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The State of New Hampshire
Department of Environmental Services



Robert R. Scott, Commissioner

June 18, 2018

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

REQUESTED ACTION

Approve Maple and Union Association, LLC's request to perform the following work on Lake Winnepesaukee, in Laconia. File # 2015-02676. This project will not have significant impact on or adversely affect the values of Lake Winnepesaukee.

The Applicant requests the permit be amended to allow for the installation of a permanent boatlift and to correctly reflect the existing structures dimensions.

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 Folsom Design and Construction Management dated April 3, 2018, as received by the NHDES on April 5, 2018
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 permitted 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 authorized shall be carried out such that there are no discharges in or to spawning or nursery areas during spawning seasons. Impacts to such areas shall be avoided or minimized to the maximum extent practicable during all other times of the year.
5. Work shall be carried out in a time and manner to avoid disturbances to migratory waterfowl breeding and nesting areas.
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 construction-related debris shall be placed outside of the areas subject to RSA 482-A. Any spoil material deposited within 250 feet of any surface water shall comply with RSA-483-B.
8. Only those structures shown on the approved plans shall be installed or constructed along this frontage.
9. This permit does not allow dredging for any purpose.
10. The permittee may make repairs to the permitted structures as necessary, prior to the permit expiration date, provided that prior to performing any repair the permittee notifies the NHDES Wetlands Program and the Conservation Commission, in writing, of the proposed start and completion dates
11. All seasonal watercraft lifts shall be removed for the non-boating season.

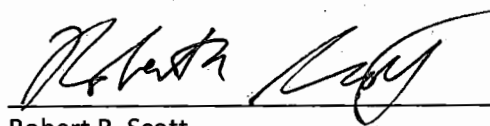
EXPLANATION

The NHDES Wetlands Bureau approved this project on May 17, 2018. The NHDES supported its decision with the following findings:

1. This project is classified as a major project per Rule Env-Wt 303.02(j), modification of a docking structure which provides more than 5 slips.
2. The applicant has an average of 176 feet of shoreline frontage along Lake Winnepesaukee.
3. A maximum of 3 slips may be permitted on this frontage per Rule Env-Wt 402.13 Frontage Over 75'.
4. The existing and proposed docking facility will provide 21 slips as defined per Rule Env-Wt 101.09 Boat slip, and does not meet Rule Env-Wt 402.13.
5. The proposed modifications do not add boat slips to the frontage.
6. The proposed modification of the docking structure remove 154 square feet of surface area of dock over public waters and is less impacting than repairing the structure "in kind".
7. The applicant requested, and the Department grants, a waiver of Rule Env-Wt 402.21 requiring a reduction in boat slips for the proposed modification.
8. 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

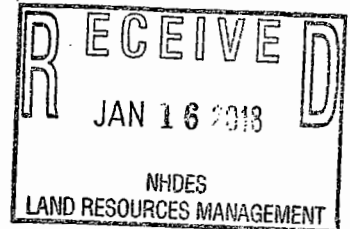
FOLSOM

DESIGN & CONSTRUCTION MANAGEMENT

46 WINONA SHORES ROAD, MEREDITH, NH 03253

603-393-5751 (PHONE)

FOLSOMDESIGN@METROCAST.NET (E-MAIL)



December 28, 2017

RE: Maple and Union Avenue Association LLC Property, Laconia, NH
File No. 2015-02676

Dear Darlene:

We are asking for an amendment to Permit No. 2015-02676 for the following:

1. Install a permanent boatlift in-lieu of the approved seasonal boatlift (lakewardmost boatlift). This would involve relocating (2) of the approved tie-off piles and installing (2) additional tie-off piles to support the lift (2 sq. ft. proposed). This project still meets Rule 402.21 *Modification of Existing Structures* as the construction surface area is reduced from 1,376 sq. ft. to 1,224 sq. ft. for a total reduction of 152 sq. ft. I have redone the waiver request that was done for the original application (attached herewith) and I have enclosed a check in the amount of \$4.00 for the additional 2 sq. ft. requested;
2. In amending the originally approved plan, I noticed despite being drawn to scale, the boatslips were incorrectly dimensioned as I failed to include the 1' width of the piles. This has been corrected on the amended plan attached herewith.

Thank you and should you have any questions, please do not hesitate to contact this office. We will be happy to discuss any aspect of the proposed project.

Sincerely,

A handwritten signature in black ink, appearing to read "Cynthia L. Folsom".

Cynthia L. Folsom

Folsom Design & Construction Management

CC: City of Laconia Conservation Commission



WETLANDS PERMIT APPLICATION

Water Division/ Wetlands Bureau
Land Resources Management

Check the status of your application: <http://des.nh.gov/onestop>

STATE COPY



RSA/Rule: Env-Wt 100-900

		Administrative Use Only	File No. <u>2015-02676</u>
			Check No. <u>2625</u>
			Amount <u>200</u>
			Initials <u>SBZ</u>

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: **1266 Union Avenue** TOWN/CITY: **Laconia**

TAX MAP: **304** BLOCK: **220** LOT: **2** UNIT:

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

LOCATION COORDINATES (if known): 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.

Repair/replace/modify existing permanent docking structure and associated tie-off piles & clusters such that the construction surface area over public submerged lands is reduced from 1,376 sq. ft. to 1,222 sq. ft. for a total reduction of 154 sq. ft. therefore meeting Rule Wt-Env 402.21 Modification of Existing Structures

4. SHORELINE FRONTAGE

NA This lot has no shoreline frontage. SHORELINE FRONTAGE: **176**
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.

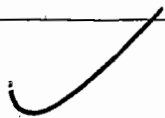
5. RELATED PERMITS, ENFORCEMENT, EMERGENCY AUTHORIZATION, SHORELAND, ALTERATION OF TERRAIN, ETC...

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 **15** - **3117**

b. Designated River the project is in ¼ miles of: _____ ; and
date a copy of the application was sent to Local River Advisory Committee: Month: ___ Day: ___ Year: ___

NA



7. APPLICANT INFORMATION (Desired permit holder)

LAST NAME, FIRST NAME, M.I.: **Maple and Union Avenue Association LLC**

TRUST / COMPANY NAME:

MAILING ADDRESS: **211 Dockham Shore Road**

TOWN/CITY: **Gilford**

STATE: **NH**

ZIP CODE: **03249**

EMAIL or FAX:

PHONE:

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

8. 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 DES to communicate all matters relative to this application electronically

9. AUTHORIZED AGENT INFORMATION

LAST NAME, FIRST NAME, M.I.: **Folsom, Cynthia L.**

COMPANY NAME: **Folsom Design & Construction Management**

MAILING ADDRESS: **46 Winona Shores Road**

TOWN/CITY: **Meredith**

STATE: **NH**

ZIP CODE: **03253**

EMAIL or FAX: **folsomdesign@metrocast.net**

PHONE: **(603) 393-5751**


ELECTRONIC COMMUNICATION: By initialing here **CLF**, I hereby authorize DES 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 be reviewed for the presence of historical/ archeological resources.
8. I authorize DES 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 DES correspondence. DES will not forward returned mail.


 Please see attached letter Property Owner Signature	Print name legibly	Date / /
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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.

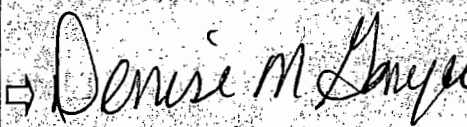
	Print name legibly	Date
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DIRECTIONS FOR CONSERVATION COMMISSION

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.

	Denise M Gonyer	Gilford	10/2/15
Town/City Clerk Signature	Print name legibly	Town/City	Date

DIRECTIONS FOR TOWN/CITY CLERK:

Per RSA 482-A:3, I

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	/ <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	154 sf reduction <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	/	/

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:	sq. ft.	X	\$2.00 =	\$ _____
Projects proposing shoreline structures (including docks) add \$200 =				\$ _____
Total =				\$ _____

The Application Fee is the above calculated Total or \$200, whichever is greater = **\$ 200.00**

9/25/2015


State of New Hampshire
Department of Environmental Services
P.O. Box 95
29 Hazen Drive
Concord, NH 03302-0095

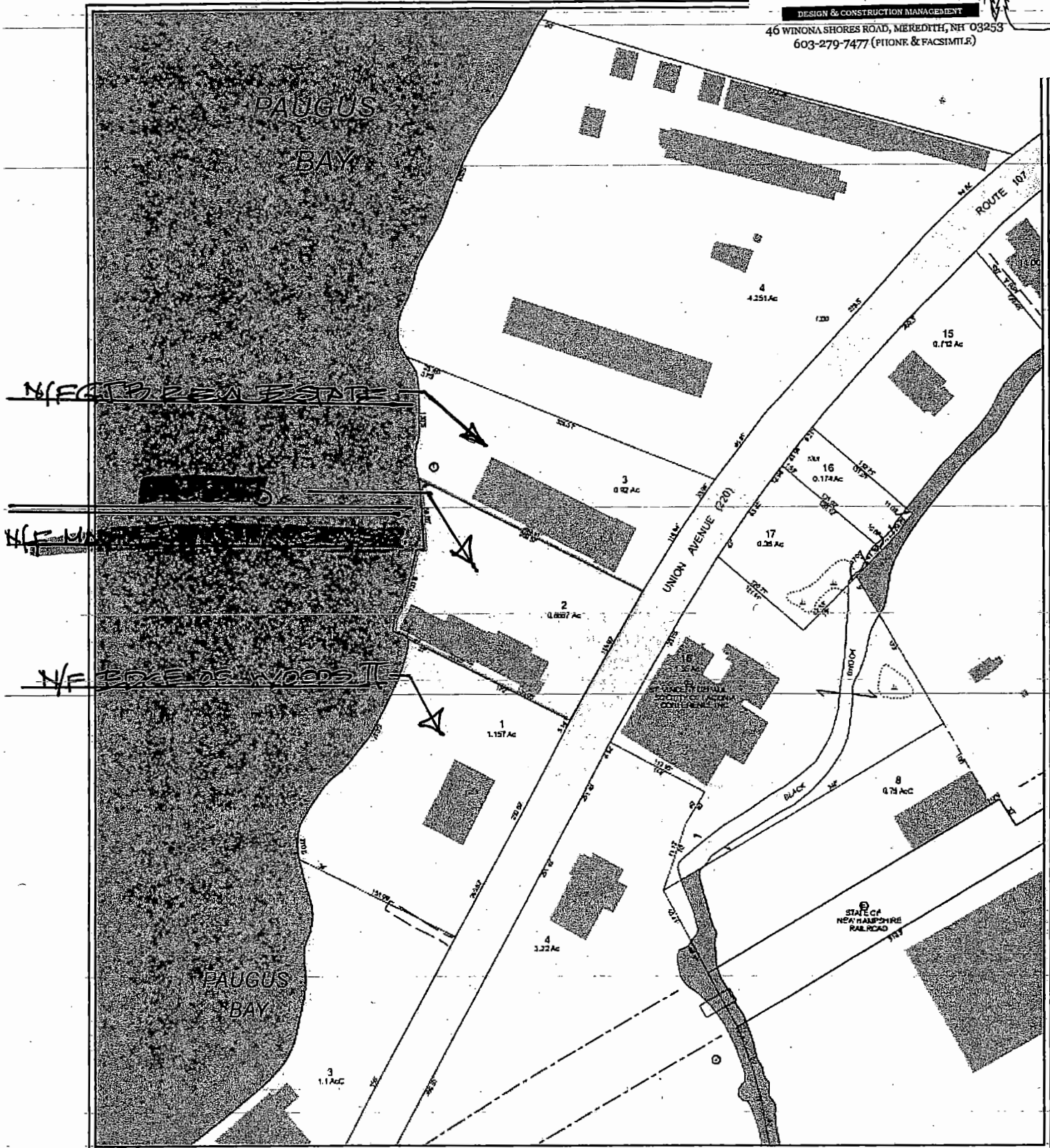
RE: Maple & Union Avenue Association LLC Property
Lake Winnepesaukee, Laconia, NH

Dear Sir/Madam:

We authorize Cynthia Folsom, Folsom Design & Construction Management, to act as our agent and to act in our behalf processing our application and any supplemental information in support of the permit application to the NHDES Wetlands Bureau.

Sincerely,


PRESIDENT



Laconia, NH
1 Inch = 140 Feet
September 24, 2015



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.

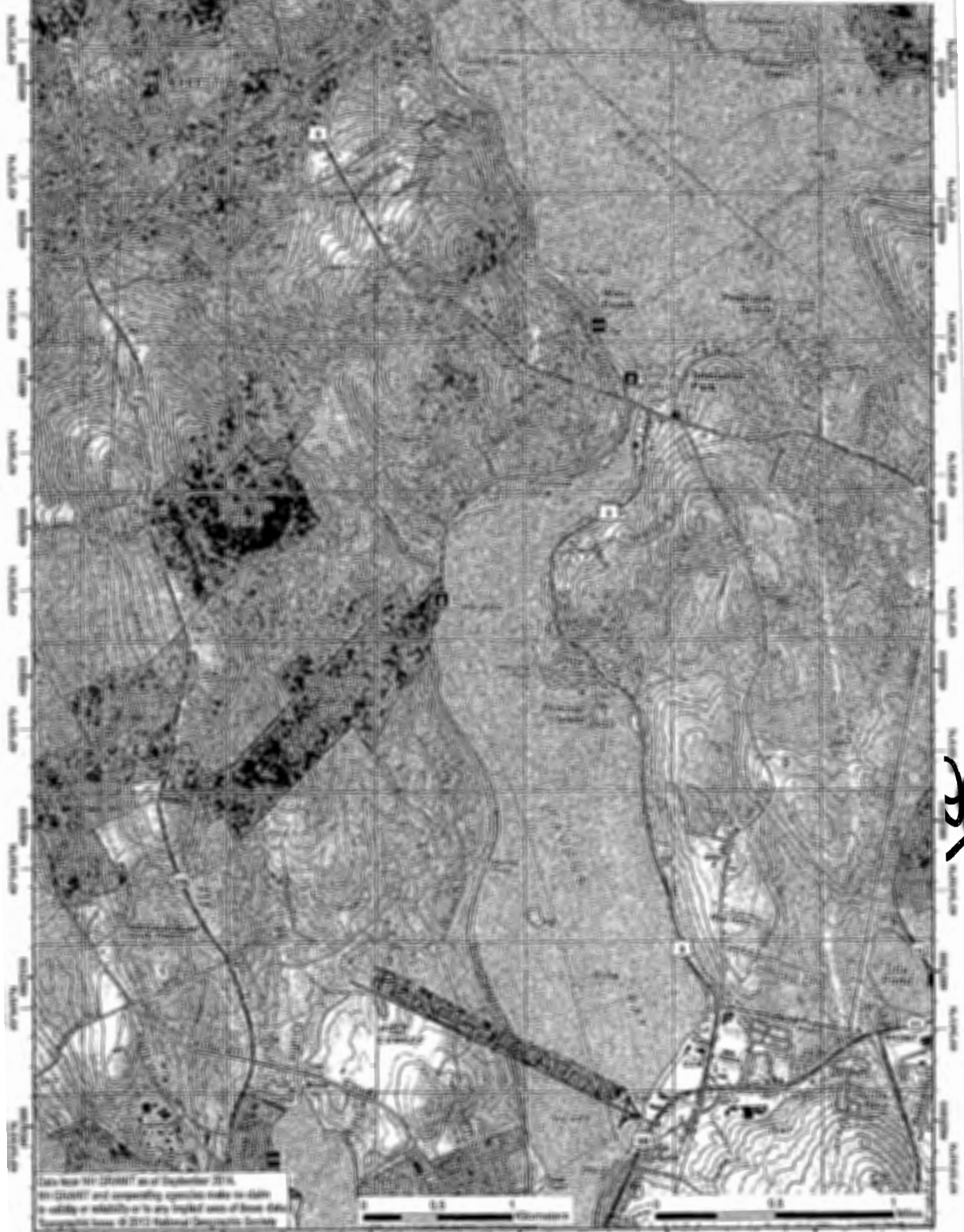
www.cai-tech.com



FOLSOM

45 WINDY HOLLOW BLVD, WINDY HOLLOW, NH 03093
603-879-5477 (Toll Free & Local)

LACONIA
USGS 7.5 Quad T11N W



Data from NED (2001) as of September 2014.
NAD 83 datum and corresponding elevation units in feet.
No warranty is made by the National Geographic Society
regarding the accuracy of the data.



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NEW HAMPSHIRE NATURAL HERITAGE BUREAU
NHB DATACHECK RESULTS LETTER

To: Cynthia Folsom
46 Winona Shores Road
Meredith, NH 03253

From: NH Natural Heritage Bureau

Date: 9/29/2015 (valid for one year from this date)

Re: Review by NH Natural Heritage Bureau of request submitted 9/24/2015

NHB File ID: NHB15-3117

Applicant: Cynthia Folsom

Location: Laconia
Tax Maps: 304-220-2

Project

Description: Modify existing docking structure

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.

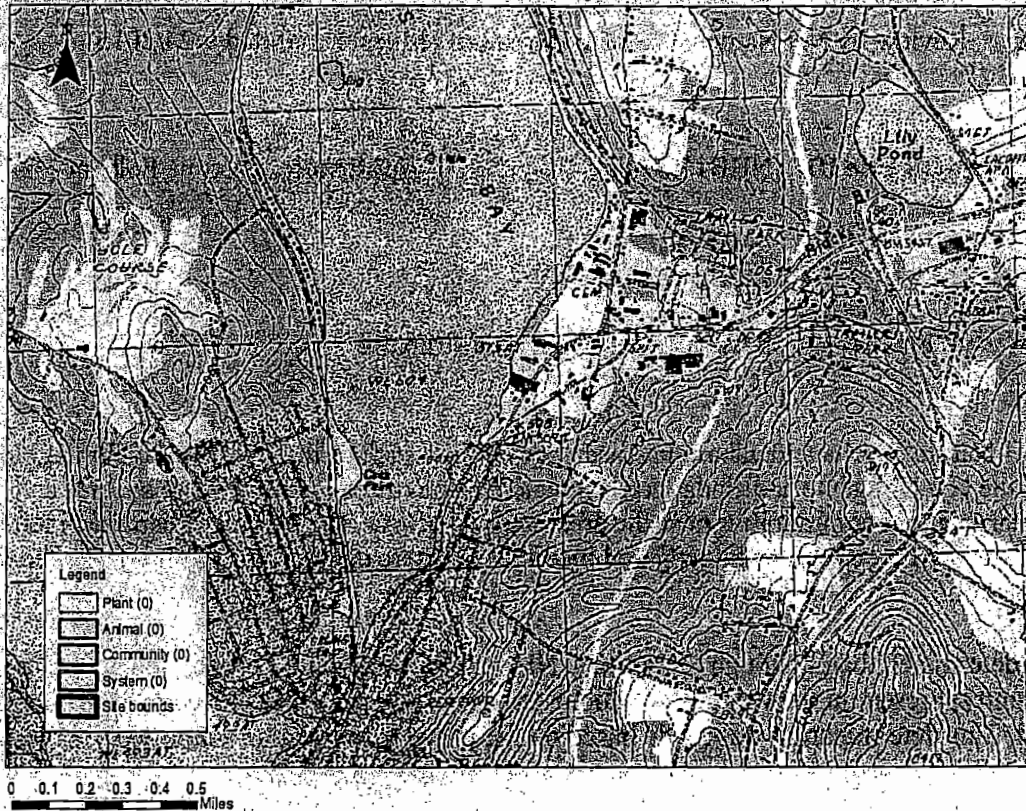
It was determined that, although there was a NHB record (e.g., rare wildlife, plant, and/or natural community) present in the vicinity, ~~we do not expect that it will be impacted by the proposed project.~~ This determination was made based on the project information submitted via the NHB Datacheck Tool on 9/24/2015, and cannot be used for any other project.



NEW HAMPSHIRE NATURAL HERITAGE BUREAU
NHB DATACHECK RESULTS LETTER

MAP OF PROJECT BOUNDARIES FOR: NHB15-3117

NHB15-3117



7010 2780 0002 8079 0188

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WINNEBOURNE, NH 03289 **OFFICIAL USE**

Postage	\$ 13.25	0253 08 Postmark Here 09/28/2015
Certified Fee	\$0.00	
Return Receipt Fee (Endorsement Required)	\$0.00	
Restricted Delivery Fee (Endorsement Required)	N/A	
Total Postage & Fees	\$ 13.25	

Sent To **EDGE OF WOODS II**
 Street, Apt. No.,
 or PO Box No. **[REDACTED]**
 City, State, ZIP+4 **WINNEBOURNE, NH 03289**
 PS Form 3800, August 2006 See Reverse for Instructions

7010 2780 0002 8079 0171

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LACONIA, NH 03246 **OFFICIAL USE**

Postage	\$ 13.25	0253 08 Postmark Here 09/28/2015
Certified Fee	\$0.00	
Return Receipt Fee (Endorsement Required)	\$0.00	
Restricted Delivery Fee (Endorsement Required)	N/A	
Total Postage & Fees	\$ 13.25	

Sent To **GJB REAL ESTATE**
 Street, Apt. No.,
 or PO Box No. **1290 UNION AVE.**
 City, State, ZIP+4 **LACONIA, NH 03246**
 PS Form 3800, August 2006 See Reverse for Instructions