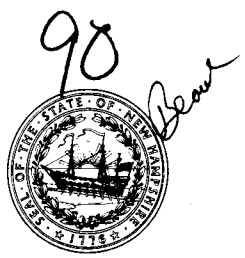




The State of New Hampshire
DEPARTMENT OF ENVIRONMENTAL SERVICES



Thomas S. Burack, Commissioner

May 20, 2015

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

REQUESTED ACTION

Approve Lakefront Landing Condominium Association's request to perform the following work on Ossipee Lake, in Center Ossipee. File # 2014-03505. This project will not have significant impact on or adversely affect the values of Ossipee Lake.

Dredge 369 cubic yards of material from 7,385 sq. ft. of a dug-in boat basin, install 270 linear ft. of retaining wall within the basin, and add a total of 608 sq. ft. of rip rap in two locations at the basin entrance on Ossipee Lake, in Ossipee.

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

1. All work shall be in accordance with plans by White Mountain Survey and Engineering, revision dated March 16, 2015, as received by the NH Department of Environmental Services (DES) on March 19, 2015.
2. This permit shall not preclude DES from taking any enforcement or revocation action if DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.
3. The retaining wall shall be constructed landward of the shoreline defined by the elevation of normal high water so as not to create land in public water.
4. Appropriate siltation, erosion, and turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain in place until the area is stabilized.
5. Work shall be done during low flow.
6. Work shall be done during drawdown.
7. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to surface waters and wetlands.
8. Work shall be conducted in a manner that avoids discharges of sediments to fish spawning areas.
9. Rip-rap shall be located landward of the shoreline at the normal high water, where practical, and shall not extend more than 2 ft. lakeward of that line at any point.
10. 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.
11. 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.

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

12. Dredge material shall be disposed of in non-jurisdictional wetland areas.
13. The area of existing shrubs removed for the installation of the wall shall be replanted with vegetation.
14. 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 April 20, 2015. 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 cubic yards 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. DES staff conducted a field inspection of the proposed project in the fall of 2014 with the applicant and agent. Field inspection confirmed the need for the rip rap to stabilize the entrance to the basin and retaining wall within the basin.
6. The proposed dredge and retaining wall construction will be located entirely within a dredged basin within the applicant's property.
7. Public hearing is waived after field inspection by NH DES staff, with the finding that the project impacts will not significantly impair the resources of Ossipee 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



PERMIT APPLICATION

RECEIVED DEC 17 2014 NHDES LAND RESOURCES MANAGEMENT	COMPLETE DEC 17 2014	2014-03505 2014-03505 307 1,898 JAT
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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)

2. PROJECT LOCATION:

Separate applications must be filed with each municipality that jurisdictional impacts will occur in.

ADDRESS: **85 Pequawket Trail**

TOWN/CITY: **Center Ossipee**

TAX MAP: **46**

BLOCK:

LOT: **2**

UNIT:

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

NA

STREAM WATERSHED SIZE:

NA

LOCATION COORDINATES (If known): **43.7850, -71.1095**

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.

Construction of retaining walls along an existing boat basin that predates the existence of NHDES and its predecessors, river bank stabilization with rip-rap and maintenance dredging of the existing boat basin.

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

2005-00615 (Boat ramp replacement/expansion); 2011-02393 (Letter of deficiency for docks); 2012-01842 (Rip-rap stabilization)

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 - 1900

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

5. APPLICANT INFORMATION (Desired permit holder)

LAST NAME, FIRST NAME, M.I.:			
TRUST / COMPANY NAME: Lakefront Landing Condominium Assoc. c/o Wayne Killam		MAILING ADDRESS: 618 Moores Pond Road	
TOWN/CITY: Silver Lake		STATE: NH	ZIP CODE: 03875
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			

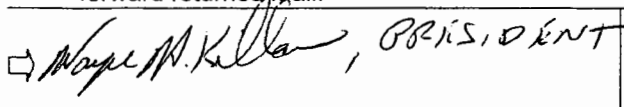
3. AUTHORIZED AGENT INFORMATION

LAST NAME, FIRST NAME, M.I.: Aiton, David R.		COMPANY NAME: White Mountain Survey & Engineering, Inc.	
MAILING ADDRESS: PO Box 440			
TOWN/CITY: Ossipee		STATE: NH	ZIP CODE: 03864
EMAIL or FAX: daiton@whitemountainsurvey.com		PHONE: (603) 539-4118 Ext. 305	
ELECTRONIC COMMUNICATION: By initialing here _____, 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:
- 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.
 - I have reviewed and submitted information & attachments outlined in the Instructions and Required Attachment document.
 - All abutters have been identified in accordance with RSA 482-A:3, I and Env-Wt 100-900.
 - I have read and provided the required information outlined in Env-Wt 302.04 for the applicable project type.
 - I have read and understand Env-Wt 302.03 and have chosen the least impacting alternative.
 - 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.
 - I have submitted a copy of the application materials to the NH State Historic Preservation Officer.
 - I authorize DES and the municipal conservation commission to inspect the site of the proposed project.
 - I have reviewed the information being submitted and that to the best of my knowledge the information is true and accurate.
 - 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.
 - I am aware that the work I am proposing may require additional state, local or federal permits which I am responsible for obtaining.
 - The mailing addresses I have provided are up to date and appropriate for receipt of DES correspondence. DES will not forward returned mail.


	WAYNE H. KILLAM	12/09/14
Property Owner Signature	Print name legibly	Date

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 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 Signature	Patricia A. Hodge Print name legibly	Ossipee Town/City	12-15-2014 Date
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DIRECTIONS FOR TOWN/CITY CLERK:

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

1. For applications where "Expedited Review" is checked on page 1, accept the application for mailing only if the Conservation Commission signature has been sought;
2. Collect 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 above;
5. Retain one copy of the application form, one complete set of attachments and the postal receipts demonstrating that all abutters and the Local River Advisory Committee were notified and make them reasonably accessible to the public;
6. 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 in accordance with RSA 482-A:3, I; and
7. IMMEDIATELY send the ORIGINAL application form, one complete set of attachments and filing fee, by CERTIFIED MAIL to the NHDES Wetlands Bureau at the address indicated on page 1 of this application. (DO NOT HOLD FOR CONSERVATION COMMISSION SIGNATURE).

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	N/A <input type="checkbox"/> ATF	N/A <input type="checkbox"/> ATF
Scrub-shrub wetland	N/A <input type="checkbox"/> ATF	N/A <input type="checkbox"/> ATF
Emergent wetland	N/A <input type="checkbox"/> ATF	N/A <input type="checkbox"/> ATF
Wet meadow	N/A <input type="checkbox"/> ATF	N/A <input type="checkbox"/> ATF
Intermittent stream	N/A <input type="checkbox"/> ATF	N/A <input type="checkbox"/> ATF
Perennial Stream / River	N/A / N/A <input type="checkbox"/> ATF	N/A / N/A <input type="checkbox"/> ATF
Lake / Pond	7,993 / 335 <input type="checkbox"/> ATF	0 / 335 <input type="checkbox"/> ATF
Bank - Intermittent stream	N/A / N/A <input type="checkbox"/> ATF	N/A / N/A <input type="checkbox"/> ATF
Bank - Perennial stream / River	N/A / N/A <input type="checkbox"/> ATF	N/A / N/A <input type="checkbox"/> ATF
Bank - Lake / Pond	483 / 335 <input type="checkbox"/> ATF	14 / 335 <input type="checkbox"/> ATF
Tidal water	N/A / N/A <input type="checkbox"/> ATF	N/A / N/A <input type="checkbox"/> ATF
Salt marsh	N/A <input type="checkbox"/> ATF	N/A <input type="checkbox"/> ATF
Sand dune	N/A <input type="checkbox"/> ATF	N/A <input type="checkbox"/> ATF
Prime wetland	N/A <input type="checkbox"/> ATF	N/A <input type="checkbox"/> ATF
Prime wetland buffer	N/A <input type="checkbox"/> ATF	N/A <input type="checkbox"/> ATF
Undeveloped Tidal Buffer Zone (TBZ)	N/A <input type="checkbox"/> ATF	N/A <input type="checkbox"/> ATF
Previously-developed upland in TBZ	N/A <input type="checkbox"/> ATF	N/A <input type="checkbox"/> ATF
Docking - Lake / Pond	N/A <input type="checkbox"/> ATF	N/A <input type="checkbox"/> ATF
Docking - River	N/A <input type="checkbox"/> ATF	N/A <input type="checkbox"/> ATF
Docking - Tidal Water	N/A <input type="checkbox"/> ATF	N/A <input type="checkbox"/> ATF
TOTAL	8,476 / 335	14 / 335

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) 8,490 sq. ft. X \$0.20 = \$ 1,698.00

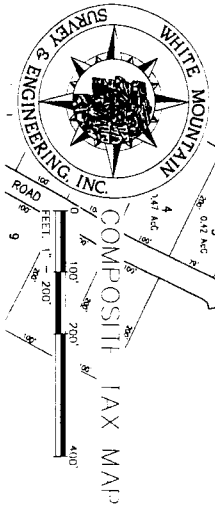
Temporary (seasonal) docking structure: 0 sq. ft. X \$1.00 = \$ 0.00

Permanent docking structure: 0 sq. ft. X \$2.00 = \$ 0.00

Projects proposing shoreline structures (including docks) add \$200 = \$ 200.00

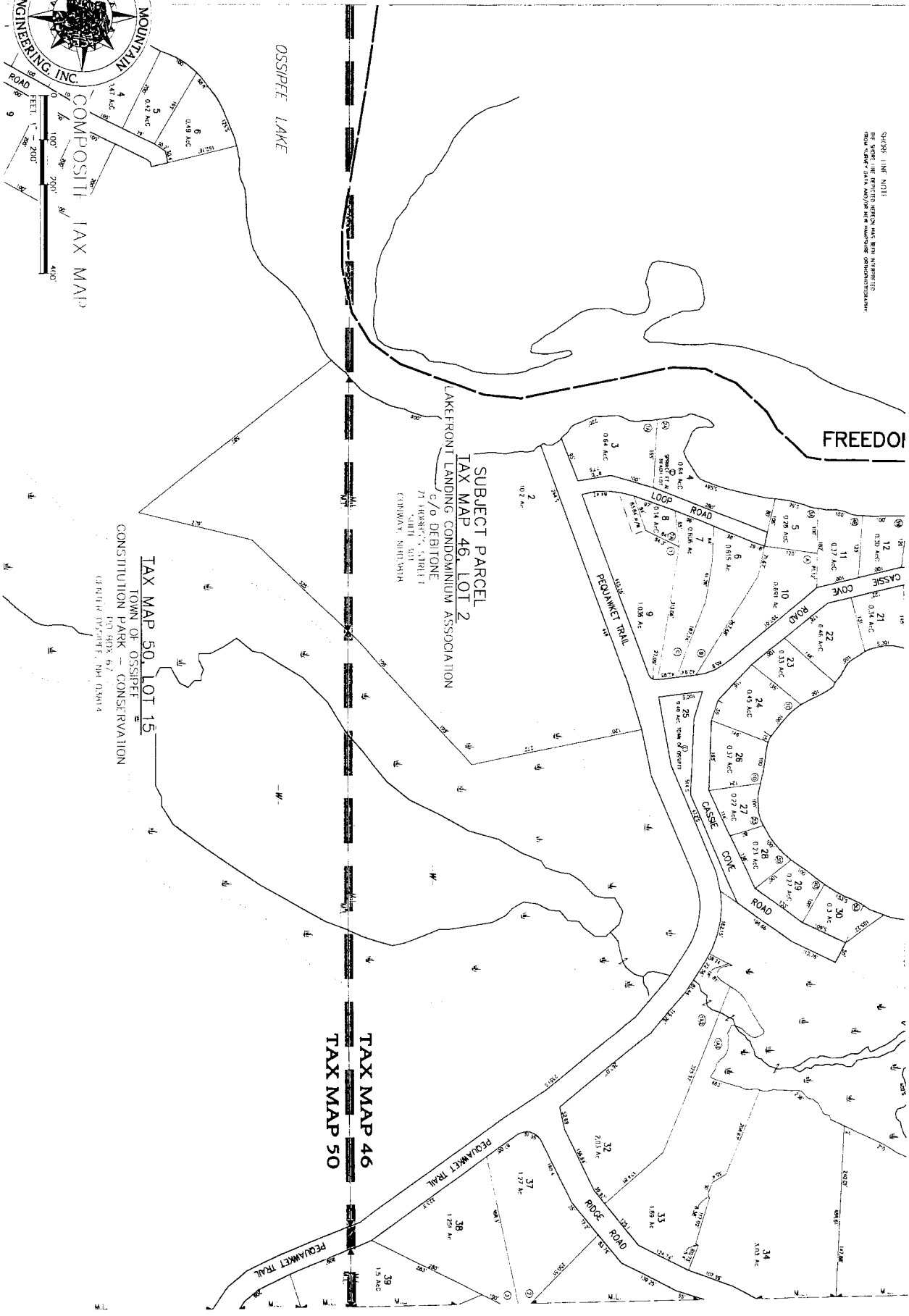
Total = \$ 1,898.00

The Application Fee is the above calculated Total or \$200, whichever is greater = \$ 1,898.00



COMPOSITE TAX MAP
 FEET 1" = 200'
 0 100' 200' 300' 400'

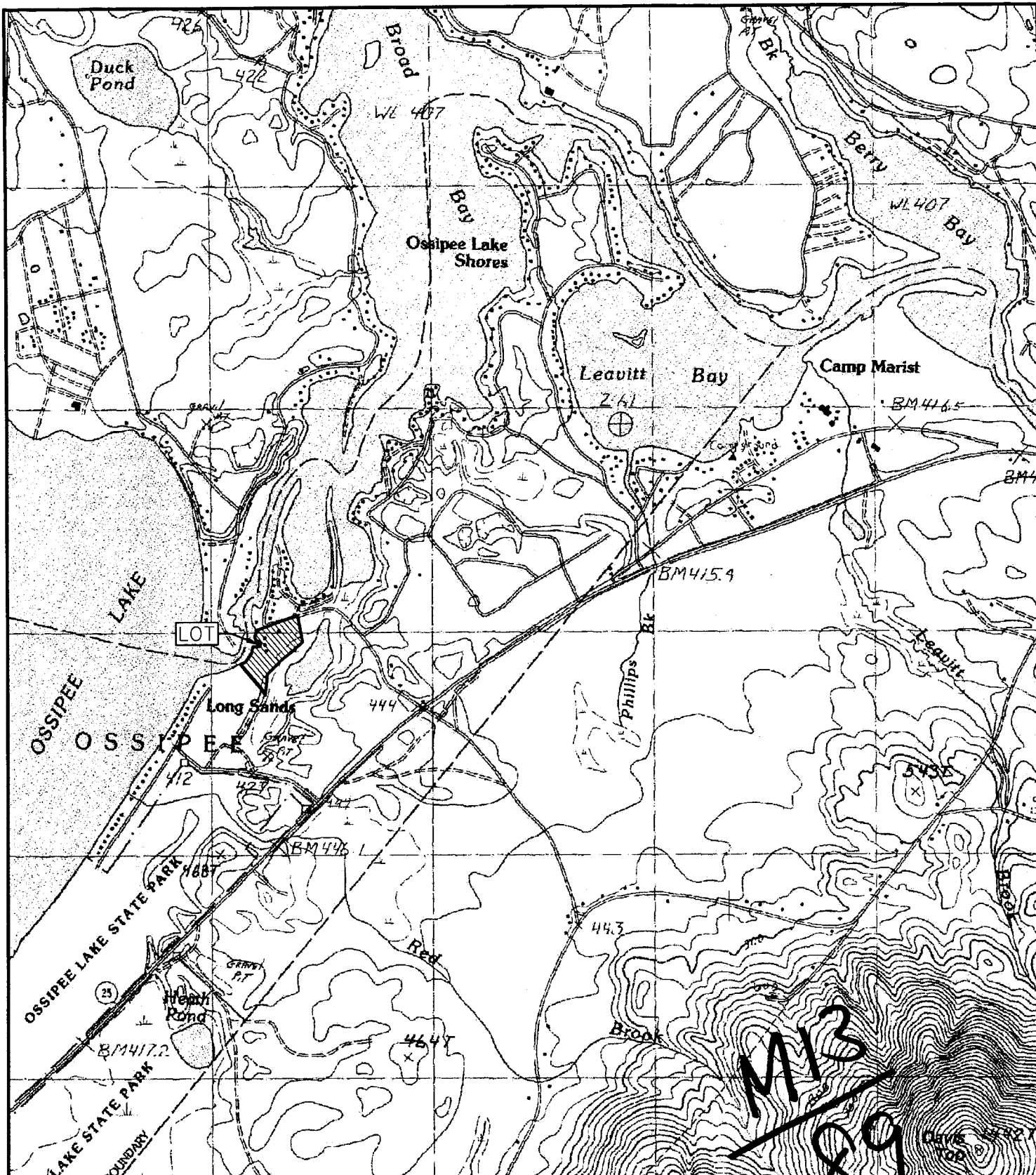
SUBJECT LINE NOT TO SCALE
 THIS MAP IS FOR INFORMATION ONLY AND IS NOT TO BE USED FOR ANY PURPOSES
 WITHOUT THE WRITTEN CONSENT OF THE ENGINEER



SUBJECT PARCEL
TAX MAP 46, LOT 2
 LAKEFONT LANDING CONDOMINIUM ASSOCIATION
 c/o DEBITONE
 71 FOREST STREET
 SUITE 201
 GORHAM, NEW HAMPSHIRE

TAX MAP 50, LOT 15
 TOWN OF OSSISPEE
 CONSTITUTION PARK - CONSERVATION
 PO BOX 67
 GORHAM, NEW HAMPSHIRE

TAX MAP 46
TAX MAP 50

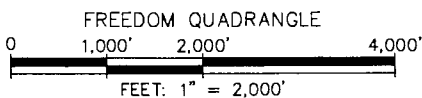


M13
89

ADDRESS:
85 PEQUAWKET TRAIL
CENTER OSS�PEE, NH 03816

OWNER:
LAKEFRONT LANDING CONDOMINIUM ASSOCIATION
c/o DEBITONE
71 HOBBS STREET, SUITE 301
CONWAY, NH 03818

USGS Plan



AGENT: **WHITE MOUNTAIN SURVEY & ENGINEERING, INC.**
PO BOX 440, OSS�PEE, NH 03864 (603) 539-4118. whitemountainsurvey.com

SHEET
1 OF 1



NEW HAMPSHIRE NATURAL HERITAGE BUREAU
NHB DATACHECK RESULTS LETTER

To: David Aiton, White Mountain Survey & Engineering, Inc.
P.O. Box 440

Ossipee, NH 03864

From: NH Natural Heritage Bureau

Date: 5/29/2014 (valid for one year from this date)

Re: Review by NH Natural Heritage Bureau of request submitted 5/23/2014

NHB File ID: NHB14-1900

Applicant: David Aiton

Location: Ossipee
Tax Maps: Map 46, Lot 2

Project

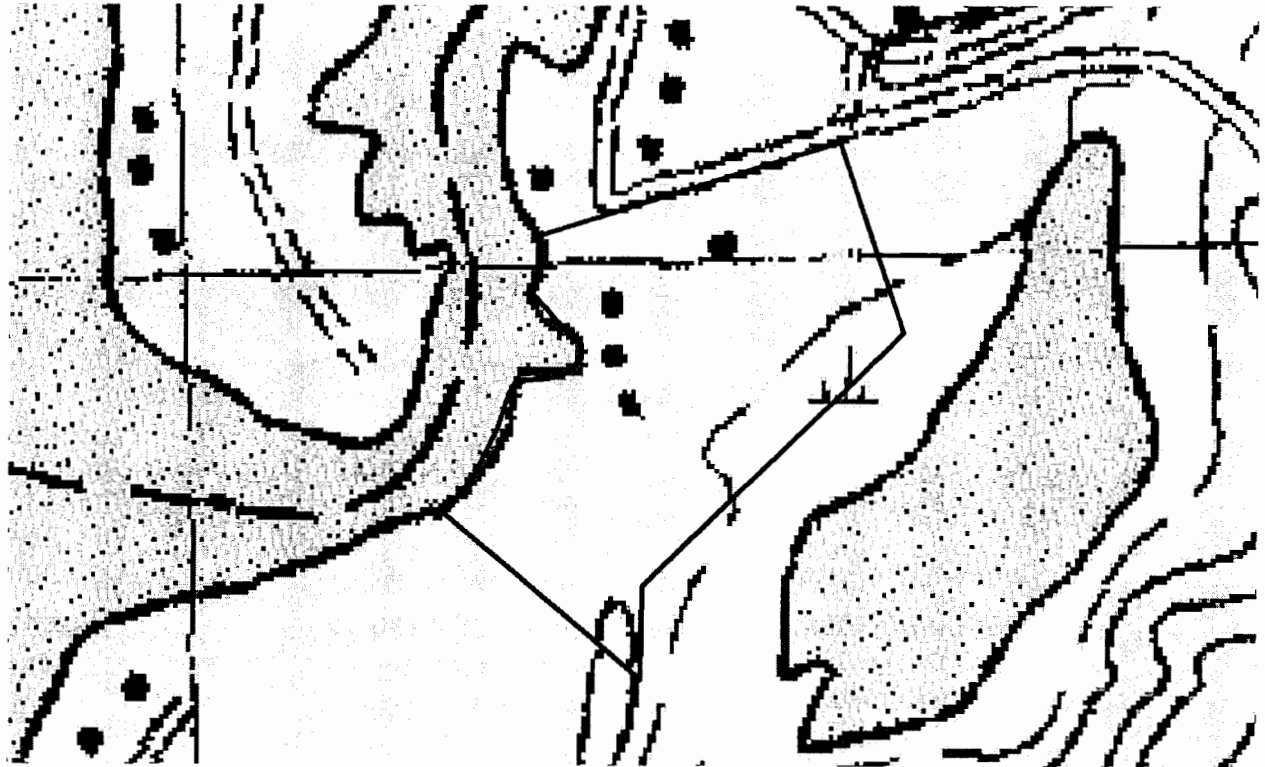
Description: Maintenance dredging of existing boat basin and stabilization of bank.

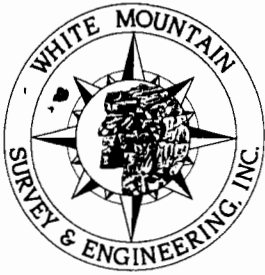
The NH Natural Heritage database has been checked by staff of the NH Natural Heritage Bureau and/or the NH Nongame and Endangered Species Program for records of rare species and exemplary natural communities near the area mapped below. The species considered include those listed as Threatened or Endangered 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 5/23/2014, and cannot be used for any other project.



MAP OF PROJECT BOUNDARIES FOR: NHB14-1900





WHITE MOUNTAIN SURVEY & ENGINEERING, INC.

1270 ROUTE 16, POST OFFICE BOX 440

OSSIPEE, NH 03864-0440

TELEPHONE (603) 539-4118 FACSIMILE (603) 539-7912

WEB ADDRESS: www.whitemountainsurvey.com

85 Pequawket Trail Center Ossipee, New Hampshire

Abutter List

Tax Map/Lot Number	Owner
46/2 (Subject Parcel)	Lakefront Landing Condominium Association c/o Debitone 71 Hobb's Street Suite 301 Conway, NH 03818
50/15	Town of Ossipee Constitution Park - Conservation PO Box 67 Center Ossipee, NH 03814
<i>Agent</i>	<i>White Mountain Survey & Engineering, Inc. PO Box 440 Ossipee, NH 03864</i>