricted Delivery \$

Postage \$ .48

Total Postage and Fees \$ 3.95

Sent To  
Street and Apt. No., [REDACTED]  
City, State, ZIP+4®  
Lexington, MA 02420

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