



The State of New Hampshire  
**DEPARTMENT OF ENVIRONMENTAL SERVICES**

**Thomas S. Burack, Commissioner**



August 06, 2016

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

**REQUESTED ACTION**

Approve Stephen F. Wiggins's request to perform the following work on Squam Lake, in Moultonborough. File # 2016-00478. This project will not have significant impact on or adversely affect the values of Squam Lake.

Amend permit to allow installation of a "T" shaped dock instead of the previously approved single straight pier.

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

1. All work shall be in accordance with plans by David Dolan Associates dated February 3, 2016, and revised through May 24, 2016, as received by DES on June 06, 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 permitted shall submit a copy of the recorded permit to the DES 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. This permit does not authorize the removal of trees or saplings within the waterfront buffer that would result in a tree and sapling point score below the minimum required per RSA 483-B:9, V, (a)(2)(D)(iv).
5. 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.
6. Work shall be carried out in a time and manner to avoid disturbances to migratory waterfowl breeding and nesting areas.
7. 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.
8. 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.
9. All construction-related debris shall be placed outside of the areas subject to RSA 482-A.
10. Any subdivision of the property that results in the docking structures being located on a lot having less than 225 ft. of 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.
11. 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.

DES Web site: [www.des.nh.gov](http://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. No portion of the pier shall extend more than 40 feet from the shoreline at full lake elevation (Elev. 562.5 ft.).
13. All seasonal structures shall be removed for the non-boating season.

#### EXPLANATION

The DES Wetlands Bureau approved this project on July 05, 2016. DES supported its decision with the following findings:

1. This is a major impact project per Administrative Rule Env-Wt 303.03(d), installation of a docking system providing 5 slips.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
5. The applicant has an average of 707 ft. of shoreline frontage along Squam Lake.
6. A maximum of 10 slips may be permitted on this frontage per Rule Env-Wt 402.13, Frontage Over 75 ft.
7. The proposed new dock in combination with the existing docking facilities will provide 5 slips as defined per RSA 482-A:2, VIII and therefore meets Rule Env-Wt 402.13.
8. The New Hampshire Division of Historical Resources submitted comments indicating no historical properties affected, however the area is considered archaeologically sensitive.
9. The Moultonborough Conservation Commission submitted comments with regards to the vegetation within the waterfront buffer. Concerns pertaining to the maintenance of the waterfront buffer shall be addressed during the review of any Shoreland Water Quality Protection Act application that is submitted for development within the protected shorelands.

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.

  
for \_\_\_\_\_  
Thomas S. Burack  
Commissioner



# WETLANDS PERMIT APPLICATION

Water Division/ Wetlands Bureau  
Land Resources Management

Check the status of your application: [www.des.nh.gov/onestop](http://www.des.nh.gov/onestop)



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

		File No: <b>2016-00478</b>
		Check No: <b>15177</b>
		Amount: <b>\$496.00</b>
		Initials: <b>EMK</b>

**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: **201 Tommy Lot Road**      TOWN/CITY: **Moultonborough**

TAX MAP: **81**      BLOCK:      LOT: **6**      UNIT:

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

LOCATION COORDINATES (if known): **E.1029920 N.452210**       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.

**Remove an existing 2-slip seasonal dock (measuring 29.1' x 3.3'); Remove existing concrete dock abutment and adjacent existing stone walk and restore to natural ground cover (pine needle mulch and/or native vegetation); Construct a new 2-slip seasonal dock (40' in length x 6' in width) in a new location as shown, anchored to existing boulders at the shoreline.**

**4. SHORELINE FRONTAGE**

NA This lot has no shoreline frontage.      SHORELINE FRONTAGE: **707'+/-**

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...**

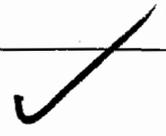
N/A

**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 16 - 0425**

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 (Be a land permit holder)**

LAST NAME, FIRST NAME, M.I.: **Wiggins, Stephen F.**

TRUST / COMPANY NAME: \_\_\_\_\_ MAILING ADDRESS: \_\_\_\_\_

TOWN/CITY: **Sloux Falls** STATE: **SD** ZIP CODE: **57186**

EMAIL or FAX: **c/o Agent** PHONE: **c/o Agent**

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.: **David M Dolan, LLS** COMPANY NAME: **David M. Dolan Associates, PC**

MAILING ADDRESS: **P.O. Box 1581**

TOWN/CITY: **Center Harbor** STATE: **NH** ZIP CODE: **03226**

EMAIL or FAX: **ddolan@dolansurvey.com** PHONE: **603-253-8011**

ELECTRONIC COMMUNICATION: By initialing here **DMD**, 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:

- 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](http://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.
- The mailing addresses I have provided are up to date and appropriate for receipt of NHDES correspondence. NHDES will not

 Property Owner Signature

Stephen Wiggins Print name legibly

2/2/16 Date

## 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.

<input style="width: 100%; height: 100%;" type="text"/>	<input style="width: 100%; height: 100%;" type="text"/>	<input style="width: 100%; height: 100%;" type="text"/>
	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. 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.

<input style="width: 100%; height: 100%;" type="text"/>			
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	280 / <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	240 <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
<b>TOTAL</b>	<b>240 /</b>	<b>280 /</b>

**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) 280 sq. ft. X \$0.20 = \$ 56.00

Temporary (seasonal) docking structure: 240 sq. ft. X \$1.00 = \$ 240.00

Permanent docking structure: \_\_\_\_\_ sq. ft. X \$2.00 = \$ \_\_\_\_\_

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

Total = \$ 496.00

The Application Fee is the above calculated Total or \$200, whichever is greater = \$ 496.00

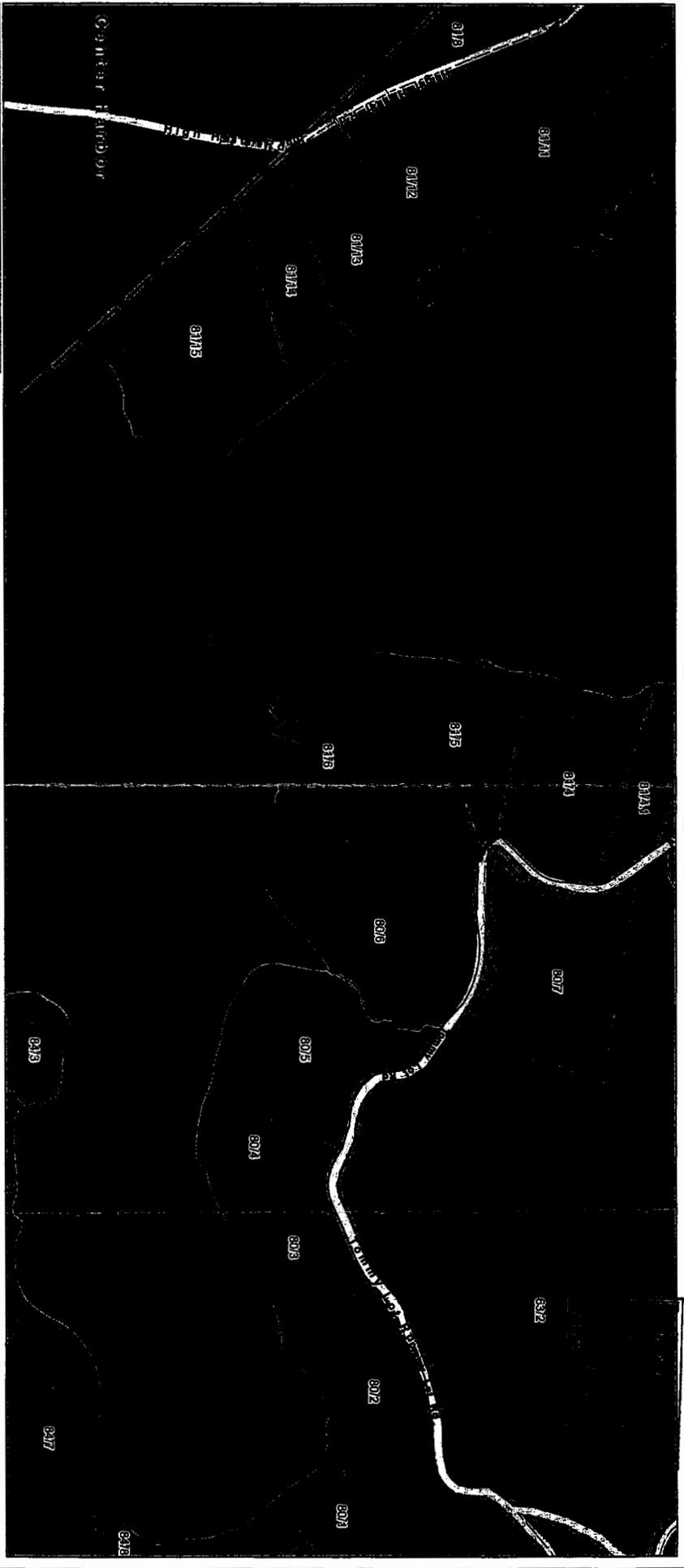


February 3, 2016



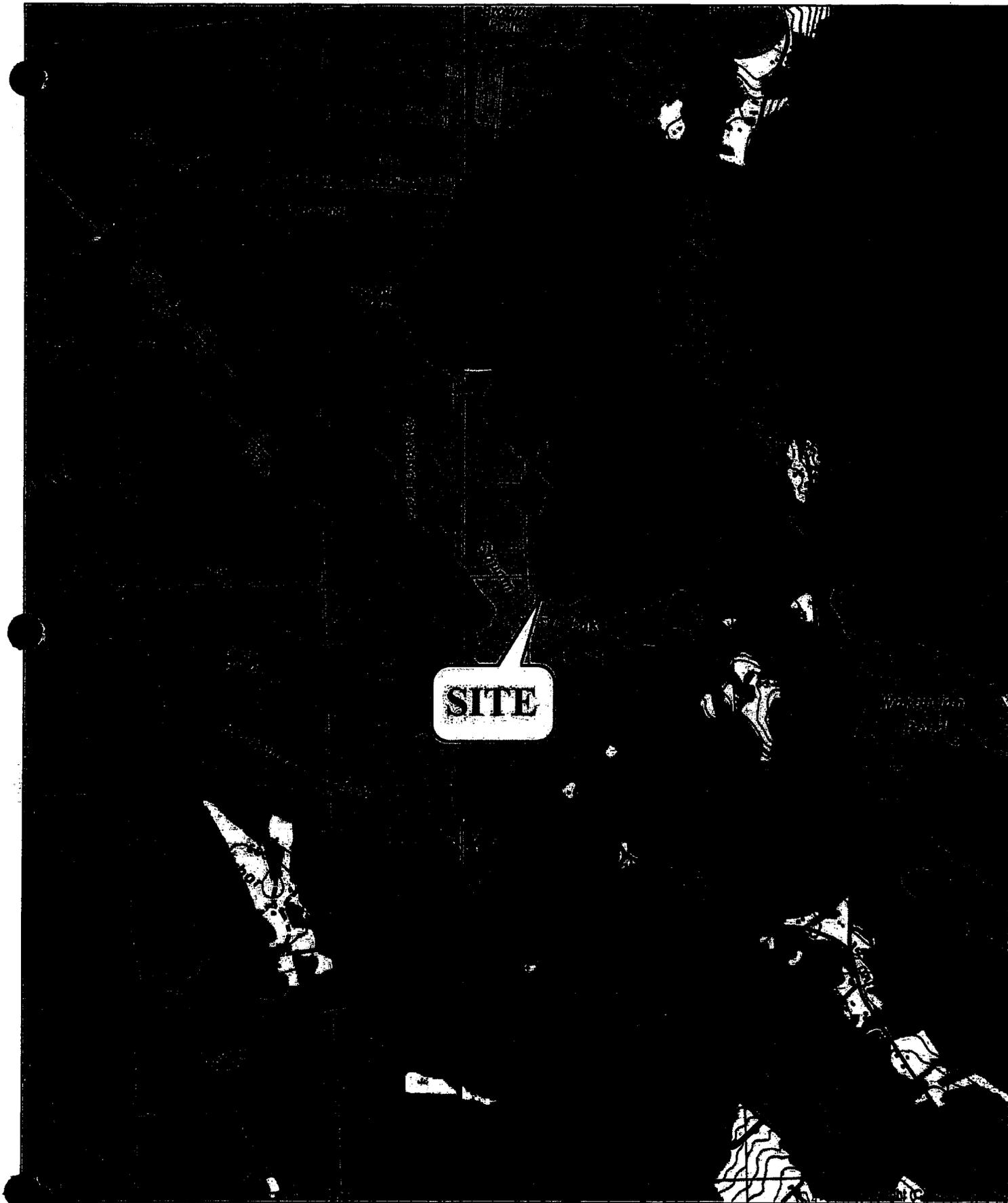
Moultonborough, NH  
1 inch = 300 Feet

**CAI Technologies**  
www.cai-tech.com



Large Scale	PWATER	Buildings
CAI Town Line	PT	CAI Polys
Street Names	PVTRD-RW	
DISPUTE	RW	
PROPERTYLINE	TRAIL	
PVTRD	WETLAND	

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 the map.



Name: CENTER HARBOR (NH)  
Date: 02/03/16  
Scale: 1 inch = 2,000 ft.

Location: 043° 44' 26.41" N 071° 29' 48.84" W  
Stephen F. Wiggins  
201 Tommy Lot Road, Moultonborough, NH 03254



NEW HAMPSHIRE NATURAL HERITAGE BUREAU  
NHB DATACHECK RESULTS LETTER

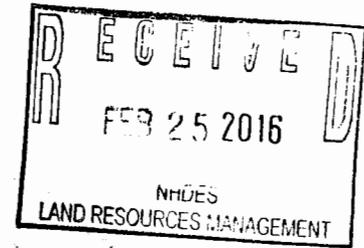
**To:** David Dolan, David M. Dolan Associates, PC  
PO Box 1581

Center Harbor, NH 03226

**From:** NH Natural Heritage Bureau

**Date:** 2/19/2016 (valid for one year from this date)

**Re:** Review by NH Natural Heritage Bureau of request submitted 2/10/2016



**NHB File ID:** NHB16-0425

**Applicant:** David Dolan

**Location:** Moultonborough  
Tax Maps: Tax Map 81 Lot 6

**Project**

**Description:** Remove an existing 2-slip seasonal dock (measuring 29.1' x 3.3'); Remove existing concrete dock abutment and adjacent existing stone walk and restored to natural ground cover (pine needle mulch and/or native vegetation); Construct a new 2-slip seasonal dock (40' in length x 6' in width) in a new location as shown, anchored to existing boulders at the shoreline. Remove an existing dwelling and construct a new dwelling and sewage disposal system.

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.

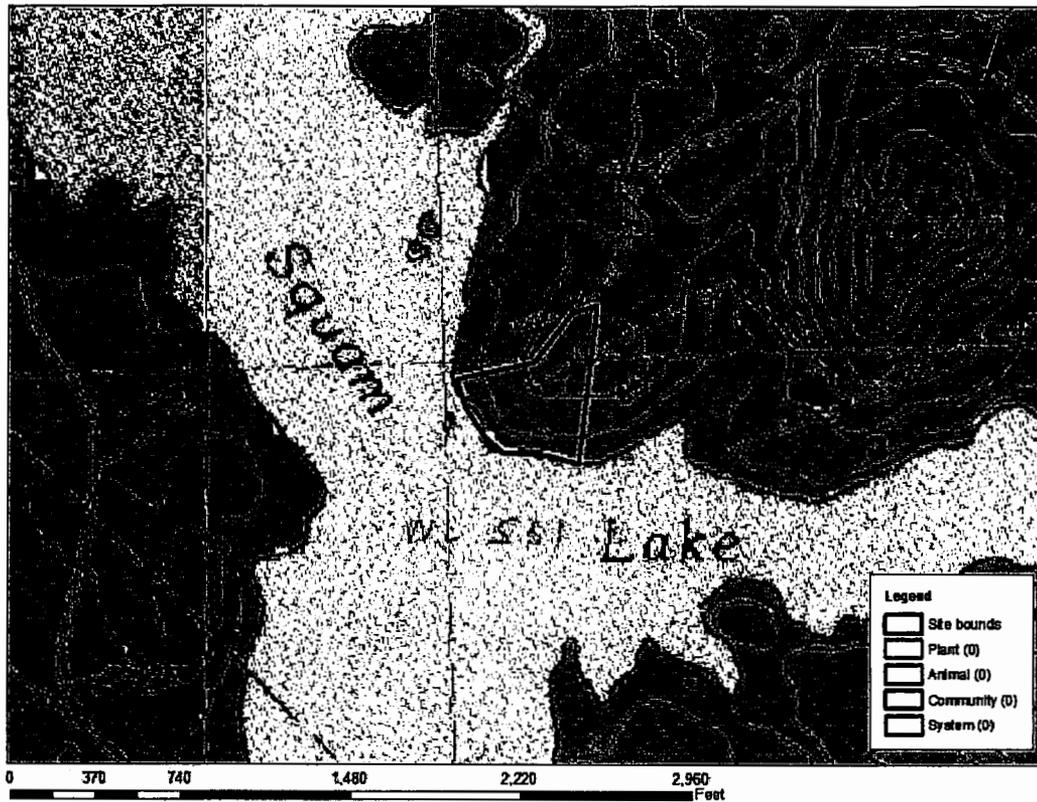
It was determined that, although there was a NHB record (e.g., rare wildlife, plant, and/or natural community) present in the vicinity, we do not expect that it will be impacted by the proposed project. This determination was made based on the project information submitted via the NHB Datacheck Tool on 2/10/2016, and cannot be used for any other project.



NEW HAMPSHIRE NATURAL HERITAGE BUREAU  
NHB DATACHECK RESULTS LETTER

MAP OF PROJECT BOUNDARIES FOR: NHB16-0425

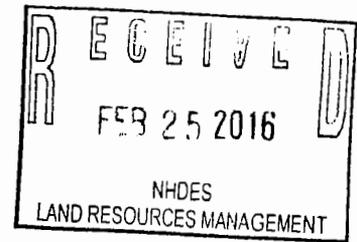
NHB16-0425



DEPARTMENT OF ENVIRONMENTAL SERVICES  
LAND RESOURCES MANAGEMENT

WETLANDS BUREAU PERMIT APPLICATION

Stephen F. Wiggins  
Tax Map 81 Lot 6  
201 Tommy Lot Road,  
Moultonborough, Carroll County, NH



Abutter's List

<u>Map</u>	<u>Lot</u>	<u>Lot Owner</u>
Owner of Record:		
81	6	Stephen F. Wiggins [REDACTED] Sioux Falls, SD 57186
Owner's Agent:		
		David M. Dolan, L.L.S. David M. Dolan Associates, P.C. PO Box 1581 Center Harbor, NH 03226
Town Clerk:		
		Barbara E. Wakefield P.O. Box 15 6 Holland Street Moultonborough, NH 03254
Abutters:		
80	6	Tupelo Cove Realty Trust [REDACTED] Lincoln, MA 01773
81	5	McGinnes Nominee Trust [REDACTED] Wellesley, MA 02481