



The State of New Hampshire
Department of Environmental Services

Robert R. Scott, Commissioner



September 04, 2017

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

REQUESTED ACTION

Approve Mark & Susan O'Donnell's request to perform the following work on Winnisquam Lake, in Laconia. File # 2017-01369. This project will not have significant impact on or adversely affect the values of Winnisquam Lake.

Impact 28 square ft. of bank to construct a 7 ft. x 4 ft. concrete pad and install a 6 ft. x 40 ft. seasonal pier, a seasonal boatlift, and two seasonal personal watercraft lifts leeward of an existing 50 ft. curved breakwater and 4 ft. x 47 ft. cantilevered pier on an average of 197 ft. of frontage on Winnisquam Lake, in Laconia.

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

1. All work shall be in accordance with plans by Watermark Marine Construction as revised July 23, 2017, as received by the NHDES on July 31, 2017.
2. This permit is not valid and effective until it has been recorded with the appropriate county Registry of Deeds office 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. 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.

www.des.nh.gov

29 Hazen Drive • PO Box 95 • Concord, NH 03302-0095
(603) 271-3503 • Fax: 271-2867 TDD Access: Relay NH 1-800-735-2964

7. Only those structures shown on the approved plans shall be installed or constructed along this frontage. All portions of the structures, including the breakwater toe of slope, shall be at least 20 ft. from the abutting property lines or the imaginary extension of those lines into the water.
8. No portion of the seasonal pier shall extend more than 40 ft. from the shoreline at full lake elevation (Elev. 482.35).
9. All seasonal structures, including watercraft lifts, shall be removed for the non-boating season.

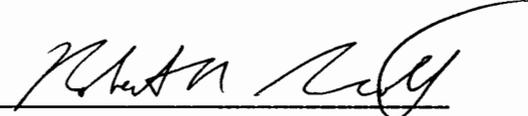
EXPLANATION

The NHDES Wetlands Bureau approved this project on August 03, 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(j), construction of docking facilities associated with a breakwater.
2. The applicant has an average of 197 ft. of shoreline frontage along Winnisquam Lake.
3. A maximum of 3 slips may be permitted on this frontage per Rule Env-Wt 402.13 Frontage Over 75'.
4. The proposed docking facility will provide 3 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 Winnisquam Lake 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



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



DES COPY

	<p>COMPLETE MAY 16 2017</p>	<p>2017-01369</p>	<p>677</p>
			<p>\$ 496.00</p>
			<p>Eric</p>

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: **674 Shore Drive** TOWN/CITY: **Laconia**

TAX MAP: **361** BLOCK: **199** LOT: **003** UNIT: **000**

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

LOCATION COORDINATES (If known): **43°32'51.63"N 71°29'57.32"W** 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.

Install a 6ft x 40ft seasonal crank-up dock and concrete hinge pad adjacent to existing breakwater dock to provide the three allowed boatslips. Additionally, install two seasonal PWC lifts and a single seasonal boatlift.

4. SHORELINE FRONTAGE

NA This lot has no shoreline frontage. SHORELINE FRONTAGE: **200ft+/-**

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.

#1999-01015

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 - 1005

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

7. APPLICANT INFORMATION (Desired permit holder)LAST NAME, FIRST NAME, M.I.: **O'Donnell, Mark and Susan**TRUST / COMPANY NAME: **N/A**

MAILING ADDRESS: [REDACTED]

TOWN/CITY: **Southborough**STATE: **MA**ZIP CODE: **01772**EMAIL or FAX: **N/A**PHONE: **N/A**ELECTRONIC COMMUNICATION: By initialing here: **N/A**, 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.: **O'Donnell, Mark and Susan**TRUST / COMPANY NAME: **N/A**

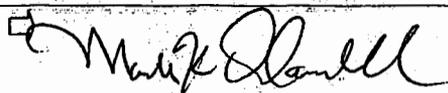
MAILING ADDRESS: [REDACTED]

TOWN/CITY: **Southborough**STATE: **MA**ZIP CODE: **01772**EMAIL or FAX: **N/A**PHONE: **N/A**ELECTRONIC COMMUNICATION: By initialing here: **N/A**, I hereby authorize NHDES to communicate all matters relative to this application electronically**9. 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**10. 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.



Property Owner Signature

MARK K O'Donnell

Print name legibly

5/8/17

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 project; and
3. Has no objection to permitting the proposed work.

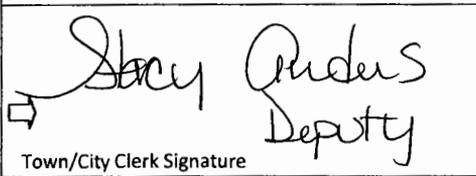
	Print name legibly	Date
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DIRECTIONS FOR CONSERVATION COMMISSION

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 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	Stacy Anders Deputy Print name legibly	Laconia Town/City	5-12-17 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 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.

13. 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	28 /	/
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	<input type="checkbox"/> ATF	240
Docking - River	<input type="checkbox"/> ATF	<input type="checkbox"/> ATF
Docking - Tidal Water	<input type="checkbox"/> ATF	<input type="checkbox"/> ATF
TOTAL	28 /	240 /

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: **240** sq. ft. X \$1.00 = **\$ 240.00**

Permanent docking structure: **28** sq. ft. X \$2.00 = **\$ 56.00**

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

Total = **\$ 496.00**

The Application Fee is the above calculated Total or \$200, whichever is greater = **\$ 496.00**



O'Donnell Property

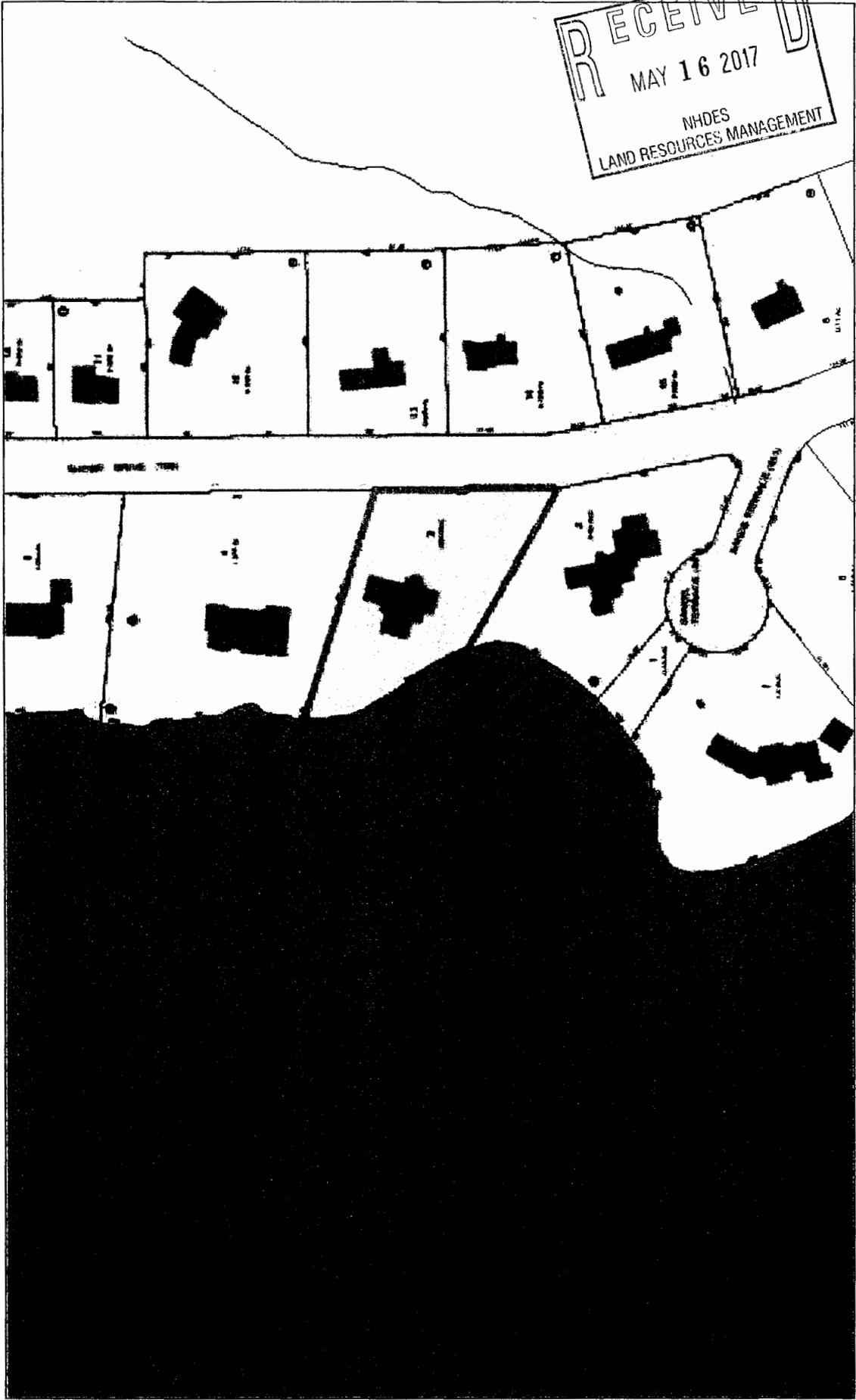
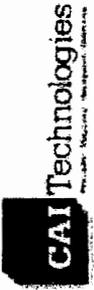
Laconia, NH

December 2, 2016

1 inch = 150 Feet



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RECEIVED
MAY 16 2017
NHDES
LAND RESOURCES MANAGEMENT

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.

O'Donnell Property



Legend

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

R E C E I V E D
 MAY 16 2017
 NHDES
 LAND RESOURCES MANAGEMENT

Map Scale

1: 12,000

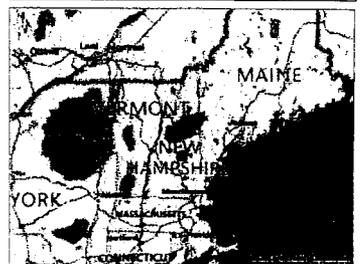


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Map Generated: 4/5/2017

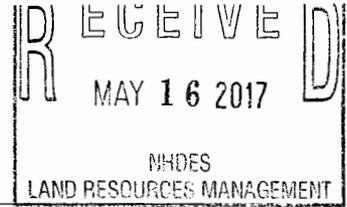
Notes

Mark and Susan O'Donnell
 674 Shore Drive, Laconia
 TM/L #361-199-003
 NH Stateplane NAD83 (feet)
 Easting: 1,028,634.60
 Northing: 381,884.08





New Hampshire Natural Heritage Bureau



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

Date: 4/4/2017

From: NH Natural Heritage Bureau

Re: Review by NH Natural Heritage Bureau of request dated 4/4/2017

NHB File ID: NHB17-1005

Applicant: Mark and Susan O'Donnell

Location: Tax Map(s)/Lot(s): 361-199-003
Laconia

Project Description: Install a seasonal crank-up dock adjacent to a permanent breakwater dock. Additionally, install a seasonal boatlift and two seasonal PWC lifts.

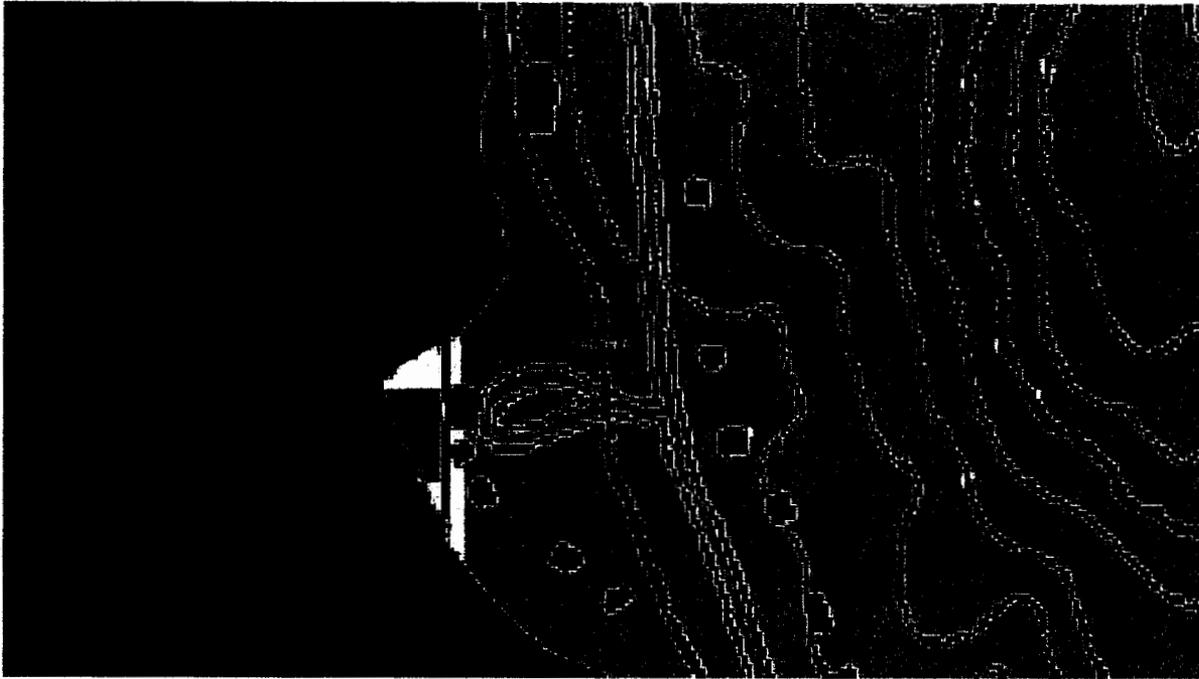
The NH Natural Heritage database has been checked for records of rare species and exemplary natural communities near the area mapped below. The species considered include those listed as Threatened or Endangered by either the state of New Hampshire or the federal government. We currently have no recorded 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 4/3/2018.



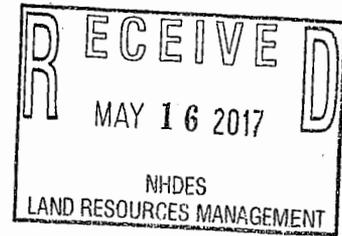
MAP OF PROJECT BOUNDARIES FOR NHB FILE ID: NHB17-1005





0 foot Abutters List Report

Laconia, NH
April 04, 2017



Subject Property:

Parcel Number: 361-199-3
CAMA Number: 361-199-3
Property Address: 674 SHORE DR

Mailing Address: O'DONNELL MARK K & SUSAN
CATHERINE
[REDACTED]
SOUTHBOROUGH, MA 01772

Abutters:

Parcel Number: 361-199-4
CAMA Number: 361-199-4
Property Address: 684 SHORE DR

Mailing Address: TYLER SHARON S 1994 TRUST TYLER
SHARON S TRUSTEE
[REDACTED]
LACONIA, NH 03246

Parcel Number: 361-341-2
CAMA Number: 361-341-2
Property Address: 15 SANDS TR

Mailing Address: KURYS CHESTER J & J MARIE
[REDACTED]
BEDFORD, MA 01730

7015 3430 0000 1708 8465

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Certified Mail Fee \$ 3.35

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 \$.46

Total Postage and Fees \$ 3.81

Chester and Marie Kurys
[REDACTED]
Bedford, MA 01730

Postmark: MAY 12 2017 Here
LAKEPORT NH, 03246

See Reverse for Instructions

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OFFICIAL USE

Certified Mail Fee \$ 3.35

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 \$.46

Total Postage and Fees \$ 3.81

Sharon Tyler
[REDACTED]
Laconia, NH 03246

Postmark: MAY 12 2017 Here
LAKEPORT NH, 03246

See Reverse for Instructions



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