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The State of New Hampshire
Department of Environmental Services



Robert R. Scott, Commissioner

September 28, 2021

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

REQUESTED ACTION

Approve Tara and Thomas Benson's request to perform work on Lake Winnepesaukee in Gilford as outlined below. This request is pursuant to New Hampshire Department of Environmental Services (NHDES) file #2021-00493. This project will not have significant impact on, or adversely affect, the values of Lake Winnepesaukee. Comments submitted by the Gilford Conservation Commission stating their approval regarding this project as proposed are included in the enclosed documents.

Permanently remove an existing 6 foot x 40 foot seasonal pier, two 6 foot x 4 foot concrete pads, and a 7 foot x 21 foot deck with attached 3 foot x 21 foot access stairs; install a 15 foot x 10 foot deck with 4 foot wide access stairs; dredge 1.5 cubic yards from 300 square feet of lakebed; place approximately 120 cubic yards of fill on 880 square feet of lakebed to construct a 70 linear feet of breakwater in a dog-leg configuration with a 6 foot x 26 foot cantilevered pier connected to a 6 foot x 34 foot 3 inch piling pier; install a 14 foot x 24 foot seasonal canopy, a single permanent boatlift, a single seasonal personal watercraft lift, and two three-pile ice protection clusters on an average of 113 feet of frontage along Lake Winnepesaukee in Gilford.

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

1. In accordance with Env-Wt 307.16, all work shall be done in accordance with the revised plans revision dated July 19, 2021 by Ames Associates, as received by the NH Department of Environmental Services (NHDES) on July 26, 2021.
2. This permit shall not be effective until it has been recorded in the Belknap County Registry of Deeds and a copy of the recorded permit has been provided to the department as required pursuant to RSA 482-A:3, and Env-Wt 314.02.
3. The applicant shall permanently remove all existing docking structures along the frontage prior to the installation of the proposed docking structures in accordance with Rule Env-Wt 513.22 and Rule Env-Wt 513.12.
4. 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 as required to maintain compliance with Env-Wt 314.02 and Env-Wt 513.12.
5. Only those structures shown on the approved plans shall be installed or constructed along this frontage as required per Env-Wt 513.22, (a).

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NHDES Main Line: (603) 271-3503 • Subsurface Fax: (603) 271-6683 • Wetlands Fax: (603) 271-6588
TDD Access: Relay NH 1 (800) 735-2964

6. All portions of the docking structures, including the breakwater toe -of-slope, shall be located at least 20 feet from the abutting property lines and no watercraft shall be secured to the docking facility such that it crosses over the imaginary extension of the property lines over the surface water as required by RSA 482-A:3, XIII.
7. In accordance with Env-Wt (e) 512.04(e), the breakwater, when measured from the normal high water line (Elev. 504.32), shall have no point more than 49 feet from the normal high water line, a total length of no more than 70 feet and a gap of 6 feet or more between the breakwater and shoreline.
8. In accordance with Env-Wt 512.05(c), any rocks stockpiled in jurisdictional areas shall be removed as soon as practicable and in every case, by the conclusion of construction on the breakwater.
9. No portion of the docking structures shall extend more than 50 feet from the shoreline at full lake elevation (Elev. 504.32) pursuant to Env-Wt 513.22, (a).
10. 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 shall be removed for the non-boating season as required per Env-Wt 513.19.
11. Pursuant to Env-Wt 102.33 and Env-Wt 513.19, (a) no sides may be attached to, or hung beneath any seasonal canopy.
12. The use of this structure shall be limited to the docking and securing of watercraft as required to comply with Env-Wt 307.09.
13. Owners of permanent docking structures which are not maintained so as to be structurally sound and usable for their intended purpose shall remove those docking structures in accordance with Env-Wt 513.22(c), to prevent hazards to public safety, navigation, and recreation.
14. The owner understands and accepts that should these docking structures be found to have an unreasonable impact on the ability of abutting owners to use and enjoy their properties or the public's right to navigation, passage, and use of the resource for commerce and recreation the structures shall be subject to removal pursuant to RSA 482-A:1, RSA 482-A:11, II, and Env-Wt 513.03 (a).
15. No agitating or heating device shall be installed for the purpose of inhibiting the formation of ice in proximity to the approved structures unless it has been registered with the municipal clerk of the town in which such device shall be operated pursuant to RSA 270:34 Registration Required.
16. Pursuant to RSA 270:33, Heating, Agitating, or Other Devices in Public Waters; Safety Hazard, no agitating or heating device installed in accordance with RSA 270:34 shall inhibit or prevent the natural formation of ice in such a manner as to impede either the ingress or egress to or from the ice from any property other than that of the owner of the device.
17. All development activities associated with any project shall be conducted in compliance with applicable requirements of RSA 483-B and Env-Wq 1400 during and after construction as required pursuant to RSA 483-B:3.
18. Work authorized shall be carried out in accordance with Env-Wt 307 such that appropriate turbidity controls are in place to protect water quality, that no turbidity escapes the immediate dredge area, and that appropriate turbidity controls shall remain until suspended particles have settled and water at the work site has returned to normal clarity.
19. No activity shall be conducted in such a way as to cause or contribute to any violation of surface water quality standards specified in RSA 485-A:8 or Env-Wq 1700.

20. Pursuant to RSA 482-A:14, RSA 482-A:14-b, and RSA 482-A:14-c, NHDES is authorized to take appropriate compliance actions should it be determined that, based upon additional information which becomes available, any of the structures depicted as "existing" on the plans submitted by or on behalf of the permittee were not previously permitted or grandfathered.

EXPLANATION

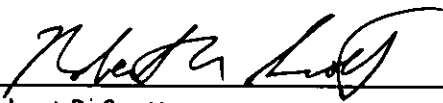
The NHDES approved this project on August 25, 2021. The NHDES supported its decision with the following findings:

1. This is a major impact project per Administrative Rule Env-Wt 512.06, construction of a breakwater.
2. The applicant has an average of 113 feet of frontage along Lake Winnepesaukee.
3. A maximum of 2 slips may be permitted on this frontage per Rule Env-Wt 513.12, Frontage Requirements for Private and Non-commercial Docking Structures.
4. The proposed docking facility will provide 2 slips as defined per RSA 482-A:2, VIII, and therefore meets Rule Env-Wt 513.12.
5. The applicant has proposed to remove all portions of the existing 7 foot x 21 foot deck and connecting walkway.
6. The applicant has proposed the construction of a new deck and walkway in order to gain access to the lake and proposed docking structure.
7. In accordance with Env-Wq 1405.05, no accessory structure shall be built on or into land having greater than 25% slope.
8. The applicant requested a waiver, in accordance with Env-Wq 1413, of Administrative Rule Env-Wq 1405.05, limiting construction of accessory structure on or into land having greater than 25% slope.
9. The applicant has demonstrated that granting the waiver will have no adverse effect on the environment, natural resources of the state, public health, public safety, nor impacts to abutting properties more significant than that which would result from complying with the rule as required to meet Rule Env-Wq 1413.04 Criteria, (a), (1).
10. The applicant has demonstrated that strict compliance with Rule Env-Wq 1405.05, will provide no benefit to the public and will provide both an operational and economic impact to the applicant as required to meet Rule Env-Wq 1413.04 Criteria, (a), (2).
11. The request for a waiver meets the requirements of Rule Env-Wq 1413, Criteria, and therefore, the waiver Rule Env-Wq 1405.05 is granted for the proposed deck.
12. The NHDES 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.
13. The applicant has provided the NHDES with evidence that the property has insufficient water depth as required by Env-Wt 513.08(b).
14. The NHDES has accepted the evidence of the physical hardship and approved the extension of a pier beyond the standard length under Env-Wt 513.11(a)(1)(b).
15. No concerns were received from abutters nor the Gilford Conservation Commission related to the project.
16. The NHDES finds that the project as proposed and conditioned meets the requirements of RSA 482-A and the Wetlands Program Code of Administrative Rules Chapters Env-Wt 100 - 900.

His Excellency, Governor Christopher T. Sununu
and The Honorable Council
Page 4 of 4

Application file documents are being forwarded to the Governor and the 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 request your approval of this item.



Robert R. Scott
Commissioner



**STANDARD DREDGE AND FILL
WETLANDS PERMIT APPLICATION**
Water Division/Land Resources Management
Wetlands Bureau
Check the Status of your Application



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

APPLICANT'S NAME: Benson, Thomas & TaraTOWN NAME: Gilford

| | | | |
|--|--|--|---|
| RECEIVED Administrative FEB 06 2021 Only NHDES LAND RESOURCES MANAGEMENT | INCOMPLETE Administrative FEB 06 2021 Only | COMPLETE Administrative Use Only | File No: <u>2021-00493</u> Check No: <u>3154</u> Amount: <u>\$3,728.40</u> Initials: <u>BH</u> |
|--|--|--|---|

A person may request a waiver of the requirements in Rules Env-Wt 100-900 to accommodate situations where strict adherence to the requirements would not be in the best interest of the public or the environment but is still in compliance with RSA 482-A. A person may also request a waiver of the standards for existing dwellings over water pursuant to RSA 482-A:26, III(b). For more information, please consult the Waiver Request Form.

SECTION 1 - REQUIRED PLANNING FOR ALL PROJECTS (Env-Wt 306.05, RSA 482-A:3, I(d)(2))
Please use the Wetland Permit Planning Tool (WPP.T), the Natural Heritage Bureau (NHB) DataCheck Tool, the Aquatic Restoration Mapper, or other sources to assist in identifying key features such as: priority resource areas (PRAs), protected species or habitats, coastal areas, designated rivers, or designated prime wetlands.

| | |
|---|---|
| Has the required planning been completed? | <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No |
| Does the property contain a PRA? If yes, provide the following information: | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No |
| <ul style="list-style-type: none"> Does the project qualify for an Impact Classification Adjustment (e.g. NH Fish and Game Department (NHF&G) and NHB agreement for a classification downgrade) or a Project-Type Exception (e.g. Maintenance or Statutory Permit-by-Notification (SPN) project)? See Env-Wt 407.02 and Env-Wt 407.04. | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| <ul style="list-style-type: none"> Protected species or habitat? <ul style="list-style-type: none"> If yes, species or habitat name(s): <u> </u> NHB Project ID #: <u> </u> | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| <ul style="list-style-type: none"> Bog? | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| <ul style="list-style-type: none"> Floodplain wetland contiguous to a tier 3 or higher watercourse? | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| <ul style="list-style-type: none"> Designated prime wetland or duly-established 100-foot buffer? | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| <ul style="list-style-type: none"> Sand dune, tidal wetland, tidal water, or undeveloped tidal buffer zone? | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| Is the property within a Designated River corridor? If yes, provide the following information: | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No |
| <ul style="list-style-type: none"> Name of Local River Management Advisory Committee (LAC): <u> </u> A copy of the application was sent to the LAC on Month: <u> </u> Day: <u> </u> Year: <u> </u> | |

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

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| | |
|--|---|
| For dredging projects, is the subject property contaminated? • If yes, list contaminant: <u> </u> | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No |
| Is there potential to impact impaired waters, class A waters, or outstanding resource waters? | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No |
| For stream crossing projects, provide watershed size (see <u>WPPT</u> or Stream Stats): <u> </u> | |
| SECTION 2 - PROJECT DESCRIPTION (Env. Wt. 311.04(i)) | |
| Provide a brief description of the project and the purpose of the project, outlining the scope of work to be performed and whether impacts are temporary or permanent. DO NOT reply "See attached", please use the space provided below. | |
| <p>Permanently remove an existing seasonal dock, along with existing stairs and deck that lead to the dock.</p> <p>Construct a new set of stairs and deck over the bank and located centrally along the waterfront, leading to the proposed dock.</p> <p>Construct a breakwater that begins 6' off the north end of the shoreline and wraps E/SE for a distance not to exceed 70' lakeward end of the exposed breakwater will not exceed a distance of 50' from the shoreline.</p> <p>Dredge along the south side of the breakwater, and extending SE, to provide sufficient depth for boat access to the proposed dock throughout the boating season.</p> <p>Construct a permanent piling-supported dock between the proposed breakwater and the shoreline. Drive three fender pilings along the breakwater, within the proposed primary boat slip.</p> <p>Install a permanent boat lift and seasonal canopy within the slip located between the proposed breakwater and dock. Install a seasonal personal water craft lift adjacent to the dock.</p> <p>Install an ice cluster SE of the proposed dock and SE of the proposed breakwater.</p> <p>Install a buried electric line leading to the dock.</p> | |
| SECTION 3 - PROJECT LOCATION | |
| Separate wetland permit applications must be submitted for each municipality within which wetland impacts occur. | |
| ADDRESS: <u>56 Terrace Hill Road</u> | |
| TOWN/CITY: <u>Gilford</u> | |
| TAX MAP/BLOCK/LOT/UNIT: <u>267./ 161</u> | |
| US GEOLOGICAL SURVEY (USGS) TOPO MAP WATERBODY NAME: <u>Lake Winnepesaukee</u> | |
| <input checked="" type="checkbox"/> N/A | |
| (Optional) LATITUDE/LONGITUDE in decimal degrees (to five decimal places): | |
| | <u>43.57115° North</u> |
| | <u>71.33884° West</u> |

SECTION 4 - APPLICANT (DESIRED PERMIT HOLDER) INFORMATION (Env-Wt 311.04(a))

If the applicant is a trust or a company, then complete with the trust or company information.

NAME: Thomas & Tara Benson

MAILING ADDRESS: _____

TOWN/CITY: _____

STATE: _____

ZIP CODE: _____

EMAIL ADDRESS: _____

FAX: _____

PHONE: _____

ELECTRONIC COMMUNICATION: By initialing here: [Signature], I hereby authorize NHDES to communicate all matters relative to this application electronically.**SECTION 5 - AUTHORIZED AGENT INFORMATION (Env-Wt 311.04(c))**☒ N/ALAST NAME, FIRST NAME, M.I.: Roseberry, NicolCOMPANY NAME: Ames AssociatesMAILING ADDRESS: 164 NH Route 25TOWN/CITY: MeredithSTATE: NHZIP CODE: 03253EMAIL ADDRESS: nicol@amesassociates.comFAX: 603-279-7878PHONE: 603-279-5705ELECTRONIC COMMUNICATION: By initialing here [Signature], I hereby authorize NHDES to communicate all matters relative to this application electronically.**SECTION 6 - PROPERTY OWNER INFORMATION (IF DIFFERENT THAN APPLICANT) (Env-Wt 311.04(b))**

If the owner is a trust or a company, then complete with the trust or company information.

☒ Same as applicantNAME: [Signature]MAILING ADDRESS: [Signature]TOWN/CITY: [Signature]STATE: [Signature]ZIP CODE: [Signature]EMAIL ADDRESS: [Signature]FAX: [Signature]PHONE: [Signature]ELECTRONIC COMMUNICATION: By initialing here [Signature], I hereby authorize NHDES to communicate all matters relative to this application electronically.

SECTION 7: RESOURCE-SPECIFIC CRITERIA ESTABLISHED IN Env-Wt 400, Env-Wt 500, Env-Wt 600, Env-Wt 700, OR Env-Wt 900 HAVE BEEN MET (Env-Wt 313.01(a)(3))

Describe how the resource-specific criteria have been met for each chapter listed above (please attach information about stream crossings, coastal resources, prime wetlands, or non-tidal wetlands and surface waters):

400, 600, 700, 900 N/A

511: Stairs and deck to be constructed over the bank. Stairs not to exceed 6' wide. Deck surface to pitch away from the lake. A crushed stone trench will be installed under the upslope perimeter of the deck.

512: The proposed rock breakwater will be located >20' from property lines, along a shoreline frontage of >100' that is exposed to >4 miles of fetch between compass headings 300-330 degrees. Exposed breakwater will not exceed a distance of 50' from the normal high water line, overall length will not exceed 70'. It will begin a min. 6' from the normal high water line. This shoreline falls within highlighted areas of the Env-Wt Appendix D Breakwater Map.

513: The proposed permanent dock will be located >20' from property lines, and width will not exceed 6'. The dock will extend NE (perpendicular±) from the normal high water line for 26', then turn E for a distance of 34.3'. A 4'x6' section of dock at its east end will allow for a guest slip in that location. The dock will be supported by pilings, and three fender pilings will be driven along the south side of the breakwater. Pilings will be spaced no less than 12' on center.

523: Proposed dredge to a lake bed elevation of 499.8' will provide 3' depth of water during the summer boating season. Per the NHDES Dam Bureau Lake Winnepesaukee Operating Information, during the summer recreation season, lake "levels are managed between 504.32' and 502.80' to facilitate the use of the lake for recreational enjoyment."

(CONTINUED ON SEPARATE ENCLOSED PAGE)

SECTION 8: AVOIDANCE AND MINIMIZATION

Impacts within wetland jurisdiction must be avoided to the maximum extent practicable (Env-Wt 313.03(a)). * Any project with unavoidable jurisdictional impacts must then be minimized as described in the Wetlands Best Management Practice Techniques For Avoidance and Minimization and the Wetlands Permitting: Avoidance, Minimization and Mitigation Fact Sheet. For minor or major projects, a functional assessment of all wetlands on the project site is required (Env-Wt 311.03(b)(10)).*

Please refer to the application checklist to ensure you have attached all documents related to avoidance and minimization, as well as functional assessment (where applicable). Use the Avoidance and Minimization Checklist, the Avoidance and Minimization Narrative, or your own avoidance and minimization narrative.

*See Env-Wt 311.03(b)(6) and Env-Wt 311.03(b)(10) for shoreline structure exemptions.

SECTION 9: MITIGATION REQUIREMENT (Env-Wt 311.02)

If unavoidable jurisdictional impacts require mitigation, a mitigation pre-application meeting must occur at least 30 days but not more than 90 days prior to submitting this Standard Dredge and Fill Permit Application.

Mitigation Pre-Application Meeting Date: Month: Day: Year:

☒ N/A - Mitigation is not required

SECTION 10: THE PROJECT MEETS COMPENSATORY MITIGATION REQUIREMENTS (Env-Wt 313.01(a)(1)c)

Confirm that you have submitted a compensatory mitigation proposal that meets the requirements of Env-Wt 800 for all permanent unavoidable impacts that will remain after avoidance and minimization techniques have been exercised to the maximum extent practicable: ☒ I confirm submittal.

☒ N/A - Compensatory mitigation is not required

SECTION 11: IMPACT AREA (Env-Wt 311:04(g))

For each jurisdictional area that will be/has been impacted, provide square feet (SF) and, if applicable, linear feet (LF) of impact, and note whether the impact is after the fact (ATF; i.e., work was started or completed without a permit).

For intermittent and ephemeral streams, the linear footage of impact is measured along the thread of the channel. *Please note, installation of a stream crossing in an ephemeral stream may be undertaken without a permit per Rule Env-Wt 309:02(d), however other dredge or fill impacts should be included below.*

For perennial streams/ rivers, the linear footage of impact is calculated by summing the lengths of disturbances to the channel and banks.

Permanent impacts are impacts that will remain after the project is complete (e.g., changes in grade or surface materials).

Temporary impacts are impacts not intended to remain (and will be restored to pre-construction conditions) after the project is completed.

| JURISDICTIONAL AREA | | PERMANENT | | | TEMPORARY | | |
|---------------------|--|-------------|----|-----|------------|----|-----|
| | | SF | LF | ATF | SF | LF | ATF |
| Wetlands | Forested Wetland | | | | | | |
| | Scrub-shrub Wetland | | | | | | |
| | Emergent Wetland | | | | | | |
| | Wet Meadow | | | | | | |
| | Vernal Pool | | | | | | |
| | Designated Prime Wetland | | | | | | |
| | Duly-established 100-foot Prime Wetland Buffer | | | | | | |
| Surface Water | Intermittent / Ephemeral Stream | | | | | | |
| | Perennial Stream or River | | | | | | |
| | Lake / Pond | 886 | | | 550 | | |
| | Docking - Lake / Pond | 695 | | | | | |
| | Docking - River | | | | | | |
| Banks | Bank - Intermittent Stream | | | | | | |
| | Bank - Perennial Stream / River | | | | | | |
| | Bank / Shoreline - Lake / Pond | 310 | | | 60 | | |
| Tidal | Tidal Waters | | | | | | |
| | Tidal Marsh | | | | | | |
| | Sand Dune | | | | | | |
| | Undeveloped Tidal Buffer Zone (TBZ) | | | | | | |
| | Previously-developed TBZ | | | | | | |
| | Docking - Tidal Water | | | | | | |
| TOTAL | | 1891 | | | 610 | | |

SECTION 12: APPLICATION FEE (RSA 482-A:3, I)

☐ **MINIMUM IMPACT FEE:** Flat fee of \$400.

☐ **NON-ENFORCEMENT RELATED, PUBLICLY-FUNDED AND SUPERVISED RESTORATION PROJECTS, REGARDLESS OF IMPACT CLASSIFICATION:** Flat fee of \$400 (refer to RSA 482-A:3, 1(c) for restrictions).

☒ **MINOR OR MAJOR IMPACT FEE:** Calculate using the table below:

Permanent and temporary (non-docking): 1806 SF × \$0.40 = \$ 722.4

Seasonal docking structure: 337 SF × \$2.00 = \$ 674.0

Permanent docking structure: 358 SF × \$4.00 = \$ 1432

Projects proposing shoreline structures (including docks) add \$400 = \$ 400.00

Total = \$ 3228.4

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The application fee for minor or major impact is the above calculated total or \$400, whichever is greater = \$ 3228.4

SECTION 13 - PROJECT CLASSIFICATION (Env-Wt 306.05)

Indicate the project classification:

☐ Minimum Impact Project

☐ Minor Project

☒ Major Project

SECTION 14 - REQUIRED CERTIFICATIONS (Env-Wt 311.11)

Initial each box below to certify:

Initials:

T.B.
[Signature]
[Signature]

To the best of the signer's knowledge and belief, all required notifications have been provided.

Initials:

T.B.
[Signature]
[Signature]

The information submitted on or with the application is true, complete, and not misleading to the best of the signer's knowledge and belief.

Initials:

T.B.
[Signature]
[Signature]

The signer understands that:

- The submission of false, incomplete, or misleading information constitutes grounds for NHDES to:
 - Deny the application.
 - Revoke any approval that is granted based on the information.
 - If the signer is a certified wetland scientist, licensed surveyor, or professional engineer licensed to practice in New Hampshire, refer the matter to the joint board of licensure and certification established by RSA 310-A:1.

- The signer is subject to the penalties specified in New Hampshire law for falsification in official matters, currently RSA 641.

The signature shall constitute authorization for the municipal conservation commission and the Department to inspect the site of the proposed project, except for minimum impact forestry SPN projects and minimum impact trail projects, where the signature shall authorize only the Department to inspect the site pursuant to RSA 482-A:6, II.

Initials:

T.B.
[Signature]
[Signature]

If the applicant is not the owner of the property, each property owner signature shall constitute certification by the signer that he or she is aware of the application being filed and does not object to the filing.

SECTION 15 - REQUIRED SIGNATURES (Env-Wt 311.04(d); Env-Wt 311.11)

SIGNATURE (OWNER):

[Signature]

PRINT NAME LEGIBLY:

Thomas Benson

DATE:

10-Feb-2021

SIGNATURE (APPLICANT, IF DIFFERENT FROM OWNER):

[Signature]

PRINT NAME LEGIBLY:

[Signature]

DATE:

[Signature]

SIGNATURE (AGENT, IF APPLICABLE):

[Signature]

PRINT NAME LEGIBLY:

Nicol Roseberry, Ames Associates

DATE:

[Signature]

SECTION 16 - TOWN/CITY CLERK SIGNATURE (Env-Wt 311.04(f))

As required by RSA 482-A:3, I(a)(1), 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.

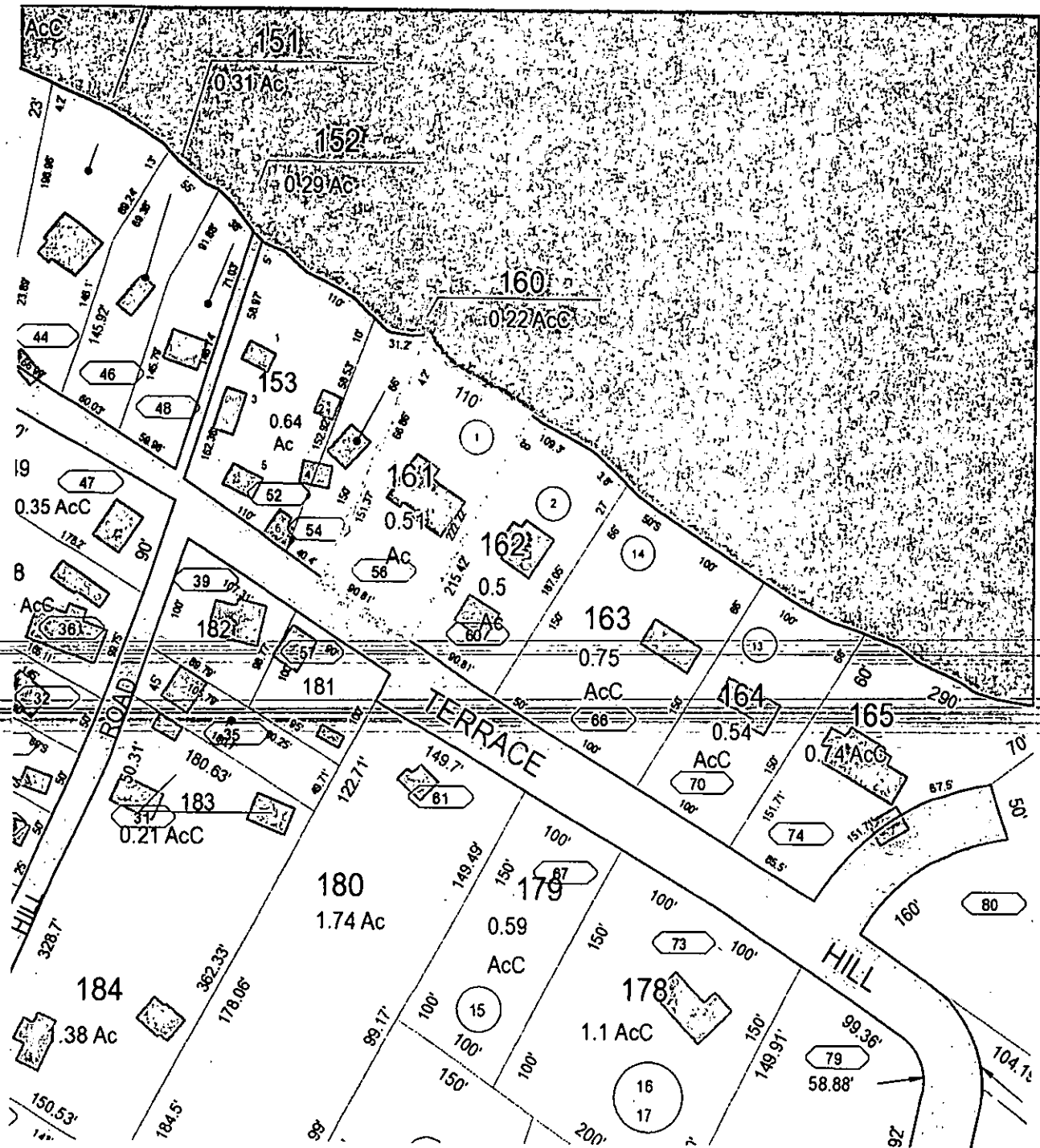
TOWN/CITY CLERK SIGNATURE:

[Signature]

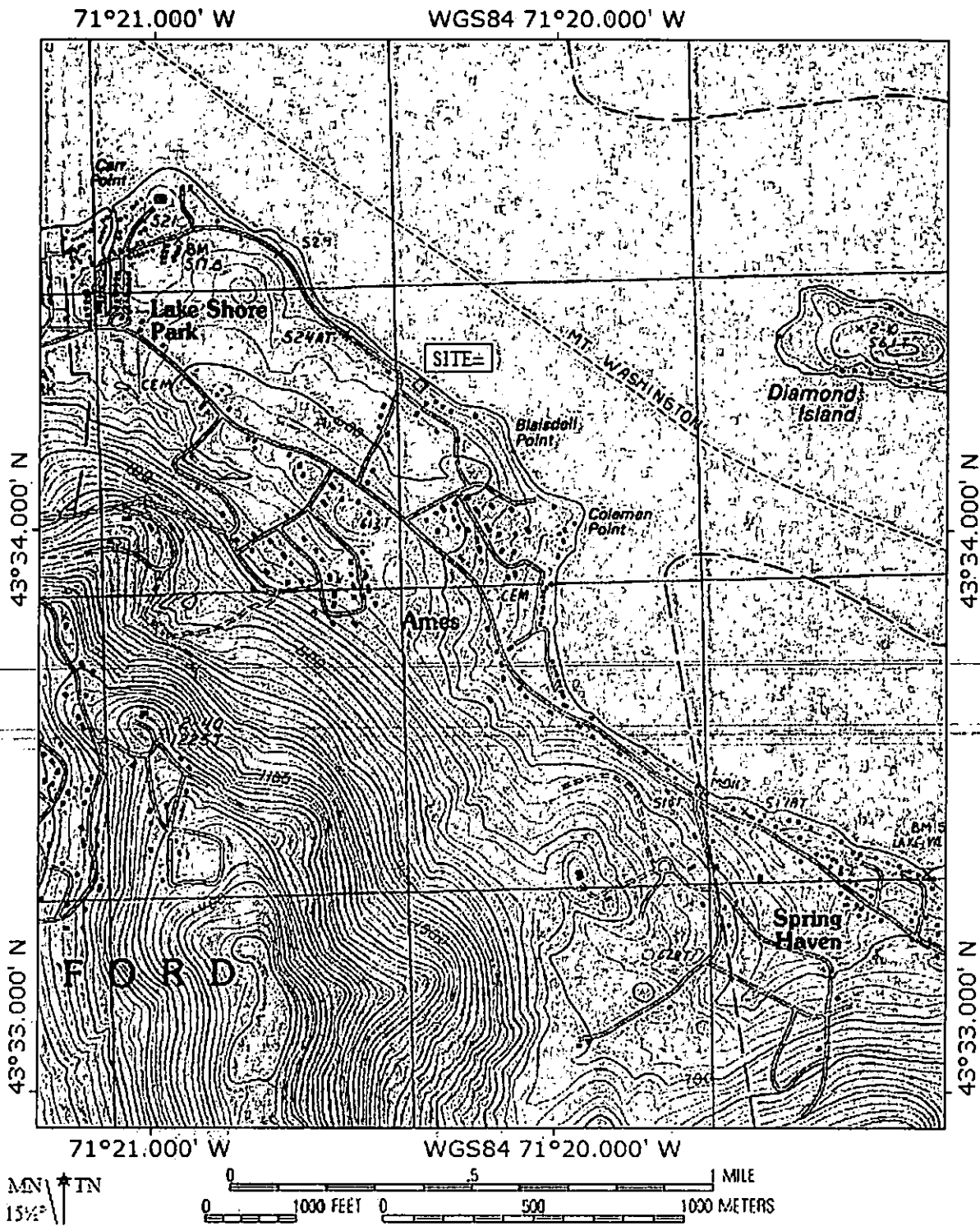
PRINT NAME LEGIBLY:

Danielle Laford

TAX MAP



USGS MAP





New Hampshire Natural Heritage Bureau

To: Nicol Roseberry
164 NH Route 25
Meredith, NH 03253

Date: 12/22/2020

From: NH Natural Heritage Bureau

Re: Review by NH Natural Heritage Bureau of request dated 12/22/2020
NHB File ID: NHB20-3752

Applicant: Nicol Roseberry

Location: Tax Map(s)/Lot(s): 267-161
Gilford

Project Description: Construct a rock breakwater, permanent dock, permanent boat lift, seasonal canopy, two ice clusters, and three fender pilings within the water. Dredge 970 sq ft of lake bed (4 cu yds). Construct a set of stairs and landing above the bank.

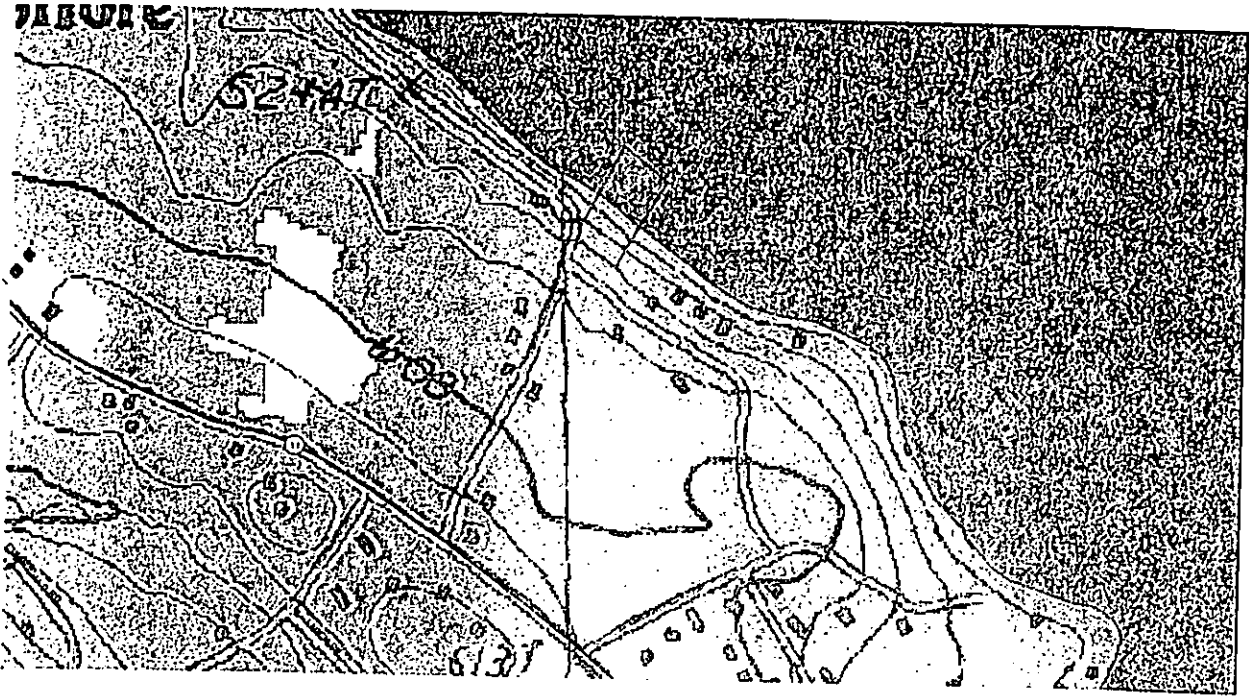
The NH Natural Heritage database has been checked for records of rare species and exemplary natural communities near the area mapped below. The species considered include those listed as Threatened or Endangered by either the state of New Hampshire or the federal government. We currently have no recorded 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 12/21/2021.



MAP OF PROJECT BOUNDARIES FOR NHB FILE ID: NHB20-3752





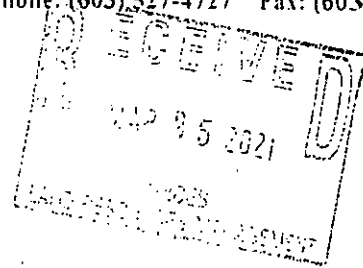
2021-00493

**TOWN OF GILFORD
CONSERVATION COMMISSION**

47 Cherry Valley Road, Gilford, NH 03249 Phone: (603) 527-4727 Fax: (603) 527-4731

March 23, 2021

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



Re: Thomas & Tara Benson, 56 Terrace Hill Road, Tax Map & Lot #267-161.000

Dear Wetland Bureau Staff:

The Gilford Conservation Commission received a standard dredge and fill application for Thomas & Tara Benson at 56 Terrace Hill Road, Tax Map & Lot #267-161.000.

The proposed project description is:

- to permanently remove an existing seasonal dock, with stairs and deck that lead to the dock; to construct a new set of stairs and deck;
- to construct an "L" breakwater 70' not to exceed 50' from shore;
- to dredge south side of breakwater to provide sufficient depth for boat access;
- to construct a permanent piling dock between the breakwater and the shoreline;
- to drive three fender pilings along the breakwater;
- to install a permanent boatlift and seasonal canopy within the slip;
- to install a seasonal personal water craft lift adjacent to the dock;
- to install an ice cluster SE of the proposed dock; and
- to install a buried electric line leading to the dock.

The Gilford Conservation Commission placed a statutory 'hold' on this application until its next regularly scheduled meeting.

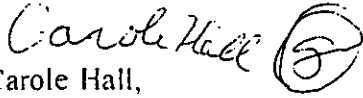
The Gilford Conservation Commission met virtually to review this application and plans via Go ToMeeting technology due to Covid-19 restrictions at its regularly scheduled posted meeting held on Tuesday March 16, 2021.

There was considerable discussion on this application. Members think that the location due to winds and weather and fetch does warrant the additional protection of the breakwater and ice cluster as proposed. Concern was raised as to the proposed dredge area that it would not last long due to the northeasterly winds in this area of the lake that the dredge area would refill and regular maintenance permits from DES would be required to keep the dredged area open. There was also no comment as to proposed location of dredge spoils. There was a question raised as to whether or not a shoreland application was needed for the proposed anchor pad.

There was a quorum present at the meeting.

The commission members voted to recommend approval of this application and plan although they voiced reservations as to whether or not the proposed dredge would work long term. Motion passed unanimously.

Sincerely,

A handwritten signature in cursive script that reads "Carole Hall". To the right of the name is a large, stylized circular flourish or monogram.

Carole Hall,
Chairman Gilford Conservation Commission

cc: Thomas & Tara Benson, owner
Ames Associates, 164 NH Route 25, Meredith, NH., 03253, agent

Owner

Gary & Paula Parker

Tax Map-Lot

267-153

Hillside Lakeside Condo Assoc

267-160

Michael & Patricia Difeo

267-162

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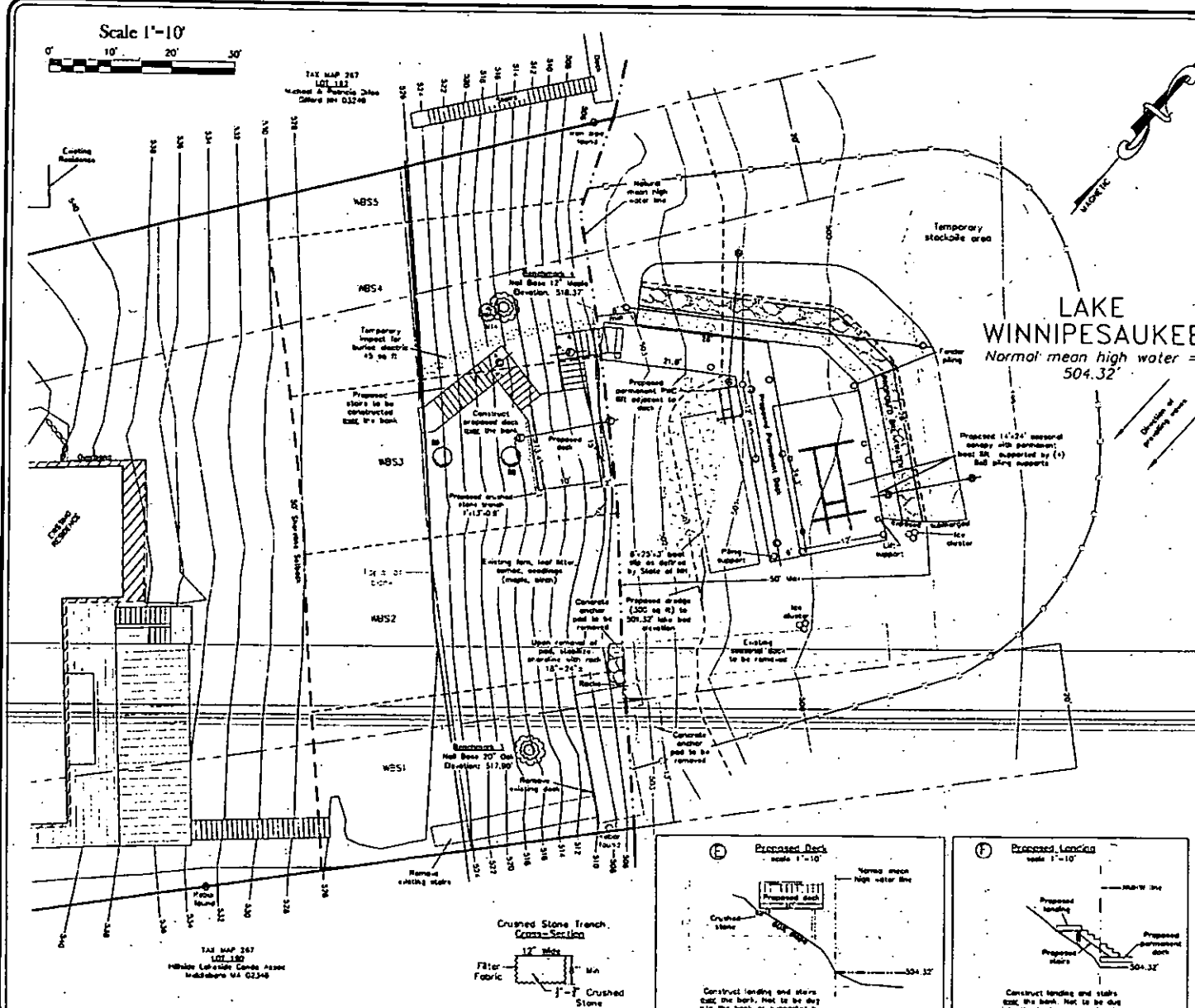
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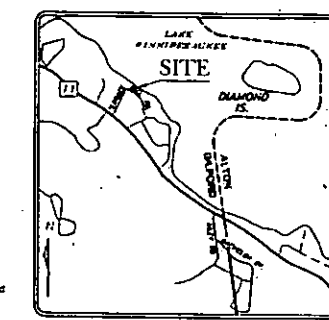
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General Notes:

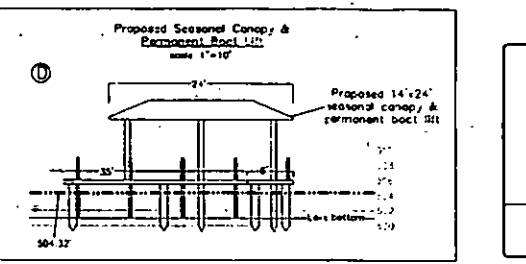
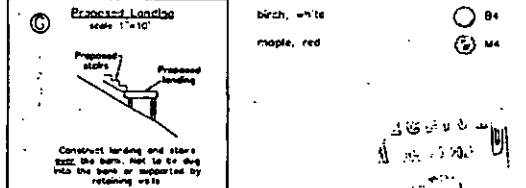
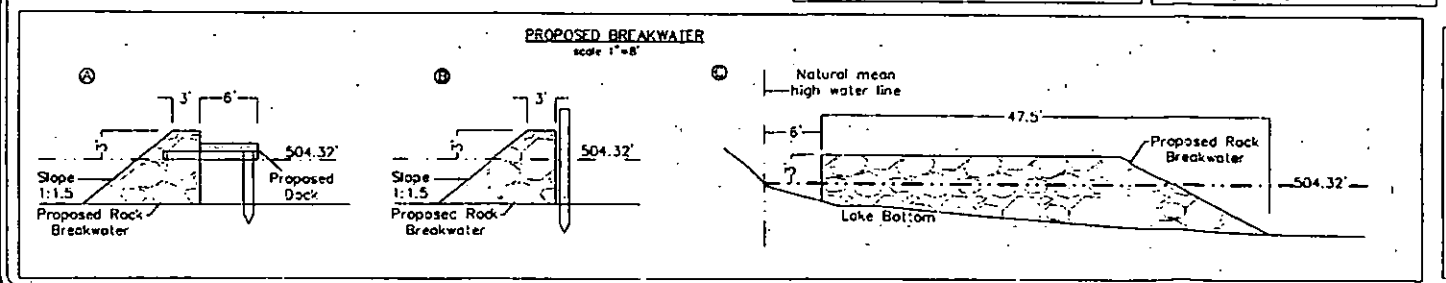
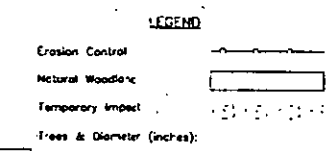
- Property lines shown are based on a boundary survey of this property performed by Ames Associates.
- Average shoreline:
Along NW1/4 line 114'±
Straight line 112'±
Average length 113'±
- Project Description:**
Remove the two existing concrete pads located along the southern shoreline. Upon removal of the northern concrete pad, stabilize the exposed soil and bank with rock (18"-24"). No rock placement is to extend beyond the normal mean high water (NMHW) line.
Construct a rock breakwater beginning no less than 5' from the NW1/4 line and extending NE, before turning to the east. Its exposed surface will not exceed 30' from the shoreline, and total length will not exceed 70'. A temporary stock pile area will be located within the proposed erosion control.
Drag 300 sq ft (± 5 cu yds) of sand/gravel lake bottom to a 'dredge bed' elevation of 501.32 to provide 3' of water depth for access to the proposed westerly boat slip. Dredge equipment and dewatering will be staged on a barge.
A permanent dock (6' wide) will extend along the south side of the breakwater for 25', then turn east for 34.3', providing a protected boat slip between the dock and breakwater. A permanent boat lift and 14'x24' seasonal canopy will be installed within the westerly slip, and a permanent permanent watercraft (PWC) lift will be installed adjacent to the proposed dock.
Three fender pilings will be installed along the breakwater, within the primary boat slip. An ice cluster will be installed south of the proposed breakwater.
The existing waterfront deck and stairs will be removed and replaced with new stairs and deck supported by piling constructed CUES (the bank (no retaining walls, and not to be dug into the bank), and located centrally along the waterfront. Total footprint of the stairs and deck will be 310 sq ft. The proposed deck will be constructed such that its surface pitches away from the lake. A crushed stone trench will be located under the westerly perimeter of the dock.
Bury electric line to permanent dock.
Proposed Impervious: Total = 2,154 sq ft
Breakwater 820 sq ft
Permanent Dock 334 sq ft
Stairs/Deck 300 sq ft
PWC Lift 25 sq ft
Lift/Canopy 312 sq ft
Ice Cluster 3 sq ft
Dredge 300 sq ft
off breakwater
Waterfront ramp imp = 60 sq ft
5. Work will take place within Waterfront Buffer Segments 3 & 42 (see plan 4-3). No trees are to be removed for this project. See NH RSA 483-B:9(2)(d) for further information regarding requirements for trees within the 0'-50' Waterfront Buffer along the shoreline.
6. Proposed Impervious coverage:
Waterfront deck/stairs 310 sq ft
Walkways 450
Canopy 312
Total 1,072 sq ft (23%)
5,016 sq ft (23%)



Locus Map
not to scale

Owner of Record:
Thomas R. & Tara J. Benson

- CONSTRUCTION SEQUENCE:**
- Notification of construction start must be provided to NHDES, in writing, no less than 1 week prior.
 - Install erosion control prior to, and maintain throughout, project construction.
 - Remove existing stairs/deck. Dispose of debris outside of NHDES Wetlands Bureau jurisdiction.
 - Remove existing concrete pads. Stabilize shoreline/exposed soil in area of removed northern pad with placement of rock (18"-24"). All rock to be placed behind the NMHW line.
 - Construct proposed stairs/deck. Cut the bank. Install crushed stone trench along west perimeter of the dock.
 - Stockpile breakwater rock on site, as necessary for construction, and construct breakwater.
 - Dredge area indicated on this plan to a lake bed elevation of 501.32.
 - Dredged material will be dewatered on the barge.
 - Dredged material will be disposed off-site to an appropriate upland area outside of NHDES Wetlands/Bureau jurisdiction.
 - Drive fender pilings and piling supports of permanent dock.
 - Construct dock frame and deck. Install boat lift and canopy.
 - Drive piling for ice cluster.
 - Install PWC lift adjacent to the proposed dock.
 - Install erosion controls upon stabilization of site.
 - Deviation from the project illustrated on this plan, and outside the scope of State and local permits, without first receiving additional approval may result in enforcement action by NHDES and local officials. Contact NHDES 603.271.2147 or Ames Associates if it is determined prior to (preferably), or during, construction that changes to the project will need to occur that are not represented on this plan.



Wetlands Application Plan
PROPOSED CONDITIONS
land of
BENSON
Tax Map 267 Lot 161
56 Terrace Hill Road, Gilford NH

AMES ASSOCIATES, LLC
Environmental Land Use Consultants
184 NH ROUTE 25
MERRIMACK, NH 03003
603-279-8700
603-279-7878 FAX
LAND SURVEYORS & SEPTIC SYSTEM DESIGNERS
ENVIRONMENTAL CONSULTANTS & WETLAND & SOIL SCIENTISTS
WWW.AMESASSOCIATES.COM

| | | |
|----------------------------|-------------------------------|----------------|
| PLAN DATE 7/11/2021 | PROJECT NO. Benson 267-161 | DRAWN BY MB |
| REVISION DATE 7/11/2021 | SCALE 1"=10' | |