



The State of New Hampshire

Department of Environmental Services



Robert R. Scott, Commissioner

January 2, 2018

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

REQUESTED ACTION

Approve Samuel B. Rowse Living Trust's request to perform the following work on Sunapee Lake, in New London. File # 2016-00635. This project will not have significant impact on or adversely affect the values of Sunapee Lake.

Repair and replace a 33 foot 2 inch x 36 foot 8 inch boathouse (dimension reflects exterior wall measurements), over public submerged lands in the same footprint, increasing the roof pitch resulting in a 6 foot increase in ridgeline height, remove 203 square feet of crib to be replaced with 9 pilings to support an existing 203 square foot dock and drive two additional piling and one ice cluster piling on 432 feet of frontage along Lake Sunapee, to the south of Herrick Cove, in New London.

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

1. All work shall be in accordance with plans by Misiaszek Turpin, PLLC dated February 24, 2017, and revised profiles by Misiaszek Turpin, PLLC dated November 6, 2017, as received by the NHDES on November 7, 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 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. 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 in place until suspended particles have settled and water at the work site has returned to normal clarity.
6. 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.
7. Only those structures as shown on the approved plans and profiles 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.

www.des.nh.gov

29 Hazen Drive • PO Box 95 • Concord, NH 03302-0095
(603) 271-3503 • Fax: 271-7894 TDD Access: Relay NH 1-800-735-2964

8. The ridgeline of the boathouse roof shall not exceed Elevation 1113.15; being 20 feet above the standard operating lake level Elevation 1093.15.
9. Pilings shall be spaced a minimum of 12 ft. apart as measured piling center to piling center.
10. The repairs shall maintain the size, location, and configuration of the pre-existing structures with the exception of the approved increase in ridgeline height.
11. All construction-related debris shall be placed outside of areas subject to RSA 482-A jurisdiction.
12. This permit does not allow dredging for any purpose.

EXPLANATION

The NHDES Wetlands Bureau approved this project on December 2, 2017. NHDES supported its decision with the following findings:

1. This project is classified as a major project per Rule Env-Wt 303.02(d), modification of a docking facility providing 5 or more slips.
2. The Applicant has an average of 432 feet of frontage along Lake Sunapee.
3. The proposed modifications to the docking facility will not provide additional slips as defined per RSA 482-A:2, VIII.
4. The Applicant has submitted a structural report from a professional engineer supporting the need to increase the roof pitch as requested so that the structure will better withstand expected snow loads.
5. The proposed ice protection pilings will reduce the need for future ice-damage related repairs.
6. The proposed modifications are for the purpose of improving the safety and stability of the existing structures and will not increase the environmental impact of the structures nor the number of slips provided on the frontage. For these reasons, and pursuant to Part Env-Wt 204 Waivers, Rule Env-Wt 402.21, Modification of Existing Structures is waived.
7. The Department finds that because the project is not of significant public interest and will not impair the resources of Lake Sunapee a public hearing under RSA 482-A:8 is not required.

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

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



RSA/Rule: RSA 482-A/ Env-Wt 100-900

	<p>COMPLETE MAR 14 2016</p>	<p>2016-00635</p>
		<p>Check No: 1008</p>
		<p>Amount: \$ 228,00</p>
		<p>Payee: EML</p>

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: **47 Sunset Shores** TOWN/CITY: **New London**

TAX MAP: **103** BLOCK: LOT: **24** UNIT:

USGS TOPO MAP WATERBODY NAME: **Lake Sunapee** 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.

Remove 203 square feet of rock/crib support on an existing grandfathered over the water boathouse/dock, replace with 9 support piling; repair 66 square feet of crib support under west wall of boathouse using existing material; remove a 3 1/2:12 pitched boathouse roof and replace with 7:12 pitched roof for snow load; install one 3 piling ice protection cluster and 2 free standing ice protection pilings. Other general in-kind replacement of decking, etc.

4. SHORELINE FRONTAGE

NA This lot has no shoreline frontage. SHORELINE FRONTAGE: **432+/-**

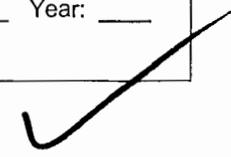
Shoreline frontage is calculated by determining the average of the distances of the actual natural navigable shoreline frontage and a straight line drawn between the property lines, both of which are measured at the normal high water line.

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

None

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 - 3023
- b. Designated River the project is in 1/4 miles of: _____ ; and
date a copy of the application was sent to the Local River Management Advisory Committee: Month: ___ Day: ___ Year: ___
- NA



7. APPLICANT INFORMATION (Desired permit holder)

LAST NAME, FIRST NAME, M.I.: **Rowse, Samuel B. Trustee**

TRUST / COMPANY NAME: **Samuel B. Rowse Living Trust**

MAILING ADDRESS: [REDACTED]

TOWN/CITY: **New London**

STATE: **NH**

ZIP CODE: **03257**

EMAIL or FAX:

PHONE:

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

8. PROPERTY OWNER INFORMATION (If different than applicant)

LAST NAME, FIRST NAME, M.I.: **Same as above**

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. AUTHORIZED AGENT INFORMATION

LAST NAME, FIRST NAME, M.I.: **Nadeau, Regina A.**

COMPANY NAME: **Normandin, Cheney & O'Neil, PLLC**

MAILING ADDRESS: **PO Box 575**

TOWN/CITY: **Laconia**

STATE: **NH**

ZIP CODE: **03246**

EMAIL or FAX: **rnadeau@nco-law.com**

PHONE: **603-524-4380**

ELECTRONIC COMMUNICATION: By initialing here **RAW**, I hereby authorize NHDES 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) 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


Property Owner's Signature

SAMUEL B. ROWSE
Print name legibly

1 1
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.

<input style="width: 95%; height: 95%;" type="text"/>	Print name legibly	Date
---	--------------------	------

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.

<input style="width: 95%; height: 95%;" type="text"/>	Linda Nicklos	New London	3/9/14
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	/	/
Lake / Pond	/	/
Bank - Intermittent stream	/	/
Bank - Perennial stream / River	/	/
Bank - Lake / Pond	/	/
Tidal water	/	/
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	14	<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
TOTAL	14 /	/

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 = \$ _____

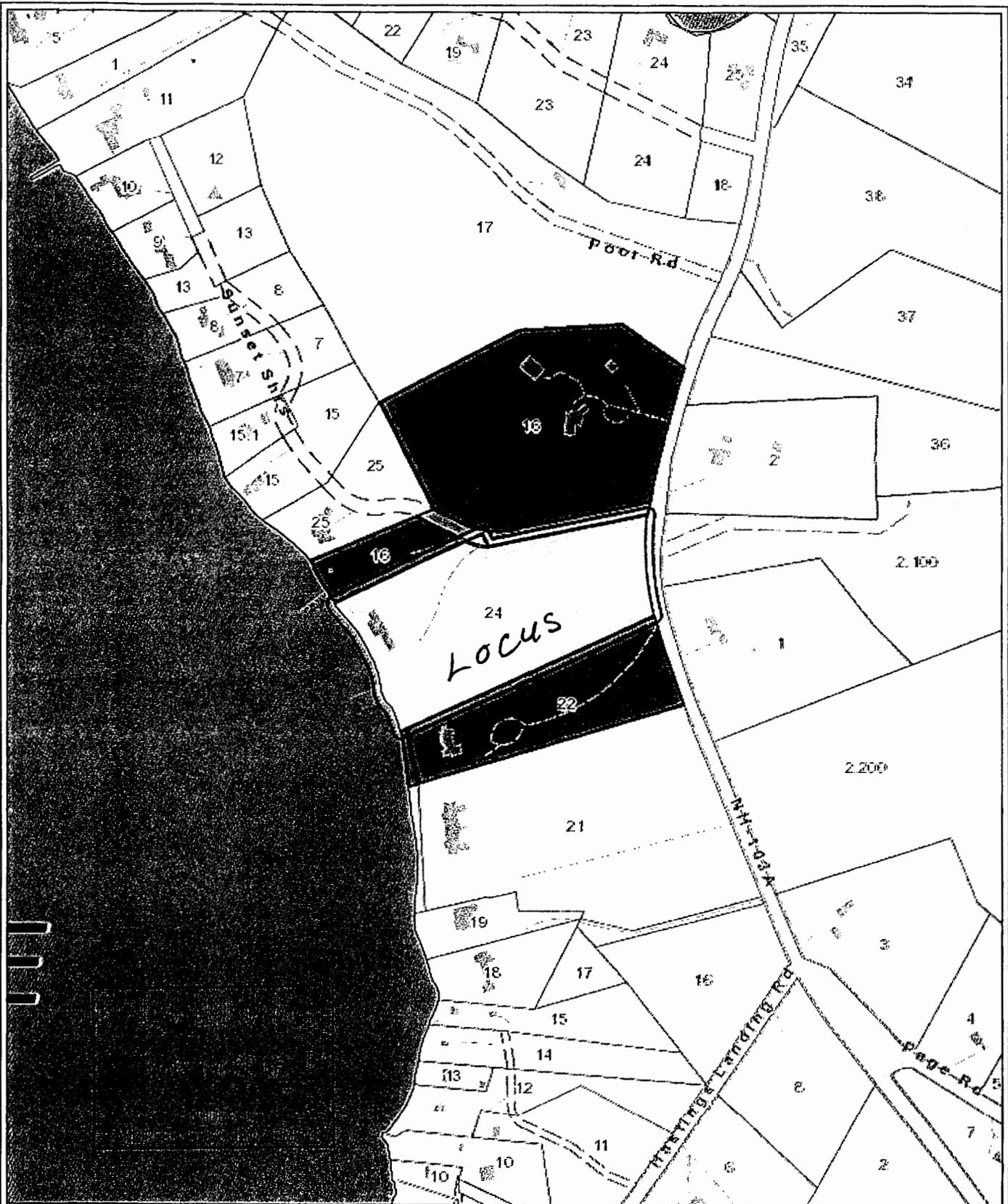
Temporary (seasonal) docking structure: _____ sq. ft. X \$1.00 = \$ _____

Permanent docking structure: **14** sq. ft. X \$2.00 = **\$ 28.00**

Projects proposing shoreline structures (including docks) add \$200 = \$ 200.00

Total = **\$ 228.00**

The Application Fee is the above calculated Total or \$200, whichever is greater = **\$ 228.00**



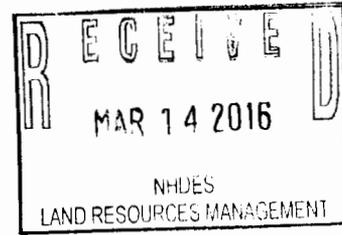
47 Sunset Shores
 New London, NH
 1 Inch = 383 Feet
 January 25, 2016



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





Memo



NH NATURAL HERITAGE BUREAU
NHB DATACHECK RESULTS LETTER

To: Robert Turpin
One Mill Plaza
Laconia, NH 03246

From: Amy Lamb, NH Natural Heritage Bureau
Date: 9/24/2015 (valid for one year from this date)
Re: Review by NH Natural Heritage Bureau

NHB File ID: NHB15-3023 Town: New London Location: Tax Maps: 103 & 024
Description: Repair of damaged existing docks, and replacement of failing roof structure on existing boathouse

As requested, I have searched our database for records of rare species and exemplary natural communities, with the following results.

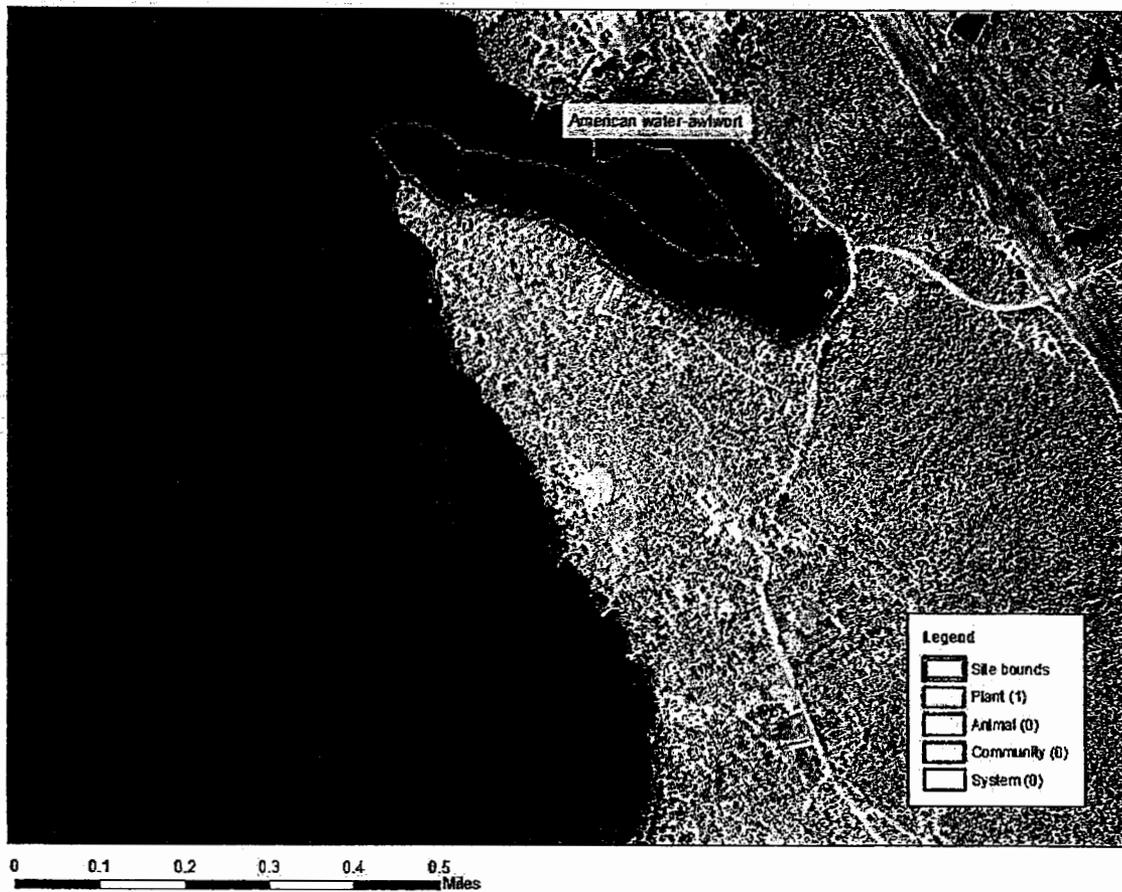
Comments: Please be aware that this rare plant occurs nearby (see map) and could occur in the project vicinity. Please minimize ground disturbance if any construction requires staging or equipment to be placed in the water. Doing work in spring/fall would minimize impacts to aquatic plants.

Plant species	State ¹	Federal	Notes
American water-awwort (<i>Subularia aquatica ssp. americana</i>)	E	--	This aquatic plant grows in shallow water and is vulnerable to changes in water levels, disturbance of the substrate, e.g. due to recreation, and changes in water quality, e.g. due to sediments or pollutants in stormwater runoff.

¹Codes: "E" = Endangered, "T" = Threatened, "SC" = Special Concern, "--" = an exemplary natural community, or a rare species tracked by NH Natural Heritage that has not yet been added to the official state list. An asterisk (*) indicates that the most recent report for that occurrence was more than 20 years ago.

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.

NHB15-3023



Samuel B. Rowe, Trustee, Samuel B. Rowse Living Trust, parcel No. 103-024-000

ABUTTER LIST

Name	Address	Parcel No.
Shelby W. Blunt Qualified Personal Trust	[REDACTED] New London, NH 03257	091-016-000
Mary Katharine Wyand Trust	[REDACTED] New London, NH 03257	103-022-000

Letters to abutters were mailed on January 25, 2016

U.S. Postal Service™
CERTIFIED MAIL® RECEIPT
 Domestic Mail Only

For delivery information, visit our website at www.usps.com™.

OFFICIAL USE

Postage	\$ 4.85
Certified Fee	3.45
Return Receipt Fee (Endorsement Required)	2.80
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$ 6.735

LACONIA POST OFFICE
 Postmark
 JAN 25 2016
 03246

Sent To
 Shelby W Blunt Qualified Personal Trust
 Street & Apt. No.,
 or PO Box No. [REDACTED]
 City, State, ZIP+4
 New London NH 03257

PS Form 3800, July 2014 See Reverse for Instructions

U.S. Postal Service™
CERTIFIED MAIL® RECEIPT
 Domestic Mail Only

For delivery information, visit our website at www.usps.com™.

OFFICIAL USE

Postage	\$ 4.85
Certified Fee	3.45
Return Receipt Fee (Endorsement Required)	2.80
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$ 6.735

LACONIA POST OFFICE
 Postmark
 Here
 JAN 25 2016
 03246

Sent To
 Mary Katharine Wyand Trust
 Street & Apt. No.,
 or PO Box No. [REDACTED]
 City, State, ZIP+4
 New London NH 03257

PS Form 3800, July 2014 See Reverse for Instructions