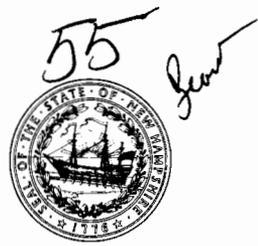




The State of New Hampshire  
**DEPARTMENT OF ENVIRONMENTAL SERVICES**



**Thomas S. Burack, Commissioner**

March 10, 2016

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

**REQUESTED ACTION**

Approve Maple and Union Avenue Association LLC's request to perform the following work on Lake Winnepesaukee, in Laconia. File # 2015-02676. This project will not have significant impact on or adversely affect the values of Lake Winnepesaukee.

Reduce 9 finger piers within an existing 21 slip docking facility to be 3 ft. x 20 ft., repair a 4 ft. x 20 ft. finger pier, a 4 ft. x 86 ft. walkway and a 4 ft. x 51 ft. walkway, drive 23 tie-off piles and two 3-piling ice clusters, and install 2 seasonal boatlifts on an average of 176 ft. of shoreline frontage along Paugus Bay, on Lake Winnepesaukee, in Laconia.

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

1. All work shall be in accordance with plans by Folsom Design and Construction Management dated September 23, 2015, as received by DES on October 06, 2015.
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 permitted shall submit a copy of the recorded permit to the DES 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 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 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 ft. of any surface water shall comply with RSA-483-B.

DES Web site: [www.des.nh.gov](http://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

8. Only those structures shown on the approved plans shall be installed or constructed along this frontage.
9. This permit does not allow dredging for any purpose.
10. The permittee may make repairs to the permitted structures as necessary, prior to the permit expiration date, provided that prior to performing any repair the permittee notifies the DES Wetlands Program and the Conservation Commission, in writing, of the proposed start and completion dates.
11. All seasonal structures, including watercraft lifts, shall be removed for the non-boating season.

#### EXPLANATION

The DES Wetlands Bureau approved this project on February 09, 2016. DES supported its decision with the following findings:

1. This project is classified as a major project per Rule Env-Wt 303.02(j), modification of a docking structure which provides more than 5 slips.
2. The applicant has an average of 176 ft. of shoreline frontage along Lake Winnepesaukee.
3. A maximum of 3 slips may be permitted on this frontage per Rule Env-Wt 402.13 Frontage Over 75'.
4. The existing and proposed docking facility will provide 21 slips as defined per Rule Env-Wt 101.09 Boat slip, and does not meet Rule Env-Wt 402.13.
5. The proposed modifications do not add boat slips to the frontage.
6. The proposed modification of the docking structure removes 154 sq. ft. of the dock's surface area over public waters and is less impacting than repairing the structure "in kind".
7. The applicant requested, and the Department grants, a waiver of rule Env-Wt 402.21 requiring a reduction in boat slips for the proposed modification.

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



# WETLANDS PERMIT APPLICATION

Water Division/ Wetlands Bureau  
Land Resources Management

Check the status of your application: <http://des.nh.gov/onestop>



RSA/Rule: Env-Wt 100-900

		Files No: <u>2015-02676</u>
		Check No: <u>2625</u>
		Amount: <u>200-</u>
		Initials: <u>SBZ</u>

**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: **1266 Union Avenue**      TOWN/CITY: **Laconia**

TAX MAP: **304**      BLOCK: **220**      LOT: **2**      UNIT:

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

LOCATION COORDINATES (If known):       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.

**Repair/replace/modify existing permanent docking structure and associated tie-off piles & clusters such that the construction surface area over public submerged lands is reduced from 1,376 sq. ft. to 1,222 sq. ft. for a total reduction of 154 sq. ft. therefore meeting Rule Wt-Env 402.21 Modification of Existing Structures**

**4. SHORELINE FRONTAGE**

NA This lot has no shoreline frontage.      SHORELINE FRONTAGE: **176**

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 15 - 3117

b.  Designated River the project is in ¼ miles of: \_\_\_\_\_ ; and  
date a copy of the application was sent to Local River Advisory Committee: Month: \_\_\_ Day: \_\_\_ Year: \_\_\_

NA



**7. APPLICANT INFORMATION (Desired permit holder)**

LAST NAME, FIRST NAME, M.I.: **Maple and Union Avenue Association LLC**

TRUST / COMPANY NAME:

MAILING ADDRESS: **211 Dockham Shore Road**

TOWN/CITY: **Gilford**

STATE: **NH**

ZIP CODE: **03249**

EMAIL or FAX:

PHONE:

ELECTRONIC COMMUNICATION: By initialing here: \_\_\_\_\_, I hereby authorize DES 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 \_\_\_\_\_, I hereby authorize DES to communicate all matters relative to this application electronically

**9. AUTHORIZED AGENT INFORMATION**

LAST NAME, FIRST NAME, M.I.: **Folsom, Cynthia L.**

COMPANY NAME: **Folsom Design & Construction Management**

MAILING ADDRESS: **46 Winona Shores Road**

TOWN/CITY: **Meredith**

STATE: **NH**

ZIP CODE: **03253**

EMAIL or FAX: **folsomdesign@metrocast.net**

PHONE: **(603) 393-5751**

ELECTRONIC COMMUNICATION: By initialing here **CLF**, I hereby authorize DES 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](http://www.nh.gov/nhdhr/review)) to the NH State Historic Preservation Officer (SHPO) at the NH Division of Historical Resources to be reviewed for the presence of historical/ archeological resources.
8. I authorize DES 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 DES correspondence. DES will not forward returned mail.



**Please see attached letter**

Property Owner Signature

Print name legibly

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.

	Denise M Gonyer	Gilford	10/2/15
Town/City Clerk Signature	Print name legibly	Town/City	Date

#### 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	/ <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	/ <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	154 sf reduction <input type="checkbox"/> ATF	<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
<b>TOTAL</b>	/	/

**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: \_\_\_\_\_ sq. ft. X \$1.00 = \$ \_\_\_\_\_

Permanent docking structure: \_\_\_\_\_ sq. ft. X \$2.00 = \$ \_\_\_\_\_

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

Total = \$ \_\_\_\_\_

The Application Fee is the above calculated Total or \$200, whichever is greater = **\$ 200.00**

9/25/2015

State of New Hampshire  
Department of Environmental Services  
P.O. Box 95  
29 Hazen Drive  
Concord, NH 03302-0095

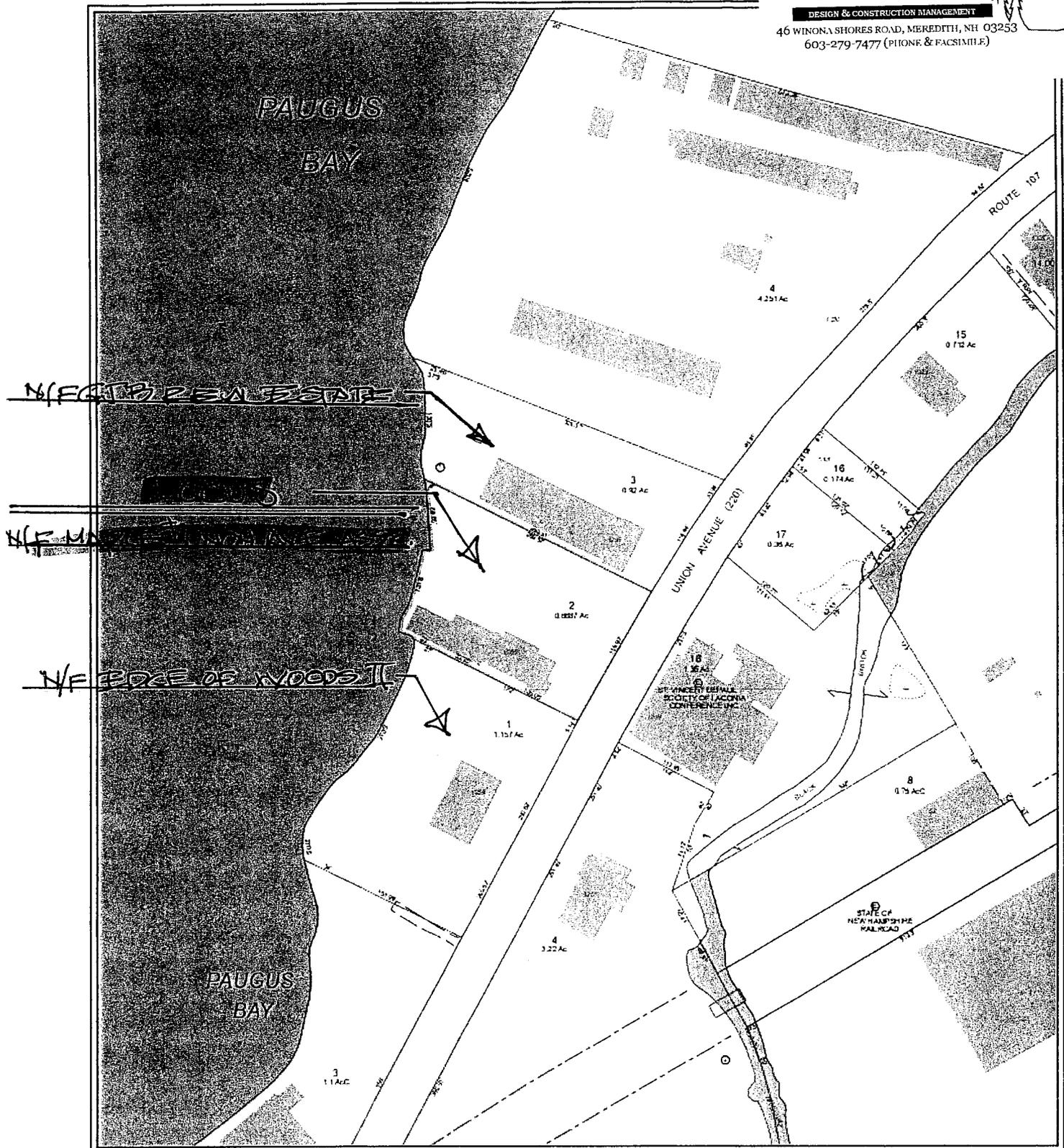
RE: Maple & Union Avenue Association LLC Property  
Lake Winnepesaukee, Laconia, NH

Dear Sir/Madam:

We authorize Cynthia Folsom, Folsom Design & Construction Management, to act as our agent and to act in our behalf processing our application and any supplemental information in support of the permit application to the NHDES Wetlands Bureau.

Sincerely,

  
PRESIDENT



Laconia, NH  
1 Inch = 140 Feet  
September 24, 2015



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.

www.cai-tech.com



71°30'0"W

71°29'30"W

71°29'0"W

71°28'30"W

71°28'0"W

71°27'30"W

LACONIA  
USGS 7.5' Quad Tile: 111NW

**FOLSOM**

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43°33'30"N  
43°34'00"N  
43°34'30"N  
43°35'00"N

010  
=



NEW HAMPSHIRE NATURAL HERITAGE BUREAU  
NHB DATACHECK RESULTS LETTER

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**To:** Cynthia Folsom  
46 Winona Shores Road  
Meredith, NH 03253

**From:** NH Natural Heritage Bureau

**Date:** 9/29/2015 (valid for one year from this date)

**Re:** Review by NH Natural Heritage Bureau of request submitted 9/24/2015

**NHB File ID:** NHB15-3117

**Applicant:** Cynthia Folsom

**Location:** Laconia  
Tax Maps: 304-220-2

**Project**

**Description:** Modify existing docking structure

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 9/24/2015, and cannot be used for any other project.



7010 2780 0002 8079 0188

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Certified Fee	\$0.00	
Return Receipt Fee (Endorsement Required)	\$0.00	
Restricted Delivery Fee (Endorsement Required)	N/A	
Total Postage & Fees	\$ 3.94	09/28/2015

Sent To **EDGE OF WOODS II**  
 Street, Apt. No., or PO Box No. **P.O. Box 129**  
 City, State, ZIP+4 **WINNIQUAM, NH 03289**

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LACONIA, NH 03246

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Postage	\$ 3.45	0253 08 Postmark Here
Certified Fee	\$0.00	
Return Receipt Fee (Endorsement Required)	\$0.00	
Restricted Delivery Fee (Endorsement Required)	N/A	
Total Postage & Fees	\$ 3.94	09/28/2015

Sent To **GJP REAL ESTATE**  
 Street, Apt. No., or PO Box No. **1290 UNION AVE.**  
 City, State, ZIP+4 **LACONIA, NH 03246**