



The State of New Hampshire
DEPARTMENT OF ENVIRONMENTAL SERVICES

APR 01 '15 AM 11:47 AM



Thomas S. Burack, Commissioner

65

March 30, 2015

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

REQUESTED ACTION

Approve Flying Loon Farm Realty Trust's request to perform the following work on Lake Nubanusit, in Nelson. File # 2015-00106. This project will not have significant impact on or adversely affect the values of Lake Nubanusit.

Dredge 15 cu. yds. from 368 ft. of an existing boat slip, temporarily impact 1,048 sq. ft. of bank along 53 linear ft. of shoreline to add a 13 ft. x 12 ft. section to an existing 39 ft. x 19 ft. dug-in boathouse and construct a concrete wall around an existing dug-in slip and a foundation under the boathouse with no modification to the two existing piers on an average of 353 ft. of frontage along Lake Nubanusit in Nelson.

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 19 2014, as received by the NH Department of Environmental Services (DES) on January 15, 2015.
2. This permit shall not be effective until it has been recorded with the Cheshire County Registry of Deeds office by the Permittee. A copy of the recorded permit shall be submitted to the DES Wetlands Bureau prior to construction.
3. The use of the boathouse shall be limited to the storage of boats and boating-related accessories.
4. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
5. The boathouse shall remain a single-story structure; ridgeline not to exceed 16 ft. 6 in. in height above the dock surfaces.
6. Dewatering of work areas and dredged materials shall be discharged to sediment basins located in uplands and lined with hay bales or other acceptable sediment trapping liner.
7. All dredged and excavated material and construction related debris shall be placed outside of the areas under the jurisdiction of the DES Wetlands Bureau.
8. Appropriate siltation and erosion controls shall be in place prior to construction, shall be maintained during construction, and shall remain in place until the area is stabilized.

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

9. 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.
10. Prior to commencing the dredge or any work the substructure to be located within surface waters, a cofferdam shall be constructed to isolate the work area from the surface waters.
11. Temporary cofferdams shall be entirely removed immediately following construction.
12. The existing seasonal pier and boatlift shall be removed for the non-boating season.
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.

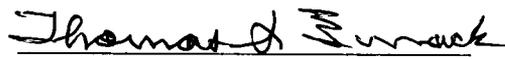
EXPLANATION

The DES Wetlands Bureau approved this project on February 27, 2015. 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 docking structures providing 5 or more slips.
2. The applicant has an average of 353 ft. of frontage along Lake Nubanusit.
3. A maximum of 5 slips may be permitted on this frontage per Rule Env-Wt 402.13, Frontage Over 75'.
4. The docking facilities on the frontage provide, and will continue to provide, 5 slips as defined per RSA 482-A:2, VIII and therefore meet Rule Env-Wt 402.13.
5. Public hearing is waived with the finding that the project impacts will not significantly impair the resources of Lake Winnepesaukee.
6. There is no history of, nor any obvious evidence of sand migration along this shoreline.

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>

DES ORIGINAL

COPY



DES

COPY

PERMIT APPLICATION

* Color Photo's Attached

		Administrative Use Only	File No.: <u>2015-00106</u>
			Check No: <u>945</u>
			Amount: <u>721.60</u>
			Initials: <u>SBK</u>

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: 215 Nubanusit Road TOWN/CITY: Nelson

TAX MAP: 208 BLOCK: 29 LOT: 00 UNIT:

USGS TOPO MAP WATERBODY NAME: Lake Nubanusit NA STREAM WATERSHED SIZE: NA

LOCATION COORDINATES (If known): 42.973121 / 72.082029 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.

We propose to expand the existing dug-in boathouse, which is constructed over a man-made inlet (see attached affidavits), by 156 sq ft (net total dug-in boathouse impact area 897 sq ft) and install a proper concrete foundation under the boathouse structure. There is no tree removal associated with this project and all temporary impacts will be restored upon completion. There are temporary impacts proposed within the 20 ft abutter's setback and notarized consent is included herein. No work is proposed to the other 2 docks on the property. Of course the project will be surrounded by turbidity curtain during work and until stabilization.

4. RELATED PERMITS, ENFORCEMENT, EMERGENCY AUTHORIZATION, SHORELAND, ALTERATION OF TERRAIN, ETC...
2011-02853, 2010-00237, 2013-01885

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 - 4514

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

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.

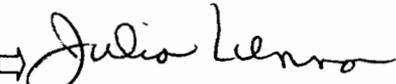
	Katharine M. Schillemat	January 8, 2015
Authorized Commission Signature	Print name legibly	Date

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.

	Julia Lennon	Nelson	12-23-14
Town/City Clerk Signature	Print name legibly	Town/City	Date

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).

6. APPLICANT INFORMATION (Desired permit holder)

LAST NAME, FIRST NAME, M.I.: **Owner is applicant...**

TRUST / COMPANY NAME:

MAILING ADDRESS:

TOWN/CITY:

STATE: **NH**

ZIP CODE:

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.: **Flying Loon Farm Realty Trust**

TRUST / COMPANY NAME:

MAILING ADDRESS: **[REDACTED]**

TOWN/CITY: **Amherst**

STATE: **NH**

ZIP CODE: **03031**

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.: **Paul Goodwin**

COMPANY NAME: **Watermark Marine Const.**

MAILING ADDRESS: **PO Box 6840**

TOWN/CITY: **Laconia**

STATE: **NH**

ZIP CODE: **03247**

EMAIL or FAX: **pwg@docksource.com**

PHONE: **603-293-4000**

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

[Handwritten Signature]
 Property Owner Signature

DBPRAW2K-TRUSTEE
 Print name legibly

12/11/14
 Date

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	156 / 12 +/- <input type="checkbox"/> ATF	1,048 / <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	/	/

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) 1,048 sq. ft. X \$0.20 = \$ 209.60

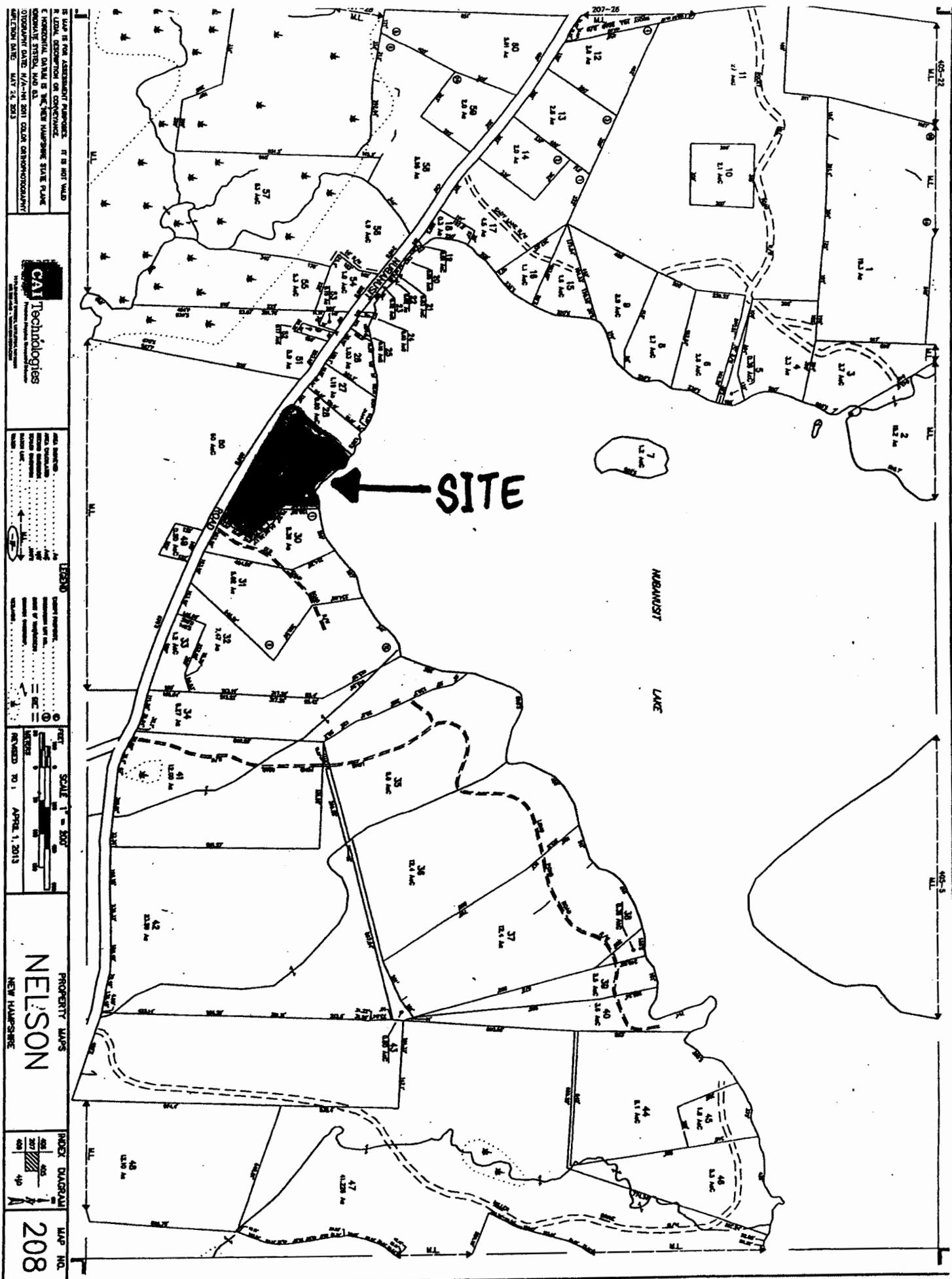
Temporary (seasonal) docking structure: _____ sq. ft. X \$1.00 = \$

Permanent docking structure: 156 sq. ft. X \$2.00 = \$ 312.00

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

Total = \$

The Application Fee is the above calculated Total or \$200, whichever is greater = \$ 721.60



THIS IS THE ASSURANT'S REPRESENTATION. IT IS NOT VALID
 & VALID, OR CORRECTIVE OR OTHERWISE.
 A LEGAL DESCRIPTION OF THE PROPERTY
 SHOULD BE OBTAINED FROM THE STATE PLANNING
 DEPARTMENT, 1000 WEST 10TH AVENUE, SUITE 100,
 DENVER, COLORADO 80202.
 PREPARED BY: CAI TECHNOLOGIES
 DATE: MAY 24, 2013

CAI Technologies
 Surveying & Mapping
 1000 West 10th Avenue, Suite 100
 Denver, Colorado 80202
 Phone: 303.733.1111
 Fax: 303.733.1112
 Email: info@caitechnologies.com
 Website: www.caitechnologies.com

SCALE
 1" = 500'
 1" = 100 M

INDEX DIAGRAM

PROPERTY MAPS

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PROPERTY MAPS
 NELSON
 NEW HAMPSHIRE

INDEX DIAGRAM

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FLYING LOON REALTY TRUST



NEW HAMPSHIRE NATURAL HERITAGE BUREAU
NHB DATACHECK RESULTS LETTER

To: Paul Goodwin, Watermark Marine Construction
PO Box 6840

Laconia, NH 03247

From: NH Natural Heritage Bureau

Date: 11/21/2014 (valid for one year from this date)

Re: Review by NH Natural Heritage Bureau of request submitted 11/20/2014

NHB File ID: NHB14-4514

Applicant: Flying Loon Farm Realty

Location: Nelson
Tax Maps: 01-17

Project Description: expand existing dog run building to 197 sq ft in the bank over previously excavated man-made inlet

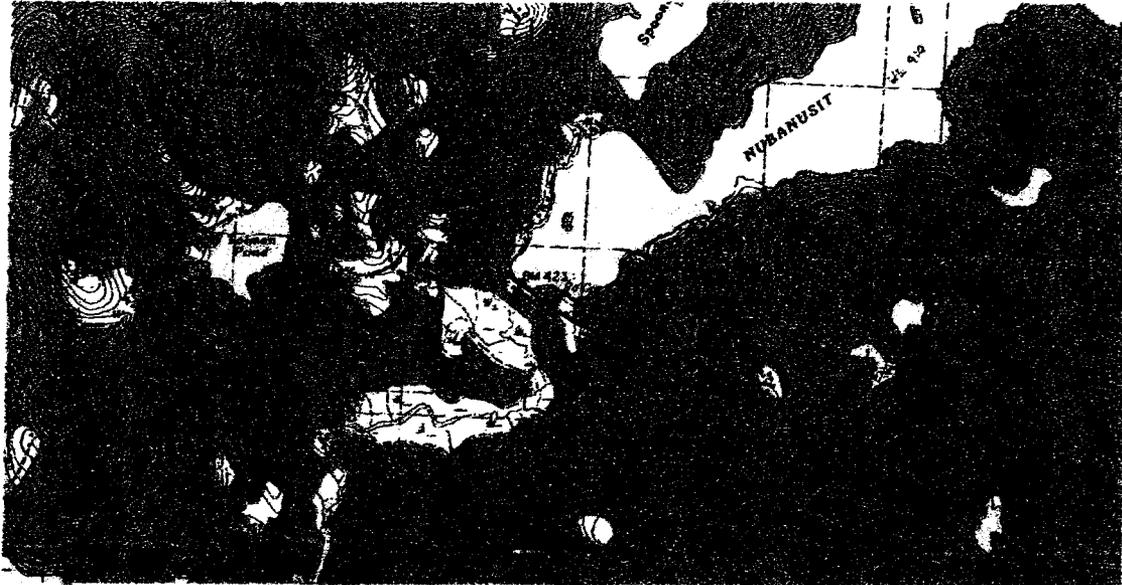
The NH Natural Heritage database has been checked by staff of the NH Natural Heritage Bureau and/or the NH Nongame and Endangered Species Program for records of rare species and exemplary natural communities near the area mapped below. The species considered include those listed as Threatened or Endangered 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 11/20/2014, and cannot be used for any other project.



NEW HAMPSHIRE NATURAL HERITAGE BUREAU
NHB DATACHECK RESULTS LETTER

MAP OF PROJECT BOUNDARIES FOR: NHB14-4514



ABUTTER LIST

Flying Loon Realty Trust/ 215 Nubanusit Road, Nelson

PID 001-017-000 MAP 208-29

James Bowen

TMLot #208-28

[REDACTED]

Aurora, CO 80116

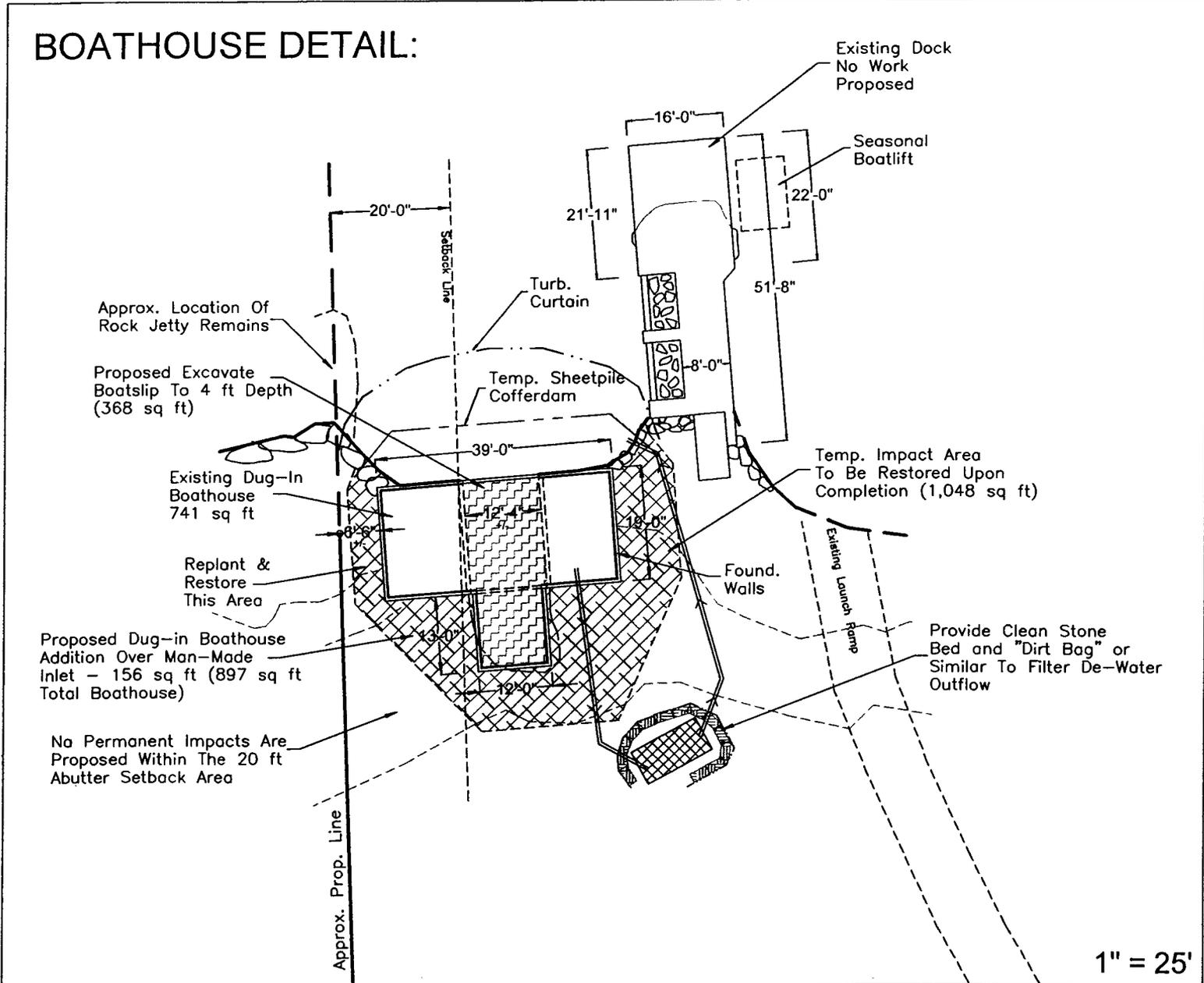
Old Camp Realty Trust

TMLot #208-30

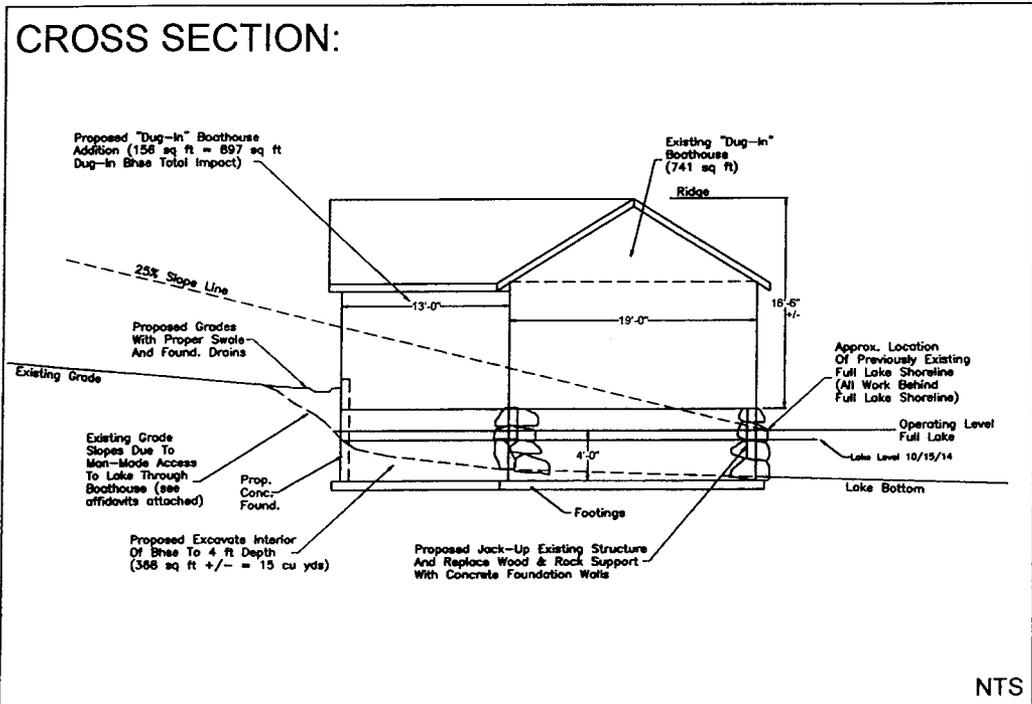
[REDACTED]

Amherst, NH 03031

BOATHOUSE DETAIL:



CROSS SECTION:



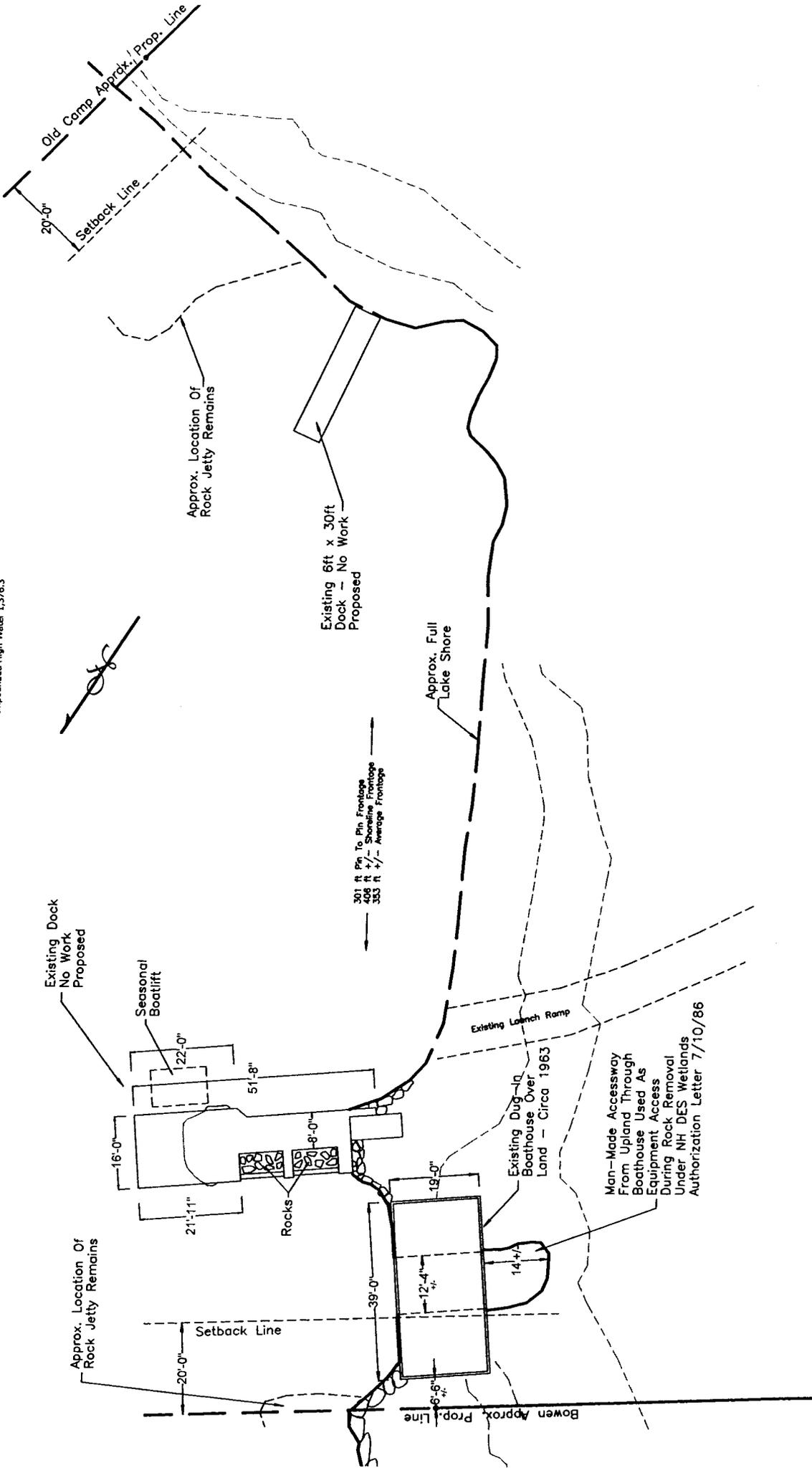
FLYING LOON FARM
REALTY TRUST PROPERTY
Nelson, NH 11/19/14

Rec'd DES
1/15/15



Lake Nubanusit

Impounded High Water 1,376.3



FLYING LOON FARM
 REALTY TRUST PROPERTY
 Nelson, NH
 11/19/14 1" = 40'

Watermark Marine Construction
 Laconia, Meredith & Sunapee, NH
 (803) 293-4000/Fax (803) 524-8100
 On The Web: www.docksources.com
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