



The State of New Hampshire **MAY 20 19 PM 1:39 DAS**
Department of Environmental Services



Robert R. Scott, Commissioner

May 14, 2019

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

REQUESTED ACTION

Approve Kimberly MacDonald's and Paula Small's request to perform the following work on Lake Winnepesaukee in Gilford. File # 2019-00614. This project will not have significant impact on or adversely affect the values of Lake Winnepesaukee.

Install a 6 foot x 40 foot seasonal pier and a 6 foot x 12 foot seasonal walkway connected to an existing 6 foot x 40 foot seasonal pier resulting in a "U" configuration, install a seasonal boatlift, two personal watercraft lifts and a 4 foot x 7 foot concrete anchoring pad along an average of 3,067 feet of frontage on Round Island, along Lake Winnepesaukee in Gilford.

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 Watermark Marine Construction dated December 20, 2018 and received by the NH Department of Environmental Services (NHDES) on February 21, 2019.
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. No work is authorized to any of the other docking structure on the frontage.
4. 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.
5. 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.
6. Work shall be carried out in a time and manner to avoid disturbances to migratory waterfowl breeding and nesting areas.
7. 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.
8. All construction-related debris shall be placed outside of the areas subject to RSA 482-A.
9. Only those structures shown on the approved plans 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.
10. 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.

11. No portion of the seasonal piers shall extend more than 40 feet from the shoreline at full lake elevation (504.32).
12. The proposed anchoring pad shall be constructed landward of the shoreline defined by the elevation of normal high water so as not to create land in public water.
13. All seasonal structures, including watercraft lifts, shall be removed for the non-boating season.
14. No person undertaking any activity shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards in RSA 485-A and Env-Wq 1700.

EXPLANATION

The NHDES approved this project on April 04, 2019. The 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 docking facilities providing 5 or more slips.
2. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the NHDES' jurisdiction per Rule Env-Wt 302.03.
3. The applicant has demonstrated by plan and example that each factor listed in Rule Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
4. The applicant has an average of 3,067 feet of frontage along Lake Winnepesaukee.
5. A maximum of 41 slips may be permitted on this frontage per Rule Env-Wt 402.13, Frontage Over 75'.
6. The new docking facilities in combination with other pre-existing docking facilities on the frontage provide approximately 19 slips as defined per RSA 482-A:2, VIII and therefore, meets Rule Env-Wt 402.13.
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 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,



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

	<h2>COMPLETE</h2> <p>FEB 21 2019</p>	File No. <u>2019-00614</u>
		Check No. <u>1325</u>
		Amount <u>\$ 568.00</u>
		Initials <u>LSL</u>

1. REVIEW TIME: Indicate your Review Time below. To determine review time, refer to Guidance Document A for instructions.

- Standard Review (Minimum, Minor or Major Impact) Expedited Review (Minimum Impact only)

2. MITIGATION REQUIREMENT:
If mitigation is required a Mitigation-Pre Application meeting must occur prior to submitting this Wetlands Permit Application. To determine if Mitigation is Required, please refer to the Determine if Mitigation is Required Frequently Asked Question.

Mitigation Pre-Application Meeting Date: Month: ___ Day: ___ Year: ___

- N/A - Mitigation is not required

3. PROJECT LOCATION:
Separate wetland permit applications must be submitted for each municipality that wetland impacts occur within.

ADDRESS: 6 Round Island		TOWN/CITY: Gilford	
TAX MAP: 244	BLOCK: 001	LOT: 006	UNIT: 000
USGS TOPO MAP WATERBODY NAME: Lake Winnepesaukee	<input type="checkbox"/> NA	STREAM WATERSHED SIZE:	<input checked="" type="checkbox"/> NA
LOCATION COORDINATES (if known): Easting: 1,059,765.33 Northing: 404,891.16	<input type="checkbox"/> Latitude/Longitude	<input type="checkbox"/> UTM	<input checked="" type="checkbox"/> State Plane

4. 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.

Install a 6ft x 40ft seasonal crank-up dock, a 6ft x 12ft connecting walkway and a 4ft x 7ft concrete hinge pad adjacent to existing seasonal dockage. Additionally, install a single seasonal boatlift and two seasonal PWC lifts.

5. SHORELINE FRONTAGE:

- N/A This does not have shoreline frontage. SHORELINE FRONTAGE: +1-3,000ft

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.

6. RELATED NHDES LAND RESOURCES MANAGEMENT PERMIT APPLICATIONS ASSOCIATED WITH THIS PROJECT:

Please indicate if any of the following permit applications are required and, if required, the status of the application. To determine if other Land Resources Management Permits are required, refer to the Land Resources Management Web Page.

Permit Type	Permit Required	File Number	Permit Application Status
Alteration of Terrain Permit Per RSA 485-A:17	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	_____	<input type="checkbox"/> APPROVED <input type="checkbox"/> PENDING <input type="checkbox"/> DENIED
Individual Sewerage Disposal per RSA 485-A:2	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	_____	<input type="checkbox"/> APPROVED <input type="checkbox"/> PENDING <input type="checkbox"/> DENIED
Subdivision Approval Per RSA 485-A	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	_____	<input type="checkbox"/> APPROVED <input type="checkbox"/> PENDING <input type="checkbox"/> DENIED
Shoreland Permit Per RSA 483-B	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	_____	<input type="checkbox"/> APPROVED <input type="checkbox"/> PENDING <input type="checkbox"/> DENIED

7. 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 18- 3833
- b. Designated River the project is in ¼ miles of: _____; and
date a copy of the application was sent to the Local River Management Advisory Committee: Month: ___ Day: ___ Year: ___
- N/A


8. APPLICANT INFORMATION (Desired permit holder)			
LAST NAME, FIRST NAME, M.I.: Small, Paula and MacDonald, Kimberly			
TRUST / COMPANY NAME: N/A		MAILING ADDRESS: F	
TOWN/CITY:		STATE: I	ZIP CODE: 03301
EMAIL or FAX: N/A		PHONE: N/A	
ELECTRONIC COMMUNICATION: By initialing here: <u>N/A</u> . I hereby authorize NHDES to communicate all matters relative to this application electronically.			
9. PROPERTY OWNER INFORMATION (If different than applicant)			
LAST NAME, FIRST NAME, M.I.: Small, Paula, et al.			
TRUST / COMPANY NAME: N/A		MAILING ADDRESS: F	
TOWN/CITY:		STATE:	ZIP CODE:
EMAIL or FAX: N/A		PHONE: N/A	
ELECTRONIC COMMUNICATION: By initialing here: <u>N/A</u> . I hereby authorize NHDES to communicate all matters relative to this application electronically.			
10. AUTHORIZED AGENT INFORMATION			
LAST NAME, FIRST NAME, M.I.: Irving, Jamie C.		COMPANY NAME: Watermark Marine Construction	
MAILING ADDRESS: 1218 Union Avenue			
TOWN/CITY: Laconia		STATE: NH	ZIP CODE: 03246
EMAIL or FAX: jci@watermarkmarine.com		PHONE: 603-293-4000	
ELECTRONIC COMMUNICATION: By initialing here: <u>JCI</u> . I hereby authorize NHDES to communicate all matters relative to this application electronically.			
11. PROPERTY OWNER SIGNATURE			
See the Instructions & Required Attachments document for clarification of the below statements.			
By signing the application, I am certifying that:			
<ol style="list-style-type: none"> 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. I have reviewed and submitted information & attachments outlined in the Instructions and Required Attachment document. All abutters have been identified in accordance with RSA 482-A:3, I and Env-Wt 100-900. I have read and provided the required information outlined in Env-Wt 302.04 for the applicable project type. I have read and understand Env-Wt 302.03 and have chosen the least impacting alternative. 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. 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. I authorize NHDES and the municipal conservation commission to inspect the site of the proposed project. I have reviewed the information being submitted and that to the best of my knowledge the information is true and accurate. 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. I am aware that the work I am proposing may require additional state, local or federal permits which I am responsible for obtaining. The mailing addresses I have provided are up to date and appropriate for receipt of NHDES correspondence. NHDES will not forward returned mail. 			
 Property Owner Signature		Paula J Small Print name legibly	2/8, 2019 Date

MUNICIPAL SIGNATURES

12. 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.

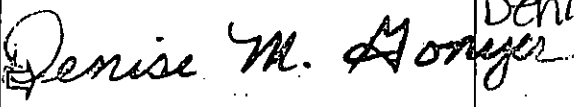
	Print name legibly	Date
---	--------------------	------

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 be reviewed in the standard review time frame.

13. 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. Gongyer	Gilford	2/15/19
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.

14. 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	28	312
Docking - River	<input type="checkbox"/> ATF	<input type="checkbox"/> ATF
Docking - Tidal Water	<input type="checkbox"/> ATF	<input type="checkbox"/> ATF
Vernal Pool	<input type="checkbox"/> ATF	<input type="checkbox"/> ATF
TOTAL	28 /	312 /

15. 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) 0 sq. ft. X \$0.20 = \$

Temporary (seasonal) docking structure: 312 sq. ft. X \$1.00 = \$ 312.00

Permanent docking structure: 28 sq. ft. X \$2.00 = \$ 56.00

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

Total = \$ 568.00

The Application Fee is the above calculated Total or \$200, whichever is greater = \$ 568.00

irm@des.nh.gov or (603) 271-2147

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

www.des.nh.gov

Applicant: Kimberly MacDonald and Paula Small
6 Round Island
Gilford NH, 03249

Wt 302.04 Requirements for Application Evaluation:

- 1 Need: To provide the allowable two additional boatslips this property allows...
- 2 Alternative: The proposed dockage is the most efficient and least impacting alternative to provide the allowed boat slips.
- 3 Type Wetlands: Surface water.
- 4 Wetlands Relationship: There are no adverse effects from the proposed project to nearby surface waters.
- 5 Rarity: The proposed project area, Lake Winnepesaukee, is not considered a rarity.
- 6 Surface Area: Additional Dockage = 312ft² Existing Dockage = 240ft²
- 7 Impact to Plants, Fish, & Wildlife: The impacts of the proposed project will not have any negative effects the local flora or fauna, beyond allowable impacts.
- 8 Impact to Public: There is no impact to local public commerce, navigation or recreation.
- 9 Aesthetic Interference: The proposed project is in line with surrounding projects and will cause no aesthetic interference.
- 10 Obstruction of Public Rights: There is no obstruction of public rights with the proposed dock configuration or location.
- 11 Abutting Impact: There is no impact to the abutting properties.
- 12 Public Health Benefit: There is no public health benefit.
- 13 Water Quality Impact: There is no impact to the water quality.
- 14 Increase Flooding, Erosion, or Sedimentation: There is no increased potential of flooding, erosion or sedimentation from this project.
- 15 Water Flow Redirection: There is no impact to water flow.
- 16 Cumulative Impact: There is no cumulative impact beyond what is allowable or permissible.
- 17 Functional Value Impact: There is no functional value impact from the proposed project.
- 18 National Register of Natural Landmarks: There are no natural landmarks that could be impacted.
- 19 National Proclamation Issues: There are no national proclamation issues.
- 20 Watershed Redirection: There is no impact to the watershed(s).

PROJECT DESCRIPTION

Owner: Kimberly MacDonald and Paula Small
Site: 6 Round Island, Gilford
TM/Lot: #244-001-006

PROJECT DESCRIPTION:

Install a 6ft x 40ft seasonal crank-up dock, a 6ft x 12ft connecting walkway and a 4ft x 7ft concrete hinge pad adjacent to existing seasonal dockage. Additionally, install a single seasonal boatlift and two seasonal PWC lifts.



MacDonald/Small Property

Gilford, NH

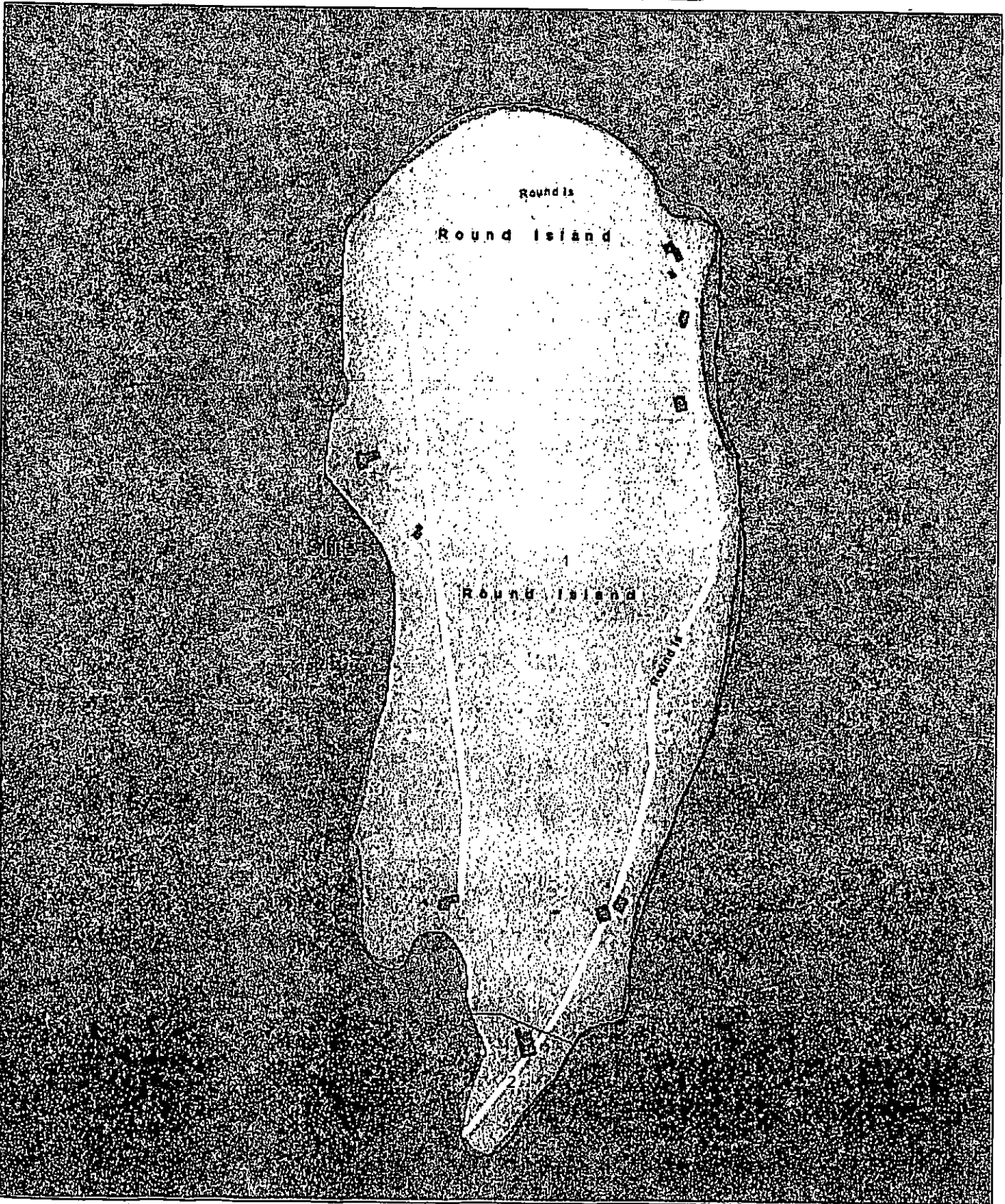


December 19, 2018

1 inch = 350 Feet

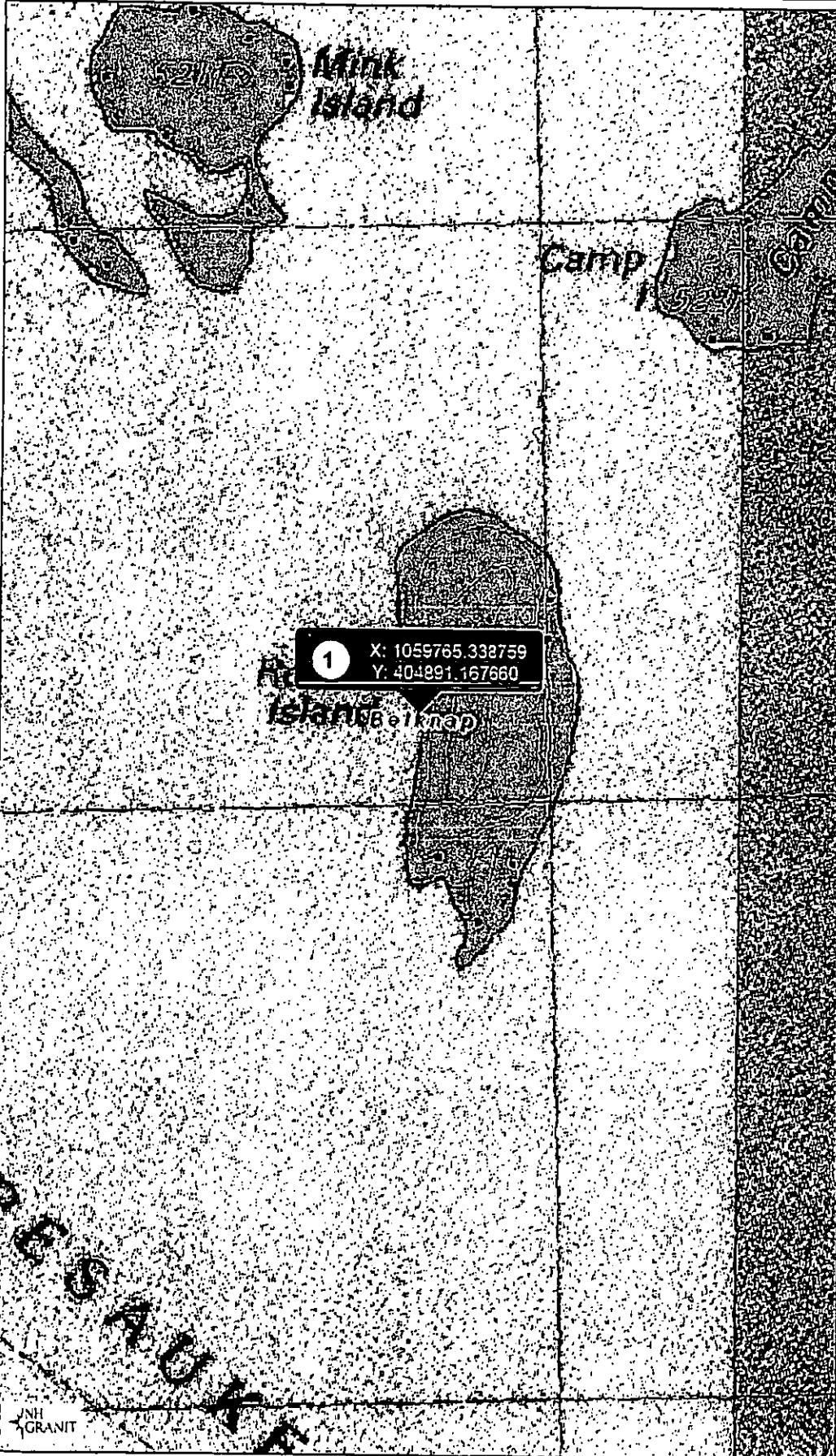


www.cai-tech.com



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.

MacDonald/Small Property



Legend

- State
- County
- City/Town

Map Scale

1: 10,000

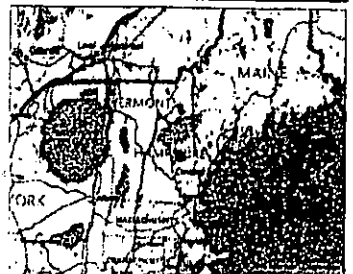


© NH GRANIT, www.granit.unh.edu

Map Generated: 12/19/2018

Notes

Kimberly MacDonald and Paula Small
6 Round Island, Gifford
TM/L #244-001-006
NH Stateplane NAD83 (feet)
Easting: 1,059,765.33
Northing: 404,891.16



Abutter List:

TM/L #244-001-006
6 Round Island

Kimberly MacDonald and Paula Small

APPLICANT

#244-001-001
2 Round Island

Bryan Alden and Deborah Costa

#244-001-003
3 Round Island

Richard Folsom

#244-001-004
4 Round Island

Sandra Zimmermann

#244-001-005
5 Round Island

Robert Folsom

#244-001-007
7 Round Island

W.F. Alden, Inc.

#244-001-008
7 Round Island

Robert R. Ierardi Irrevocable Trust

#244-002-000
1 Round Island

Robert R. Ierardi Irrevocable Trust

Lake Winnepesaukee

Full Lake Shoreline 504.32

