



The State of New Hampshire
DEPARTMENT OF ENVIRONMENTAL SERVICES



Thomas S. Burack, Commissioner

August 8, 2013

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

REQUESTED ACTION

Approve Eric Grimes's request to perform the following work on Bow Lake, in Strafford.
File # 2013-01198. This project will not have significant impact on or adversely affect the values of Bow Lake.

Permanently remove a non-conforming 22 ft. x 19 ft. deck over the water, construct a 5 ft. x 30 ft. permanent dock connected to a 5 ft. x 20 ft. permanent dock by a 6 ft. x 10 ft. permanent walkway in a "U" shaped configuration, and relocate 7 rocks located in the approach to the proposed boatslips on an average of 409 ft. of frontage along Bow Lake, on Caswell Island, in Strafford.

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

1. All work shall be in accordance with plans by Eric Grimes dated June 19, 2013, as received by the NH Department of Environmental Services (DES) on July 01, 2013.
2. In order to avoid potential impact to Common Loons, no work associated with the docking facilities shall be conducted between May 15 and June 30.
3. This permit shall not be effective until it has been recorded with the Strafford 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.
4. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement or revocation action if the DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.
5. Repairs to these structures may be conducted, as necessary, throughout the duration of this permit provided that the permittee notifies the Wetlands Bureau and Conservation Commission, in writing, of the proposed start and completion date prior to performing any repair and the work complies with all of the conditions of this permit.
6. Repairs shall maintain existing size, location and configuration.
7. Appropriate siltation, erosion, and turbidity controls shall be in place prior to construction, maintained during construction, and shall remain in place until the area is stabilized.
8. This permit does not allow for maintenance dredging.

DES Web site: www.des.nh.gov

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

Telephone: (603) 271-3503 • Fax: (603) 271-6588 • TDD Access: Relay NH 1-800-735-2964

9. The dock shall not extend more than 30 ft. lakeward at full lake elevation.
10. The minimum clear spacing between piles shall be 12 ft.
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.

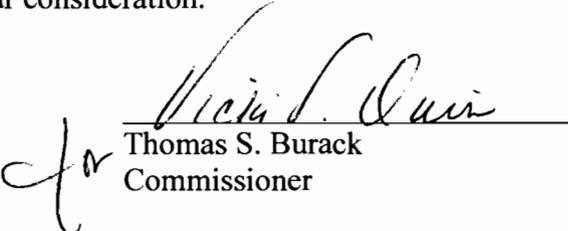
EXPLANATION

The DES Wetlands Bureau approved this project on July 8, 2013. DES supported its decision with the following findings:

1. This is a major impact project per Administrative Rule Env-Wt 303.02(k), construction of a docking structure that will be located in an area that has documented occurrences of state threatened Common Loons.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
5. The applicant has approximately an average of 409 ft. of shoreline island frontage along Bow Lake.
6. A maximum of 6 slips may be permitted on this frontage per Rule Env-Wt 402.13, Frontage Over 75'.
7. The proposed docking facility will provide 3 slips as defined per RSA 482-A:2, VIII and therefore meets Rule Env-Wt 402.13.
8. The project incorporates the recommendation of the NH Department of Fish & Game for the protection of Common Loons that may inhabit the area.

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 PERMIT APPLICATION

Project No: 2012-0198	Block No: 680	Lot No: 32	Unit No: CM6
DATE: MAY 10 2011	COMPLETE		
	DATE: MAY 10 2011		

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: 24 Caswell Island

TOWN/CITY: Strafford

TAX MAP: 25

BLOCK:

LOT: 32

UNIT:

US GEOLOGICAL SURVEY TOPO MAP WATERBODY NAME:

LOCATION COORDINATES (If known): 43.256807, -71.180785

BOW LAKE

Latitude/Longitude UTM State Plane

3. PROPERTY OWNER or APPLICANT INFORMATION (Check at least one. If the applicant is the property owner, all property owner information and wetland parcels as from the property owner should be included in the application. Permission to act on behalf of owner must be provided.)

NAME: Eric Grimes

MAILING ADDRESS: [REDACTED]

TOWN/CITY: Hopedale

STATE: MA

ZIP CODE: 01747

EMAIL or FAX: [REDACTED]

PHONE: [REDACTED]

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

4. AGENT INFORMATION:

NAME:

COMPANY:

MAILING ADDRESS:

TOWN/CITY:

STATE:

ZIP CODE:

EMAIL or FAX:

PHONE:

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

* 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.

ERIC GRIMES
Print name legibly

4/23/13
Date

Property Owner/ Applicant / Authorized Agent

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:3,1) 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.

DIANE WALDRON
Print name legibly

5/6/13
Date

Stafford
Town/City

Town/City Clerk

Print name legibly

Date

Town/City

TOWN CLERK SUBMITTAL & MAILING DIRECTIONS:

Per RSA 482-A:3,1(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:3,1).
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, 1; 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.

Elizabeth Evans
Print name legibly

5/6/13
Date

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: _____

Shoreland/ Alteration of Terrain/ Subsurface: _____

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.

This project involves the repair, modification and reconfiguration of an existing dock at Caswell Island on Bow Lake. Most of the current dock is in disrepair and no longer provides safe access to an adequate depth water. A portion of the existing dock can be retained and reset on its rock cribbing in order to provide an adequate attachment point for the new dock materials. The salvaged section will retain approximately 10'x10' nearest the shoreline. The new dock materials are expected to be no larger than 6'x20'. The resulting dock will not extend further than 30' from the existing shoreline.

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 - 1 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))

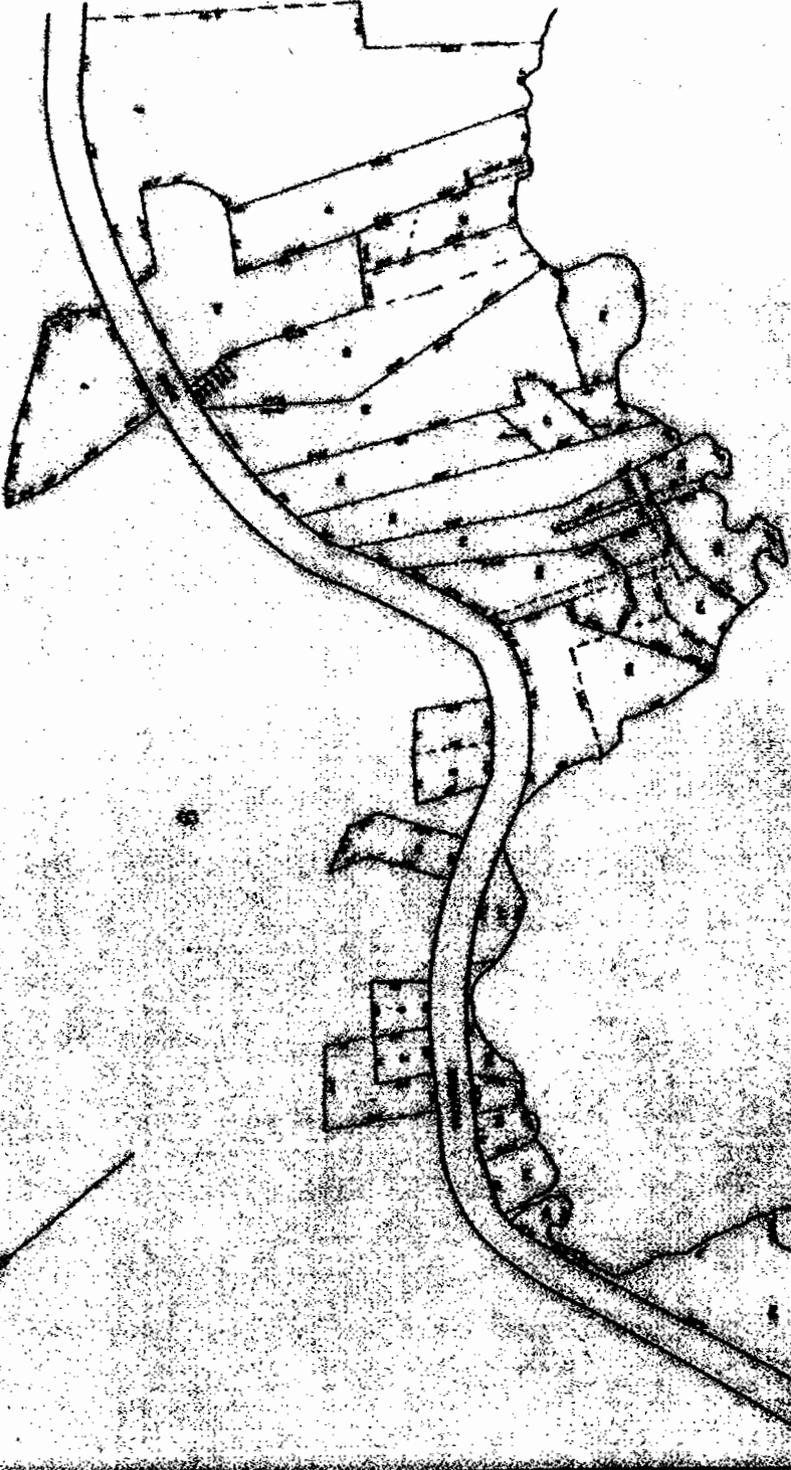
D. Documentation from the Department of Resources and Economic Development's Natural Heritage Bureau (NHB) indicating that NHB has reviewed your project. Documentation can be obtained online at: https://www2.des.state.nh.us/nhb_datacheck/ or by phone (603) 271-2215 x 323. Please attach the REQUIRED letter/memo 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 (scroll to page 29 of 34 to reach Appendix B).



Lands

TOWN OF PATERBOROUGH
 JAMES S. WHEEL COMPANY, OLD TOWN, MAINE
 1947-1950, 1951-1952

Address Name to Address:

JAMES WHELAN

[Redacted]

PATERBOROUGH, NH 03458

PROPERTY OF [Redacted]

Address including Address:

For [Redacted]

[Redacted] NH 03457

Q12
139

For fishing regulation information, please refer to the NHFGD Freshwater Fishing Digest. Contact: NHFGD Inland Fisheries Division, Concord E-mail: fish@wildlife.nh.gov Phone: 603-271-2501

BOW LAKE
Stafford

FISHERY: Cold/Warm ACRES: 1140
TROPIC LEVEL: MESO
AVG. DEPTH: 10 MAX. DEPTH: 65
SPECIES: RT,BT,SMB,LMB,ECP,HP,WP

ADDITIONAL INFO: speed/other restrictions

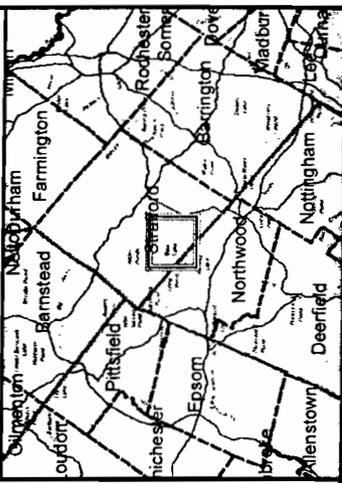
ACCESS: Mary Waldron Park

Please contact NH Dept of Safety, Marine Patrol for info. on water body/boat/motor restrictions: (603) 293-2037 www.nhmarinepatrol.com

- Public Water Access site
- Canoe/cartop
 - Shorebank
 - Ramp
 - Bathymetric contour (feet)

Bathymetry provided by the NH Department of Environmental Services, Watershed Mgt Bureau

- Town boundary
- Primary Route
- Road or Street
- Trail or other
- Stream or Shoreline
- Surface Water
- Wetland
- Conservation or Access
- Public land



Directions: Bow Lake Rd



Most data presented on this map represent stock data sets obtained from NH GRANT. Complex Systems Research Center, UNH, CSRC, NH-OEP, NHFGD and the cooperating agencies make no claim as to the validity or reliability or to any implied uses of these data. NOT FOR NAVIGATION.

USA Topo Maps Copyright: © 2011 National Geographic Society, Inc.

Scale: 0 1,000 2,000 Feet
0 0.2 0.4 Miles

Memo



To: Eric Grimes
[Redacted]
Hopedale, MA 01747

From: Melissa Coppola, NH Natural Heritage Bureau
Date: 4/11/2013 (valid for one year from this date)
Re: Review by NH Natural Heritage Bureau
NHB File ID: NHB 13-1046
Town: Strafford
Description: We are trying to remove our current dock which is currently in disrepair and replace it with a new dock.
cc: Kim Tuttle

Location: Tax Map 25 Block 32

As requested, I have searched our database for records of rare species in the Strafford area. The following results were returned:

Comments:

Vertebrate species

Common Loon (*Gavia immer*)

State's Federally Listed Species

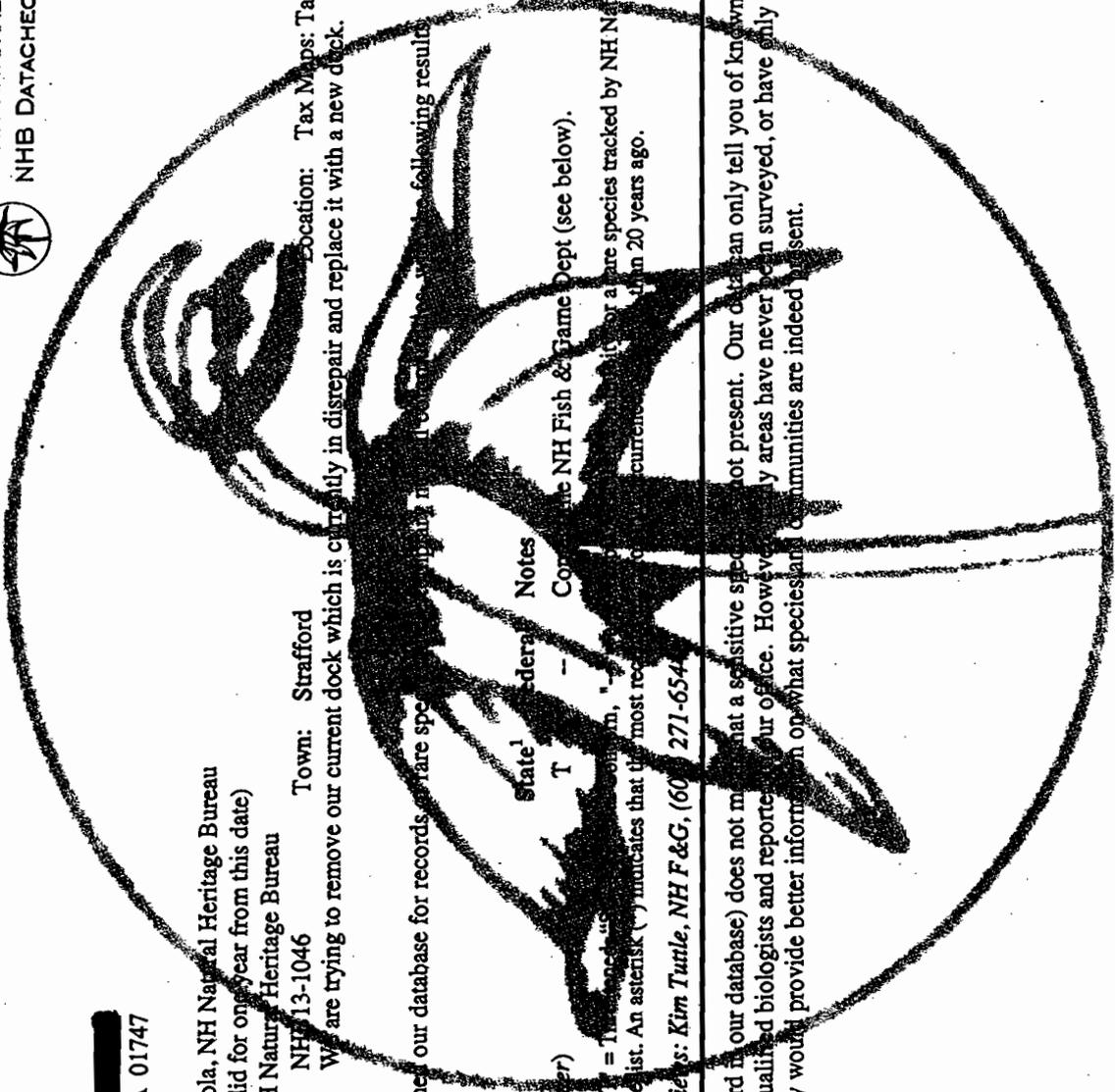
Common Loon (*Gavia immer*)

Common Loon (*Gavia immer*)

'Codes: "E" = Endangered, "C" = Candidate, "S" = Sensitive, "I" = Invasive, "N" = Not tracked by NH Natural Heritage that has not yet been added to the official state list. An asterisk (*) indicates that the most recent occurrence was within 20 years ago.

Contact for all animal reviews: Kim Tuttle, NH F&G, (603) 271-6544

A negative result (no record in our database) does not mean that a sensitive species is not present. Our database 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.



New Hampshire Natural Heritage Bureau - Animal Record

Common Loon (*Gavia immer*)

Legal Status

Federal: Not listed
State: Listed Threatened

Conservation Status

Global: Demonstrably widespread, abundant, and secure
State: Not ranked (need more information)

Description at this Location

Conservation Rank: Not ranked
Comments on Rank:

Detailed Description: 2011: Nest 1: 2 chicks hatched, 2 chicks survived.2010: Nest 1: 2 chicks hatched, 2 chicks survived.2009: Nest 1: 2 chicks hatched, 2 chicks survived.2008: Nest 3: 1 chick hatched, 1 chick survived.2007: Nest 2: 1 chick hatched, 1 chick survived.2006: Nest 2: pair, 2 chicks hatched and survived.2005: Nest 1: pair, 2 hatched, 1 survived.2004: Nest 1: pair, nest and eggs.2003: 4 adults, 2 hatched, 0 survived.2002: Nest 1: 3 adults, 2 hatched, 0 survived.2001: Nest 1: 3 adults, 2 hatched, 1 survived.2000: Nest 1: pair, 2 hatched, 1 survived.

General Area:

General Comments: LPC Territory NHT0051.

Management

Comments:

Location

Survey Site Name: Bow Lake, north end

Managed By:

County: Strafford

USGS quad(s): Parker Mountain (4307132)

Town(s): Strafford

Lat, Long: 431529N, 0711056W

Size: 5.7 acres

Elevation:

Precision: Within (but not necessarily restricted to) the area indicated on the map.

Directions:

Dates documented

First reported: 2000-05-17

Last reported: 2011

New Hampshire Natural Heritage Bureau - Animal Record

Common Loon (*Gavia immer*)**Legal Status**

Federal: Not listed
State: Listed Threatened

Conservation Status

Global: Demonstrably widespread, abundant, and secure
State: Not ranked (need more information)

Description at this Location

Conservation Rank: Not ranked
Comments on Rank:

Detailed Description: 2011: Nest 2: 1 chick hatched, 1 chick survived. 2010: Nest 1: Nest and eggs present, no chicks hatched.

General Area:

General Comments: LPC Territory NHT0925

Management

Comments:

Location

Survey Site Name: Bow Lake, Territory #4
Managed By:

County: Strafford

Town(s): Strafford

Size: 2.4 acres

USGS quad(s): Parker Mountain (4307132)

Lat, Long: 431517N, 0711118W

Elevation:

Precision: Within (but not necessarily restricted to) the area indicated on the map.

Directions:

Dates documented

First reported: 2010

Last reported: 2011

NHB13-1046



NH NATURAL HERITAGE BUREAU

Known locations of rare species and exemplary natural communities

Note: Mapped locations are not always exact. Occurrences that are not in the vicinity of the project are not shown.



*Historical record

Mailed
Owners letter
on 7/9/13

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

For delivery information visit our website at www.usps.com.

OFFICIAL USE

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



Sent To **JAMES MURPHY**

Street, Apt. No.,
or PO Box No. [REDACTED]

City, State, ZIP+4 **STRAFFORD, NH 03458**

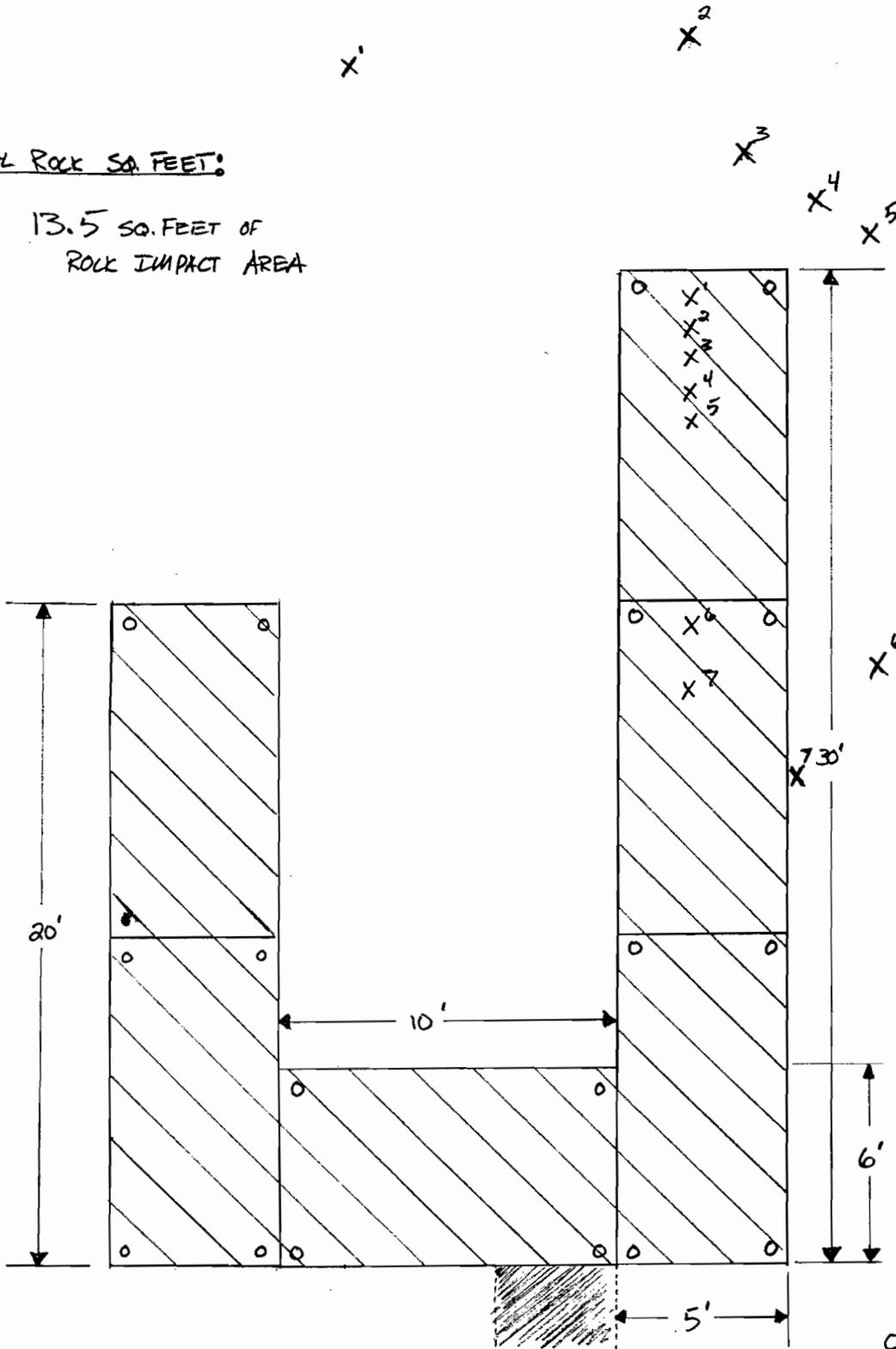
PS Form 3839, August 2006 See Reverse for Instructions

7012 1640 0000 7460 9007

DOCK LAYOUT PROPOSAL FOR 24 CASWELL ISLAND

TOTAL ROCK SQ. FEET:

13.5 SQ. FEET OF
ROCK IMPACT AREA



Received
DES
02/01/13

SCALE:

O = ALUMINUM POST LOCATIONS

1" = 1'

X = PROPOSED ROCK LOCATIONS AND ORIGINAL LOCATIONS

PATH TO PROPERTY

CURRENT DOCK FOOTPRINT FOR 24 CASWELL ISLAND

WATER DEPTHS:

- 1 - 2 FEET
- 2 - 2 FEET 6 INCHES
- 3 - 2 FEET 6 INCHES
- 4 - 2 FEET 10 INCHES
- 5 - 2 FEET 10 INCHES
- 6 - 2 FEET 5 INCHES
- 7 - 2 FEET 3 INCHES

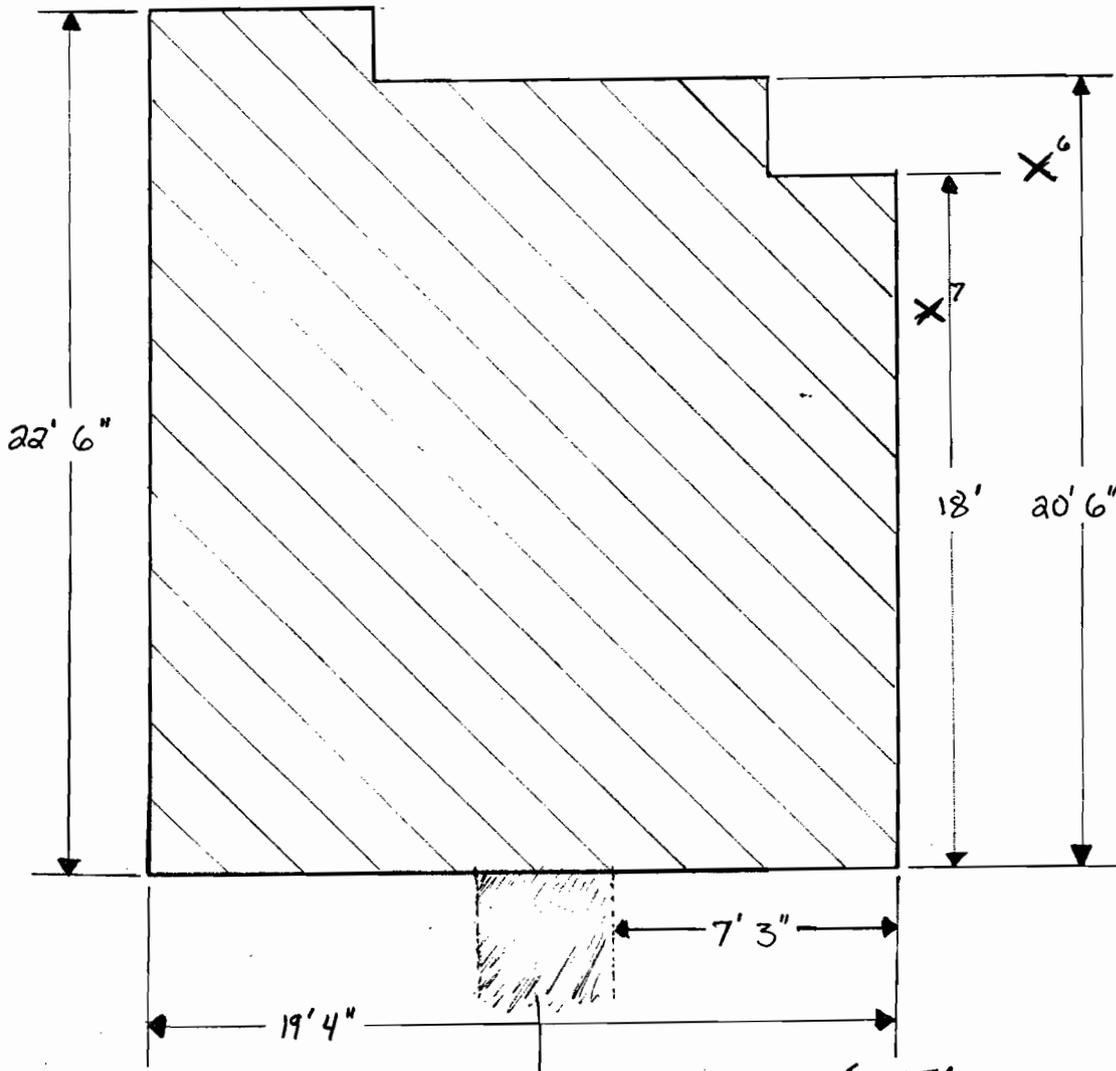
X¹

X²

X³

X⁴

X⁵



SCALE:

1" = 1'

X = ROCK LOCATIONS
OF WATER DEPTH
LESS THAN 3' AT
FULL LAKE