



DEPARTMENT OF ENVIRONMENTAL SERVICES



Thomas S. Burack, Commissioner

January 2, 2015

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

REQUESTED ACTION

Approve Karen G. Walsh Realty Trust's request to perform the following work on Lake Winnepesaukee, in Moultonborough. File # 2014-01596. This project will not have significant impact on or adversely affect the values of Lake Winnepesaukee.

Repair an existing 28 ft. 4 in. x 40 ft. 5 in. boathouse "in-kind", add a permanent boatlift within the southerly slip of the boathouse, remove concrete and rock debris from 315 sq. ft. of lakebed and extend the dock supporting the north wall of the boathouse by adding a 6 ft. x 25 ft. dock supported by two 6 ft. x 6 ft. cribs, and reset boulders on an existing 42 ft. breakwater on an average of 577 ft. of 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 Watermark Marine Construction dated November 6, 2014, as received by the NH Department of Environmental Services (DES) on November 10, 2014 and plans indicating existing elevations by TMS Architects, revision date June 16, 2014.
2. This permit shall not be effective until it has been recorded with the Carroll 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 construction.
3. The repairs shall maintain the size, location and configuration of the pre-existing structures.
4. This permit to replace or repair existing structures shall not preclude the DES from taking any enforcement action or revocation action if the DES later determines that the structures represented as "existing" were not previously permitted or grandfathered.
5. This permit does not allow work that converts or modifies any existing structure in order to make the structure more suitable as a dwelling.
6. All construction related debris shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
7. Appropriate siltation, erosion, and turbidity controls shall be in place prior to construction, maintained during construction, and shall remain in place until the area is stabilized.
8. Work authorized shall be carried out such that discharges in spawning or nursery areas during spawning seasons shall be avoided, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
9. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding areas and spawning areas shall be avoided.
10. The maximum size of cribs shall not exceed 6 ft. long by 6 ft. wide and of such height as necessary to support the docking structure above the water level. Variance to this condition may be sought if water depth is greater than 6 ft.

11. Crib material shall be timber, concrete, or other material approved by the Department of Environmental Services, and of such size and spacing as necessary to completely contain the ballast.
12. The minimum clear spacing between cribs shall be 12 ft.
13. 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.

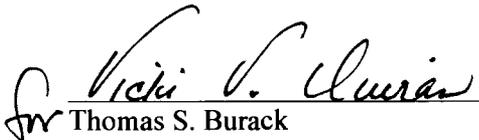
EXPLANATION

The DES Wetlands Bureau approved this project on December 04, 2014. DES supported its decision with the following findings:

1. This is a major impact project per Administrative Rule Env-Wt 303.02(d) construction or modification of major docking system defined by Env-Wt 101.56, and any dock adjacent or attached to a breakwater.
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. The applicant has an average of 577 ft. of shoreline frontage along Lake Winnepesaukee.
6. A maximum of 8 slips may be permitted on this frontage per Rule Env-Wt 402.13, Frontage Over 75 ft.
7. The proposed docking facility will provide 6 slips as defined per RSA 482-A:2, VIII and therefore meets Rule Env-Wt 402.13.
8. The Applicant has met the requirements of Part Env-Wt 204, Waivers, and therefore, the Department approves the waiver of Rule Env-Wt 402.21, Modification of Existing Structures.
9. 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



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
<http://des.nh.gov/organization/divisions/water/wetlands>



PERMIT APPLICATION

	<p>COMPLETE</p> <p>Administrative Use Only JUL 18 2014</p>	<p>Administrative Use Only</p>	File No: 2014-01596
			Check No.: 011829
			Amount: \$ 613.20
			Initials: 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: **51 Garnet Point Road** TOWN/CITY: **Moultonborough NH**

TAX MAP: **226/001** BLOCK: **226** LOT: **001** UNIT:

USGS TOPO MAP WATERBODY NAME: **Lake Winnepesaukee** NA STREAM WATERSHED SIZE: NA

LOCATION COORDINATES (If known): **Easting 1071501 Northing 430011**
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.

Proposed updates to the existing boat house including exterior, interior work and structural updates. No changes in bulk volume. No water or sewer exists currently or is proposed at the building.

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

Shoreland Application 2014-00944 Submitted 4-23-2104 (Determined Incomplete) Resent 5-30-2014

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 - 1309**

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.: **Walsh, Karen G**TRUST / COMPANY NAME: **Walsh Karen G Realty Trust**

MAILING ADDRESS: [REDACTED]

TOWN/CITY: **North Hampton**STATE: **NH**ZIP CODE: **03862**

EMAIL or FAX: [REDACTED]

PHONE: [REDACTED]

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 INFORMATIONLAST NAME, FIRST NAME, M.I.: **Alther, Shannon C**COMPANY NAME: **TMS Architects**MAILING ADDRESS: **1 Cate Street**TOWN/CITY: **Portsmouth**STATE: **NH**ZIP CODE: **03801**EMAIL or FAX: **pod1@tms-architects.com**PHONE: **603-436-4274**

ELECTRONIC COMMUNICATION: By initialing here _____, I hereby authorize DES to communicate all matters relative to this application electronically

9. PROPERTY OWNER SIGNATURE:

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.



Property Owner Signature

Karen G. Walsh

Print name legibly

7/8/2014

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	BARBARA WAKEFIELD Print name legibly	Moultonborough Town/City	7-17-14 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	<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	192 / 60 <input type="checkbox"/> ATF	2874 / 150 <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
TOTAL	192 / 60	2874 / 160

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) 3066 sq. ft. X \$0.20 = \$ 613.20

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

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

Projects proposing shoreline structures (including docks) add \$200 = \$ 0

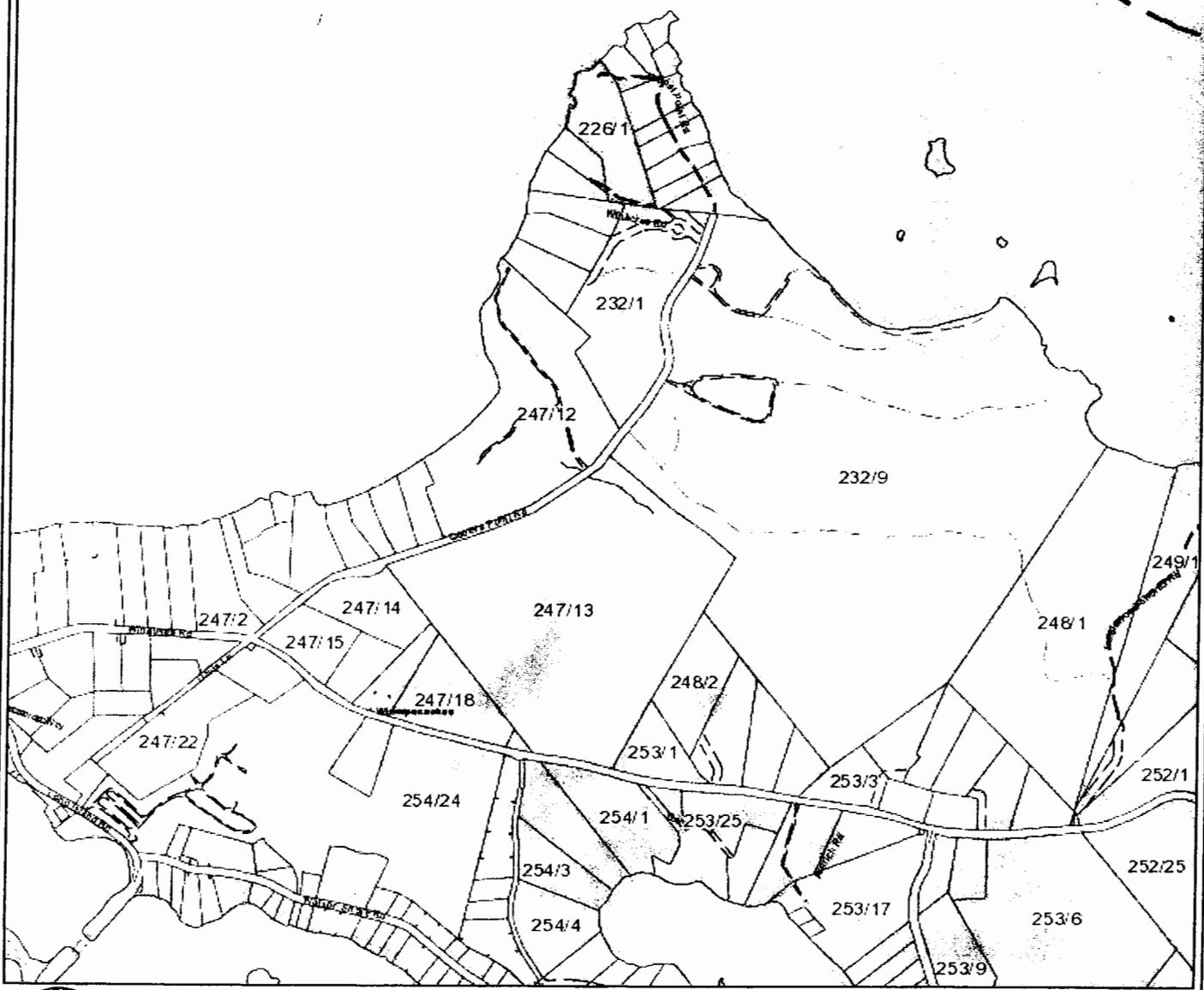
Total = \$ 613.20

The Application Fee is the above calculated Total or \$200, whichever is greater = \$ 613.20

RECEIVED
JUN 02 2014
NHDES
LAND RESOURCE MANAGEMENT

Tuftonboro

Moultonborough Bay



51 Garnet Point Rd. Moultonboro, NH
Moultonborough, NH
1 Inch = 1000 Feet
February 20, 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
Map & GIS Solutions

(CENTER SANDWICH)

51 Garnet Point Rd, Moultonboro, NH 03254

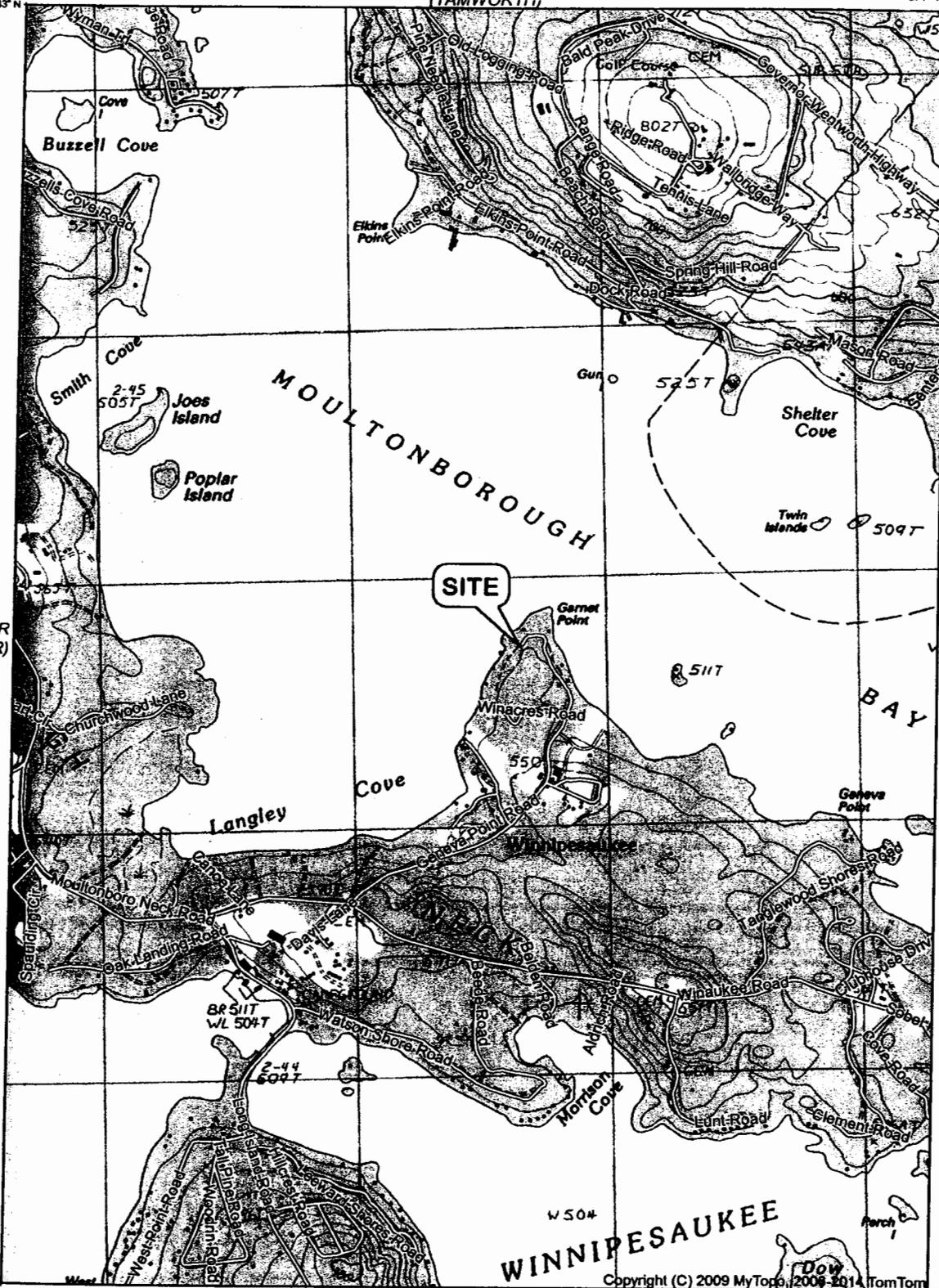
MELVIN VILLAGE QUADRANGLE
NEW HAMPSHIRE
TOPOGRAPHIC SERIES (OSSISPEE LAKE)

071° 21' 39.75" W
043° 42' 10.43" N

071° 18' 56.19" W
043° 42' 10.43" N

(CENTER HARBOR)

(TUFTONBORO)



043° 39' 22.86" N
071° 21' 39.75" W

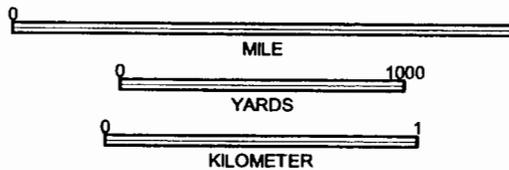
071° 18' 56.19" W
043° 39' 22.86" N
Copyright (C) 2009 MyTopo, 2009-2014 TomTom
Printed: Thu Feb 20, 2014

(LACONIA)

(WEST ALTON)
SCALE 1:24000

(WOLFEBORO)

Declination



CONTOUR INTERVAL 20 FEET
NATIONAL GEODETIC VERTICAL DATUM 1929

Produced by MyTopo Terrain Navigator
Topography based on USGS 1:24,000
Maps

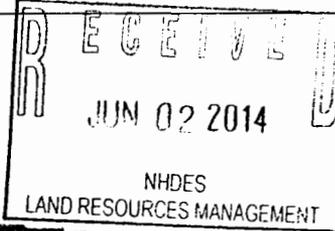
North American 1983 Datum (NAD83)
Transverse Mercator Projection

To place on the predicted North American
1927 move the projection lines 8M N and
39M E

MELVIN VILLAGE, NH
RECEIVED
1987
JUN 02 2014
NHDES
LAND RESOURCE MANAGEMENT



New Hampshire Natural Heritage Bureau



To: Shannon Alther
1 Cate Street
Portsmouth, NH 03801

Date: 4/12/2014

From: NH Natural Heritage Bureau

Re: Review by NH Natural Heritage Bureau of request dated 4/12/2014

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

NHB File ID: NHB14-1309

Applicant: Shannon Alther

Location: Tax Map(s)/Lot(s): 226 001
Moultonborough

Project Description: Proposed updates to the existing boat house including exterior, interior work and structural updates. No changes in volume. Existing bunk house would be removed and a new pavilion in the same general location would be created. The pavilion would be open on three sides and have a roof that slopes away from lake. No water or sewer lines to be installed. No water or sewer lines to be installed. No water or sewer lines to be installed.

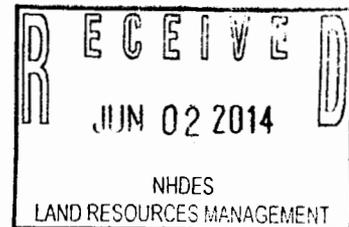
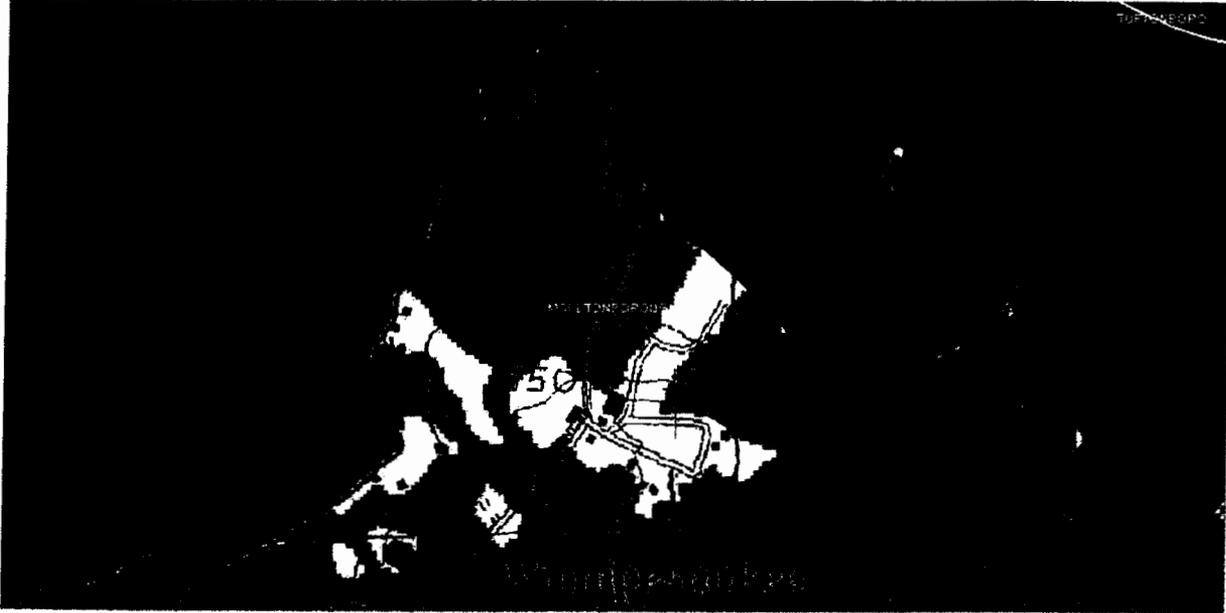
The NH Natural Heritage database has been checked for records of rare species and exemplary natural communities near the site as shown below. The species considered include those listed as Threatened or Endangered in the state of New Hampshire or in the adjacent state. We currently have no recorded occurrences for sensitive species near the site.

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 4/11/2015.



MAP OF NOTIFICATION POINTS FOR NHB FILE ID: NHB14-1309

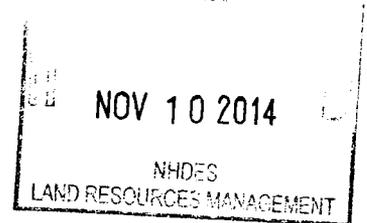




November 7, 2014

Ms. Darlene Forst
NH DES Wetlands Bureau
PO Box 95
Concord, NH 03302-0095

**RE: WALSH TRUST, Moultonboro, NH
NH DES Wetlands File #2014-01596**



Dear Ms. Forst:

Pursuant to our meeting on 10/2/14 and Mr. Keirstead's RFMI letter dated 9/9/14, we offer the following:

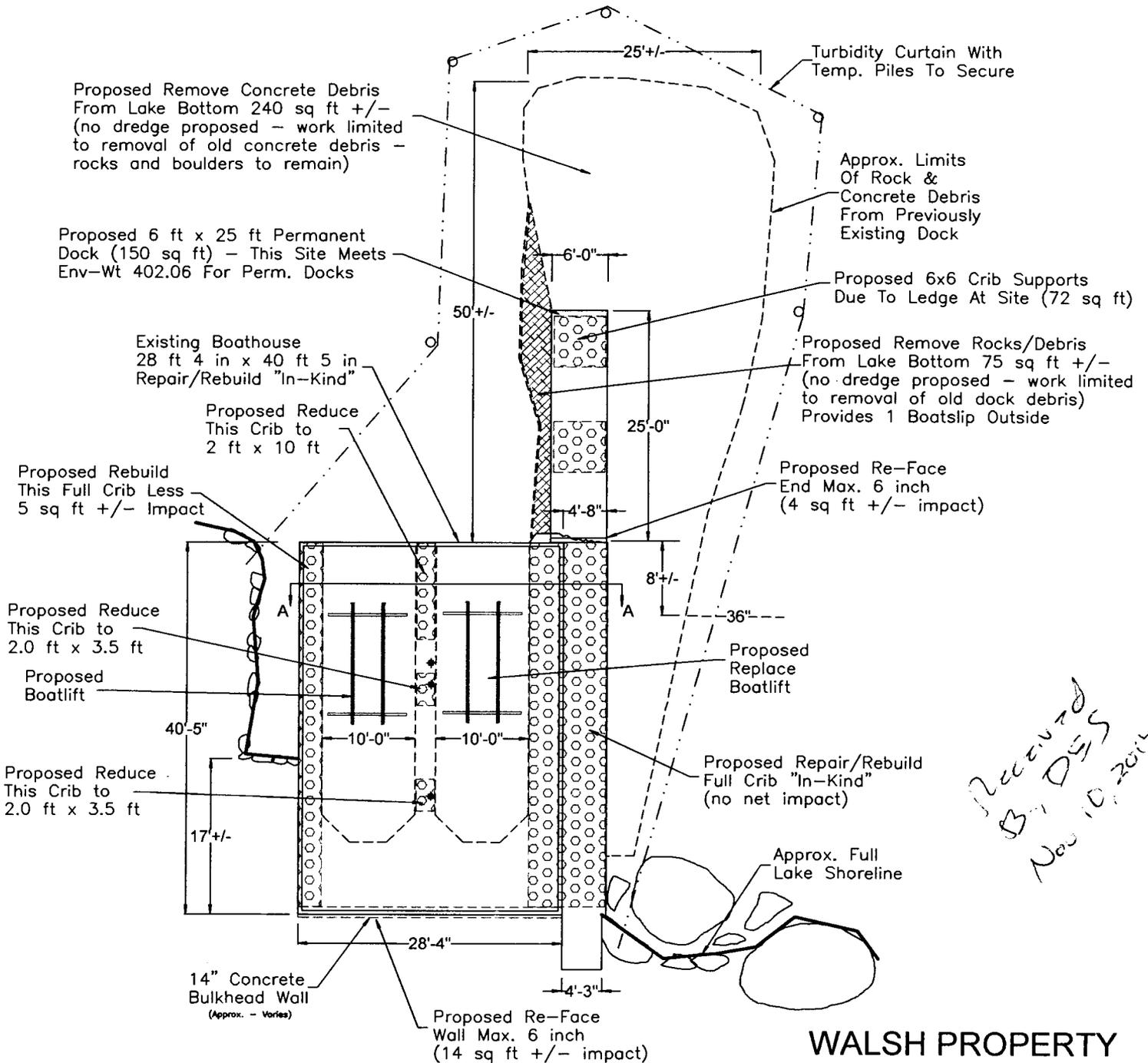
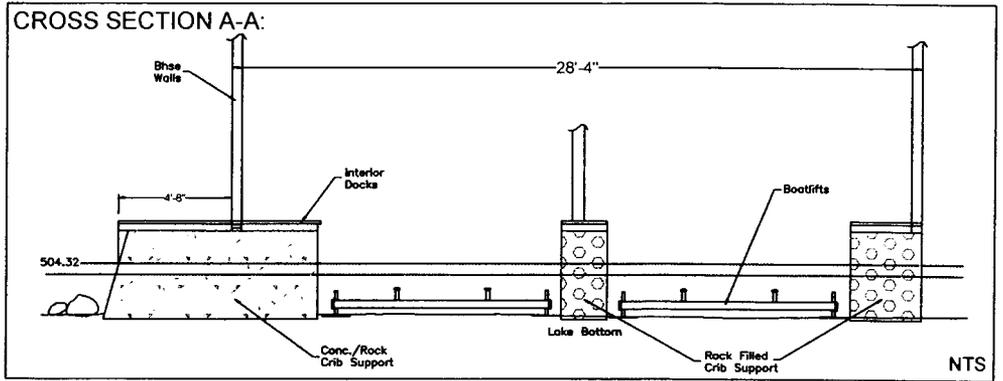
1. Enclosed please find a Site Overview plan and detail plans showing the revised boathouse and breakwater work proposed at this property. These plans include complete dimensions and support structures both existing and proposed.
2. There is no dredge of the boathouse proposed. See the revised plans which include removal of some of the previously existing dock debris (no dredge proposed only debris removal). All debris removed shall be hauled upland, out of NHDES jurisdiction. The project area shall be surrounded by a turbidity curtain during work and until stabilization.
3. See attached list to address the "20 Questions" under Env-Wt 302.04(a).
4. Plan sheet A4.0 has been revised (see attached).

We have enclosed plans showing a revision to the original application which includes a dock adjacent to the existing grandfathered boathouse. This will provide a total of three (3) boatslips on 577 ft (+/-) average frontage (eight (8) boatslips are allowed under Env-Wt 402.13). We enclose a check in the amount of \$300.00 to cover the 150 sq ft proposed permanent dock surface area impact. This site meets the requirements of Env-Wt 402.06 for permanent docks (see attached fetch data) and we have enclosed a waiver request to address Env-Wt 402.21.

Please note that this dock is entirely contained within an area already impacted by the debris and remains of the previously existing concrete pier which used to extend from the boathouse years ago. There is no impact to abutters or the public as this area is already impounded and there is actually a reduction in environmental impact as we are removing

~~~~~  
**Watermark Marine Systems, LLC**  
PO Box 6840, Laconia, NH 03249  
603-293-4000 603-524-8100 Fax  
www.docksource.com

# PROPOSED BOATHOUSE



*Received  
B-1 DES  
Nov 10, 2014*

**WALSH PROPERTY**  
**Moultonboro, NH**  
**11/6/14      1" = 16'**