



The State of New Hampshire  
**DEPARTMENT OF ENVIRONMENTAL SERVICES**



**Thomas S. Burack, Commissioner**

June 17, 2016

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

**REQUESTED ACTION**

Approve Pike Brook Road Revocable Trust of 2014's request to perform the following work on Sunapee Lake, in New London. File # 2016-00643. This project will not have significant impact on or adversely affect the values of Sunapee Lake.

Remove the pre-existing seasonal pier and construct a 6 ft. x 74 ft. piling pier, drive an ice cluster, install two seasonal personal watercraft lifts, and repair 66 linear ft. of stone retaining wall "in-kind" on an average of 106 ft. of frontage along Lake Sunapee, in New London.

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

1. All work shall be in accordance with plans by Watermark Marine Construction dated February 18, 2016, and revised plans by Pellettieri Associates, Inc. dated March 4, 2016 as received by DES on March 14, 2016.
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 DES 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 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. Temporary controls shall be removed once the area has been stabilized.
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 water at the work site has returned to normal clarity.
7. All construction-related debris shall be placed outside of the areas subject to RSA 482-A.
8. The contractor responsible for completion of the work shall use techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
9. Any subdivision of the property 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.
10. 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 ft. from the abutting property lines or the imaginary extension of those lines into the water.

DES Web site: [www.des.nh.gov](http://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. Pilings shall be spaced a minimum of 12 ft. apart as measured piling center to piling center.
12. No portion of the docking structures other than the ice clusters shall extend more than 74 ft. from the shoreline at full lake elevation (Elev. 1093.15 ft.).
13. All seasonal structures, including watercraft lifts, shall be removed for the non-boating season.
14. This permit shall not preclude DES from initiating appropriate action if DES later determines that any of the structures depicted as "existing" on the plans submitted by or on behalf of the permittee were not previously permitted or grandfathered.
15. The repairs shall maintain the size, location, and configuration of the pre-existing structures.
16. Only existing rocks that have fallen from the structure(s) shall be used for the repairs. No additional rocks shall be used, whether obtained from the site or brought to the site.


#### EXPLANATION

The DES Wetlands Bureau approved this project on May 18, 2016. DES supported its decision with the following findings:

1. Pursuant to RSA 482-A:11, V, "A series of minor projects shall be considered in the aggregate if they abut or if they are a part of an overall scheme of development or are otherwise consistent parts of an eventual whole."
2. Application File # 2016-00642 for impacts on the contiguous frontage to the south, owned by the same party, proposes the construction of docking facilities providing four boat slips.
3. The docking facilities proposed in this application would provide 2 boat slips.
4. When considered in the aggregate as required per RSA 482-A:11, V, these docking facilities providing a total of 6 slips would be classified as a major project per Rule Env-Wt 303.02, (d).
5. The property which is the subject of this application has an average of 106 ft. of frontage along Lake Sunapee.
6. A maximum of 2 slips may be permitted on this frontage per Rule Env-Wt 402.13, Frontage Over 75'.
7. The docking facility proposed on the frontage of this property will provide 2 slips as defined per RSA 482-A:2, VIII and, therefore, meets Rule Env-Wt 402.13.
8. DES finds that, because the proposed project is not of significant public interest and will not significantly impair the resources of Lake Sunapee, a public hearing 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.

  
Thomas S. Burack  
Commissioner



# WETLANDS PERMIT APPLICATION

Water Division/ Wetlands Bureau  
Land Resources Management

Check the status of your application: [www.des.nh.gov/onestop](http://www.des.nh.gov/onestop)



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

		<p>File # <u>2016-00543</u></p> <p>Check No. <u>MAR 15 2016</u></p> <p>Amount <u>6120</u></p> <p>TOWN OF <u>NEW LONDON</u></p> <p><i>[Signature]</i></p>
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**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: **80 Pike Brook Road**      TOWN/CITY:

TAX MAP: **135**      BLOCK:      LOT: **10**      UNIT:

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

**Installation of a single finger 2 slip permanent dock, and reconstruction of the wall along the back of the beach.**

**4. SHORELINE FRONTAGE**

NA This lot has no shoreline frontage.      SHORELINE FRONTAGE: **106**

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...**

**Shoreland Permit #2015-03317, AoT - Application Under Review**

**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 16 - 0509

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: \_\_\_

NA

**7. APPLICANT INFORMATION (Desired permit holder)**

LAST NAME, FIRST NAME, M.I.:

TRUST / COMPANY NAME: **Pike Brook Road Revocable Trust of 2014, Jacqueline M. Hudkins, Trustee** MAILING ADDRESS: [REDACTED]

TOWN/CITY: **Portsmouth** STATE: **NH** ZIP CODE: **03802**

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.:

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.: **Grigsby, Greg, M.** COMPANY NAME: **Pellettieri Associates, Inc.**

MAILING ADDRESS: **P.O. Box 717**

TOWN/CITY: **Warner** STATE: **NH** ZIP CODE: **03278**


EMAIL or FAX: **ggrigsby@pellettierassoc.com** PHONE: **603-456-3678**

ELECTRONIC COMMUNICATION: By initialing here **GG**, 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](http://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

 **Jacqueline M. Hudkins** **3/3/16**

Property Owner Signature Print name legibly 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: 100%; height: 100%;" type="text"/>	<input style="width: 100%; height: 100%;" type="text"/>	<input style="width: 100%; height: 100%;" 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: 100%; height: 100%;" type="text"/>	<input style="width: 100%; height: 100%;" type="text"/>	<input style="width: 100%; height: 100%;" type="text"/>	<input style="width: 100%; height: 100%;" type="text"/>
	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.	ATF	TEMPORARY Sq. Ft. / Lin. Ft.	ATF
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	130 / 66	<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	447	<input type="checkbox"/> ATF		<input type="checkbox"/> ATF
Docking - River		<input type="checkbox"/> ATF		<input type="checkbox"/> ATF
Docking - Tidal Water		<input type="checkbox"/> ATF		<input type="checkbox"/> ATF
<b>TOTAL</b>	/		/	

**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) 130 sq. ft. X \$0.20 = \$ 26

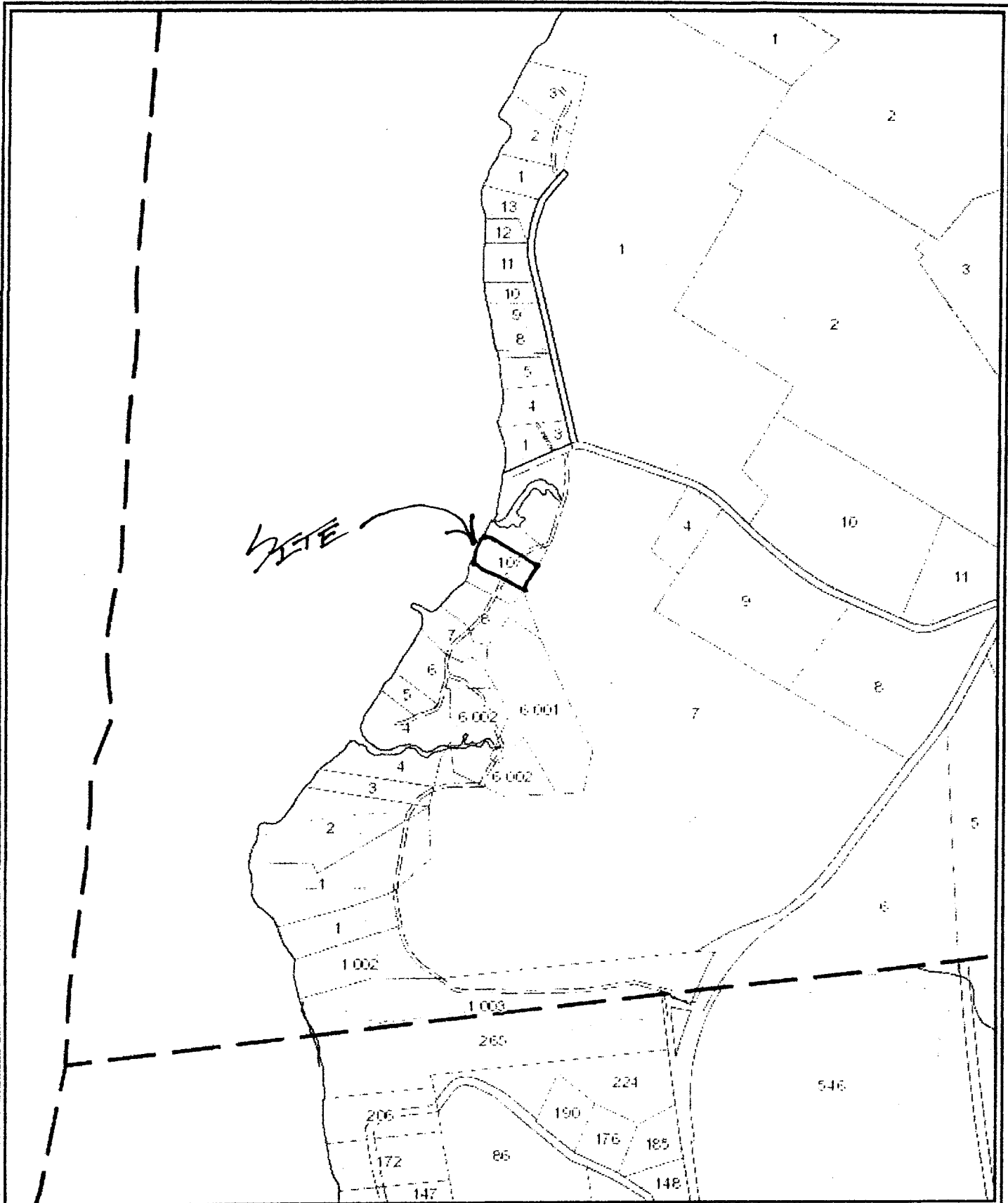
Temporary (seasonal) docking structure:                     sq. ft. X \$1.00 = \$

Permanent docking structure: 447 sq. ft. X \$2.00 = \$ 894

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

Total = \$ 1,120

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



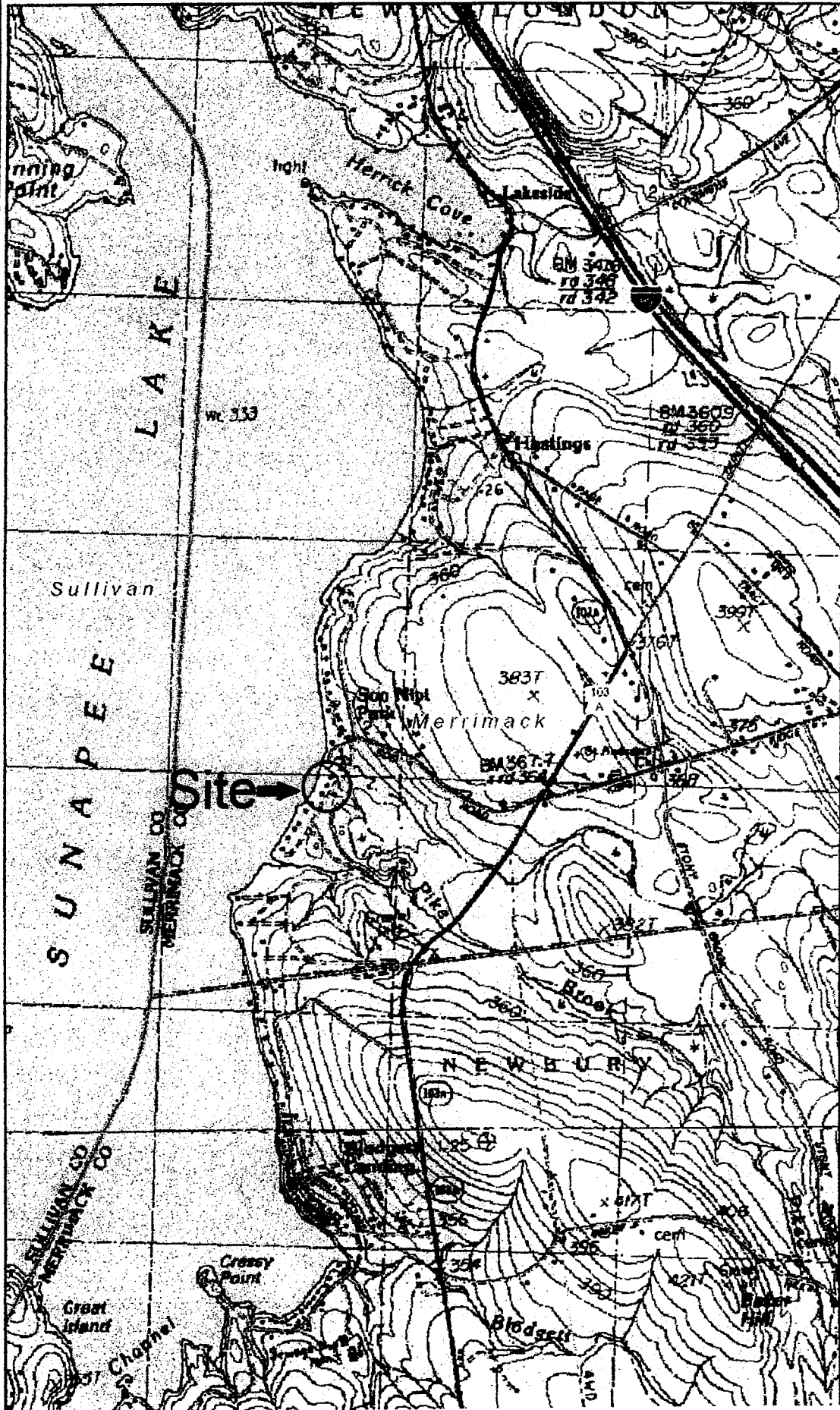
Tri Town, NH  
 1 Inch = 775 Feet  
 May 11, 2015



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  
 CAI Technologies

# Pike Brook Road Revoc. Trust 2014



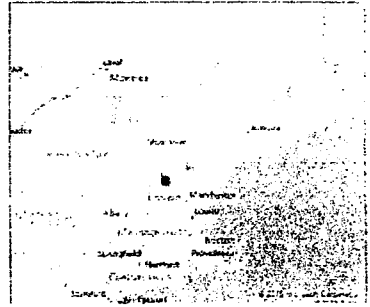
- ### Legend
- State
  - County
  - City/Town
  - Interstates
  - Turnpikes
  - US Routes
  - State Routes
  - Local Roads

Map Scale  
1: 24,000



Notes

PS  
119







## New Hampshire Natural Heritage Bureau

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**To:** chris kessler  
199 old pumpkin hill rd  
Warner, NH 03278

**Date:** 2/19/2016

**From:** NH Natural Heritage Bureau

**Re:** Review by NH Natural Heritage Bureau of request dated 2/19/2016  
NHB File ID: NHB16-0509

Applicant: Greg Grigsby

Location: Tax Map(s)/Lot(s): Map 135 Lots 10 & 9 & 8  
New London

Project Description: Repairs to existing retaining walls on property and  
construction of permanent docking structures.

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 2/18/2017.



**MAP OF PROJECT BOUNDARIES FOR NHB FILE ID: NHB16-0509**



ABUTTERS LIST  
PREPARED FOR THE  
PIKE BROOK ROAD REVOCABLE TRUST  
NEW LONDON NH  
TAX MAP 135 LOT 8,9,10

May 12, 2015

**OWNERS:**

**Tax Map 135 Lots 8,9,10**  
Pike Brook Road Revocable Trust  
c/o Jacqueline M. Hudkins Esq.  
[REDACTED]  
Portsmouth, NH 03802

**ABUTTERS:**

(South From Soo-Nipi Road)

**Tax Map 136 Lot 7**  
Carr Land Holdings  
[REDACTED]  
New London, NH 03257

**Tax Map 135 Lot 11**  
Phillip and Jill Miller  
[REDACTED]  
New London, NH 03257

**Tax Map 135 Lot 7**  
Cordingley Whitepines Family Trust  
c/o M.P. Stevens  
[REDACTED]  
Toronto ON M5S2M8

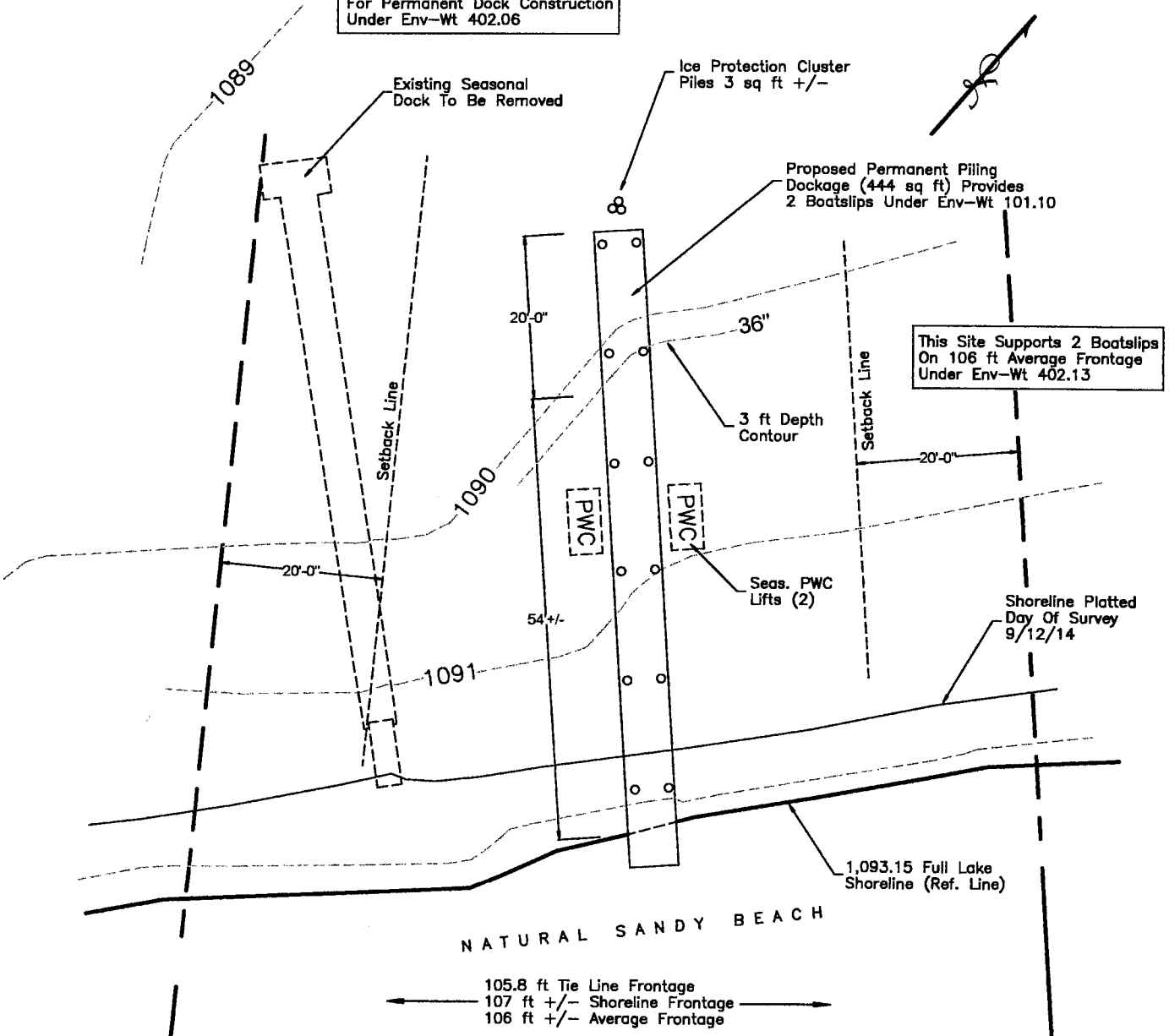
**Tax Map 135 Lot 6**  
Amy Putnam Trust  
c/o Bruce Putnam  
[REDACTED]  
New London, NH 03257

**Tax Map 135 Lot 6-1**  
ZNTB Properties  
c/o M.P. Stevens  
[REDACTED]  
Toronto ON M5S2M8

# Lake Sunapee

Full Lake 1,093.15

This Site Meets The Criteria For Permanent Dock Construction Under Env-Wt 402.06



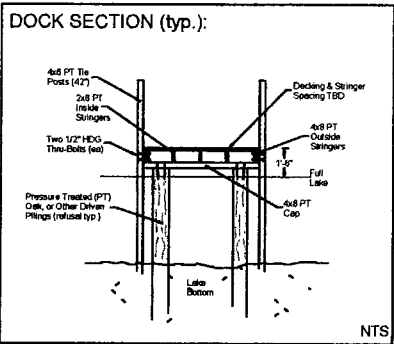
This Site Supports 2 Boatlips On 106 ft Average Frontage Under Env-Wt 402.13

Shoreline Plotted Day Of Survey 9/12/14

1,093.15 Full Lake Shoreline (Ref. Line)

NATURAL SANDY BEACH

105.8 ft Tie Line Frontage  
107 ft +/- Shoreline Frontage  
106 ft +/- Average Frontage



The baseline details of this plan were scanned from a survey by Pennyroyal Hill and additional data from Pelletier Assoc. This is not a survey plan and is to be used only for the purposes of a NH DES Wetlands Bureau permit application package.

**PIKE BROOK ROAD TRUST**  
New London, NH  
2/18/16      1" = 20'