



The State of New Hampshire  
**DEPARTMENT OF ENVIRONMENTAL SERVICES**



**Thomas S. Burack, Commissioner**

May 31, 2014

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

**REQUESTED ACTION**

Approve Edward H. Shield's request to perform the following work on Little Squam Lake, in Holderness. File # 2013-01626. This project will not have significant impact on or adversely affect the values of Little Squam Lake.

Add a 2 ft. x 18 ft. seasonal dock anchored by a 2 ft. x 1.5 ft. concrete pad to structures comprising an existing commercial docking facility located within a dug-in basin on Little Squam Lake, in Holderness.

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

1. All work shall be in accordance with plans by Harold E. Johnson as revised March 27, 2014, and received by the NH Department of Environmental Services (DES) on April 09, 2014.
2. This permit shall not be effective until it has been recorded with the Grafton 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. This permit does not preclude the Town's ability to enforce any existing local ordinances that may apply such as those pertaining to the construction of structures or operation of commercial facilities.
4. The seasonal pier shall be removed from the lake for the non-boating season.
5. No portion of the pier shall extend more than 18 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.

**EXPLANATION**

The DES Wetlands Bureau approved this project on May 1, 2014. DES supported its decision with the following findings:

1. This project is classified as a major project per Rule Env-Wt 303.02(d), modification of a major docking facility.

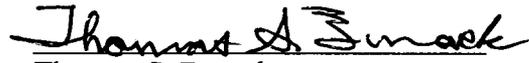


Her Excellency, Governor Margaret Wood Hassan  
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Page 2

2. Pursuant to Env-Wt 402.16, Marinas-Design Standards, more slips may be permitted if the marina is enclosed by land of the applicant.
3. The existing docking structures as well as the additional 2 slips are located wholly within a manmade dug-in basin surrounded by land owned by the Applicant with access to Little Squam Lake.
4. The existing and proposed docking facility will provide 49 slips as defined per RSA 482-A:2, VIII.
5. The Town of Holderness submitted a letter stating site plan approval by the Planning Board is not required for the additional docking structure.

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

TSB/CGA/emk





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>



## WETLANDS PERMIT APPLICATION

2013-01626	2261	\$416.00	EMK

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: *Holderness Harbor LLC 879 Route 3* TOWN/CITY: *Holderness*

TAX MAP: *101* BLOCK: LOT: *32* UNIT: *-*

US GEOLOGICAL SURVEY TOPO MAP WATERBODY NAME: *Little Squam Lake* LOCATION COORDINATES (if known) *Lat 43 7223 N Long 71 992 W*  
 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: *Edward H Shield owner Holderness Harbor LLC*

MAILING ADDRESS: *P.O. Box 2260*

TOWN/CITY: *Mechanicsville* STATE: *VA* ZIP CODE: *23116*

EMAIL or FAX: PHONE: *1804 730 9500 EXT 322*

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: *Xent L Smith* COMPANY: *Property manager Holderness Harbor LLC*

MAILING ADDRESS: *P.O. Box 728*

TOWN/CITY: *Holderness* STATE: *NH* ZIP CODE: *03245*

EMAIL or FAX: *Smke87054@yahoo.com* PHONE: *603 968 9445 / 968-9001*

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

\* Complete this page last.

5. **PROPERTY OWNER / AUTHORIZED APPLICANT / AUTHORIZED AGENT SIGNATURE:** A letter of authorization from the property owner/applicant is required if the property owner/applicant does not sign below. 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.

*Kent L Smith*

*Kent L Smith*

6-18-13

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:3,1) 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

*Ellen King*

*Ellen King*

6/19/13

Holderness

Town/City Clerk

Print name legibly

Date

Town/City

**TOWN CLERK SUBMITTAL & MAILING DIRECTIONS:**

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

*Anne T. Packard*

*ANNE T. PACKARD*

19 June 2013

Authorized Commission Signature

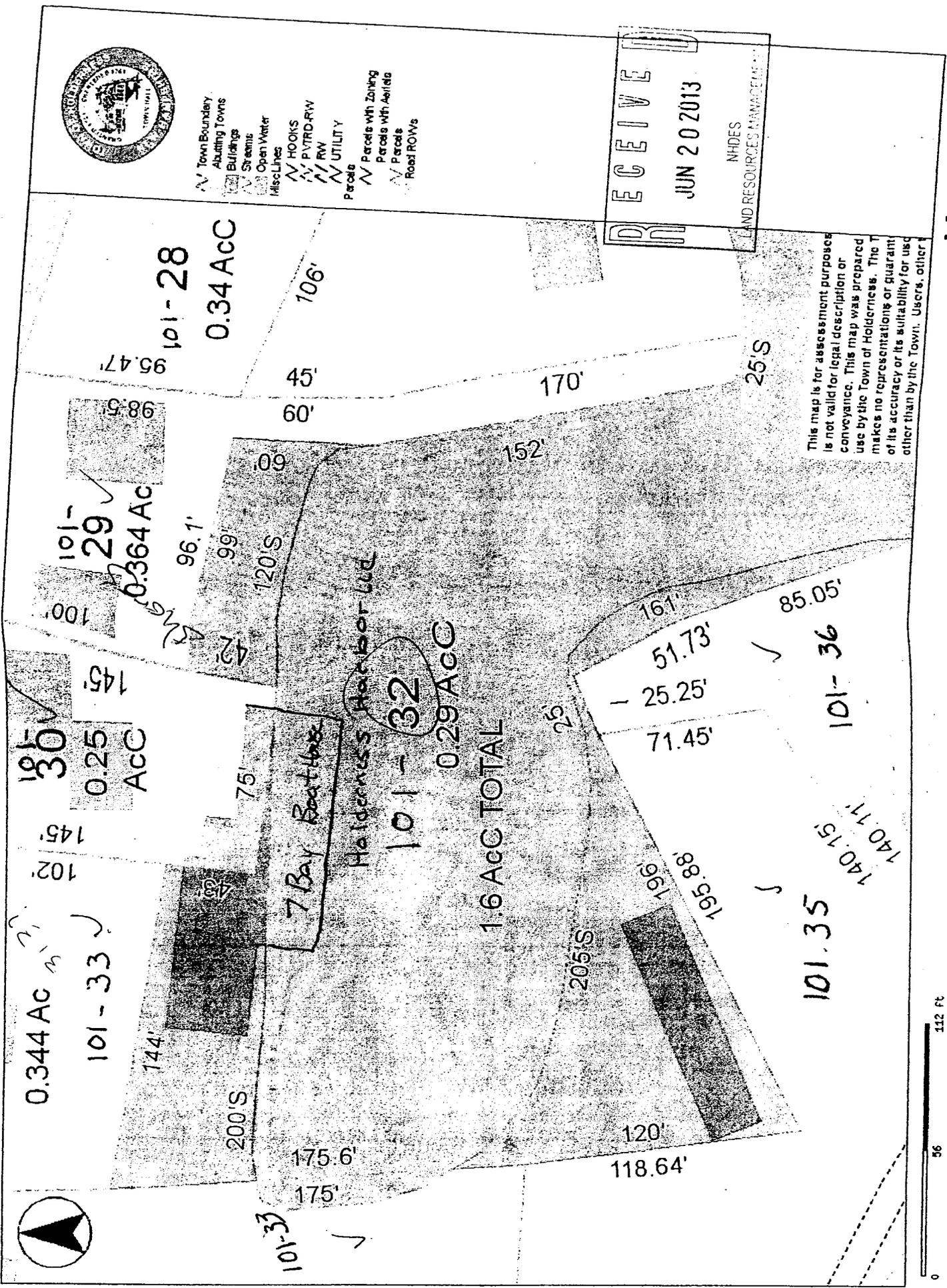
Print name legibly

Date

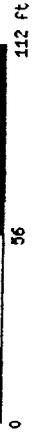
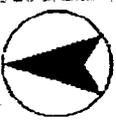


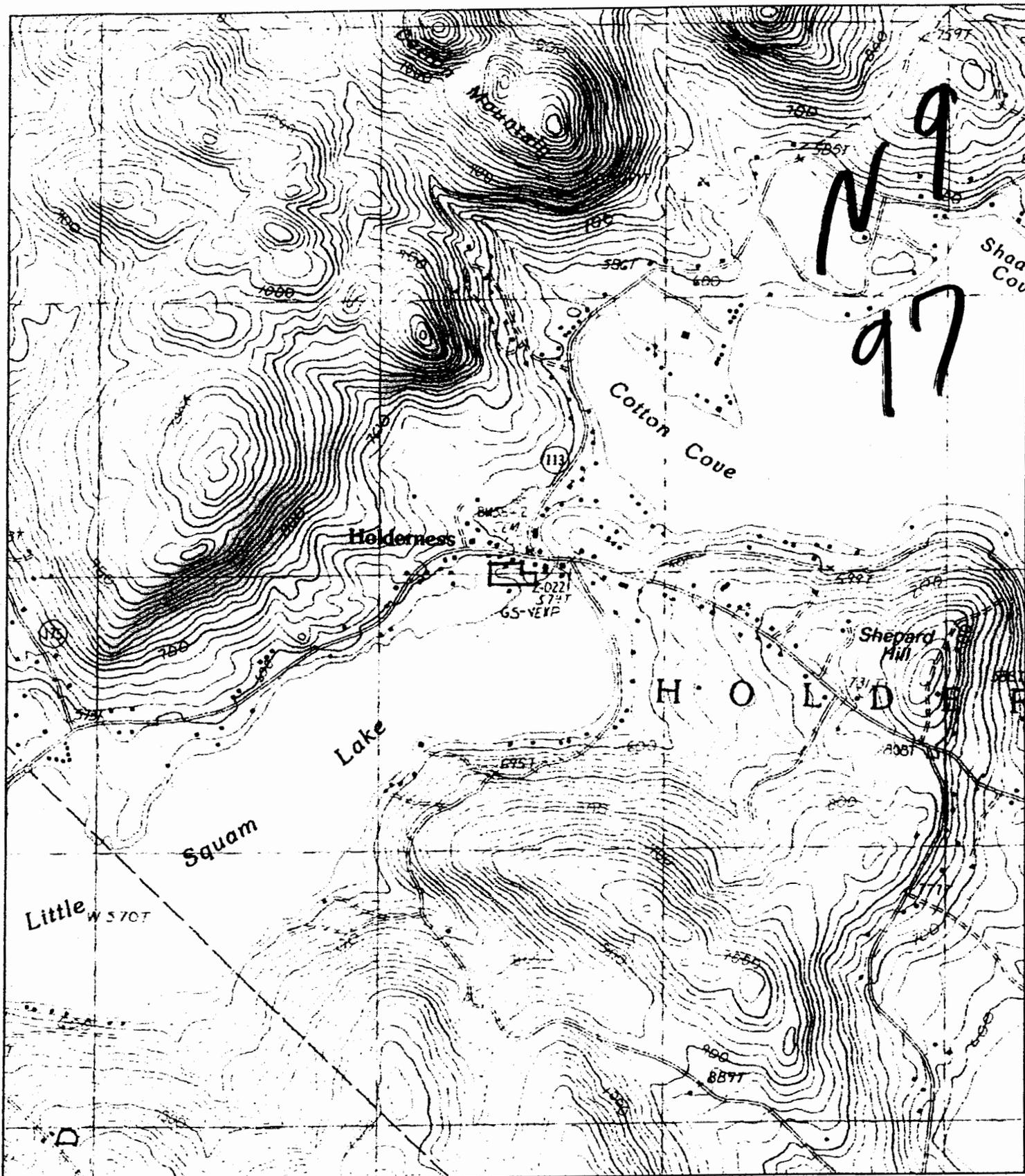
- ▬ Town Boundary
- ▬ Abutting Towns
- ▬ Buildings
- ▬ Streets
- ▬ Open Water
- ▬ Misc Lines
- ▬ HOOKS
- ▬ P.VTRD-RW
- ▬ RW
- ▬ UTILITY
- ▬ Parcels
- ▬ Parcels with Zoning
- ▬ Parcels with Aerials
- ▬ Parcels
- ▬ Road ROWs

**RECEIVED**  
 JUN 20 2013  
 NHDES  
 LAND RESOURCES MANAGEMENT



This map is for assessment purposes only and is not valid for legal description or conveyance. This map was prepared by the Town of Holderness. The user makes no representations or guarantees of its accuracy or its suitability for use other than by the Town. Users, other than the Town, are advised to verify the accuracy of this map.





0 0.5 MI  
0 2000 FT

Map provided by [Topo.com](http://Topo.com)

RECEIVED  
JUN 20 2013  
NHDES  
LAND RESOURCE ESTIMATION

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: \_\_\_\_\_

Wetlands Bureau approvals, denials: \_\_\_\_\_

Shoreland/ Alteration of Terrain/ Subsurface: \_\_\_\_\_

Other: Wetlands Bureau File # 2010-03426

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.

- ① Install 2 seasonal docks measuring 3' x 25'0" at the Southeast side of the harbor. Replacing existing 7'9" x 15'7" Floating dock. These 2 docks will be within the 20' setback from Squam Family LLC Property Line and Holderness Harbor LLC Line, ~~10'~~ - within 12" from boundary line
- ② Install 1 2' x 18' seasonal dock with concrete landing at the Southwest side of the Harbor near the Launch Ramp
- Permanent impacts
- ③ Dock #1 - #2 Concrete landings 2 - 3 x 46' = 2450' -"  
Dock #3 Concrete landings 1 - 2 x 3' = 650' -"  
Dock #1-2 75.50' x 2 = 15060' -"  
Dock #3 3650' -"

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.

A. 1. Is the project within a 1/4 mile of a designated river?  Y  N

Designated river list and map link: <http://des.nh.gov/organization/divisions/water/wmb/rivers/designriv.htm>

2. If yes: Indicate river: \_\_\_\_\_

3. As required by RSA 482-A:3, I(d)(2), I have notified the Local River Advisory Committee (LAC) by sending a copy of the complete application and supporting materials via certified mail on: Month: \_\_\_ Day: \_\_\_ Year: \_\_\_

LAC link: <http://des.nh.gov/organization/divisions/water/wmb/rivers/lac/index.htm>

B. Property Owner or Authorized Applicant/Agent and Town/City Clerk signatures, no.'s 5 & 6 on pg. 2 of this form (Env-Wt 501.02(a) & 505.01(i))

C. Narrative of the project description, no. 9 above (Env-Wt 501.02(a) & 505.01(i))

D. Documentation from the 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/nhb\\_datacheck/](https://www2.des.state.nh.us/nhb_datacheck/) or by phone (603) 271-2215 x 323. Please attach the REQUIRED letter/memo and map provided by NHB.

E. A copy of a U. S. Geological Survey topographic map upon which the property lines and project limits have been outlined (surveyed property boundaries not required). 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))

Topographic Map Links: <http://des.nh.gov/organization/divisions/water/wetlands/categories/technical.htm>

F. 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))

G. Attach drawing(s)/plan(s) (including a construction sequence) showing additional data requirements listed in Env-Wt 501.02(a)(2) & 505.01(h). See no. 11 on pg.'s 4 & 5 for drawing/plan requirements.

H. Attach a completed U.S. Army Corps of Engineers New Hampshire Programmatic General Permit (PGP) Appendix B - Required Information and Corps Secondary Impact Checklist: <http://des.nh.gov/organization/divisions/water/wetlands/documents/pgp-appendix-b.pdf> (scroll to page 29 of 34 to reach Appendix B).

**10. APPLICATION REQUIREMENTS CONTINUED:**

- I. Attach the application fee, check or money order payable to: "Treasurer-State of NH" (RSA 482-A:3,I & Env-Wt 505.01(c))
- Minimum Impact (Standard & Expedited Review): Flat fee of \$ 200 OR
  - Minor or Major Impact (Standard Review): Complete the minor & major application fee table below.

**MINOR & MAJOR APPLICATION FEE:**

Permanent impacts (non-docking): \_\_\_\_\_ sq. ft. X \$0.20 = \_\_\_\_\_

Temporary impacts (non-docking): \_\_\_\_\_ sq. ft. X \$ 0.20 = \_\_\_\_\_

Temporary (seasonal) docking structure: 216 sq. ft. X \$1.00 = 216<sup>00</sup>

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

Projects proposing shoreline structures add \$200 = 200<sup>00</sup>

Total = \$ 416<sup>00</sup>

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

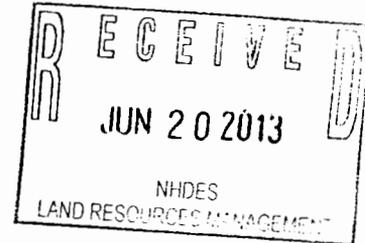
- J.1. Legible copy or tracing of the tax map from the municipal office (Env-Wt 501.02(a)(1)& 505.01(e)).
2. Confirm the submitted tax map illustrates the property of the applicant, the location of the proposed project on the property, and the location of properties of abutters (defined Env-Wt 101.03) with each lot labeled with the abutter's name(s) and mailing address(es); or provide 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).
  - If jurisdictional impacts occur within 20 feet of an abutting property line or imaginary extension thereof over surface water signed permission letter(s) from the affected abutters must be included with this application (Env-Wt 304.04). This letter must be notarized if your project is a boat docking facility (RSA 482-A:3-XIII(c)). Notarized abutter permission is not required for maintenance projects.
- K. Need, Avoidance & Questions:
- Minimum: 1. Attach a statement demonstrating need for the proposed project (Env-Wt 302.03); and  
2. Attach a statement demonstrating that the proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction. (Env-Wt 302.03 & 505.01(d)&(y)); OR
  - Minor & Major: Attach a response to questions outlined in Wetland Rule Env-Wt 302.04(a)
- L. Minor & Major Impact Projects ONLY: Does the project require compensatory mitigation pursuant to Env-Wt 302.03?
- Y  N If yes: Attach a completed Mitigation Agreement Form and materials outlined on the 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)



NEW HAMPSHIRE NATURAL HERITAGE BUREAU  
NHB DATACHECK RESULTS LETTER

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**To:** Kent Smith  
p.o.box 728  
Holderness, NH 03245



**From:** NH Natural Heritage Bureau

**Date:** 5/30/2013 (valid for one year from this date)

**Re:** Review by NH Natural Heritage Bureau of request submitted 5/28/2013

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

**NHB File ID:** NHB13-1606

**Applicant:** Kent Smith

**Location:** Holderness  
Tax Maps: 101-32

**Project**

**Description:** Starting at point #1 Reinstall 3'X25' seasonal dock constructed of wood and using pipes with a concrete anchor pad.  
At points #2 #3-2-3'X25' seasonal docks will replace the existing 7'9" X 15'7" floating dock.  
Point #4 The existing floating dock will be moved to the North East side of the Harbor.

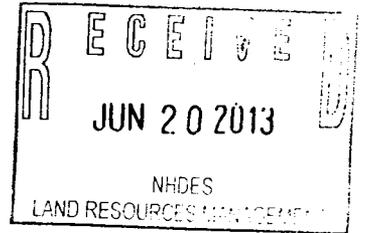
The NH Natural Heritage database has been checked by staff of the NH Natural Heritage Bureau and/or the NH Nongame and Endangered Species Program for records of rare species and exemplary natural communities near the area mapped below. The species considered include those listed as Threatened or Endangered 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 5/28/2013, and cannot be used for any other project.



NEW HAMPSHIRE NATURAL HERITAGE BUREAU  
NHB DATACHECK RESULTS LETTER

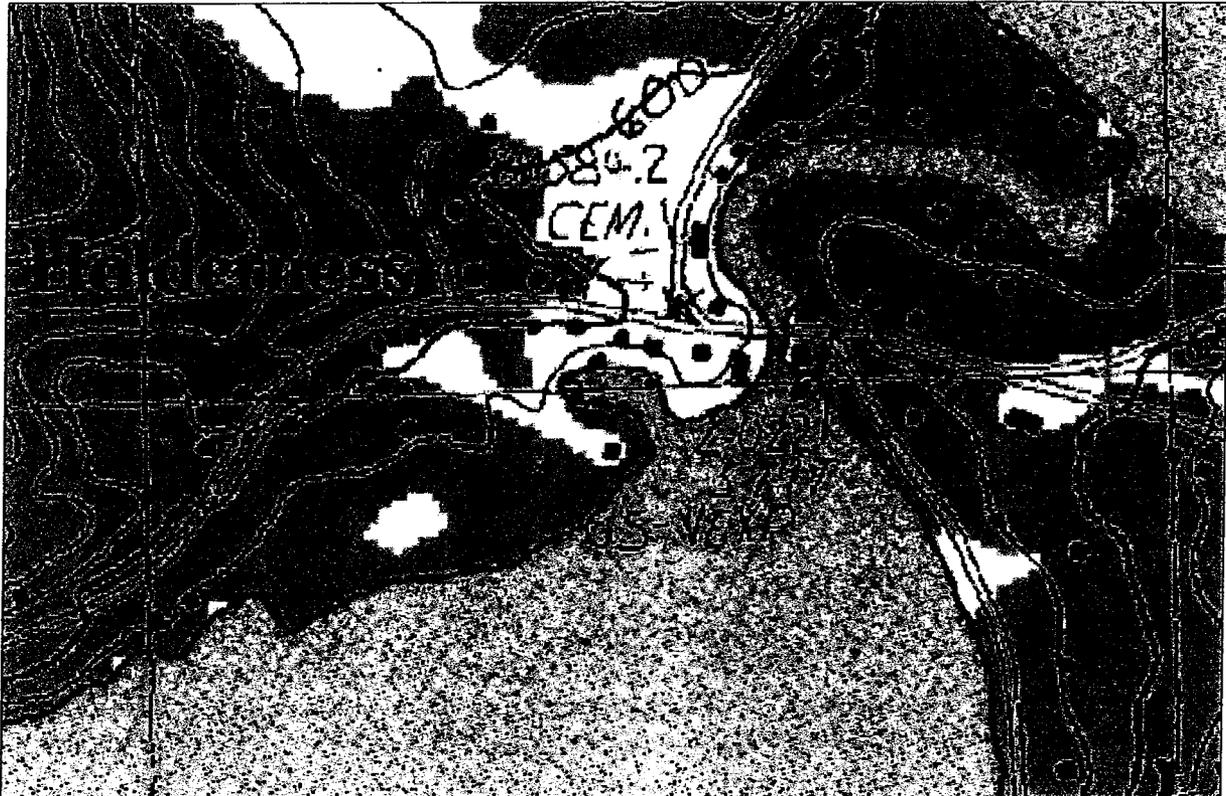
MAP OF PROJECT BOUNDARIES FOR: NHB13-1606



NHB13-1606



NH NATURAL HERITAGE BUREAU



1:5000

Valid for one year from this date: 30 May 2013

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Return Receipt Fee (Endorsement Required)	
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$ 356



Sent To: Edward Sheld Hess  
 Street, Apt. No., or PO Box No.: [Redacted]  
 City, State, ZIP+4: Mechanicsville VA 23106  
 PS Form 3800, August 2005 See Reverse for Instructions

7011 2970 0002 5307 6981

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 City, State, ZIP+4: Mechanicsville VA 23106  
 PS Form 3800, August 2005 See Reverse for Instructions

7013 0600 0002 2512 0200

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Total Postage & Fees	\$ 356



Sent To: Squam Family LLC  
 Street, Apt. No., or PO Box No.: [Redacted]  
 City, State, ZIP+4: Irvington VA 22480  
 PS Form 3800, August 2005 See Reverse for Instructions

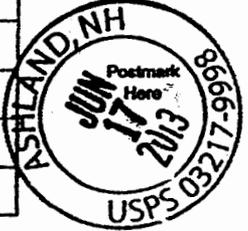
7011 2970 0002 5307 6974

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Restricted Delivery Fee (Endorsement Required)	356
Total Postage & Fees	\$ 356



Sent To: Sheld Arthur W Jancik  
 Street, Apt. No., or PO Box No.: [Redacted]  
 City, State, ZIP+4: Weston Mass 02193  
 PS Form 3800, August 2005 See Reverse for Instructions

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Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$ 356



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 Street, Apt. No., or PO Box No.: [Redacted]  
 City, State, ZIP+4: Mechanicsville VA 23106  
 PS Form 3800, August 2005 See Reverse for Instructions

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Return Receipt Fee (Endorsement Required)	
Restricted Delivery Fee (Endorsement Required)	
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Sent To: Gary Cupps  
 Street, Apt. No., or PO Box No.: [Redacted]  
 City, State, ZIP+4: Holderness NH 03245  
 PS Form 3800, August 2005 See Reverse for Instructions