



The State of New Hampshire
Department of Environmental Services

Clark B. Freise, Assistant Commissioner



June 6, 2017

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

REQUESTED ACTION

Approve Trevor A. Harris Revocable Trust's request to perform the following work on Lake Winnepesaukee, in Gilford. File # 2017-00424. This project will not have significant impact on or adversely affect the values of Lake Winnepesaukee.

Permanently remove a 17.8 ft. x 37 ft. docking structure, construct two 6 ft. x 4 ft. concrete pads, install two 6 ft. x 40 ft. seasonal piers connected by a 6 ft. x 12 ft. walkway in a "U" configuration to the north of an existing 5 ft. x 40 ft. seasonal pier, and impact 1,098 square ft. of bank to construct a 500 square ft. perched beach on an average of 393 ft. of frontage on Mink Island, on Lake Winnepesaukee, in Gilford.

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

1. All work shall be in accordance with revised plans by NH environmental Consultants, LLC dated April 27, 2017, as received by the NHDES on April 27, 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. Work shall be carried out in a time and manner to avoid disturbances to migratory waterfowl breeding and nesting areas.
5. 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. Temporary controls shall be removed once the area has been stabilized.
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 water at the work site has returned to normal clarity.
7. All excavated material and construction-related debris shall be placed outside of the areas subject to RSA 482-A. Any spoil material deposited within 250 ft. of any surface water shall comply with RSA-483-B.
8. The contractor responsible for completion of the work shall use techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).

www.des.nh.gov

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9. 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.
10. Only those structures shown on the approved plans shall be installed or constructed along this frontage. All portions of the structures shall be at least 20 ft. from the abutting property lines or the imaginary extension of those lines into the water.
11. No portion of the piers shall extend more than 40 ft. from the shoreline at full lake elevation (Elev. 504.32).
12. All seasonal structures shall be removed for the non-boating season.
13. Stone placed along the beach front for the purpose of retaining sand shall be placed above and landward of those rocks currently located along the normal high water line (Elevation 504.32). The rocks existing at the normal high water line shall remain undisturbed such that the natural shoreline remains visible and intact.
14. The steps installed for access to the water shall be located completely landward of the normal high water line.
15. No more than 10 cubic yards of sand shall be used and all sand shall be located above the normal high water line.
16. The permittee shall provide appropriate diversion of surface water runoff to prevent erosion of beach area.
17. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tackifiers on slopes less than 3:1 or netting and pinning on slopes steeper than 3:1.
18. A combination of trees, shrubs and ground covers representing the density and species diversity of the vegetation present prior to construction shall be replanted beginning at a distance no greater than 5 ft. landward from the beach area.

EXPLANATION

The NHDES Wetlands Bureau approved this project on May 07, 2017. The NHDES supported its decision with the following findings:

1. This project is classified as a major project per Rule Env-Wt 303.02(d), construction of a docking facility providing 5 or more slips.
2. The applicant has an average of 393 ft. of frontage along Lake Winnepesaukee.
3. A maximum of 6 slips may be permitted on this frontage per Rule Env-Wt 402.13, Frontage Over 75'.
4. In combination the existing and proposed docking facilities will provide 5 slips as defined per RSA 482-A:2, VIII and, therefore, meets Rule Env-Wt 402.13.
5. 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.

His Excellency, Governor Christopher T. Sununu
and The Honorable Council
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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.



Clark B. Freise
Assistant Commissioner

CDF/CGA/emk



WETLANDS PERMIT APPLICATION

Water Division/ Wetlands Bureau
Land Resources Management

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



BOAR Rule RSA 482-A:20-100-900

<div style="border: 2px solid black; padding: 5px; font-size: 2em; font-weight: bold; letter-spacing: 5px;">RECEIVED</div> <p style="font-size: 1.2em; font-weight: bold;">FEB 08 2017</p> <p style="font-size: 0.8em;">NHDES LAND RESOURCES MANAGEMENT</p>	<div style="border: 2px solid black; padding: 5px; font-size: 1.5em; font-weight: bold;">COMPLETE</div> <p style="font-size: 1.2em; font-weight: bold;">FEB 08 2017</p>	<p style="font-size: 1.2em;">2017-00424</p> <p style="font-size: 1.2em;">1772</p> <p style="font-size: 1.2em;">948-</p> <p style="font-size: 1.2em;">562</p>
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1. REVIEW TIME: Indicate your Review Time below. To determine review time, refer to Guidance Document A for instructions.

- Standard Review (Minimum, Minor or Major Impact) Expedited Review (Minimum Impact only)

2. MITIGATION REQUIREMENT:
If mitigation is required a Mitigation-Pre Application meeting must occur prior to submitting this Wetlands Permit Application. To determine if Mitigation is Required, please refer to the Determine if Mitigation is Required Frequently Asked Question.

Mitigation Pre-Application Meeting Date: Month: ___ Day: ___ Year: ____

- N/A - Mitigation is not required

3. PROJECT LOCATION:
Separate wetland permit applications must be submitted for each municipality that wetland impacts occur within.

ADDRESS: **6 Mink Island** TOWN/CITY: **Gilford**

TAX MAP: **245** BLOCK: LOT: **37** UNIT:

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

LOCATION COORDINATES (If known): **43-37-14.7N 71-23-03.3W** Latitude/Longitude

4. 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.

Remove 659sqft of non-conforming docking structure. Install a "U" shaped docking system consisting of two 6' x 40' seasonal piers connected by a 6' x 12' walkway for a total of 552sqft. Install a 500sqft perched beach.

5. SHORELINE FRONTAGE:
 NA This does not have shoreline frontage. SHORELINE FRONTAGE: **393.44**

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.

6. RELATED NHDES LAND RESOURCES MANAGEMENT PERMIT APPLICATIONS ASSOCIATED WITH THIS PROJECT:
Please indicate if any of the following permit applications are required and, if required, the status of the application.

To determine if other Land Resources Management Permits are required, refer to the Land Resources Management Web Page.

Permit Type	Permit Required	File Number	Permit Application Status
Alteration of Terrain Permit Per RSA 485-A:17	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	_____	<input type="checkbox"/> APPROVED <input type="checkbox"/> PENDING <input type="checkbox"/> DENIED
Individual Sewerage Disposal per RSA 485-A:2	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	_____	<input type="checkbox"/> APPROVED <input type="checkbox"/> PENDING <input type="checkbox"/> DENIED
Subdivision Approval Per RSA 485-A	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	_____	<input type="checkbox"/> APPROVED <input type="checkbox"/> PENDING <input type="checkbox"/> DENIED
Shoreland Permit Per RSA 483-B	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	_____	<input type="checkbox"/> APPROVED <input type="checkbox"/> PENDING <input type="checkbox"/> DENIED

7. 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 - 3584

b. Designated River the project is in 1/4 miles of: _____; and
date a copy of the application was sent to the Local River Management Advisory Committee: Month: ___ Day: ___ Year: ____

N/A



8. APPLICANT INFORMATION (Desired permit holder)LAST NAME, FIRST NAME, M.I.: **Harris, Trevor**TRUST / COMPANY NAME: **Trevor A. Harris Revocable Trust**

MAILING ADDRESS: [REDACTED]

TOWN/CITY: **Gilford**STATE: **NH**ZIP CODE: **03249**

EMAIL or FAX:

PHONE:

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

9. PROPERTY OWNER INFORMATION (if different than applicant)LAST NAME, FIRST NAME, M.I.: **same as above**

TRUST / COMPANY NAME:

MAILING ADDRESS:

TOWN/CITY:

STATE:

ZIP CODE:

EMAIL or FAX:

PHONE:

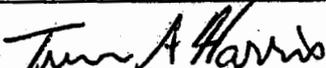
ELECTRONIC COMMUNICATION: By Initialing here _____, I hereby authorize NHDES to communicate all matters relative to this application electronically

10. AUTHORIZED AGENT INFORMATIONLAST NAME, FIRST NAME, M.I.: **Wood, Matthew**COMPANY NAME: **NH Environmental Consultants**MAILING ADDRESS: **95 Old Center Harbor Road**TOWN/CITY: **Meredith**STATE: **NH**ZIP CODE: **03253**EMAIL or FAX: **nhenvironmentalconsultants@yahoo.com**PHONE: **603-387-9684**ELECTRONIC COMMUNICATION: By initialing here **MW**, I hereby authorize NHDES to communicate all matters relative to this application electronically**11. 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.
12. The mailing addresses I have provided are up to date and appropriate for receipt of NHDES correspondence. NHDES will not


 Property Owner Signature

 Trevor Harris
 Print name legibly

 1/24/17
 Date

MUNICIPAL SIGNATURES

12. 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.

<input style="width: 100%; height: 100%;" type="text"/>	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.

13. 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.

<input style="width: 100%; height: 100%;" type="text"/>	Print name legibly	Town/City	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.

14. 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	/ <input type="checkbox"/> ATF	/ <input type="checkbox"/> ATF
Lake / Pond	552 / 12 <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	500 / 42 <input type="checkbox"/> ATF	/ <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	1052 / 54	/

15. 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) 500 sq. ft. X \$0.20 = \$ 100

Temporary (seasonal) docking structure: 552 sq. ft. X \$1.00 = \$ 552

Permanent docking structure: 48 sq. ft. X \$2.00 = \$ 96

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

Total = \$ 948

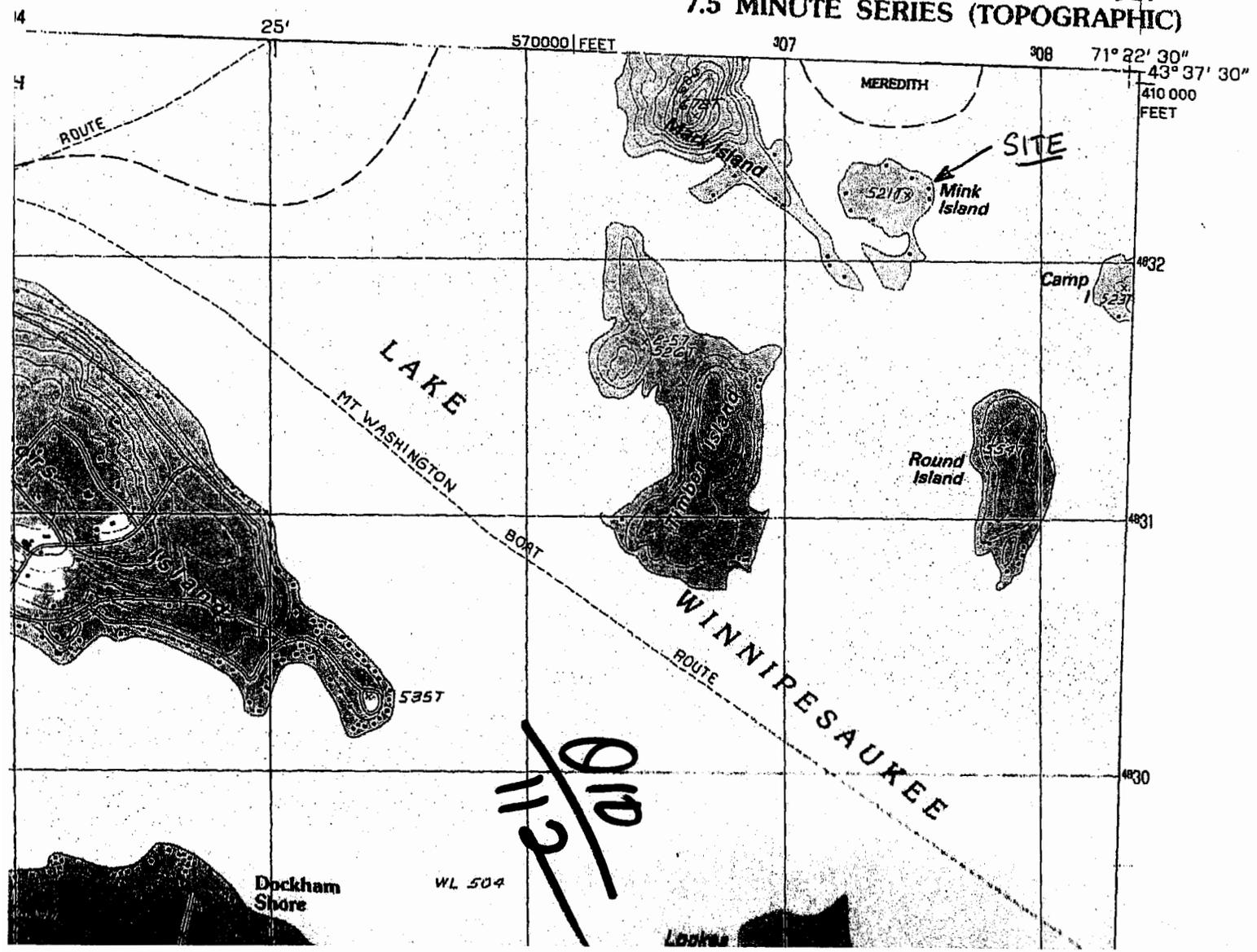
The Application Fee is the above calculated Total or \$200, whichever is greater = \$ 948

shoreland@des.nh.gov or (603) 271-2147

NHDES Wetlands Bureau, 29 Hazen Drive, PO Box 95, Concord, NH 03302-0095

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NEW HAMPSHIRE NATURAL HERITAGE BUREAU
NHB DATACHECK RESULTS LETTER

To: Matthew Wood, NH Environmental Consultants LLC
95 Old Center Harbor Road
Meredith, NH 03253

Project description
Updated 1/4/2017

From: NH Natural Heritage Bureau

Date: 12/6/2016 (valid for one year from this date)

Re: Review by NH Natural Heritage Bureau of request submitted 11/29/2016

NHB File ID: NHB16-3584

Applicant: Matthew Wood

Location: Gilford
Tax Maps: Map 245 Lot 37

Project Description: Construct 1207 sqft addition off an existing 2086 sqft home, removal of a large (659sqft) non-conforming dock, installation of a new 552 sqft "U" shaped seasonal dock, and the installation of a 500 sqft perched beach. The beach will require removal of one 11" hardwood, but 95 points will remain in that segment.

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.

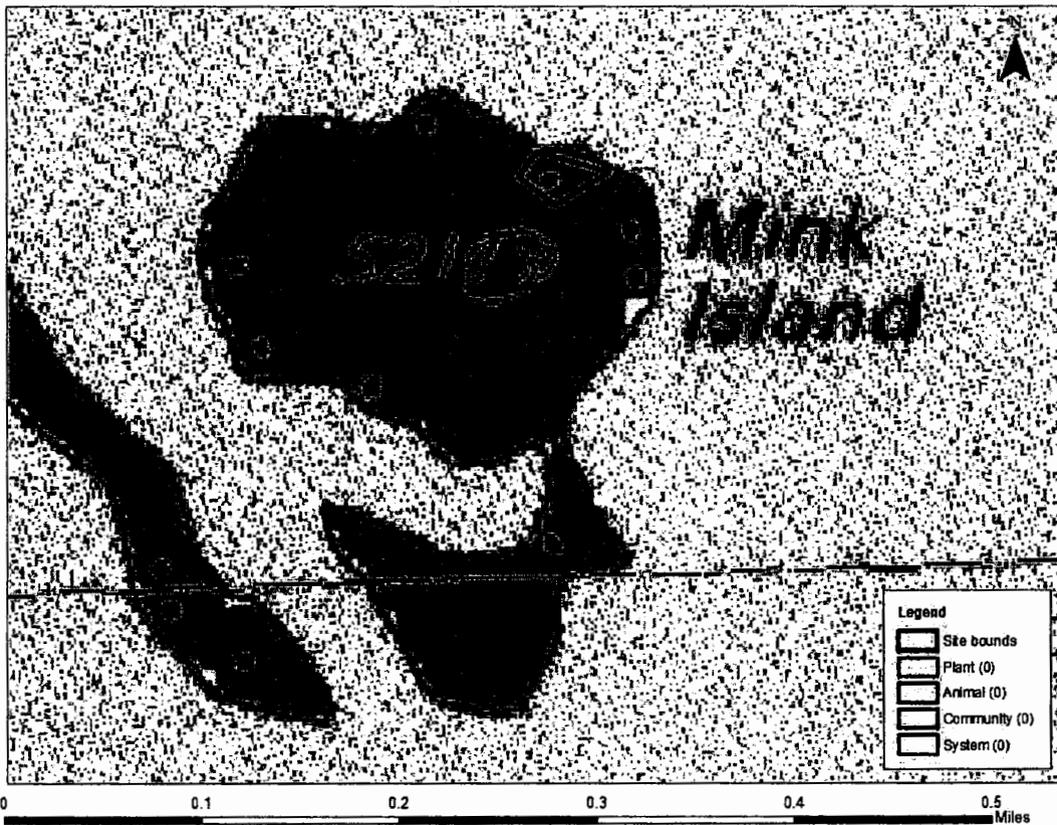
It was determined that, although there was a NHB record (e.g., rare wildlife, plant, and/or natural community) present in the vicinity, we do not expect that it will be impacted by the proposed project. This determination was made based on the project information submitted via the NHB Datacheck Tool on 11/29/2016, and cannot be used for any other project.



NEW HAMPSHIRE NATURAL HERITAGE BUREAU
NHB DATACHECK RESULTS LETTER

MAP OF PROJECT BOUNDARIES FOR: NHB16-3584

NHB16-3584





1 foot Abutters List Report

Gilford, NH
February 01, 2017

Subject Property:

Parcel Number: 245-037-000
CAMA Number: 245-037-000
Property Address: 6 MINK ISLAND

Mailing Address: HARRIS, TREVOR A REV TRUST
[REDACTED]
GILFORD, NH 03249

Abutters:

Parcel Number: 245-036-000
CAMA Number: 245-036-000
Property Address: 7 MINK ISLAND

Mailing Address: ALLEN, ROBERT S & ELLEN H TTS
ALLEN, ELLEN H REV TRUST
[REDACTED]
NORWELL, MA 02061

Parcel Number: 245-038-000
CAMA Number: 245-038-000
Property Address: 5 MINK ISLAND

Mailing Address: LIPS, DAVID H & ROBERT T & SCOTT C
[REDACTED]
GLASTONBURY, CT 06033