



The State of New Hampshire
Department of Environmental Services

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WJ

Robert R. Scott, Commissioner

October 31, 2019

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

REQUESTED ACTION

Approve Elizabeth and Kevin Koons' request for a five year permit time extension, in accordance with RSA 482-A:3, XIV-a, to perform the following work on Lake Winnepesaukee in Moultonborough. File # 2014-03334. This project was previously approved by the Governor and Executive Council on February 25, 2015, Item #51, and will not have significant impact on or adversely affect the values of Lake Winnepesaukee.

Install two 6 ft. x 40 ft. seasonal piers connected by a 6 ft. x 12 ft. seasonal walkway in a "U" configuration on an average of 165 feet of shoreline frontage along Lake Winnepesaukee, in Moultonborough.

The Department finds that the applicant has demonstrated all of the following:

1. The permit for which the extension is being sought has not been revoked or suspended without reinstatement.
2. The extension will not violate a condition of law or rule.
3. The project is proceeding toward completion in accordance with the plans and other documentation referenced in the permit dated December 31, 2014.
4. The applicant proposes reasonable mitigation measures to protect the public waters of the state from deterioration during the period of extension.

The New Hampshire Department of Environmental Services (DES) 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.

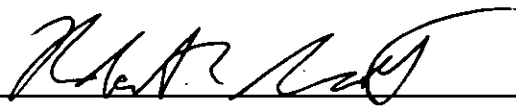
EXPLANATION

The DES approved this project on October 31, 2019. The DES supported its decision with the following findings:

1. The owner, authorized agent or applicant certifies that this permit qualifies for a permit extension in accordance with RSA 482-A:3, XIV-a, and Env-Wt 502.01.
2. This permit has been extended in accordance with RSA 482-A:3, XIV-a and Env-Wt 502.01.

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.

We respectfully request your approval of this item.



Robert R. Scott
Commissioner



NEW HAMPSHIRE
DEPARTMENT OF
Environmental
Services

WETLANDS & SHORELAND REQUEST FOR PERMIT TIME EXTENSION

Water Division/Wetlands Bureau/Land Resources Management
Check the status of your permit: www.des.nh.gov/onestop



RSA/Rule: RSA 482-A, RSA 483-B

RECEIVED OCT 10 2019 NHDES LAND RESOURCES MANAGEMENT	COMPLETE OCT 31 2019	2014-03334
		Kevin Koons Sarah Richards 10/31/19

Under Wetlands and Shoreland statutes RSA 482-A:3 XIV-a and RSA 483-B:5-b VI, respectively, an applicant may request a permit time extension if the conditions in Section B are met. This request must be submitted no sooner than 90 days prior to, but before the Wetland or Shoreland permit expires. Once the permit expires, it is no longer eligible for a permit time extension. The blank space at the top of this page is for Registry of Deeds use.

1. PROJECT AND OWNER INFORMATION			
PROJECT ADDRESS: 75 EAGLE SHORE RD LOT 7-001			
TOWN/CITY: Moultonborough		STATE: NH	ZIP CODE: 03254
TAX MAP: 195	LOT NUMBER: 7-001	BLOCK:	UNIT:
PERMIT NUMBER: 2014-03334		PERMIT TYPE: <input type="checkbox"/> SHORELAND <input checked="" type="checkbox"/> WETLAND	
Request must be filed no sooner than 90 days prior to, but before the permit expires.			
PERMIT EXPIRATION DATE: 12/30/2019			
OWNER/AUTHORIZED AGENT: KEVIN KOONS			
ADDRESS:		TOWN/CITY:	STATE: ZIP CODE:
EMAIL: KLKOONS@OPTONLINE.NET	PHONE: 201-934-4999	FAX:	

shoreland@des.nh.gov or (603) 271-2147
NHDES Wetlands Bureau, PO Box 95, Concord, NH 03303-0095
www.des.nh.gov

2. INFORMATION REQUIRED FOR REQUEST ACCEPTANCE

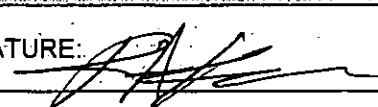
If your request includes all the required materials, initials and signature demonstrating that the following conditions have been met, your request will be granted, and you will receive this page, signed and annotated with the new permit expiration date as evidence of your extension. If your request package does not include all the required materials, initials and signature, it will be returned to you with this page annotated with the missing/non-compliant items indicated. **Initial each box below to accept the conditions.**

<input checked="" type="checkbox"/>	RSA 482-A:3 XIV-a, (a), and RSA 483-B:5-b VI, (a)	The permit for which extension is sought has not been revoked or suspended without reinstatement.
<input checked="" type="checkbox"/>	RSA 482-A:3 XIV-a, (b) and RSA 483-B:5-b VI, (b)	Extension would not violate a condition of law or rule.
<input checked="" type="checkbox"/>	RSA 482-A:3 XIV-a, (c) and RSA 483-B:5-b VI, (c)	The project is proceeding towards completion in accordance with plans and other documentation referenced by the permit.
<input checked="" type="checkbox"/>	RSA 482-A:3 XIV-a (e) and Env-Wq 1406.19	There are no amendments or changes to the permit description, conditions or approved plans that would require an amendment or a new application.
<input type="checkbox"/> N/A	For Wetlands Permits Only: RSA 482-A:3 XIV-a, (d)	The applicant proposes reasonable mitigation measures to protect the public waters of the state from deterioration during the period of extension. Check N/A if this is a Shoreland Permit.
<input checked="" type="checkbox"/> N/A	For Shoreland Permits Only: RSA 483-B:5-b VI, (d)	The applicant proposes reasonable mitigation measures to protect the shorelands and public waters of the state from deterioration during the period of extension. Check N/A if this is a Wetlands Permit.

3. REQUIRED CERTIFICATIONS

Initial each box below to accept the conditions.

<input checked="" type="checkbox"/>	I understand that this Request qualifies as the single allowable Permit Time Extension (of up to 5 additional years) and further time extensions for this permit are not allowed in accordance with RSA 482-A:3, XIV-a, RSA 483-B:5-b VI, Env-Wt 502:01 and Env-Wq 1406.19, as applicable.
<input checked="" type="checkbox"/>	I understand that any Request for Permit Time Extension accepted by NHDES does not relieve the Owner, Authorized Agent or Applicant from the obligation to comply with other local, state or federal laws or rules as may be required.
<input checked="" type="checkbox"/>	I understand that any Request for Permit Time Extension accepted by NHDES, based on false, incomplete, or misleading information on the application, plans or attachments shall be subject to enforcement action.
<input checked="" type="checkbox"/>	I understand that this Request for Permit Time Extension does not request any redesign of the project to meet any rule requirements that are more stringent than the rules in effect when the permit was issued.
<input checked="" type="checkbox"/>	I understand that work must be completed in accordance with the description and conditions of the approved permit.

4. REQUIRED SIGNATURE		
<input checked="" type="checkbox"/> OWNER <input type="checkbox"/> AUTHORIZED AGENT <input type="checkbox"/> APPLICANT		
SIGNATURE: 	PRINT NAME LEGIBLY: KEVIN KOONS	DATE: 9/30/19

shoreland@des.nh.gov or (603) 271-2147
 NHDES Wetlands Bureau, PO Box 95, Concord, NH 03303-0095
www.des.nh.gov



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

	<p>COMPLETE NOV 25 2014</p>	2014-03334
		12.50
		\$ 808.00
		EMK

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: **Eagle Shore Road**

TOWN/CITY: **Moultonborough**

TAX MAP: **195**

BLOCK:

LOT: **7-001**

UNIT:

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

NA

STREAM WATERSHED SIZE:

NA

LOCATION COORDINATES (If known **N 437472 E1047745**)

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 165 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.

a. Natural Heritage Bureau File ID: **NHB 14 - 2162**

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 & 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

KEVIN KOONS
Print Name legibly

11/14/14
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 style="width: 100%; height: 100%;" type="text"/>	<input style="width: 100%; height: 100%;" type="text"/>	<input style="width: 100%; height: 100%;" type="text"/>
Authorized Commission Signature	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. 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 reviewed in the standard review time frame.

11. 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.

		<p style="text-align: center; font-weight: bold; font-size: small;">TOWN OF MOULTONBOROUGH</p>	<p style="text-align: center; font-size: small;">NOV. 24, 2014</p>
Town/City Clerk Signature	Print name legibly	Town/City	Date

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.

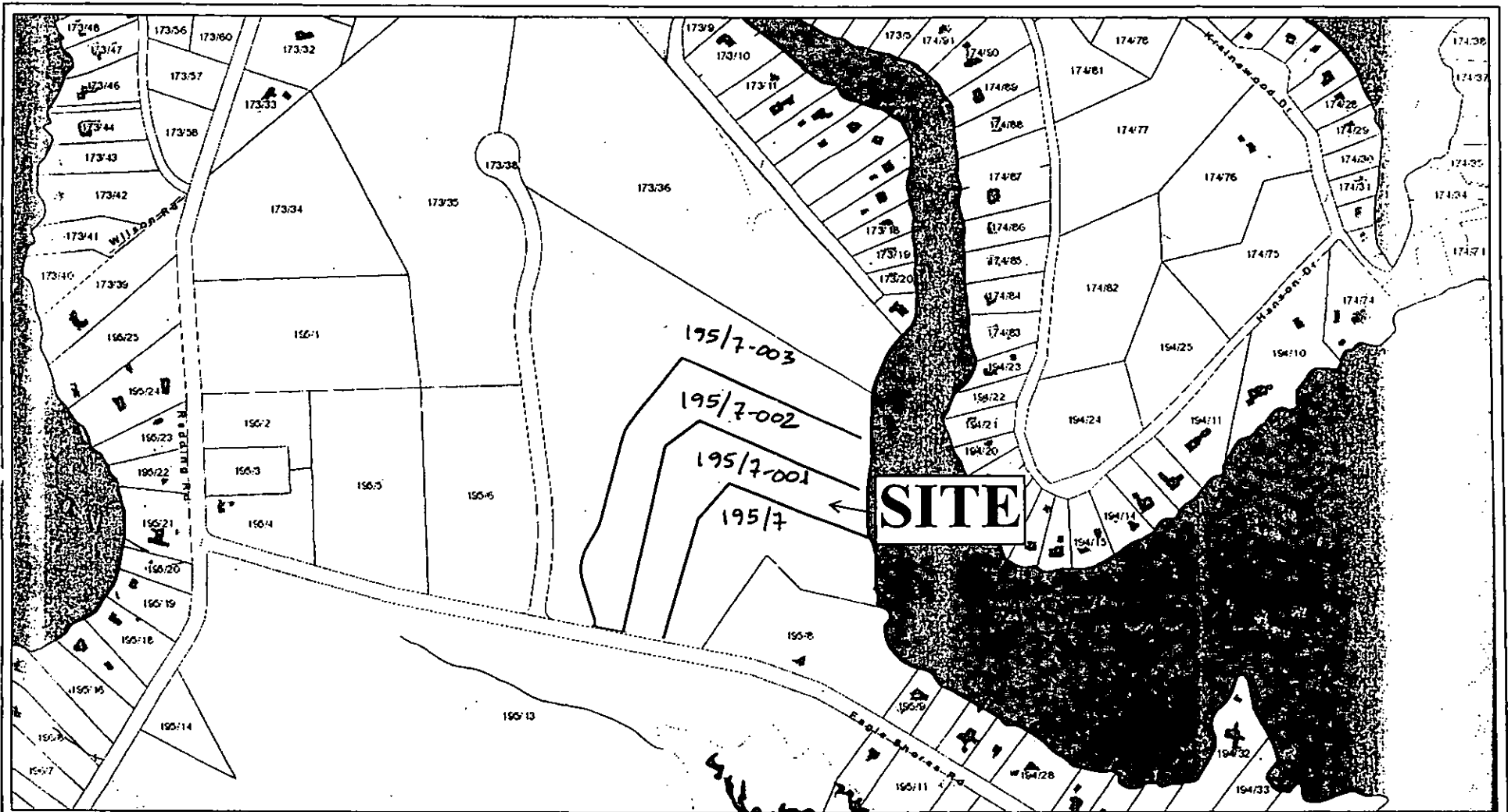
JURISDICTIONAL AREA	PERMANENT Sq. Ft. / Lin. Ft.	TEMPORARY Sq. Ft. / Lin. Ft.
Forested wetland	<input type="checkbox"/> ATF	<input type="checkbox"/> ATF
Scrub-shrub wetland	<input type="checkbox"/> ATF	<input type="checkbox"/> ATF
Emergent wetland	<input type="checkbox"/> ATF	<input type="checkbox"/> 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
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	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
TOTAL	608 /	/

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:	608	X \$1.00 =	\$ 608.00
Permanent docking structure:	sq. ft.	X \$2.00 =	\$ _____
Projects proposing shoreline structures (including docks) add \$200 =			\$ 200.00
Total =			\$ 808.00
The Application Fee is the above calculated Total or \$200, whichever is greater =			\$ 808.00



Moultonborough, NH

1 Inch = 300 Feet
June 10, 2014

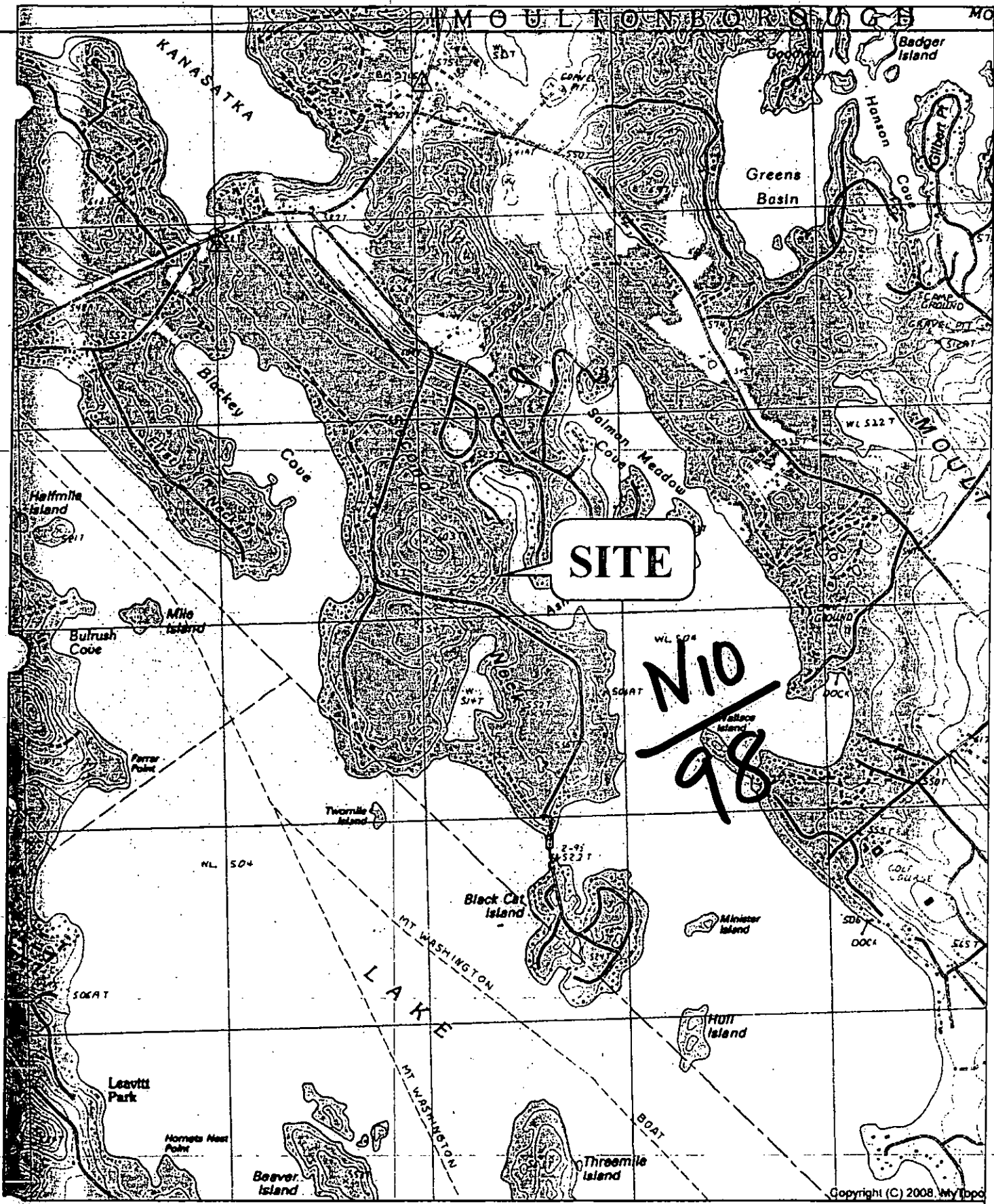


CAI Technologies

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.





SITE

N10
/
98

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: NHB14-2162

Applicant: David Dolan

Location: Tax Map(s)/Lot(s): Tax Map 195 Lot 7-001
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: NHB14-2162



DEPARTMENT OF ENVIRONMENTAL SERVICES
LAND RESOURCES MANAGEMENT

WETLANDS BUREAU PERMIT APPLICATION

Kevin A. & Elizabeth Koons
Tax Map 195 Lot 7-001
Eagle Shore Road
Moultonborough, Carroll County, NH

Abutter's List

<u>Map</u>	<u>Lot</u>	<u>Lot Owner</u>
195	7-001	Kevin & Elizabeth Koons 70 Twin Brooks Road Saddle River, NJ 07458

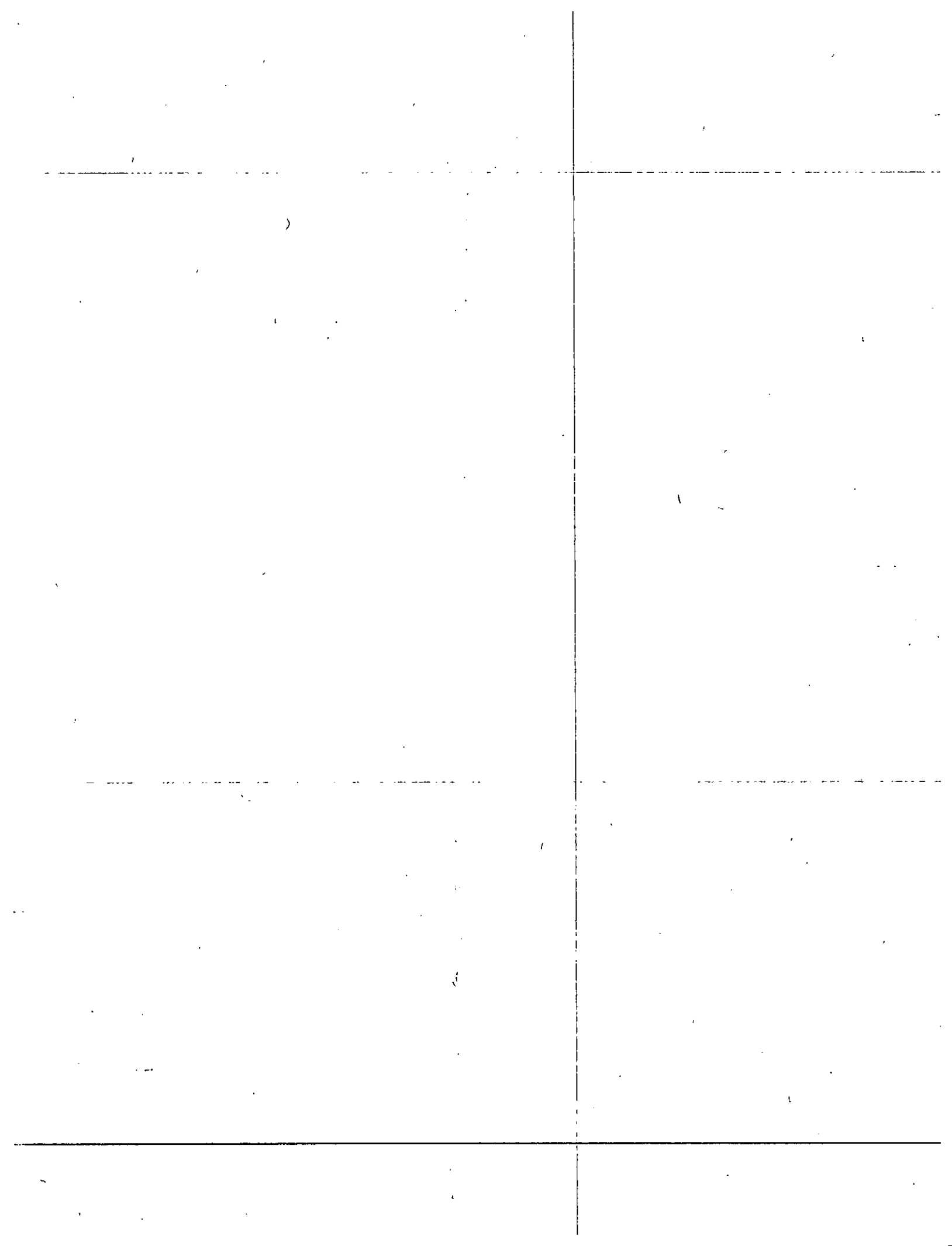
Owner's Agent:

David M. Dolan, L.L.S.
David M. Dolan Associates, P.C.
PO Box 1581
Center Harbor, NH 03226

Abutters:

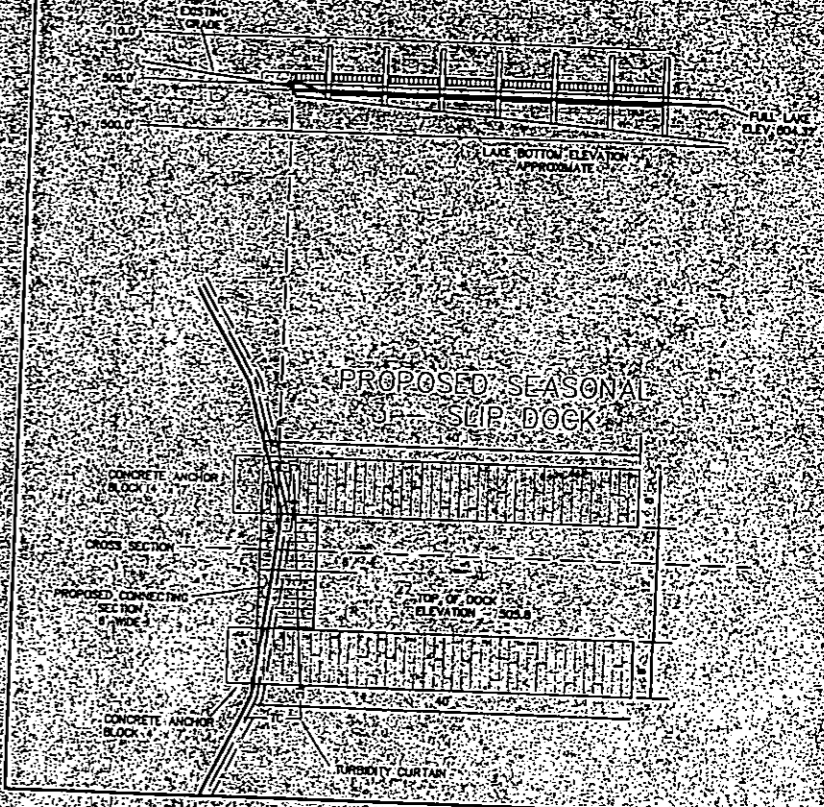
195 7 & 7-002

Kevin & Elizabeth Koons
[REDACTED]



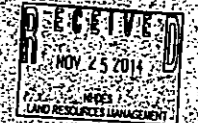
Lake Winnepesaukee
Full Lake Elev. = 504.32'

CROSS-SECTION PROPOSED DOCK



Tax Map 195 Lot 7-001

Tax Map 195 Lot 7
Kevin A. & Elizabeth Koons
CORD BL 2939 Pg 447



Site Plan for
NH-DES Land Resources Management
Wetlands Bureau Permit Application
Prepared For
Kevin A. & Elizabeth Koons
Tax Map 195 Lot 7-001
75 Eagle Shore Road
Moultonborough, Carroll County, NH
17 November 2014

REVISIONS			
NO.	DATE	DESCRIPTION	BY
PROJECT #11-023	DWG. NAME 11-023.DWG	DESCRIPTION	CHECKED BY: D.M.

Legend

- FOUND IRON PIPE
- FOUND IRON ROD
- SET FOUND REBAR
- SET REBAR / DOCK ZONE
- SHORELINE (SEE NOTE 3)
- EDGE OF GRAVEL
- 50' WATERFRONT BUFFER PER NH RSA 483-B
- 150' NATURAL WOODLAND BUFFER PER NH RSA 483-B
- 250' LIMIT OF PROTECTED WETLAND PER NH RSA 483-B
- WETLAND

① PHOTO LOCATION AND DIRECTION



Notes:

- This plan is based on field work last performed April, 2014. Field work performed with ERM/Thuesdell.
- Owner of Record: Kevin A. & Elizabeth A. Koons
- Deed References: Deeds (CORD) Book 2339 Page 447; Book 2365 Page 812
- Shoreline is based on Lake Winnepesaukee full lake elevation of 504.32'. Basis of elevation is lake elevation of 503.31' on 27 October, 2008 per M.N. - D.E.S. Boundary by the shoreline is subject to change due to natural causes.
- Shoreline Transect: Based on Full Lake Elevation of 504.32'. Along Shore = 150'. The Course = 150'. Average = 163'. Berthage Allowed = 3'. Proposed Berthage = 3'.

Proposed work includes:

- Construct a 3'-0" 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 (B) shall occur below the full lake elevation.
- All Turbidity Curtains are to remain in place until the disturbed area(s) has stabilized.
- Upon completion of construction, all construction materials shall be removed.

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 4/30/14, by David M. Dolan Associates, P.C. Recorded at Carroll County Registry of Deeds Plan Bk. 233 Pg. 43.

Additional Plans, as listed on Reference Plan "A"

