



The State of New Hampshire

Department of Environmental Services



Robert R. Scott, Commissioner

December 21, 2017

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

REQUESTED ACTION

Approve Chase Realty Trust's request to perform the following work on Lake Winnepesaukee, in Tuftonboro. File # 2017-02258. This project will not have significant impact on or adversely affect the values of Lake Winnepesaukee.

Dredge 36 cubic yards from 1,022 square feet of lakebed and impact 2,203 square feet of bank along 47 linear feet of shoreline to construct an 899 square foot boathouse and 6 foot x 30 foot piling pier, dredge 27 square feet of lakebed and impact 2,344 square feet of bank along 60 linear feet of bank to construct an 890 square foot perched beach with 6 foot wide stairs to the water on an average of 415 feet of shoreline frontage along Lake Winnepesaukee, near the Barber's Pole, in Tuftonboro.

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

1. All work shall be in accordance with revised plans by White Mountain Survey & Engineering, Inc. dated October 23, 2017, as received by NHDES on October 24, 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 until suspended particles have settled and water at the work site has returned to normal clarity.
7. All dredged and excavated material and 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. 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

29 Hazen Drive • PO Box 95 • Concord, NH 03302-0095
(603) 271-3503 • Fax: 271-7894 TDD Access: Relay NH 1-800-735-2964

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 feet from the abutting property lines or the imaginary extension of those lines into the water.
11. Pilings shall be spaced a minimum of 12 feet apart as measured piling center to piling center.
12. No portion of the pier shall extend more than 30 feet from the façade of the dug-in boathouse.
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 feet landward from the beach area.
19. The boathouse shall be a single-story structure; ridgeline not to exceed 20 feet in height (Elev. 524.32) above normal high water (Elev.504.32).
20. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, with a preferred undisturbed vegetated buffer of at least 50 feet and a minimum undisturbed vegetative buffer of 20 feet.
21. The owner understands and accepts the risk that if this facility requires dredging to maintain a minimum slip depth of 3 feet more frequently than once every 6 years, or is shown to have an adverse impact on abutting frontages, it shall be subject to removal.
22. This facility is permitted with the condition that future maintenance dredging, if needed, shall not be permitted more frequently than once every 6 years, and that a new permit shall be required for each dredge activity.

EXPLANATION

The NHDES Wetlands Bureau approved this project on November 21, 2017. NHDES supported its decision with the following findings:

1. This project is classified as a major project per Rule Env-Wt 303.02(g), dredge of more than 20 cubic yards of material from public waters.
2. The applicant has an average of 415 feet of shoreline 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. The proposed docking facility will provide 4 slips as defined per RSA 482-A:2, VIII and, therefore, meets Rule Env-Wt 402.13.

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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.

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

CDF/CGA/IsI



WETLANDS PERMIT APPLICATION

Land Resources Management

Wetlands Bureau

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



RSA/Rule: RSA 482-A/ Env-Wt 100-900

COMPLETE
JUL 2, 2017

1. REVIEW TYPE:
Indicate your Review Type 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: **8 Foxwood Way** TOWN/CITY: **Tuftonboro**

TAX MAP: **38** BLOCK: **3** LOT: **1** UNIT:

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

LOCATION COORDINATES (if known): **43.6282°, 71.2944°** 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.

Construction of a dug-in boathouse, perched beach and associated grading.

4. SHORELINE FRONTAGE:

NA This lot has no shoreline frontage. SHORELINE FRONTAGE: **415'**

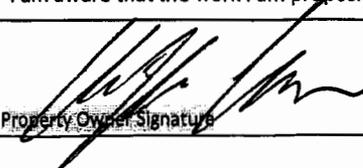
Shoreline frontage is calculated by determining the average of the distances of the actual natural navigable shoreline frontage and a straight line drawn between the property lines, both of which are measured at the normal high water line.

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

2016-02494: Shoreland Permit; others listed on OneStop (2016-01206, 2008-02818, 2001-02442) for boathouse on adjacent lot

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 17- 1762.
- 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: ____
- NA

7. APPLICANT INFORMATION (Desired permit holder)			
LAST NAME, FIRST NAME, M.I.: Clifford W. Chase, Trustee			
TRUST / COMPANY NAME: Chase Realty Trust		MAILING ADDRESS: [REDACTED]	
TOWN/CITY: Kensington		STATE: NH	ZIP CODE: 03833
EMAIL or FAX:		PHONE:	
ELECTRONIC COMMUNICATION: By initialing here: _____, I hereby authorize NHDES 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 NHDES to communicate all matters relative to this application electronically			
9. AUTHORIZED AGENT INFORMATION			
LAST NAME, FIRST NAME, M.I.: Aiton, David R.		COMPANY NAME: White Mountain Survey & Engineering, Inc.	
MAILING ADDRESS: PO Box 440			
TOWN/CITY: Ossipee		STATE: NH	ZIP CODE: 03864
EMAIL or FAX: daiton@whitemountainsurvey.com		PHONE: (603) 539-4118 X305	
ELECTRONIC COMMUNICATION: By initialing here DRA , I hereby authorize NHDES 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:			
<ol style="list-style-type: none"> 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. I have reviewed and submitted information & attachments outlined in the Instructions and Required Attachment document. All abutters have been identified in accordance with RSA 482-A:3, I and Env-Wt 100-900. I have read and provided the required information outlined in Env-Wt 302.04 for the applicable project type. I have read and understand Env-Wt 302.03 and have chosen the least impacting alternative. 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. 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. I authorize NHDES and the municipal conservation commission to inspect the site of the proposed project. I have reviewed the information being submitted and that to the best of my knowledge the information is true and accurate. 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. I am aware that the work I am proposing may require additional state, local or federal permits which I am responsible for obtaining. 			
 Property Owner Signature		Clifford Chase Print name legibly	7/25/2017 Date

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

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.

	Heather K. Wood	Tuffonboro	7-28-17
Town/City Clerk Signature	Print name legibly	Town/City	Date

DIRECTIONS FOR TOWN/CITY CLERK:

Per RSA 482-A:3,

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 structures that will remain after the project's completion:

Temporary structures that will be removed and will be restored to pre-construction conditions to the greatest extent possible:

JURISDICTIONAL AREA	PERMANENT Sq. Ft. / Lin. Ft.		TEMPORARY Sq. Ft. / Lin. Ft.	
Forested wetland	0	<input type="checkbox"/> ATF	0	<input type="checkbox"/> ATF
Scrub-shrub wetland	0	<input type="checkbox"/> ATF	0	<input type="checkbox"/> ATF
Emergent wetland	0	<input type="checkbox"/> ATF	0	<input type="checkbox"/> ATF
Wet meadow	0	<input type="checkbox"/> ATF	0	<input type="checkbox"/> ATF
Intermittent stream	0	<input type="checkbox"/> ATF	0	<input type="checkbox"/> ATF
Perennial Stream / River	0 / 0	<input type="checkbox"/> ATF	0 / 0	<input type="checkbox"/> ATF
Lake / Pond	1,022 / 47 (Approach to boathouse)	<input type="checkbox"/> ATF	27 / 11 (Perched beach steps)	<input type="checkbox"/> ATF
Bank - Intermittent stream	0 / 0	<input type="checkbox"/> ATF	0 / 0	<input type="checkbox"/> ATF
Bank - Perennial stream / River	0 / 0	<input type="checkbox"/> ATF	0 / 0	<input type="checkbox"/> ATF
Bank - Lake / Pond	397 / 140 (Total between Reference Line and top of bank) 4,150 / 144 (Total landward of top of bank)	<input type="checkbox"/> ATF	0 / 0	<input type="checkbox"/> ATF
Tidal water	0 / 0	<input type="checkbox"/> ATF	0 / 0	<input type="checkbox"/> ATF
Salt marsh	0	<input type="checkbox"/> ATF	0	<input type="checkbox"/> ATF
Sand dune	0	<input type="checkbox"/> ATF	0	<input type="checkbox"/> ATF
Prime wetland	0	<input type="checkbox"/> ATF	0	<input type="checkbox"/> ATF
Prime wetland buffer	0	<input type="checkbox"/> ATF	0	<input type="checkbox"/> ATF
Undeveloped Tidal Buffer Zone (TBZ)	0	<input type="checkbox"/> ATF	0	<input type="checkbox"/> ATF
Previously-developed upland in TBZ	0	<input type="checkbox"/> ATF	0	<input type="checkbox"/> ATF
Docking - Lake / Pond	153 (Permanent dock) 899 (Boathouse)	<input type="checkbox"/> ATF	0	<input type="checkbox"/> ATF
Docking - River	0	<input type="checkbox"/> ATF	0	<input type="checkbox"/> ATF
Docking - Tidal Water	0	<input type="checkbox"/> ATF	0	<input type="checkbox"/> ATF
TOTAL	6,621 / 144		27 / 11	

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) 5,596 sq. ft. X \$0.20 = \$ 1,119.20

Temporary (seasonal) docking structure: 0 sq. ft. X \$1.00 = \$ 0

Permanent docking structure: 1,052 sq. ft. X \$2.00 = \$ 2,104.00

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

Total = \$ 3,423.20

The Application Fee is the above calculated Total or \$200, whichever is greater = \$ 3,423.20

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



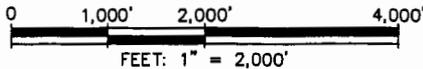
LOT

ADDRESS:
B FOXWOOD WAY
MIRROR LAKE (TUFTONBORO), NEW HAMPSHIRE

OWNER:
CHASE REALTY TRUST
CLIFFORD W. CHASE, TRUSTEE
[REDACTED]
KENSINGTON, NH 03833

USGS Plan

MELVIN VILLAGE AND
WEST ALTON QUADRANGLES



AGENT: **WHITE MOUNTAIN SURVEY & ENGINEERING, INC.**
PO BOX 440, OSSIPPEE, NH 03864 (603) 539-4118, whitemountainsurvey.com

SHEET
1 OF 1



New Hampshire Natural Heritage Bureau

To: David Aiton
P.O. Box 440
Ossipee, NH 03864

Date: 6/6/2017

From: NH Natural Heritage Bureau

Re: Review by NH Natural Heritage Bureau of request dated 6/6/2017

NHB File ID: NHB17-1762

Applicant: David Aiton

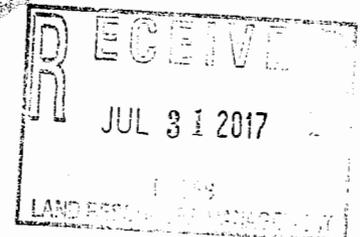
Location: Tax Map(s)/Lot(s): Map 38, Block 3, Lot 1
Tuftonboro

Project Description: Construction of a perched beach walk and dug-in
boathouse.

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.

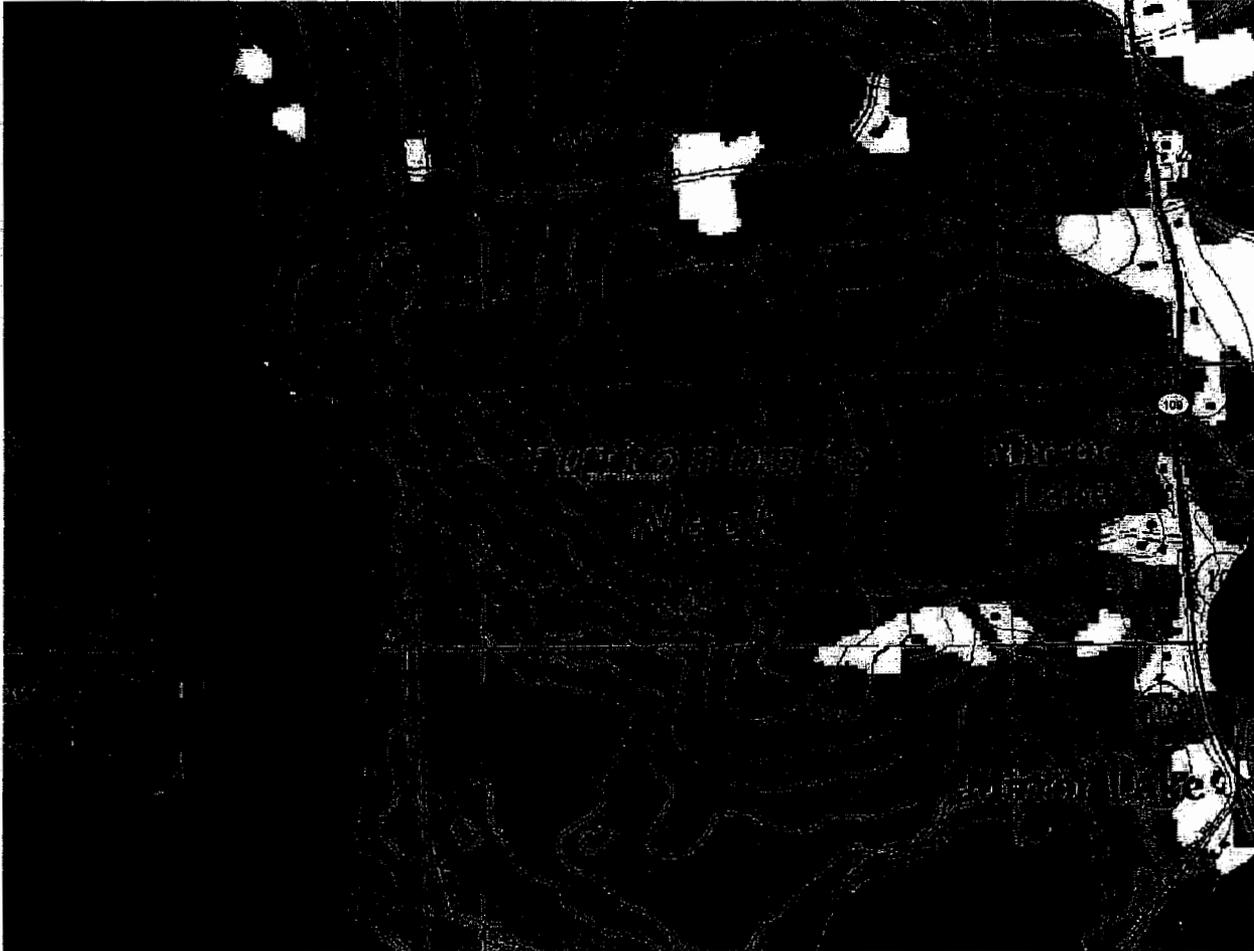
A negative result (no record in our database) does not mean that a sensitive species is not present. Our data can only tell you of known occurrences, based on information gathered by qualified biologists and reported to our office. However, many areas have never been surveyed, or have only been surveyed for certain species. An on-site survey would provide better information on what species and communities are indeed present.

This report is valid through 6/5/2018.





MAP OF PROJECT BOUNDARIES FOR NHB FILE ID: NHB17-1762



**Chase Realty Trust
Abutters List
07/17/2017**

Tax Map-Block-Lot

Owner of Record

38-3-1 (subject parcel)
38-3-22

Chase Realty Trust
Clifford W. Chase, Trustee
[REDACTED]
Kensington, NH 03833

38-3-3

George Elkins Rev. Trust - 1989
Barbara Elkins Rev. Trust - 2001
[REDACTED]
Mirror Lake, NH 03853-0260

38-3-4

Wadworth Street, LLC
[REDACTED]
Wayland, MA 01778

38-3-2

Boris, Et Al
c/o Evan Boris
[REDACTED]
San Rafael, CA 94903

39-2-15

Boston YMCA
[REDACTED]
Boston, MA 02115

52-2-3

Robert J. L'Heureux Living Trust
Robert J. L'Heureux, Trustee
[REDACTED]
Mirror Lake, NH 03853-0183

52-2-4

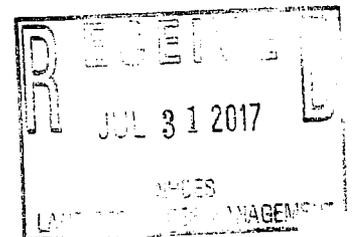
Thomas W. Marden
Amy Goodman
[REDACTED]
Mirror Lake, NH 03853-0316

52-2-5

Arnold Ridlon Estate
c/o Shirley Piper
[REDACTED]
Mirror Lake, NH 03853

Municipal Notification

Town Clerk
Town of Tuftonboro
PO Box 98
Center Tuftonboro, NH 03816



Wetland/Soil Scientist

Doiron Environmental LLC
720 Browns Ridge Road
Ossipee, NH 03864

Agent

White Mountain Survey & Engineering, Inc.
PO Box 440
Ossipee, NH 03864-0440