

The State of New Hampshir UN15'22 AM10:24 RCVD 301 Department of Environmental Services

Robert R. Scott, Commissioner



June 14, 2022

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

REQUESTED ACTION

Approve Annamarie G. Vermette Revocable Trust's request for a five-year permit time extension of NH Department of Environmental Services (NHDES) Wetland Bureau permit #2017-02074, to perform the following work on Lake Winnipesaukee in Gilford, in accordance with RSA 482-A:3, XIV-a. This project was previously approved by the Governor and Executive Council on October 25, 2017, Late Item #A.

Grant a five year extension of permit to: "Fill 550 square feet to construct 40 linear feet of breakwater with a 6 ft gap at the shoreline, and repair two 6 ft. x 30 ft. piling piers connected by a 6 ft. x 12 ft. walkway in a "U" configuration, two ice clusters, two tie-off piling, and a 14 ft. x 30 ft. seasonal canopy in-kind, install a permanent boatlift and maintain two personal watercraft lifts on an average of 150 feet of frontage along Lake Winnipesaukee, on Governor's Island in Gilford."

NHDES imposed the following conditions on the original approval:

- 1. All work shall be in accordance with plans by Watermark Marine Construction dated July 5, 2017, as received by DES on July 14, 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 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 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 until suspended particles have settled and water at the work site has returned to normal clarity.
- 6. No portion of breakwater as measured at normal full lake (Elev. 504.32) shall extend more than 46 feet from normal full lake shoreline.
- 7. The breakwater shall not exceed 3 feet in height (Elev. 507.32) over the normal high water line (Elev. 504.32).
- 8. The width as measured at the top of the breakwater (Elev. 507.32) shall not exceed 3 feet.

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His Excellency, Governor Christopher T. Sununu and The Honorable Council Page 2

- 9. This facility is permitted with the condition that future maintenance dredging, if needed, shall not be permitted more frequently than once every 6 years, and that a new permit shall be required for each dredge activity.
- 10. The owner understands and accepts the risk that if this facility requires dredging to maintain a minimum slip depth of 3 feet more frequently than once every 6 years, or is shown to have an adverse impact on abutting frontages, it shall be subject to removal.
- 11. 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.
- 12. The repairs shall maintain the size, location, and configuration of the pre-existing structures.
- 13. All construction-related debris shall be placed outside of areas subject to RSA 482-A jurisdiction.
- 14. This permit does not allow dredging for any purpose.
- 15. 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.
- 16. All seasonal structures, including watercraft lifts, shall be removed for the non-boating season.
- 17. The canopy, including the support frame and cover, shall be designed and constructed to be readily removed at the end of the boating season and the flexible canopy shall be removed for the non-boating season.

EXPLANATION

NHDES approved the extension of this permit on June 06, 2022. NHDES supported its decision with the following findings:

- 1. Per Rule Env-Wt 314.05(b), the permittee submitted a written request to the department for an extension of the permit prior to the expiration of the permit.
- 2. Per Rule Env-Wt 314.05(c)(2), the submitted request included a statement, signed and certified in accordance with Env-Wt 311.11, that: the permit for which extension is sought has not been revoked or suspended without reinstatement; extension of the permit would not violate a condition of law or rule; the project is proceeding towards completion in accordance with plans and other documentation referenced by the permit; the applicant proposes reasonable mitigation measures to protect the public waters of the state from deterioration during the period of extension; and the wetland delineation is still valid pursuant to Env-Wt 406.01(b).
- 3. Per Rule Env-Wt 314.05(d), as specified in RSA 482-A:3, XIV-a(a), the department finds the permittee has submitted the request as specified in Env-Wt 314.05(b) and (c). The department therefore grants one extension of 5 additional years of the permit.

NHDES Wetlands Bureau permit #2017-02074 application documents are enclosed for review by the Governor and the Executive Council in consideration of this request and in accordance with RSA 482-A:3, II(a), as it is a major project located in New Hampshire public waters.

We respectfully request your approval of this item.

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Robert R. Scott Commissioner

Environmental

Services

REQUEST FOR EXTENSION OF WETLANDS OR SHORELAND PERMIT Water Division/Land Resources Management Wetlands Bureau



RSA/Rule: RSA 482-A:3 XIV-a; RSA 483-B:5-b, VI/ Env-Wt 314.05

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		Date: 5/31/2022	

Under Wetlands and Shoreland statutes RSA 482-A:3, XIV-a and RSA 483-B:5+b, VI, respectively, an applicant may request an extension of a permit if certain conditions are met (see Section 3). This request must be submitted before the Wetland or Shoreland permit expires. Once the permit expires, it is no longer eligible for an extension. The grey boxes above are for Administrative/Registry of Deeds use.

SECTION	1 - PROJECT	INFORMATION	S. Artes	ST. 212	- 1

PERMIT NUMBER: 2017-02074

PERMIT EXPIRATION DATE (request must be filed before the permit expires): - 9/18/20.22

SECTION 2 - APPLICANT INFORMATION

OWNER/AUTHORIZED AGENT NAME:

Initia

2020-05

MAILING ADDRESS: 158 Edge weter Drive TOWN/CITY Gilford	νH*.	STATE: 27	ZIP CODE:	219
Franks V. H. O. Antra Oracia - Eration 2 - 1000				

EMAIL Mike Vortho (AOL COM PHONE 603 495-1342 FAX 8555-

SECTION 3 - INFORMATION REQUIRED FOR PERMIT EXTENSION REQUEST ACCEPTANCE

If your permit extension request includes all the required materials, initials, and signature demonstrating that the following conditions have been met, your request will be granted, and you will receive this page, signed and annotated with the new permit expiration date as evidence of your extension. If your request does not include all the required materials, initials and signature, a copy of the request will be returned to you with this page annotated with the missing/non-compliant items indicated. Enter the length of the requested extension in the box below, and then initial each box to accept the conditions or check "N/A" if not applicable.

The length of the requested extension, not to exceed 5 years: [...] (RSA 482-A:3, XIV-a(a) and RSA 483-B:5-b, VI).

The permit for which the extension is sought has not been revoked or suspended without "reinstatement (RSA 482-A:3, XIV-a(a) and RSA 483-B:5-b, VI(a)).

Extension would not violate a condition of law or rule (BSA 482-A:3, XIV-a(a) and RSA 483-8:5-b, VI(b)).

NHDES-W-06-044

2020-05

NHDES-W-06-0	44		
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1 - C. S. G. T.	REQUIRED SIGNATURE (Required for W	etlands Permit Only)	
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	(APPLICANT, IF DIFFERENT FROM OWNER):	PRINT NAME LEGIBLY:	DATE:
SIGNATURE	(AGENT, IF APPLICABLE)	PRINT NAMEILEGIBLY:	DATE:

<u>irm@des.nh.gov</u> or (603) 271-2147 NHDES Wetlands Bureau, 29 Hazen, Drive, PO Box 95, Concord, NH 03302-0095 <u>www.des.nh.gov</u> 1

CALL CONTRACT

NHDES-W-06-012 NEW HAMPSHIRE DEPARTMENT OF Environmental Services RSA/Rule: RSA 482-A/ Env-Wt 100-900	WETLANDS PER Land Resource Wetland Check the status of your applic	しアソ MIT APPLICATION es Management ds Bureau cation: <u>www.des.nh.gov/onest</u>	<u>ο</u> β	
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2. PROJECT LOCATION: 2015 Separate applications must be filed with a ADDRESS: 158 Edgewater Drive	ach municipality that jurisdiction	alimpacts will occur in the		
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Permits #A-659 and #2007-00438	· · · ·			
6: NATURAL HERITAGE BUREAU & DESIGN See the Instructions & Required Attachmen		complete a & b below:		
a. Natural Heritage Bureau File ID: NHB	<u>17 - 2109 .</u>	· ·	A REAL PROPERTY AND A REAL	
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NHDES	<u>shoreland@des.nh.go</u> Wetlands Bureau, 29 Hazen Drivo www.des	e, PO Box 95, Concord, NH 03	302-0095	

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PROPERTY OWNER INFORMATION (If different than a	applicant)				
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AUTHORIZED AGENT INFORMATION					
TNAME, FIRST NAME, M.1.: Irving, Jamie C.			COMPANY N	AME: Watermark	Marine Construction
ILING ADDRESS: 1218 Union Avenue		··· ·····		**.*** <u>***</u> ****************************	
VN/CITY: Laconia				STATE: NH	ZIP CODE: 03246
All or FAX: jci@watermarkmarine.com		PHONE: 603	-293-4000		
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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

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Print name legibly

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.

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

GILLAVA

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.

MANIFA MONY Print name legibly

DIRECTIONS FOR TOWN/CITY CLERK: Per RSA 482-A:31

- 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;
- 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:

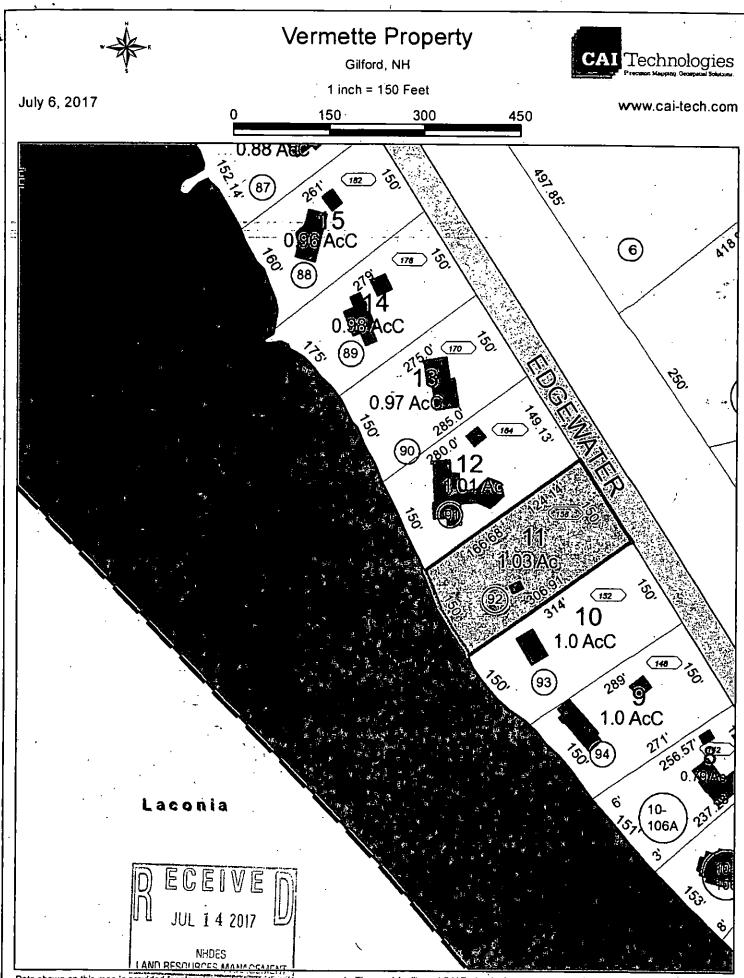
> shoreland@des.nh.gov or (603) 271-2147 NHDES Wetlands Bureau, 29 Hazen Drive, PO Box 95, Concord, NH 03302-0095 www.des.nh.gov

13: IMPACTAREA For each jurisdictional area that will be has been impacted sprovide square feet and, if applicable, linear feet of impact. Permanent, impacts that will remain ofter, the project is complete Temporary, impacts not intended to remain land will be restored to pre-construction conditions) after the project is comp

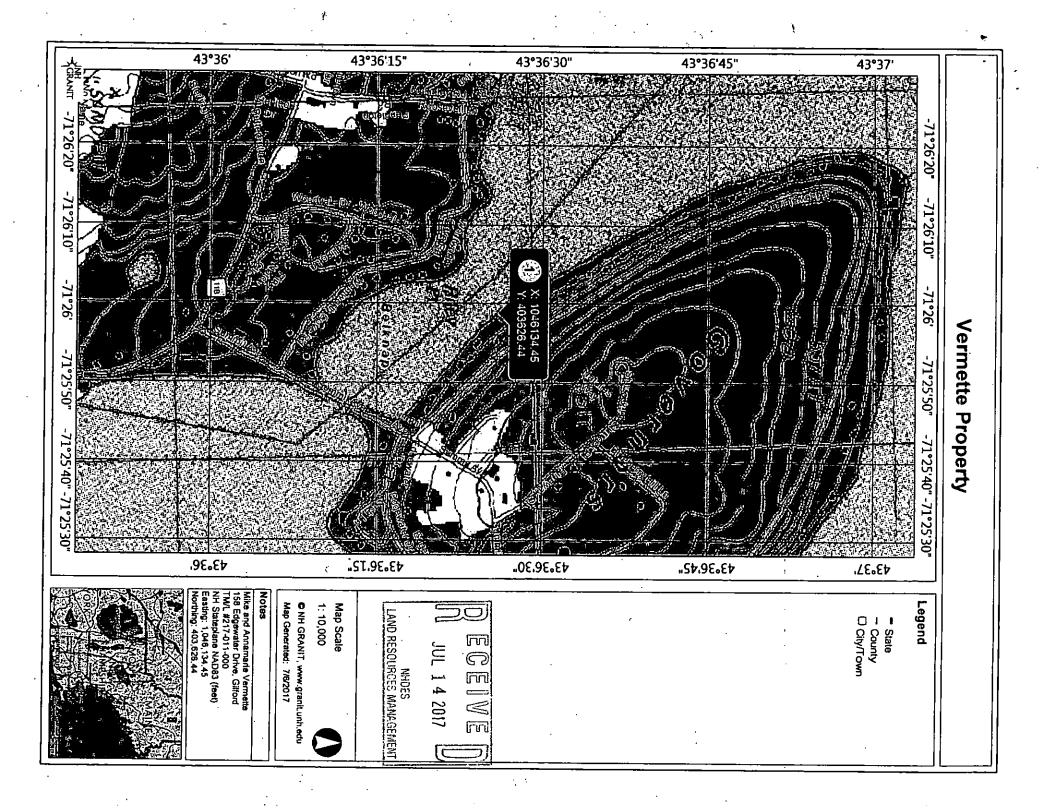
JURISDICTIONAL AREA	PERMANENT Sq. Ft. / Lin. Ft.		:	TEMPORARY Sq. Ft. / Lin. Ft.	
Forested wetland		ATF	· · ·		ATF
Scrub-shrub wetland		ATF			ATF
Emergent wetland		····	•		
Wet meadow				· · · · · · · · · · · · · · · · · · ·	
Intermittent stream					ATF
Perennial Stream / River		ATF-		I	. 🔲 ATF
Lake / Pond	550 /	ATF		 /	
Bank - Intermittent stream	1			/	
Bank - Perennial stream / River	/		• • •	/	
Bank - Lake / Pond	1			/ · · · · · · · · · · · · · · · · · · ·	ATF
Tidal water	1	ATF		1	ATF
Salt marsh					
Sand dune		ATF	<u> </u>		ATF
Prime wetland			,	· · · · · · · · · · · · · · · · · · ·	ATF
Prime wetland buffer		ATF	·····	: :	ATF
Undeveloped Tidal Buffer Zone (TBZ)	-	ATF			ATF
Previously-developed upland in TBZ					ATF
Docking - Lake / Pond	4	ATF			ATF
Docking - River		ATF			ATF
Docking - Tidal Water					ATF
TOTAL	554 /		•	/	
44 APPLICATION FEE: See the Instruct	ions & Required Attachments docume	entifor further in	struction and the		
Minimum Impact Fee: Flat fee of \$	\$ 200			<u></u>	CT OWN LOACE TO SUCCESS
Minor or Major Impact Fee: Calcu					
Perman	ent and Temporary (non-docking)		q. ft. X \$0.20 =	\$	· ·
Tempo	rary (seasonal) docking structure:	S(q. ft. X \$1.00 =	\$	
	Permanent docking structure:	554 so	q. ft. X \$2.00 =	\$ 1,108.00	
	Projects proposing shoreline str	uctures (includir	ng docks) add \$200 ≈	\$ 200.00	
			Total =	\$ 1,308.00	
The A	pplication Fee is the above calculated	d Total or \$200, v	whichever is greater =	\$ 1,308.00	

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



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.



New Hampshire Natural Heritage Bureau

DECEIVED JUL 1 4 2017

LAND RESO URCES MANAGEMENT Jamie Irving Watermark Marine Construction To: Date: 7/6/2017 PO Box 6840 Laconia, NH 03247 From: NH Natural Heritage Bureau Re: Review by NH Natural Heritage Bureau of request dated 7/6/201 NHB File ID: NHB17-2109 Mike and Annamarie Vermette Tax Map(s)/Lot(s): 217-011-000 Gilford Location: foject Description: Install a 40ft breakwater that shall impact +/-550ft2 100yds3). Additionally, replace or repair existing dockage and accessory pilings in-kind The NH Natural Heritage database has been checked for records of trare specie communities near the area mapped below. The species considered include the drexemplary natural offrareispecies 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 for have only been surveyed for certain species nly been surveyed for certain species An on-site survey would provide better info his report is valid through 7/5/2018 a start and a start and a start a start



MAP OF PROJECT BOUNDARIES FOR NHB FILE ID: NHB17-2109

Department of Resources and Economic Development Division of Forests and Lands (603) 271-2214 fax: 271-6488



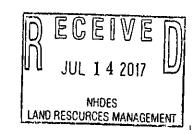
0 foot Abutters List Report

Gilford, NH July 06, 2017

Subject Property:

Parcel Number:	217-011-000	Mailing Address:	VERMETTE, ANNAMARIE G REV TRUST
CAMA Number:	217-011-000		VERMETTE, ANNAMARIE G TTEE
Property Address:	158 EDGEWATER DR		CONCORD, NH 03301
Abutters:			
Parcel Number:	217-010-000	Mailing Address:	RIGOLI, GARY C & JULIE A TRUSTEES
CAMA Number:	217-010-000		RIGOLI, GARY TRST & JULIE TRST
Property Address:	152 EDGEWATER DR		BILLERICA, MA 01821
Parcel Number: CAMA Number: Property Address:	217-012-000 217-012-000 164 EDGEWATER DR	Mailing Address:	164 EDGEWATER DRIVE LLC

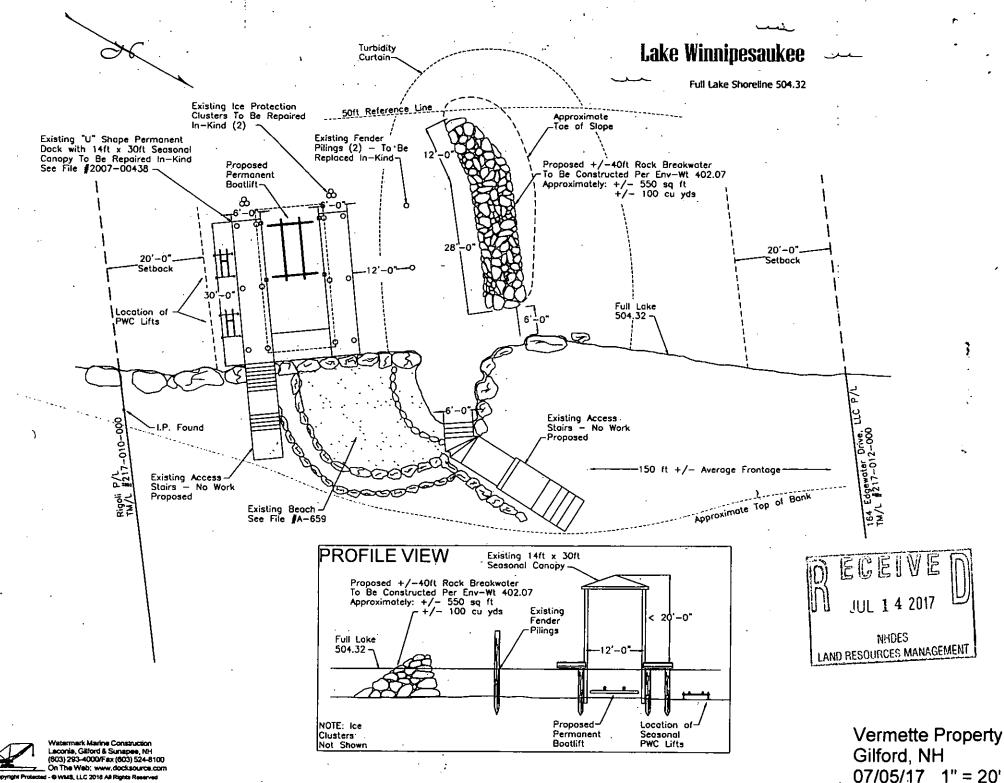




www.cai-tech.com

7/6/2017

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