



## DEPARTMENT OF ENVIRONMENTAL SERVICES



Thomas S. Burack, Commissioner

December 26, 2014

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

## REQUESTED ACTION

Approve Terry Daley's request to perform the following work on Lake Winnepesaukee, in Moultonborough. File # 2014-02631. This project will not have significant impact on or adversely affect the values of Lake Winnepesaukee.

Dredge 33 cu. yds. of sand from 550 sq. ft. of lakebed in a single slip within a major docking facility and place no more than 10 cu. yds. of sand on an adjacent beach on shoreline frontage along Lake Winnepesaukee, in Moultonborough.

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

1. All work shall be in accordance with plans by Winnepesaukee Marine Construction dated August 29, 2014, as received by the NH Department of Environmental Services (DES) on September 17, 2014.
2. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau with the exception of 10 cu. yds. placed on the existing beach.
3. Appropriate siltation and erosion controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
4. 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 the water at the work site has returned to normal clarity.
5. 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.



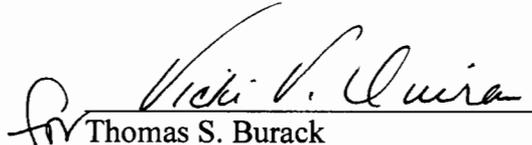
EXPLANATION

The DES Wetlands Bureau approved this project on November 26, 2014. DES supported its decision with the following findings:

1. This is a major impact project per Administrative Rule Env-Wt 303.02(g) removal of more than 20 cu. yds. of rock, gravel, sand, mud, or other material from public waters.
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.

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





## PERMIT APPLICATION

	<b>COMPLETE</b>	SEP 17 2014	2014-02631
			16887
			\$ 310.00
			DB

### 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: **1-16 Lanes End Lane**

TOWN/CITY: **Moultonborough**

TAX MAP: **291**

BLOCK:

LOT: **043**

UNIT:

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

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.

**Dredge first slip of major docking facility 22' x 40' sand to be de-watered on beach and taken outside DES jurisdiction. Wetlands impact approx. ~~800~~ 550 sq. ft. 33 cu. yds sand**

### 4. RELATED PERMITS, ENFORCEMENT, EMERGENCY AUTHORIZATION, SHORELAND, ALTERATION OF TERRAIN, ETC...

10-00794, 03-00268, 98-00935

### 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 - 3188

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.: **Daley, Terry**

TRUST / COMPANY NAME: **Lands End Assoc.**      MAILING ADDRESS: **212 Coolidge Avenue**

TOWN/CITY: **Manchester**      STATE: **NH**      ZIP CODE: **03102**

EMAIL or FAX:      PHONE:

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.: **Kenney, Mark**      COMPANY NAME: **Winnipesaukee Marine Const.**

MAILING ADDRESS: **60 Glidden Rd.**

TOWN/CITY: **Gilford**      STATE: **NH**      ZIP CODE: **03249**

EMAIL or FAX: **winnimarine@hotmail.com**      PHONE: **2937768**

ELECTRONIC COMMUNICATION: By initialing here **MK**, 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.

 <p>Property Owner Signature</p>	<p><b>Terry Daley</b></p> <p>Print name legibly</p>	<p><b>08 / 26 / 2014</b></p> <p>Date</p>
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## 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.

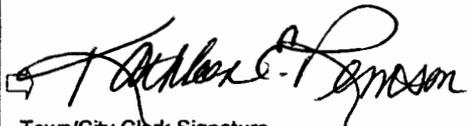
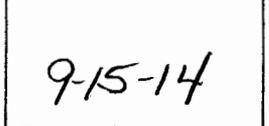
 Authorized Commission Signature	Print name legibly	Date
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#### DIRECTIONS FOR CONSERVATION COMMISSION

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.

 Town/City Clerk Signature	 Print name legibly	 Town/City	 Date
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#### DIRECTIONS FOR TOWN/CITY CLERK:

Per RSA 482-A:3,1

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	550 / <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	<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>	550 /	/

**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) 550 sq. ft. X \$0.20 = \$ 110.00

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

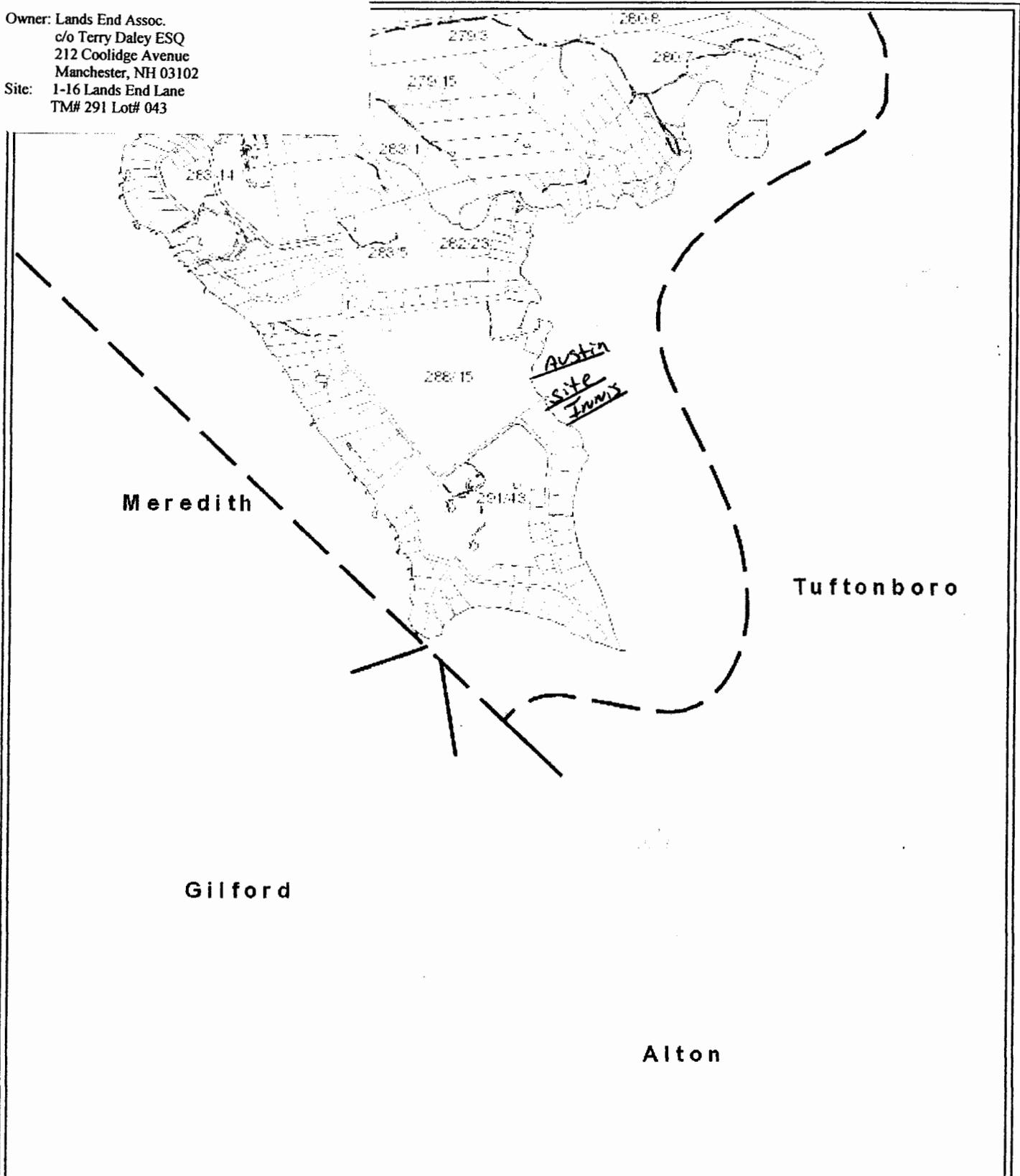
Permanent docking structure: \_\_\_\_\_ sq. ft. X \$2.00 = \$ \_\_\_\_\_

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

Total = \$ 310.00

The Application Fee is the above calculated Total or \$200, whichever is greater = \$ 300.00

Owner: Lands End Assoc.  
c/o Terry Daley ESQ  
212 Coolidge Avenue  
Manchester, NH 03102  
Site: 1-16 Lands End Lane  
TM# 291 Lot# 043



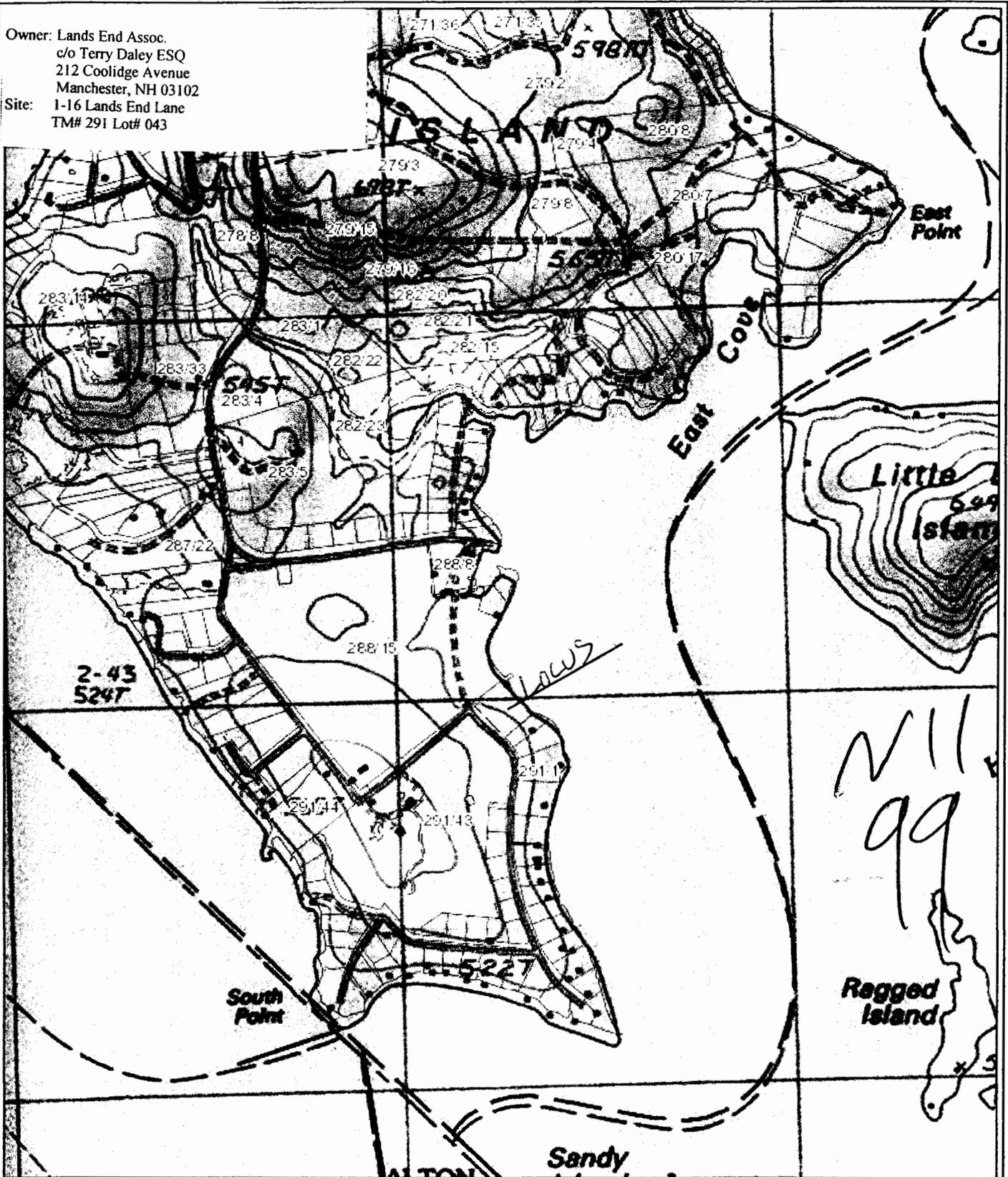
Lands End  
Moultonborough, NH  
1 Inch = 1602 Feet  
August 22, 2014



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

Owner: Lands End Assoc.  
 c/o Terry Daley ESQ  
 212 Coolidge Avenue  
 Manchester, NH 03102  
 Site: 1-16 Lands End Lane  
 TM# 291 Lot# 043



Lands End  
 Moultonborough, NH  
 1 Inch = 1132 Feet  
 September 15, 2014



www.cai-tech.com



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## New Hampshire Natural Heritage Bureau

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**To:** Patricia Scribner  
60 Glidden Rd.  
Gilford, NH 03249

**Date:** 8/22/2014

**From:** NH Natural Heritage Bureau

**Re:** Review by NH Natural Heritage Bureau of request dated 8/22/2014

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

NHB File ID: NHB14-3188

Applicant: Patricia Scribner

Location: Tax Map(s)/Lot(s): 291/043  
Moultonborough

Project Description: Dredge one slip which has filled with sand

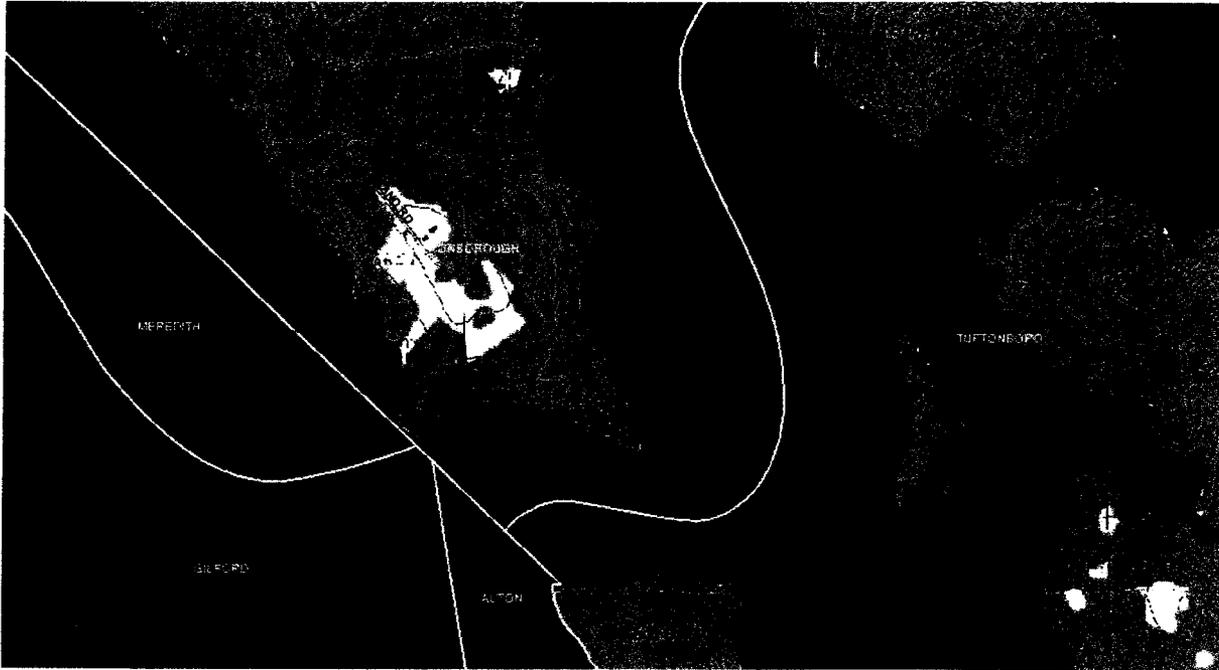
The NH Natural Heritage database has been checked for records of rare species and exemplary natural communities near the area mapped below. The species considered include those listed as Threatened or Endangered by either the state of New Hampshire or the federal government. We currently have no recorded 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 8/21/2015.



**MAP OF NOTIFICATION POINTS FOR NHB FILE ID: NHB14-3188**



**Winnepesaukee Marine Construction Inc.**

60 Glidden Road Gilford, NH 03249

(603) 293-7768

E-mail: [winnimarine@hotmail.com](mailto:winnimarine@hotmail.com) Web site: [www.lakewinnicon.com](http://www.lakewinnicon.com)

August 26, 2014

**Abutters List**

Owner: Lands End Assoc.

c/o Terry Daley ESQ

212 Coolidge Avenue

Manchester, NH 03102

Site: 1-16 Lands End Lane

TM# 291 Lot# 043

**Abutters:**

Wilbur & Barbara Austin

[REDACTED]  
Moultonborough, NH 03254

TM# 288 Lot# 015

Jeffrey Innis

[REDACTED]  
Moultonborough, NH 03254

TM# 288 Lot# 016

BARBARA AUSTIN  
PROPERTY  
TO NORTH

SHORELINE

BATHHOUSE

DECK

NOTE:  
⊙ F = FENDER PILING



*Area to be  
Dredged*

*Received  
DES 17  
2-1-84  
MCH*

**DOCKS - PLAN VIEW**

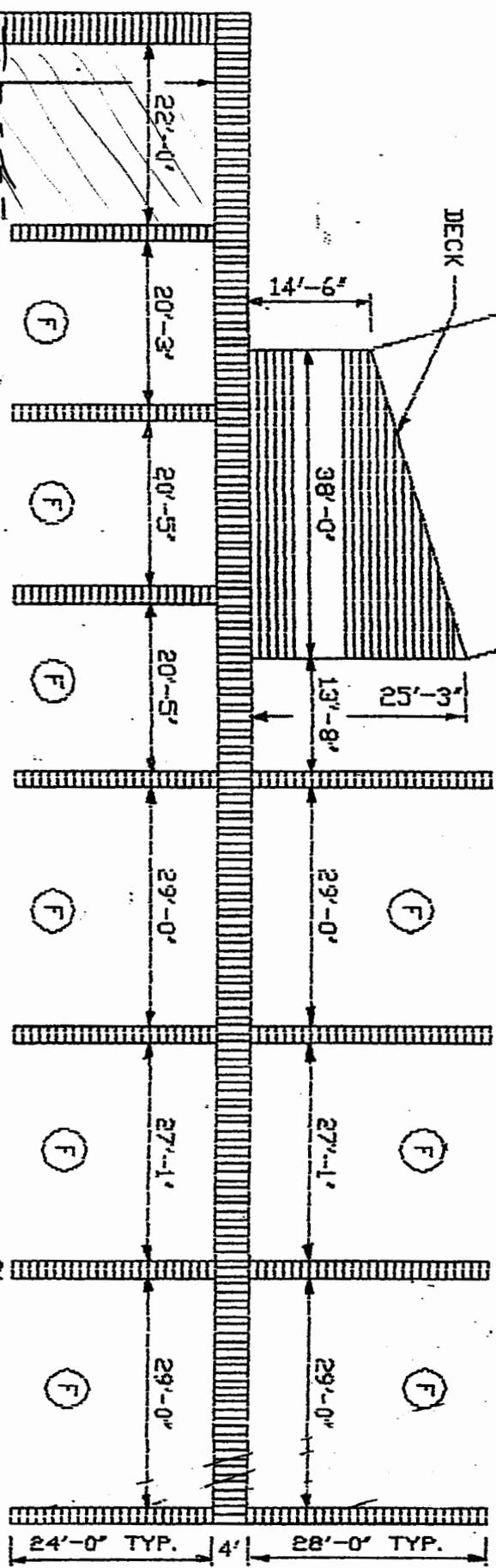
SCALE: 1" = 20'

**Winnetoesaukee Marine Const.**

60 Glidden Road  
Gifford, NH 03249

JEFFERY INNES  
PROPERTY  
TO SOUTH

SHORELINE



Owner: Lands End Assoc.

c/o Terry Daley ESQ  
212 Coolidge Avenue  
Manchester, NH 03102

Site: 1-16 Lands End Lane  
TM# 291 Lot# 043

Frontage 390'

DATE	SHEET NO.
8/29/84	1 OF 2