



The State of New Hampshire

DEPARTMENT OF ENVIRONMENTAL SERVICES

Thomas S. Burack, Commissioner



August 10, 2016

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

REQUESTED ACTION

Approve Edgewater Drive, LLC's request to perform the following work on Lake Winnepesaukee, in Gilford. File # 2016-01224. This project will not have significant impact on or adversely affect the values of Lake Winnepesaukee.

Remove all existing docking structures, place 115 cubic yards of fill on 675 sq. ft. of lakebed to construct a 44 linear ft. breakwater, install two 6 ft. x 43.5 ft. piling piers connected by a 6 ft. x 12 ft. walkway in a "U" configuration, drive two 3-piling ice clusters, install a permanent boatlift, a 14 ft. x 30 ft. seasonal canopy, and two seasonal personal watercraft lifts adjacent to the dock on an average of 159 ft. of shoreline frontage along Lake Winnepesaukee, on Governors Island, in Gilford.

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

1. All work shall be in accordance with revised plans by Watermark Marine Construction dated July 9, 2016, as received by DES on July 11, 2016.
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 DES 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. This permit does not authorize the removal of trees or saplings within the waterfront buffer that would result in a tree and sapling point score below the minimum required per RSA 483-B:9, V, (a)(2)(D)(iv).
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

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

7. All construction-related debris shall be placed outside of the areas subject to RSA 482-A.
8. Any subdivision of the property 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.
9. Only those structures shown on the approved plans shall be installed or constructed along this frontage. All portions of the structures, including the breakwater toe of slope, shall be at least 20 ft. from the abutting property lines or the imaginary extension of those lines into the water.
10. Pilings shall be spaced a minimum of 12 ft. apart as measured piling center to piling center.
11. No portion of the piers shall extend more than 43.5 ft. from the shoreline at full lake elevation (Elev. 504.32 ft.).
12. All seasonal structures, including watercraft lifts, shall be removed for the non-boating season.
13. The canopy, including the support frame and cover, shall be designed and constructed to be readily removed at the end of the boating season and the flexible canopy shall be removed for the non-boating season.
14. No portion of breakwater as measured at normal full lake (Elev. 504.32 ft.) shall extend more than 50 ft. from normal full lake shoreline.
15. The breakwater shall not exceed 3 ft. in height (Elev. 507.32 ft.) over the normal high water line (Elev. 504.32 ft.).
16. The width as measured at the top of the breakwater (Elev. 507.32 ft.) shall not exceed 3 ft.
17. Rocks shall not be stockpiled on the frontage.
18. This facility is permitted with the condition that future maintenance dredging, if needed, shall not be permitted more frequently than once every 6 years, and that a new permit shall be required for each dredge activity.
19. The owner understands and accepts the risk that if this facility requires dredging to maintain a minimum slip depth of 3 ft. more frequently than once every 6 years, or is shown to have an adverse impact on abutting frontages, it shall be subject to removal.

EXPLANATION

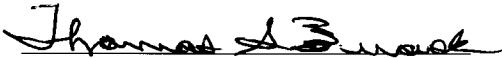
The DES Wetlands Bureau approved this project on July 07, 2016. DES supported its decision with the following findings:

1. This project is classified as a major project per Rule Env-Wt 303.02(j), construction of a breakwater.
2. The construction of a breakwater to provide safe docking at this site is justified in accordance with Rule Env-Wt 402.06, Breakwaters.
3. The applicant has an average of 159 ft. of frontage along Lake Winnepesaukee.
4. A maximum of 3 slips may be permitted on this frontage per Rule Env-Wt 402.13, Frontage Over 75 ft.
5. The proposed docking facility will provide 3 slips as defined per RSA 482-A:2, VIII and, therefore, meets Rule Env-Wt 402.13.
6. The Department finds that a public hearing under RSA 482-A:8 is not required because this project is not of significant public interest and will not significantly impair the resources of Lake Winnepesaukee.

Her Excellency, Governor Margaret Wood Hassan
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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/lsl

NHDES-W-06-012



WETLANDS PERMIT APPLICATION

Water Division/ Wetlands Bureau
Land Resources Management

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



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

			File No: 2016-01224
			Check No.: 1006
			Amount: \$1940.60
			Initials: shp

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: **258 Edgewater Drive** TOWN/CITY: **Gilford**

TAX MAP: **218** BLOCK: **008** LOT: **000** UNIT: **000**

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

LOCATION COORDINATES (if known): **43°36'50.80"N 71°26'16.85"W** 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.

This project proposes to install a 6 ft x 43.5 ft "U" shaped piling dock, a 14 ft x 30 ft seasonal canopy, a permanent boatlift, 2 PWC lifts, 2 three-pile ice protection clusters and a 40 ft +/- breakwater. The property is exposed to an average fetch of 2.07 miles between bearings 280° and 310° a single radial fetch of over 4 miles at bearing 314.25°. All other properties in this neighborhood have breakwater protection (see sketch attached).

4. SHORELINE FRONTAGE

NA This lot has no shoreline frontage. SHORELINE FRONTAGE: **159.59**

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...

N/A

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 **16** - **0070**

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.: Owner is applicant... <i>Noreen, Clifford, M.</i>		
TRUST / COMPANY NAME: <i>Edgewater Drive LLC</i>		MAILING ADDRESS: [REDACTED]
TOWN/CITY: <i>East Longmeadow</i>	STATE: <i>MA</i>	ZIP CODE: <i>01028</i>
EMAIL or FAX: [REDACTED]	PHONE: [REDACTED]	
ELECTRONIC COMMUNICATION: By initialing here: <u><i>CMN</i></u> , 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.: <i>Noreen, Clifford, M.</i>		
TRUST / COMPANY NAME: Edgewater Drive, LLC		MAILING ADDRESS: [REDACTED]
TOWN/CITY: East Longmeadow	STATE: MA	ZIP CODE: 01028
EMAIL or FAX: [REDACTED]	PHONE: [REDACTED]	
ELECTRONIC COMMUNICATION: By initialing here <u><i>CMN</i></u> , 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: PO Box 6840		
TOWN/CITY: Laconia	STATE: NH	ZIP CODE: 03247
EMAIL or FAX: jci@docksource.com	PHONE: 603-293-4000	
ELECTRONIC COMMUNICATION: By initialing here <u>JCI</u> , 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:		
<ol style="list-style-type: none"> 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 be reviewed for the presence of historical/ archeological resources. 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. The mailing addresses I have provided are up to date and appropriate for receipt of NHDES correspondence. NHDES will not forward returned mail. 		
<i>Edgewater Drive LLC Managing Member</i> <input checked="" type="checkbox"/> <i>Clifford M. Noreen</i> Property Owner Signature	<i>Edgewater Drive LLC Managing Member</i> <i>Clifford M. Noreen</i> Print name legibly	<i>04/29/16</i> Date

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.

	Denise M Gonyer	Gilford	5/6/14
Town/City Clerk Signature	Print name legibly	Town/City	Date

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
Scrub-shrub wetland		<input type="checkbox"/> ATF
Emergent wetland		<input type="checkbox"/> ATF
Wet meadow		<input type="checkbox"/> ATF
Intermittent stream		<input type="checkbox"/> ATF
Perennial Stream / River	/	<input type="checkbox"/> ATF
Lake / Pond	603 /	420 /
Bank - Intermittent stream	/	<input type="checkbox"/> ATF
Bank - Perennial stream / River	/	<input type="checkbox"/> ATF
Bank - Lake / Pond	/	<input type="checkbox"/> ATF
Tidal water	/	<input type="checkbox"/> ATF
Salt marsh		<input type="checkbox"/> ATF
Sand dune		<input type="checkbox"/> ATF
Prime wetland		<input type="checkbox"/> ATF
Prime wetland buffer		<input type="checkbox"/> ATF
Undeveloped Tidal Buffer Zone (TBZ)		<input type="checkbox"/> ATF
Previously-developed upland in TBZ		<input type="checkbox"/> ATF
Docking - Lake / Pond	594+6	<input type="checkbox"/> ATF
Docking - River		<input type="checkbox"/> ATF
Docking - Tidal Water		<input type="checkbox"/> ATF
TOTAL	/	/

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) 603 sq. ft. X \$0.20 = \$ 120.60

Temporary (seasonal) docking structure: 420 sq. ft. X \$1.00 = \$ 420.00

Permanent docking structure: 600 sq. ft. X \$2.00 = \$ 1,200.00

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

Total = \$

The Application Fee is the above calculated Total or \$200, whichever is greater = \$ 1,940.60



Edgewater Drive, LLC Property

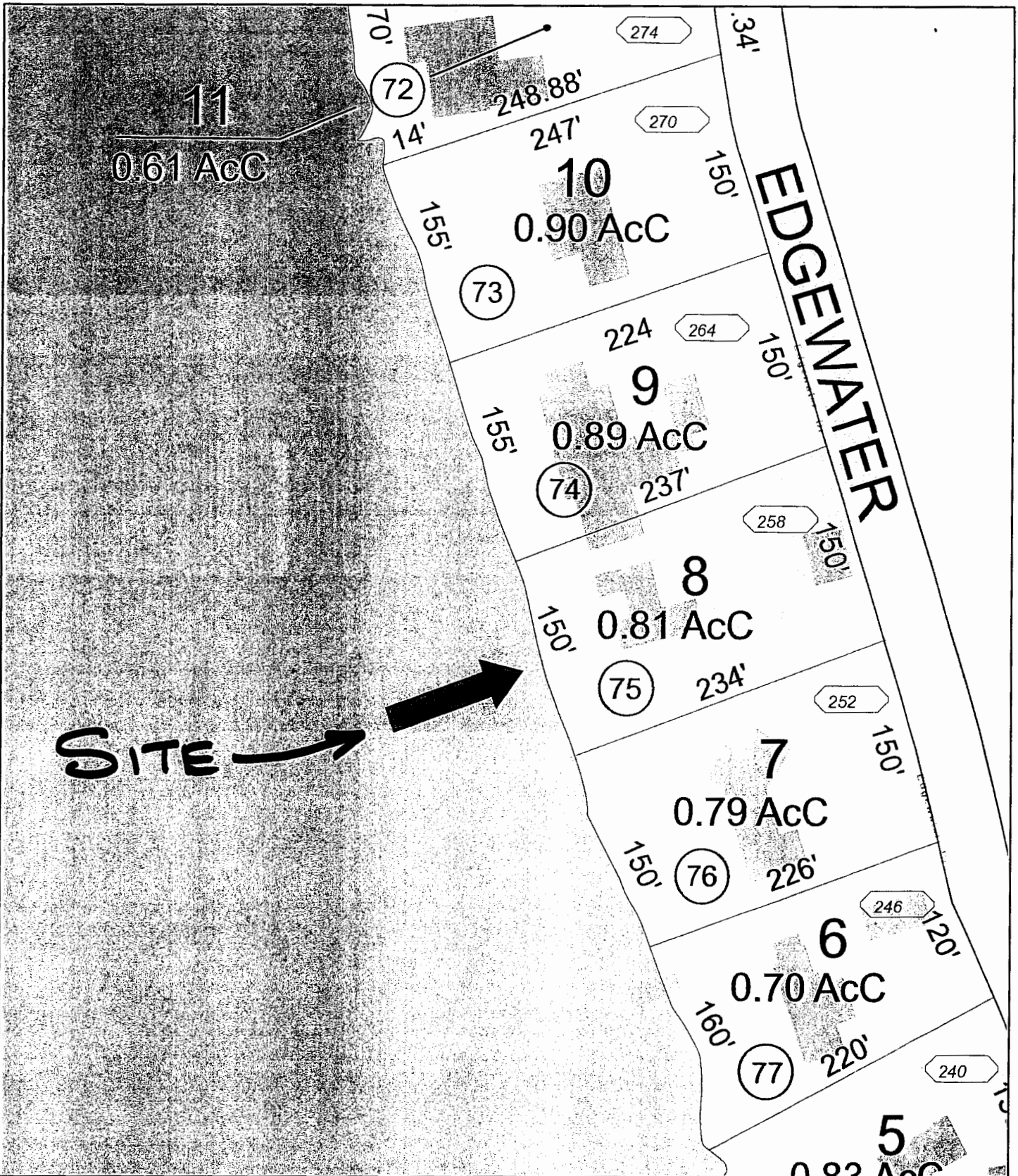
Gilford, NH



January 6, 2016

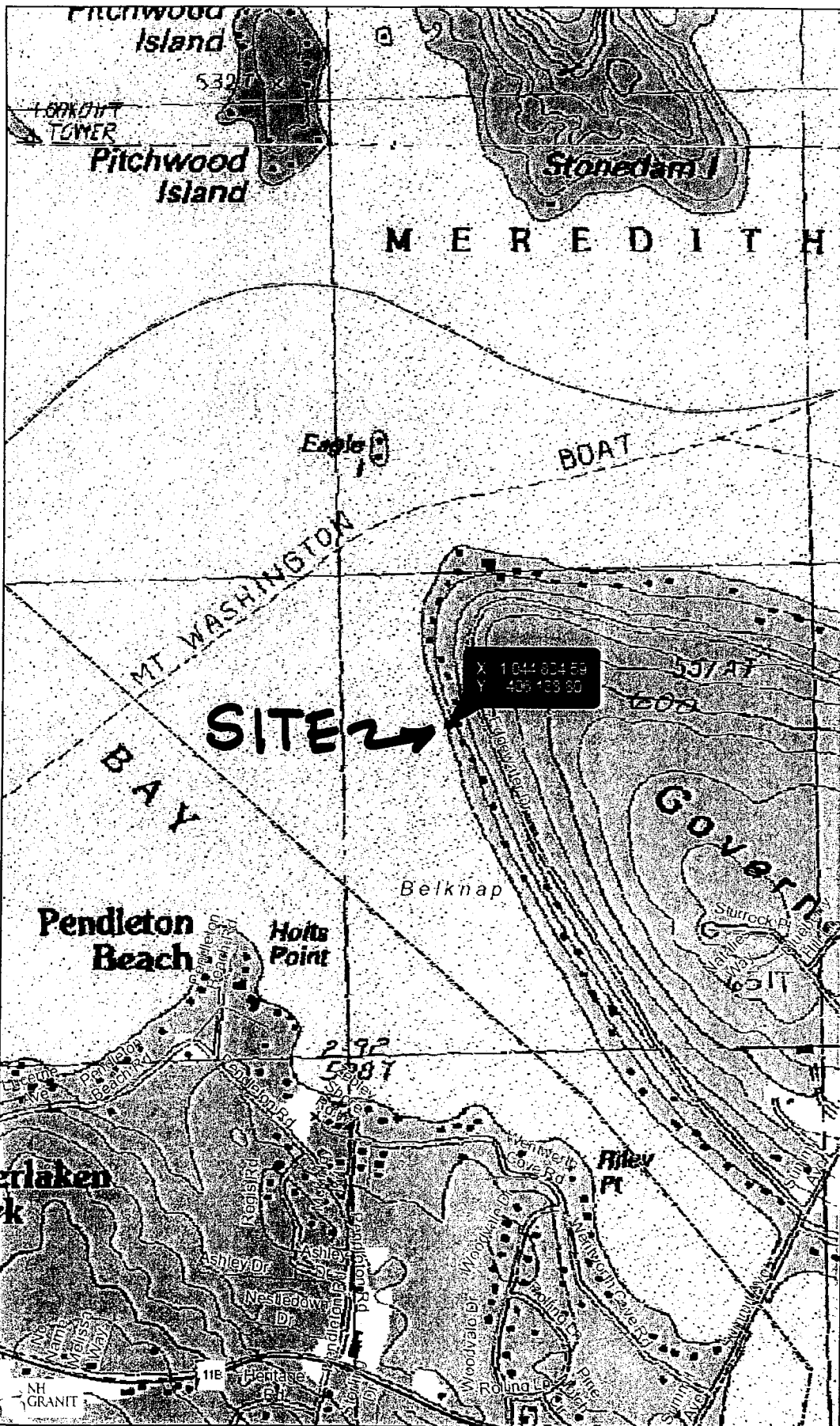
1 inch = 100 Feet

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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.

EDGEWATER DRIVE, LLC



Legend

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

010
/ III

Map Scale

1: 12,000



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Map Generated: 1/7/2016

Notes

Ellen and Cliff Noreem
258 Edgewater Drive
Gilford, NH
TM/L #218-008-000
NH Stateplane NAD83 (feet)
Easting: 1,044,804.59
Northing: 406,138.80



Edgewater Dr., LLC



New Hampshire Natural Heritage Bureau

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

Date: 1/7/2016

From: NH Natural Heritage Bureau

Re: Review by NH Natural Heritage Bureau of request dated 1/7/2016

NHB File ID: NHB16-0070

Applicant: Ellen and Cliff Noreen

Location: Tax Map(s)/Lot(s): 218-008-000
Gilford

Project Description: Install a permanent "U" shaped dock and adjacent breakwater.

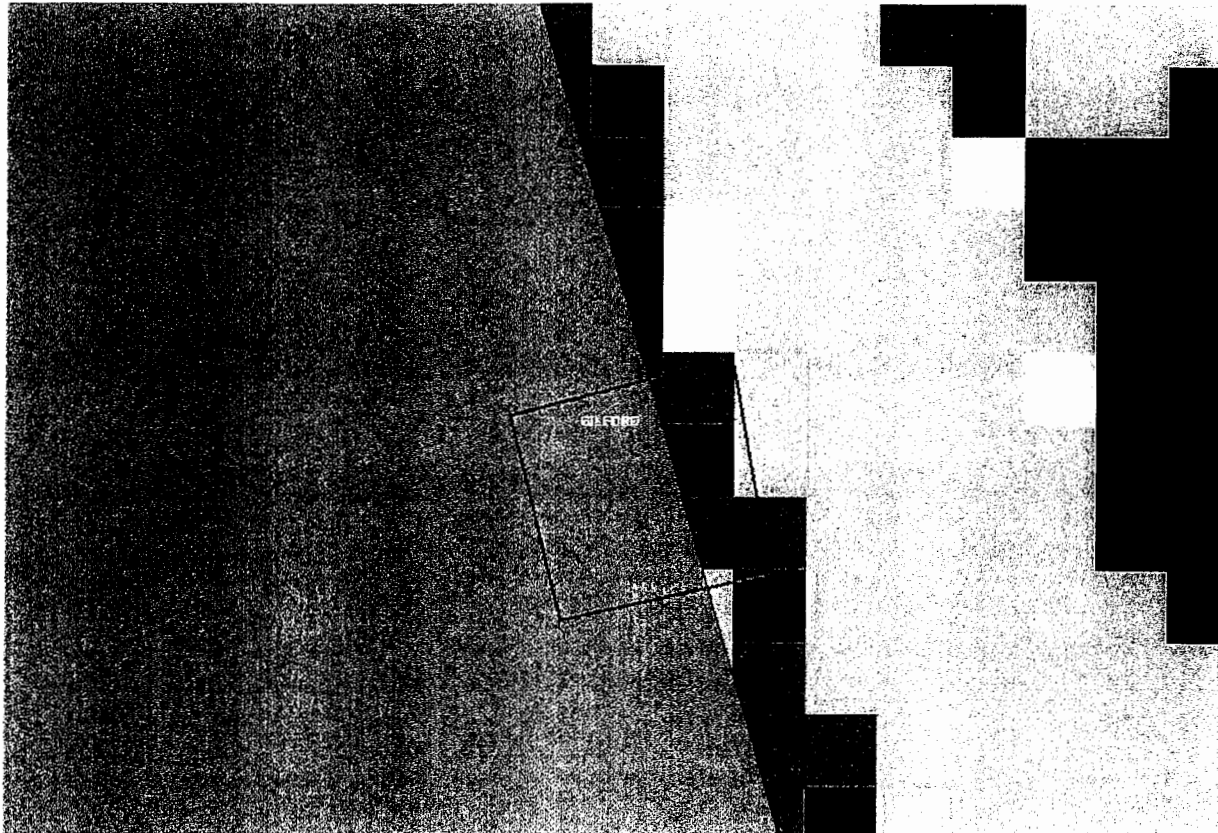
The NH Natural Heritage database has been checked for records of rare species and exemplary natural communities near the area mapped below. The species considered include those listed as Threatened or Endangered by either the state of New Hampshire or the federal government. We currently have no recorded occurrences for sensitive species near this project area.

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 1/6/2017.



MAP OF PROJECT BOUNDARIES FOR NHB FILE ID: NHB16-0070





0 foot Abutters List Report

Gilford, NH
February 05, 2016

Subject Property:

Parcel Number: 218-008-000
CAMA Number: 218-008-000
Property Address: 258 EDGEWATER DR

Mailing Address: EDGEWATER DRIVE LLC
[REDACTED]
EAST LONGMEADOW, MA 01028

Abutters:

Parcel Number: 218-007-000
CAMA Number: 218-007-000
Property Address: 252 EDGEWATER DR

Mailing Address: KRABBY APPLE PROPERTIES LLC
[REDACTED]
WILTON, CT 06897

Parcel Number: 218-009-000
CAMA Number: 218-009-000
Property Address: 264 EDGEWATER DR

Mailing Address: NOREEN, ELLEN M
[REDACTED]
EAST LONGMEADOW, MA 01028
*SAME OWNER

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7015 3010 0100 5102

U.S. Postal Service™
CERTIFIED MAIL® RECEIPT
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Certified Mail Fee \$ **3.30**

Extra Services & Fees (check box, add fees as appropriate):

Return Receipt (hardcopy) \$

Return Receipt (electronic) \$

Certified Mail Restricted Delivery \$

Adult Signature Required \$

Adult Signature Restricted Delivery \$

Postage \$ **.465**

Total Postage and Fees \$ **3.765**

Postmark Here **MAY 6 2016**

Krabby Apple Properties, LLC
[REDACTED]
Wilton, CT 06897

Instructions



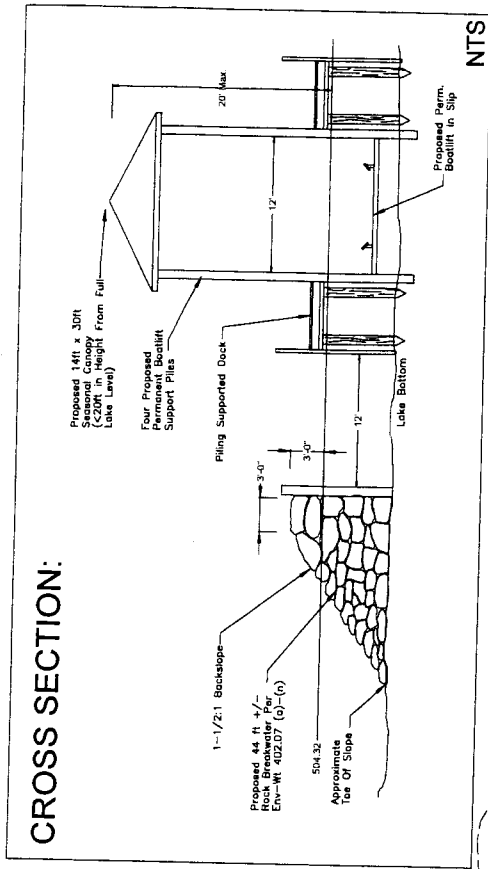
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PROPOSED CONDITIONS:

Lake Winnepesaukee

Full Lake Shoreline 504.32



Two Proposed 3-Pile Ice Protection Clusters 6 sq ft

Proposed Permanent Boatlift in Boatslip

Proposed 14ft x 30ft Seasonal Canopy 420 sq ft

Approx. Location Of 3 ft Depth Contour Adj. To Full Lake

Proposed 6 ft x 43.5 ft "U" Shaped Permanent Piling Supported Dock 594 sq ft

Approximate Top of Bank

Proposed 6ft x 13ft +/- Access Stairs and Landing In Existing Stair Location

Proposed 44 ft Rock Breakwater To Be Constructed Per Env-Wt 402.07 - Approx. 675 sq ft and 115 cu yds

Approximate Toe Of Slope

This property supports 3 boatslips Under Rule Env-Wt 402.13

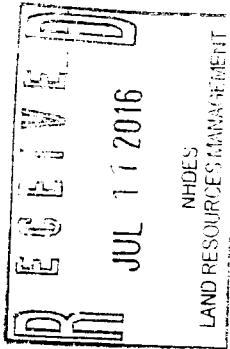
20'-0" Setback

Norren P/L

Approximate Full Lake 504.52 Shoreline

510

The baseline details of this plan were scanned from a survey by Dolan Assoc. dated 10/6/15. This is not a survey plan and is to be used only for the purposes of a NH DES Wetlands Bureau permit application package.



Watermark Marine Construction
Laconia, Gilford & Sunapee, NH
(603) 293-4000/Fax (603) 524-8100
On The Web: www.docksources.com
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REV: 07/09/16

Edgewater Drive, LLC
Gilford, NH
4/27/16 1" = 20'