



The State of New Hampshire
**Department of Environmental
Services**



Robert R. Scott, Commissioner

March 7, 2018

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

REQUESTED ACTION

Approve Elizabeth Venus's and Matthew L. Steele's request to perform the following work on Lake Winnepesaukee, in Gilford. File # 2017-03470. This project will not have significant impact on or adversely affect the values of Lake Winnepesaukee.

Place 160 cubic yards of fill on 865 square feet of lakebed to construct 40 linear feet of breakwater beginning 6 feet of the shoreline with a 4 foot x 42 foot cantilevered pier and a 6 foot x 42 foot piling pier connected by a 6 foot x 12 foot walkway in a "U" configuration, install a seasonal boatlift and two seasonal personal watercraft lifts on an average of 125 feet of frontage along Lake Winnepesaukee, on Diamond Island, in Gilford.

The New Hampshire Department of Environmental Services (NHDES) imposed the following conditions as part of this approval:

1. All work shall be in accordance with revised plans by Watermark Marine Construction dated December 28, 2017, as received by NHDES on December 28, 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. 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.
5. 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.
6. 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.
7. Pilings shall be spaced a minimum of 12 feet apart as measured piling center to piling center.
8. No portion of the piers shall extend more than 42 feet from the shoreline at full lake elevation (Elev. 504.32).
9. All seasonal structures, including watercraft lifts, shall be removed for the non-boating season.

10. No portion of breakwater as measured at normal full lake (Elev. 504.32) shall extend more than 46 feet from normal full lake shoreline.
11. The breakwater shall not exceed 3 feet in height (Elev. 507.32) over the normal high water line (Elev. 504.32).
12. The width as measured at the top of the breakwater (Elev. 507.32) shall not exceed 3 feet.
13. 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.
14. The owner understands and accepts the risk that if this facility requires dredging to maintain a minimum slip depth of 3 feet 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 NHDES Wetlands Bureau approved this project on February 05, 2018. NHDES 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 125 feet of shoreline frontage along Lake Winnepesaukee.
4. A maximum of 2 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:2, VIII and, therefore, meets Rule Env-Wt 402.13.
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.'



Robert R. Scott
Commissioner



RSA/Rúje: RSA 482-A/ Env-Wt 100-900

DES COPY
WETLANDS PERMIT APPLICATION

Land Resources Management
Wetlands Bureau

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



	<p>COMPLETE NOV 27 2017</p>	<p>2017-03470</p> <p>1221</p> <p>\$2,914.00</p> <p>Emk</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: **10 Diamond Island** TOWN/CITY: **Gilford**

TAX MAP: **268** BLOCK: **004** LOT: **000** UNIT: **000**

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

LOCATION COORDINATES (if known): **Easting: 1,075,521.47 Northing: 391,613.84** 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.

Install a 40ft breakwater with an area of 865ft² (160yds³) and a "U" shaped dock consisting of a 4ft x 42ft cantilevered dock finger and a 6ft x 42ft piling dock joined by a 6ft x 12ft connecting walkway. Additionally, install one seasonal boatlift and two seasonal PWC lifts. This property qualifies for a breakwater under Env-Wt 402.07. Breakwater shall be constructed per rules outlined under Env-Wt 402.07. Turbidity controls shall be installed and maintained for the duration of the project.

4. SHORELINE FRONTAGE

NA This lot has no shoreline frontage. SHORELINE FRONTAGE: **125.11ft**

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.

#2017-02245, #2017-01572

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 - 3448

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.: **Venus, Elizabeth and Steele, Matthew**TRUST / COMPANY NAME: **N/A**

MAILING ADDRESS: [REDACTED]

TOWN/CITY: **Wolfboro**STATE: **NH**ZIP CODE: **03894**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.: **Venus, Elizabeth and Steele, Matthew**TRUST / COMPANY NAME: **N/A**

MAILING ADDRESS: [REDACTED]

TOWN/CITY: **Wolfboro**STATE: **NH**ZIP CODE: **03894**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:

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 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.
8. I authorize NHDES 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.


 Property Owner Signature

MATTHEW L. STEELE
 Print name legibly

11/16/2017
 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.

 Town/City Clerk Signature	Jennifer L meoney Deputy Print name legibly	Gilford Town/City	11/22/17 Date
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DIRECTIONS FOR TOWN/CITY CLERK:

Per RSA 482-A:3,1

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	865 /	/
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	492	<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	1,357 /	/

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: _____ sq. ft. X \$1.00 = \$ _____

Permanent docking structure: **1,357** sq. ft. X \$2.00 = **\$ 2,714.00**

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

Total = **\$ 2,914.00**

The Application Fee is the above calculated Total or \$200, whichever is greater = **\$ 2,914.00**



November 14, 2017

Venus/Steel Property

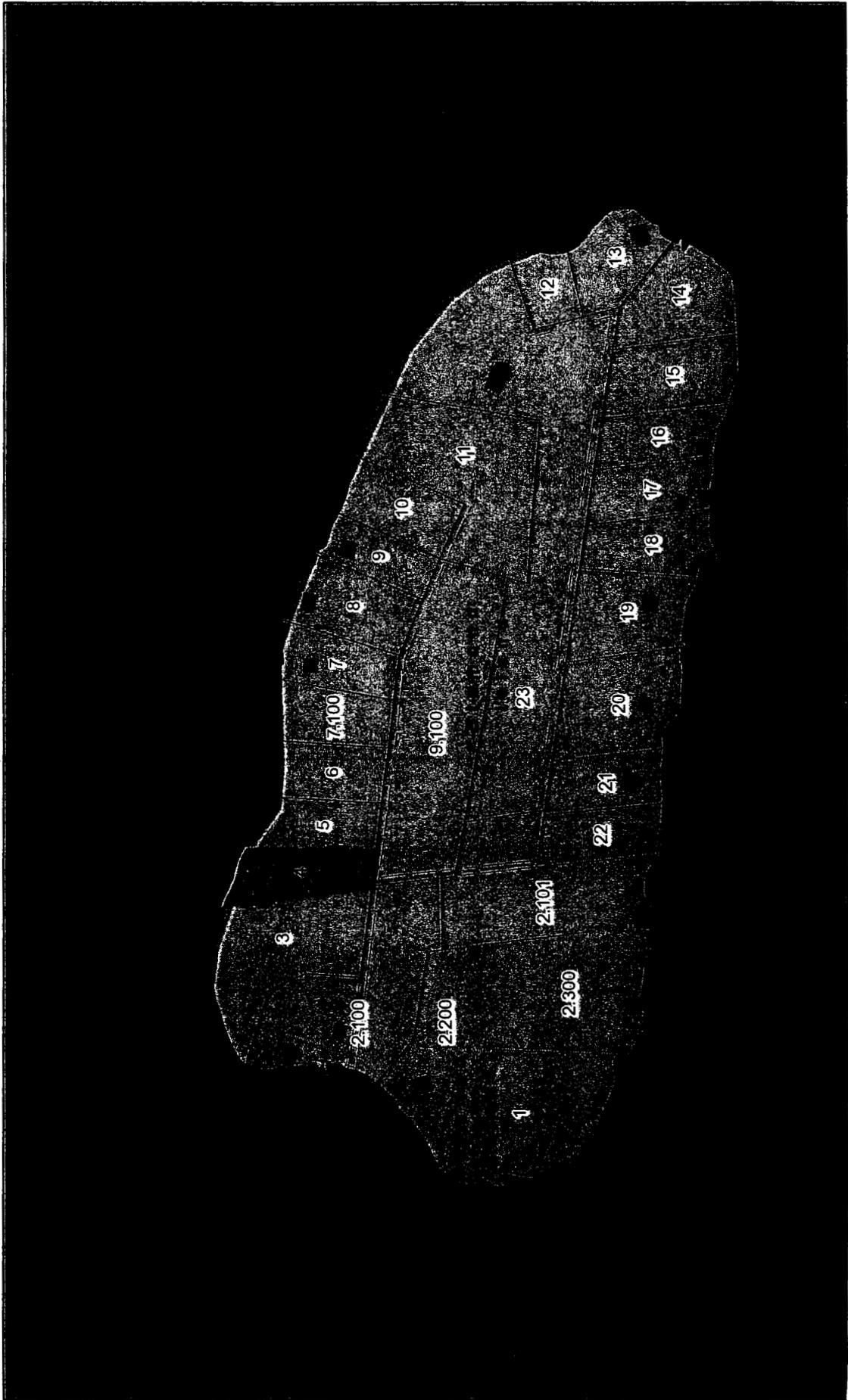
Gifford, NH

1 inch = 300 Feet



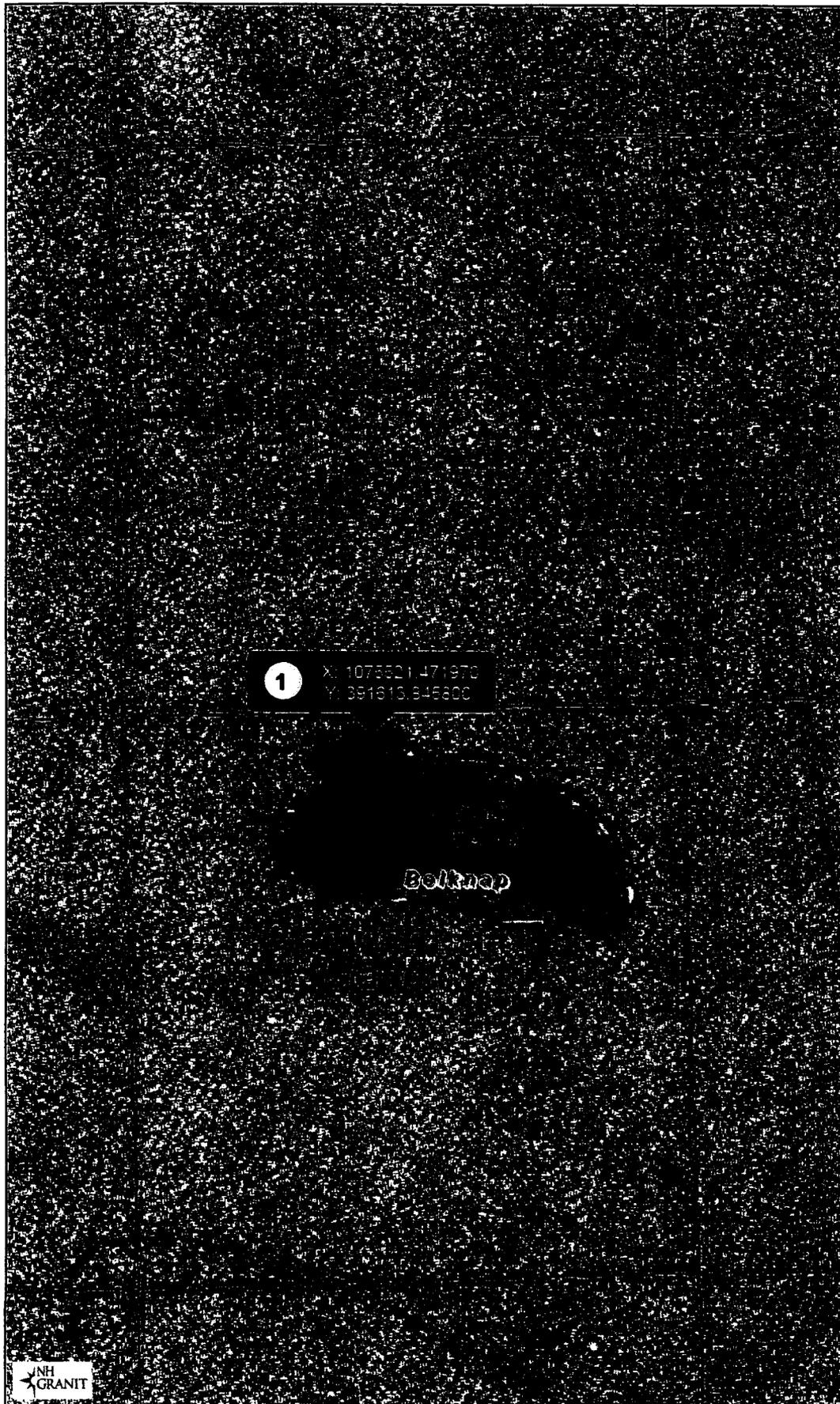
Procedural Mapping • Real Estate • GIS/Map

www.cai-tech.com



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.

Venus/Steel Property



1

X: 1075521.471970
Y: 391815.845800

Belknap

Legend

- State
- County
- City/Town

RECEIVED
NOV 27 2017
NHDES
LAND RESOURCES MANAGEMENT

Map Scale

1: 10,000

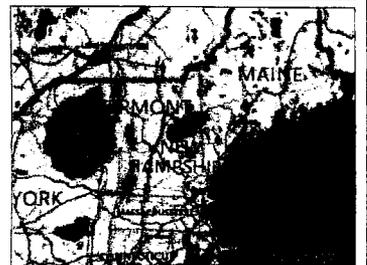


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Map Generated: 11/14/2017

Notes

Elizabeth Venus and Matthew Steele
10 Diamond Island, Gilford
TM/L #268-004-000
NH Stateplane NAD83 (feet)
Easting: 1,075,521.47
Northing: 391,613.84





New Hampshire Natural Heritage Bureau

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

Date: 11/14/2017

From: NH Natural Heritage Bureau

Re: Review by NH Natural Heritage Bureau of request dated 11/14/2017

NHB File ID: NHB17-3448

Applicant: Elizabeth Venus and Matthew Steele

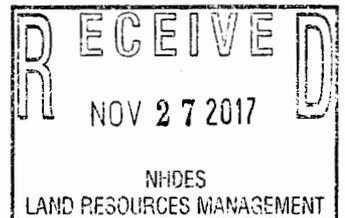
Location: Tax Map(s)/Lot(s): 268-004-000
Gilford

Project Description: Install a 40' breakwater, a 4' x 42' cantilevered breakwater dock and a 6' x 42' piling dock joined by a 6' x 12' connecting walkway. Additionally, install a seasonal boatlift and two seasonal PWC lifts.

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.

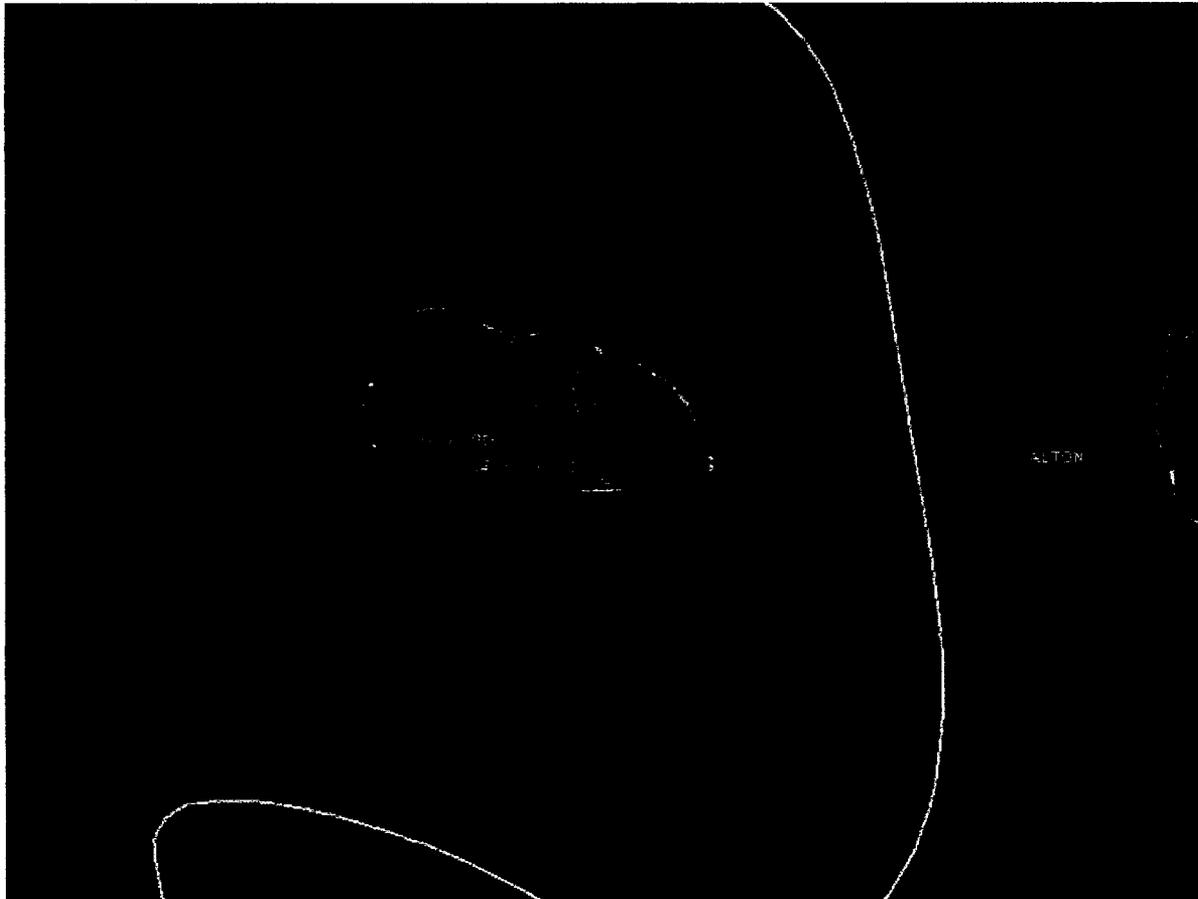
A negative result (no record in our database) does not mean that a sensitive species is not present. Our data can only tell you of known occurrences, based on information gathered by qualified biologists and reported to our office. However, many areas have never been surveyed, or have only been surveyed for certain species. An on-site survey would provide better information on what species and communities are indeed present.

This report is valid through 11/13/2018.





MAP OF PROJECT BOUNDARIES FOR NHB FILE ID: NHB17-3448



Abutter List

TM/L #268-004-000

Elizabeth Venus and Matthew Steele
SITE

TM/L #268-003-000

Robert and Candace Portilla
[REDACTED]
Stratham, NH 03885

TM/L #268-005-000

Edward and Phyllis Doherty
[REDACTED]
Reading, MA 01867

TM/L #268-002-100

Thomas Rock
[REDACTED]
Milan, NH 03588

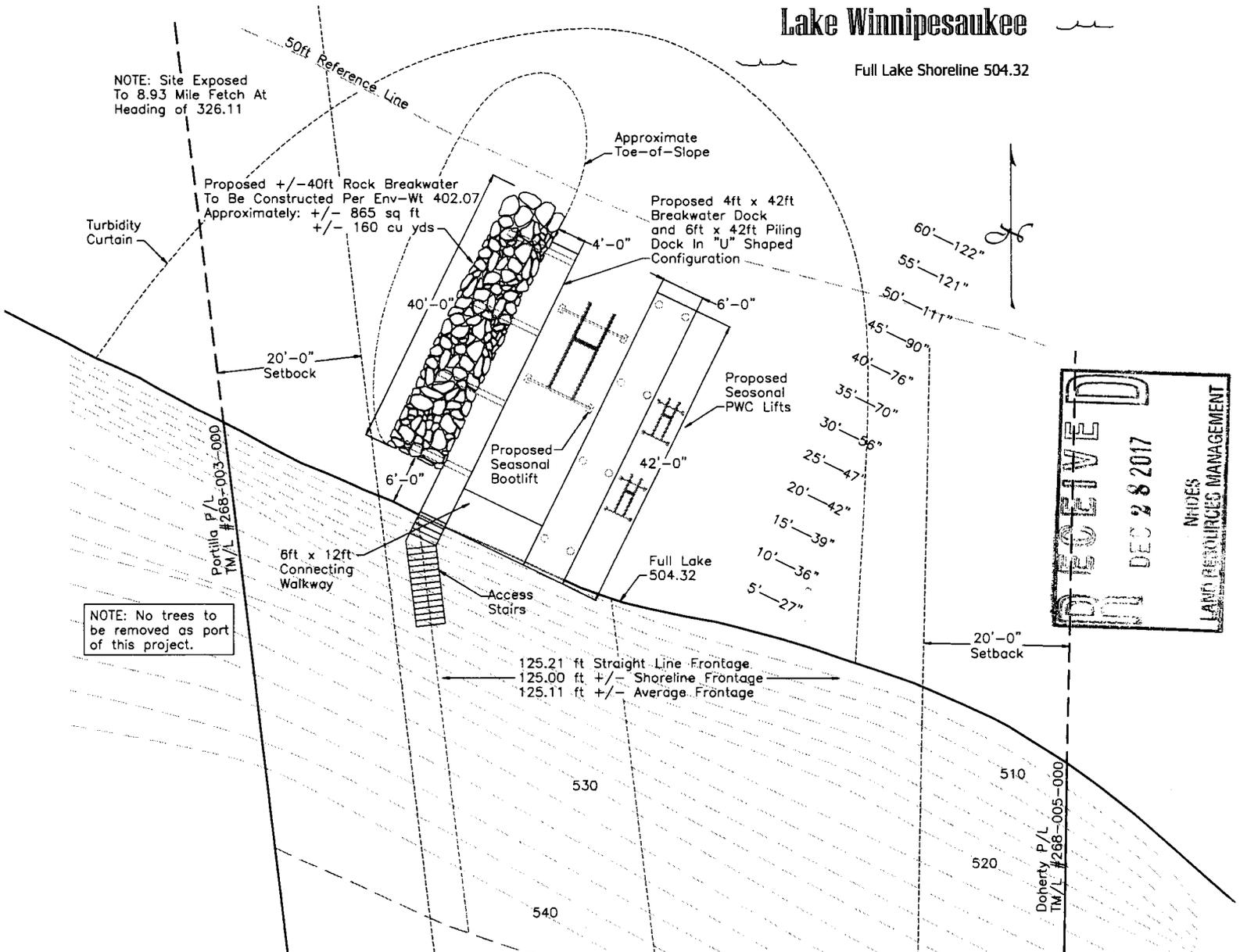
TM/L #268-009-100

Howard and Jacquelyn Hardin
[REDACTED]
Ayer, MA 01432

Lake Winnepesaukee

Full Lake Shoreline 504.32

NOTE: Site Exposed To 8.93 Mile Fetch At Heading of 326.11



Profile View

