



The State of New Hampshire
DEPARTMENT OF ENVIRONMENTAL SERVICES



Thomas S. Burack, Commissioner

December 2, 2013

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

REQUESTED ACTION

Approve YMCA of Greater Boston's request to perform the following work on Lake Winnepesaukee, in Mirror Lake. File # 2013-01310. This project will not have significant impact on or adversely affect the values of Lake Winnepesaukee.

Extend an existing 48 ft. piling pier 15 ft. resulting in a 6 ft. x 63 ft. piling pier, modify an existing "L" shaped docking structure consisting of an 8 ft. x 50 ft. piling pier with an 8 ft. x 40 ft. "L" resulting in an 8 ft. x 59 ft. piling pier with a 8 ft. x 43-ft. pier in a "dog-leg" configuration with a 5-piling ice cluster on an average of 1,840 ft. of shoreline frontage along Lake Winnepesaukee, in Tuftonboro.

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

1. All work shall be in accordance with plans by Dave Farley, revision dated September 22, 2013, as received by the NH Department of Environmental Services (DES) on October 1, 2013.
2. This permit shall not be effective until it has been recorded with the Carroll 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. This permit to replace or repair existing structures shall not preclude the DES from taking any enforcement action or revocation action if the DES later determines that the structures represented as "existing" were not previously permitted or grandfathered.
4. All construction related debris shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
5. Appropriate siltation, erosion, and turbidity controls shall be in place prior to construction, maintained during construction, and shall remain in place until the area is stabilized.
6. 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.
7. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding areas and spawning areas shall be avoided.
8. 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.

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

EXPLANATION

The DES Wetlands Bureau approved this project on October 29, 2013. DES supported its decision with the following findings:

1. This is a major impact project per Administrative Rule Env-Wt 303.02(d) construction or modification of a docking system providing 5 or more boat slips.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a), Requirements for Application Evaluation, has been considered in the design of the project.
5. Public hearing is waived with the finding that the project impacts will not significantly impair the resources of Lake Winnepesaukee.
6. The applicant has an average of 1,840 ft. of shoreline frontage along Lake Winnepesaukee.
7. A maximum of 25 slips may be permitted on this frontage per Rule Env-Wt 402.13, Frontage Over 75'.
8. The proposed docking structures, in combination with additional pre-existing structures on the frontage, will provide 20 slips as defined per RSA 482-A:2, VIII and therefore meets Rule Env-Wt 402.13.
9. The Applicant has met the criteria of Part Env-Wt 204, Waivers, and therefore the requested waiver of Rule Env-Wt 402.21, Modification of Existing Structures, is granted.
10. The proposed project is designed to improve the safety of loading and unloading of passengers and goods from large watercraft transporting youth and family campers to island facilities.

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

2013-01310	13345	\$1,384.00	DB
	<p>INCOMPLETE</p> <p>MAY 21 2013</p>	<p>MAY 28 2013</p>	

1. **REVIEW TIME:** If you do not know the review time for your project, refer to Attachment A to determine if your project's review time is Standard or Expedited.

Standard Review (Minimum, Minor or Major Impact)

Expedited Review (Minimum Impact)

2. **PROJECT LOCATION:** A separate application must be filed with each municipality that jurisdictional impacts will occur in.

ADDRESS: 144 Governor Wentworth Highway

TOWN/CITY: Mirror Lake

TAX MAP: 39

BLOCK: 2

LOT: 15

UNIT:

US GEOLOGICAL SURVEY TOPO MAP WATERBODY NAME:

Lake Winnepesaukee

LOCATION COORDINATES (if known): 43.63092 -71.29603

Latitude/Longitude UTM State Plane

3. **PROPERTY OWNER** or **APPLICANT INFORMATION** (check all that apply). If the applicant is not the property owner, attach property owner information and written permission from the property owner granting the applicant permission to act on their behalf.

NAME: YMCA of Greater Boston

MAILING ADDRESS: PO Box 10

TOWN/CITY: Mirror Lake

STATE: NH

ZIP CODE: 03853

EMAIL or FAX:

PHONE: 603-569-2725

By initialing here, I, hereby authorize DES to communicate all matters relative to this application electronically (RSA 482-A:3, XIV (b)) : _____

4. **AGENT INFORMATION:**

NAME: Dave Farley

COMPANY: Diversified Marine Construction

MAILING ADDRESS: PO Box 7464

TOWN/CITY: Gilford

STATE: NH

ZIP CODE: 03247

EMAIL or FAX: dfarley@divermarine.com

PHONE: 603-630-2259

* Complete this page last.

5. PROPERTY OWNER / AUTHORIZED APPLICANT / AUTHORIZED AGENT SIGNATURE: [Redacted] Note the property owner permission requirement in no.3 above.

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.
Link: <http://www.nh.gov/nhdhr/review/> (Copy link to your web browser)
6. I authorize DES and 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 which I am responsible for obtaining.
10. The mailing addresses I have provided are up to date and appropriate for receipt of DES correspondence. DES will not forward returned mail.

Dave Farley

Dave Farley

03-12-2013

Property Owner/ Applicant / Authorized Agent

Print name legibly

Date

APPLICATION SUBMITTAL DIRECTIONS:

1. The Conservation Commission signature is ONLY required for Expedited Review; Standard Review applications do NOT require the Conservation Commission's signature;
2. Submit the original application form and materials, four copies, application fee and any required municipal fees (authorized by RSA 482-A:3, I) to the town/city clerk for the REQUIRED town /city clerk's signature and mailing via certified mail to DES. Municipal fees means an administrative fee not to exceed \$10 plus the cost of postage by certified mail.

6. This section is to be completed by the Town/City Clerk

As required by Chapter 482-A:3 (amended 1991), 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 and I have received and retained certified postal receipts (or copies) for all abutters identified by the applicant.

Town/City Clerk

Heather C. Wood

Print name legibly

Heather C. Wood

Date

5-20-13

Town/City *Tuftonboro*

TOWN CLERK SUBMITTAL & MAILING DIRECTIONS:

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

1. For applications where "Expedited Review" is checked on page 1, only accept the application if the Conservation Commission's signature has been obtained (Standard Review Applications do NOT require the Conservation Commission's signature);
2. Collect from the applicant the postal receipts demonstrating that all abutters and the Local Advisory Committee were sent proper notice;
3. Collect any administrative fees, not to exceed \$10 plus the cost of postage by certified mail (RSA 482-A:3, I).
4. Immediately sign the original application and four copies in the signature space provided in the space above;
5. 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;
6. 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, I; and
7. IMMEDIATELY send (DO NOT HOLD FOR OTHER MUNICIPAL REVIEWS) 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.

7. CONSERVATION COMMISSION SIGNATURE FOR EXPEDITED REVIEW ONLY:

ONLY Expedited Review applications require that the Conservation Commission signature is obtained prior to submittal the final application to the Town/City Clerk for signature and mailing to the NHDES Wetlands Bureau. The Conservation Commission may refuse to sign. If the Conservation Commission does not sign this statement for any reason, then the application is not eligible for expedited review and the "Standard Review" box should be checked on page 1. The application 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

8. **RELATED FILES/APPROVALS:** If applicable, indicate files and approvals that are related to the proposed project or project site. Link to all NHDES Programs, Bureaus and Units: <http://des.nh.gov/programs/index.htm> (Copy link to your web browser)

Wetlands Bureau enforcement, emergency authorizations: None known

Wetlands Bureau approvals, denials: None known

Shoreland/ Alteration of Terrain/ Subsurface: None known

Other:

9. **PROJECT DESCRIPTION:** Provide a brief description of the project, outlining the scope of work to be performed, including the area of impact (square feet) of permanent impacts, temporary impacts (impacts that are not intended to remain after the project is completed), and after-the-fact impacts (work completed prior to receipt of this application by DES) to each jurisdictional area that will be impacted (wetlands, streams, rivers, lakes/ponds, prime wetland/buffer, tidal waters, salt marsh, sand dune, [upland] tidal buffer zone & docking structures). Docking structures provide the square footage of seasonal docking structures and permanent docking structures. Please provide only a brief project description as instructed above and attach additional sheets to provide other information requirements, but DO NOT reply "See Attached" in the space provided below.

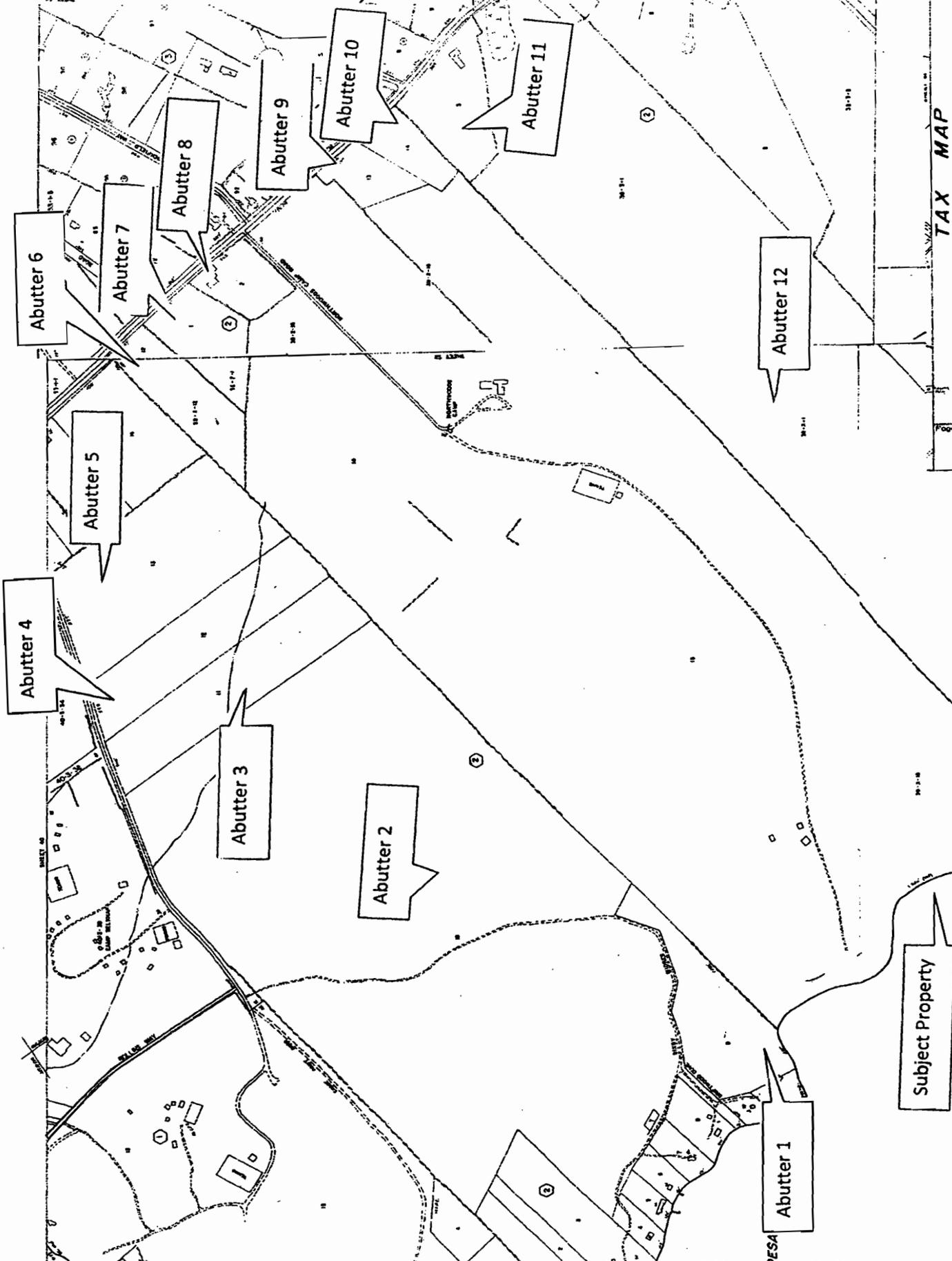
Reconfiguring Sandy Island docking structure to allow safe public boarding and loading of luggage and equipment onto camps watercraft.

- * Area of impact is 442 sq feet
- * Temp impact is 0 sq feet
- * After fact impact is 0%
- * docking structure permanent 442 sq feet new (842 sq ft total)

Add 25 ft to the Central Boat docking structure to allow for proper depth to moor camps watercraft.

- * Area of Impact is 150 sq feet
- * Temp impact is 0 sq feet
- * After fact impact is 0%
- * docking structure permanent 150 sq feet new (378 sq ft total)

10. **APPLICATION REQUIREMENTS:** *This application will be returned to you if items outlined in A – J.1 are not provided.* If applicable items outlined in J.2 - L are not provided, you may receive a letter requesting the outstanding information. Please note that a DES request letter is a courtesy and applications that do not include the required information may be denied. Copy links to your web browser.





New Hampshire Natural Heritage Bureau

To: David Farley
PO Box 7426
Gilford, NH 03247

Date: 3/12/2013

From: NH Natural Heritage Bureau

Re: Review by NH Natural Heritage Bureau of request dated 3/12/2013
NHB File ID: NHB13-0824

Applicant: David Farley

Location: Tax Map(s)/Lot(s): 39-2-15
Tuftonboro

Project Description: Re-configuring docking structure to allow safe public boarding and loading of luggage and equipment onto camps watercraft.

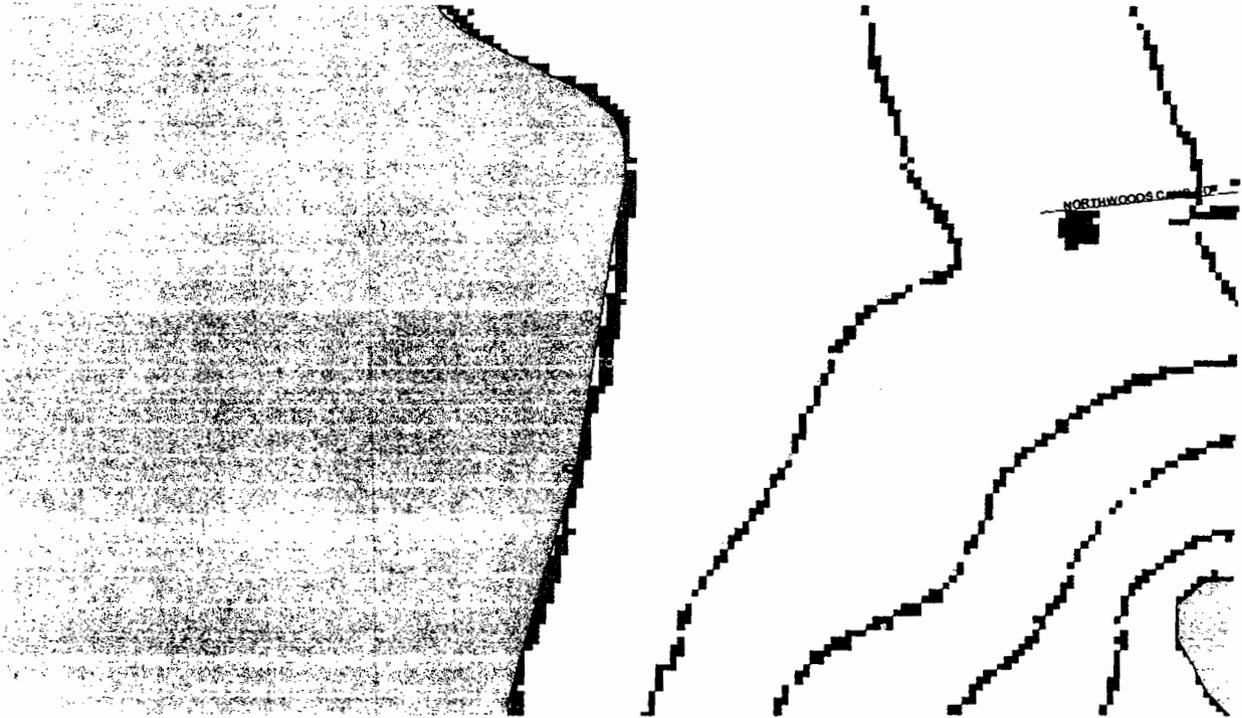
The NH Natural Heritage database has been checked for records of rare species and exemplary natural communities near the area mapped below. The species considered include those listed as Threatened or Endangered by either the state of New Hampshire or the federal government. We currently have no recorded 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 3/11/2014.



MAP OF PROJECT BOUNDARIES FOR NHB FILE ID: NHB13-0824



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Ada Mary James, Trustee
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 Mirror Lake, NH 03853

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John & Doris Adomsky
 [REDACTED]
 Jamison, PA 18929

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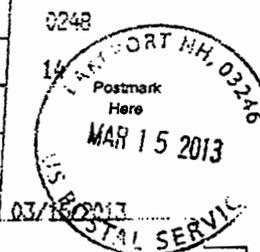
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Karen S Sanders Trustee
Wolfeboro NH 03894

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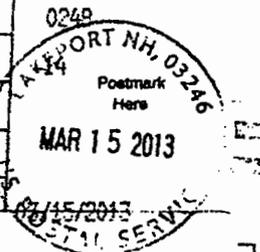
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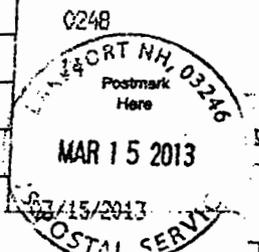
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YMCA Camp Belknap
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Wolfeboro NH 03894

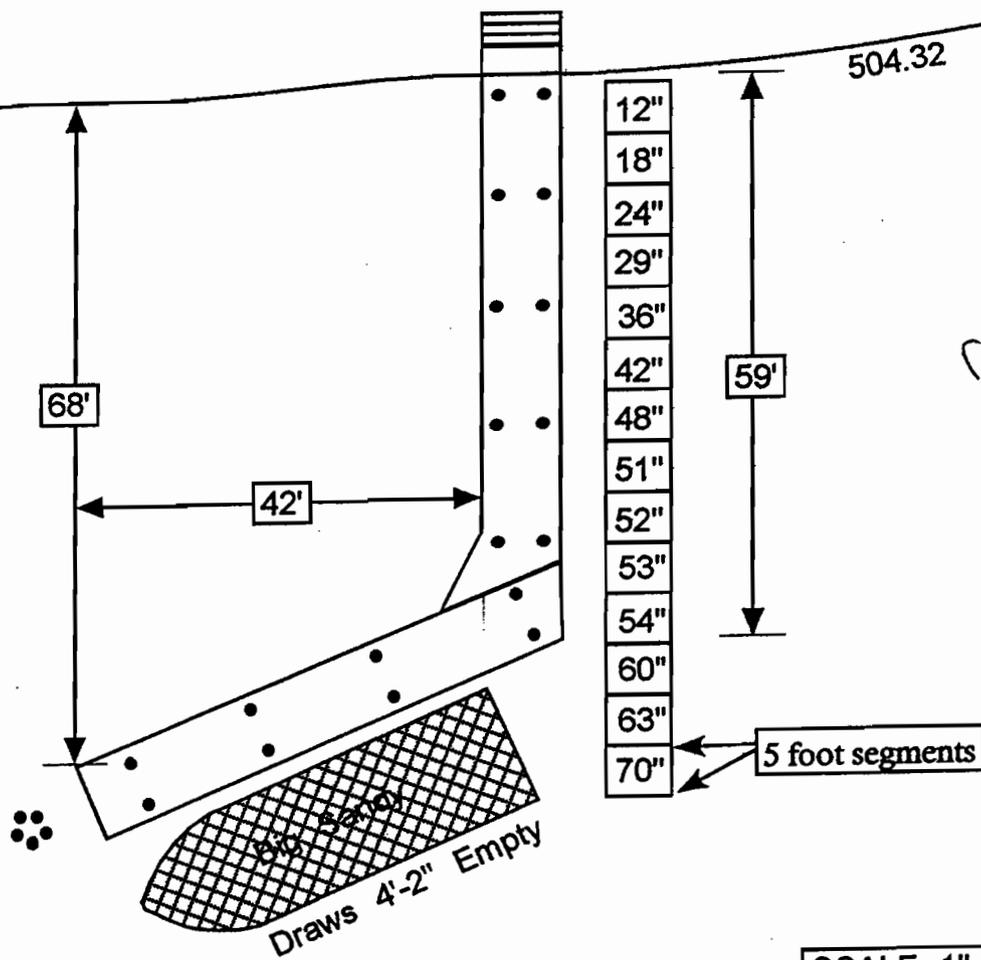
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PROPOSED CONDITIONS

YMCA Northwoods
Sandy Island Dock
Lot 32-9-15

Note: Measurements Are Adjusted To Full Lake



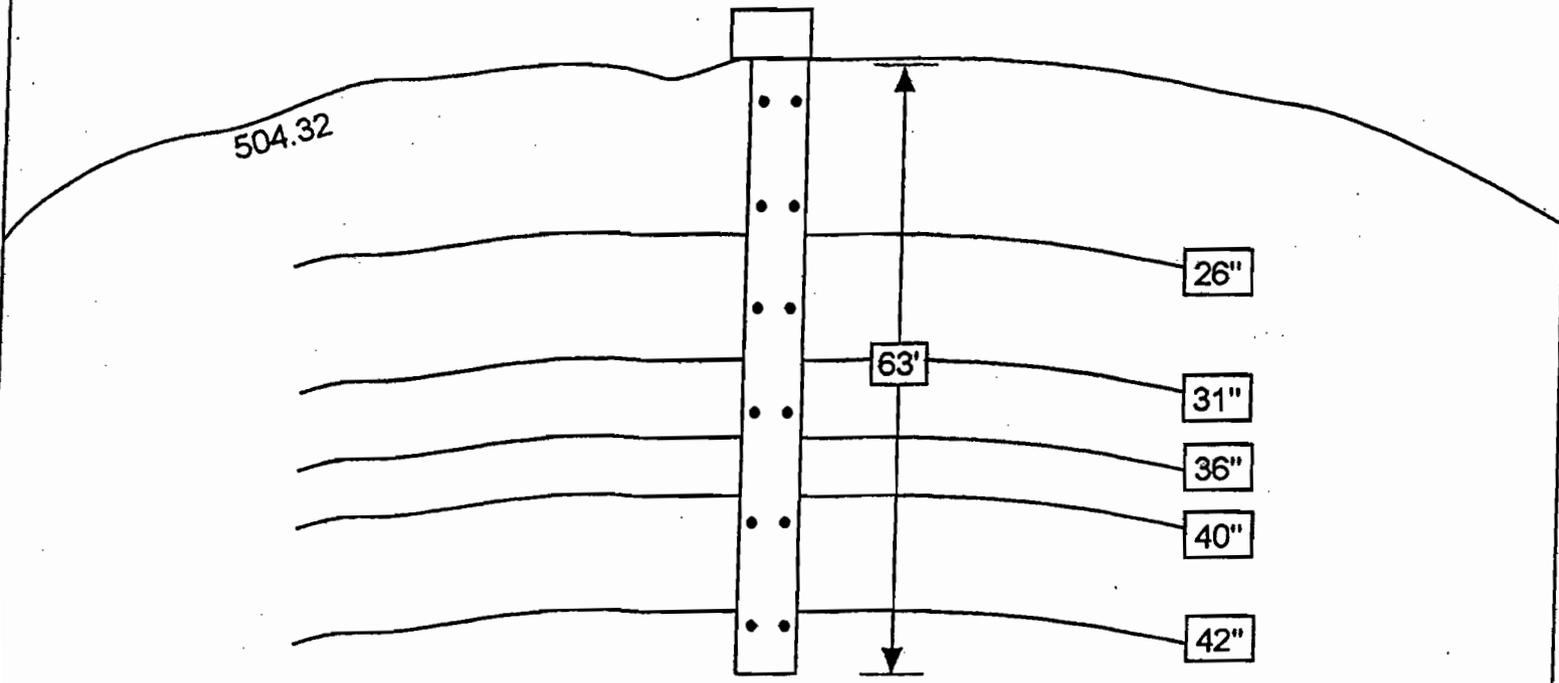
*Received
By DIES
Oct 1, 2013*

SCALE 1" = 20'



PROPOSED CONDITIONS

YMCA Northwoods
Central Boat Dock
Lot 32-9-15



SCALE 1" = 20'

