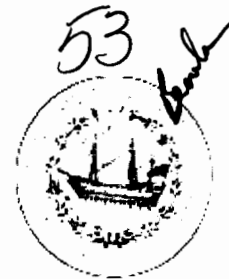




The State of New Hampshire
Department of Environmental Services

Clark B. Freise, Assistant Commissioner



February 20, 2017

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

REQUESTED ACTION

Approve Ellen U. Mulligan Revocable Trust and William H. Blaine Revocable Trust requests to perform the following work on Lake Winnepesaukee, in Gilford. File # 2016-03195. This project will not have significant impact on or adversely affect the values of Lake Winnepesaukee.

Construct a 6 ft. x 30 ft. piling pier to be connected to an existing 6 ft. x 35 ft. full crib pier by a 4 ft. x 12 ft. walkway on 314 ft. of frontage on the north shore of Mark Island and install a 14 ft. x 30 ft. seasonal canopy over the existing "U" shaped seasonal dock on 296 ft. of frontage, on the south shore of Mark 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 plans by Winnepesaukee Marine Construction dated October 28, 2016, as received by the NH Department of Environmental Services (NHDES) on November 07, 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 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 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.
6. 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.
7. 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.
8. Pilings shall be spaced a minimum of 12 ft. apart as measured piling center to piling center.
9. No portion of the pier shall extend more than 30 ft. from the shoreline at full lake elevation (Elev. 504.32).

www.des.nh.gov

29 Hazen Drive • PO Box 95 • Concord, NH 03302-0095
(603) 271-3503 • TDD Access: Relay NH 1-800-735-2964

10. All seasonal structures, including watercraft lifts, shall be removed for the non-boating season.
11. 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.

EXPLANATION

The NHDES Wetlands Bureau approved this project on January 19, 2017. 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 major docking facility.
2. The Applicant's property spans a narrow portion of Mark Island and has two non-contiguous shoreline frontages; one on either side of the island.
3. The applicant has 614 ft. of frontage along Lake Winnepesaukee when the frontages are considered in combination.
4. A maximum of 9 slips may be permitted on this frontage per Rule Env-Wt 402.13, Frontage Over 75'.
5. The existing and proposed docking facilities will provide 6 slips as defined per RSA 482-A:2, VIII and, therefore, meet Rule Env-Wt 402.13.
6. Public hearing is waived with the finding that the project impacts will not significantly impair the resources of Lake Winnepesaukee.

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



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



RECEIVED
TOWN OF GILFORD

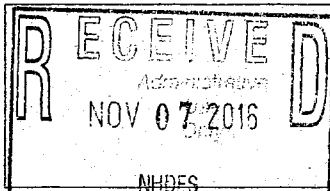
2016-03195
OCT 31 2016

Check No. 17453
\$1,076.00 Department of
Planning and Land Use

Initials EML

COMPLETE

NOV 07 2016



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: 45 Mark Island

TOWN/CITY: Gilford

TAX MAP: 220

BLOCK:

LOT: 005

UNIT:

USGS TOPO MAP WATERBODY NAME: Lake Winnepesaukee

☐ NA

STREAM WATERSHED SIZE:

☒ NA

LOCATION COORDINATES (If known):

☐ Latitude/Longitude ☐ UTM ☐ State Plane

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.

Install 6'x 30' piling supported dock with a 4'x12' connecting walkway. Plus install 14' x 30' seasonal canopy over "U" shaped seasonal dock structure.

Wetlands Impact: Seasonal Canopy = 420 sq. ft.

Permanent dock & walkway = 228 sq. ft.

5. SHORELINE FRONTAGE:

☐ NA This does not have shoreline frontage.

SHORELINE FRONTAGE: 318'

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 - 3271

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: ___

☒ N/A

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

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

www.des.nh.gov

8. APPLICANT INFORMATION (Desired permit holder)LAST NAME, FIRST NAME, M.I.: **Mulligan, Ellen & Blaine. William**TRUST / COMPANY NAME: **Mulligan Rev. Trust, Blaine Rev. Trust**

MAILING ADDRESS: [REDACTED]

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

EMAIL or FAX: [REDACTED]

PHONE: [REDACTED]

ELECTRONIC COMMUNICATION: By initialing here: EM, 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.:

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.: **Kenney, Mark**COMPANY NAME: **Winnepesaukee Marine Const.**MAILING ADDRESS: **60 Glidden Rd.**TOWN/CITY: **Gilford**STATE: **NH**ZIP CODE: **03249**EMAIL or FAX: **winnimarine@hotmail.com**PHONE: **6032937768**ELECTRONIC COMMUNICATION: By initialing here MK, 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/nhdnr/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

**Ellen Mulligan
William Blaine**

10 / 26 / 2016


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.

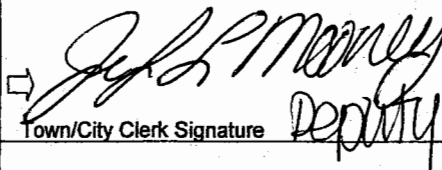
	Print name legibly	Date
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DIRECTIONS FOR CONSERVATION COMMISSION

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.

	Print name legibly	Town/City	Date
Town/City Clerk Signature Deputy	Jennifer L Mooney	Gilford	11/3/16

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	/ <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	/ <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	228 <input type="checkbox"/> ATF	420 <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	228 /	420 /

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) _____ sq. ft. X \$0.20 = \$ _____

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

Permanent docking structure: **228** sq. ft. X \$2.00 = **\$ 456.**

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

Total = \$ 1076.00

The Application Fee is the above calculated Total or \$200, whichever is greater = **\$ 1076.00**

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

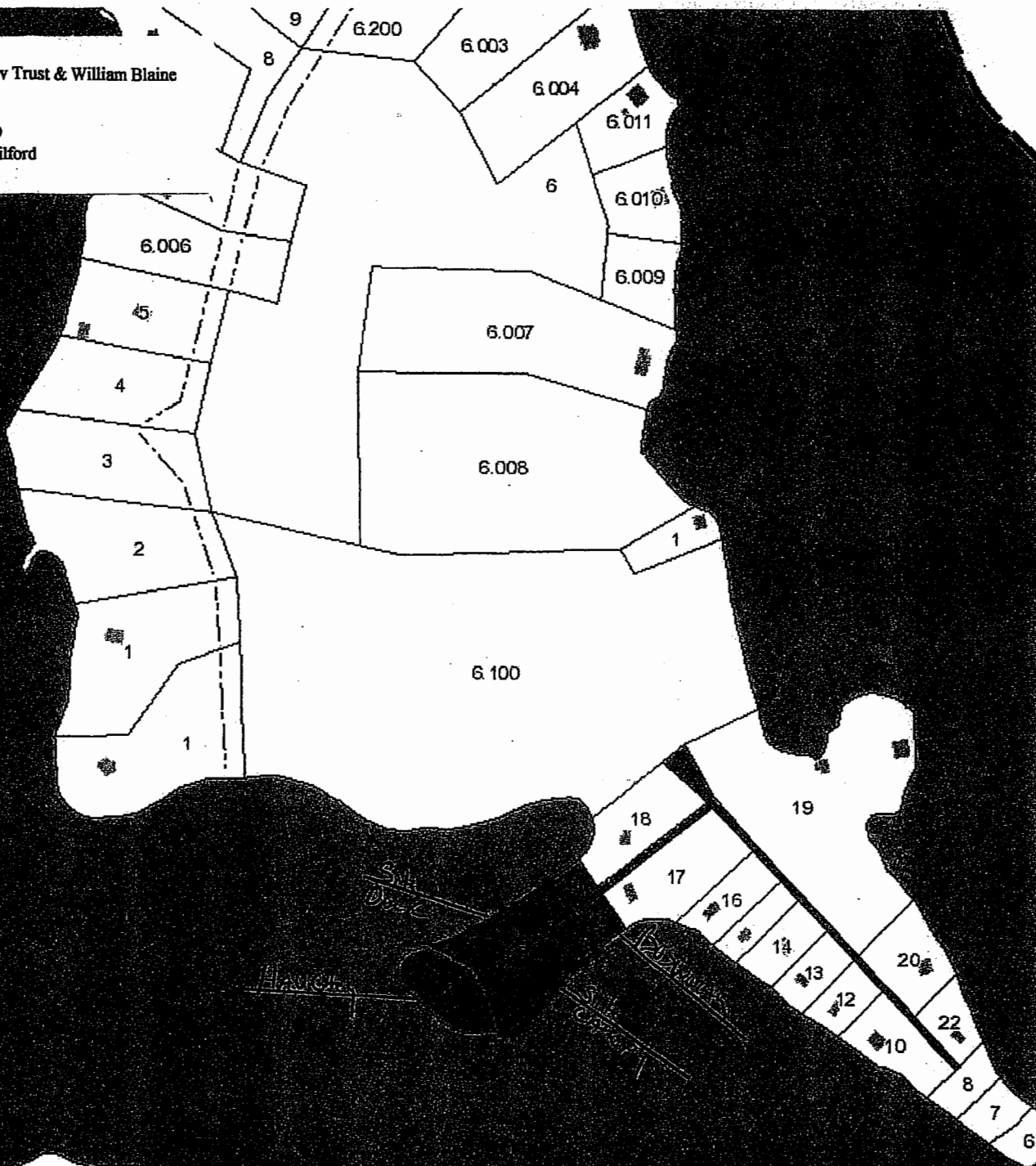
NHDES Wetlands Bureau, 29 Hazen Drive, PO Box 95, Concord, NH 03302-0095

www.des.nh.gov

Owners: Ellen Mulligan Rev Trust & William Blaine
Rev. Trust

Gilford, NH 03249

Site: 45 Mark Island, Gilford
TM# 220 lot# 005



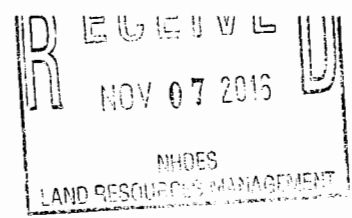
Owner: Ellen Mulligan Eye Trust & William Blaine
Eye Trust
[REDACTED]
Gilled, NYC (2246)
Site: 45 Mack Island, Gilled
TWB 220 km (01)

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FBI
LABORATORY

~~Q10~~
1/11



New Hampshire Natural Heritage Bureau



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

Date: 10/26/2016

From: NH Natural Heritage Bureau

Re: Review by NH Natural Heritage Bureau of request dated 10/26/2016

NHB File ID: NHB16-3271

Applicant: Patricia Scribner

Location: Tax Map(s)/Lot(s): 220/005
Gilford

Project Description: Construct a 6' x 30' piling supported dock with a 4' x 12' connecting walkway. Install a 14' x 30' seasonal canopy over seasonal "U" shaped docks

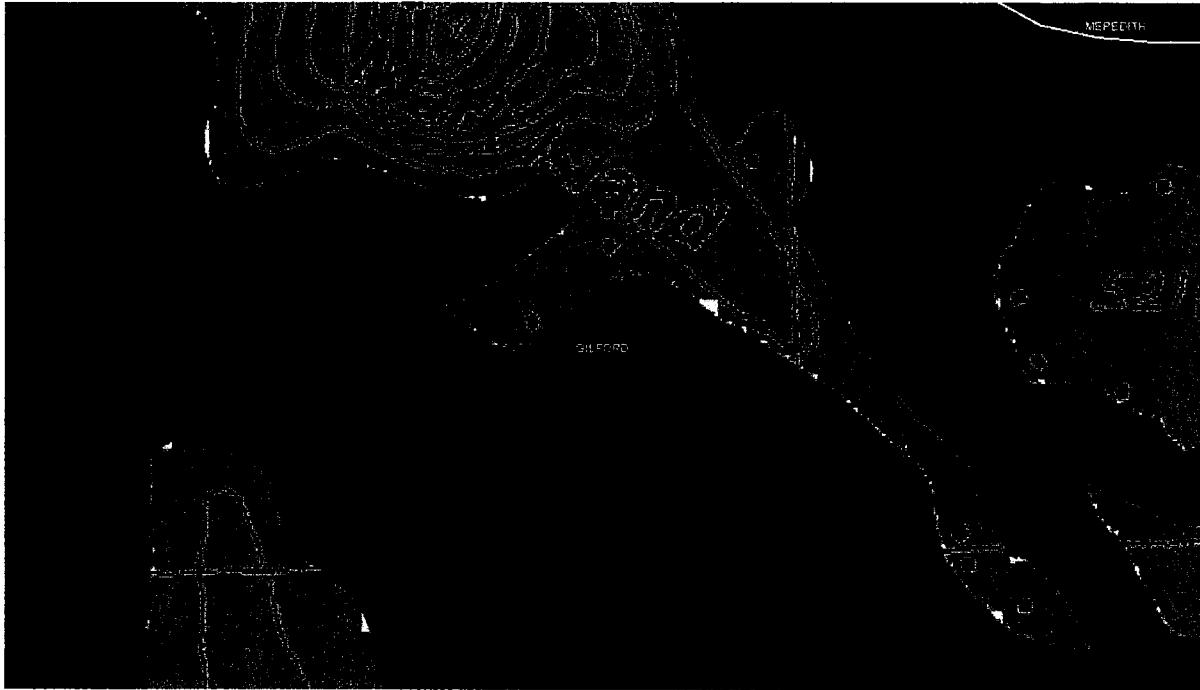
The NH Natural Heritage database has been checked for records of rare species and exemplary natural communities near the area mapped below. The species considered include those listed as Threatened or Endangered by either the state of New Hampshire or the federal government. We currently have no recorded 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 10/25/2017.



MAP OF PROJECT BOUNDARIES FOR NHB FILE ID: NHB16-3271



Winnipesaukee Marine Construction Inc.

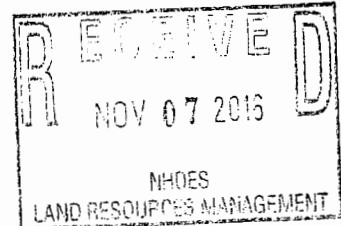
60 Glidden Road Gilford, NH 03249

(603) 293-7768

E-mail: winnimarine@hotmail.com Web site: www.lakewinnicon.com

October 5, 2016

Abutters List



Owner: Ellen Mulligan Rev Trust &
William Blaine Rev. Trust

[REDACTED]
Gilford, NH 03249

Site: 45 Mark Island, Gilford
TM# 220 Lot# 005

Abutters:

Bosworth Trust

[REDACTED]
Gilford, NH 03249

49 Mark Island
TM# 220 Lot# 002

Thomas Haughey

[REDACTED]
Laconia, NH 03246

44 Mark Island
TM# 220 Lot# 006

Melinda Rousselle

[REDACTED]
Chichester, NH 03258

Mark Island ROW
TM# 245 Lot# 065