

The State of New Hampshire  
**Department of Environmental Services**

**Thomas S. Burack, Commissioner**

*Celebrating 25 Years of Protecting  
 New Hampshire's Environment*

December 20, 2012

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

**REQUESTED ACTION**

Approve Ridgewood Association's request to perform the following work on Great Pond, in Kingston. File # 2012-01401. This project will not have significant impact on or adversely affect the values of Great Pond.

Install one 3 ft. x 30 ft. seasonal dock, one 3 ft. x 20 ft. seasonal dock, and two 4 ft. x 30 ft. seasonal docks adjacent to 11 existing seasonal docks on contiguous properties having an average of 2,287 ft. of frontage along Kingston Lake, in Kingston. All of the contiguous properties are owned by Ridgewood Association, therefore, no abutter notifications were submitted.

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

1. All work shall be in accordance with plans as received by the NH Department of Environmental Services (DES) on September 6, 2012.
2. This permit shall not be effective until it has been recorded with the Rockingham 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 docking structures on these contiguous frontages and all portions of the docks shall be at least 20 ft. from abutting property lines or the imaginary extension of those lines into the water.
4. All seasonal piers shall be removed from the lake for the non-boating season.
5. No portion of any pier shall extend more than 30 ft. from the shoreline at full lake elevation.
6. 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.

[www.des.nh.gov](http://www.des.nh.gov)

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



### EXPLANATION

The DES Wetlands Bureau approved this project on November 16, 2012. DES supported its decision with the following findings:

1. This project is classified as a major project per Rule Env-Wt 303.02(d), construction of docking facilities providing 5 more slips.
2. The applicant has two contiguous properties identified as lot 77 on Kingston tax map U12 and lot 51A on Kingston tax map U11 that have a combined average of 2,287 ft. of frontage along Kingston Lake.
3. A maximum of 31 slips may be permitted on this combined frontage per Rule Env-Wt 402.13, Frontage Over 75'.
4. The proposed docking facilities will provide 30 slips as defined per RSA 482-A:2, VIII and therefore meets Rule Env-Wt 402.13.
5. Public hearing is waived with the finding that the project impacts will not significantly impair the resources of Kingston Lake.

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





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

Website: <http://des.nh.gov/organization/divisions/water/wetlands/index.htm>

Permit Application Status: <http://des.nh.gov/onestop/index.htm>



COMPLETED

JUN 13 2012

## WETLANDS PERMIT APPLICATION

<b>RECEIVED</b> Administrative Use Only JUN 11 2012 ENVIRONMENTAL SERVICES BY NH DES WETLANDS BUREAU	<b>INCOMPLETE</b> Administrative Use Only JUN 11 2012	<b>RECEIVED</b> Administrative Use Only JUN 13 2012 ENVIRONMENTAL SERVICES BY NH DES WETLANDS BUREAU	File Number: 12-2401
			Check No. 1054
			Amount: \$200.00
			Initials: VB

**1. REVIEW TIME AND IMPACT TYPE. Use Attachment "A" to determine review time and impact type.**

Expedited Review, Minimum Impact     Standard Review, Minimum Impact     Standard Review, Minor or Major Impact

**2. PROJECT LOCATION:**

ADDRESS: Beach Drive		TOWN/CITY: Kingston, NH	
TAX MAP: U12	BLOCK:	LOT: 77	UNIT:
LOCATION COORDINATES:		<input type="checkbox"/> Latitude/Longitude <input type="checkbox"/> UTM <input type="checkbox"/> State Plane	

**3. PROPERTY OWNER INFORMATION:**

NAME: Ridgewood Association, c/o Lynne Merrill, President		
EMAIL or FAX: lynne.merrill@mbgre.com	PHONE: 603-642-5171	
MAILING ADDRESS: PO Box 757		
TOWN/CITY: Kingston	STATE: NH	ZIP CODE: 03848

**4. APPLICANT INFORMATION:**

NAME: Ridgewood Association c/o Lynne Merrill, President		
EMAIL or FAX: lynne.merrill@mbgre.com	PHONE: 603-642-5171	
MAILING ADDRESS: PO Box 757		
TOWN/CITY: Kingston	STATE: NH	ZIP CODE: 03848

**5. AGENT INFORMATION:**

NAME: Not Applicable	COMPANY NAME:	
EMAIL or FAX:	PHONE:	
MAILING ADDRESS:		
TOWN/CITY:	STATE:	ZIP CODE:

**6. CHECK BOX TO INDICATE APPLICABLE PROJECT TYPES:**

- |  |  |
|--|--|
| <input checked="" type="checkbox"/> Excluding culverts and bridges, all work in the bed or bank of a lake/pond of which the property owner(s) listed on page 1 do NOT own the entire bed and banks of the lake/pond.<br><br><input type="checkbox"/> Dock construction, maintenance, repair or replacement on a RIVER. | <input type="checkbox"/> Work in a wetland, stream, river (excluding docks on rivers), prime wetland, prime wetland buffer, tidal water, salt marsh, sand dune, tidal buffer zone or in a pond of which the entire bed and banks are owned by the property owner(s) listed on page 1.<br><br><input type="checkbox"/> All culvert and bridge construction, maintenance, repair or replacement. |
|--|--|

**7. PROJECT DESCRIPTION:**

Add four dock structures with the following dimensions"  
 2 at 4ft by 30 ft,  
 1 at 3ft by 20 ft  
 1 at 3ft by 30 ft.

Total square feet: 390.

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**8. INDICATE AREA OF PROPOSED IMPACTS FOR EACH RESOURCE:**

Resource:	Permanent Sq. Ft.	Permanent Lin. Ft.	Temporary Sq. Ft.	Temporary Lin. Ft.	After-the-fact Sq. Ft.	After-the-fact Lin. Ft.
Forested wetland		-		-		-
Scrub-shrub wetland		-		-		-
Emergent wetland		-		-		-
Wet meadow		-		-		-
Bog		-		-		-
Prime wetland		-		-		-
Prime wetland buffer		-		-		-
Docking structure		-	390	-		-
Tidal Buffer Zone		-		-		-
Tidal water		-		-		-
Salt Marsh		-		-		-
Sand dune		-		-		-
Intermittent Stream						
Perennial Stream						
River						
Lake						
Pond						

Other						
Total						

**9-13. IF APPLICABLE, PROVIDE:**

9. Cubic yards of proposed sand for beach replenishment:

10. Cubic yards of proposed dredge material for surface water dredge:

11. Contributing watershed size(s) of impacted stream(s) and river(s) (acres or square miles):

12. U. S. Geological Survey Topographic Map Waterbody name: GREAT POND / KINGSTON LAKE

13. ONLY Required for docking structures	(a) Straight line distance pin to pin (lin. ft.)	(b) Actual natural navigable shoreline pin to pin (lin. ft.)	(a) + (b) / 2 = Shoreline Frontage (lin. ft.):
	2100	2475	2287.5

**14. APPLICATION FEE:**

Minimum Impact, Expedited Review Application: Flat fee of \$ 200

- OR -

Minimum, Minor or Major Impact, Standard Review Application: Complete calculation below

Total temporary and permanent impacts:	_____ sq. ft.	X \$0.20 =	_____
Temporary Docking Structure:	390 sq. ft.	X \$1.00 =	\$390.00
Permanent Docking Structure:	_____ sq. ft.	X \$2.00 =	_____
Projects proposing shoreline structures add \$200 or NA =			_____
Total =			\$590.00
The Application Fee is above calculated Total or \$200, whichever is greater =			\$590.00

**15. INDICATE RELATED FILE / APPROVAL NO. AND STATUS:**

Existing Wetlands Bureau file no. this application is replacing:

Wetlands Bureau enforcement (subject and abutting properties):

Wetlands Bureau emergency authorization (subject property):

Wetlands Bureau denials (subject and abutting properties):

Wetlands Bureau withdrawals (subject and abutting properties):

Wetlands Bureau approvals (subject and abutting properties): 2007-00426

Shoreland Program waiver or permit:

Alteration of Terrain Bureau:

Watershed Management Program:

Subsurface Systems Bureau:

Other NHDES Programs and Bureaus:

City/Town:

State Agencies: NATURAL HERITAGE BUREAU APPROVAL # NH12-1169

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ATTACHED

Federal Agencies:

Link to all NHDES Programs, Bureaus and Units: <http://des.nh.gov/programs/index.htm>

**16 THE SUBMITTED APPLICATION WILL BE RETURNED TO YOU IF THE FOLLOWING INFORMATION IS NOT PROVIDED:**

- A. Attach application fee, check or money order payable to the NH DES Wetlands Bureau (RSA 482-A:3, I & Env-Wt 505.01(c))
- B. Applicant and Town Clerk signatures, numbers 19 and 23 on pages 5 and 6 of this form (Env-Wt 501.01(d)&(e) & 505.01(m)&(o))
- C. Narrative description of the proposed project, number 7 on page 2 of this form (Env-Wt 501.02(a) & 505.01(l))
- D. Documentation from Department of Resources and Economic Development's Natural Heritage Bureau (NHB) indicating that NHB has reviewed your project. Documentation can be obtained online at: <https://www2.des.state.nh.us/nhbdatacheck/> or by phone (603) 271-2215 x 323. Please attach the REQUIRED letter/memo and map provided by NHB.
- E. Attach a U. S. Geological Survey topographic map upon which the property lines and project limits have been outlined. The map must be at an unaltered scale of 1:24,000 or 1" = 2,000 feet (1:25,000 metric map). (Env-Wt 501.02(a)(4) & 505.01(g))
- F. Attach a legible copy or tracing of the tax map from the municipal office (Env-Wt 501.02(a)(1) & 505.01(e))
- G. Attach legible and labeled color photographs clearly depicting the jurisdictional areas to be impacted, the resource outside of impact area, any shoreline structures and culvert inlet/outlets (Env-Wt 501.02(a)(3) & 505.01(i))
- H. Attach overview, cross-section and profile plans as applicable (Env-Wt 501.02(a)(2) & 505.01(h))

**17A INFORMATION REQUIRED FOR COMPLETION OF TECHNICAL REVIEW FOR ALL PROJECTS**

- A. Is the project within a ¼ mile of a designated river? <http://des.nh.gov/organization/divisions/water/wmb/rivers/designriv.htm>
  - Y  N. If yes: 1. Indicate river: \_\_\_\_\_
  - 2. As required by RSA 482-A:3, I(d)(2), I have notified the Local River Advisory Committee (<http://des.nh.gov/organization/divisions/water/wmb/rivers/lac/index.htm>) by sending a copy of the complete application and supporting materials via certified mail on: Day: \_\_\_ Month: \_\_\_ Year: \_\_\_
  - 3. Attach a copy of the certified mail receipt with your application submittal (RSA 482-A:3, I(d)(2))
- B. Attach a completed U.S. Army Corps of Engineers New Hampshire Programmatic General Permit (PGP) Appendix B – Required Information and Corps Secondary Impact Checklist (Attachment B).
- C. Does the project require compensatory mitigation pursuant to Env-Wt 302.03?  Y  N  
If yes, attach materials outlined in AND a completed Mitigation Agreement Form (Env-Wt 501.02(a)(6) & 501.06)  
Link: [http://des.nh.gov/organization/commissioner/pip/forms/wetlands/documents/mitigation\\_form.doc](http://des.nh.gov/organization/commissioner/pip/forms/wetlands/documents/mitigation_form.doc)
- D. Attach a copy or tracing of the town tax map showing the property of the applicant, the location of the proposed project on the property, and the location of properties of abutters with each lot labeled with the abutter's name(s) and mailing address(es); or a list of abutters' names and mailing addresses to cross-reference with the tax map (Env-Wt 501.02(a)(1) & 505.01(f)). Abutter Notification Exceptions see Env-Wt 501.01(c)
- E. Attach a construction sequence (Env-Wt 501.02(a)(5) & 505.01)
- F. Is/are (a) waiver(s) to wetland rules being requested?  Y  N If yes, attach the waiver request(s) as outlined in Env-Wt 204
- G. All stream/river crossing projects, attach a response to Env-Wt 904.01, General Design Considerations (except single family residential access for Tier 1 and Tier 2 crossings pursuant to Env-Wt 303.04(z) & 901.03(e))
- H. If the applicant is not the property owner, attach a written letter of permission from the property owner granting the applicant permission to act on their behalf
- I. Will impacts occur within 20 feet of an abutting property line or imaginary extension thereof over surface water?  Y  N  
If yes, attach the signed permission letter(s) from the affected abutters (Env-Wt 304.04). This letter must be notarized if your project is a boat docking facility (RSA 482-A:3-XIII(c))

**17B INFORMATION REQUIRED FOR COMPLETION OF TECHNICAL REVIEW FOR MINIMUM IMPACT PROJECTS**

- J. Refer to Attachment A: Determination for Project Impact Classification & Review Time, Section 2: Minimum Impact Project Requirements, and indicate the letter for the Minimum Impact rule that describes your project: **Env-Wt 303.04** \_\_\_
- K. Attach required pages from Attachment A: Determination for Project Impact Classification & Review Time, as instructed on the attachment.
- L. Attach a statement demonstrating need for the proposed project (Pursuant to Env-Wt 302.03)
- M. Attach a statement demonstrating that the proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction in accordance with Env-Wt 302.03. (Env-Wt 505.01(d)&(y)).

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**17C INFORMATION REQUIRED FOR COMPLETION OF TECHNICAL REVIEW FOR MINOR AND MAJOR IMPACT PROJECTS**

- N. Attach a response to questions outlined in Env-Wt 302.04(a)

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- O. Attach a vernal pool survey and report (Env-Wt 302.04(a))
- P. If a wetland delineation is required, provide a NH Certified Wetland Scientist Stamp on attached plans (Env-Wt 301.01)

**18. SEE LISTED WETLAND RULE(S) FOR APPLICABLE PROJECT TYPE(S) PLAN REQUIREMENTS**

<input type="checkbox"/> Minimum	Env-Wt 505.01
<input checked="" type="checkbox"/> Minor and Major	Env-Wt 501.02
<input type="checkbox"/> Subdivision	Env-Wt 304.09(c)
<input type="checkbox"/> Vegetative & riprap bank stabilization (river, stream, lake, pond)	Env-Wt 404.03 & 404.04
<input type="checkbox"/> Retaining Walls	Env-Wt 404.05
<input type="checkbox"/> Shoreline	Env-Wt 501.02(c)
<input type="checkbox"/> Tidal	Env-Wt 501.02(b)
<input type="checkbox"/> Protected Shoreland (SWQP)	Env-Wt 501.02(d)
<input type="checkbox"/> New Tier 1 Stream Crossing (Exempt: Env-Wt 303.04(z))	Env-Wt 903.03(a) & 904.01
<input type="checkbox"/> Tier 1 stream crossing or replacement	Env-Wt 903.03(a) & 904.01
<input type="checkbox"/> New Tier 2 stream crossing (Exempt: Env-Wt 303.04(z))	Env-Wt 903.03(a), 904.01, 904.03 (e), 904.03(f)
<input type="checkbox"/> Tier 2 stream crossing repair or replacement	Env-Wt 903.03(a), 904.01, 904.03 (e), 904.03(f)
<input type="checkbox"/> All Tier 3 Stream Crossings	Env-Wt 903.03 (a) & (b) , 904.01, 904.04(d), 904.04(g), 904.05

Wetland Rules Link: <http://des.nh.gov/organization/commissioner/legal/rules/documents/env-wt100-900.pdf>

**19. APPLICANT AND AGENT SIGNATURES REQUIRED FOR ALL APPLICATIONS**

By signing the application, I am certifying that:

1. All abutters have been identified in accordance with RSA 482-A:3, I and Env-Wt 100-900.
2. I have read and provided the required information outlined in Env-Wt 302.04 for the applicable project type.
3. I have read and understand Env-Wt 302.03 and have chosen the least impacting alternative.
4. 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 101.44.
5. I have submitted a copy of the application materials to the NH State Historic Preservation Officer.
6. I authorize the municipal conservation commission to inspect the site of the proposed project.
7. I have reviewed the information being submitted and that to the best of my knowledge the information is true and accurate.
8. 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.
9. I am aware that the work I am proposing may require additional state, local or federal permits.
10. The mailing addresses I have provided are up to date and appropriate for receipt of DES correspondence. DES will not forward returned mail.

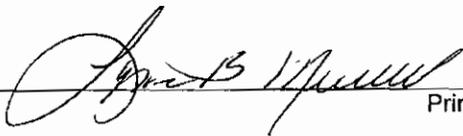
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5-30-12

Lynne Bartlett Merrill  
Signature of Applicant



Print name legibly

Date

Signature of Authorized Agent (if applicable)

Print name legibly

Date

**20. ELECTRONIC COMMUNICATION:**

By initialing here, I the applicant or authorized agent in accordance with RSA 482-A:3, XIV (b), hereby authorize DES to communicate all matters relative to this application electronically with the individual's email addresses provided on pg. 1 of the application:

*[Handwritten Signature]*

**21. CONSERVATION COMMISSION SIGNATURE REQUIRED FOR EXPEDITED APPLICATIONS ONLY:**

Expedited Applications ONLY require that the Conservation Commission signature is obtained prior to submitting the final application to the Town/City Clerk for signature and mailing to the NHDES Wetlands Bureau. *The Conservation Commission is not required to sign. If the Conservation Commission does not sign this statement for any reason, then the application is not eligible for expedited review and shall be reviewed in the standard review time.*

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.

Authorized Commission Signature

Print name legibly

Date

**22. APPLICATION SUBMITTAL:**

**APPLICANT:**

1. If sought, obtain the Conservation Commissions signature as outlined above on this page, no. 21;
2. Submit the original application form and materials, four copies, application fee check and any required municipal fees (authorized by RSA 482-A:3,1) to the town/city clerk.

**TOWN/CITY CLERK:**

Per RSA 482-A:3,1(d):

1. Collect from the applicant the postal receipts demonstrating that all abutters and the Local Advisory Committee were sent proper notice;
2. Immediately sign the original application and four copies in the signature space provided on this pg. no. 23 below;
3. Retain one copy of the application form and all attachments that will remain with the town/city clerk and will be made reasonably accessible to the public;
4. Immediately distribute a copy of the application with attachments to the municipal Conservation Commission, the local governing body (Board of Selectmen or Town/City Council), and the Planning Board in accordance with RSA 482-A:3, 1; and
5. IMMEDIATELY send the original application materials and filing fee, by CERTIFIED MAIL to the NHDES Wetlands Bureau at the address indicated on the front of this application.

**23. TOWN/CITY CLERK SIGNATURE REQUIRED FOR ALL APPLICATIONS:**

I hereby certify that the applicant has filed five application forms, five detailed plans, and five USGS location maps with the town/city indicated below. As required by Chapter 482-A:3 (amended 1991), and I have received and retained certified postal receipts (or copies) for all abutters identified by the applicant.

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ENVIRONMENTAL SERVICES  
NHDES WETLANDS BUREAU

Town/City

*Melissa Fowler*  
Signature or Town/City Clerk

Melissa Fowler  
Print name legibly

5-30-12  
Date

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USED AS USGS MAP

NEW HAMPSHIRE NATURAL HERITAGE BUREAU  
NHB DATACHECK RESULTS LETTER

MAP OF PROJECT BOUNDARIES FOR: NHB12-1169



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NEW HAMPSHIRE NATURAL HERITAGE BUREAU  
NHB DATACHECK RESULTS LETTER

**To:** Lynne Merrill, Ridgewood Association  
PO Box 757  
Kingston, NH 03848

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"BY NH DES WETLANDS BUREAU"

**From:** NH Natural Heritage Bureau

**Date:** 5/23/2012 (valid for one year from this date)

**Re:** Review by NH Natural Heritage Bureau of request submitted 5/23/2012

VALID ONLY FOR NOTIFICATION OR MINIMUM EXPEDITED  
APPLICATIONS SUBMITTED TO THE NHDES WETLANDS BUREAU

**NHB File ID:** NHB12-1169

**Applicant:** Lynne Merrill

**Location:** Kingston  
U-11 Lot 51A, U12 lot 77

**Project**

**Description:** add four docks to the current 10 private docks and one pick-up/drop off passengers dock.

The NH Natural Heritage database has been checked by staff of the NH Natural Heritage Bureau and/or the NH Nongame and Endangered Species Program 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.

It was determined that, although there was a NHB record (e.g., rare wildlife, plant, and/or natural community) present in the vicinity, we do not expect that it will be impacted by the proposed project. This determination was made based on the project information submitted via the NHB Datacheck Tool on 5/23/2012, and cannot be used for any other project.



NEW HAMPSHIRE NATURAL HERITAGE BUREAU  
NHB DATACHECK RESULTS LETTER

MAP OF PROJECT BOUNDARIES FOR: NHB12-1169



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"BY NH DEC VET BUREAU"

