



The State of New Hampshire
DEPARTMENT OF ENVIRONMENTAL SERVICES



Thomas S. Burack, Commissioner

April 23, 2015

Her Excellency, Governor Margaret Wood Hassan
 and The Honorable Council
 State House
 Concord, NH 03301

REQUESTED ACTION

Approve Scott and Virginia Johnson's request to perform the following work on Lake Winnepesaukee, in Gilford. File # 2014-03557. This project will not have significant impact on or adversely affect the values of Lake Winnepesaukee.

Remove 1,099 sq. ft. of fill used in the construction of two breakwaters and the associated cantilevered piers. Reuse 640 sq. ft. of fill to construct a 40 linear ft. straight breakwater with a 6 ft. gap at the shoreline and construct a 4 ft. x 35 ft. cantilevered pier to be connected to a 4 ft. x 30 ft. crib pier and a 4 ft. x 28 ft. crib pier connected by a 6 ft. x 31 ft. walkway along the shore in a "W" configuration; install a permanent boatlift with a 14 ft. x 30 ft. seasonal canopy; a seasonal boatlift; and two seasonal personal watercraft lifts on an average of 246 ft. of frontage along 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 Watermark Marine Construction dated February 15, 2015, as received by the Department on February 23, 2015.
2. This permit shall not be effective until it has been recorded with the Belknap 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 construction.
3. Work authorized shall be carried out such that discharges in spawning or nursery areas during spawning seasons shall be avoided, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
4. These shall be the only structures on this water frontage and 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.
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 the water at the work site has returned to normal clarity.
6. No portion of breakwater as measured at normal full lake shall extend more than 47 ft. from normal full lake shoreline.
7. The breakwater shall not exceed 3 ft. in height (Elev. 507.32 ft.) over the normal high water line (Elev. 504.32 ft.).
8. The width as measured at the top of the breakwater (Elev. 507.32 ft.) shall not exceed 3 ft.
9. All rocks or fill associated with the pre-existing breakwaters not used in the construction of the new structures shall be completely removed from the jurisdiction of the Department.
10. Photos showing that all construction materials have been removed from any temporary stockpile area shall be submitted to the Bureau upon completion of the docking facility.
11. All seasonal lifts shall be removed for the non-boating season.

DES Web site: www.des.nh.gov

P.O. Box 95, 29 Hazen Drive, Concord, New Hampshire 03302-0095

Telephone: (603) 271-3501 • Fax: (603) 271-6683 • TDD Access: Relay NH 1-800-735-2964

12. Canopies shall be of seasonal construction type with a flexible fabric cover. The seasonal support frame shall be designed to be removed for the non-boating season. The flexible fabric cover shall be removed during all seasons of non-use.
13. The maximum size of cribs shall not exceed 6 ft. long by 6 ft. wide and of such height as necessary to support the docking structure above the water level.
14. Crib material shall be timber, concrete, or other material approved by the Department of Environmental Services, and of such size and spacing as necessary to completely contain the ballast.
15. The minimum clear spacing between cribs shall be 12 ft.
16. All activities shall be in accordance with the Shoreland Water Quality Protection Act, per 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 DES Wetlands Bureau approved this project on March 24, 2015. DES 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 proposed single breakwater will require presence less fill in public waters and will have less impact on shoreline currents than the two existing breakwaters.
3. The Applicant has an average of 246 ft. of shoreline frontage along Lake Winnepesaukee.
4. A maximum of 4 slips may be permitted on this frontage per Rule Env-Wt 402.13 Frontage Over 75 ft.
5. The proposed docking facility will provide 3 slips as defined per Rule Env-Wt 101.09 Boat slip, and therefore meets 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.


Thomas S. Burack
Commissioner



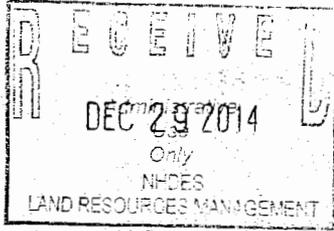
THE STATE OF NEW HAMPSHIRE
DEPARTMENT OF ENVIRONMENTAL SERVICES
LAND RESOURCES MANAGEMENT
WETLANDS BUREAU

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>

DES "Origional"
COPY

PERMIT APPLICATION

*Color Photos Attached



COMPLETE
Administrative
DEC 29 2014
Only

Administrative
Use
Only

File No: 2014-03557
Check No: 3323
Amount: \$1,127.00
Initials: LSL

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)

2. PROJECT LOCATION:

Separate applications must be filed with each municipality that jurisdictional impacts will occur in.

ADDRESS: **548 Edgewater Drive**

TOWN/CITY: **Gilford**

TAX MAP: **221**

BLOCK: **006**

LOT: **000**

UNIT:

USGS TOPO MAP WATERBODY NAME: **Winnepesaukee**

NA STREAM WATERSHED SIZE:

NA

LOCATION COORDINATES (If known): **43.608174, -71.415645**

UTM State Plane

Latitude/Longitude

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.

We propose to remove two previously permitted breakwaters (1,099 sq ft +/- see #S-1680) and "U" shaped dockage and construct a single breakwater (425 sq ft less net impact +/-) with a "W" shaped dock providing 3 boatslips. This project also proposes a permanent boatlift, a seasonal boatlift, two (2) seasonal PWC lifts, and a 14ft x 30ft seasonal canvas canopy. This is a net reduction in lake bottom impacts and combined with the addition of a 6 ft gap at shore, results in a less environmentally impacting project to meet Env-Wt 402.21. All extra rock will be hauled upland, out of jurisdiction. Seasonal structures will be removed from the lakebed during the non boating season. Of course a turbidity curtain will surround the project during work and until stabilization.

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

S-1680, 2013-02974

5. 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 14 - 4709

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

6. APPLICANT INFORMATION (Desired permit holder)

LAST NAME, FIRST NAME, M.I.: (applicant is owner)

TRUST / COMPANY NAME:

MAILING ADDRESS:

TOWN/CITY:

STATE: NH

ZIP CODE:

EMAIL or FAX:

PHONE:

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

7. PROPERTY OWNER INFORMATION (If different than applicant)

LAST NAME, FIRST NAME, M.I.: Johnson, Scott R. & Virginia E.

TRUST / COMPANY NAME:

MAILING ADDRESS:

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. AUTHORIZED AGENT INFORMATION

LAST NAME, FIRST NAME, M.I.: Michelle L. Wilson

COMPANY NAME: Watermark Marine Const.

MAILING ADDRESS: PO Box 6840

TOWN/CITY: Laconia

STATE: NH

ZIP CODE: 03247

EMAIL or FAX: mlw@docksource.com

PHONE: 603-293-4000

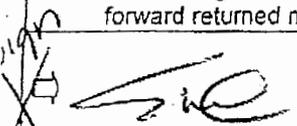
ELECTRONIC COMMUNICATION: By initialing here MLW, I hereby authorize DES to communicate all matters relative to this application electronically

9. 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 copy of the application materials to the NH State Historic Preservation Officer.
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.


Property Owner Signature

Scott Johnson
Print name legibly

2/14/14
Date

MUNICIPAL SIGNATURES

10. 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.

 Authorized Commission Signature	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. 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

As required by Chapter 482-A:3 (amended 1991), I hereby certify that the applicant has filed five application forms, five detailed plans, and five USGS location maps with the town/city indicated below and I have received and retained certified postal receipts (or copies) for all abutters identified by the applicant.

 Town/City Clerk Signature	Deputy Print name legibly	Gifford Town/City	12/19/14 Date
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DIRECTIONS FOR TOWN/CITY CLERK:

Per RSA 482-A:3, I(d):

1. For applications where "Expedited Review" is checked on page 1, accept the application for mailing only if the Conservation Commission signature has been sought;
2. Collect the postal receipts demonstrating that all abutters and the Local Advisory Committee were sent proper notice;
3. Collect any administrative fees, not to exceed \$10 plus the cost of postage by certified mail (RSA 482-A:3, I).
4. IMMEDIATELY sign the original application and four copies in the signature space provided above;
5. Retain one copy of the application form, one complete set of attachments and the postal receipts demonstrating that all abutters and the Local River Advisory Committee were notified and make them reasonably accessible to the public;
6. 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 in accordance with RSA 482-A:3, I; and
7. IMMEDIATELY send the ORIGINAL application form, one complete set of attachments and filing fee, by CERTIFIED MAIL to the NHDES Wetlands Bureau at the address indicated on page 1 of this application. (DO NOT HOLD FOR CONSERVATION COMMISSION SIGNATURE).

12. 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.

After-the-fact (ATF): work completed prior to receipt of this application by DES. Check box to indicate ATF.

JURISDICTIONAL AREA	PERMANENT Sq. Ft. / Lin. Ft.	TEMPORARY Sq. Ft. / Lin. Ft.
Forested wetland		<input type="checkbox"/> ATF
Scrub-shrub wetland		<input type="checkbox"/> ATF
Emergent wetland		<input type="checkbox"/> ATF
Wet meadow		<input type="checkbox"/> ATF
Intermittent stream		<input type="checkbox"/> ATF
Perennial Stream / River	/	<input type="checkbox"/> ATF /
Lake / Pond	less 425 net / 40	<input type="checkbox"/> ATF 420 /
Bank - Intermittent stream	/	<input type="checkbox"/> ATF /
Bank - Perennial stream / River	/	<input type="checkbox"/> ATF /
Bank - Lake / Pond	/	<input type="checkbox"/> ATF /
Tidal water	/	<input type="checkbox"/> ATF /
Salt marsh		<input type="checkbox"/> ATF
Sand dune		<input type="checkbox"/> ATF
Prime wetland		<input type="checkbox"/> ATF
Prime wetland buffer		<input type="checkbox"/> ATF
Undeveloped Tidal Buffer Zone (TBZ)		<input type="checkbox"/> ATF
Previously-developed upland in TBZ		<input type="checkbox"/> ATF
Docking - Lake / Pond	208 net	<input type="checkbox"/> ATF
Docking - River		<input type="checkbox"/> ATF
Docking - Tidal Water		<input type="checkbox"/> ATF
TOTAL	/	/

13. 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 = \$ _____

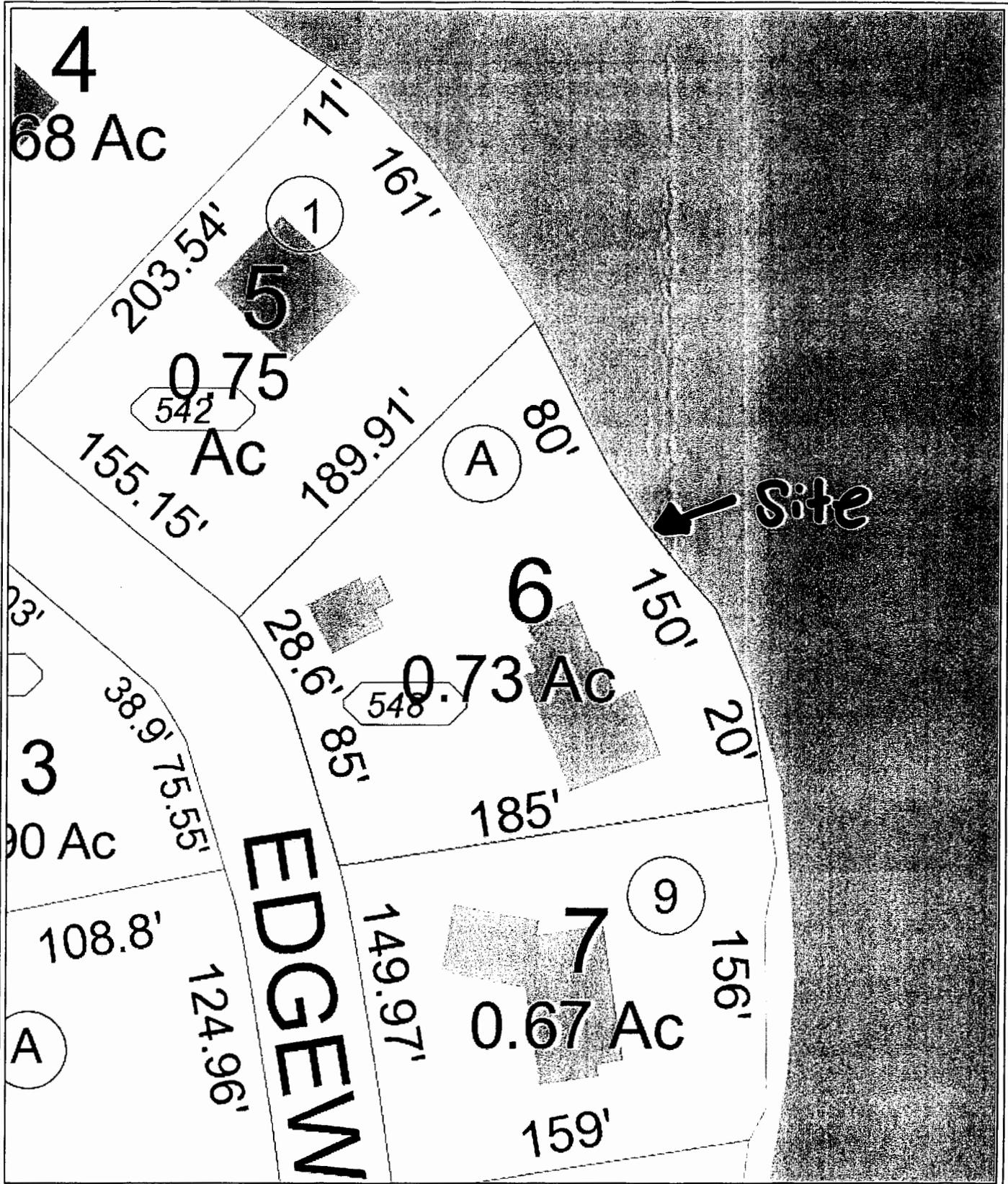
Temporary (seasonal) docking structure: **420** sq. ft. X \$1.00 = **\$ 420.00**

Permanent docking structure: **208** sq. ft. X \$2.00 = **\$ 416.00**

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

Total = **\$ 1,127.00**

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



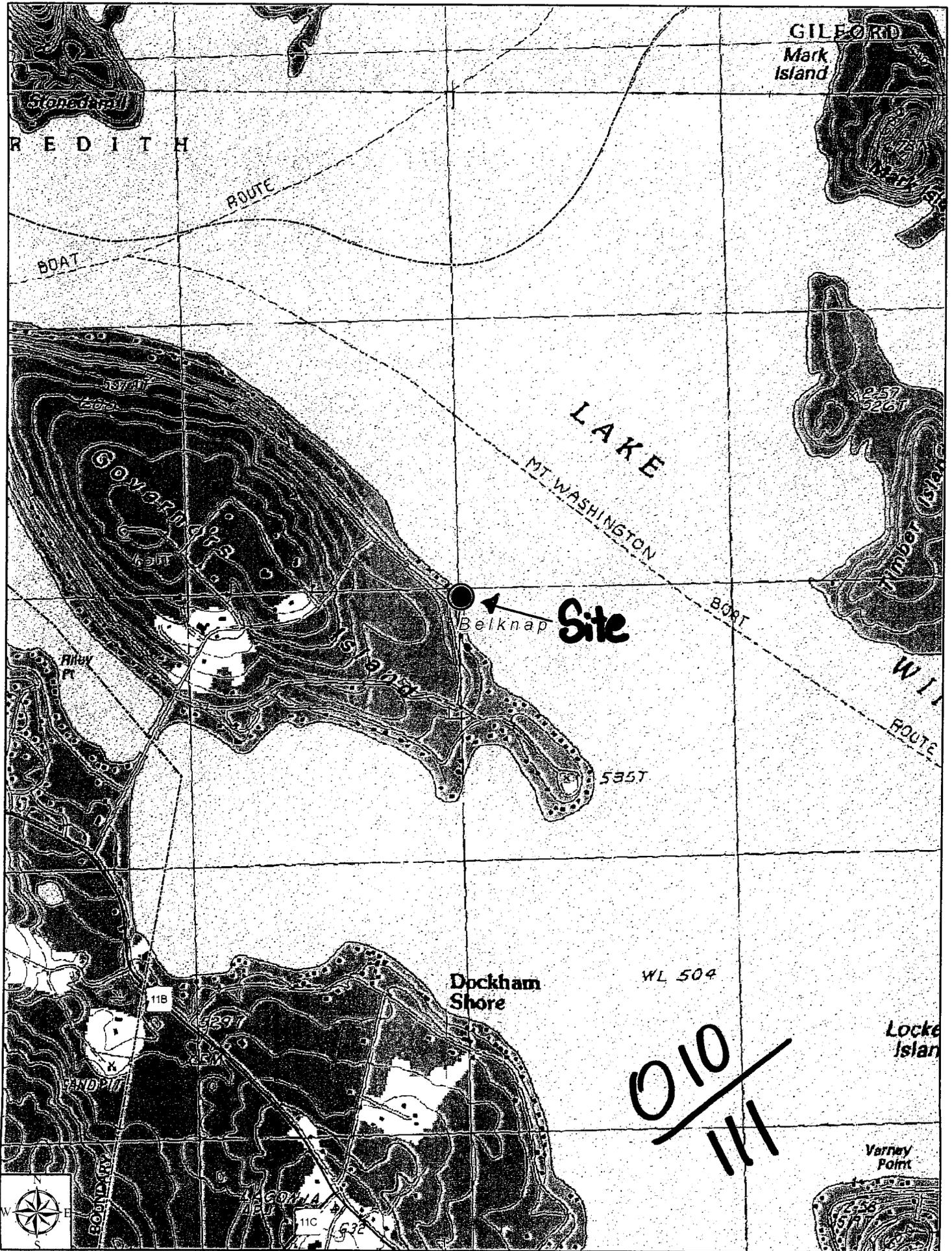
Johnson
 Gilford, NH
 1 Inch = 61 Feet
 December 05, 2014



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







New Hampshire Natural Heritage Bureau

To: Michelle Wilson
PO Box 6840
Laconia, NH 03247

Date: 12/5/2014

From: NH Natural Heritage Bureau

Re: Review by NH Natural Heritage Bureau of request dated 12/5/2014
NHB File ID: NHB14-4709

Applicant: Scott R. & Virginia E.
Johnson

Location: Tax Map(s)/Lot(s): 221,006,000
Gilford

Project Description: Propose to re-configure breakwaters into a single breakwater with a "W" shaped crib docking structure, install permanent boatlift, two seasonal pwc lifts, and install a seasonal canopy.

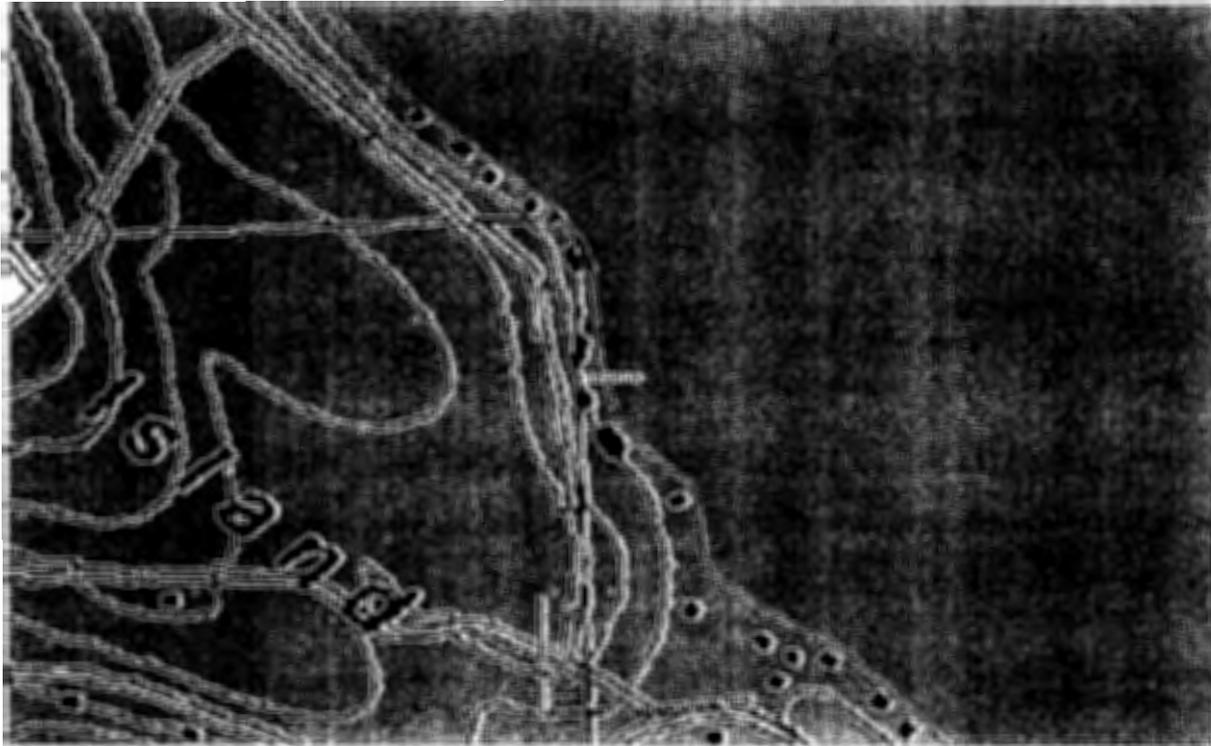
The NH Natural Heritage database has been checked for records of rare species and exemplary natural communities near the area mapped below. The species considered include those listed as Threatened or Endangered by either the state of New Hampshire or the federal government. We currently have no recorded 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 12/4/2015.



MAP OF PROJECT BOUNDARIES FOR NHB FILE ID: NHB14-4709



Scott Johnson
548 Edgewater Drive
ABBUTTER LIST

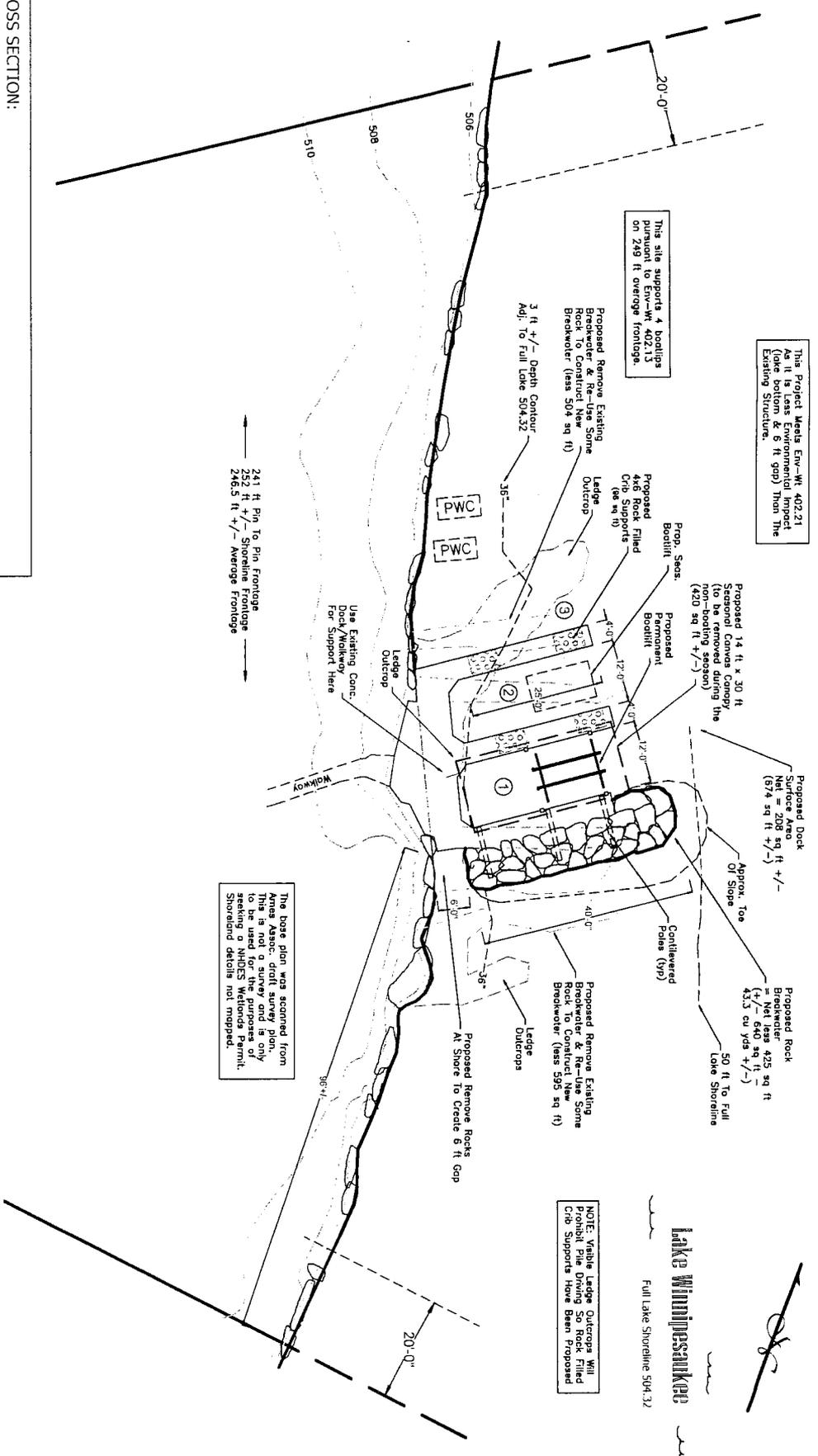
<u>Name</u>	<u>Map</u>	<u>Lot</u>
Barbara & Edward Aichinger [REDACTED] Bedford, NH 03110	221	007
Michael E. Murphy Rev. Trust C/O SBZB [REDACTED] Encino, CA 91316	221	005

[REDACTED]

[REDACTED]

This Project Meets Env-WV 402.21
As It is Less Environmental Impact
(Lake Bottom & 6 ft gap) Than The
Existing Structure.

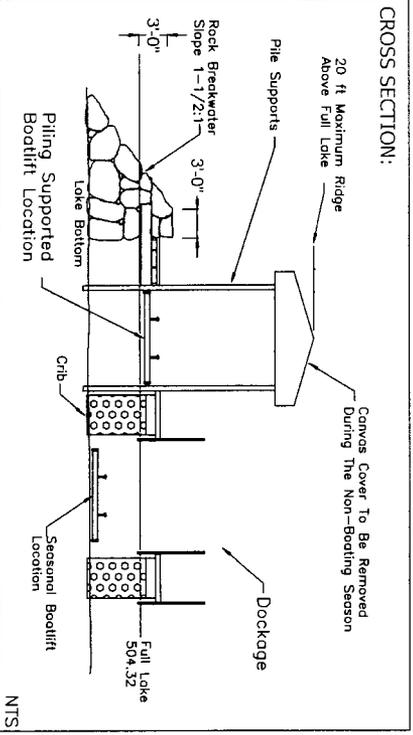
This site supports 4 boatlifts
pursuant to Env-WV 402.13
on 289 ft overage frontage.



The base plan data scanned from this site was derived from aerial photography. This is not a survey and is only to be used for the purposes of seeking a NHDES Wetlands Permit. Shoreland details not mapped.

NOTE: Visible Ledge Outcrops Will Prohibit Pile Driving So Rock Filled Crib Supports Have Been Proposed

Lake Winnepesaukee
Full Lake Shoreline 504.32

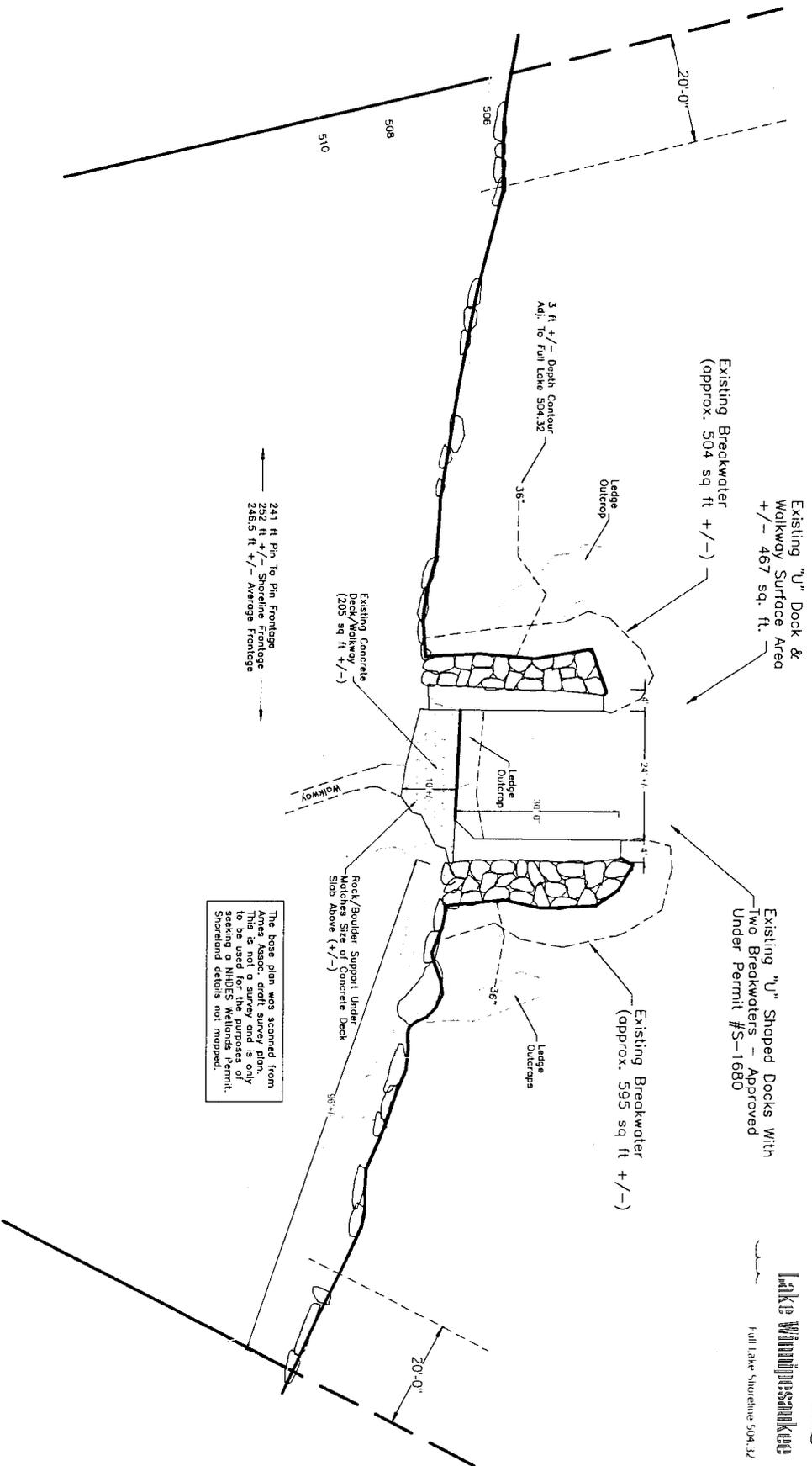


JOHNSON PROPERTY
Governor's Island, Gilford, NH
12/16/14
1" = 30'

Received by
D.E.S.
December
12, 2014



Lake Winnepesaukee
Full Lake Shoreline 504.32



241 ft Pin To Pin Frontage
252 ft +/- Shoreline Frontage
246.5 ft +/- Average Frontage

The base plan was scanned from an aerial photograph. This is not a survey and is only to be used for the purposes of seeking a NHDES Wetlands Permit. Shoreland details not mapped.

JOHNSON PROPERTY
Governor's Island, Gilford, NH
12/16/14
REV 2/18/15
1" = 30'
EXISTING SITE CONDITIONS

