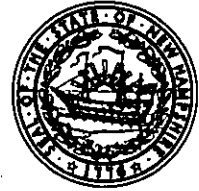




The State of New Hampshire
Department of Environmental Services



Robert R. Scott, Commissioner

July 16, 2018

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

REQUESTED ACTION

Approve Jeffrey and Tracey Bennett's request to perform the following work on Lake Winnepesaukee, in Moultonborough. File # 2018-00881. This project will not have significant impact on or adversely affect the values of Lake Winnepesaukee.

Abandon and remove the permanent "U" shape crib dock with four 6 foot x 6 foot cribs, two 6 foot x 30 piers and a 6 foot x 12 foot connecting walkway, construct two 4 foot x 7 foot concrete anchor pads, construct a "U" shape seasonal dock with two 6 foot x 47.5 foot seasonal piers with a 6 foot x 12 foot walkway, and a seasonal boatlift between the two piers on an average of 450 feet of frontage with a previously permitted as built 1,777 square foot dug in boat house along Lake Winnepesaukee, in Moultonborough.

The New Hampshire Department of Environmental Services (NHDES) imposed the following conditions as part of this approval:

1. All work shall be in accordance with plans by Watermark Marine Construction dated February 25, 2018 and as received by the NH Department of Environmental Services (NHDES) on April 3, 2018.
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 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).
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. All construction-related debris shall be placed outside of the areas subject to RSA 482-A. Any spoil material deposited within 250 feet of any surface water shall comply with RSA-483-B.
8. 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).
9. 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.

10. 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.
11. No portion of the pier shall extend more than 47.5 feet from the shoreline at full lake elevation (Elevation 504.32).
12. All seasonal structures, including watercraft lifts, shall be removed for the non-boating season.

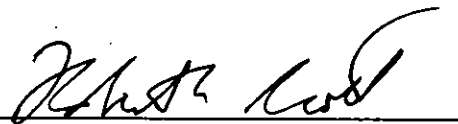
EXPLANATION

The NHDES Wetlands Bureau approved this project on June 15, 2018. NHDES supported its decision with the following findings:

1. This is a major impact project per Administrative Rule Env-Wt 303.02(d) for the modification of a major docking system.
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 an average of 450 feet of shoreline frontage along Lake Winnepesaukee.
6. A maximum of 7 slips may be permitted on this frontage per Rule Env-Wt 402.13, Frontage Over 75'.
7. The proposed seasonal docking facility will provide three slips and the previously constructed dug in boat house provides 3 slips as defined per RSA 482-A:2, VIII and, therefore, meets Rule Env-Wt 402.13.
8. In accordance with RSA 482-A:8, NHDES finds that the requirements for a public hearing do not apply as the permitted project is not of substantial public interest, and will not have a significant impact on or adversely affect the values of the lacustrine resource, as identified under RSA 482-A:1.

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



WETLANDS PERMIT APPLICATION

Water Division/ Wetlands Bureau
Land Resources Management

OLIG
P NOTES



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

RS 485-A:17, RSA 485-A:2, Env. W. 109:300

ATTACHED...

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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: **68 Churchwood Lane** TOWN/CITY: **Moultonboro**

TAX MAP: **234** BLOCK: **005** LOT: **000** UNIT: _____

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

LOCATION COORDINATES (if known): **43.6764/71.3517** Latitude/Longitude UTM

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.

We propose to remove the existing "U" shaped 6 ft x 30 ft permanent crib dock and install a "U" shaped 6 ft x 47.5 ft seasonal crank-up dock with a seasonal boatlift...Notarized Abutter consent is included herewith and this structure is over 545 ft from the abutter's dock...also seeking approval of the "as-built" dug-in boathouse configuration which is less impacting than originally approved (net less 129 sq ft)...see file #1999-02094 & #2002-00313...

5. SHORELINE FRONTAGE:

- NA This does not have shoreline frontage. SHORELINE FRONTAGE: **450 ft +/-**

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 18 - 0668**

- 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

lm@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.: **Owner is applicant...**

TRUST / COMPANY NAME:

MAILING ADDRESS:

TOWN/CITY:

STATE:

ZIP CODE:

EMAIL or FAX:

PHONE:

ELECTRONIC COMMUNICATION: By initialing here: _____, 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.: **Bennett, Jeffrey & Tracey**

TRUST / COMPANY NAME:

MAILING ADDRESS:

TOWN/CITY: **Lincoln**STATE: **MA**ZIP CODE: **01773**

EMAIL or FAX:

PHONE:

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

10. AUTHORIZED AGENT INFORMATIONLAST NAME, FIRST NAME, M.I.: **Goodwin, Paul W**COMPANY NAME: **Watermark Marine Const.**MAILING ADDRESS: **1218 Union Avenue**TOWN/CITY: **Laconia**STATE: **NH**ZIP CODE: **03246**EMAIL or FAX: **pwg@watermarkmarine.com**PHONE: **603-293-4000**ELECTRONIC COMMUNICATION: By initialing here **PWG**, 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

Jeffrey Bennett

Print name legibly

Date

3/18/2018

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 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 be 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:

	Kathleen Benson	Merrimack	4-2-18
Town/City Clerk Signature	Print name legibly	Town/City	Date

DIRECTIONS FOR TOWN/CITY CLERK

Per RSA 482-A:31

- 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.	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	/ <input type="checkbox"/> ATF	/ <input type="checkbox"/> ATF
Lake / Pond	/ <input type="checkbox"/> ATF	/ <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	56 / 7 <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	<input type="checkbox"/> ATF	210 <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
Vernal Pool	<input type="checkbox"/> ATF	<input type="checkbox"/> ATF
TOTAL	/	/

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)	56 sq. ft.	X	\$0.20 =	\$ 11.20
Temporary (seasonal) docking structure:	210 sq. ft.	X	\$1.00 =	\$ 210.00
Permanent docking structure:	sq. ft.	X	\$2.00 =	\$
Projects proposing shoreline structures (including docks) add \$200 =				\$ 200.00
Total =				\$ 421.20

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

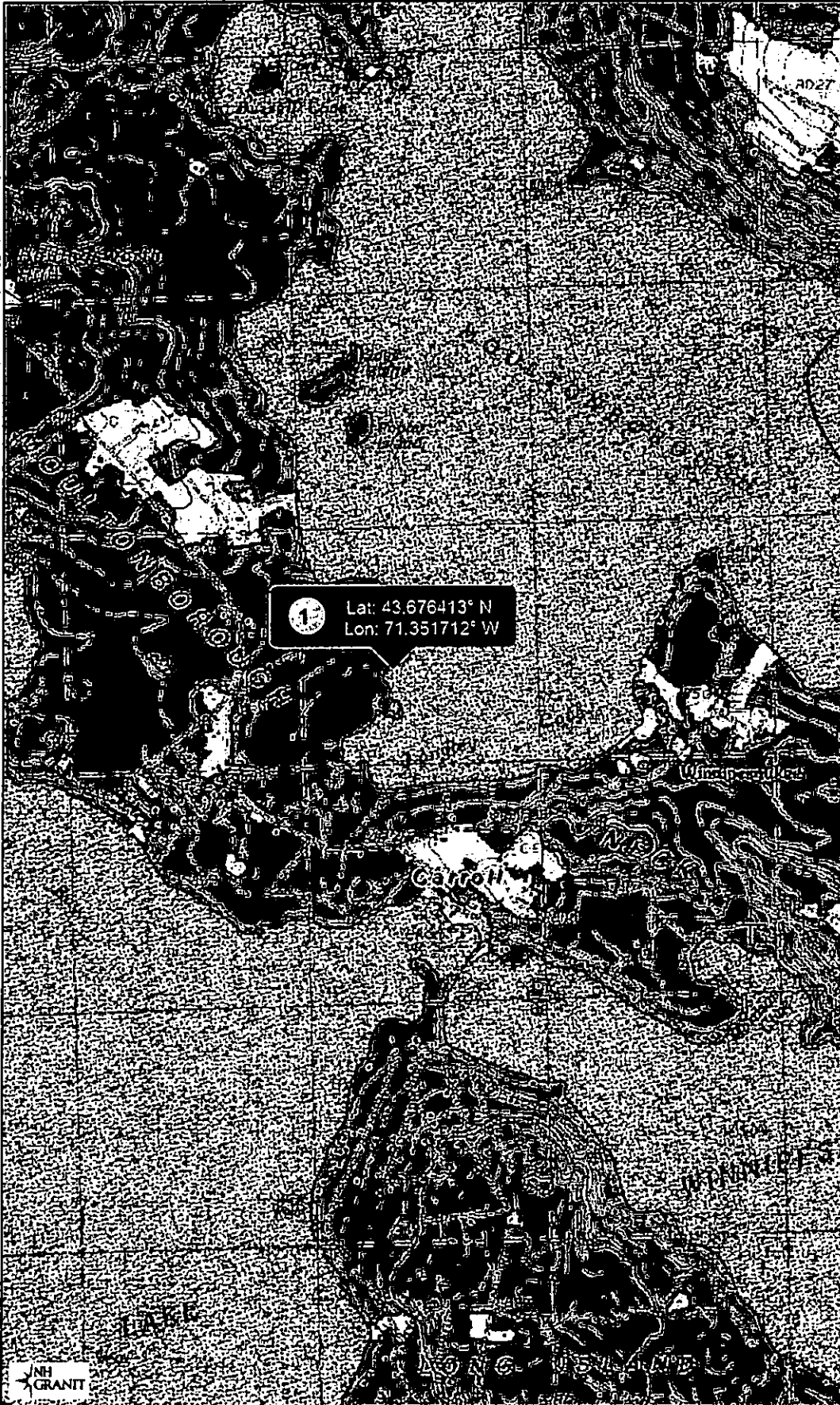


SITE

BENNETT PROPERTY
Moultonboro, NH

2460 24610 24611

BENNETT PROPERTY



Legend

- State
- County
- City/Town

Lat: 43.676413° N
Lon: 71.351712° W

Map Scale
1: 24,000



© NH GRANIT, www.granit.unh.edu
Map Generated: 2/26/2018

Notes

Moultonboro, NH





NEW HAMPSHIRE NATURAL HERITAGE BUREAU
NHB DATACHECK RESULTS LETTER

To: Paul Goodwin, Watermark Marine Construction
Watermark Marine Construction
1218 Union Avenue
Laconia, NH 03246

From: NH Natural Heritage Bureau

Date: 3/5/2018 (valid for one year from this date)

Re: Review by NH Natural Heritage Bureau of request submitted 2/26/2018

NHB File ID: NHB18-0668

Applicant: Jeffrey Bennett

Location: Moultonborough
Tax Maps: 234-005-000

Project Description: Replace existing "J" shaped permanent dock with a "U" shaped seasonal dock and seasonal boat lift.

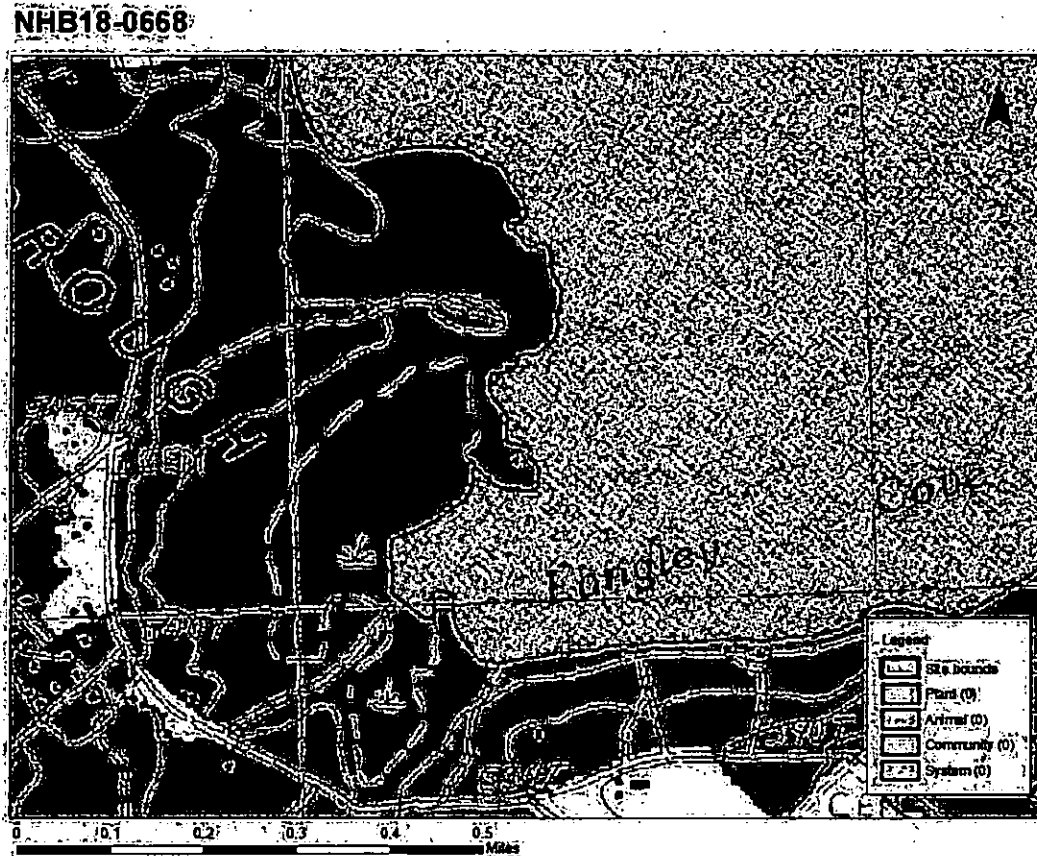
The NH Natural Heritage database has been checked by staff of the NH Natural Heritage Bureau and/or the NH Nongame and Endangered Species Program for records of rare species and exemplary natural communities near the area mapped below. The species considered include those listed as Threatened or Endangered 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 2/26/2018, and cannot be used for any other project.



NEW HAMPSHIRE NATURAL HERITAGE BUREAU
NHB DATACHECK RESULTS LETTER

MAP OF PROJECT BOUNDARIES FOR: NHB18-0668





10 foot Abutters List Report

Moultonborough, NH
December 21, 2017

Subject Property:

Parcel Number: 234005000
CAMA Number: 234005000000000
Property Address: 68 CHURCHWOOD LANE Unit 000

Mailing Address: BENNETT, JEFFREY & TRACEY A
LINCOLN, MA 01773

Abutters:

Parcel Number: 234001000
CAMA Number: 234001000000000
Property Address: CHURCHWOOD LANE Unit 000

Mailing Address: PINES AT LANGDON COVE ASSOC
816 NORTH MAIN STREET
LACONIA, NH 03246

Parcel Number: 234004000
CAMA Number: 234004000000000
Property Address: 72 CHURCHWOOD LANE Unit 000

Mailing Address: DESMOND TIMOTHY F III & DONNA
WINCHESTER, MA 01890-3542

Parcel Number: 234006000
CAMA Number: 234006000000000
Property Address: 60 CHURCHWOOD LANE Unit 000

Mailing Address: DINOVI ANTHONY J & DEANNA L
WELLESLEY, MA 02481

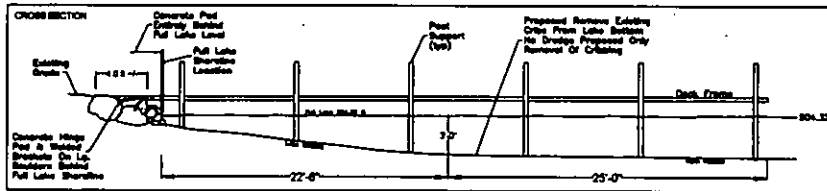
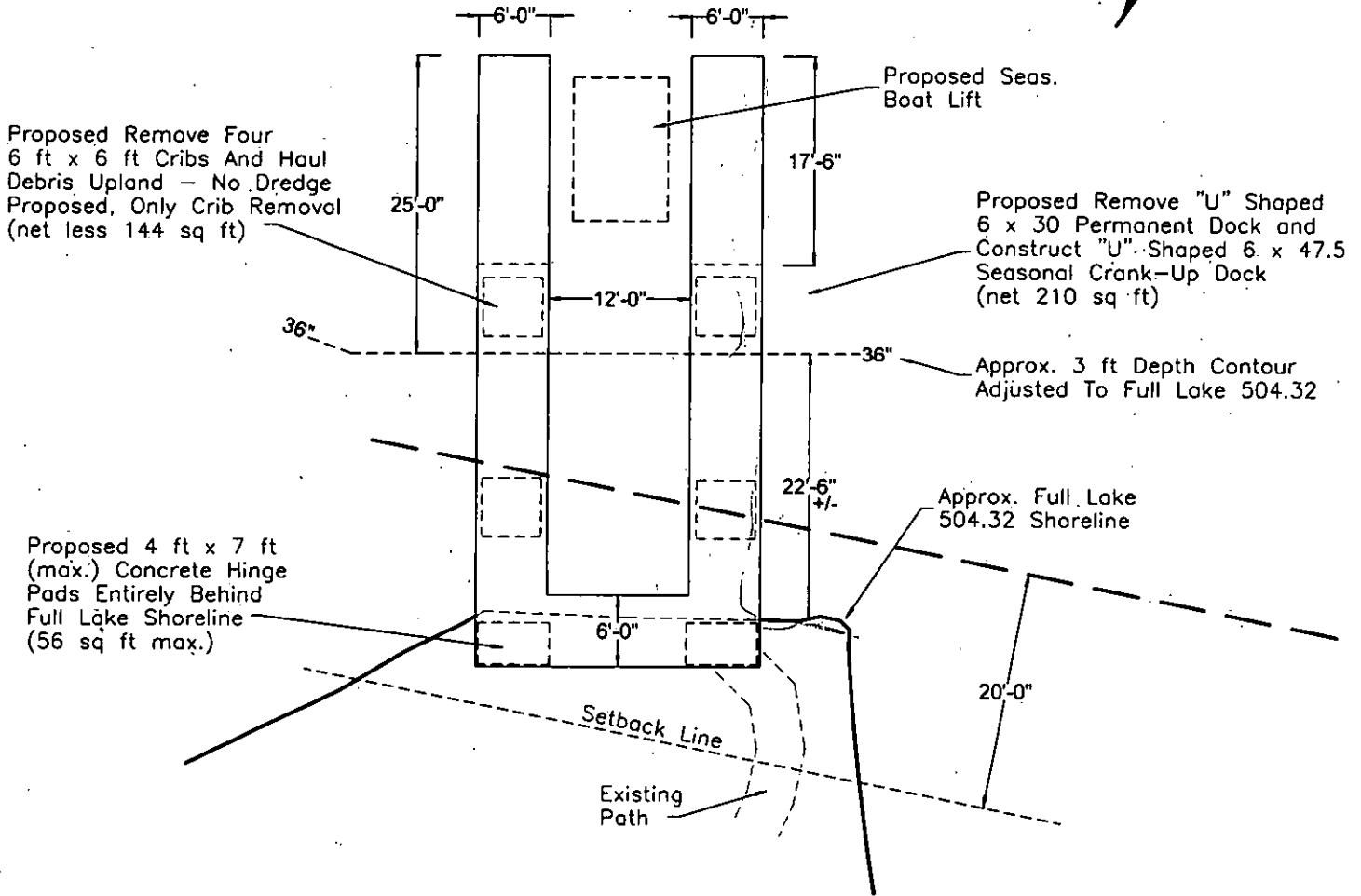
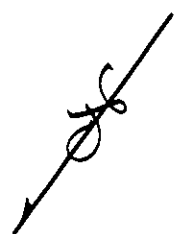
Parcel Number: 235001000
CAMA Number: 235001000000000
Property Address: CHURCHWOOD LANE Unit 000

Mailing Address: PINES AT LANGDON COVE ASSOC
816 NORTH MAIN STREET
LACONIA, NH 03246



www.cai-tech.com

DOCK DETAIL:



BENNETT DOCKAGE
 Moultonboro, NH
 2-25-18 1" = 15'

Lake Winnepesaukee

Full Lake Shoreline 504.32

545 ft +/-
To Abutter's
Dockage

Existing "U" Perm. Dockage
(See Permit #1999-02094)
See Detail Plan

Setback Line

20'-0"

Approx. 504.32 Full
Lake Shoreline

The Only 394.41 ft

508 ft +/-
Along Shore

394.41 ft Straight Line Frontage
506 ft +/- Shoreline Frontage
450 ft +/- Average Frontage

Existing Dug-In Boathouse
(See Permit #2002-00313)
No Work Proposed

The baseline details of this plan were scanned from a survey by Yerkes Assoc. dated 1997, Lakeshore Const. Wetlands Plans and field work. This is not a survey plan and is to be used only for the purposes of a NH DES Wetlands Bureau permit application package.

BENNETT PROPERTY
Moultonboro, NH
2-25-18 1" = 40'