



The State of New Hampshire
DEPARTMENT OF ENVIRONMENTAL SERVICES



Thomas S. Burack, Commissioner

November 03, 2014

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

REQUESTED ACTION

Approve Gregory and Jo Ann Shouldice's request to perform the following work on Lake Winnepesaukee, in Meredith. File # 2011-00419. This project will not have significant impact on or adversely affect the values of Lake Winnepesaukee.

Amend permit to permanently remove an existing 6 ft. x 46 ft. seasonal dock and concrete anchor pad, restore 20 linear ft. of shoreline to natural conditions, fill 720 sq. ft. to construct 45 linear ft. of breakwater, in an "I" configuration, with a 9 ft. gap at the shoreline, construct a 6 ft. x 40 ft. seasonal dock connected to a 6 ft. x 40 ft. seasonal dock connected by a 6 ft. x 12 ft. seasonal walkway, install a seasonal boatlift in the center slip, install 3 tie off piles adjacent to the breakwater on an average of 320 ft. of frontage on Lake Winnepesaukee, in Meredith.

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

1. All work shall be in accordance with plans by Ames Associates dated February 22, 2011, as received by the Department on February 28, 2011 and amendment plans by Ames Associates, revision dated September 26, 2014, as received by the Department on September 30, 2014.
2. This permit shall not be effective until it has been recorded with the Belknap 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 construction.
3. Appropriate siltation and erosion controls shall be in place prior to construction, shall be maintained during construction, and shall remain in place until the area is stabilized.
4. Work authorized shall be carried out such that discharges in spawning or nursery areas during spawning seasons shall be avoided, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
5. These shall be the only structures on this water frontage and 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.
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 the water at the work site has returned to normal clarity.
7. No portion of breakwater as measured at normal full lake shall extend more than 50 ft. from normal full lake shoreline.
8. The breakwater shall not exceed 3 ft. in height (Elev. 507.32 ft.) over the normal high water line (Elev. 504.32 ft.).
9. The width as measured at the top of the breakwater (Elev. 507.32 ft.) shall not exceed 3 ft.
10. Rocks may not remain stockpiled on the frontage for a period longer than 60 days.

DES Web site: 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

11. Photos showing that all construction materials have been removed from the temporary stockpile area shall be submitted to the Bureau upon completion of the docking facility.
12. 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.
13. The owner understands and accepts the risk that if this facility requires dredging to maintain a minimum slip depth of 3 ft., more frequently than once every 6 years, or is shown to have an adverse impact on abutting frontages, it shall be subject to removal.
14. The seasonal boat lift shall be removed for the non-boating season.
15. Seasonal piers shall be removed for the non-boating season.
16. All activities shall be in accordance with the Comprehensive Shoreland Protection Act, per 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 after July 1, 2008.

EXPLANATION

The DES Wetlands Bureau approved this project on October 02, 2014. DES supported its decision with the following findings:

1. This project is classified as a major project per Rule Env-Wt 303.02(j), construction of a breakwater.
2. The construction of a breakwater to provide safe docking at this site is justified in accordance with Rule Env-Wt 402.07, Breakwaters.
3. The applicant has an average of 320 ft. of shoreline frontage along Lake Winnepesaukee.
4. A maximum of 5 slips may be permitted on this frontage per Rule Env-Wt 402.13 Frontage Over 75'.
5. The proposed docking facility will provide 3 slips as defined per RSA 482-A and therefore meets Rule Env-Wt 402.13.
6. The Department approved a breakwater 3 lots to the northwest after receiving sufficient evidence submitted to support the need for a breakwater in this location.
7. Public hearing is waived with the finding that the project impacts will not significantly impair the resources of Lake Winnepesaukee.

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



Ames Associates

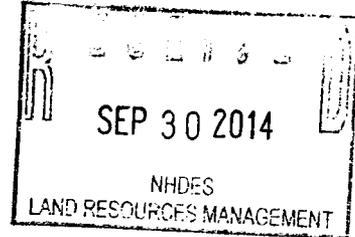
164 NH Route 25
Meredith, NH 03253

Phone: (603) 279-5705

Fax: (603) 279-7878

amesassociates.com

September 29, 2014



Dale Keirstead
NHDES Wetlands Bureau
PO Box 95
Concord, NH 03302-0095

Re: **NHDES Wetlands and Non-Site Specific Permit #2011-00419**
22 Bear Island, Meredith; Tax Map I02 Lot 31
Amendment Request

Dear Dale,

On behalf of the permittees of Wetlands and Non-Site Specific Permit 2011-00419, Gregory & Jo Ann Shouldice, our office is submitting a request to NHDES to amend the permit to allow for a seasonal u-shape dock with two 6'x40' piers connected by a 6'x12' walkway and anchored to the shoreline by two 4'x6'x2' concrete pads, rather than a permanent u-shape dock as has been approved. No change is requested to the proposed breakwater, seasonal boat lift or lake bank restoration.

There will be a 11%± increase in total proposed impact area as a result of the proposed substitution of a seasonal u-shape dock (40' pier lengths) and concrete pads for the originally-proposed piling-supported dock (35'-39'± pier lengths), and inclusion of the originally-proposed seasonal dock lift as part of proposed impact, which was not included the calculations of the 2011 application despite being shown within the application plan (if seasonal lift had been accounted for, there would be just a 2.4% increase in impact area under this amendment).

Please feel free to contact us with any questions, or for additional information.

Sincerely,

Nicol Roseberry
Wetlands/Soil & Permitting

Cc: Meredith Conservation Commission

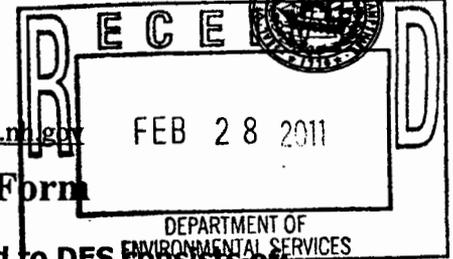


DEPARTMENT OF ENVIRONMENTAL SERVICES
WETLANDS BUREAU

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

Phone: (603) 271-2147 Fax: (603) 271-6588

Website: www.des.nh.gov/wetlands Email: wetmail@des.nh.gov



Standard Dredge and Fill Application Form

The Standard Dredge and Fill application package to be submitted to DES consists of:

1. Application form (this document).
2. Checklist(s) with required information attached. ("Checklist for Submission of your Standard Dredge and Fill Application," and if appropriate, "Compensatory Mitigation Information and Checklist").

Type or print clearly -- missing information may result in your application review being delayed if it is considered administratively incomplete. If you are completing this as a Word version on your computer, use your tab key to move through the document to enter data in the appropriate areas.

If you have questions about any terms used, check the Definitions section of the Instructions.

1.	Name of Landowner* (last, first, middle initial)	Owner daytime phone number	Owner fax number	Owner email
	Shouldice, Gregory D & Jo Ann	()	()	
* If there are multiple landowners, please attach a separate page with the names of all landowners, and documentation as to the one person who represents the interests of the entire group.				
Landowner (permanent) mailing address or PO Box		Town/City (owner mailing address)		State Zip code
[REDACTED]		Pittsfield		MA 01201
2.	Name of Applicant, if not the landowner	Applicant phone number	Applicant fax number	Applicant email
		()	()	
	Applicant street address	Applicant town/city		State Zip code
3.	Company and Name of Agent	Agent phone number	Agent fax number	Agent email
	Ames Associates, G. Walker Magrath	() 603-279-5705	() 603-279-7878	WalkerM@metrocast.net
Agent Street mailing address or PO Box		Town/City (agent mailing address)		State Zip code
164 NH Route 25		Meredith		NH 03253
4.	Location(s) of the proposed work (fill in below)			
Street address(es) or nearest intersection(s)		22 Bear Island		
Town/City	Meredith	Tax map	102	Block
				Lot number(s)
				31
5.	For projects classified as minor or major impact, are there any vernal pools located on the subject property? If "Yes," identify and label the location(s) of vernal pool(s) on the project plans.			Circle one: Yes / <input checked="" type="checkbox"/> No

6.	<p>Based on information obtained from the Natural Heritage Bureau (NHB), are there any state or federal threatened or endangered species or exemplary natural communities on the subject property? Provide the NHB file number: <input type="text" value="2011-0303"/> and attach the documentation (letter/memo & map) Natural Heritage information can be obtained at www.nhnaturalheritage.org. Click on "Services" for links to: 1) the DataCheck web tool, or 2) a hard copy form to obtain the required letter and map from NHB. If you do not have Internet access, you may contact NHB directly at (603) 271-2215 x 323 for information about obtaining the required documentation.</p>	Circle one: Yes / <input checked="" type="checkbox"/> No	
7.	If there are any state or federal threatened or endangered species or exemplary natural communities located on the subject property, please provide a letter from NHB stating that the applicant has consulted with NHB. The letter should indicate either there is no impact, or include NHB guidelines for preventing or mitigating impacts.		
8.	Jurisdictional areas(s) where work is proposed; check box(es) below. Check the definitions in the instructions for additional information. (If your resource type is not listed, contact DES for guidance):		
Nontidal wetland: swamp, wet meadow, etc.	Bank of surface water body	Intermittent (seasonal) stream	Name of water body from USGS topographic map: Lake Winnepesaukee
Vernal pool	Lake or pond	<input checked="" type="checkbox"/> Perennial stream or river	Tributary to:
Upland tidal buffer zone	Sand dune	Tidal wetland	Prime Wetland Buffer (within 100 feet of prime wetland)
Freshwater marsh	Bog/fen (peatland)	Atlantic Ocean	Municipally designated prime wetland
9.	<p>Provide a brief description of all proposed work including: 1) the size of the impact area (square feet) in the resource, 2) the size (in acres) of the entire parcel(s), and 3) the compensatory mitigation proposed, if applicable, per Env-Wt 302.03(c). Attach a separate page if you are not completing this using a computer.</p> <p>See attached</p>		
10.	Does the project require compensatory mitigation to offset unavoidable impacts to wetlands? If Yes, attach a copy of the completed Mitigation Checklist .		Yes / <input checked="" type="checkbox"/> No
11.	Have you requested a waiver of any wetland rules per Env-Wt 204? If Yes, attach your waiver request to this application.		Yes / <input checked="" type="checkbox"/> No
12.	Is there any DES emergency authorization associated with this property? Are you aware of any DES enforcement issues related to this property? If Yes, provide the file number(s): _____		Yes / <input checked="" type="checkbox"/> No
13.	Explain why it is necessary to impact a wetland or other jurisdictional area to construct your project. See attached		

14.	<p>Explain why your project design proposes less environmental impact on areas in DES Wetlands jurisdiction than other alternatives. What other alternatives were considered? (Attach a separate page if you are not completing this expandable box on a computer)</p> <p>See attached</p>
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15. Amount of Impact Proposed By Jurisdictional Area				
Indicate whether permanent or temporary impacts. This information is necessary to calculate the fee and classify your project. Leave box blank if not applicable to your proposed project.				
Jurisdictional area	Impact Type (indicate whether temporary or permanent)			
	Dredge	Fill	Structure	Total
Wetlands				sq. ft.
Impacts to very poorly drained soils (only required for pond construction)				sq. ft.
Prime wetland				sq. ft.
Vernal pool				sq. ft.
Prime Wetland Buffer (within 100 feet of designated prime wetland)				sq. ft.
Stream or River				sq. ft.
Bank of stream or river				sq. ft.
Bed of perennial stream				linear feet
				sq. ft.
Thread of Intermittent Stream				linear feet
Bank of Lake (for beach construction & replenishment, bank stabilization)				
Shoreline (see following page for how to calculate this average length)	21(conc.Pad)			21 linear feet
Dredge/fill within bank	105(conc. pad)			105 sq. ft.
Dredge/fill within bank				9 cubic yards
Lake or Pond (below full lake elevation) Impacts for <u>docks and structures</u> listed in item 15 are entered below.				
Shoreline subject to impacts			±30	±30 linear feet
			518	518 sq. feet
Dredge or fill of lakebed			±150	±150 cubic yards
		720		720 sq. ft.
Sand dune				sq. ft.
Tidal wetland				sq. ft.
Upland tidal buffer zone				sq. ft.
Undeveloped?/ Developed? (choose one or both, as appropriate)				

16. Calculate and provide length of shoreline frontage.

Shoreline frontage is the average of two distances, 1) the actual natural navigable shoreline footage, and 2) a straight line drawn between property lines, both of which are measured at the normal high water line.

(a) Pin to pin distance (linear feet)	(b) Actual natural navigable shoreline (from pin to pin)	$\frac{(a) + (b)}{2}$	Shoreline frontage (linear feet)
316.3'	324.1'		320.2'

17. Enter the information below if you are proposing any docking structures. Your plans must show proposed and existing docking structures.

Docking structures (proposed)	Square Feet
Surface area of all permanent structures:	Dock= 517, Breakwater= 300
Surface area of all seasonal structures:	

18. Other DES Permitting Requirements

Have you addressed requirements of Comprehensive Shoreland Protection Act (CSPA), RSA 483-B?

If your property is in the "protected shoreland" -- the area that is within 250 feet of a fourth order stream, a designated river, a lake or pond 10 acres or greater in size (on the DES *Official List of Public Waters*), or tidal water, you will need to comply with the requirements of the Comprehensive Shoreland Protection Act (CSPA).

What is considered "protected shoreland"? To determine if your property is located in "protected shoreland," go to www.des.nh.gov/cspa or the following websites:

- A "fourth order" or larger stream or river (www.des.nh.gov/cspa).
- Any river or river segment designated as protected under the N.H. Designated Rivers Program, RSA 483 (www.des.nh.gov/rivers/).
- Public waters (www.des.nh.gov/Dam/)
- Tidal waters.

As of July 1, 2008, projects that involve construction, excavation, or filling within the protected shoreland, require a DES Shoreland Permit, unless the work is specifically permitted under a Wetlands Permit, OR exempted under Rule Env-Wq 1406.03 or Env-Wq 1406.04 (see des.nh.gov/rules/desadmin_list.htm#env-wq1400), and a DES Alteration of Terrain permit 50,000 square feet if any part of disturbance is within the protected shoreland. For more information: www.des.nh.gov/AOT/ and RSA 485-A:17.

_____ **Does this project require a DES Alteration of Terrain (AoT) permit?** If yes, does this application and the other application reflect the same project area in its entirety?

Date of submittal to DES: _____

DES AoT File number: _____

_____ **Does this project require a DES Subdivision or Subsurface Disposal System permit(s)?** If yes, does this application and the other application reflect the same project area in its entirety?

Date of Subsurface/Subdivision application submittal to DES: _____

DES Subsurface/Subdivision File number: _____

19. In accordance with RSA 482-A:3, XIV (b), I, G. Walker Magrauth, hereby authorize DES to communicate all matters relative to this application electronically with the individual identified below at the email address identified below. I agree to send an electronic return/read receipt of all emails sent by the department and understand that the department will do the same. I also agree that DES will be notified immediately of any change in the email address identified below. Please note that DES limits the size of documents that can be received or stored electronically. Any submittals that have a file size over 5 MB must be provided in hard copy.

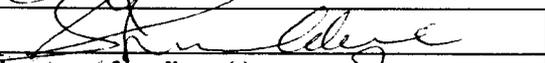
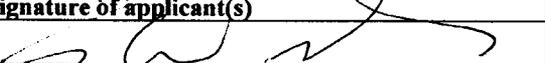
(Check one box only and supply email address)

Landowner email: _____ Applicant email: _____
 Agent email: WalkerM@metrocast.net

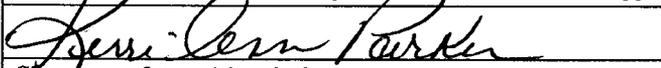
20. **FILING FEE:** A check or money order payable to the NH DES Wetlands Bureau must accompany this application. The minimum fee is \$200. Minor and major impact projects are charged at the rate of: \$0.20 per square foot of requested impact (if less than 1,000 square feet of impact is proposed, the minimum fee of \$200 applies). All applications for shoreline structures shall include a base fee of \$200. In addition, minor and major impact shoreline projects shall include fees charged at the rate of: \$0.20 per square foot for requested dredge or fill impacts; \$1 per square foot for requested seasonal docking structure; and \$2 per square foot for requested permanent docking structure. The application will be considered administratively incomplete until the required fee is paid in full. Attach the appropriate fee calculation worksheet(s).

21. **APPLICANT SIGNATURE.** By signing this application, I am certifying that:

- 1) All abutters have been identified in accordance with the definition given in the instructions and I or my agent have/has sent notices to those abutters by Certified Mail.
- 2) I have read and provided the required information outlined in Env-Wt 302.04 and listed on the "Checklist for Submission of Your Standard Dredge and Fill Application," dated June 2008.
- 3) I have read and understand Env-Wt 302.03 and have chosen the least impacting alternative.
- 4) I have reviewed the information being submitted and that to my knowledge the information is true and accurate.
- 5) I have submitted a copy of the application materials to the NH State Historic Preservation Officer.
- 6) Authorize the municipal conservation commission to inspect the site of the proposed project.
- 7) 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.

	Gregory D. Shouldice	2/14/2011
Signature of applicant(s)	Print applicant's name(s)	Date
	G.W. Magrauth	2/22/11
Signature of authorized agent (if applicable)	Print agent name	Date

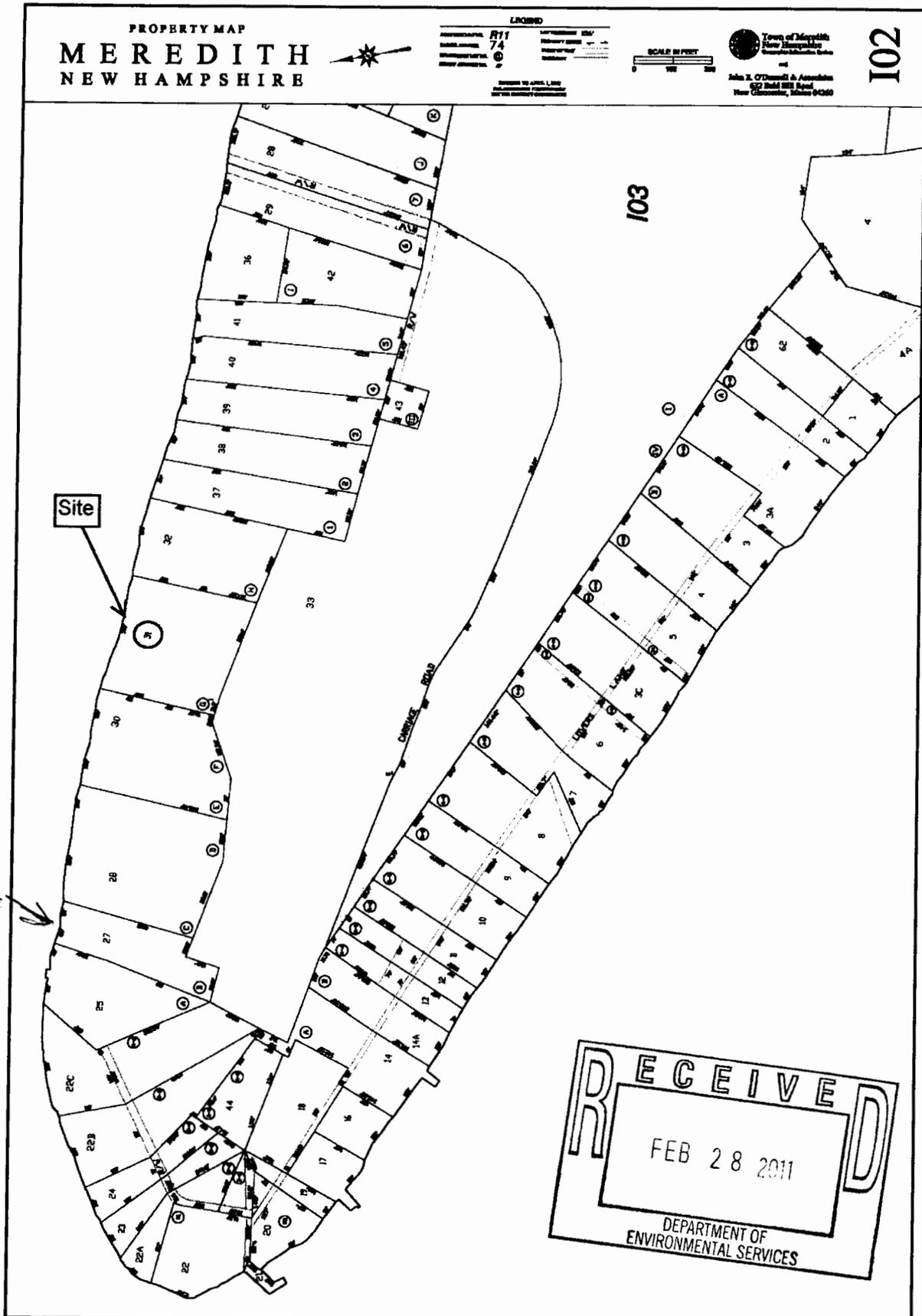
22. **TOWN CLERK SIGNATURE:** I hereby certify that the applicant has filed five sets of all materials with the town/city of Meredith as required by Chapter 482-A:3, and I have received and retained certified postal receipts (or copies) for all abutters identified by the applicant. Upon signing the application below, I will forward immediately by certified mail to the DES the original application materials, including the filing fee, and distribute the three copies to each of the following: the local governing body, the municipal planning board, if any, and the municipal conservation commission, if any. Town clerk retains one copy.

	2/24/11
Signature of town/city clerk	Date

For DES Office Use Only:					
Fee received (amount):	2/28/11	DES File #	11-419	Name on check:	AMES ASSOC.
date of check	date check received	check#	8484	amount	\$1401.00
				initials	EM
Additional check: Date of check: _____ Date check received: _____ Check number: _____ Check amount: _____					

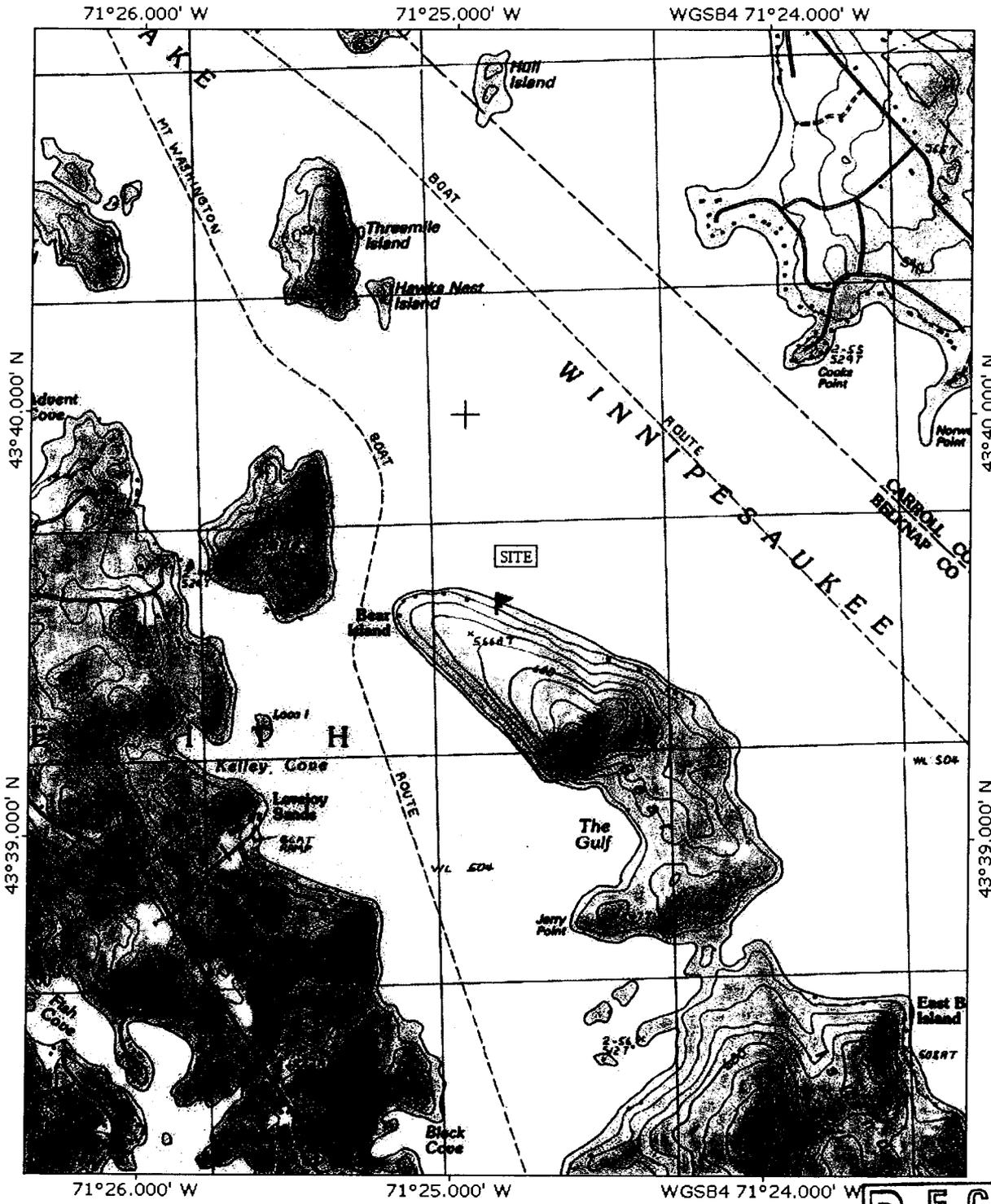
The U.S. Army Corps of Engineers has reissued its New Hampshire Programmatic General Permit (PGP) effective June 28, 2007. The Corps is requiring the submission of a new Corps Secondary Impacts Checklist to be submitted with the DES wetland application. The Corps will review this information to assess direct, indirect (secondary impacts) and cumulative impacts. The Corps **Secondary Impacts Checklist**, Appendix B to the New Hampshire PGP, is attached to this DES wetland application. The PGP does not impose any obligation on DES to assess secondary impacts that does not already exist in state law.

TAX MAP



USGS MAP

TOPO! map printed on 11/09/10 from "Untitled.tpo"



N10
98



Map Name:	CENTER HARBOR, NH (Topographic) Meredith, Carroll County	
Version:	1998	
Purpose:	General Location	Applicant: Shouldice
Datum:	USGS	Agent: Ames Associates

RECEIVED

FEB 28 2011

DEPARTMENT OF ENVIRONMENTAL SERVICES



NEW HAMPSHIRE NATURAL HERITAGE BUREAU

To: Nicol Roseberry
Ames Associates
164 NH Route 25
Meredith, NH 03253

Date: 2/10/2011

From: NH Natural Heritage Bureau

Re: Review by NH Natural Heritage Bureau of request dated 2/10/2011

NHB File ID: NHB11-0303

Applicant: Shouldice, Gregory D. & Jo Ann

Tax Map(s)/Lot(s): I02-31
Meredith

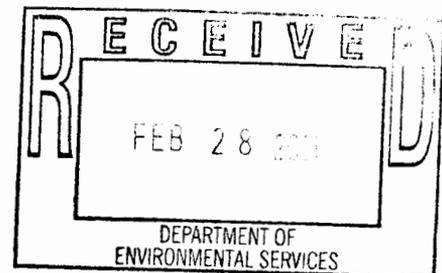
Project Categories:

Shoreland Construction/Alteration: Boat lift
Shoreland Construction/Alteration: Breakwater/dock

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 review is valid through 2/10/2012.





NEW HAMPSHIRE NATURAL HERITAGE BUREAU

MAP OF PROJECT BOUNDARIES FOR: NHB ID# NHB11-0303



ABUTTER LIST & CERTIFIED MAIL RECEIPTS

Abutter List

Owner

Cail, David L. Living Trust
Cail, David L. & Janis Trustees

Weston, MA 02493-2265

Henning, Frederick B.

Dulles, VA 20189-2310

Bear Island Conservation Association Inc.
c/o Cail, David L.

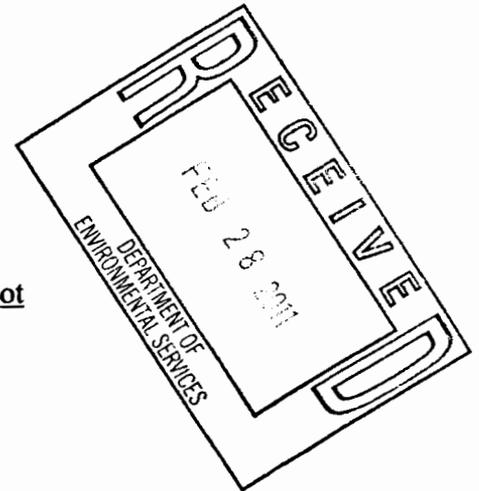
Weston, MA 02493-2265

Tax Map-Lot

I02-30

I02-32

I02-33



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Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$ 3.24

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Street, Apt. No., or PO Box No.: [Redacted]
City, State, ZIP+4: Dulles, VA 20189-2310

PS Form 3800, April 2009

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Sent To: Cail, David Living Trust
Street, Apt. No., or PO Box No.: [Redacted]
City, State, ZIP+4: Weston MA 02493-2265

PS Form 3800, April 2009

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Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$ 3.24

Sent To: Bear Island Conservation Assn
Street, Apt. No., or PO Box No.: [Redacted]
City, State, ZIP+4: Weston, MA 02493-2265

PS Form 3800, April 2009

442 495T 1000 0102

7010 1670 0001 1584 2751

7010 1670 0001 1584 2768