



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



**Thomas S. Burack, Commissioner**

November 7, 2013

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

**REQUESTED ACTION**

Approve Carol Kuusisto's request to perform the following work on Lake Winnepesaukee, in Gilford. File # 2013-01350. This project will not have significant impact on or adversely affect the values of Lake Winnepesaukee.

Permanently remove an existing 6 ft. x 40 ft. seasonal dock and anchor pad and restore the shoreline. Fill 1,050 sq. ft. to construct 67 linear ft. of breakwater, in an "dogleg" configuration with a 10 ft. gap at the shoreline and a 6 ft. x 55 ft. cantilevered pier on an average of 170 ft. of frontage along Lake Winnepesaukee, in Gilford.

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

1. All work shall be in accordance with plans by Winnepesaukee Marine Construction revision dated September 6, 2013, as received by the Department on September 10, 2013.
2. This permit shall not be effective until it has been recorded with the Belknap 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. 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.
4. 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.
5. These shall be the only structures on this water frontage and 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.
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 the water at the work site has returned to normal clarity.
7. No portion of breakwater as measured at normal full lake shall extend more than 50 ft. from normal full lake shoreline.
8. The breakwater shall not exceed 3 ft. in height (Elev. 507.32 ft.) over the normal high water line (Elev. 504.32 ft.).

DES Web site: [www.des.nh.gov](http://www.des.nh.gov)

P.O. Box 95, 29 Hazen Drive, Concord, New Hampshire 03302-0095

Telephone: (603) 271-3501 • Fax: (603) 271-6683 • TDD Access: Relay NH 1-800-735-2964



9. The width as measured at the top of the breakwater (Elev. 507.32 ft.) shall not exceed 3 ft.
10. 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.
11. All activities shall be in accordance with the Shoreland Water Quality Protection Act, per 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.

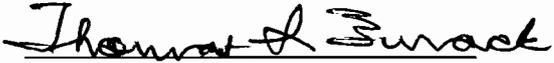
#### EXPLANATION

The DES Wetlands Bureau approved this project on October 7, 2013. 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 402.07, Breakwaters.
3. The applicant has an average of 170 ft. of frontage along Lake Winnepesaukee, Gilford.
4. A maximum of 3 slips may be permitted on this frontage per Rule Env-Wt 402.13, Frontage Over 75'.
5. The proposed docking facility will provide 2 slips as defined per RSA 482-A and therefore meets Rule Wt 402.13.
6. Public hearing is waived based on field inspection, by NH DES staff, on July 18, 2013, with the finding that the project impacts will not significantly impair the resources of Lake Winnepesaukee.
7. Field inspection on July 18, 2013, found no 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

Website: <http://des.nh.gov/organization/divisions/water/wetlands/index.htm>  
 Permit Application Status: <http://des.nh.gov/onestop/index.htm>



## WETLANDS PERMIT APPLICATION

2013-01350	CK# 16472	AmT: \$1070.00	LSL
	COMPLETE MAY 28 2013		

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: 13 Welch Island

TOWN/CITY: Gilford

TAX MAP: 249

BLOCK:

LOT: 039

UNIT:

US GEOLOGICAL SURVEY TOPO MAP WATERBODY NAME:

Lake Winnepesaukee

LOCATION COORDINATES (If known):

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: Kuusisto, Carol

MAILING ADDRESS: [REDACTED]

TOWN/CITY: New York

STATE: NY

ZIP CODE: 10003

EMAIL or FAX: [winnimarine@hotmail.com](mailto:winnimarine@hotmail.com)

PHONE: 603293768

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

4. **AGENT INFORMATION:**

NAME: Mark Kenney

COMPANY: Winnepesaukee Marine Const.

MAILING ADDRESS: 60 Glidden Rd.

TOWN/CITY: Gilford

STATE: NH

ZIP CODE: 03249

EMAIL or FAX: [winnimarine@hotmail.com](mailto:winnimarine@hotmail.com)

PHONE: 6032937768

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

\* 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.

*Carol Kuusisto*  
Property Owner/ Applicant / Authorized Agent

CAROL KUUSISTO  
Print name legibly

5/23/13  
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.

*Judith Mooney, deputy Jennifer L Mooney* 5/23/13 Giltford  
Town/City Clerk Print name legibly Date Town/City

**TOWN CLERK SUBMITTAL & MAILING DIRECTIONS:**

Per RSA 482-A:3,1(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.

Authorized Commission Signature

Print name legibly

Date

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: \_\_\_\_\_

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.

Construct a 67 linear feet breakwater in a dog leg configuration with 10' gap at the shore with a 6' x 55' cantilevered dock alongside breakwater. Wetlands impact: Breakwater approx. 1050 sq. ft. Dock= 330 sq. ft.

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 ¼ 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:3,1(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(f))

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

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):	1050 sq. ft.	X \$0.20 =	210
Temporary impacts (non-docking):	sq. ft.	X \$ 0.20 =	
Temporary (seasonal) docking structure:	sq. ft.	X \$1.00 =	
Permanent docking structure:	330 sq. ft.	X \$2.00 =	660
Projects proposing shoreline structures add \$200 =			200
Total =			1070
The Application Fee is the above calculated Total or \$200, whichever is greater =			1070

- 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)

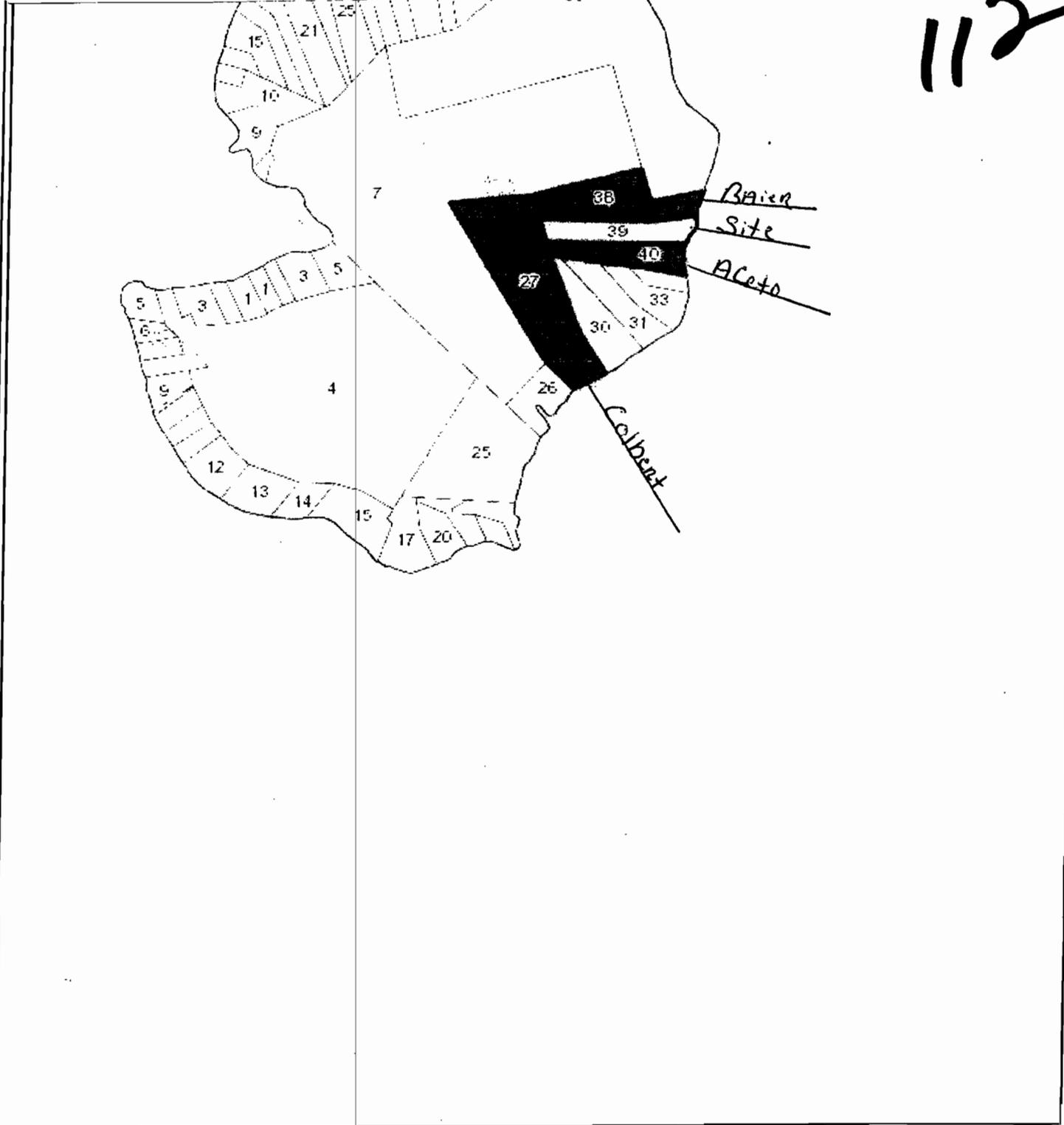
Link: [http://des.nh.gov/organization/commissioner/pip/forms/wetlands/documents/mitigation\\_form.doc](http://des.nh.gov/organization/commissioner/pip/forms/wetlands/documents/mitigation_form.doc)

Owners: Carol Kuusisto & Michelle Alpert

[Redacted]  
New York, NY 10003

Site: 13 Welch Island  
TM# 249 Lot# 039

0-11  
112



Kuusisto  
Gilford, NH  
1 Inch = 806 Feet  
March 25, 2013



Data shown on this map is provided for planning and informational purposes only. The municipality and Cartographic Associates, Inc. are not responsible for any use for other purposes or misuse or misrepresentation of this map.

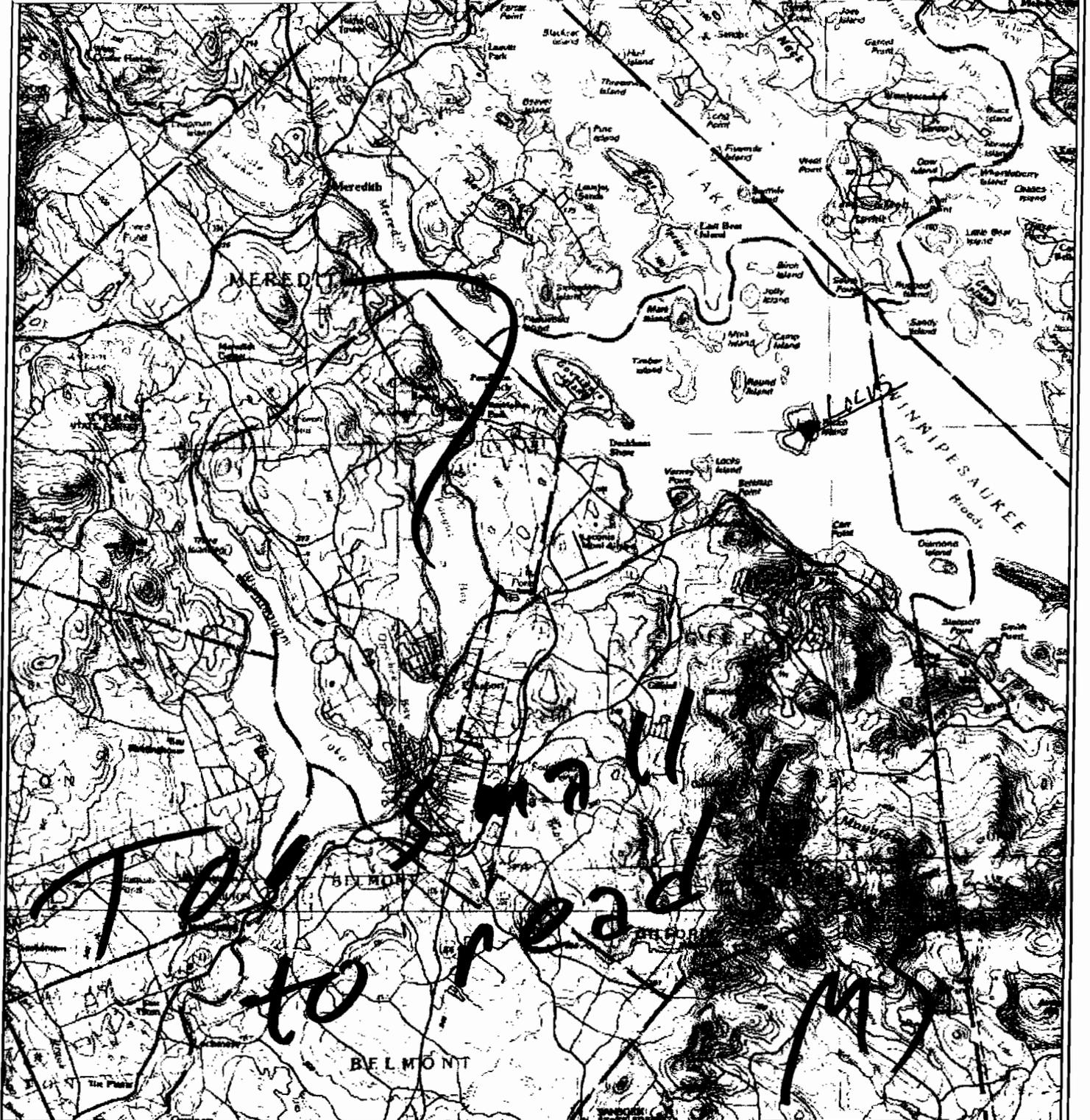
www.cai-info.com  
CARTOGRAPHIC ASSOCIATES, INC.

Owners: Carol Kuusisto & Michelle Alpert

New York, NY 10003

Site: 13 Welch Island

TM# 249 Lot# 039



Kuusisto  
Gilford, NH  
1 Inch = 10876 Feet  
March 25, 2013



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[www.cai-info.com](http://www.cai-info.com)

CARTOGRAPHIC ASSOCIATES, INC.



## New Hampshire Natural Heritage Bureau

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**To:** Patricia Scribner  
60 Glidden Rd.  
Gilford, NH 03249

**Date:** 5/22/2013

**From:** NH Natural Heritage Bureau

**Re:** Review by NH Natural Heritage Bureau of request dated 5/22/2013

NHB File ID: NHB13-1542

Applicant: Patricia Scribner

Location: Tax Map(s)/Lot(s): 249/39  
Gilford

Project Description: Construct a 67 linear feet breakwater in a dog-leg configuration with a 6'x55' cantilevered dock.

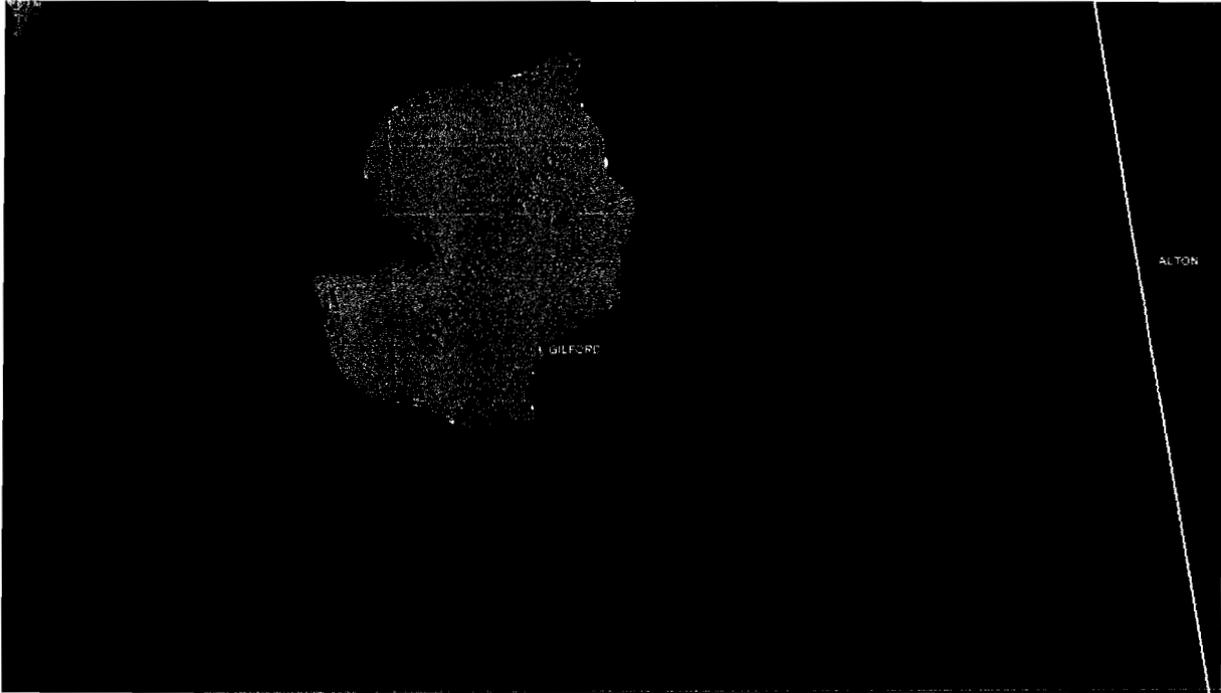
The NH Natural Heritage database has been checked for records of rare species and exemplary natural communities near the area mapped below. The species considered include those listed as Threatened or Endangered by either the state of New Hampshire or the federal government. We currently have no recorded 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 5/21/2014.



**MAP OF PROJECT BOUNDARIES FOR NHB FILE ID: NHB13-1542**



**Winnipisaukee Marine Construction Inc.**

60 Glidden Road Gilford, NH 03249

(603) 293-7768

E-mail: [winnimarine@hotmail.com](mailto:winnimarine@hotmail.com) Web site: [www.lakewinnicon.com](http://www.lakewinnicon.com)

May 22, 2013

**Abutters List**

Owner: Carol Kuusisto &  
Michelle Alpert

[REDACTED]  
New York, NY 10003

Site: 13 Welch Island  
TM# 249 Lot# Lot# 039

**Abutters:**

John Baier Jr.  
[REDACTED]  
Bow, NH 03304

14 Welch Island  
TM# 249 Lot# 038

Christopher Aceto  
[REDACTED]  
Malvern, PA 19355

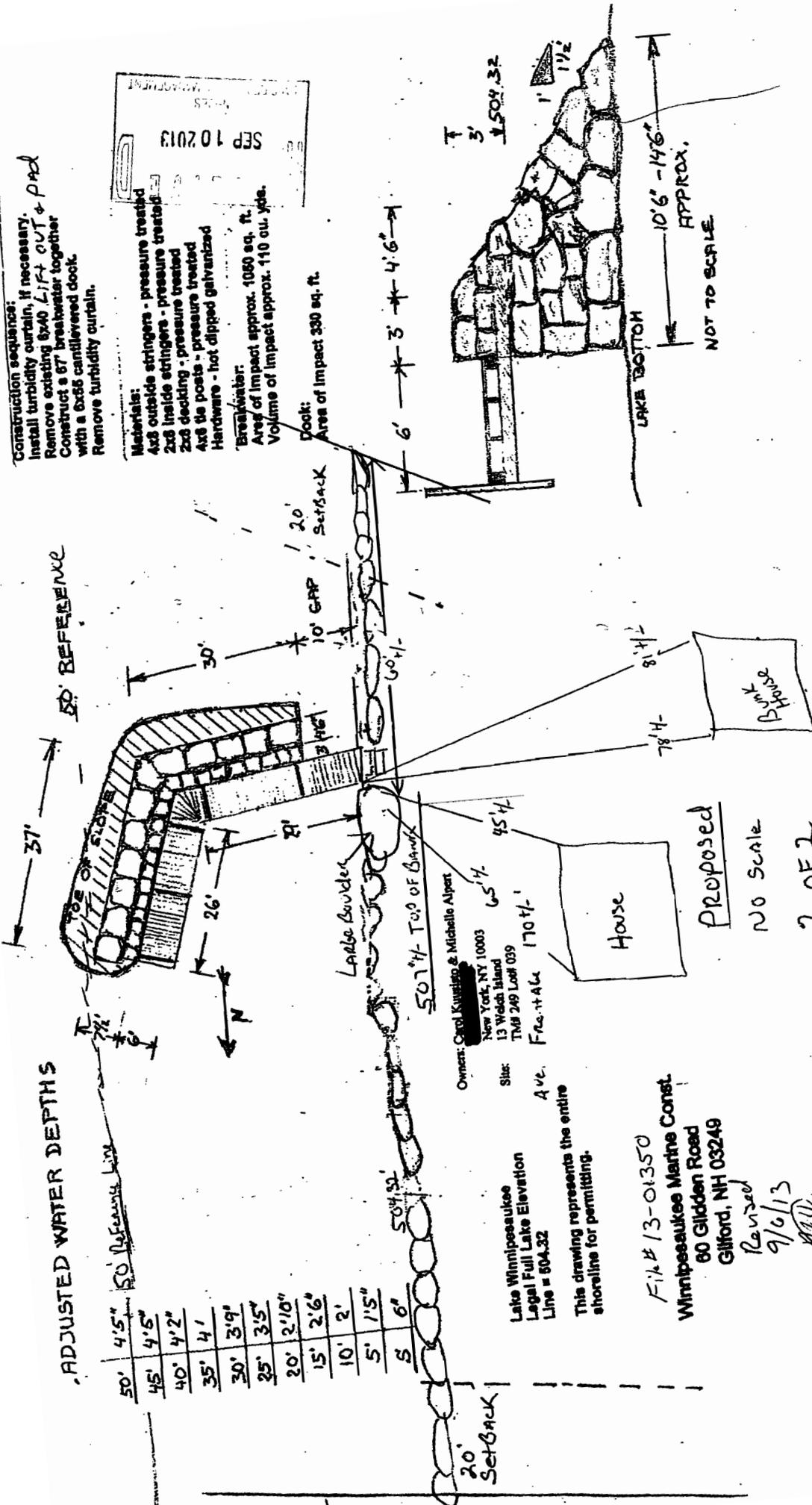
12 Welch Island  
TM# 249 Lot# 040

Donald Colbert  
[REDACTED]  
Perrineville, NJ 08535

7 Welch Island  
TM# 249 Lot# 027

**ADJUSTED WATER DEPTHS**

50'	4'5"
45'	4'5"
40'	4'2"
35'	4'
30'	3'9"
25'	3'5"
20'	2'10"
15'	2'6"
10'	2'
5'	1'5"
5'	6"

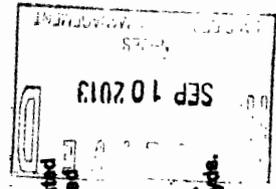


**Construction sequence:**  
 Install turbidity curtain, if necessary.  
 Remove existing 8x40 LIFT OUT PAD  
 Construct a 67' breakwater together  
 with a 6x26 cantilevered dock.  
 Remove turbidity curtain.

**Materials:**  
 4x8 outside stringers - pressure treated  
 2x6 inside stringers - pressure treated  
 2x6 decking - pressure treated  
 4x8 tie posts - pressure treated  
 Hardware - hot dipped galvanized

**Breakwater:**  
 Area of Impact approx. 1060 sq. ft.  
 Volume of Impact approx. 110 cu. yds.

**Dock:**  
 Area of Impact 330 sq. ft.



Owners: Carol Kunitz & Michelle Alpert  
 New York, NY 10003  
 Site: 13 Welch Island  
 TMS 249 Lot# 039  
 Ave. FRANKLIN 170 1/2'

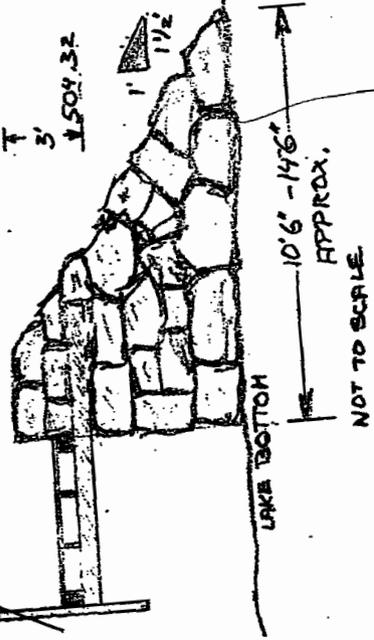
Lake Winnepesaukee  
 Legal Full Lake Elevation  
 Line = 804.32

This drawing represents the entire shoreline for permitting.

File # 13-01350  
 Winnepesaukee Marine Const.  
 80 Gildden Road  
 Gilford, NH 03249

Revised  
 9/6/13  
 [Signature]

Proposed  
 NO SCALE  
 2 OF 2



File # 13-01350

CAROL L. KUUSISTO



NEW YORK, NY 10003

SITE: 13 WELSH ISLAND, GILFORD, NH

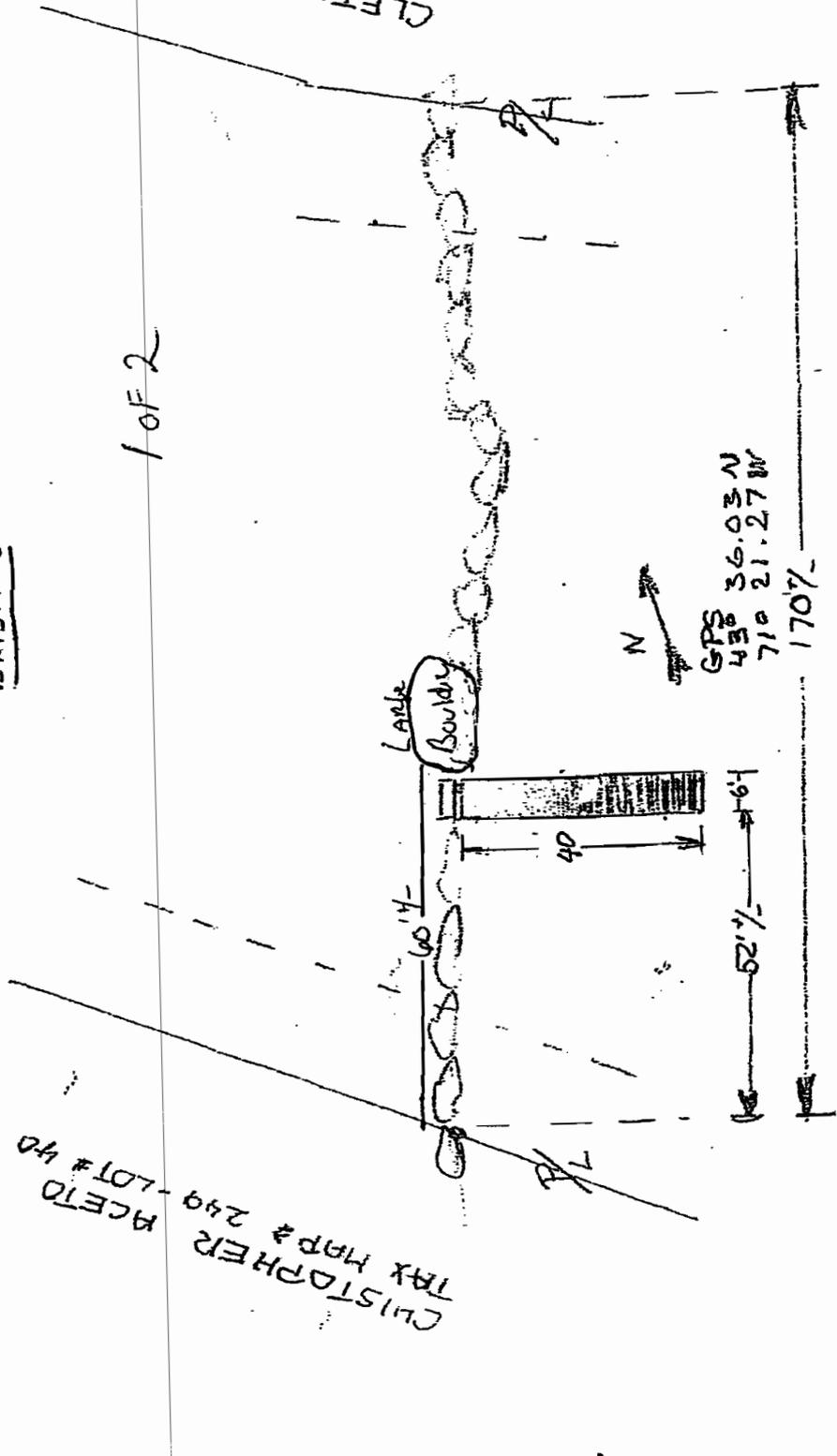
TAX MAP # 249 LOT # 39

Existing

1 of 2

CLETUS & ANNE BRIER  
TAX MAP # 249 - LOT # 38

CHRISTOPHER  
TAX MAP # 249 - LOT # 40



Winnepesaukee Marine Const.

60 Glidden Road

Gilford, NH 03249

Revised

9/6/13

