

The State of New Hampshire

Department of Environmental Services

Robert R. Scott, Commissioner



July 15, 2019

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

REQUESTED ACTION

Approve the Town of Moultonborough's request to perform the following work on Lake Winnipesaukee in Moultonborough. File # 2018-01134. This project will not have significant impact on or adversely affect the values of Lake Winnipesaukee.

The Applicant requests that the permit be amended to include improvements of the boat launch surface and the addition of a seasonal pier.

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 revised plans by KV Partners, LLC dated March 26, 2019 and cross sections dated April 6, 2019, as received by DES on April 10, 2019.
- 2. 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.
- 3. The Applicant shall implement and adhere to the Invasive Species Control Plan, Lake Winnipesaukee, States Landing Beach at States Landing Road, Moultonborough, NH.
- 4. Work authorized shall be carried out such that there are no discharges in or to spawning or nursery areas during spawning seasons. Impacts to such areas shall be avoided or minimized to the maximum extent practicable during all other times of the year.
- 5. Work shall be carried out in a time and manner to avoid disturbances to migratory waterfowl breeding and nesting
- 6. Appropriate siltation and erosion controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized. Temporary controls shall be removed once the area has been stabilized.
- 7. 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 until suspended particles have settled and water at the work site has returned to normal clarity.
- 8. All dredged material 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.
- 9. 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).
- 10. This permit authorizes a single dredge event in the area depicted on the approved plans to correct the effects inadequate stormwater management and soil stabilization along State's Landing Road. The Applicant accepts that should the dredge area be refilled no new dredge will be permitted.
- 11. The entire dredge area shall be enclosed by appropriate turbidity controls.
- 12. Equipment initially entering surface waters shall be completely free of any imported aquatic plants and animals.
- 13. Watercraft and equipment washing/rinsing shall not occur in any area that is subject to RSA 482-A jurisdiction.

- 14. Launching and recovering equipment and off-loading spoils shall not destabilize or otherwise disturb the bank.
- 15. No person undertaking any activity shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards in RSA 485-A and Env-Wq 1700.
- 16. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, with a preferred undisturbed vegetated buffer of at least 50 feet and a minimum undisturbed vegetative buffer of 20 feet.
- 17. Only those structures shown on the approved plans shall be installed or constructed along this frontage. All portions of the seasonal docking structure shall be at least 20 feet from the abutting property lines or the imaginary extension of those lines into the water.
- 18. No portion of the pier shall extend more than 80 feet from the shoreline at full lake elevation (Elev. 504.32).
- 19. All seasonal structures, including watercraft lifts, shall be removed for the non-boating season.

EXPLANATION

The NHDES approved this project on June 13, 2019. The NHDES supported its decision with the following findings:

- 1. This is a major impact project per Administrative Rule Env-Wt 303.02(g), dredge of more than 20 cubic yards of material from public waters.
- 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 Department finds that because the project is not of significant public interest and will not significantly impair the resources of Lake Winnipesaukee a public hearing under RSA 482-A:8 is not required.
- 6. The sediment to be removed from the lakebed consists largely of sand and silt eroded from State's Landing Road and deposited by stormwater running down the existing boat launch and across the existing public beach.
- 7. The Town of Moultonborough has completed improvements to the stormwater management along State's Landing Road and has proposed additional improvements to the stormwater management along bot the Road and upslope of the public beach.
- 8. The proposed dredging in combination with the completed and proposed stormwater management improvements shall serve to correct site conditions resulting in continuing adverse impacts to Lake Winnipesaukee.
- 9. The existing boat launch is available for free public use.
- 10. The proposed extension and upgrade of the launch surface has been designed to benefit the public interest by continuing to provide free public access to Lake Winnipesaukee while reducing turbidity and lakebed scour that have historically occurred as a result of powering water craft onto and off of trailers at this facility.
- 11. Rule Env-Wt 402.03, Dimensions, which establishes standard seasonal pier dimensions of 6 feet x 40 feet for seasonal piers on lakes over 1000 acres is waived pursuant to Part Env-Wt 204, Waivers, as the proposed 8 foot x 80 foot seasonal pier will improve the safety of both those individuals using the launch and those people using the existing public beach that will be separated from the adjacent launch by the new pier and thus the pier is deemed to be in the public interest.

Application file documents are being forwarded to the Governor and the 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.

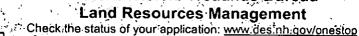
Respectfully submitted,

Robert R. Scott Commissioner



WETLANDS PERMIT APPLICATION

Water Division/ Wetlands Bureau Land Resources Management





L'AND RESOURCES MANAGEMENT REVIEW TIME Indicate your Review Time below. To idetermine review time, refer to Guidance in occurrent Afor Standard Review (Minimum, Minor or Major Impact) ☐ Expedited Review (Minimum Impact only) 2 MITIGATION REQUIREMENT Himitigation 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 1997 Mitigation Pre-Application Meeting Date: Month: Day: ■ N/A - Mitigation is not required 3 PROJECTALOCATION: Separate welland permit applications must be submitted for each municipality, that well and impacts occur within ADDRESS States Landing Beach Road TOWN/CITY: Moultonborough BLOCK: n/a TAX MAP: 120 LOT: 95 Ú UŇÍŤ∷n/a USGS TOPO, MAP WATERBODY NAME: Lake Winnipesaukee □ NA STREAM WATERSHED SIZE: 12: .⊠ NA LOCATION COORDINATES (If known): 434336.00/712226.65 PROJECT/DESCRIPTION 2 Provide a brief, description of the project outlining the scope of works (Attach additional sheets) as needed to pr (project*D@)NOT reply: See Attached in the space provided below Dredge the swim and boat ramp areas in Lake Winnipausaukee at the States Landing Beach Recreational Area located at the terminus of States Landing Road. The purpose of the project is to restore the swim and boat ramp. areas to their historic recreational value for the residents of the Town of Moultonborough and the general public. 5 SHORELINE FRONTAGE NA This does not have shoreline frontage. SHORELINE FRONTAGE: 295' 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 in required the status of the application To determine it other Land Resources Management Permits are required, refer to the Land Resources Management Web Page **Permit Type** Permit Required File Number Permit Application Status ☐ YES Alteration of Terrain Permit Per RSA 485-A:17 APPROVED PENDING DENIED APPROVED | PENDING | DENIED APPROVED | PENDING | DENIED APPROVED | PENDING | DENIED Individual Sewerage Disposal per RSA 485-A:2 Ø NO YES Subdivision Approval Per RSA 485-A ☐ YES ☒ NO Shoreland Permit Per RSA 483-B ☐ YES 図 NO NATURAL HERITAGE BUREAU & DESIGNATED RIVERS See the Instructions & Required Attachments document for instructions to complete a & bibelow. a. Natural Heritage Bureau File ID: NHB 18 -Designated River the project is in 1/4 miles of: date a copy of the application was sent to the Local River Management Advisory Committee: Month: ___ Day: ___ ⊠ N/A

8 APPLICANT INFORMATION (Desired permit) holder)			¥3007#83	
LASTINAME, FIRST NAME, M.I.: Town of Moultonborough	return to the second			
TRUST, COMPANY NAME Town of Moultonborough	MAILING AD	DRESS: 6 H	Iolland Street	; PO Box 139
TOWN/CITY: Moultonborough			STATE: NH	ZIP CODE: 03254
EMAIL or FAX: wjohnson@moultonboroughnh.gov	PHONE	603-476-	2347	
ELECTRONIC COMMUNICATION: By initialing here: WJ , I hereby	y authorize NHDES to	communicate	all matters relative	ve to this application electronically.
9 PROPERTY OWNER INFORMATION: (If different than a	pplicant)			Charles and American
LAST NAME, FIRST NAME, M.I.			,	
TRUST / COMPANY NAME:	MAILING AD	DRESS:	,	Superior Superior
TOWNCITY	,		STATE.	ZIP CODE:
EMAIL or FAX:		PHÓNE:		No. 10 September 1997
ELECTRONIC COMMUNICATION: By initialing here I here electronically.	eby authorize NHDES	to communic	ate all matters rel	ative to this application
10 AUTHORIZED AGENT INFORMATION		43777		
LAST NAME, FIRST NAME, M.L. Korber, Raymond H-		COMPANY	Ŋ <u>Ą</u> MĘ: KVPart r	ers LLC
MAILING ADDRESS: PO Box 7721	>	$\theta \in \widehat{\mathcal{A}}$		44
TOWNCITY: Gilford			STATE: NH	ZIP CODE: 03247
EMAIL-or FAX-rkorber@kvplic.com	PHONE:-60	3-5/13-19()9	
ELECTRONIC COMMUNICATION: By initialing here RK	authorize NHDES to c	ommunicate	all matters relativ	e to this application electronically.
11 PROPERTY OWNER SIGNATURE See the Instructions & Required Attachments document for cla	THE CONTRACTOR	700 NA/147	TA DOMEST	
By signing the application, I am certifying that:				
I authorize the applicant and/or agent indicated on this fupon request, supplemental information in support of the			rocessing of this	s application, and to furnish
I have reviewed and submitted information & attachmen All abutters have been identified in accordance with RSA	its outlined in the Ins	structions a		achment document.
4. I have read and provided the required information outline	ed in Env-Wt 302.04	for the app	olicable project t	type.
5. I have read and understand Env-Wt 302.03 and have ch 6. Any structure that I am proposing to repair/replace was	• • • • • • • • • • • • • • • • • • • •	~		reau or would be considered
grandfathered per Env-Wt 101.47. 7. I have submitted a Request for Project Review (RPR) For	orm (www.nh.gov/nl	ndhr/review) to the NH Stat	e Historic Preservation Officer
(SHPO) at the NH Division of Historical Resources to id ———with-the lead-federal-agency-for NHPA-106-compliance-	lentify the presence			
8. I authorize NHDES and the municipal conservation com	mission to inspect t			
I have reviewed the information being submitted and that the villful submission of falsified or mis				
Environmental Services is a criminal act, which may res	sult in legal action.			:
 11. I am aware that the work I am proposing may require ad 12. The mailing addresses I have provided are up to date ar forward returned mail. 				
				4.642/202
Jan in Brielli	Jean In Boad	€		11912018

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

MUNICIPAL SIGNATURES

		MMISSI		

The signature below certifies that the municipal conservation commission has reviewed this application, and

Waives its right to intervene per RSA 482-A:11:

Believes that the application and submitted plans accurately represent the proposed project; and

Has no objection to permitting the proposed work :

Nane Barnsha

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.

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.

Busan Wakefiel

Barbara Wakefield Moulforboro

Print name legibly

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.

*14-IMPACT AREA For each jurisdictional area that will Remanent impacts that will remain	be/has been impacted provide sq		apolicable; linear feet of impact: //2/ A	
		e-construction co	onditions) after the project is complete	
JURISDICTIONAL AREA	PERMANENT Sq. Ft. / Lin. Ft.		TEMPORARY Sq. Ft. / Lin. Ft.	
Forested wetland	,	☐ ATF		ATF
Scrub-shrub wetland		☐ ATF		ATF
Emergent wetland		ATF		ATF
Wet meadow	V. 10 - 1 - 1 - 1 - 1 - 1 - 1 - 1 - 1 - 1	ATF		ATF
Intermittent stream	, , , , , , , , , , , , , , , , , , , ,	ATF		ATF
Perennial Stream / River	27,000 /	ÄTF	1	ATF
Lake / Pond	1	ATF	1	ATF
Bank - Intermittent stream	1	ATF	1	ATF
Bank - Perennial stream / River	1	ATF	1	ATF
Bank - Lake / Pond	1	ATF	, /	ATF
Tidal water	1	_ ATE		ATF
Salt marsh		ATF	,	ATF
Sand dune		ATF		ATF
Prime wetland		ATF -		ATF
Prime wetland buffer		ATF		ATF
Undeveloped Tidal Buffer Zone (TBZ)	the said for the shaded ways didd if the shaded the	ATF		ATF
Previously-developed upland in TBZ		ÂTF		ATF
Docking - Lake / Pond		ATF		ATF
Docking - River		ATF	· · · · · · · · · · · · · · · · · · ·	ATF
Docking - Tidal Water	,	ATF	10 10 10	ATF
Vernal Pool		ATF		ATF
TOTAL	1		1	
15. APPLICATION FEE: See the Ins	structions & Required Attachments	document for fu	irther instruction	: :
☐ Minimum Impact Fee: Flat fee of ☐ Minor or Major Impact Fee: Calc				
Permanent	and Temporary (non-docking)	27000 sq.	ft. X \$0.20 = \$5400	·
Temporary	(seasonal) docking structure:	sq.	ft. X \$1.00 = \$	
	Permanent docking structure:	sq.	ft. X \$2.00 = \$	
Projec	ts proposing shoreline structure	es (including do	ocks) add \$200 =\$	
			Total = _\$	
The Applicati	on Fee is the above calculated To	tal or \$200, whic	hever is greater = \$	

Irm@des.nh.gov_or_(603) 271-2147

NHDES Wetlands Bureau, 29 Hazen Drive, PO Box 95, Concord, NH 03302-0095

www.des.nh.gov





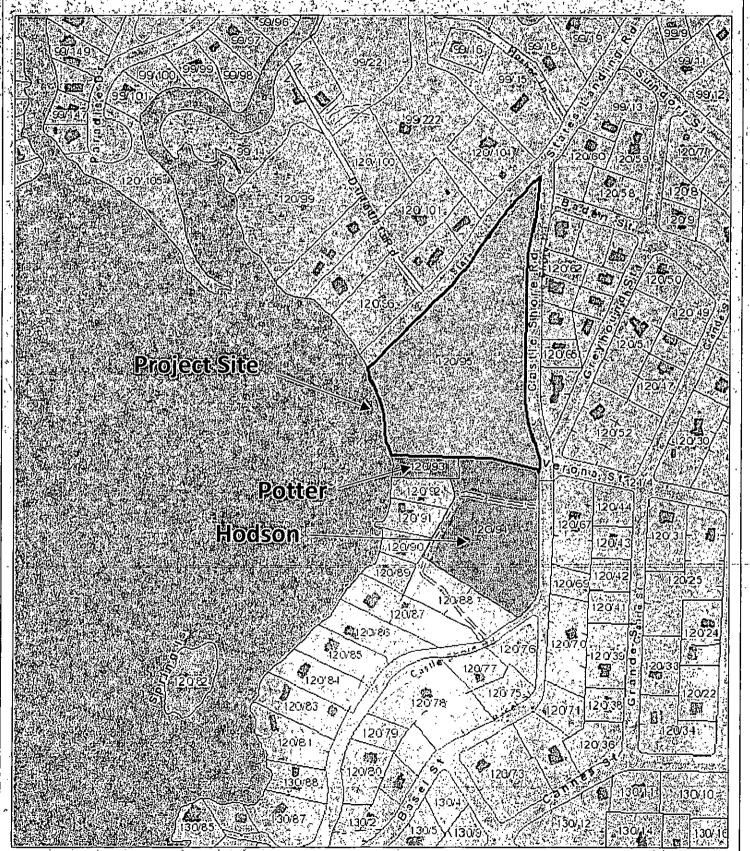
Figure 3 Abutters Map

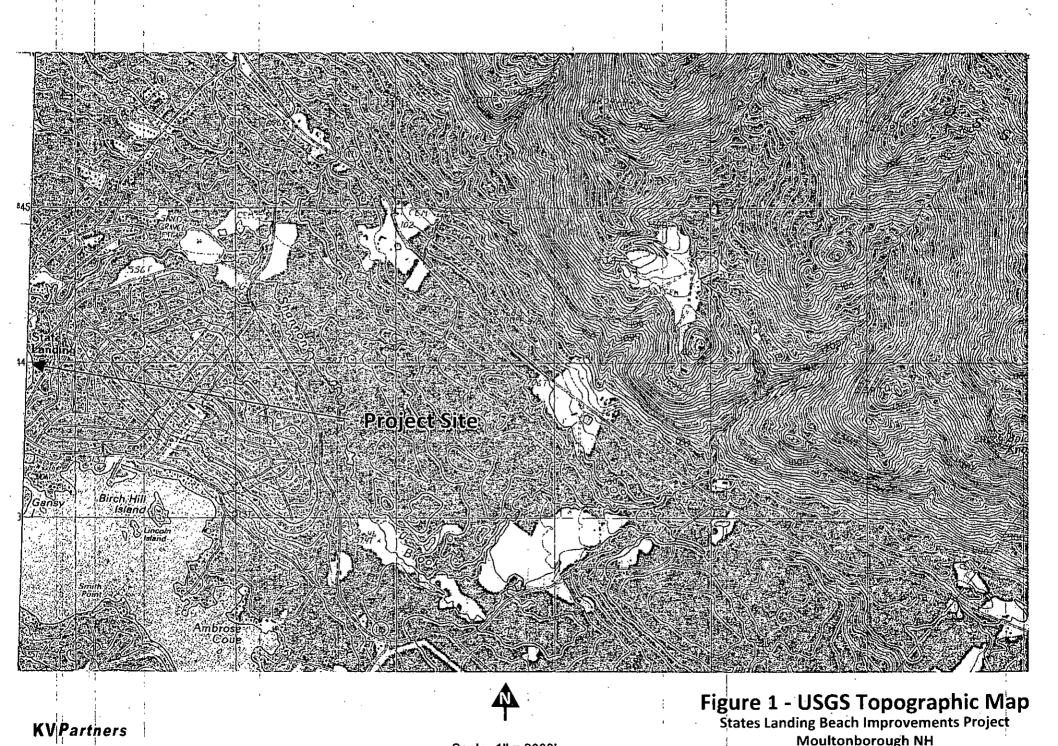
KV Partners

April 10, 2018

States Landing Beach Improvements Project
Moultonborough NH

Scale: 1" = 300'





Scale: 1" = 2000"

Moultonborough NH

To:

Ray Korber

PO Box 7721

∴ Date: 4/9/2018

Gilford, NH-03247

From: NH Natural Heritage Bureau

Re:

Review by NH Natural Heritage Bureau of request dated 4/9/2018

NHB File ID: NHB18-1116

Location Tax Map(s)/Lot(s): 120/95 Moultonborough

Project Description:

Dredge the swim and boat ramp areas in Lake.
Winnipausaukee at the States Landing Beach.
Recreational Area located at the ferminus of States.
Landing Road. The purpose of the project is to great the swim and boat ramp areas to their historic recreational. value for the residents of the Town of Moultonborough

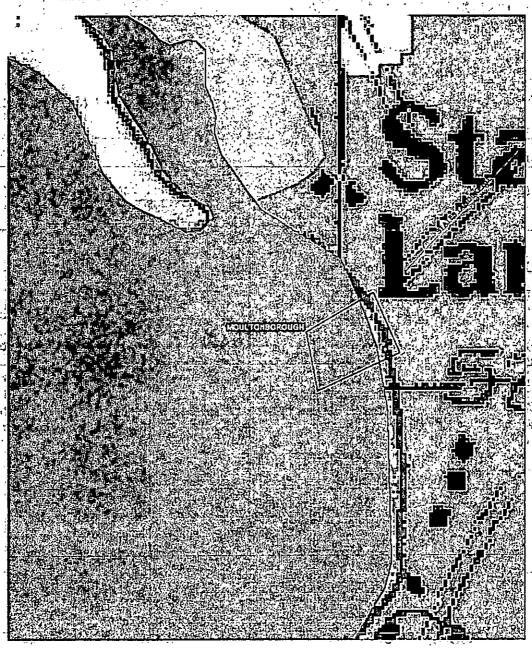
and the general public.

The NH Natural Heritage database has been checked for records of are species and exemplary natural communities near the area mapped below. The species communities near the area mapped below. The species communities near the area mapped below. 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 4/8/201

MAP OF PROJECT BOUNDARIES FOR NHB FILE ID: NHB18-1116



KV Partners LLC

P.O. Box 7721, Gilford, NH 03247

Phone: (603) 513-1909 / Fax: (866) 587-0507

April 11, 2018

POTTER EDWARD T & CRYSTAL A

Re: NHDES Wetlands Permit

States Landing Beach Improvements Project

Dear M:

This letter is to notify you that the Town of Moultonborough intends to file a Wetlands Permit Application (Application) with the New Hampshire Department of Environmental Services. The Application is being submitted to obtain permission to complete dredging operations at the States Landing Beach located off States Landing Road.

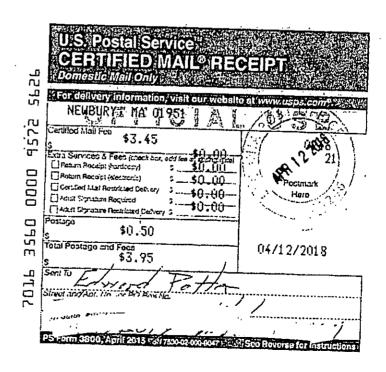
For additional details on the project, contact the undersigned at (603) 513-1909 or Mr. Walter Johnson, Town Administrator at (603) 476-2347.

Sincerely,

KV Partners

Raymond H. Korber, P.E. Principal Engineer

cc: W. Johnson, Moultonborough



KV Partners LLC

P.O. Box 7721; Gilford, NH 03247

Phone: (603) 513-1909 / Fax: (866) 587-0507.

April 11, 2018

HODSON LAURENCE B 1998 REALTY TRUST HODSON JEANNE L & LAURENCE B TRUSTEES

Re: NHDES Wetlands Permit
States Landing Beach Improvements Project

Dear M:

This letter is to notify you that the Town of Moultonborough intends to file a Wetlands Permit Application (Application) with the New Hampshire Department of Environmental Services. The Application is being submitted to obtain permission to complete dredging operations at the States Landing Beach located off States Landing Road.

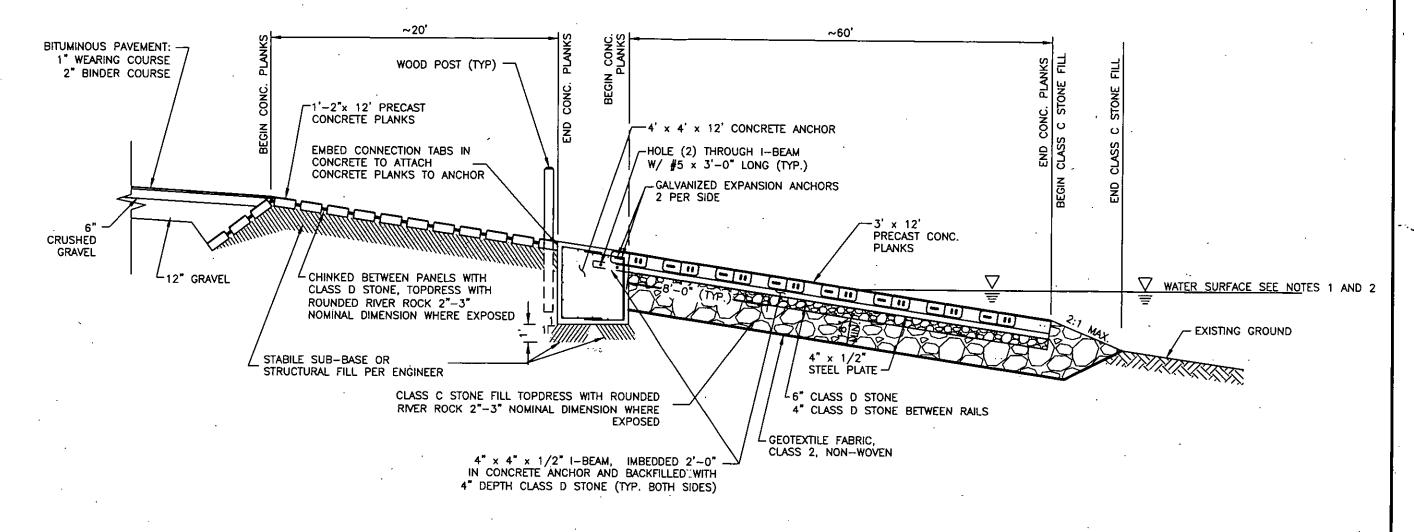
For additional details on the project, contact the undersigned at (603)-5/13-1909 or Mr. Walter-Johnson, Town Administrator at (603) 476-2347.

Sincerely,

KV Partners

Raymond H. Korber, P.E. Principal Engineer

ce: W. Johnson, Moultonborough

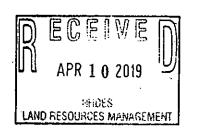


BOAT RAMP LONGITUDINAL SECTION

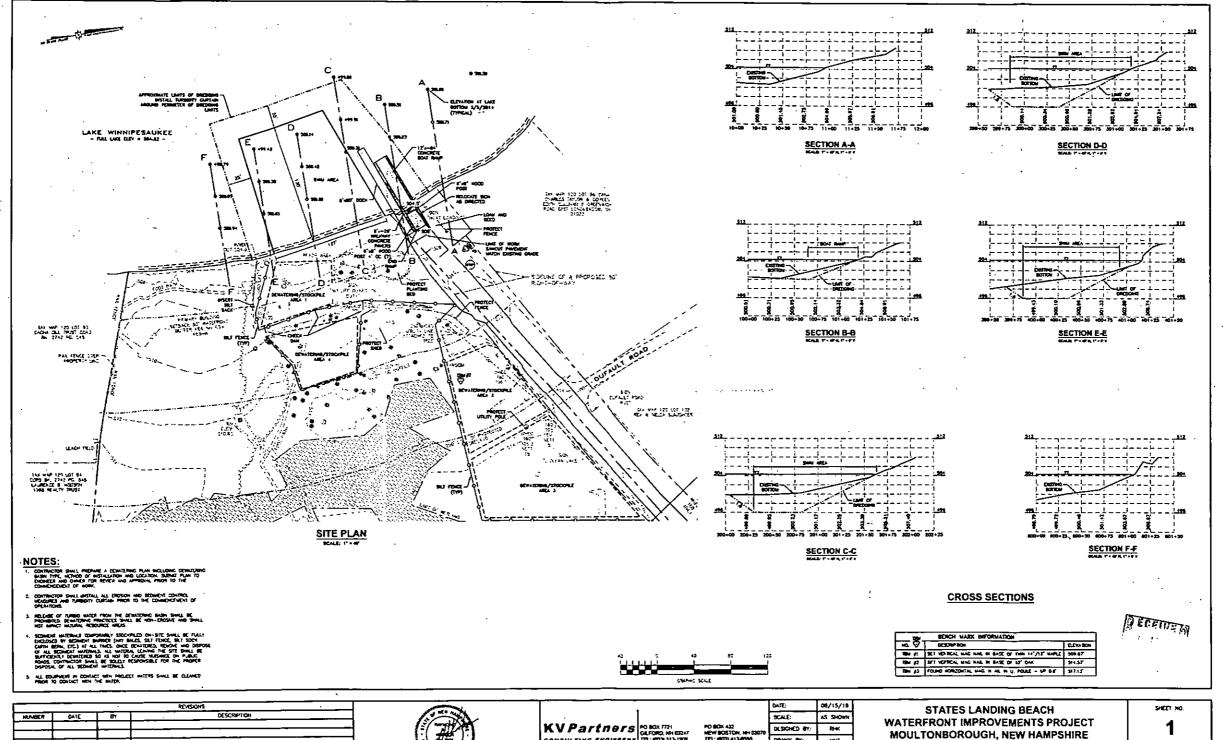
NOT TO SCALE

NOTES:

- 1. INSTALL SHEET PILE COFFERDAM AROUND PERIMETER OF BOAT RAMP WORK AREA. LOCATE 10' MINIMUM FROM OUTSIDE LIMIT OF BOAT RAMP.
- 2. INSTALL TURBIDITY CURTAIN AROUND PERIMETER OF SHEET PILE COFFERDAM.



			REVISIONS	,	•		_	DATE:	04/06/19	STATES LANDING DEACH	SHEET NO.
NUMBER	DATE	BY		DESCRIPTION ·	J		•	SCALE:	AS NOTED	STATES LANDING BEACH	SILLI NO.
	_	-			KV <i>Partners</i>	PO BOX 7721 GILFORD, NH 03247 TEL: (603) 513-1909	PO BOX 432 7 NEW BOSTON, NH 03070 7 TEL: (803) 413-6550	DESIGNED BY:	RHK	WATERFRONT IMPROVEMENTS PROJECT	Δ
					CONSULTING ENGINEERS			DRAWN BY:	ТМИ	MOULTONBOROUGH, NEW HAMPSHIRE	
-		 			-	www.lc	N/pilic.com	CHECKED BY:	RHK	DOAT DAME LONGITUDINAL OFFICE	
									RHK	BOAT RAMP LONGITUDINAL SECTION	



			REVISIONS DESCRIPTION	· · ·	and the second		l	DATE:		08/15/18	STATES LANDING BEACH	SHEET NO.
NUMBER	DATE	BY	DESCRIPTON					SCALE:		AS SHOWN	WATERFRONT IMPROVEMENTS PROJECT	
		-				KV <i>Partners</i>	PO BOX 7721 PO BOX 432 GILFORD, NH 53247 NEW BOSTON, N	DLSCH	ED 67:	RHK	MOULTONBOROUGH, NEW HAMPSHIRE	1
		_				CONSULTING ENGINEERS			BY:	NVT	MOULTONBOROUGH, NEW HAMPSHIKE	
							were logicated	CHECK	CD 87:	Rek	CITE DI ANI AND CDOCC SECTIONS	SHEET 1 OF 2
 			ADD BOAT RAMP AND DOCK FOR MINUES WETL	MAC DESIGN AMERICAN	1			APPRO	CD SY:	RHK	SITE PLAN AND CROSS SECTIONS	SHEET TOP 2
	03/26/19_	R/W	ACO BOAT MADE AND DOCK FOR MINUS WELD	A44 - D			<u> </u>				· · · · · · · · · · · · · · · · · · ·	

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