

# The State of New Hampshire

#### **Department of Environmental Services**

# 14

#### Robert R. Scott, Commissioner

December 4, 2019

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

#### **REQUESTED ACTION**

Approve Elizabeth and Kevin Koons' request for a five year permit time extension, in accordance with RSA 482-A:3, XIV-a, to perform the following work on Lake Winnipesaukee in Moultonborough. File # 2014-03334. This project was previously approved by the Governor and Executive Council on February 25, 2015, Item #51, and will not have significant impact on or adversely affect the values of Lake Winnipesaukee.

Install two 6 ft. x 40 ft. seasonal piers connected by a 6 ft. x 12 ft. seasonal walkway in a "U" configuration on an average of 165 feet of shoreline frontage along Lake Winnipesaukee, in Moultonborough.

The Department finds that the applicant has demonstrated all of the following:

- 1. The permit for which the extension is being sought has not been revoked or suspended without reinstatement.
- 2. The extension will not violate a condition of law or rule.
- 3. The project is proceeding toward completion in accordance with the plans and other documentation referenced in the permit dated December 31, 2014.
- 4. The applicant proposes reasonable mitigation measures to protect the public waters of the state from deterioration during the period of extension.

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 plans by David Dolan dated November 1, 2014, as received by the NH Department of Environmental Services (DES) on November 25, 2014.
- 2. This permit shall not be effective until it has been recorded with the 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 installation.
- 3. These shall be the only structures on this water frontage and all portions of the docking structures shall be at least 20 ft. from abutting property lines or the imaginary extension of those lines into the water.
- 4. The seasonal piers shall be removed from the lake for the non-boating season.
- 5. No portion of the piers shall extend more than 40 ft. from the shoreline at full lake elevation.

His Excellency, Governor Christopher T. Sununu and The Honorable Council Page 2

- 6. The concrete pads shall be located completely above and behind the natural undisturbed shoreline and full lake elevation of 504.326.
- 7. 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 NHDES approved this project on October 31, 2019. The NHDES supported its decision with the following findings:

- 1. The owner, authorized agent or applicant certifies that this permit qualifies for a permit extension in accordance with RSA 482-A:3, XIV-a, and Env-Wt 502.01.
- 2. This permit has been extended in accordance with RSA 482-A:3, XIV-a and Env-Wt 502.01.

Application file documents are being forwarded to the Governor and the 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 request your approval of this item.

Robert R. Scott Commissioner



# Wetlands&Shoreland

# REQUEST FOR PERMITTIME EXTENSION

ner Division/Wetlands Bureau/Land Resources Management Check the status of your permit: www.des.nh.gov/onestop

RSA/Rule: RSA 482 A. RSA 483 F

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Under Wetlands and Shoreland Statutes RSA 482-A.3 XIV-a and RSA 483-B.5-b.VI, respectively, an applicant may request a permit time extension if the conditions in Section B are met. This request must be submitted no sooner than 90 days prior to, but before the Wetland or Shoreland permit expires. Once the permit expires it is no longer eligible for a permit time extension. The blank space at the top of this page is for Registry of Deeds use.

INPROJECT/ANDIOWNER/INFORMATION /			
PROJECT ADDRESS 75 EAGUE SHOR	e Pn		
TOWNICITY NOW-TONBOROUGH		STATE:	ZIP CODE 7722 CLC
TAX MAP: 195 LOT NUMBER	BLOCK.	- <del> </del>	UNIT:
PERMIT NUMBER 2014-03334	PERMIT TYPE:	SHORELA	ND WETLAND
Request must be filed no sooner than 90 days prior to, but be PERMIT EXPIRATION DATE: 12/50/	efore the permit ex	xpires.	
OWNER/AUTHORIZED AGENT:	Koons		
ADDRESS:	TOWN/CITY:	STATE	E ZIP CODE:
EMAIL: PHONE: 201-9	34-4999	FAX:	

shoreland@des.nh.gov or (603) 271-2147 NHDES Wetlands Bureau, PO Box 95, Concord, NH 03303-0095 www.des.nh.gov

2NNEORWAMONIBEOUREDHORRE	UESIFAGOEDITANCE					
If your request includes all the required materials initials and signature demonstrating that the following conditions have been met your request will be granted and you will receive this page, signed and annotated with the new permit expiration date as evidence of your extension. If your request package does not include all the required materials initials and signature, it will be returned to you with this page annotated with the missing/non-compliant items indicated initial each box below to accept the conditions.						
RSA 482-A 3 XIV-a, (a), and RSA 483-B 5-b VI (a)	The permit for which extension is sought has not been revoked or suspended without reinstatement.					
RSA 482-A 3, XIV-a, (b) and RSA 483-B 5-b VI, (b)	Extension would not violate a condition of law or rule.					
RSA 482-A 3 XIV-a (c) and RSA 483-B 5-b VI (c)	The project is proceeding towards completion in accordance with plans and other documentation referenced by the permit.					
RSA 482-A:3; XIV-a (e) and Env-Wq 1406:19	There are no amendments or changes to the permit description, conditions or approved plans that would require an amendment or a new application.					
For Wetlands Permits Only:  [L] N/A RSA 482-A:3; XIV-a,(d)	The applicant proposes reasonable mitigation measures to protect the public waters of the state from deterioration during the period of extension. Check WA if this is a Shoreland Permit.					
For Shoreland Permits Only:  [V] N/A RSA 483-B 5-b VI, (d)	The applicant proposes reasonable mitigation measures to protect the shorelands and public waters of the state from deterioration during the period of extension. Check N/A if this is a Wetlands Permit.					
39REOURED/CERTIFICATIONS)						
Initial each box below to accept the conditions.  Illunderstand that this Request qualifies as the single allowable Permit Time Extension (of up to 5 radditional years) and further time extensions for this permit are not allowed in accordance with RSA 482-A XIV-a, RSA 483-B-5-b-VI, Env-Wt-502-01 and Env-Wq-1406-49, as applicable.						
Lunderstand that any Request for Permit Time Extension accepted by NHDES does not relieve the Owner Authorized Agent or Applicant from the obligation to comply with other local, state or federal laws or rules as may be required.						
I understand that any Request for Permit Time Extension accepted by NHDES, based on false, incomplete, or misleading information on the application, plans or attachments shall be subject to enforcement action.						
Lunderstand that this Request for Permit Time Extension does not request any redesign of the project to meet any rule requirements that are more stringent than the rules in effect when the permit was issued.						
1 understand that work must be approved permit.	completed in accordance with the description and conditions of the					
4-REQUIRED SIGNATURE	WOWNER SAUTHORIZED AGENT ARRLICANT					
SIGNATURE A	PRINT NAME LEGIBLY: PRINT NAME LEGIBLY: DATE: 9/30/19					

shoreland@des.nh.gov or (603) 271-2147
NHDES Wetlands Bureau, PO Box 95, Concord, NH 03303-0095
www.des.nh.gov



# 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

# PERMIT APPLICATION

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NHDES	107 2 3 201			\$ 808.0
LAND RESOURCES MANAGEMENT				Eine
1 REVIEW TIME: Indicate your Review Time below. Refer to Guida	nce Document A for instru	ctions.		
☑ Standard Review (Minimum, Minor or	Major Impact)	☐ Expedite	ed Review (Minimu	ım Impact)
2. PROJECT LOCATION: Separate applications must be filed with each mu	nicipality that jurisdictional	Impacts will occur in.	The second	
ADDRESS Eagle Shore Road	* · ·		TOWN/CITY: MC	oultonborough
MAP: 195		LOT: <b>7-001</b>	UNIT:	
USGS TOPO MAP WATERBODY NAME: Lake Winn	nipesaukee	□ NA STREAM WA	ATERSHED SIZE:	, 0
LOCATION COORDINATES (If known N 437472 E1	047745	⊠ Lat	itude/Longitude	ÚTM 🔲 State Plane
3: PROJECT DESCRIPTION: Provide a brief description of the project outlining of your project. DO:NOT reply "See Attached" in t	the scope of work. Attach	additional sheets as i	needed to provide	a detailed explanation
Construct a U-Shaped seasonal dock con average shore frontage of 165 feet.	sisting of 3 slips, with	two concrete and	horing pads on	a lot having
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4. RELATED PERMITS, ENFORCEMENT, EMER	RGENCY AUTHORIZATION	N, SHORELAND, AL	TERATION OF T	ERRAIN, ETC
5. NATURAL HERITAGE BUREAU & DESIGNAT		mplete a & b below.		
Natural Heritage Bureau File ID: NHB 14 -	<u>2162</u> .			•
<ul> <li>Designated River the project is in ¼ miles of date a copy of the application was sent to I.</li> </ul>		; and nittee: Month: Da	ay: Year:	
⊠ NA	, ,			_ \_

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	6. APPLICANT INFORMATION	.(Desiced:permit.)	holder)				The second second
:	LAST NAME, PIRST NAME, M.I. K	oons, Kevin & I	≘fizabeth ,				
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:	TOWN/CITY:					STATE:	ZIP CODE:
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· · ·	ELECTRONIC COMMUNICATION: B	Jy initialing here:	, I hereby au	thorize DES t	o communicat	e all matters relative	to this application electronica
	7. PROPERTY OWNER INFORM	NATION (If differe	ent than applica	nt)			
	LAST-NAME, FIRST-NAME, M.I.:		3				
′	TRUST / COMPANY NAME:			MAILING A	DDRESS:		
	TOWN/CITY:	r		- <del></del>	• •	STATE: . ,.	ZIP CODE:
	EMAIL or FAX:				PHONE:		
	ELECTRONIC COMMUNICATION: By	y initiating here	, I hereby auti	norize DES to	communicate	all matters relative	to this application electronical
-	8. AUTHORIZED AGENT INFOR	MATION					
	LAST NAME; FIRST NAME, M.L. DÖ		LLS		COMPANY N	NAME David M.	Dolan Associates, PC:
	MAILING ADDRESS: PO Box 1581	<del>77</del> 1.7				-	
<u> </u>	VN/CITY: Center Harbor					STATE: NH	ZIP CODE: 03226
	EMAIL-or-FAX:-ddolan@dolansuj	rvey.com		PHONE: 6	 03-253-801	<u>.</u> 1 :	
	ELECTRONIC COMMUNICATION: By	Initialing here DMC	) I hereby author	l rize DES to α	ommunicate al	I matters relative to	this application electronically
٤	PROPERTY OWNER SIGNATU See the Instructions & Required Att	JRE:					
	1. I authorize the application, I am continuous the applicant and upon request, supplemental properties of the applicant and upon request, supplemental properties that I have read and provided the submitted and provided the supplemental properties of the supplemental propertis of the supplemental properties of the supplemental properties o	Vor agent Indicated information in suped information & a fied in accordance required information. With 302.03 and sing to repair/replants. It is application mater application mater submission of false criminal act, which me proposing may	pport of this permittachments outline with RSA 482-A tion outlined in End dhave chosen the lace was either premials to the NH S n commission to it and that to the sified or misreprich may result in y require addition	it application and in the Instantant in Instantant Instanta	structions and v-Wt 100-900 if for the applicating alterna mitted by the Preservation lite of the promotion to m. call or federa	d Required Attacl  D.  Icable project typ tive.  Wetlands Burea  Officer.  posed project.  e information is tr the New Hamps  al permits which	hment document.  e.  au or would be considered.  rue and accurate.  hire Department of
5	Property Owner Signature		Print name lec	) gibly 9	Local	// // Date	4114

#### MUNICIPAL SIGNATURES

#### 10. CONSERVATION COMMISSION SIGNATURE

e 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

#### **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

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.

Helle C. Rence

TORRI OF MOULTONBOROUSH

Town/City Clerk Signature

200

Print name legibly

Town/City

Nov. 24,2014

#### DIRECTIONS FOR TOWN/CITY CLERK:

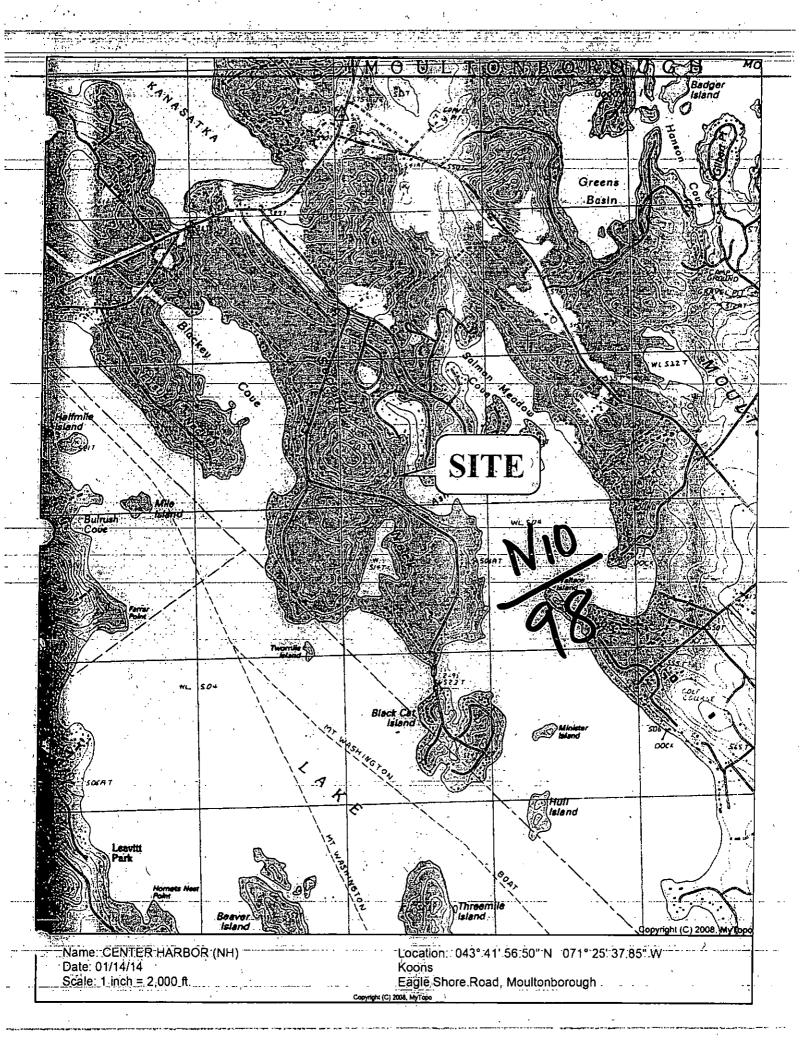
Per RSA 482-A:3,I

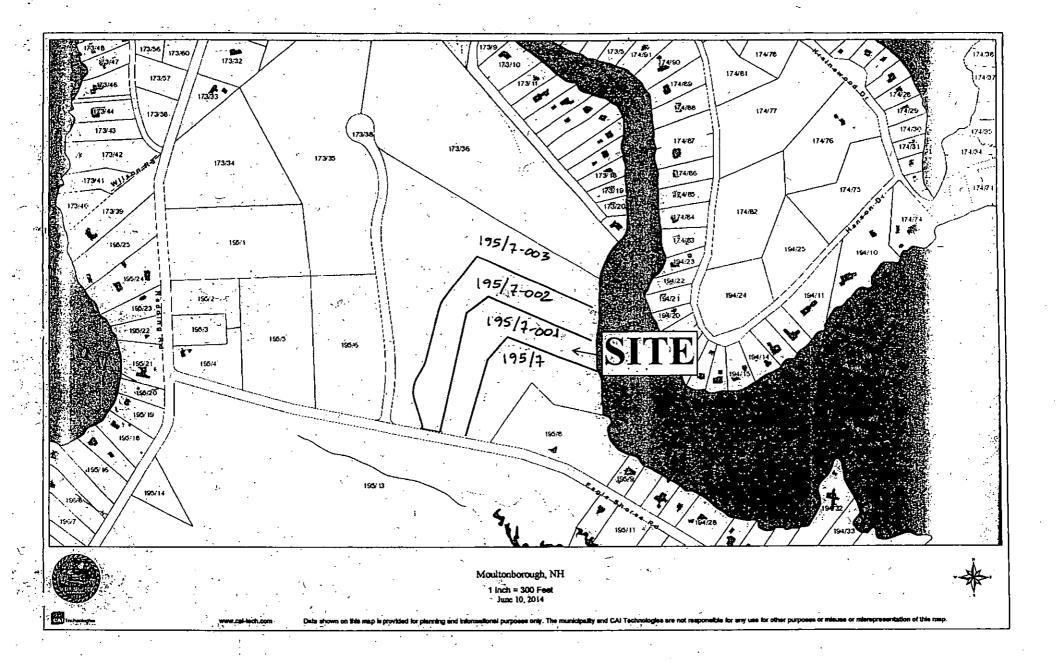
- 1. For applications where "Expedited Review" is checked on page 1, sign and accept the applications only if the Conservation Commission signature has been received;
- 2. IMMEDIATELY sign the original application form and four copies in the signature space provided above;
- 3. Return the signed original 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.

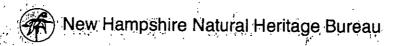
#### **DIRECTIONS FOR APPLICANT:**

1. Submit the 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.

	r12 IMPACT AREA				
	Remanent impacts that will remain	after the project is complete. ः ।।।			State of the second
	Temporary - impacts not interded to After the fact (ATIF) work complete				
•	RISDICTIONAL AREA	PERMANENT Sq. Ft. / Lin. Ft.	;	TEMPORARY Sq. Ft. / Lin. Ft	
	-Forested.wetland		ATF		ATE_
	Scrub-shrub wetland		'. 🗀 ATF		ATF
	Emergent wetland	<b>→</b>	ATF		ATF
	Wet meadow		☐ ATF	,	' ATF
-	.intermittent stream		ATF		🔲 ATF
	Perennial Stream / River	<u> </u>	ÄTF	1	ATF
	Lake / Pond	- 1	,ATF	1	☐ ATF
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_	_Bank = Perennial stream / River				
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	Sand dune		☐ <u>AT</u> F		ATE.
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-	-Prime wetland buffer				ATF-
-	"Undeveloped Tidal Buffer Zone (TBZ)"				ATF
٠	Previously-developed upland in TBZ		ATF		ATF
	Docking - Lake / Pond	608	ATF		ATF
	Docking - River		☐ ATF		ATF
	Docking - Tidal Water		☐ ATF		ATF
	TOTAL	608 /		1	,
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	Minimum Impact Fee: Flat fee of	structions & Required Attachment	s document for fu	rtner instruction	
	Minor or Major Impact Fee: Cal		•		
	Permanen	and Temporary (non-docking)	sq.	ft. X \$0.20 = _\$	
	Temporar	y (seasonal) docking structure:	.608	X \$1.00 = <u>\$.608.00</u>	
-		Permanent docking structure:	sq	ft X \$2.00 =\$	
	Projec	cts proposing shoreline structur	es (including do	cks) add \$200 = \$200.00	<del> </del>
				Total = \$ 808.00	
	The Applica	tion Fee is the above calculated To	otal or \$200; which	hever is greater = _\$.808.00	







To:

David Dolan PO Box 1581 Center Harbor, NH: 03226

From:

NH Natural Heritage Bureau

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Review by NH Natural Heritage Bureau of request dated 6/10/20

NHB File ID: NHB14-2162

Applicant: David Dolan-

Date: 6/10/2014

Location: Tax Map(s)/Lot(s): Tax Map 195 Lot 7-001 Moultonborough

Project Description: Contruct a U-Shaped 3 slip dock; contruct a new dwelling, individual sewage disposal system and driveway.

The NH Natural Heritage database has been checked for records of rare species and exemplary natural communities near the area mapped below allhe species considered include those listed as Threatened of 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 girknown 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 way of the provide better information on what species and communities are indeed present.

This report is valid through 6/9/2015



### New Hampshire Natural Heritage Bureau

#### MAP OF PROJECT BOUNDARIES FOR NHB FILE ID: NHB14-2162



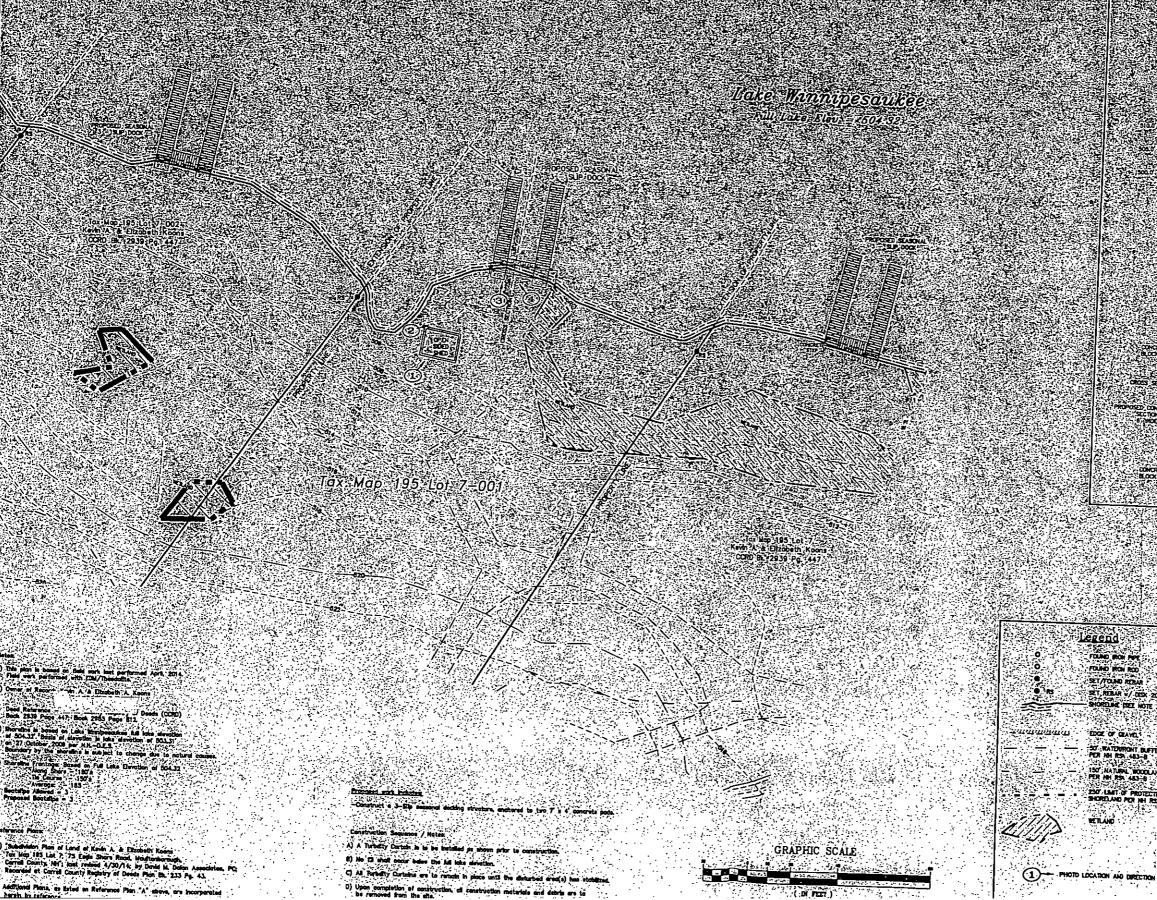
# DEPARTMENT OF ENVIRONMENTAL SERVICES LAND RESOURCES MANAGEMENT

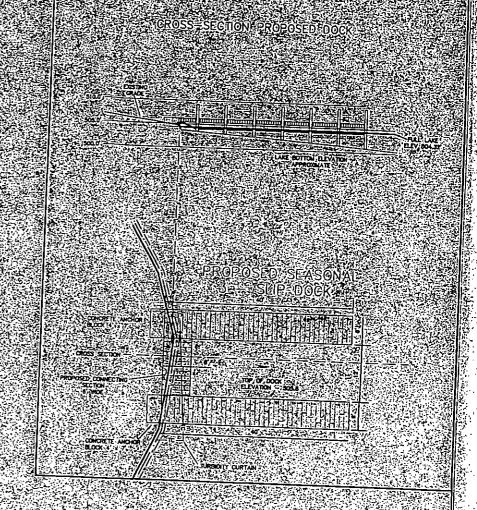
# WETLANDS BUREAU PERMIT APPLICATION

Kevin A. & Elizabeth Koons Tax Map 195 Lot 7-001 Eagle Shore Road Moultonborough, Carroll County, NH

#### Abutter's List

Map Lot	Lot Owner	
7-001	Kevin & Elizabeth Koons	_
	70 Twin Brooks Road Saddle River, NJ 07458	
Owner's Agent:	David M. Dolan, L.L.S.	٠.
	David M. Dolan Associates, P.C. PO Box 1581	
	Center Harbor, NH 03226	:
Abutters:		
195 7 & 7-002	Kevin & Elizabeth Koons	
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Site Plan for

Site Plan for

NH-DES Land Resources Management

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O SITEMAN (153 20)4

Kevin A & Elizabeth Koons

SOMEM SEL NOE 3

Tax Mep. 195 Lot 7-001

75 Eagle Shore Road

Moultonborough Carroll County NH

17 November 2014

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FOR MISS 451-8

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FOR MISS 451-8

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