



The State of New Hampshire
Department of Environmental Services

Clark B. Freise, Assistant Commissioner



June 9, 2017

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

REQUESTED ACTION

Approve Nancy & Stephen Birge's request to perform the following work on Lake Winnepesaukee, in Gilford. File # 2017-00870. This project will not have significant impact on or adversely affect the values of Lake Winnepesaukee.

Completely remove a pre-existing "W" shaped seasonal docking structure, two 12 ft. x 32 ft. seasonal canopies, and an access walkway, construct a 6 ft. x 64 ft. piling pier, construct three 6 ft. x 30 ft. piling piers connected by two 6 ft. x 12 ft. walkways in a "W" configuration and install two seasonal boatlifts, four seasonal personal watercraft lifts and two 14 ft. x 30 ft. seasonal canopies on an average of 572 ft. of frontage along Lake Winnepesaukee, on Mark Island, in Gilford.

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

1. All work shall be in accordance with plans by Watermark Marine Construction dated March 16, 2017, as received by the NHDES on March 31, 2017.
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. 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.
4. All portions of the pre-existing "W" shaped seasonal docking structure and access walkway shall be completely removed from the frontage prior to the construction of any new structure.
5. Work shall be carried out in a time and manner to avoid disturbances to migratory waterfowl breeding and nesting areas.
6. 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 water at the work site has returned to normal clarity.
7. 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.
8. Only those structures shown on the approved plans shall be installed or constructed along this frontage. All portions of the structures shall be at least 20 ft. from the abutting property lines or the imaginary extension of those lines into the water.

www.des.nh.gov

29 Hazen Drive • PO Box 95 • Concord, NH 03302-0095
(603) 271-3503 • TDD Access: Relay NH 1-800-735-2964

9. Pilings shall be spaced a minimum of 12 ft. apart as measured piling center to piling center.
10. All seasonal structures, including watercraft lifts, shall be removed for the non-boating season.
11. The canopies, including the support frames and covers, shall be designed and constructed to be readily removed at the end of the boating season and the flexible canopies shall be removed for the non-boating season.

EXPLANATION

The NHDES Wetlands Bureau approved this project on May 10, 2017. The NHDES supported its decision with the following findings:

1. This project is classified as a major project per Rule Env-Wt 303.02(d), construction of a docking facility providing 5 or more slips.
2. The applicant has an average of 572 ft. of shoreline frontage along Lake Winnepesaukee.
3. A maximum of 8 slips may be permitted on this frontage per Rule Env-Wt 402.13, Frontage Over 75'.
4. The proposed docking facility will provide 6 slips as defined per RSA 482-A:2, VIII and, therefore, meets Rule Env-Wt 402.13.
5. The pre-existing seasonal docking structure crosses over an imaginary extension of the property line of the abutter to the north. Removal of this structure will bring the docking facilities on the frontage into compliance with RSA 482-A:3 IV-a.
6. The Department 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 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.


Clark B. Freise
Assistant Commissioner

DES COPY
WETLANDS PERMIT APPLICATION

Land Resources Management
 Wetlands Bureau

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



RSA/Rule: RSA 482-A/ Env-Wt 100-900



<div style="border: 2px solid black; padding: 5px; font-size: 2em; font-weight: bold; letter-spacing: 5px;">RECEIVED</div> <p style="font-size: 1.2em; font-weight: bold;">MAR 31 2017</p> <p style="font-size: 0.8em;">NHDES LAND RESOURCES MANAGEMENT</p>	<div style="border: 2px solid black; padding: 5px; font-size: 1.5em; font-weight: bold;">COMPLETE</div> <p style="font-size: 1.2em; font-weight: bold;">MAR 31 2017</p>	<p style="font-size: 1.2em;">2017-06670</p> <p style="font-size: 1.2em;">9230</p> <p style="font-size: 1.2em;">3,184.00</p> <p style="font-size: 1.2em;">SVC</p>
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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 only)

2. PROJECT LOCATION:
 Separate applications must be filed with each municipality that jurisdictional impacts will occur in.

ADDRESS: 1 Mark Island		TOWN/CITY: Gilford	
TAX MAP: 245	BLOCK: 001	LOT: 000	UNIT: 000
USGS TOPO MAP WATERBODY NAME: Lake Winnepesaukee		<input type="checkbox"/> NA	STREAM WATERSHED SIZE: <input checked="" type="checkbox"/> NA
LOCATION COORDINATES (if known): 43°37'03.64"N 71°23'17.07"W		<input checked="" type="checkbox"/> Latitude/Longitude <input type="checkbox"/> UTM <input type="checkbox"/> 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.

**Permanently remove 720ft² of existing pipe dock and replace with a 6ft x 64ft piling dock.
 Construct a "W" shaped piling dock with two 14ft x 30ft seasonal canopies and a piling supported permanent boatlift.
 Additionally, install a single seasonal boatlift and up to four seasonal PWC lifts, all within boatslips.**

4. SHORELINE FRONTAGE

NA This lot has no shoreline frontage. SHORELINE FRONTAGE: **572ft**

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.

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

6. 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 17 - 799

b. Designated River the project is in ¼ miles of: _____; and
 date a copy of the application was sent to the Local River Management Advisory Committee: Month: ___ Day: ___ Year: ___

NA



7. APPLICANT INFORMATION (Desired permit holder)

LAST NAME, FIRST NAME, M.I.: **Birge, Stephen and Nancy**

TRUST / COMPANY NAME: **N/A** MAILING ADDRESS: **[REDACTED]**

TOWN/CITY: **New London** STATE: **NH** ZIP CODE: **03257**

EMAIL or FAX: **N/A** PHONE: **N/A**

ELECTRONIC COMMUNICATION: By initialing here: **N/A**, I hereby authorize NHDES to communicate all matters relative to this application electronically

8. PROPERTY OWNER INFORMATION (If different than applicant)

LAST NAME, FIRST NAME, M.I.: **Birge, Stephen and Nancy**

TRUST / COMPANY NAME: **N/A** MAILING ADDRESS: **[REDACTED]**

TOWN/CITY: **New London** STATE: **NH** ZIP CODE: **03257**

EMAIL or FAX: **N/A** PHONE: **N/A**

ELECTRONIC COMMUNICATION: By initialing here: **N/A**, I hereby authorize NHDES to communicate all matters relative to this application electronically

9. AUTHORIZED AGENT INFORMATION

LAST NAME, FIRST NAME, M.I.: **Irving, Jamie C.** COMPANY NAME: **Watermark Marine Construction**

MAILING ADDRESS: **1218 Union Avenue**

TOWN/CITY: **Laconia** STATE: **NH** ZIP CODE: **03246**

EMAIL or FAX: **jci@watermarkmarine.com** PHONE: **603-293-4000**

ELECTRONIC COMMUNICATION: By initialing here: **JCI**, I hereby authorize NHDES to communicate all matters relative to this application electronically

10. 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 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.
- I authorize NHDES 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.

 Property Owner Signature	Stephen Birge Print name legibly	3/20/17 Date
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MUNICIPAL SIGNATURES

11. 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
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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. 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 reviewed in the standard review time frame.

12. 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.

	Jennifer L. Mooney Print name legibly <i>Deputy</i>	Gilford Town/City	3/28/17 Date
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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.

13. 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	/	/
Lake / Pond	/	840 /
Bank - Intermittent stream	/	/
Bank - Perennial stream / River	/	/
Bank - Lake / Pond	/	/
Tidal water	/	/
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	1,072	<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
TOTAL	1,072 /	840 /

14. 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: **840** sq. ft. X \$1.00 = **\$ 840.00**

Permanent docking structure: **1,072** sq. ft. X \$2.00 = **\$ 2,144.00**

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

Total = **\$ 3,184.00**

The Application Fee is the above calculated Total or \$200, whichever is greater = **\$ 3,184.00**



Birge Property

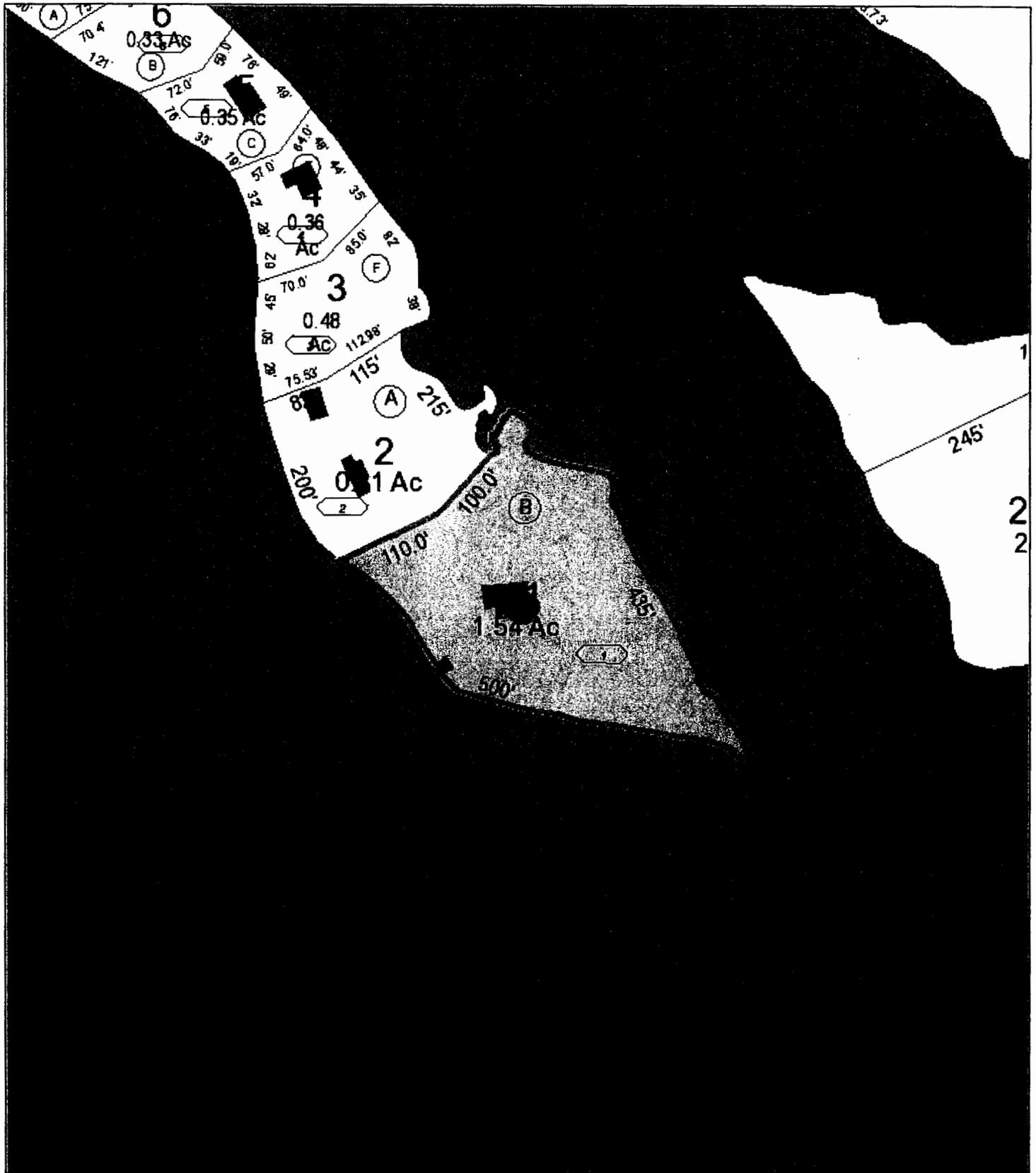
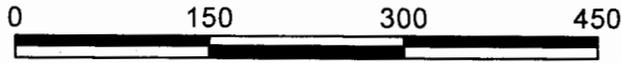
Gilford, NH



March 17, 2017

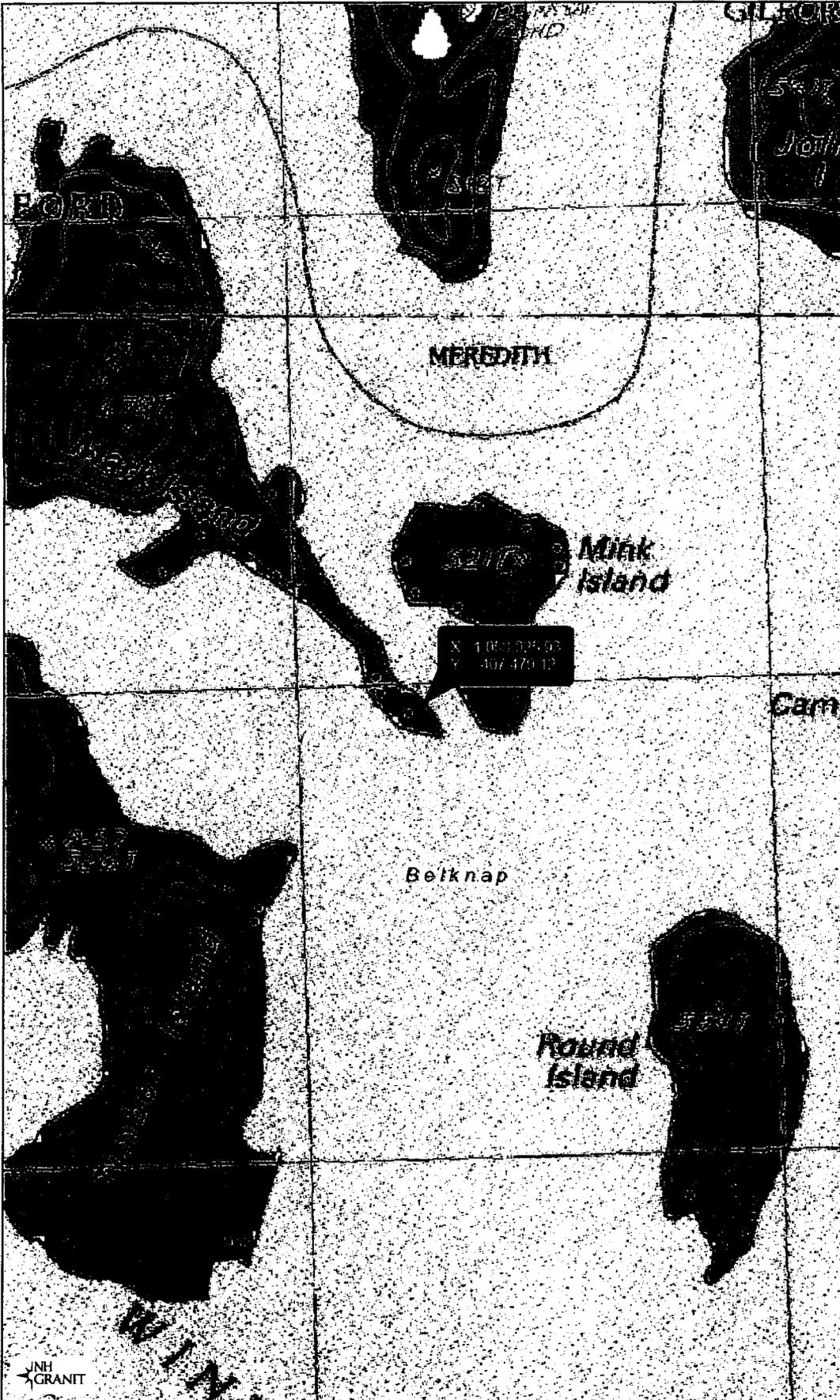
1 inch = 150 Feet

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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.

Birge Property



Legend

- State
- County
- City/Town
- Interstates
- Turnpikes
- US Routes
- State Routes
- Local Roads

0/10
1/11

Map Scale

1: 12,000

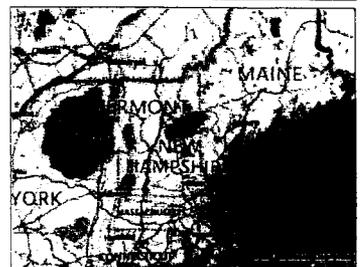


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Map Generated: 3/17/2017

Notes

Stephen and Nancy Birge
 1 Mark Island, Gifford
 TM/L #245-001-000
 NH Stateplane NAD83 (feet)
 Easting: 1,058,025.93
 Northing: 407,479.12





NEW HAMPSHIRE NATURAL HERITAGE BUREAU
NHB DATACHECK RESULTS LETTER

To: Jamie Irving
Watermark Marine Construction
PO Box 6840
Laconia , NH 03247

From: NH Natural Heritage Bureau

Date: 3/27/2017 (valid for one year from this date)

Re: Review by NH Natural Heritage Bureau of request submitted 3/17/2017

NHB File ID: NHB17-0799 **Applicant:** Stephen and Nancy Birge

Location: Gilford
Tax Maps: 245-001-000

Project Description: Permanently remove 720ft sq. of existing pipe dock and replace with a 6ft x 64ft piling dock. Construct a "W" shaped piling dock with two 14ft x 30ft seasonal canopies and a piling supported permanent boatlift. Additionally, install a single seasonal boatlift and up to four seasonal PWC lifts, all within boatslips.

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.

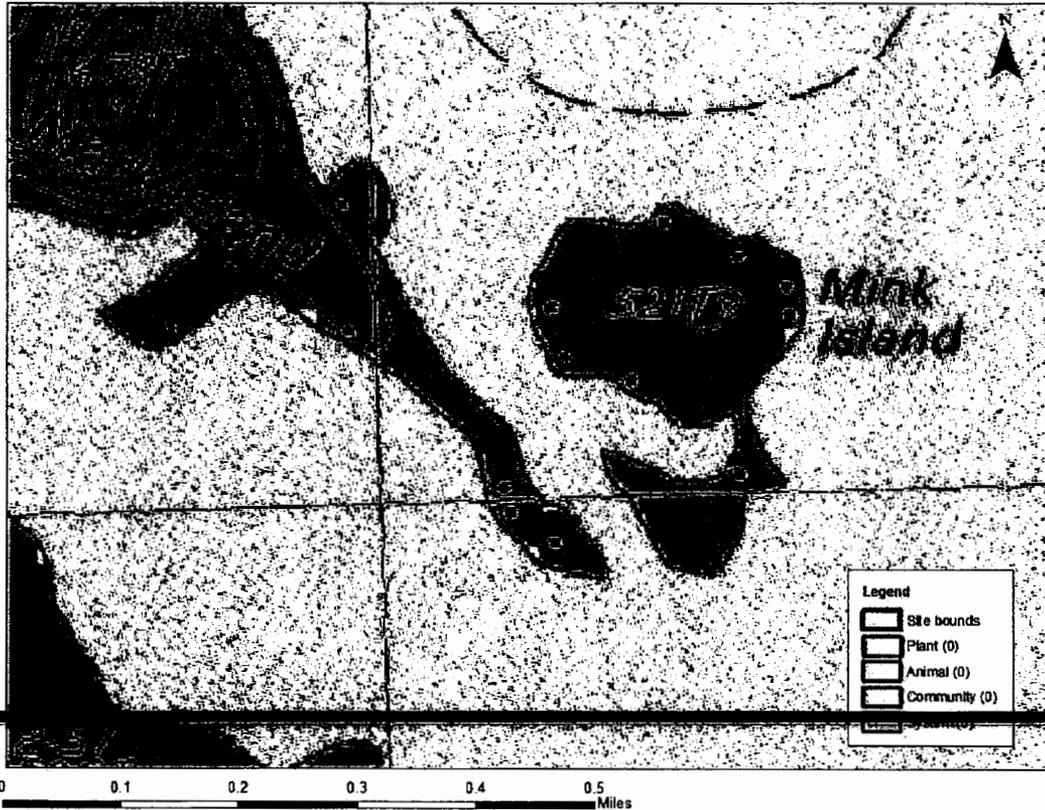
It was determined that, although there was a NHB record (e.g., rare wildlife, plant, and/or natural community) present in the vicinity, we do not expect that it will be impacted by the proposed project. This determination was made based on the project information submitted via the NHB Datacheck Tool on 3/17/2017, and cannot be used for any other project.



NEW HAMPSHIRE NATURAL HERITAGE BUREAU
NHB DATA CHECK RESULTS LETTER

MAP OF PROJECT BOUNDARIES FOR: NHB17-0799

NHB17-0799





0 foot Abutters List Report

Gilford, NH
March 17, 2017

Subject Property:

Parcel Number: 245-001-000
CAMA Number: 245-001-000
Property Address: 1 MARK ISLAND

Mailing Address: BIRGE, STEPHEN D REV TRUST -50% &
BIRGE, NANCY B REV TRUST -50%
[REDACTED]
CAVENDISH, VT 05142

Abutters:

Parcel Number: 245-002-000
CAMA Number: 245-002-000
Property Address: 2 MARK ISLAND

Mailing Address: HARTFORD, GLEN J & ANNIE S
[REDACTED]
NO ANDOVER, MA 01845

70116 0910 0001 9084 2341

U.S. Postal Service™	
CERTIFIED MAIL® RECEIPT	
Domestic Mail Only	
For delivery information, visit our website at www.usps.com ™	
OFFICIAL USE	
Certified Mail Fee	\$ 3.35
Extra Services & Fees (check box, add fee as appropriate)	
<input type="checkbox"/> Return Receipt (hardcopy)	\$
<input type="checkbox"/> Return Receipt (electronic)	\$
<input type="checkbox"/> Certified Mail Restricted Delivery	\$
<input type="checkbox"/> Adult Signature Required	\$
<input type="checkbox"/> Adult Signature Restricted Delivery	\$
Postage	\$.46
Total Postage and Fees	\$ 3.81
Glen and Annie Hartford	
[REDACTED]	
North Andover, MA 01845	
See Reverse for Instructions	

Postmark Here
3/17
Annie J

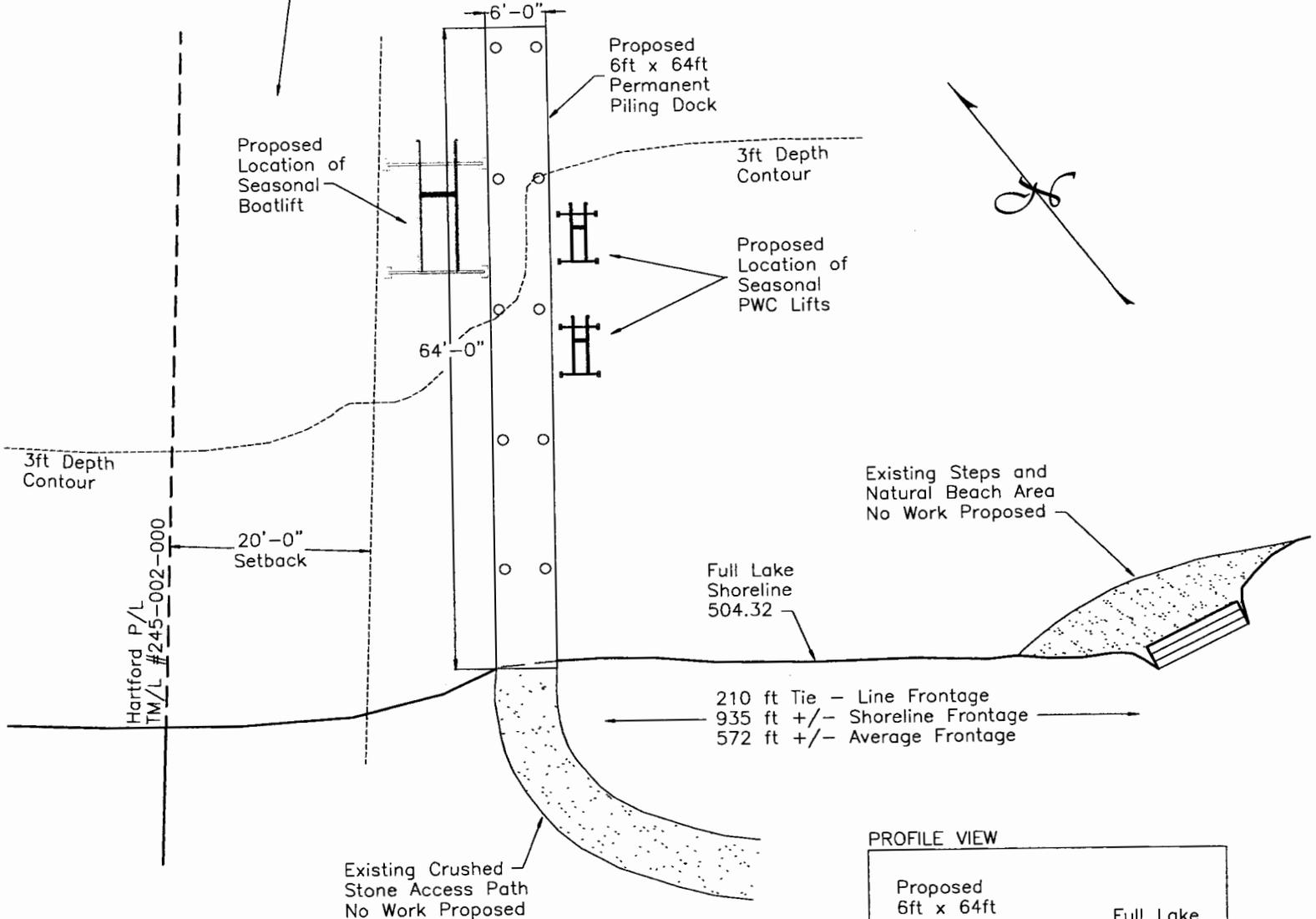


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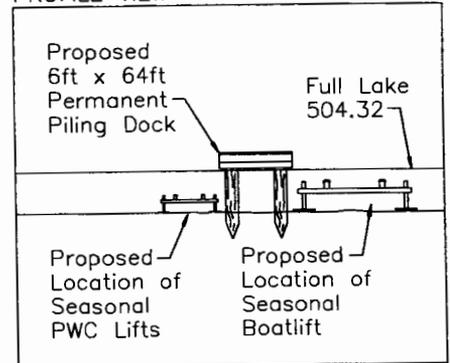
Lake Winnepesaukee

Full Lake Shoreline 504.32

Two Boatlips and
336ft sq of Seasonal
Impact Area to be
Removed to Meet
Env-Wt 402.21



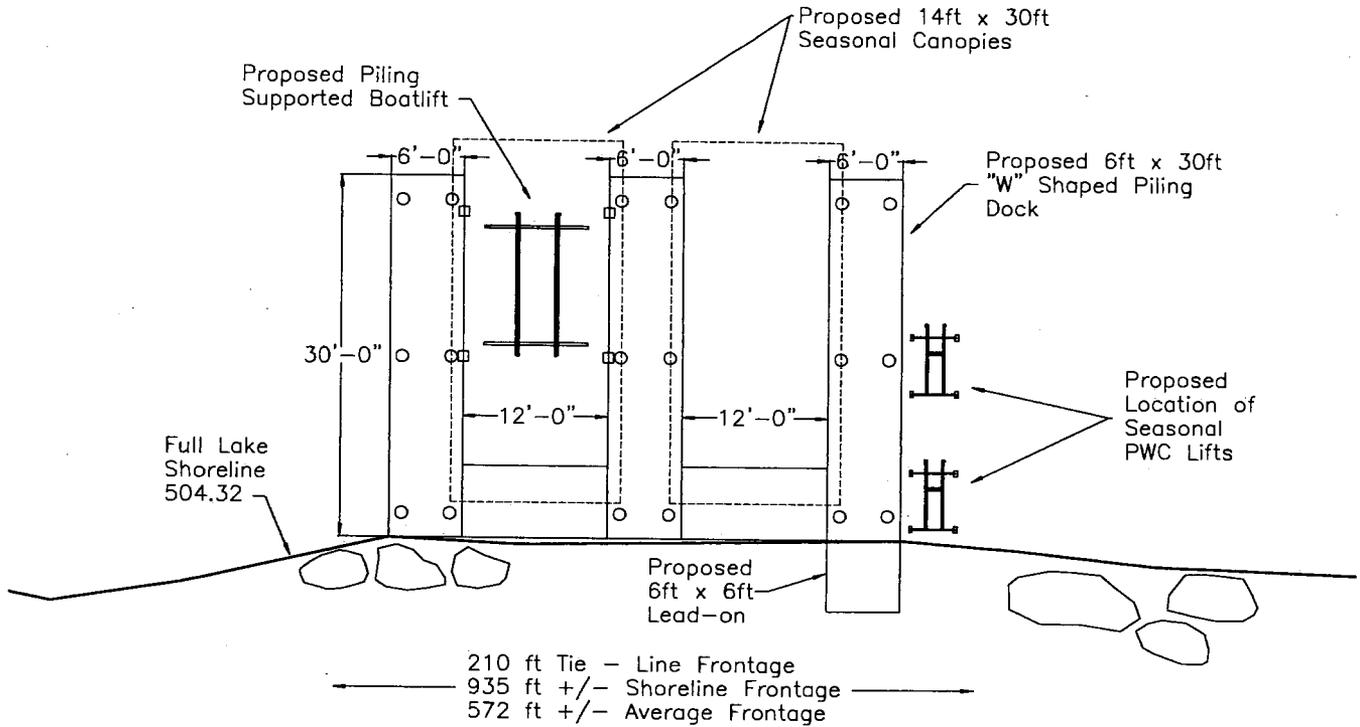
PROFILE VIEW



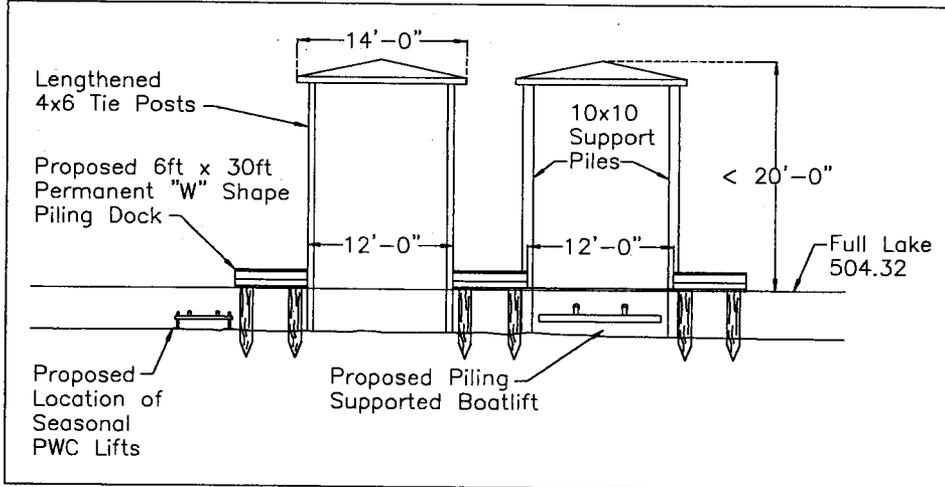
Birge Property
Proposed Conditions (1)
Mark Island - Gilford, NH
 03/16/17 1" = 16'

Lake Winnepesaukee

Full Lake Shoreline 504.32



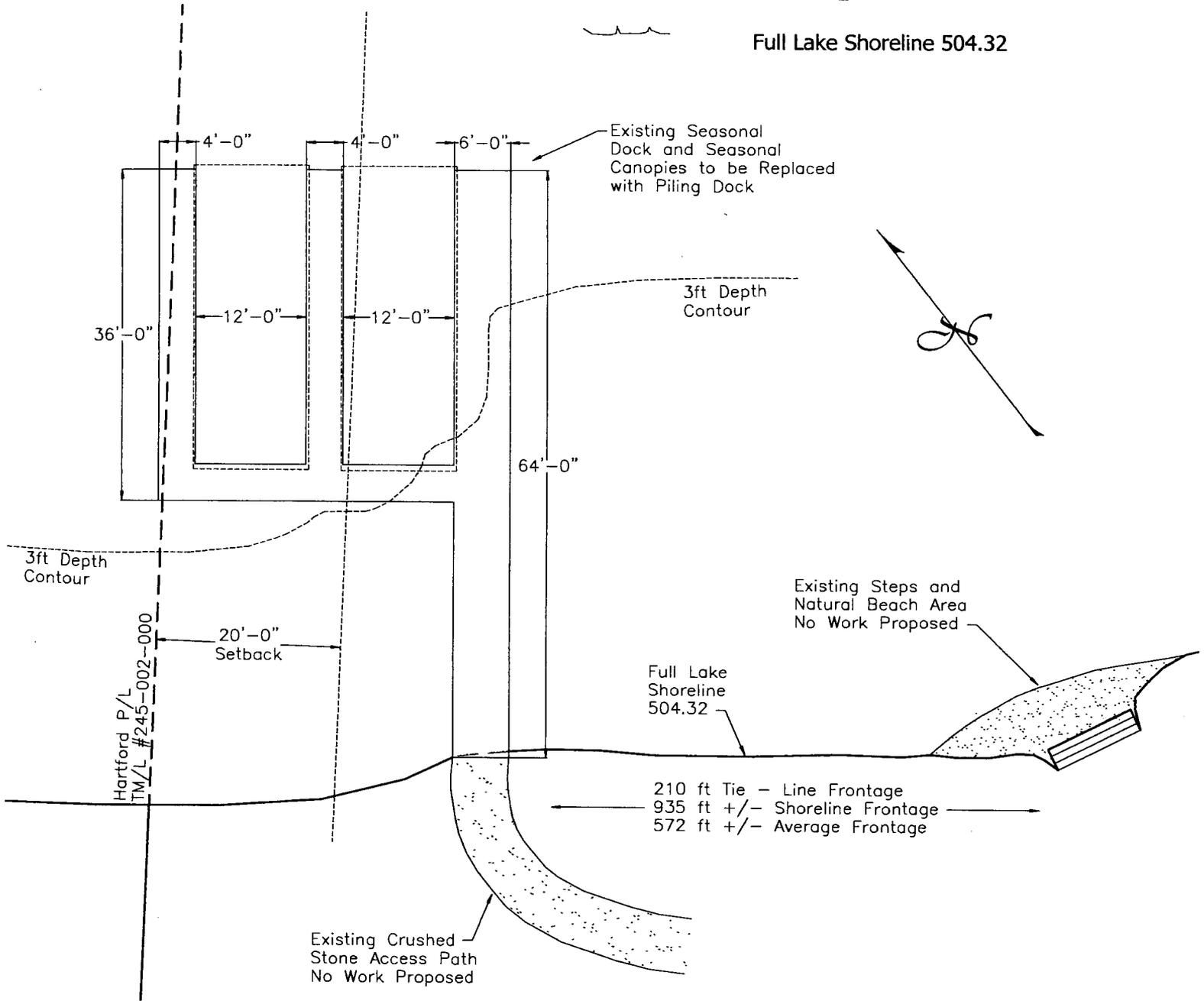
PROFILE VIEW



Birge Property
 Proposed Conditions (2)
 Mark Island - Gilford, NH
 03/16/17 1" = 16'

Lake Winnepesaukee

Full Lake Shoreline 504.32



Birge Property
Existing Conditions (1)
Mark Island - Gilford, NH
03/16/17 **1" = 16'**