



The State of New Hampshire
Department of Environmental Services

Robert R. Scott, Commissioner



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March 5, 2019

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

REQUESTED ACTION

Approve Winnisquam Enterprises, LLC's request to perform the following work on Lake Winnepesaukee in Laconia. File # 2018-03672. This project will not have significant impact on or adversely affect the values of Lake Winnepesaukee.

Reconfigure a 24 slip docking structure by removing a 28 foot x 134 foot boathouse with eleven 2 foot x 25 foot 11 inch finger piers, twelve exterior 2 foot x 22 foot finger piers, and one 4 foot x 20 foot finger pier; construct a 4 foot x 134 foot piling pier with five 3 foot x 23 foot finger piers, six 2 foot x 26 foot fingers piers, and one 4 foot x 26 foot finger pier; remove a 2 foot x 33 foot finger pier and construct a 3 foot x 26 foot finger pier; drive 39 tie-off piles; and, repair a commercial building and fuel docks in-kind on 945 feet of frontage along Lake Winnepesaukee within the Weirs Channel in Laconia.

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 revised plans by Watermark Marine Construction dated January 26, 2019 and received by NHDES on January 28, 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. Between April 1 and November 1, the Department of Safety, Marine Patrol shall be notified at least 48 hours in advance of any barge operations to be conducted at the project location.
4. Photographs showing the pre-existing support structures and as-built plans documenting the dimensions and locations of all support structures associated with the commercial structure and fuels docks to be repaired shall be submitted within 30 days of the completion of the repairs of those structures.
5. 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.
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. 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.

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. Only those structures shown on the approved plans shall be installed or constructed along this frontage.
12. The reconfiguration of the boathouse and exterior finger piers shall not create additional boat slips along the frontage.
13. This permit does not authorize dredge for any purpose.

EXPLANATION

The NHDES approved this project on February 04, 2019. The NHDES supported its decision with the following findings:

1. This is a major impact project per Administrative Rule Env-Wt 303.02(d) modification of a docking system 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 department's jurisdiction per Env-Wt 302.03.
3. 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.
4. The existing docking facilities provide 24 slips as defined per RA 482-A:2, XIII.
5. The proposed modifications to the docking structures will not increase the number of slips provided on the frontage.
6. The removal of the 134 foot x 28 foot boathouse and reconfiguration of the docking structures will improve visibility and navigational safety within a narrow, heavily trafficked navigational passage.
7. The proposed project will reduce the footprint of the structures over public water by 3,187 square feet.
8. The NHDES finds that because the project is not of significant public interest and will not significantly impair the resources of Lake Winnepesaukee a public hearing under RSA 482-A:8 is not required.

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 submit this request for your consideration,



Robert R. Scott
Commissioner



WETLANDS PERMIT APPLICATION

Water Division/ Wetlands Bureau
Land Resources Management

ORIG. PHOTOS

ATTACHED...



Check the status of your application: www.des.nh.gov/onestop

COMPLETE

SAVED: RSA 482-W, Edw-VN 100-900
DEC 12 2018
DEC 12 2018
2018-03670
18971
360
367

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:

Mitigation is required if 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: 11/30/18 @ 2:00pm

☒ N/A - Mitigation is not required

Pre-App. w/ D.C.F.

3. PROJECT LOCATION:

Separate wetland permit applications must be submitted for each municipality that wetland impacts occur within.

ADDRESS: 96 Channel Lane

TOWN/CITY: Laconia

TAX MAP: 173-

BLOCK: 040-

LOT: 9.034

UNIT: -043

USGS TOPO MAP WATERBODY NAME: Winnepesaukee

☐ NA

STREAM WATERSHED SIZE:

☐ NA

LOCATION COORDINATES (If known): 1039598.703/401146.593

☐ Latitude/Longitude ☐

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.

Remove existing 134 ft x 28 ft boathouse and re-configure 24 existing boatslips (net less construction surface area over public submerged lands of 3,187.4 sq ft +/-) and repair existing fuel docks "in-kind". Of course, the project area will be surrounded with a turbidity curtain during work and until stabilization...

5. SHORELINE FRONTAGE:

☒ NA This does not have shoreline frontage.

SHORELINE FRONTAGE: 945 ft +/-

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 - 3672

b. ☐ Designated River the project is in $\frac{1}{4}$ miles of: _____; and

date a copy of the application was sent to the Local River Management Advisory Committee: Month: ___ Day: ___ Year: ___

☒ N/A

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

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

www.des.nh.gov

8. APPLICANT INFORMATION (Desired permit holder)LAST NAME, FIRST NAME, M.I.: **OWNER IS APPLICANT...**

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. PROPERTY OWNER INFORMATION (if different than applicant)

LAST NAME, FIRST NAME, M.I.:

TRUST / COMPANY NAME: **Winnisquam Enterprises, LLC**

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.

10. AUTHORIZED AGENT INFORMATIONLAST NAME, FIRST NAME, M.I.: **Goodwin, Paul**COMPANY NAME: **Watermark Marine Const.**MAILING ADDRESS: **1218 Union Avenue**TOWN/CITY: **Laconia**STATE: **NH**ZIP CODE: **03246**EMAIL or FAX: **pwg@watermarkmarine.com**PHONE: **603-293-4000**ELECTRONIC COMMUNICATION: By initialing here **PWG**, 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:

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) 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 forward returned mail.

Property Owner Signature

Edmund R. Crawford, Jr.

Print name legibly

Date **12-03-18**lm@des.nh.gov or (603) 271-2147

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

www.des.nh.gov

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.

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, 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	/ <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	Net less 3,187.4 <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
Vernal Pool	<input type="checkbox"/> ATF	<input type="checkbox"/> ATF
TOTAL	/	/

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) _____ sq. ft. X \$0.20 = \$ _____

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

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

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

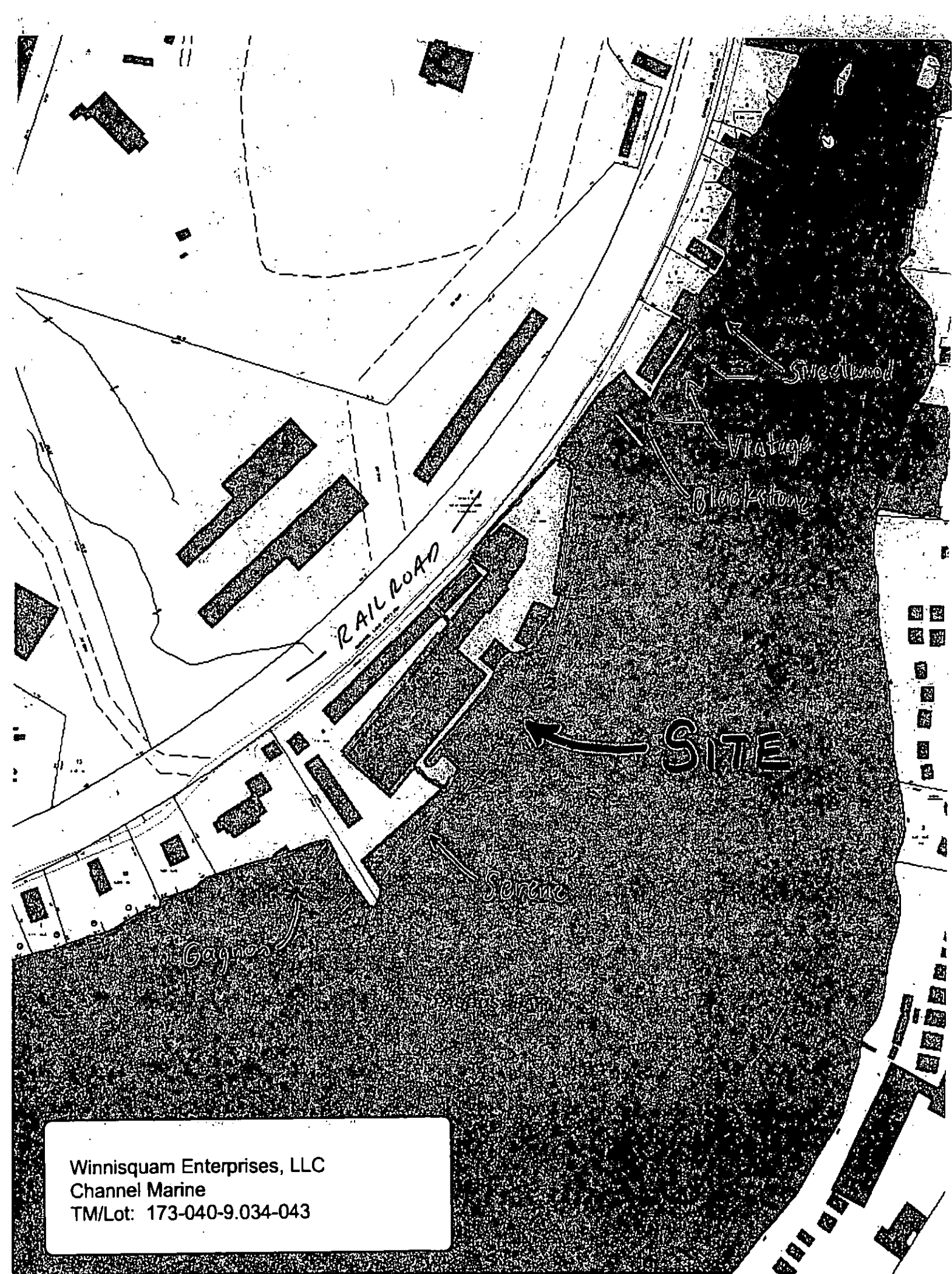
Total = \$ _____

The Application Fee is the above calculated Total or \$200, whichever is greater = **\$ 200.00**

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

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

www.des.nh.gov



Winnisquam Enterprises, LLC
Channel Marine
TM/Lot: 173-040-9.034-043



Winnisquam Enterprises, LLC
Channel Marine
USGS Chart



NEW HAMPSHIRE NATURAL HERITAGE BUREAU
NHB DATACHECK RESULTS LETTER

To: Paul Goodwin, Watermark Marine Construction
Watermark Marine Construction
1218 Union Avenue
Laconia, NH 03246

From: NH Natural Heritage Bureau

Date: 12/5/2018 (valid for one year from this date)

Re: Review by NH Natural Heritage Bureau of request submitted 11/28/2018

NHB File ID: NHB18-3672

Applicant: Winnisquam Enterprises, LLC

Location: Laconia
Tax Maps: 173-040-9 034-043

Project

Description: Raze existing boathouse and re-configure boatslips for modern vessels with a net reduction in surface area impacts of approx. 3,100 sqft.

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.

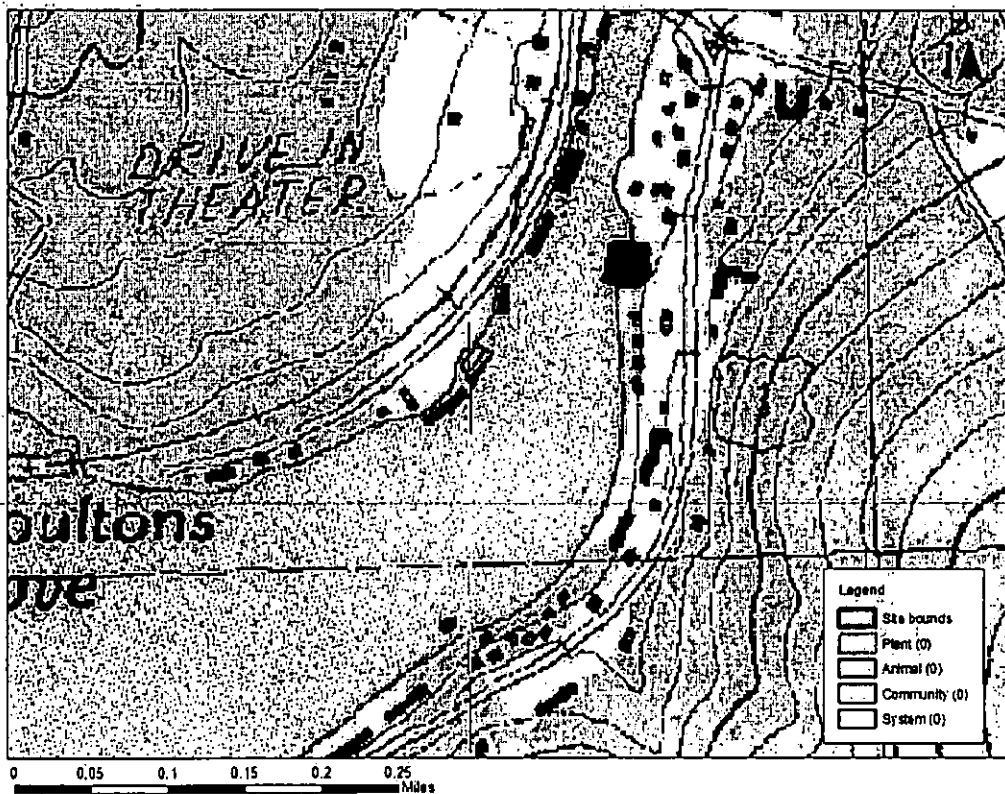
It was determined that, although there was a NHB record (e.g., rare wildlife, plant, and/or natural community) present in the vicinity, we do not expect that it will be impacted by the proposed project. This determination was made based on the project information submitted via the NHB Datacheck Tool on 11/28/2018, and cannot be used for any other project.



NEW HAMPSHIRE NATURAL HERITAGE BUREAU
NHB DATACHECK RESULTS LETTER

MAP OF PROJECT BOUNDARIES FOR: NHB18-3672

NHB18-3672



Lot #173-40-9.034-043

Channel Marine

SITE

Lot #173-040-010

Ronald Gagnon Revoc. Trust

Lot #162-040-009

Sweetwood Properties, Inc.

NH DOT – Rail and Transit Division

7 Hazen Drive – JOM Bldg - Room 250

Concord, NH 03302

VINTAGE BOAT CLUB BOATHOUSE:

Gary Kiedaish (Multiple Slips)

Marine Properties, LLC (Multiple Slips)

Roger Hamblin, et al

BLACKSTONE BOATHOUSE:

Portsmouth Industries (Multiple Slips)

SERENE BOATHOUSE:

Winvest II Realty Trust (Multiple Slips)

Michael McCormick

Shane Brady

Robert & Linda Moisan

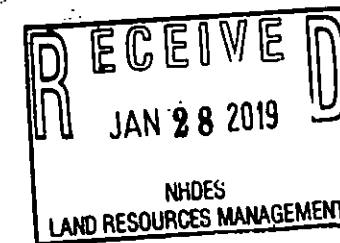
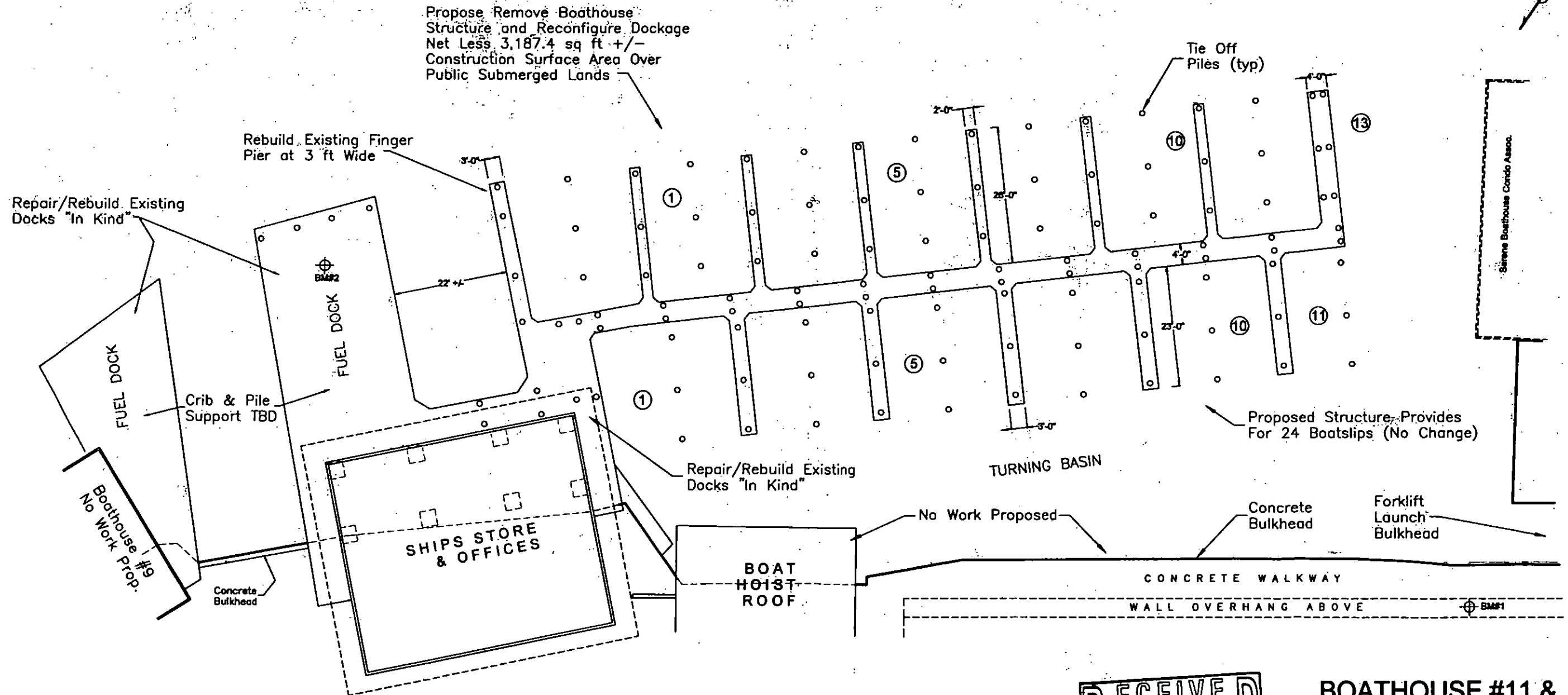
Charles C. Ferry Trust (Multiple Slips)

Robert Evans 1995 Trust

Richard Letendre

PROPOSED CONDITIONS:

WEIRS CHANNEL



BOATHOUSE #11 &
ASSOCIATED DOCKAGE
AT CHANNEL MARINE
Weirs Beach, NH
11/28/18 1" = 20'

11/28/18