



The State of New Hampshire
Department of Environmental Services

Robert R. Scott, Commissioner



NOV 26 '19 PM 2:27 DAS
November 20, 2019

eam
143

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

REQUESTED ACTION

Approve Kevin and Nicole Dunbar's request to perform the following work on Lake Winnepesaukee in Gilford. File # 2019-01312. This project will not have significant impact on or adversely affect the values of Lake Winnepesaukee.

Place 80 cubic yards of fill on 650 square feet of lakebed to construct a 34 foot straight breakwater 11 feet lakeward of the natural high water line to protect an existing 6 foot x 40 foot seasonal pier on an average of 135 linear feet of frontage on Lake Winnepesaukee on Diamond Island in Gilford.

The New Hampshire Department of Environmental Services (NHDES) imposed the following conditions as part of this approval:

1. All work shall be in accordance with revised plans by Ambrose Marine revision dated September 21, 2019 and received by the NH Department of Environmental Services (NHDES) on October 1, 2019.
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 Bureau 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 NH Code of Administrative Rules Env-Wq 1400 during and after construction.
4. This permit does not authorize the removal of vegetation from areas within the waterfront buffer.
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 until suspended particles have settled and water at the work site has returned to normal clarity.
6. No portion of breakwater as measured at normal full lake (Elev. 504.32) shall extend more than 50 feet from normal full lake shoreline.
7. The breakwater shall not exceed 3 feet in height (Elev. 507.32) over the normal high water line (Elev. 504.32).
8. The width as measured at the top of the breakwater (Elev. 507.32) shall not exceed 3 feet.
9. 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.

10. 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.
11. Only those structures shown on the approved plans shall be installed or constructed along this frontage. All portions of the structures, including the breakwater toe of slope, shall be at least 20 feet from the abutting property lines or the imaginary extension of those lines into the water.
12. This permit shall not preclude the NHDES from initiating appropriate action if the NHDES later determines that any of the structures depicted as "existing" on the plans submitted by or on behalf of the permittee were not previously permitted or grandfathered.

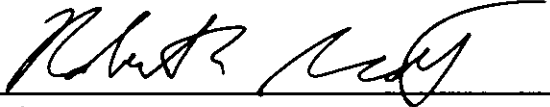
EXPLANATION

The NHDES approved this project on October 07, 2019. The NHDES supported its decision with the following findings:

1. This project is classified as a major project per Rule Env-Wt 303.02(j), construction of breakwater in public waters.
2. The construction of a breakwater to provide safe docking at this site is justified in accordance with Rule Env-Wt 402.07, Breakwaters.
3. 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.
4. 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 Rule Env-Wt 302.03.
5. The applicant has demonstrated by plan and example that each factor listed in Rule Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
6. The construction of the proposed breakwater will not provide additional slips on the frontage.

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

WETLANDS PERMIT APPLICATION

Water Division/ Wetlands Bureau

Land Resources Management

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



RSA/Rule: RSA 482-A/ Env-Wt 100-990

<div style="border: 2px solid black; padding: 5px; font-size: 2em; font-weight: bold; letter-spacing: 5px;">RECEIVED</div> <p style="text-align: center;">MAY 06 2019</p> <p style="text-align: center; font-size: 0.8em;">NHDES LAND RESOURCES MANAGEMENT</p>	<div style="border: 2px solid black; padding: 5px; font-size: 2em; font-weight: bold; letter-spacing: 5px;">COMPLETE</div> <p style="text-align: center;">MAY 06 2019</p>	<p style="font-size: 1.5em;">2019-01312</p> <p style="font-size: 1.2em;">3005</p> <p style="font-size: 1.2em;">365</p> <p style="font-size: 1.2em;">5101</p>
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1. REVIEW TIME: Indicate your Review time below. To determine review time refer to Guidance Document A for instructions.

- Standard Review (Minimum, Minor or Major Impact) Expedited Review (Minimum Impact only)

2. MITIGATION REQUIREMENT:
If mitigation is required, a Mitigation Pre-Application meeting must occur prior to submitting this Wetlands Permit Application. To determine if mitigation is required, please refer to the Determine If Mitigation is Required Frequently Asked Questions.

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

- N/A - Mitigation is not required

3. PROJECT LOCATION:
Separate wetland permit applications must be submitted for each municipality within which wetland impacts occur.

ADDRESS: 7B Diamond Island		TOWN/CITY: Gilford	
TAX MAP: 268	BLOCK:	LOT: 7	UNIT: 1
USGS TOPO MAP WATERBODY NAME: Lake Winnepesaukee	<input type="checkbox"/> NA	STREAM WATERSHED SIZE:	<input type="checkbox"/> NA
LOCATION COORDINATES (If known): E 1,075,965 N 391,487	<input type="checkbox"/> Latitude/Longitude <input type="checkbox"/> UTM <input checked="" type="checkbox"/> State Plane		

4. 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.

Construct a +/- 825 square foot breakwater in front of 135 of frontage on Diamond Island.

5. SHORELINE FRONTAGE:

- N/A This does not have shoreline frontage. SHORELINE FRONTAGE: 135.5

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 (Env-Wt 101.89).

6. RELATED NHDES LAND RESOURCES MANAGEMENT PERMIT APPLICATIONS ASSOCIATED WITH THIS PROJECT:

Please indicate if any of the following permit applications are required and, if required, the status of the application. To determine if other Land Resources Management Permits are required, refer to the Land Resources Management Webpage.

Permit Type	Permit Required	File Number	Permit Application Status
Alteration of Terrain Permit Per RSA 485-A:17	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	_____	<input type="checkbox"/> APPROVED <input type="checkbox"/> PENDING <input type="checkbox"/> DENIED
Individual Sewerage Disposal per RSA 485-A:2	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	_____	<input type="checkbox"/> APPROVED <input type="checkbox"/> PENDING <input type="checkbox"/> DENIED
Subdivision Approval Per RSA 485-A	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	_____	<input type="checkbox"/> APPROVED <input type="checkbox"/> PENDING <input type="checkbox"/> DENIED
Shoreland Permit Per RSA 483-B	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	_____	<input type="checkbox"/> APPROVED <input type="checkbox"/> PENDING <input type="checkbox"/> DENIED

7. 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 19 - 0381
- b. This project is within a Designated River corridor. The project is within ¼ mile of: _____; and date a copy of the application was sent to the Local River Management Advisory Committee: Month: ___ Day: ___ Year: ___
- N/A - This project is not within a Designated River corridor.

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

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

www.des.nh.gov

8. APPLICANT INFORMATION (Desired permit holder)

LAST NAME, FIRST NAME, M.I.: Dunbar, Kevin and Nicole

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. 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.

10. AUTHORIZED AGENT INFORMATION

LAST NAME, FIRST NAME, M.I.: Greer, Tobin

COMPANY NAME: Ambrose Marine Construction

MAILING ADDRESS: PO Box 1323

TOWN/CITY: Meredith

STATE: NH

ZIP CODE: 03253

EMAIL or FAX: tobin@marinenh.com

PHONE: 603-707-7394

ELECTRONIC COMMUNICATION: By initialing here TG I hereby authorize NHDES to communicate all matters relative to this application electronically.

11. PROPERTY OWNER SIGNATURE

See the Instructions & Required Attachments document for clarification of the below statements

By signing the application, I am certifying that:

1. I authorize the applicant and/or agent indicated on this form to act in my behalf in the processing of this application, and to furnish upon request, supplemental information in support of this permit application.
2. I have reviewed and submitted information & attachments outlined in the Instructions and Required Attachment document.
3. All abutters have been identified in accordance with RSA 482-A:3, I and Env-Wt 100-900.
4. I have read and provided the required information outlined in Env-Wt 302.04 for the applicable project type.
5. I have read and understand Env-Wt 302.03 and have chosen the least impacting alternative.
6. Any structure that I am proposing to repair/replace was either previously permitted by the Wetlands Bureau or would be considered grandfathered per Env-Wt 101.47.
7. I have submitted a Request for Project Review (RPR) Form (www.nh.gov/nhdnr/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 National Historic Preservation Act (NHPA) 106 compliance.
8. I authorize NHDES 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 NHDES 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 NHDES correspondence. NHDES will not forward returned


Property Owner Signature

Kevin Dunbar

Print name legibly

3 / 31 / 2019

Date

lrn@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

12. 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

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 be reviewed in the standard review time frame.

13. TOWN / CITY CLERK SIGNATURE

As required by Chapter 482-A:3 (amended 2014), I hereby certify that the applicant has filed four application forms, four detailed plans, and four USGS location maps with the town/city indicated below.

Denise M. Gonyer

Denise M. Gonyer
Print name legibly

Stifford
Town/City

5/2/19
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.

14. 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 completed.
Intermittent Streams: linear footage/distance of disturbance is measured along the thread of the channel.
Perennial Streams/Rivers: the total linear footage/distance is calculated by summing the lengths of disturbance to the channel and each bank.

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 channel	/ <input type="checkbox"/> ATF	/ <input type="checkbox"/> ATF
Perennial Stream / River channel	/ <input type="checkbox"/> ATF	/ <input type="checkbox"/> ATF
Lake / Pond	825 / <input type="checkbox"/> ATF	/ <input type="checkbox"/> ATF
Bank - Intermittent stream	/ <input type="checkbox"/> ATF	/ <input type="checkbox"/> ATF
Bank - Perennial stream / River	/ <input type="checkbox"/> ATF	/ <input type="checkbox"/> ATF
Bank - Lake / Pond	/ <input type="checkbox"/> ATF	/ <input type="checkbox"/> ATF
Tidal water	/ <input type="checkbox"/> ATF	/ <input type="checkbox"/> ATF
Salt marsh	<input type="checkbox"/> ATF	<input type="checkbox"/> ATF
Sand dune	<input type="checkbox"/> ATF	<input type="checkbox"/> ATF
Prime wetland	<input type="checkbox"/> ATF	<input type="checkbox"/> ATF
Prime wetland buffer	<input type="checkbox"/> ATF	<input type="checkbox"/> ATF
Undeveloped Tidal Buffer Zone (TBZ)	<input type="checkbox"/> ATF	<input type="checkbox"/> ATF
Previously-developed upland in TBZ	<input type="checkbox"/> ATF	<input type="checkbox"/> ATF
Docking - Lake / Pond	<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
Vernal Pool	<input type="checkbox"/> ATF	<input type="checkbox"/> ATF
TOTAL	/	/

15. 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)	825 sq. ft.	X \$0.20 =	\$ 165
Temporary (seasonal) docking structure:	sq. ft.	X \$1.00 =	\$
Permanent docking structure:	sq. ft.	X \$2.00 =	\$
Projects proposing shoreline structures (including docks) add \$200 =			\$ 200
Total =			\$ 365

The Application Fee is the above calculated Total or \$200, whichever is greater = **\$ 365**

Ambrose Marine Construction
PO Box 1323
Meredith, NH 03253
603.707.7394
info@marinenh.com



Statement of Purpose/Description of Project

Dunbar
7B Diamond Island
Gilford Tax Map 268/7/1

The applicant is proposing to construct a roughly 850 square foot breakwater in front of their property on Diamond Island. This location qualifies for a breakwater as indicated on NH DES publication "Appendix A; Shoreline Which Meets the Criteria in Env-Wt 402.07.(b)(2)." The breakwater will provide protection from the prevailing NNW winds for their existing seasonal dock and boats. The breakwater will be stand-alone. That is to say, no dock will be permanently or seasonally attached to the breakwater. All material for the structure, originating outside Wetlands jurisdiction, will be brought to the site via barge and all work will occur from a barge. All current design elements will be followed as they pertain to height, slope, size etc. The work area will be contained by a turbidity curtain for the duration of the project.

Dunbar 7B Diamond Island Gilford Tax Map 268-007-a



Gilford, NH

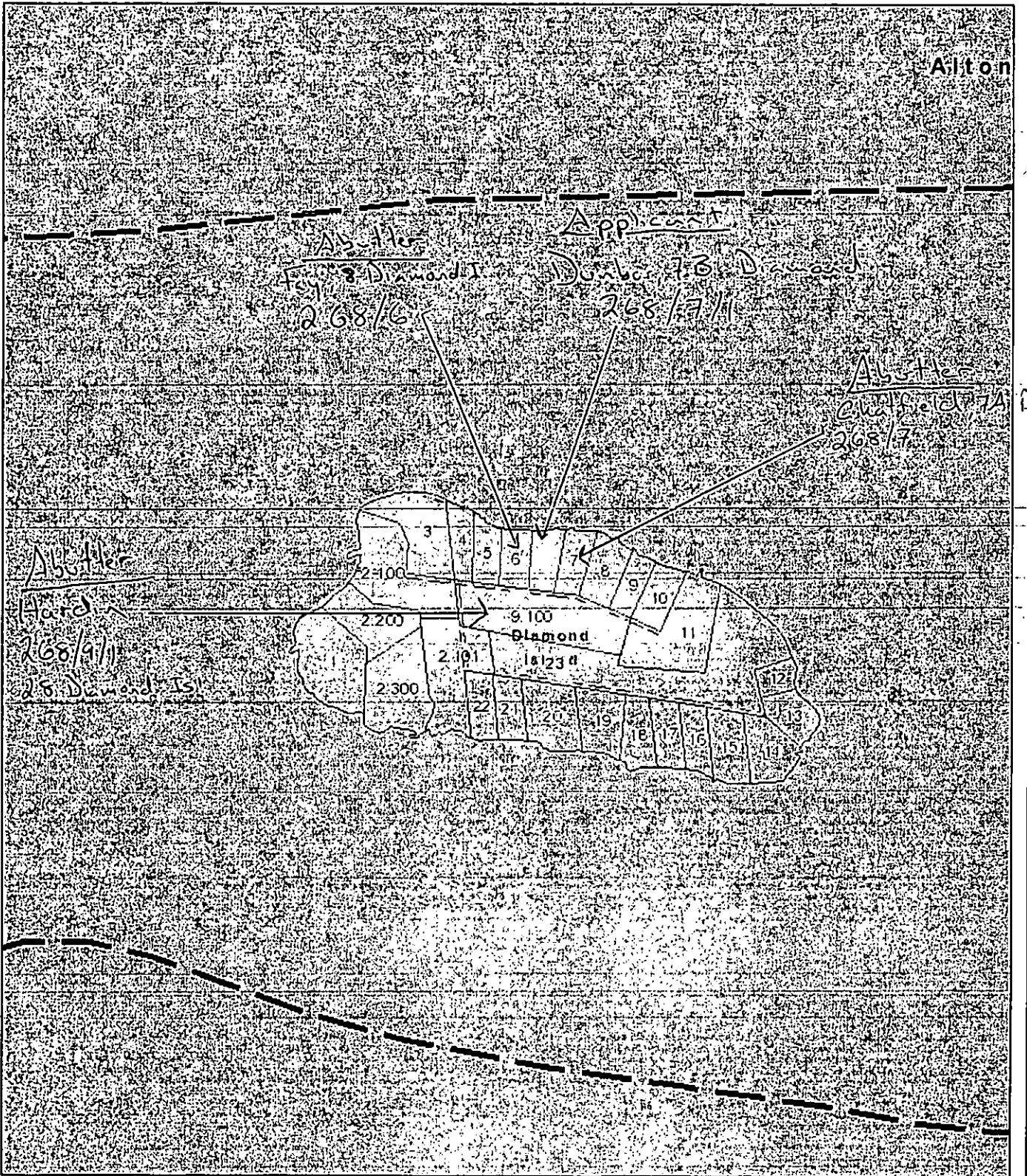


January 29, 2019

1 inch = 537 Feet

www.cai-tech.com

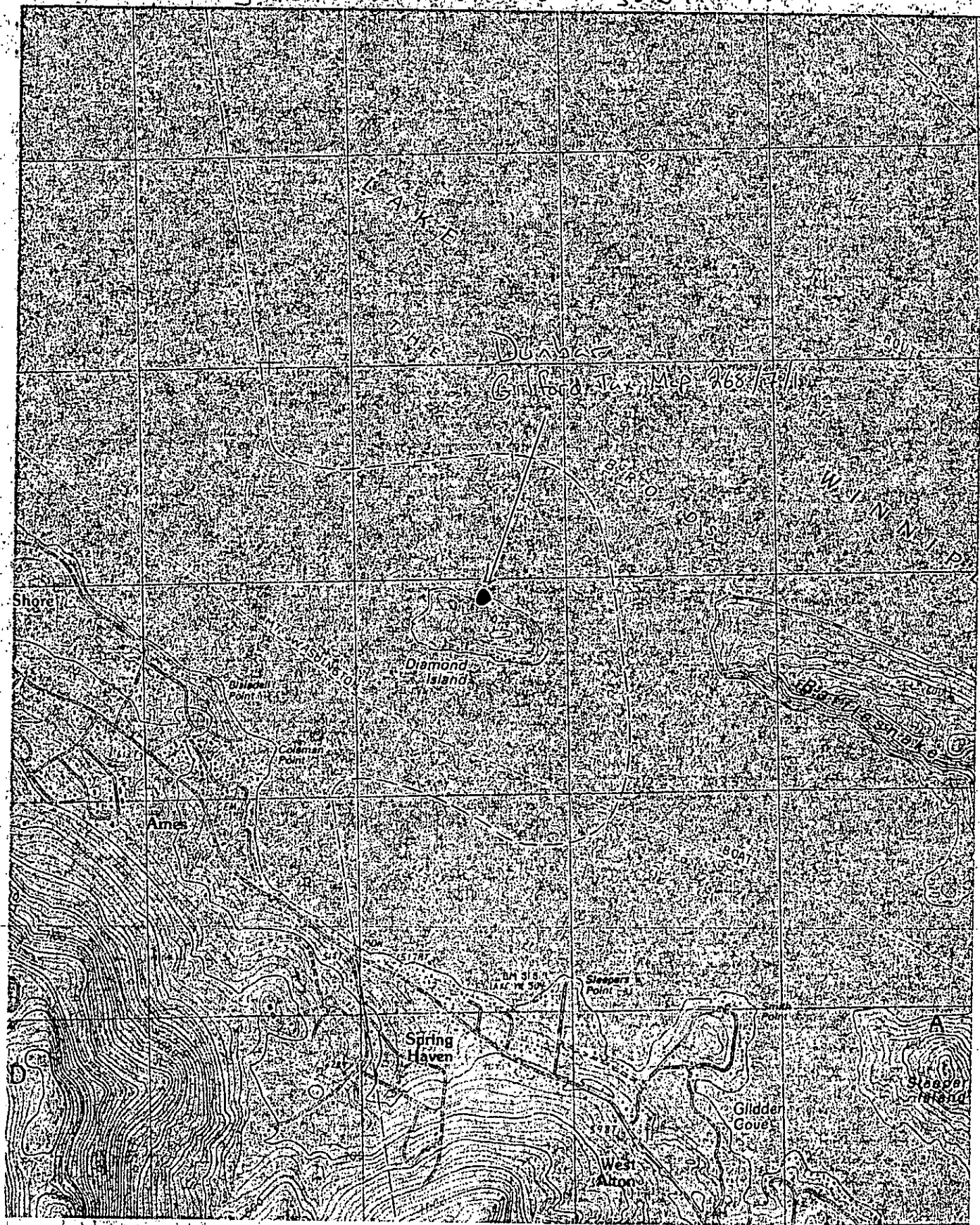
0 537 1075 1613



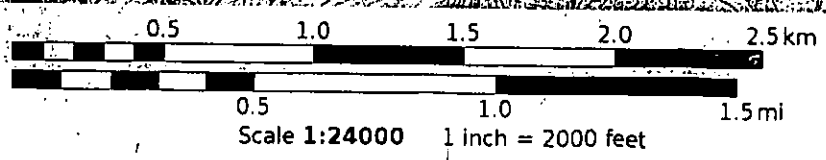
Data shown on this map is provided for planning and informational purposes only. The municipality and CAI Technologies are not responsible for any use for other purposes or misuse or misrepresentation of this map.

Dunbar

Eastings: 1076024.28 Northings: 391447.34



Mercator Projection
 WGS84
 USNG Zone 19TCJ
 CalTopo





New Hampshire Natural Heritage Bureau

To: Tobin Greer
Box 1323
Meredith, NH 03253

Date: 1/30/2019

From: NH Natural Heritage Bureau

Re: Review by NH Natural Heritage Bureau of request dated 1/30/2019

NHB File ID: NHB19-0381

Applicant: Tobin Greer

Location: Tax Map(s)/Lot(s): 268-7-1
Gilford

Project Description: Construct new breakwater.

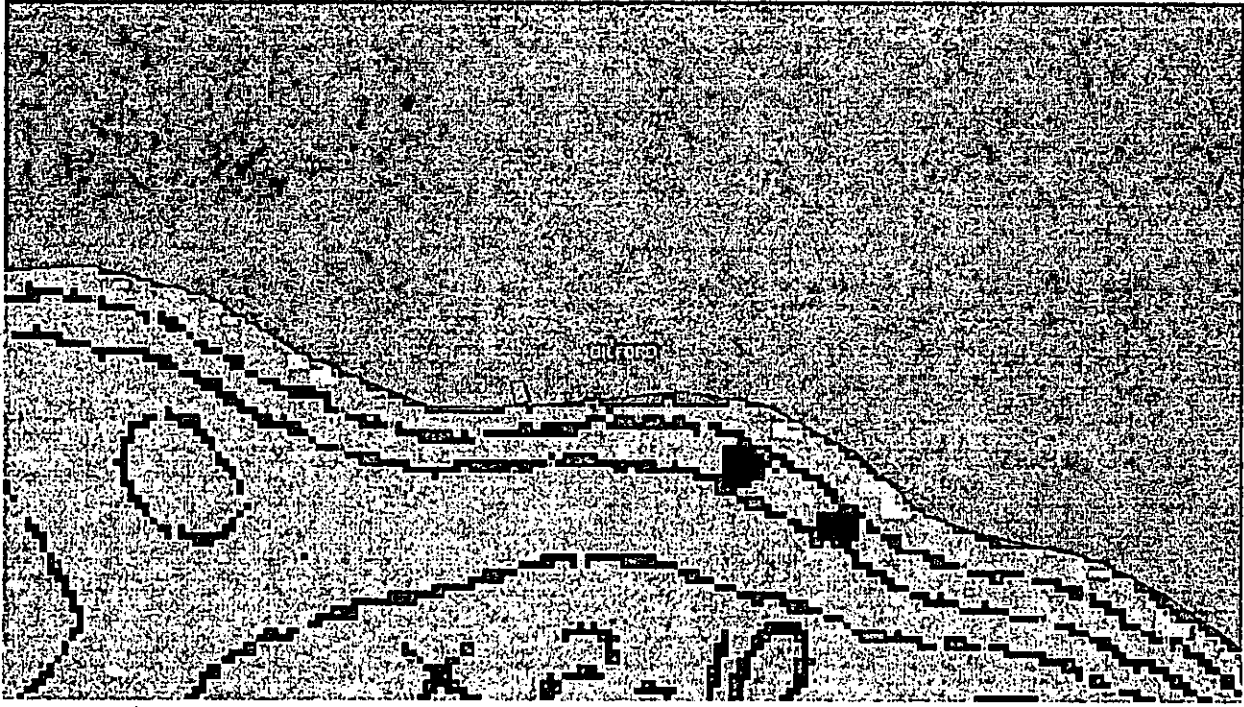
The NH Natural Heritage database has been checked for records of rare species and exemplary natural communities near the area mapped below. The species considered include those listed as Threatened or Endangered by either the state of New Hampshire or the federal government. We currently have no recorded 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 1/29/2020.



MAP OF PROJECT BOUNDARIES FOR NHB FILE ID: NHB19-0381



Ambrose Marine Construction

PO Box 1323

Meredith, NH 03253

603.279.4444

info@marinenh.com



Abutter List

Kevin and Nicole Dunbar

Subject Property:

7B Diamond Island, Gilford Tax Map 268/7/1

Kevin and Nicole Dunbar

Abutters:

1) 7A Diamond Island, Gilford Tax Map 268/7

Russell Chatfield

2) 8 Diamond Island, Gilford Tax Map 268/6

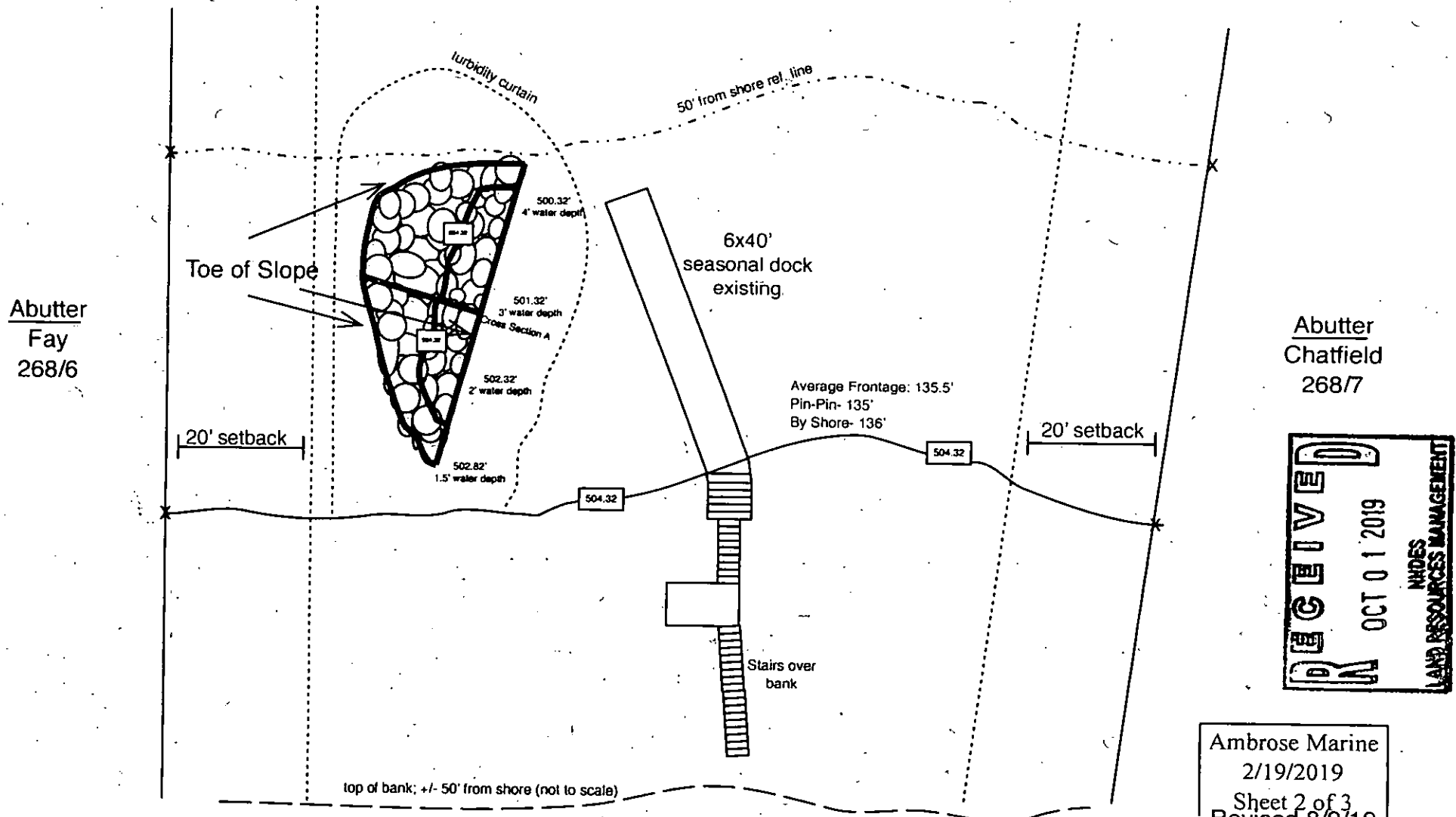
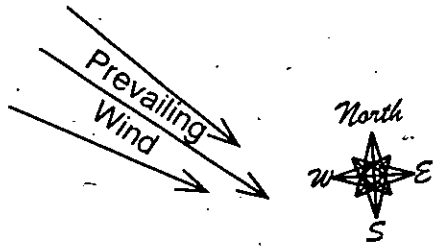
William and Bethany Fay

3) 28 Diamond Island, Gilford Tax Map 268/9/1

Hardin Family Realty Trust

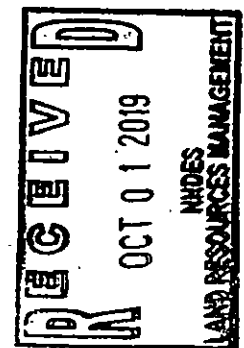
PROPOSED CONDITIONS
Dunbar
7B Diamond Island
Gilford Tax Map 268/7/1
1"=20'
Easting- 1,075,965
Northing- 391,487

- Project Notes, 2nd Revision:**
- Construct +/- 650 sf. breakwater
 - Turbidity curtain to surround work area prior to construction; all work done from barge; all material barged in from outside of Wetlands jurisdiction
 - Dark line labeled 504.32' within breakwater indicates area visible above high water; top of breakwater not to exceed 3' in width nor 3' above full lake
 - Additional drawing shows cross section including toe of slope dimensions
 - Approximately 80 cy of rock



Abutter
 Fay
 268/6

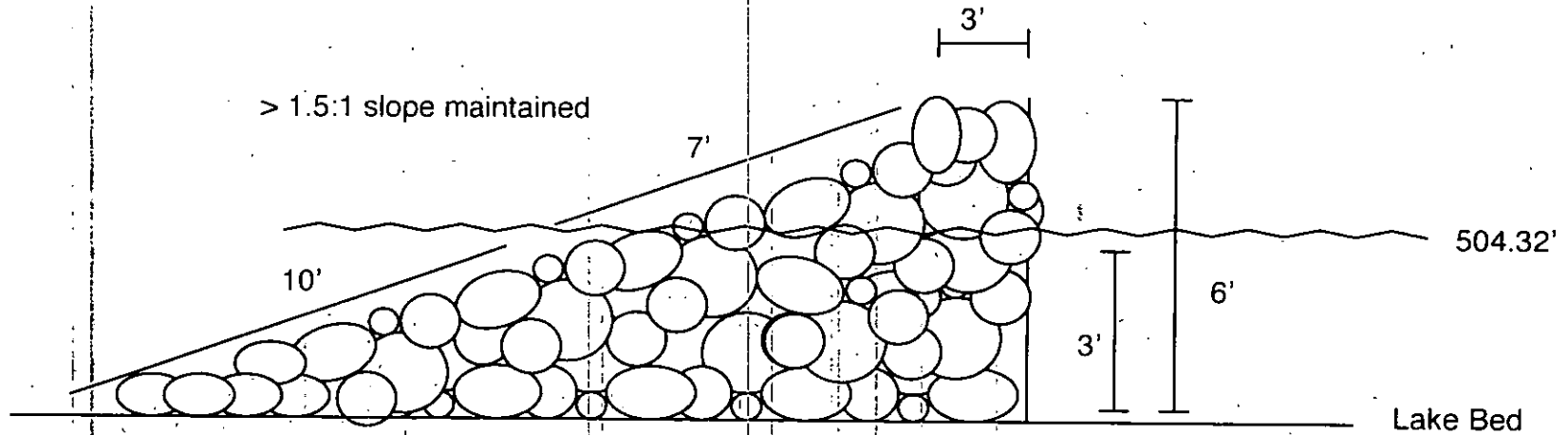
Abutter
 Chatfield
 268/7



Ambrose Marine
 2/19/2019
 Sheet 2 of 3
 Revised 8/9/19
 2nd Revis.
 9/21/2019

Cross Section A
Dunbar
7B Diamond Island
Gilford Tax Map 268/7/1
Not To Scale; Dimensioned

RECEIVED
OCT 01 2019
NHDES
LAND RESOURCES MANAGEMENT



Ambrose Marine
2/19/2019
Sheet 3 of 3
Revised 8/9/19
2nd Rev. 9/21/2019