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The State of New Hampshire  
**Department of Environmental Services**



77

**Robert R. Scott, Commissioner**

August 26, 2019

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

**REQUESTED ACTION**

Approve the request to transfer the permit (file #2014-03557) to "install two 6 ft. x 40 ft. seasonal piers connected by a 6 ft. x 12 ft. walkway in a "U" configuration on an average of 227 feet of shoreline frontage along Lake Winnepesaukee, in Moultonborough," originally issued to Elizabeth/Kevin Koons, to the new owners of the subject property, Gail and George Anderson. This project was previously approved by Governor and Council on February 25, 2015, Item #51, and will not have significant impact on or adversely affect the values of Lake Winnepesaukee.

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 David Dolan dated November 1, 2014, as received by the NH Department of Environmental Services (DES) on November 25, 2014.
2. This permit shall not be effective until it has been recorded with the county Registry of Deeds Office by the Permittee. A copy of the recorded permit shall be submitted to the DES Wetlands Bureau by certified mail, return receipt requested, prior to installation.
3. These shall be the only structures on this water frontage and all portions of the docking structures shall be at least 20 ft. from abutting property lines or the imaginary extension of those lines into the water.
4. The seasonal piers shall be removed from the lake for the non-boating season.
5. No portion of the piers shall extend more than 40 ft. from the shoreline at full lake elevation.
6. The concrete pads shall be located completely above and behind the natural undisturbed shoreline and full lake elevation of 504.326.
7. All activities shall be in accordance with the Shoreland Water Quality Protection Act, RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland.

**EXPLANATION**

The NHDES approved this project on December 31, 2014. The NHDES supported its decision with the following findings:

1. Pursuant to RSA 482-A:11, Administrative Provisions, V, a series of minor projects shall be considered in the aggregate if they abut or if they are a part of an overall scheme of development or are otherwise consistent parts of an eventual whole.
2. The Applicants are the owners of three contiguous properties identified as Lot 7, Lot 7-001, and Lot 7-002 on Moultonborough Tax Map 195.
3. The Applicants have filed three separate Wetland Applications seeking permits for docking structures on each of the lots. The Applications are identified as #2014-3337, #2014-3334, and #2014-3338 respectively.

[www.des.nh.gov](http://www.des.nh.gov)

29 Hazen Drive • PO Box 95 • Concord, NH 03302-0095

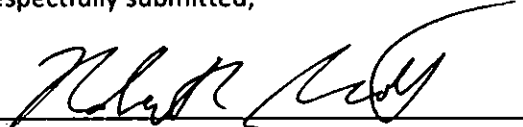
NHDES Main Line: (603) 271-3503 • Subsurface Fax: (603) 271-6683 • Wetlands Fax: (603) 271-6588

TDD Access: Relay NH 1 (800) 735-2964

4. The combined docking facilities will provide 9 boat slips on these contiguous frontages.
5. Pursuant to Rule Env-Wt 303.02, (d), proposals for docking facilities that provide 5 or more boat slips are considered major projects.
6. The need for the proposed impacts has been demonstrated by the Applicant per Env-Wt 302.01.
7. 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.
8. 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.
9. Public hearing is waived with the finding that the project impacts will not significantly impair the resources of Lake Winnepesaukee.
10. The lot has an average of 227 feet of shoreline frontage along Lake Winnepesaukee.
11. A maximum of 4 slips may be permitted on this frontage per Rule Env-Wt 402.13, Frontage Over 75'.
12. The proposed docking facility will provide 3 slips as defined per RSA 482-A:2, VIII and therefore meets Rule Env-Wt 402.13.
13. The construction of the proposed docking structures shall not result in the removal of trees, therefore addressing the local Conservation Commissions concerns.

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,



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Robert R. Scott  
Commissioner



WETLAND AND SHORELAND REQUEST FOR PERMIT OWNERSHIP CHANGE Water Division Wetlands Bureau and Shoreland Program



RSA/Rule: RSA483-B, Env-Wq 1406.21 Env-Wt 502.02

www.des.nh.gov

RECEIVED stamp: 10/1/2019, LAND RESOURCES MANAGEMENT, and permit number 2014-03337

Under Wetlands and Shoreland statutes (Env-Wt 502.02, and RSA 483-B, Env-Wq 1406.21), respectively, an applicant may request a permit ownership change if the conditions within these statutes are met.

1. PROJECT AND OWNER INFORMATION

PROJECT ADDRESS: 75 EAGLE SHORE ROAD TOWN/CITY: MOULTONBORO STATE: NH ZIP CODE: 03254

PERMIT NUMBER: 2014-03337 MAP: 195 LOT: 7 BLOCK: UNIT:

NEW PERMITEE NAME(S): (PLEASE TYPE OR PRINT LEGIBLY) George + GAIL ANDERSON

NEW PERMITEE MAILING ADDRESS: PO BOX 206

TOWN/CITY: HARDWICK STATE: MA ZIP CODE: 01037 EMAIL:

SHORELAND PERMITS ONLY: PLEASE COMPLETE CERTIFICATION STATEMENT AND ATTACH A COPY OF THE TRANSFERRED DEED. I/we, the undersigned, certify that I am/we are the present owner(s) of the property formerly of (name of former owner) and that I/we possess and have read the shoreland permit, including all plans and conditions included pursuant to Env-Wq 1406.15(c). I/we agree that I/we will abide by the previously-issued permit. I/we fully understand that the activities covered by the permit must be completed in strict accordance with the permit unless an amendment is applied for and granted. My/Our Title Reference is Book Page (County) Registry of Deeds, and briefly is for land at (street address) in (town), New Hampshire.

NEW PERMITEE SIGNATURE(S): [Signature]

2. AUTHORIZED AGENT OR APPLICANT INFORMATION (IF APPLICABLE)

AUTHORIZED AGENT APPLICANT NAME (CIRCLE ONE): (PLEASE TYPE OR PRINT LEGIBLY) DON T CAREY

BUSINESS NAME: Center Harbor dock + Pier

ADDRESS: 173 LAKE SHORE DRIVE TOWN/CITY: MOULTONBORO STATE: NH ZIP CODE: 03254

EMAIL: INFO@CenterHarborDocks.com PHONE: 603-253-4000 FAX: 603-253-3334

A NEW PERMIT WILL BE ISSUED TO THE OWNER OF RECORD AND A COPY MAILED TO THE APPLICANT AND/OR AGENT IF NOTED ON THIS FORM



THE STATE OF NEW HAMPSHIRE  
DEPARTMENT OF ENVIRONMENTAL SERVICES  
LAND RESOURCES MANAGEMENT  
WETLANDS BUREAU

29 Hazen Drive, PO Box 95, Concord, NH 03302-0095  
Phone: (603) 271-2147 Fax: (603) 271-6588  
<http://des.nh.gov/organization/divisions/water/wetlands>



# PERMIT APPLICATION

		File No. <b>2014-03337</b>
		Check No. <b>1252</b>
		Amount <b>\$ 808.00</b>
		Initials <b>Emk</b>

**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)

**2 PROJECT LOCATION**  
Separate applications must be filed with each municipality that jurisdictional impacts will occur in.

ADDRESS: **75 Eagle Shore Road**

TOWN/CITY: **Moultonborough**

MAP: **195**

BLOCK:

LOT: **7**

UNIT:

USGS TOPO MAP WATERBODY NAME: **Lake Winnepesaukee**

NA

STREAM WATERSHED SIZE:

NA

LOCATION COORDINATES (If known): **N 437329 E1047760**

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.

**Construct a U-Shaped seasonal dock consisting of 3 slips, with two concrete anchoring pads on a lot having average shore frontage of 227 feet.**

**4 RELATED PERMITS, ENFORCEMENT, EMERGENCY AUTHORIZATION, SHORELAND, ALTERATION OF TERRAIN, ETC.**

**5 NATURAL HERITAGE BUREAU & DESIGNATED RIVERS:**  
See the Instructions & Required Attachments document for instructions to complete a & b below.

Natural Heritage Bureau File ID: **NHB 14 - 2161**

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

**6. APPLICANT INFORMATION (Desired permit holder)**LAST NAME, FIRST NAME, M.I.: **Koons, Kevin & Elizabeth**

TRUST / COMPANY NAME:

MAILING ADDRESS:

TOWN/CITY:

STATE:

ZIP CODE:

EMAIL or FAX: **c/o Agent**PHONE: **c/o Agent**

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

**7. 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

**8. AUTHORIZED AGENT INFORMATION**LAST NAME, FIRST NAME, M.I.: **Dolan, David M., LLS**COMPANY NAME **David M. Dolan Associates, PC**MAILING ADDRESS: **PO Box 1581**TOWN/CITY: **Center Harbor**STATE: **NH**ZIP CODE: **03226**EMAIL or FAX: **ddolan@dolansurvey.com**PHONE: **603-253-8011**ELECTRONIC COMMUNICATION: By initialing here **DMD**, I hereby authorize DES to communicate all matters relative to this application electronically**9. PROPERTY OWNER SIGNATURE**

See the Instructions &amp; 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 copy of the application materials to the NH State Historic Preservation Officer.
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.

Property Owner Signature

Print name legibly

Date

## MUNICIPAL SIGNATURES

### 10. 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.

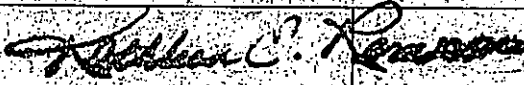
<input type="checkbox"/> Authorized Commission Signature	Print name legibly	Date
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#### DIRECTIONS FOR CONSERVATION COMMISSION

1. Expedited review ONLY requires that the conservation commission's signature is obtained in the space above.
2. The Conservation Commission signature should be obtained prior to the submittal of the original application and four copies to the town/city clerk for mailing to the DES.
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.

### 11. TOWN / CITY CLERK SIGNATURE

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.

<input type="checkbox"/>  Town/City Clerk Signature	Print name legibly <i>K. E. Remson</i>	Town/City TOWN OF MOULTONBOROUGH	Date NOV 24, 2014
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#### DIRECTIONS FOR TOWN/CITY CLERK:

Per RSA 482-A:3, I

1. For applications where "Expedited Review" is checked on page 1, sign and accept the applications **only** if the Conservation Commission signature has been received;
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 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.

**12. 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.  
 After-the-fact (ATF) work completed prior to receipt of this application by DES. Check box to indicate ATF.

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
Shrub 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	608 <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>	<b>608 /</b>	<b>/</b>

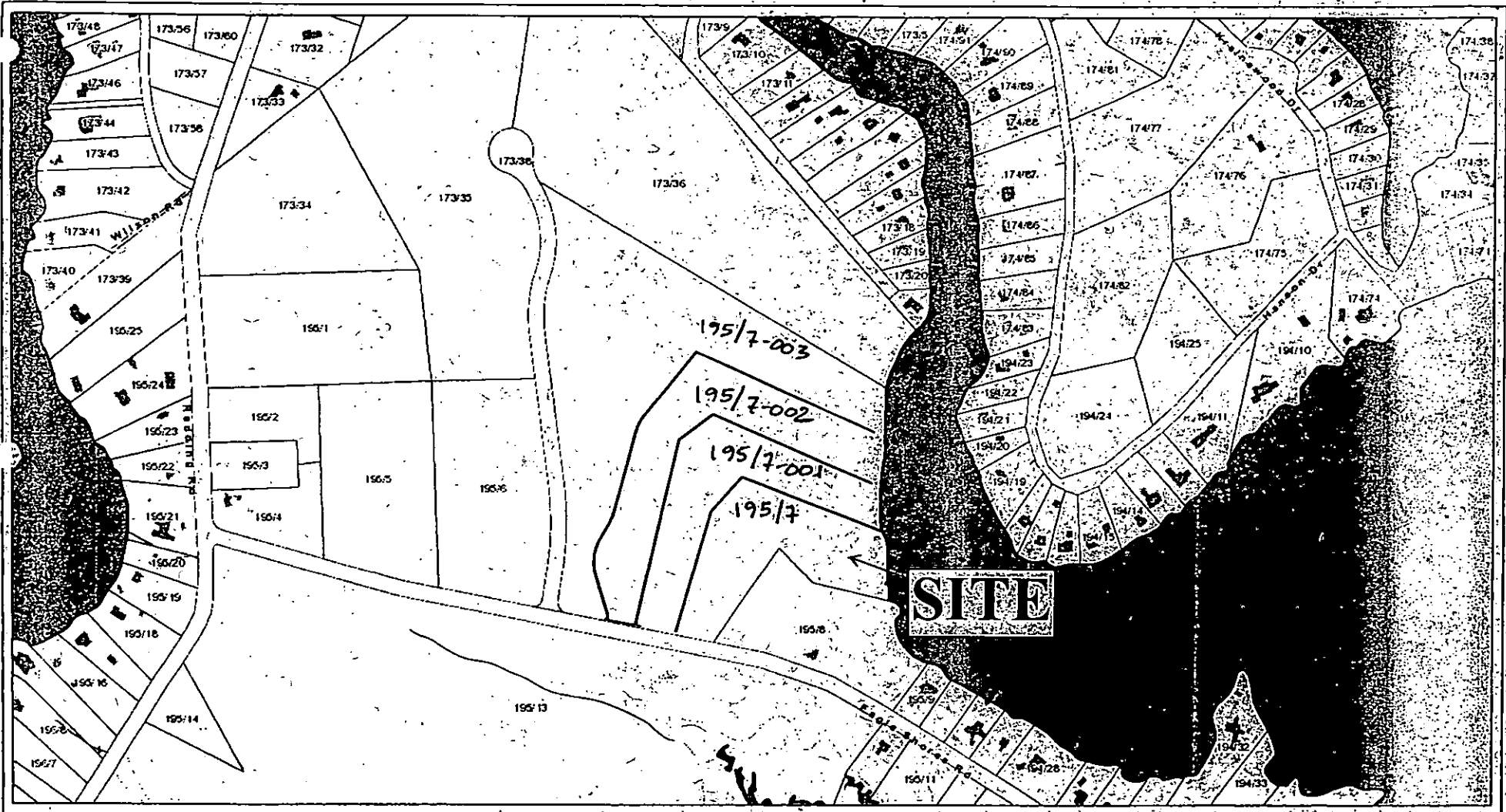
**13. APPLICATION FEE:** See the Instructions & Required Attachments document for further instruction.

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:	<b>608</b>	X \$1.00 =	<b>\$ 608.00</b>
Permanent docking structure:	sq. ft.	X \$2.00 =	\$
<b>Projects proposing shoreline structures (including docks) add \$200 =</b>			<b>\$ 200.00</b>
<b>Total =</b>			<b>\$ 808.00</b>

The Application Fee is the above calculated Total or \$200, whichever is greater = **\$ 808.00**



Moultonborough, NH.  
1 inch = 300 Feet  
June 10, 2014

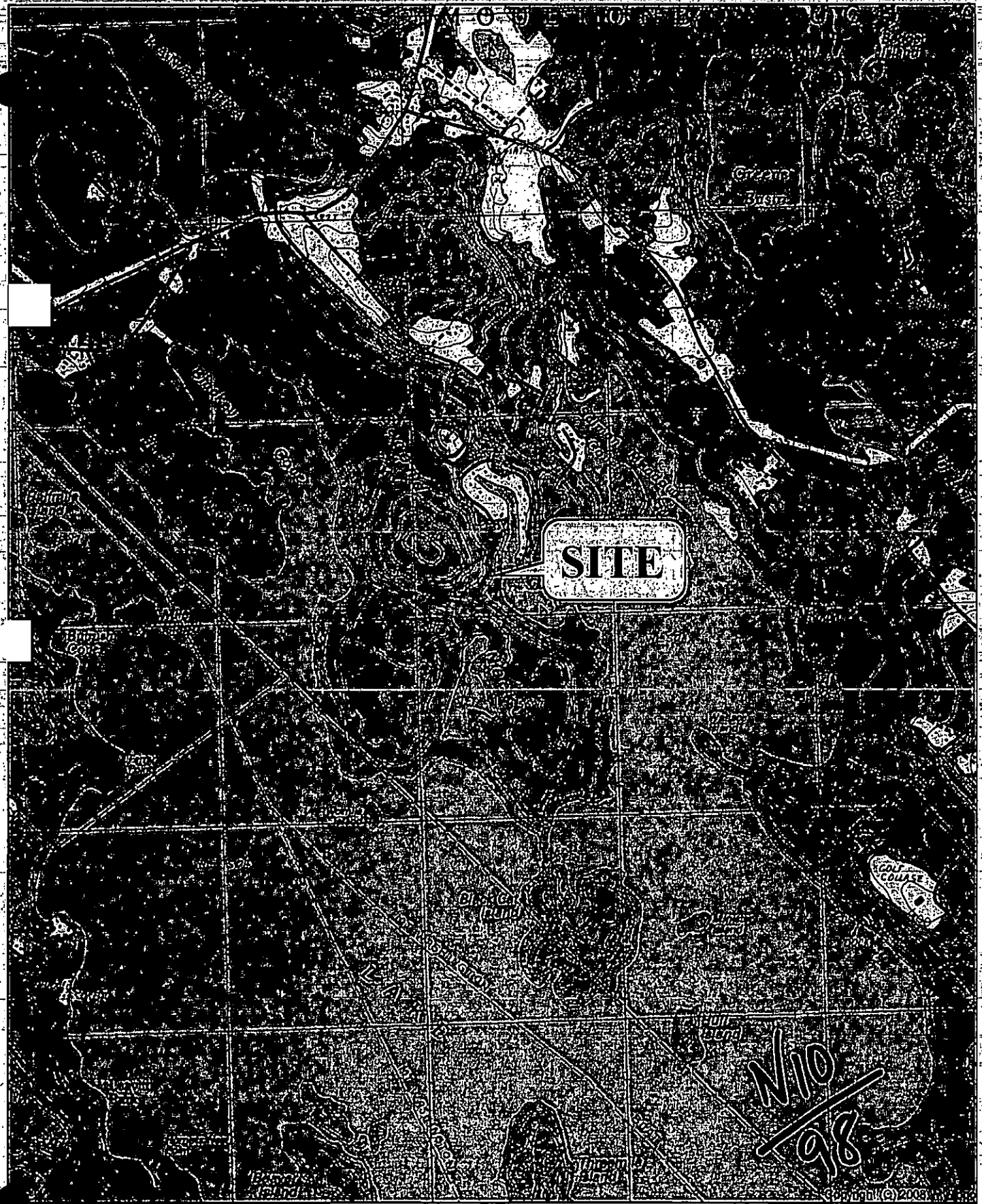


CAI Technologies

www.cai-tech.com

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.





Name: CENTER HARBOR (NH)  
Date: 01/14/14  
Scale: 1 inch = 2,000 ft.

Location: 043° 41' 56.50" N 071° 25' 37.85" W  
Koons  
Eagle Shore Road, Moultonborough



# New Hampshire Natural Heritage Bureau

To: David Dolan  
PO Box 1581  
Center Harbor, NH 03226

Date: 6/10/2014

From: NH Natural Heritage Bureau

Re: Review by NH Natural Heritage Bureau of request dated 6/10/2014

NHB File ID: NHB14-2161

Applicant: David Dolan

Location: Tax Map(s)/Lot(s): Tax Map 195 Lot 7  
Moultonborough

Project Description: Construct a U-Shaped 3 slip dock, construct a new dwelling,  
individual sewage disposal system and driveway.

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 6/9/2015.



New Hampshire Natural Heritage Bureau

MAP OF PROJECT BOUNDARIES FOR NHB FILE ID: NHB14-2161



DEPARTMENT OF ENVIRONMENTAL SERVICES  
LAND RESOURCES MANAGEMENT

WETLANDS BUREAU PERMIT APPLICATION

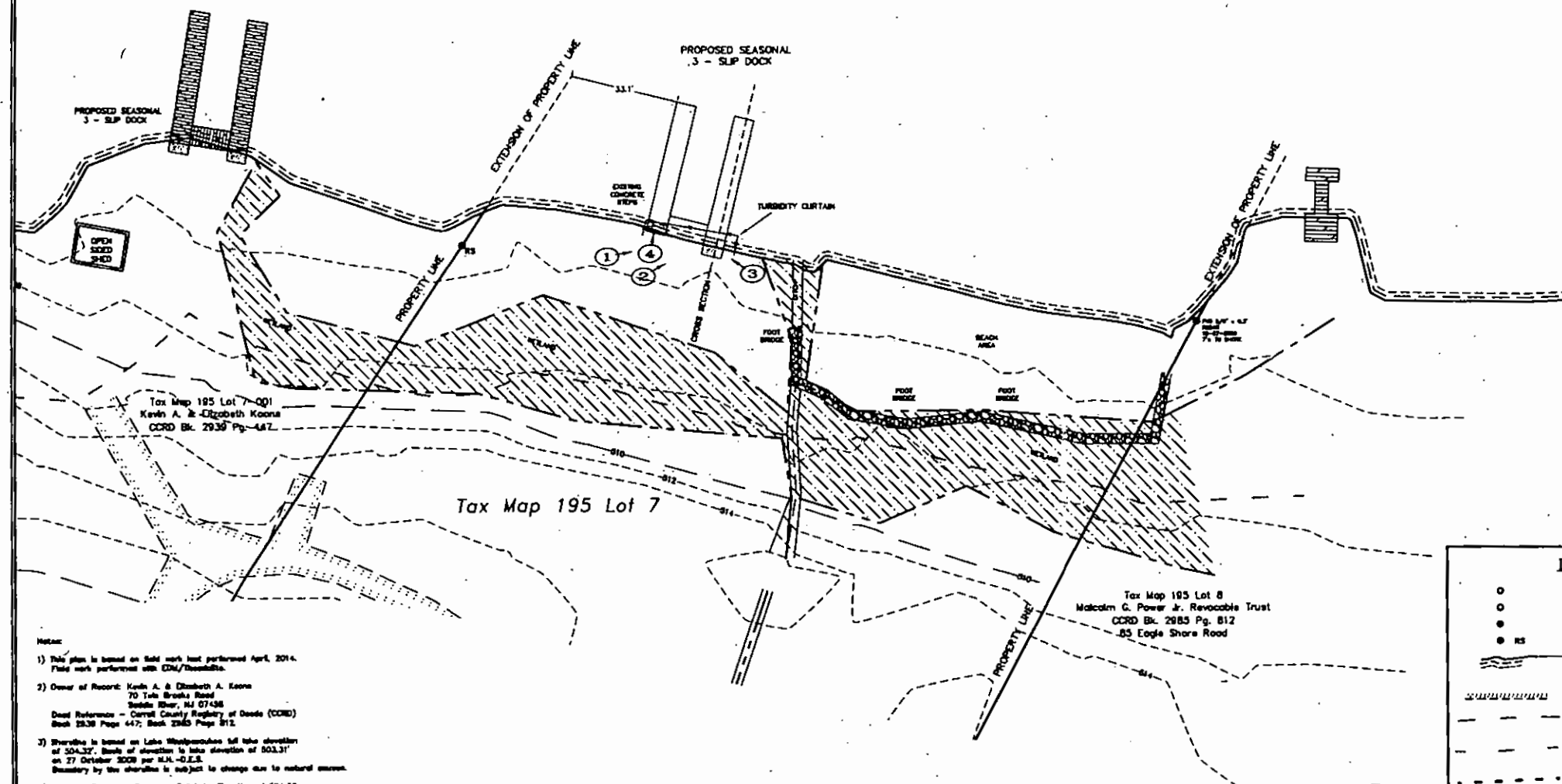
Kevin A. & Elizabeth Koons  
Tax Map 195 Lot 7  
75 Eagle Shore Road  
Moultonborough, Carroll County, NH

Abutter's List

<u>Map</u>	<u>Lot</u>	<u>Lot Owner</u>
195	7	Kevin & Elizabeth Koons 70 Twin Brooks Road Saddle River, NJ 07458
Owner's Agent:		David M. Dolan, L.L.S. David M. Dolan Associates, P.C.
Abutters:		
195	8	Malcolm G. Power Jr. Revocable Trust
195	7-001	Kevin & Elizabeth Koons



**Lake Winnepesaukee**  
 - Full Lake Elev = 504.32 -



**Notes:**

- This plan is based on field work last performed April, 2014. Field work performed with D.M./Thomson.
- Owner of Record: Kevin A. & Elizabeth A. Koons  
 70 Lake Brooks Road  
 Saddle River, NJ 07458  
 Deed Reference - Carroll County Registry of Deeds (CORD)  
 Book 2538 Page 447; Book 2585 Page 512.
- Shoreline is based on Lake Winnepesaukee full lake elevation of 504.32'. Banks of elevation to lake elevation of 503.31' on 27 October 2009 per N.J.-D.E.S. Boundary by the shoreline is subject to change due to natural causes.
- Shoreline Fringeage: Based on Full Lake Elevation of 504.32'  
 Along Shore - 254'  
 To Center - 220'  
 Average - 227'  
 Beachline Allowed - 4'  
 Proposed Beachline - 3'

**Reference Plans:**

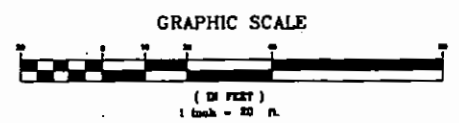
- "Subdivision Plan of Land of Kevin A. & Elizabeth Koons  
 Tax Map 195 Lot 7; 75 Eagle Shore Road, Moultonborough,  
 Carroll County, NH; last revised 4/20/14 by David M. Dolan Associates, P.C.

**Proposed work includes:**  
 -Construct a 3-slip seasonal docking structure, anchored to two 7' x 4' concrete pads.

**Construction Sequence / Notes:**

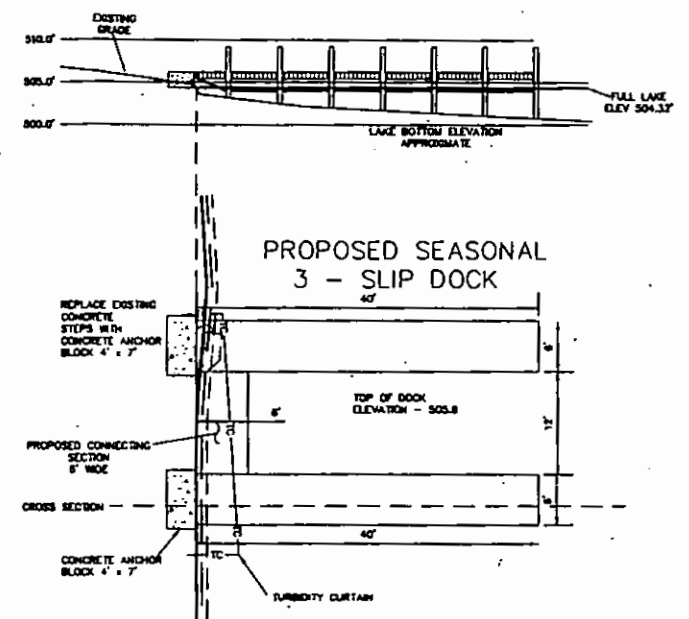
- A Turbidity Curtain is to be installed as shown prior to construction.
- No fill shall occur below the full lake elevation.
- All Turbidity Curtains are to remain in place until the disturbed area(s) has stabilized.

At the completion of construction, all construction materials and debris are to

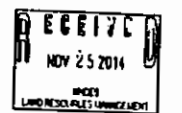


**DOCK DETAILS**  
 Scale: 1"=10'

**CROSS-SECTION PROPOSED DOCK**



**PROPOSED SEASONAL 3 - SLIP DOCK**



**Legend**

- FOUND IRON PIPE
- FOUND IRON ROD
- SET/FOUND REBAR
- RS SET REBAR w/ DOK 2014
- SHORELINE (SEE NOTE 3)
- EDGE OF GRAVEL
- 30' WATERFRONT BUFFER PER NH RSA 483-B
- 150' NATURAL WOODLAND BUFFER PER NH RSA 483-B
- 250' LIMIT OF PROTECTED SHORELAND PER NH RSA 483-B
- WETLAND
- ① PHOTO LOCATION AND DIRECTION

Site Plan for  
 NH-DES Land Resources Management  
 Wetlands Bureau Permit Application  
 Prepared For  
 Kevin A. & Elizabeth Koons  
 Tax Map 195 Lot 7  
 75 Eagle Shore Road  
 Moultonborough, Carroll County, NH  
 1 November 2014

REVISIONS			
NO.	DATE	DESCRIPTION	BY
PROJECT #11-022	DWG NAME:11-022_DP_7	DRAWN BY: DMD	CHECKED BY: DMD

**DAVID M. DOLAN ASSOCIATES, P.C.**  
 LAND SURVEYING CONSULTING PERMITTING

60 WHITTIER HIGHWAY, MOULTONBOROUGH, NH  
 MAIL: PO BOX 1581, CENTER HARBOR, NH 03223  
 TEL: 603-253-8031 FAX: 603-256-7779