



The State of New Hampshire
**Department of Environmental
Services**



Robert R. Scott, Commissioner

March 3, 2018

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

REQUESTED ACTION

Approve William Halliday and Karen Palma-Halliday's request to perform the following work on Lake Winnepesaukee, in Moultonborough. File # 2017-03447. This project will not have significant impact on or adversely affect the values of Lake Winnepesaukee.

Remove an existing 4 foot x 50 foot seasonal pier, construct a 7 foot x 3 foot concrete pad and install a 6 foot x 65 foot seasonal pier and a 6 foot x 36 foot seasonal pier connected by a 6 foot x 12 foot walkway in a "J" configuration, on an average of 477 feet of frontage along Lake Winnepesaukee, opposite Gansy Island, in Moultonborough.

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

1. All work shall be in accordance with plans by David M. Dolan Associates, P.C. dated October 20, 2017, as received by the NHDES on November 22, 2017.
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 shall be carried out in a time and manner to avoid disturbances to migratory waterfowl breeding and nesting areas.
5. 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.
6. All portions of the existing 5 foot x 40 foot seasonal pier shall be completely removed from the frontage prior to the installation of any new structure on the frontage.
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 feet from the abutting property lines or the imaginary extension of those lines into the water.

9. No portion of the pier shall extend more than 65 feet from the shoreline at full lake elevation (Elev. 504.32).
10. All seasonal structures shall be removed for the non-boating season.
11. The concrete pad shall be constructed completely landward of the normal high water line.

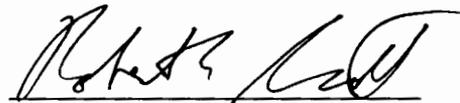
EXPLANATION

The NHDES Wetlands Bureau approved this project on February 1, 2018. 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 477 feet of frontage along Lake Winnepesaukee.
3. A maximum of 7 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 proposed dock location will not have an impact on navigation in the channel between Moultonborough Neck and Gansy Island.
6. 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.

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.



Robert R. Scott
Commissioner



NEW HAMPSHIRE
DEPARTMENT OF
**Environmental
Services**

RSA/Rule: RSA 482-A/ Env-Wt 100-900

WETLANDS PERMIT APPLICATION

Land Resources Management
Wetlands Bureau

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



1. PROJECT INFORMATION

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: **180 Wentworth Shores Road**

TOWN/CITY: **Moultonborough**

TAX MAP: **147**

BLOCK:

LOT: **29**

UNIT:

USGS TOPO MAP WATERBODY NAME: **Lake Winnepesaukee**

NA

STREAM WATERSHED SIZE:

NA

LOCATION COORDINATES (if known): **1059720 E; 443805 N**

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.

Replace an existing 40' x 5' seasonal dock with a 5-slip seasonal modified "U-shaped" docking structure, consisting of one 6' x 65' pier and one 6' x 36' pier, with a 6' x 12' connecting boardwalk; install one 7' x 3' concrete anchoring pad.

4. SHORELINE FRONTAGE

NA This lot has no shoreline frontage.

SHORELINE FRONTAGE: **477**

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.

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

6. 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 17 - 3217**

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: ___

NA

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

7. APPLICANT INFORMATION (Required for all applicants)

LAST NAME, FIRST NAME, M.I.: **Halliday, William J. and Palma-Halliday, Karen**

TRUST / COMPANY NAME:

MAILING ADDRESS:

TOWN/CITY: **Moultonborough**

STATE: **NH**

ZIP CODE: **03254**

EMAIL or FAX:

PHONE:

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

8. 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 **DMD**, I hereby authorize NHDES to communicate all matters relative to this application electronically

9. AUTHORIZED AGENT INFORMATION

LAST NAME, FIRST NAME, M.I.: **Dolan, David M.**

COMPANY NAME: **David M. Dolan Associates, PC**

MAILING ADDRESS: **POB 1581**

TOWN/CITY: **Center Harbor**

STATE: **NH**

ZIP CODE: **03226**

EMAIL or FAX: **ddolan@doloansurvey.com**

PHONE: **(603) 253-8011**

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

10. 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, 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.


Property Owner Signature

WILLIAM J. HALLIDAY
Print name legibly

11/20/2017
Date

MUNICIPAL SIGNATURES

11. 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 property and
3. Has no objection to permitting the proposed work.

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 be reviewed in the standard review time frame.

12. 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.

Town/City Clerk Signature

Print name legibly

Town/City

Date

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.

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

13. IMPACT AREA

For each jurisdiction area that will be impacted, indicate the square feet and, if applicable, linear feet of impact.

Permanent impacts are indicated by a slash (/) and temporary impacts are indicated by a checkmark (✓).

For each jurisdiction area that will be impacted, indicate the square feet and, if applicable, linear feet of impact.

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	/	/
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
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	708	<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	708 /	/

14. 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: **708** sq. ft. X \$1.00 = **\$ 708.00**

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 = **\$ 908.00**

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



October 11, 2017

Moultonborough, NH

1 inch = 300 Feet

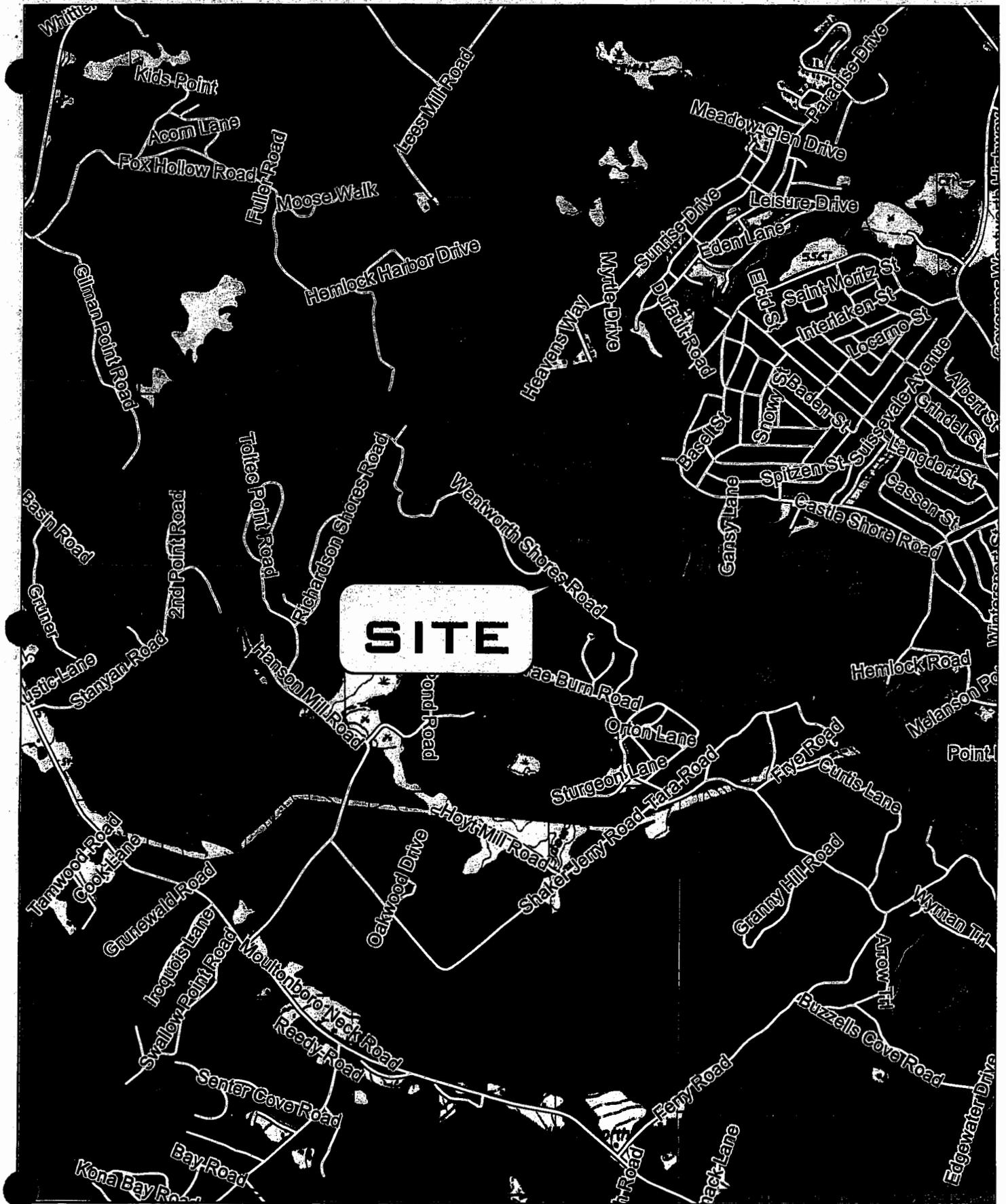


CAI Technologies

www.cai-tech.com



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



SITE

Name: CENTER HARBOR
 Date: 10/11/17
 Scale: 1 inch = 2,000 ft.

RECEIVED
 NOV 22 2017

Location: 043° 42' 59.2777" N, 071° 23' 06.5293" W
 Halliday
 180 Wentworth Shores Road, Moultonborough

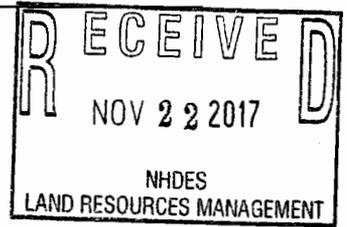
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NHDES
 LAND RESOURCES MANAGEMENT



NEW HAMPSHIRE NATURAL HERITAGE BUREAU
NHB DATACHECK RESULTS LETTER

To: David Dolan, David M. Dolan Associates, PC
PO Box 1581
Center Harbor, NH 03226



From: NH Natural Heritage Bureau

Date: 10/24/2017 (valid for one year from this date)

Re: Review by NH Natural Heritage Bureau of request submitted 10/20/2017

NHB File ID: NHB17-3217 Applicant: David Dolan

Location: Moultonborough
Tax Maps: Tax Map 147 Lot 29

Project Description: Replace an existing 40' x 5' seasonal dock with a 5-slip seasonal modified "U-shaped" docking structure, consisting of one 6' x 65' pier and one 6' x 36' pier, with a 6' x 12' connecting boardwalk; install one 7' x 3' concrete anchoring pad.

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.

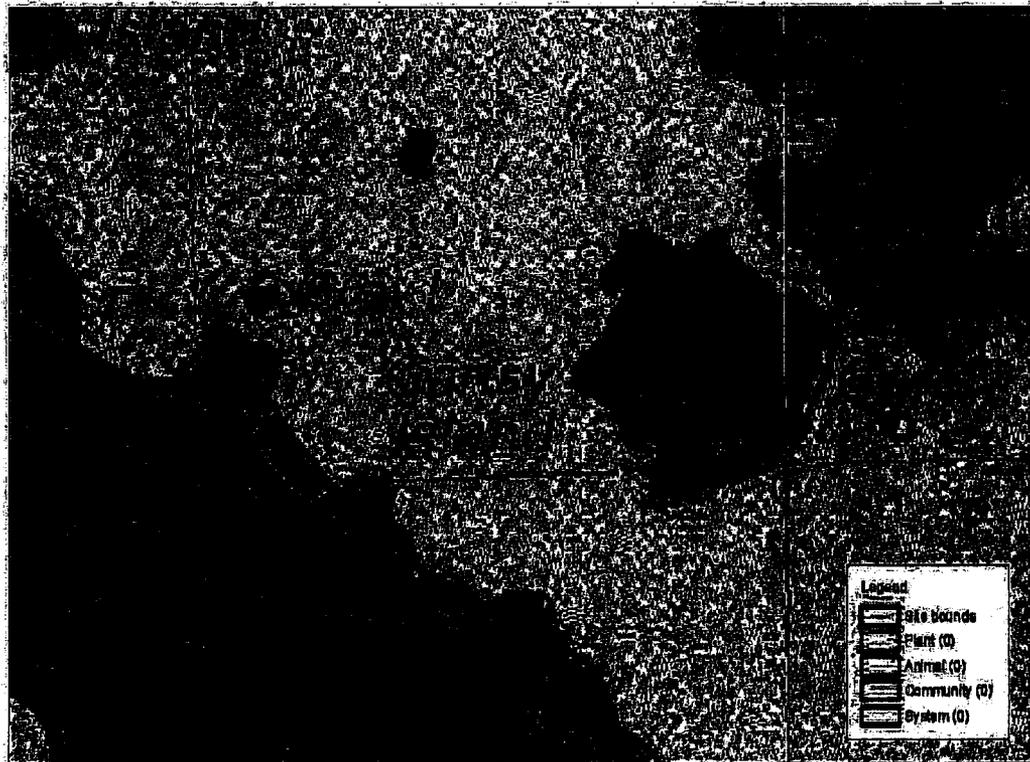
It was determined that, although there was a NHB record (e.g., rare wildlife, plant, and/or natural community) present in the vicinity, we do not expect that it will be impacted by the proposed project. This determination was made based on the project information submitted via the NHB Datacheck Tool on 10/20/2017, and cannot be used for any other project.



NEW HAMPSHIRE NATURAL HERITAGE BUREAU
NHB DATACHECK RESULTS LETTER

MAP OF PROJECT BOUNDARIES FOR: NHB17-3217

NHB17-3217

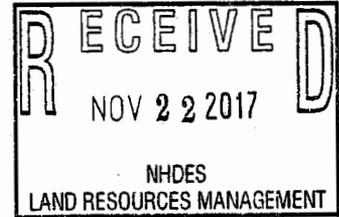


0 0.1 0.2 0.3 0.4 0.5 Miles

DEPARTMENT OF ENVIRONMENTAL SERVICES
LAND RESOURCES MANAGEMENT

WETLANDS BUREAU PERMIT APPLICATION

William R. Halliday & Karen Palma Halliday
Tax Map 147 Lot 29
180 Wentworth Shores Road
Moultonborough, Carroll County, NH



Abutter's List

<u>Map</u>	<u>Lot</u>	<u>Lot Owner</u>
Owner of Record:		
147	29	William R. Halliday and Karen Palma-Halliday [REDACTED] Moultonborough, NH 03254
Owner's Agent:		
		David M. Dolan, L.L.S. David M. Dolan Associates, P.C. PO Box 1581 Center Harbor, NH 03226
Abutters:		
147	30	John P. Prantis [REDACTED] Center Harbor, NH 03226
131	30	Walter C., Jr. and Sarah J. Larson [REDACTED] Pembroke, NH 03275