



The State of New Hampshire
Department of Environmental Services

Clark B. Freise, Assistant Commissioner



April 18, 2017

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

REQUESTED ACTION

Approve John and Stacy Lee Evasius Living Trust's request to perform the following work on Lake Winnepesaukee, in Tuftonboro. File # 2016-03552. This project will not have significant impact on or adversely affect the values of Lake Winnepesaukee.

Repair an existing 12 ft. x 34 ft. 6 inch full crib pier "in-kind" and construct two 6 ft. x 37 ft. piling piers connected by a 6 ft. x 12 ft. walkway in a "U" configuration, drive three ice clusters and install two permanent boatlifts and two 14 ft. x 30 ft. seasonal canopies on an average of 301 ft. of frontage, along Lake Winnepesaukee, in Tuftonboro.

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

1. All work shall be in accordance with plans by Watermark Marine Construction dated December 16, 2016, as received by the NHDES on December 22, 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 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. This permit does not authorize the removal of any trees, saplings, shrubs, or ground covers within the waterfront buffer.
5. Work shall be carried out in a time and manner to avoid disturbances to migratory waterfowl breeding and nesting areas.
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 water at the work site has returned to normal clarity.
7. Any subdivision of the property frontage will require removal of a sufficient portion of the docking structures to comply with the dock size and density requirements in effect at the time of the subdivision.
8. Only those structures shown on the approved plans shall be installed or constructed along this frontage. All portions of the structures shall be at least 20 ft. from the abutting property lines or the imaginary extension of those lines into the water.
9. Pilings shall be spaced a minimum of 12 ft. apart as measured piling center to piling center.
10. No portion of the piling piers shall extend more than 37 ft. from the shoreline at full lake elevation (Elev. 504.32).

www.des.nh.gov

29 Hazen Drive • PO Box 95 • Concord, NH 03302-0095
(603) 271-3503 • TDD Access: Relay NH 1-800-735-2964

11. 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.
12. The repairs shall maintain the size, location, and configuration of the pre-existing structures.
13. All construction-related debris shall be placed outside of areas subject to RSA 482-A jurisdiction.
14. This permit does not allow dredging for any purpose.

EXPLANATION

The NHDES Wetlands Bureau approved this project on March 19, 2017. The NHDES supported its decision with the following findings:

1. This project is classified as a major project per Rule Env-Wt 303.02(d), construction of a docking facility providing 5 slips.
2. The applicant has an average of 301 ft. of frontage along Lake Winnepesaukee.
3. A maximum of 5 slips may be permitted on this frontage per Rule Env-Wt 402.13, Frontage Over 75'.
4. The proposed docking facility will provide 5 slips as defined per RSA 482-A:2, VIII and, therefore, meets Rule Env-Wt 402.13.
5. The Department finds that because the project is not of significant public interest and will not significantly impair the resources of Lake Winnepesaukee a public hearing under RSA 482-A:8 is not required.
6. The Tuftonboro Conservation Commission has submitted written concerns to the file relative to the location of the proposed docking facility on a well vegetated area of the shoreline and the potential for the construction of the facility to result in vegetation removal.
7. This permit does not authorize the removal of any vegetation to facilitate the construction of the proposed docking structures.

Application file documents are being forwarded to the Governor and Executive Council in connection with their consideration of this matter pursuant to RSA 482-A:3,II.(a) as it is a major project in public waters of the state.

We respectfully submit this request for your consideration.



Clark B. Freise
Assistant Commissioner

DES COPY - COLOR PHOTOS INCLUDED



WETLANDS PERMIT APPLICATION

Water Division/ Wetlands Bureau
Land Resources Management

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



RSA/Rule: RSA 482-A/Env.W/100-900

RECEIVED DEC 22 2016 NHDES LAND RESOURCES MANAGEMENT	COMPLETE DEC 22 2016	2016-03552
		1008
		\$2,106.00
		EMK

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: **270 Governor Wentworth Highway** TOWN/CITY: **Tuftonboro**

TAX MAP: **027** BLOCK: **001** LOT: **010** UNIT: **000**

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

LOCATION COORDINATES (If known): **43°39'21.84"N 71°17'19.77"W** 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 a 6ft x 37ft "U" shaped piling dock, three three-pile ice protection clusters, four fender pilings, two permanent boatlifts and two seasonal canopies. Additionally, repair existing 12ft x 34.5ft crib dock in-kind, with no change in location, configuration or dimensions.

5. SHORELINE FRONTAGE:

NA This does not have shoreline frontage. SHORELINE FRONTAGE: **301**

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

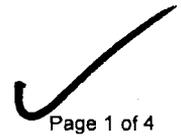
7. NATURAL HERITAGE BUREAU & DESIGNATED RIVERS:
See the Instructions & Required Attachments document for instructions to complete a & b below.

a. Natural Heritage Bureau File ID: NHB **16 - 3709**

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

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



8. APPLICANT INFORMATION (Desired permit holder)

LAST NAME, FIRST NAME, M.I.: **Evasius, John and Stacy**

TRUST / COMPANY NAME: **John and Stacy Lee Living Trust**

MAILING ADDRESS: [REDACTED]

TOWN/CITY: [REDACTED]

STATE: **FL**

ZIP CODE: **33449**

EMAIL or FAX: **N/A**

PHONE: **N/A**

ELECTRONIC COMMUNICATION: By initialing here: **JCI**, 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.: **Evasius, John and Stacy**

TRUST / COMPANY NAME: **John and Stacy Lee Living Trust**

MAILING ADDRESS: [REDACTED]

TOWN/CITY: [REDACTED]

STATE: **FL**

ZIP CODE: **33449**

EMAIL or FAX: **N/A**

PHONE: **N/A**

ELECTRONIC COMMUNICATION: By initialing here **JCI**, 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**

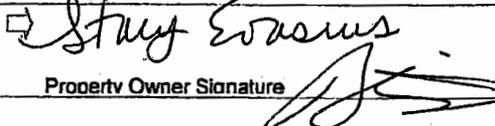
ELECTRONIC COMMUNICATION: By initialing here **JCI**, I hereby authorize NHDES to communicate all matters relative to this application electronically

11. PROPERTY OWNER SIGNATURE:

See the Instructions & 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 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	Stacy e John Print name legibly EVASIUS	12/16/16 Date
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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.

<input style="width: 100%; height: 100%;" type="text"/>	<input style="width: 100%; height: 100%;" type="text"/>	<input style="width: 100%; height: 100%;" type="text"/>
	Print name legibly	Date

DIRECTIONS FOR CONSERVATION COMMISSION

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

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.

<input style="width: 100%; height: 100%;" type="text"/>			
Town/City Clerk Signature	Print name legibly	Town/City	Date

DIRECTIONS FOR TOWN/CITY CLERK:

Per RSA 482-A:3,I

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 complete.

JURISDICTIONAL AREA	PERMANENT Sq. Ft. / Lin. Ft.	ATF	TEMPORARY Sq. Ft. / Lin. Ft.	ATF
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	/	<input type="checkbox"/> ATF	/	<input type="checkbox"/> ATF
Lake / Pond	13 /	<input type="checkbox"/> ATF	840 /	<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	520	<input type="checkbox"/> ATF		<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
TOTAL	533 /		840 /	

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 = \$ _____

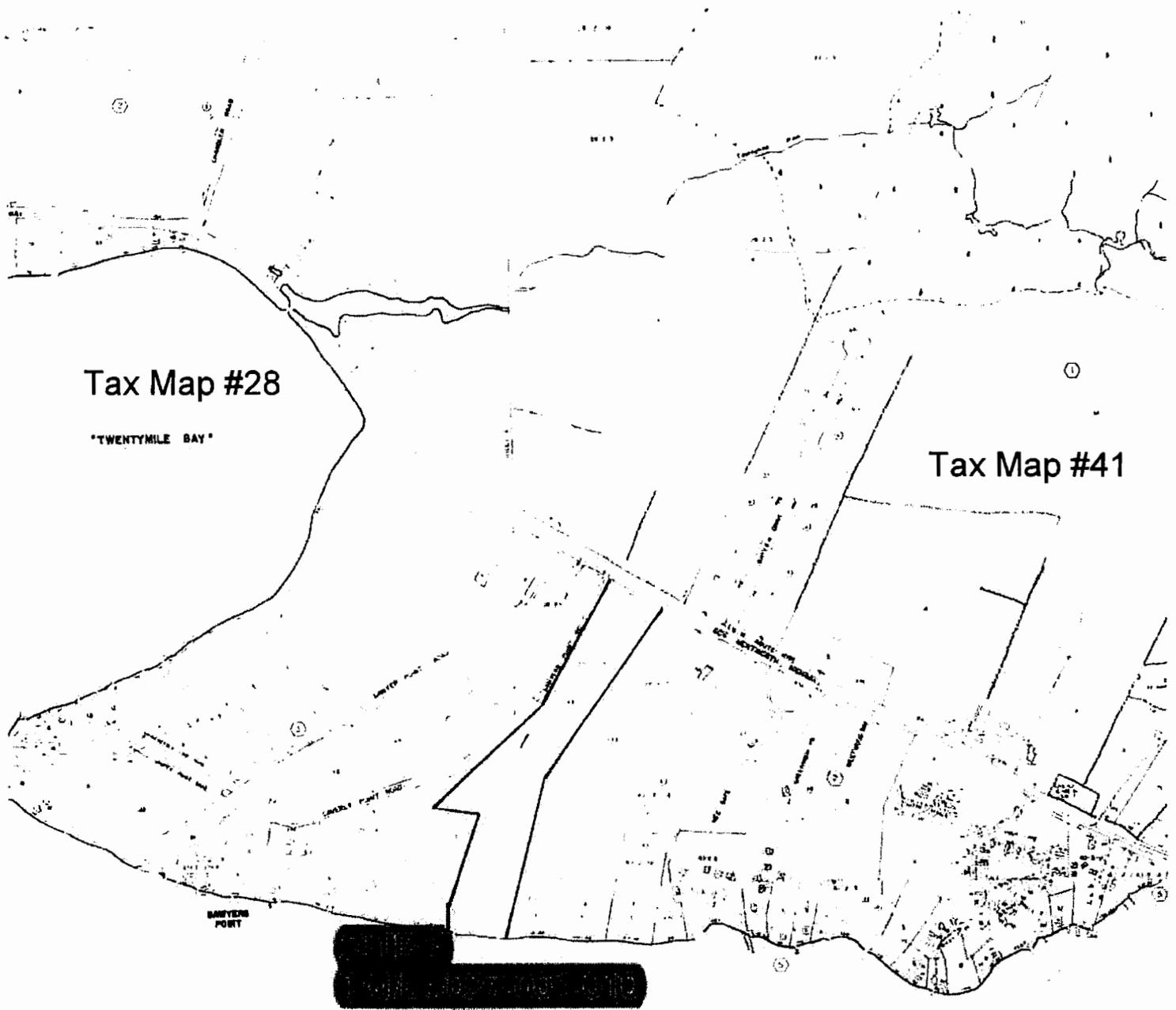
Temporary (seasonal) docking structure: **840** sq. ft. X \$1.00 = **\$ 840.00**

Permanent docking structure: **533** sq. ft. X \$2.00 = **\$ 1,066.00**

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

Total = **\$ 2,106.00**

The Application Fee is the above calculated Total or \$200, whichever is greater = **\$ 2,106.00**



Tax Map #28

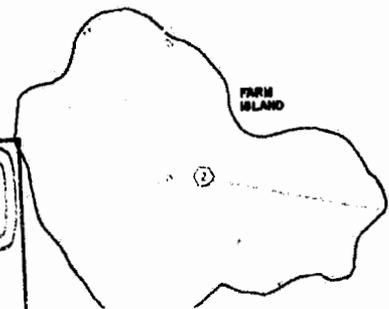
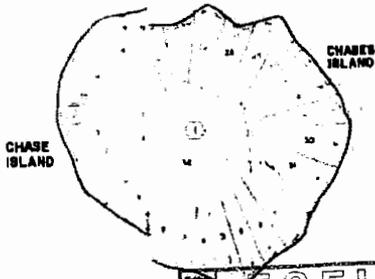
"TWENTYMILE BAY"

Tax Map #41

Tax Map #27

Tax Map #40

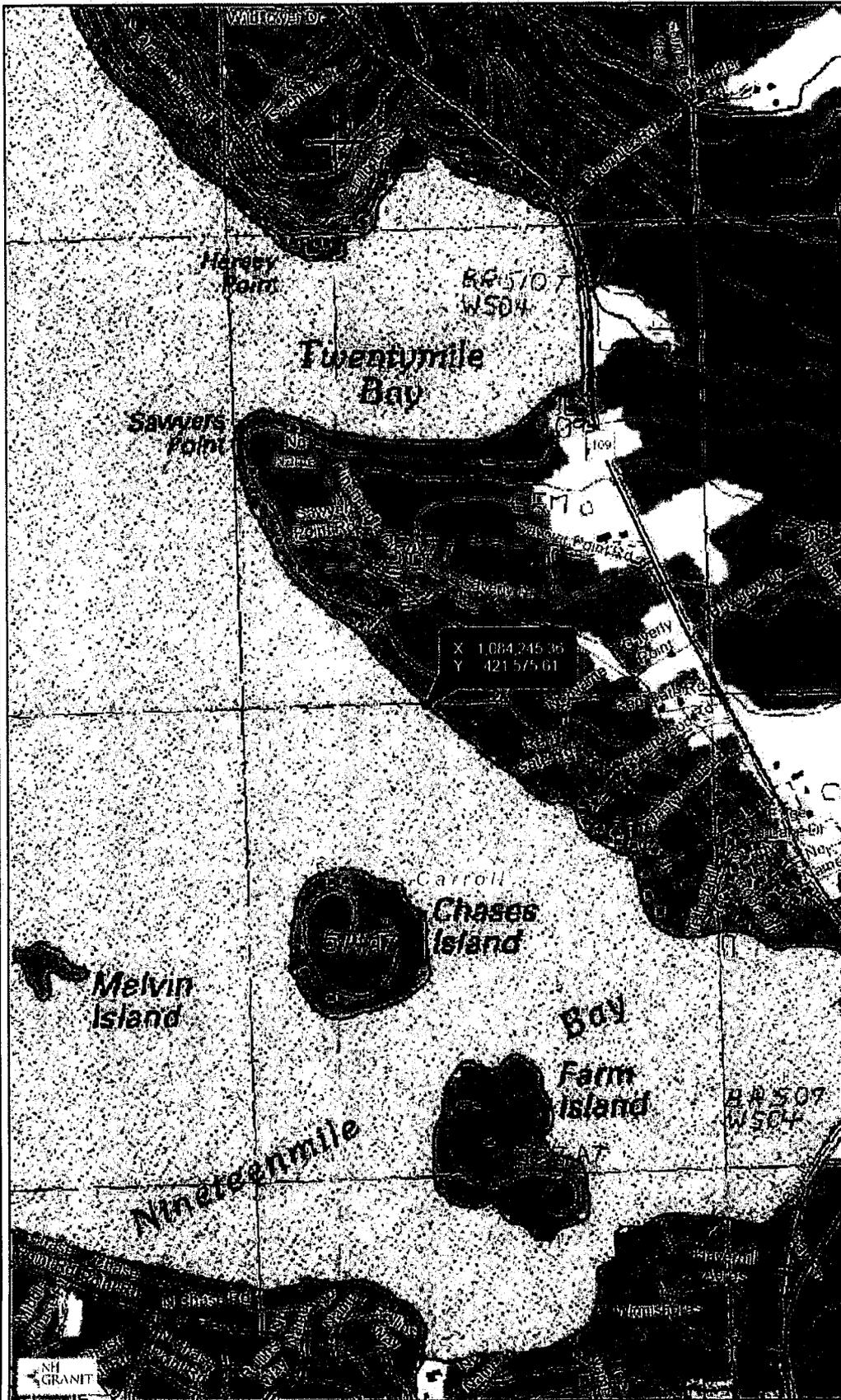
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MELVIN

Evasius Property



Legend

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

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 NHDES
 LAND RESOURCES MANAGEMENT

NH
~~99~~

Map Scale

1: 12,000



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Map Generated: 12/12/2016

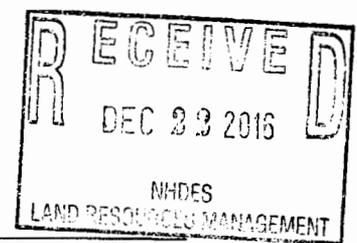
Notes

John and Stacy Evasius
 270 G.W. Highway, Tuftonboro
 TML #027-001-010
 NH Stateplane NAD83 (feet)
 Easting: 1,084,245.36
 Northing: 421,575.01





New Hampshire Natural Heritage Bureau



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

Date: 12/12/2016

From: NH Natural Heritage Bureau

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

NHB File ID: NHB16-3709

Applicant: John and Stacy Evasius

Location: Tax Map(s)/Lot(s): 027-001-010
Tuftonboro

Project Description: Install a "U" shaped piling dock with accessory pilings and two seasonal canopies. In addition, repair existing piling dock in-kind.

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

A negative result (no record in our database) does not mean that a sensitive species is not present. Our data can only tell you of known occurrences, based on information gathered by qualified biologists and reported to our office. However, many areas have never been surveyed, or have only been surveyed for certain species. An on-site survey would provide better information on what species and communities are indeed present.

This report is valid through 12/11/2017.



MAP OF PROJECT BOUNDARIES FOR NHB FILE ID: NHB16-3709



Abutter List

TM/L #027-001-010

John and Stacy Evasius
SITE

#027-001-009

Daniel Smith
[REDACTED]
Dover, OH 44622

#027-001-008

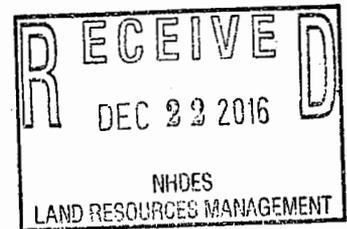
Brett and Antonia Pritchard
[REDACTED]
Downers Grove, IL 60515

#027-001-007

Edgerly Estates, LLC
[REDACTED]
Hingham, MA 02043

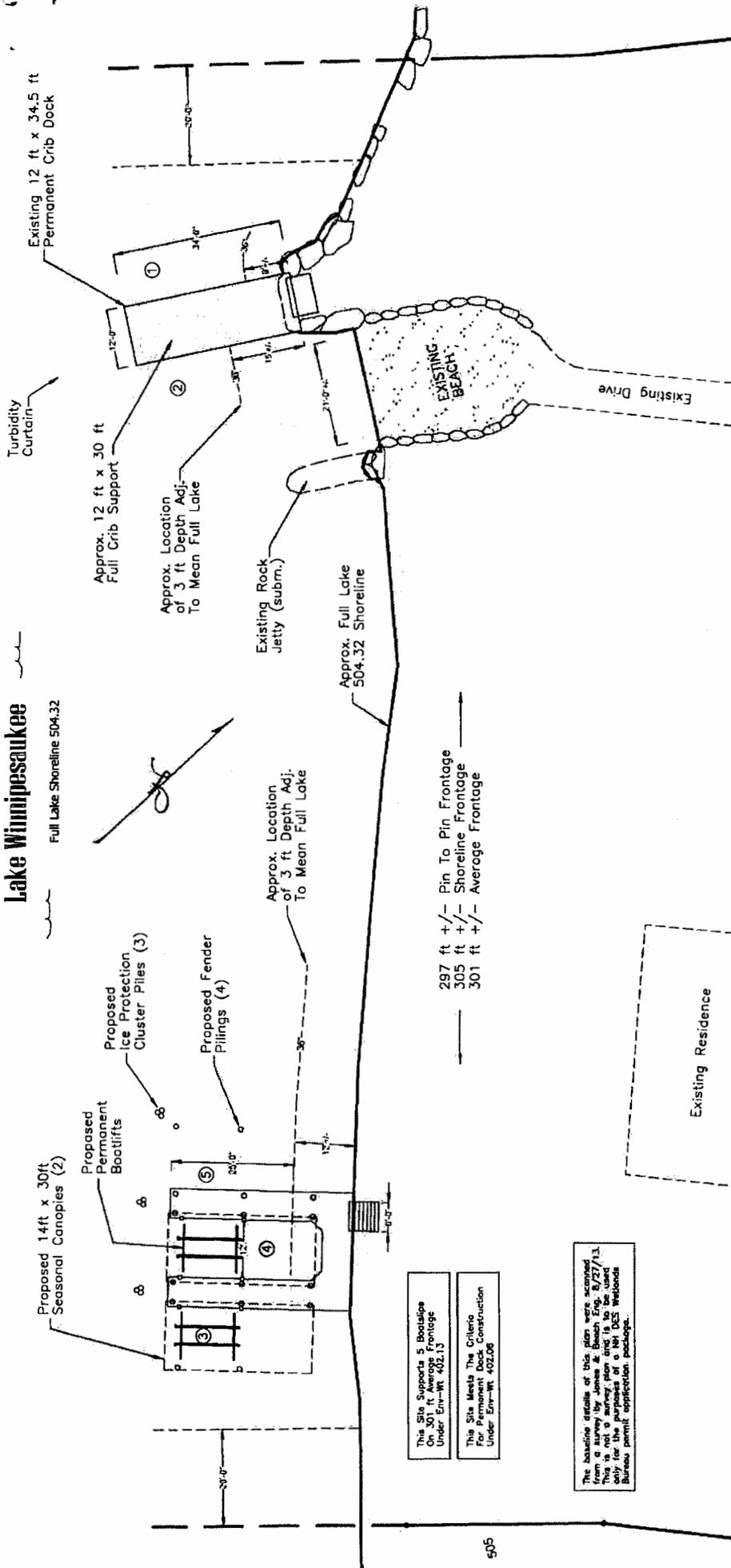
#027-001-006

Robert Roriston
[REDACTED]
Summit, NJ 07901



Lake Winnepesaukee

Full Lake Shoreline 504.32

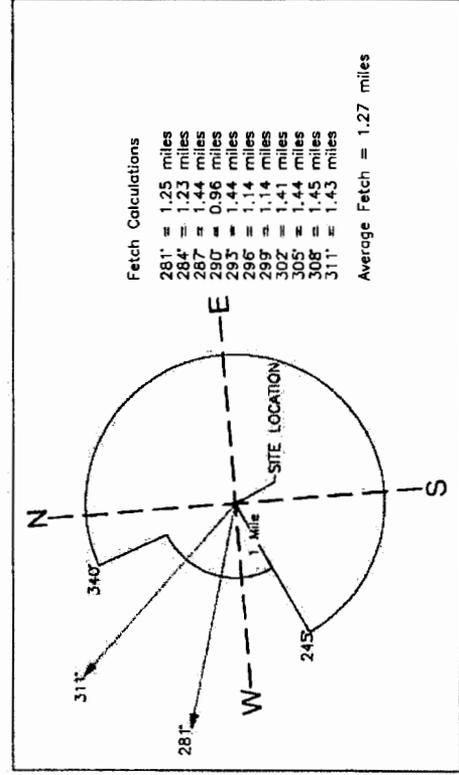


This Site Supports 5 Boatlifts On 30 ft Average Frontage Under EIR-WR 402.13

This Site Meets The Criteria For Permanent Marine Construction Under EIR-WR 402.08

The location details of this plan were scanned from a survey by James E. Beach, Eng. 8/27/11. This plan is for informational purposes only for the purposes of a NH DES Wetlands Bureau permit application package.

510



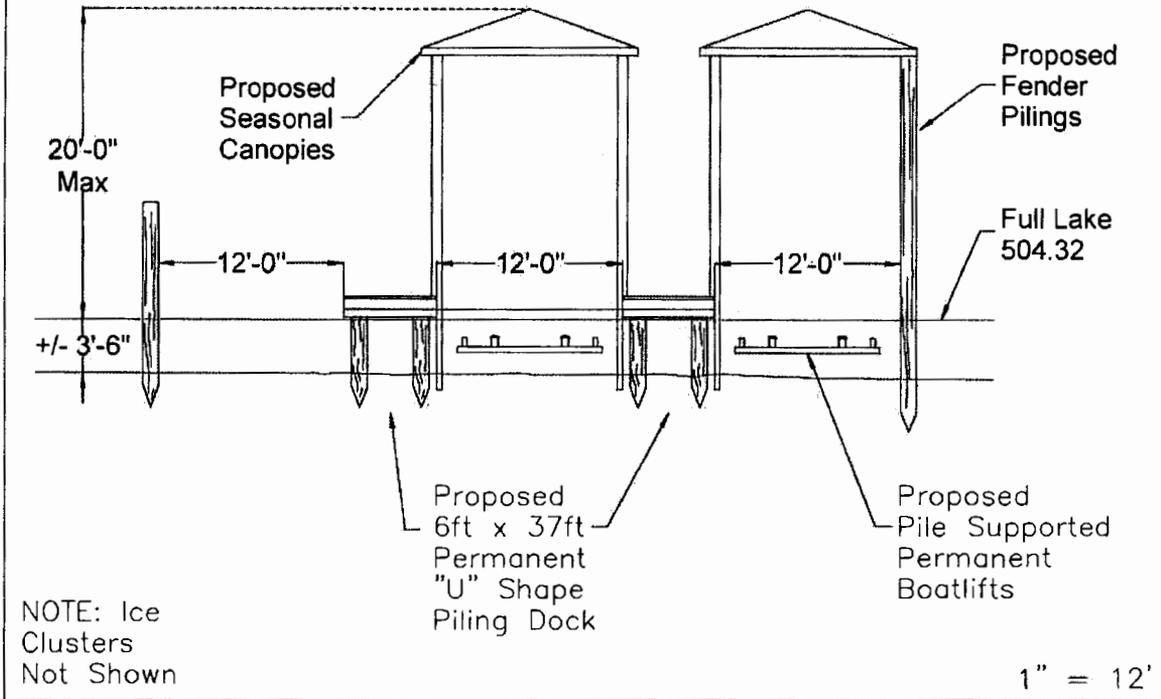
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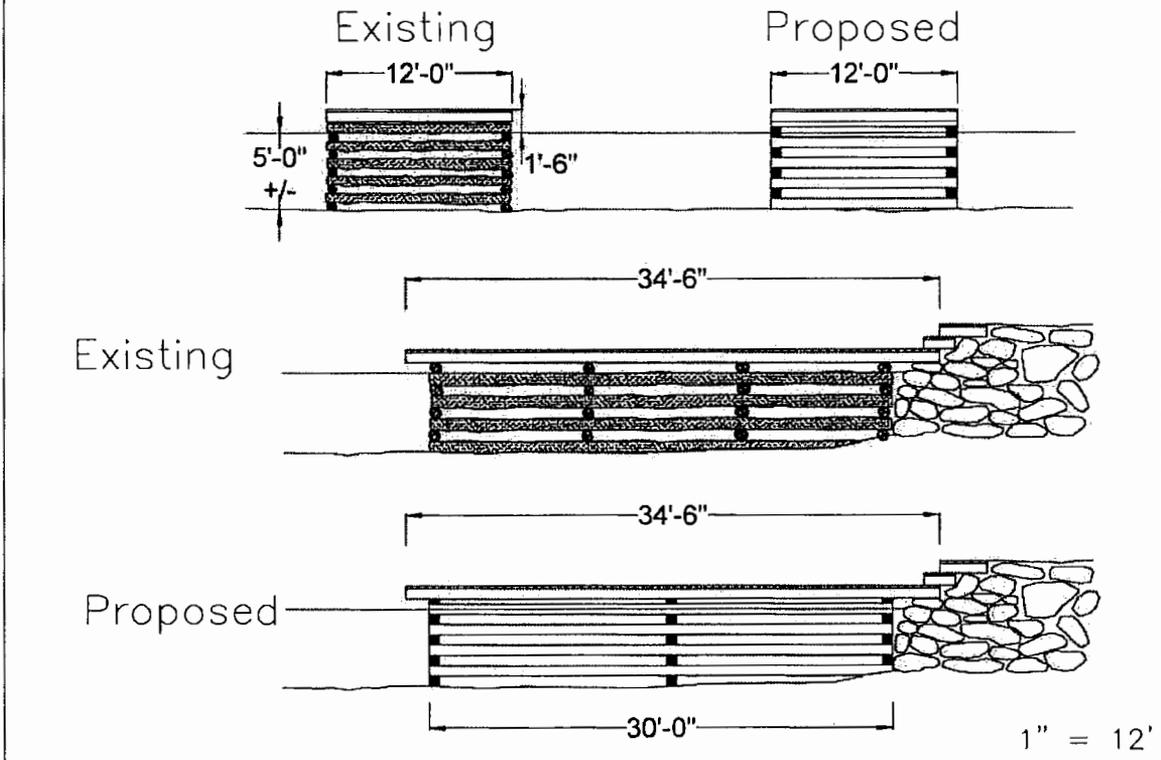
Watermark Marine Construction
Laconia, Gilford & Sunapee, NH
(603) 283-4000/Fax: (603) 524-8100
On The Web: www.watermarkmarine.com
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EVASIVUS PROPERTY
Tuftonboro, NH
12/15/16 1" = 30'

PROPOSED "U" DOCK CROSS SECTION



EXISTING CRIB DOCK CROSS SECTION



EVASIUS PROPERTY
 Tuftonboro, NH
 12/15/16

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