



MAR11 '20 AM 9:44 DAS
The State of New Hampshire
**Department of Environmental
Services**



Robert R. Scott, Commissioner

March 4, 2020

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

REQUESTED ACTION

Approve Singing Eagle Lodge at Clifford Pointe, LLC's request to perform the following work on Squam Lake in Moultonborough. File # 2019-02216. This project will not have significant impact on or adversely affect the values of Squam Lake.

Raze an existing 40 foot 2 inch x 32 foot 5 inch, two-story, dug-in boathouse and contiguous 31 foot x 11 foot 7 inch bunkhouse; construct a 40 foot 2 inch x 39 foot 9 inch, two-story, boathouse using the pre-existing foundation within the lake and replace 356 square feet of patio, in kind, along an average of 953 linear feet of shoreline frontage along Squam Lake in Moultonborough.

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 Watermark Marine Construction revision dated July 15, 2019 and as received by the NH Department of Environmental Services (NHDES) on July 19, 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 N.H. Code of Administrative Rules Env-Wq 1400 during and after construction.
4. Pursuant to RSA 482-A:26, at no time shall this structure be modified to include kitchen or bathroom facilities.
5. Work shall be carried out in a time and manner to avoid disturbances to migratory waterfowl breeding and nesting areas.
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. Appropriate siltation and erosion controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized. Temporary controls shall be removed once the area has been stabilized.
8. All construction-related debris shall be placed outside of the areas subject to RSA 482-A.
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.
11. No person undertaking any activity shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards in RSA 485-A and Env-Wq 1700.
12. This permit shall not preclude NHDES from initiating appropriate action if 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.
13. Repairs shall maintain the size, location, and configuration of the approved structures.

EXPLANATION

The NHDES approved this project on January 28, 2020. The NHDES supported its decision with the following findings:

1. This project is classified as a major project per Rule Env-Wt 303.02(d), modification of docking facilities that provide 5 or more boat slips.
2. This application was filed and deemed complete prior to December 15, 2019, and therefore, was reviewed for compliance with Administrative Rules Chapters Env-Wt 100 - 900 in effect on the date of filing.
3. The applicant has an average of 953 feet of frontage along Squam Lake.
4. A maximum of 13 slips may be permitted on this frontage per Rule Env-Wt 402.13, Frontage Over 75'.
5. The docking facilities on the frontage consists of the existing boathouse which provides 3 slips and a separate 2 slip docking structure located to the west of the boathouse.
6. The docking facilities will continue to provide 5 slips as defined per RSA 482-A:2, VIII on the frontage with 3 of those slips located within the reconfigured boathouse, and therefore will meet Rule Env-Wt 402.13.
7. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the NHDES' jurisdiction per Env-Wt 302.03.
8. 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.

9. The proposed reconfiguration of the boathouse results in a reduction in both the overall volume and square footage of boathouse.
10. The proposed reconfiguration of the boathouse shifts a greater portion of the structure over land and reduces the area and volume of the structure over public waters.
11. The NHDES finds that because the project is not of significant public interest and will not significantly impair the resources of Squam Lake a public hearing under RSA 482-A:8 is not required.
12. The Applicant has requested a waiver of Rule Env-Wt 402.21, Modification of Existing Structures, pursuant to Part Env-Wt 204, Waivers.
13. The NHDES finds that granting the requested waiver will not result in an adverse effect to the environment or natural resources of the state, public health, or public safety that is more significant than that which would result from complying with Rule Env-Wt 402.21.
14. The NHDES finds that granting the requested waiver to allow modifications that reduce the overall footprint and volume of the structure is consistent with the intent and purpose of the Rule Env-Wt 402.21.
15. The NHDES finds that the requirements of Rule Env-Wt 204.04, Criteria, have been met, therefore, the waiver of Rule Env-Wt 402.21 is granted.

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 100-900

RECEIVED JUL 18 2019 NHDES LAND RESOURCES MANAGEMENT	COMPLETE Administrative Only JUL 18 2019	File: 201902216
		Check No: 104468
		Amount: \$200.00
		Initials: DR

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: 66/92 Singing Eagle Road (formerly known as 92/110 Singing Eagle Road) TOWN/CITY: Moultonborough

TAX MAP: 84 BLOCK: LOT: 01 UNIT:

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

LOCATION COORDINATES (If known): ☐ Latitude/Longitude ☐ UTM ☐ 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.

Reconstruct/renovate previously permitted 1676 square foot dug in boathouse using existing foundation within the lake, increasing ridge height of 16' 6" to 20', and reducing foot print by 79 square feet and volume by 31 cubic. Remove and replace 356' impervious rear slab/patio.

5. SHORELINE FRONTAGE:

☐ N/A This does not have shoreline frontage. SHORELINE FRONTAGE: 1128

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 type="checkbox"/> NO		<input type="checkbox"/> APPROVED <input type="checkbox"/> PENDING <input type="checkbox"/> DENIED
Individual Sewerage Disposal per RSA 485-A:2	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	ECA2019042617	<input checked="" type="checkbox"/> APPROVED <input type="checkbox"/> PENDING <input type="checkbox"/> DENIED
Subdivision Approval Per RSA 485-A	<input type="checkbox"/> YES <input type="checkbox"/> NO		<input type="checkbox"/> APPROVED <input type="checkbox"/> PENDING <input type="checkbox"/> DENIED
Shoreland Permit Per RSA 483-B	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	2018-3525	<input checked="" 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 18 - 2858

b. ☐ This project is within a Designated River corridor. The project is within 1/4 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.:			
TRUST / COMPANY NAME: Singing Eagle Lodge at Clifford Pointe, LLC		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.: Same			
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.: Regina A. Nadeau, Esquire		COMPANY NAME: Normandin, Cheney & O'Neil, PLLC	
MAILING ADDRESS: 213 Union Avenue			
TOWN/CITY: Laconia		STATE: NH	ZIP CODE: 03246
EMAIL or FAX: rnadeau@nco-law.com		PHONE: 603-524-4380	
ELECTRONIC COMMUNICATION: By initialing here  , I hereby authorize NHDES to communicate all matters relative to this application electronically.			
11. PROPERTY OWNER SIGNATURE:			
See the <u>Instructions & Required Attachments</u> document for clarification of the below statements			
By signing the application, I am certifying that:			
<ol style="list-style-type: none"> 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 <u>Instructions and Required Attachment</u> 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/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 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		Timothy Clifford, Member Print name legibly	/ / Date

lrm@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
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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 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.

⇒ Julia Marchand	Julia Marchand	Moultonborough	7.18.19
	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.

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

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	/ <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	/	0 /

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) _____ sq. ft. X \$0.20 = \$ replacement

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

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

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

Total = \$

The Application Fee is the above calculated Total or \$200, whichever is greater = \$ 200.00

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

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

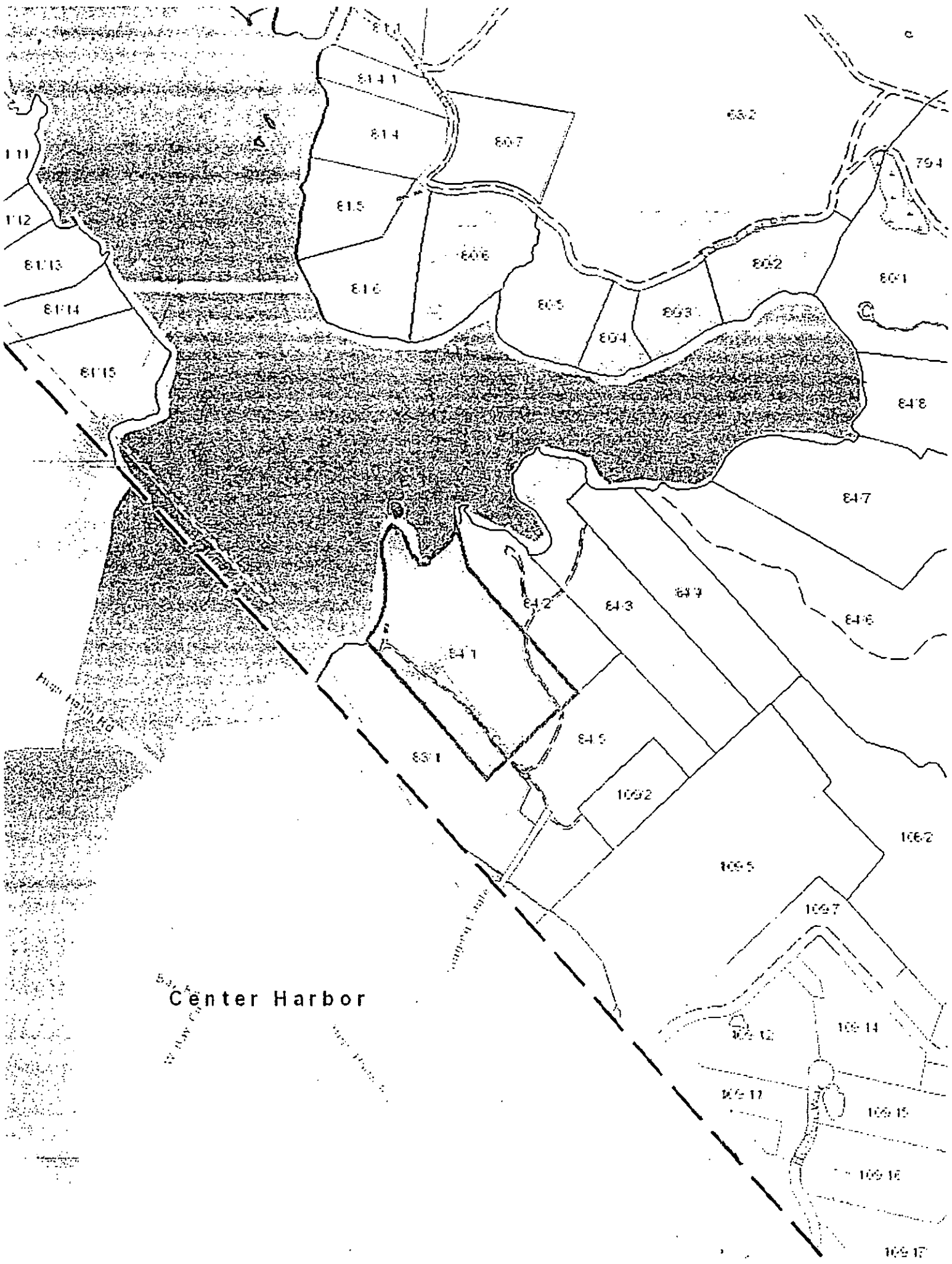
www.des.nh.gov

AUTHORIZATION

I, Timothy Clifford, managing member of Singing Eagle Lodge at Clifford Pointe LLC, of [REDACTED] owner of property located at 92-110 Singing Eagle Road, Moultonborough, New Hampshire (Tax Map 84 Lot 1), hereby authorize REGINA A. NADEAU of Normandin, Cheney & O'Neil PLLC, 213 Union Avenue, P.O. Box 57, Lebanon, NH 03247, and Yerkes Surveying Consultants, of P.O. Box 38, Liscomb, New Hampshire 03247, to apply for building permit(s), shoreland permit(s), and any other land use approval and to represent me as my agents in all regulatory forums for the purpose of seeking approval for the LLC's property on Singing Eagle Road.


Timothy Clifford

Dated this 17 day of November 2018.



This topographic map shows the Singing Eagle Lodge area in New Hampshire. The map features contour lines indicating elevation, with labels such as "Singing Eagle", "Belknap", "Carroll", and "Moultonboro". A specific location is marked with a red dot and labeled "1". A callout box provides coordinates for this point: X: 1030140.826821, Y: 451166.585444. The map includes a legend for state, county, and city/town boundaries. A scale bar indicates a distance of 1 mile. The map was generated by NH GRANIT on 10/4/2018.

☐ State
☐ County
☐ City/Town

1

X: 1030140.826821
Y: 451166.585444

1: 24,000

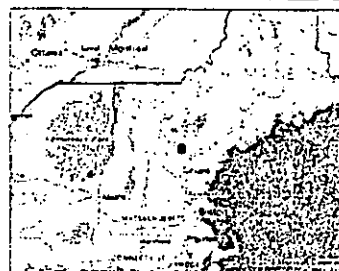


© NH GRANIT, www.granit.unh.edu

Map Generated: 10/4/2018

Notes

Moultonboro, NH





New Hampshire Natural Heritage Bureau

To: Regina Nadeau
PO Box 575
Laconia, NH 03246

Date: 9/12/2018

From: NH Natural Heritage Bureau

Re: Review by NH Natural Heritage Bureau of request dated 9/12/2018

NHB File ID: NHB18-2858

Applicant: Regina A. Nadeau

Location: Tax Map(s)/Lot(s): 084/001
Moultonborough

Project Description: Remove and replace dug-in boathouse, ~~remove and~~
replace single family dwelling, ~~install new septic system,~~
~~boathouse~~ and reroute driveway.

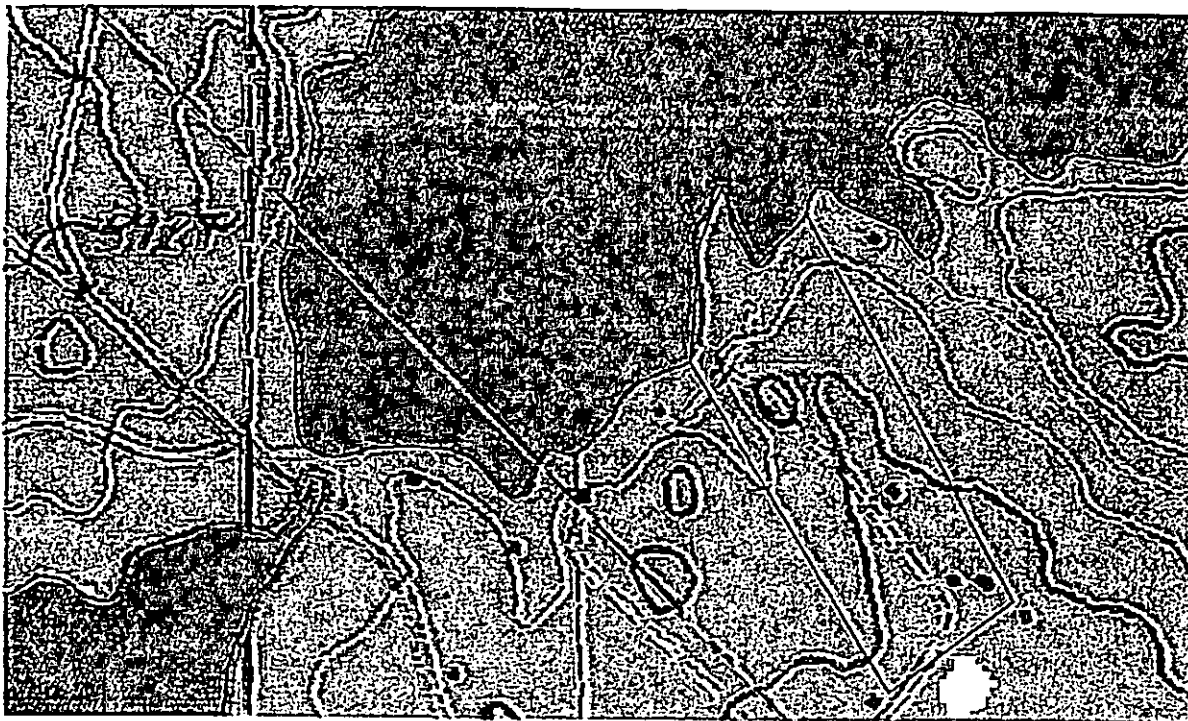
The NH Natural Heritage database has been checked for records of rare species and exemplary natural communities near the area mapped below. The species considered include those listed as Threatened or Endangered by either the state of New Hampshire or the federal government. We currently have no recorded 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 9/11/2019.



MAP OF PROJECT BOUNDARIES FOR NHB FILE ID: NHB18-2858



Abutters List

Eaglet Family Partnership
c/o David Sharples Denton

Tax Map 83-001

Pennwoods Nominee Trust
c/o Kelly Engel

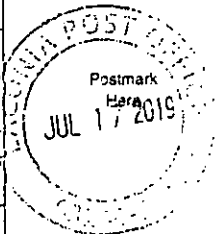
Tax Map 84-005

Eran R. Metzger, Trustee of the
Metzger Family Squam Lake Trust

Tax Map 84-002

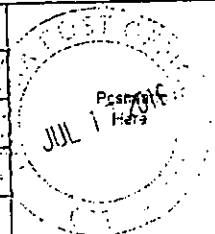
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<input type="checkbox"/> Return Receipt (electronic)	\$
<input type="checkbox"/> Certified Mail Restricted Delivery	\$
<input type="checkbox"/> Adult Signature Required	\$
<input type="checkbox"/> Adult Signature Restricted Delivery	\$
Postage	\$
Total Postage and Fees	\$
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Street, Apt. No., or PO Box No. <u>c/o David Sharples Denton</u>	
City, State, ZIP+4 [®] <u></u>	
PS Form 3800, April 2015 PSN 7530-02-000-9047-1 See Reverse for Instructions	



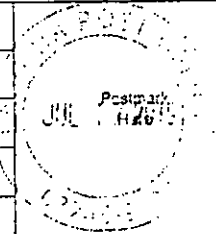
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Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$
Pennwoods Nominee Trust	
Sent to: <u>c/o Kelly Engel</u>	
Street, Apt. No., or PO Box No. <u></u>	
City, State, ZIP+4 [®] <u></u>	
PS Form 3800, August 2006 PSN 7530-02-000-9047-1 See Reverse for Instructions	

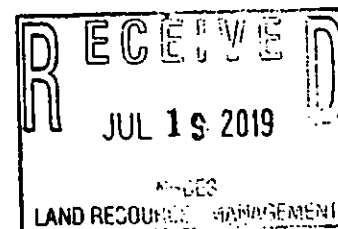
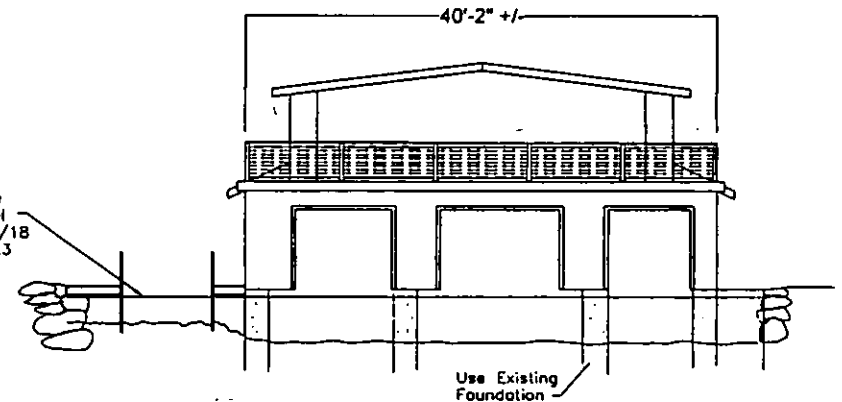
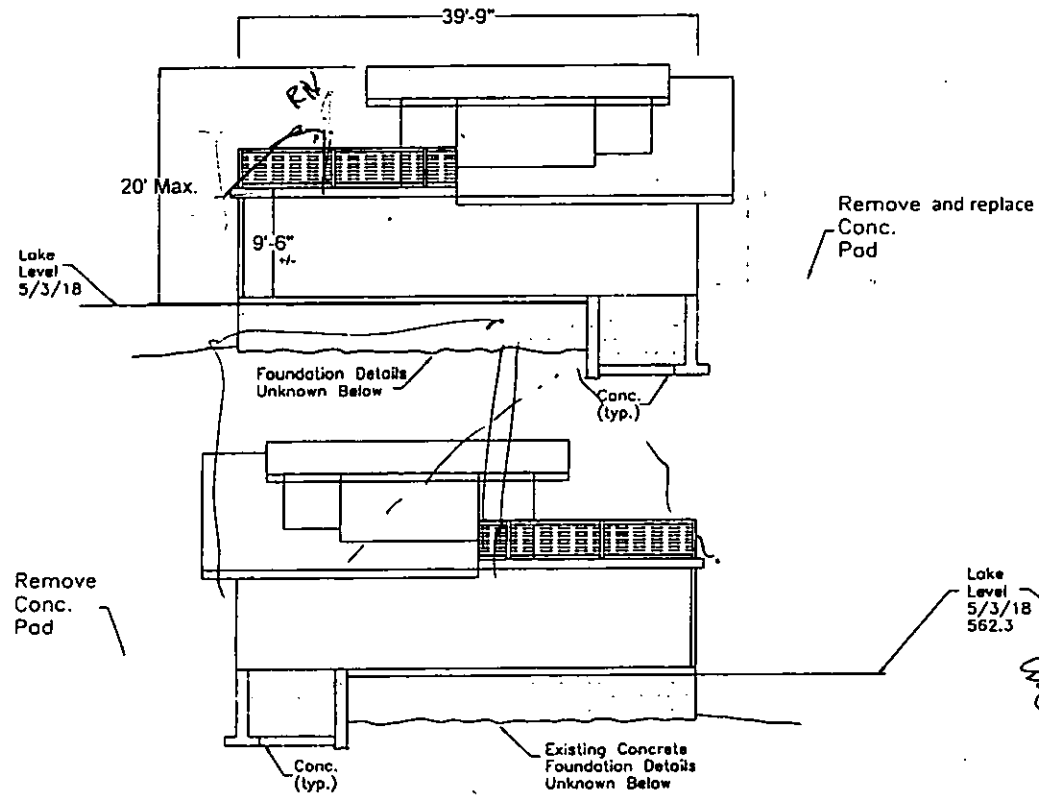


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Total Postage & Fees	\$
Sent to: <u>Eran R. Metzger, Trustee of the</u>	
Metzger Family Squam Lake Trust	
Street, Apt. No., or PO Box No. <u></u>	
City, State, ZIP+4 [®] <u></u>	
PS Form 3800, July 2014 PSN 7530-02-000-9047-1 See Reverse for Instructions	



PROPOSED ELEVATIONS

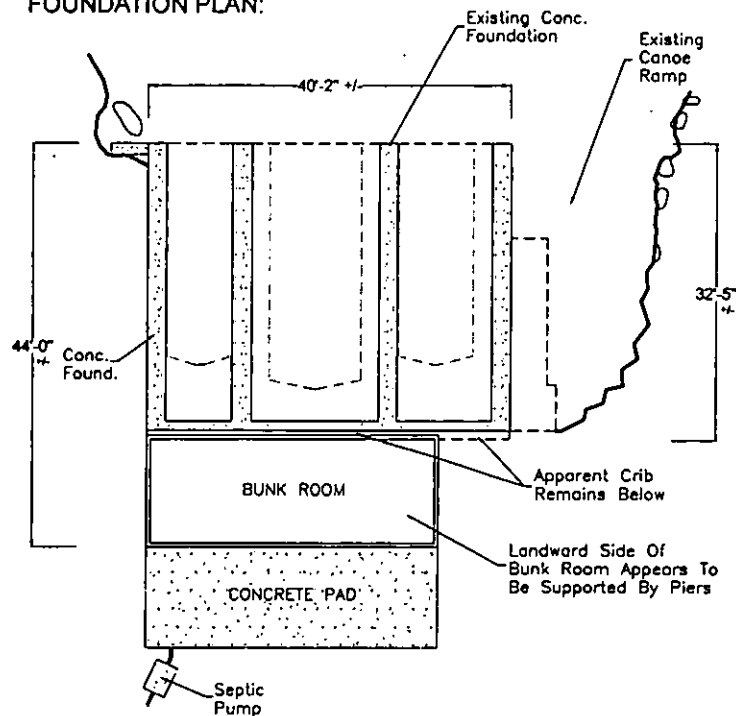


SINGING EAGLE
LODGE BOATHOUSE
Moultonboro, NH
12/1/18 1" = 16'
REV 7/15/19

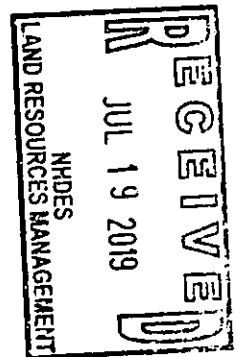
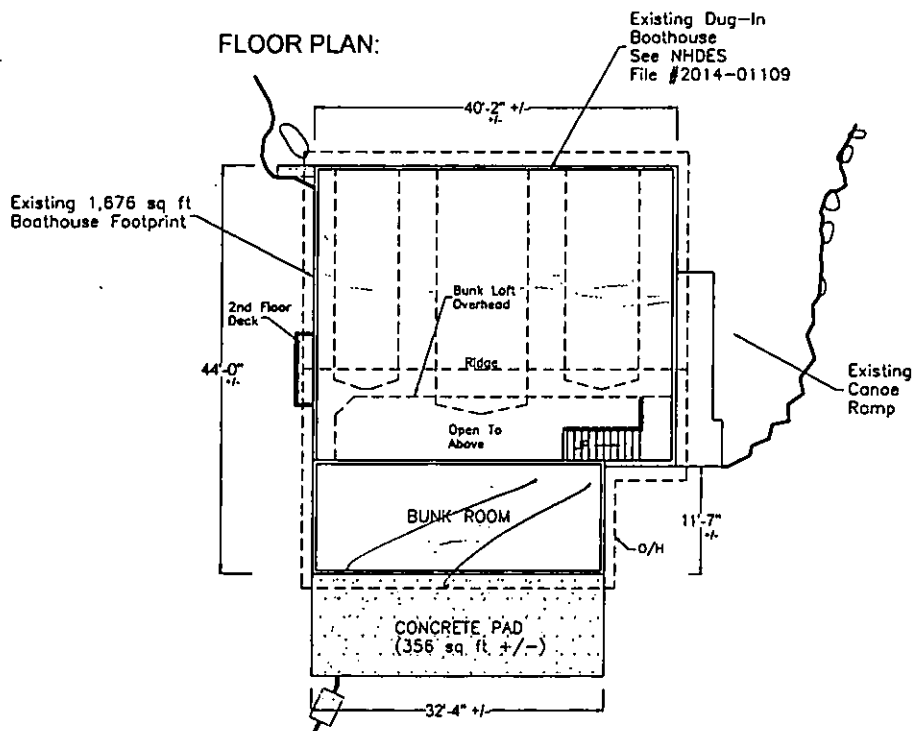
Plot At 11x8.5 "Landscape"

EXISTING BOATHOUSE:

FOUNDATION PLAN:



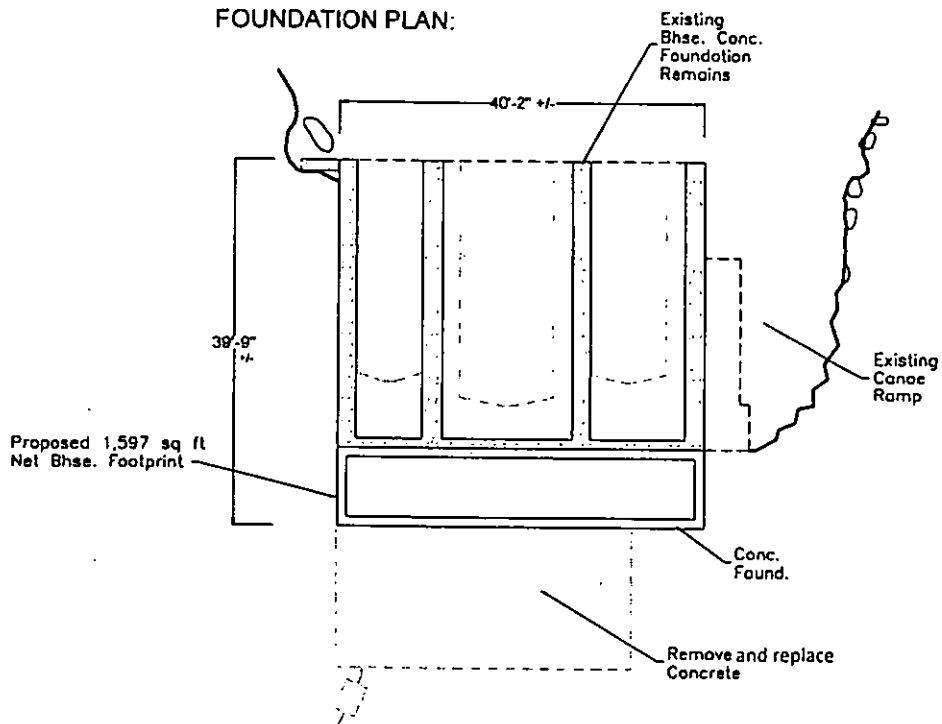
FLOOR PLAN:



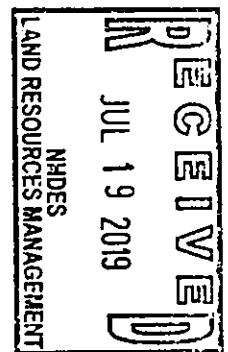
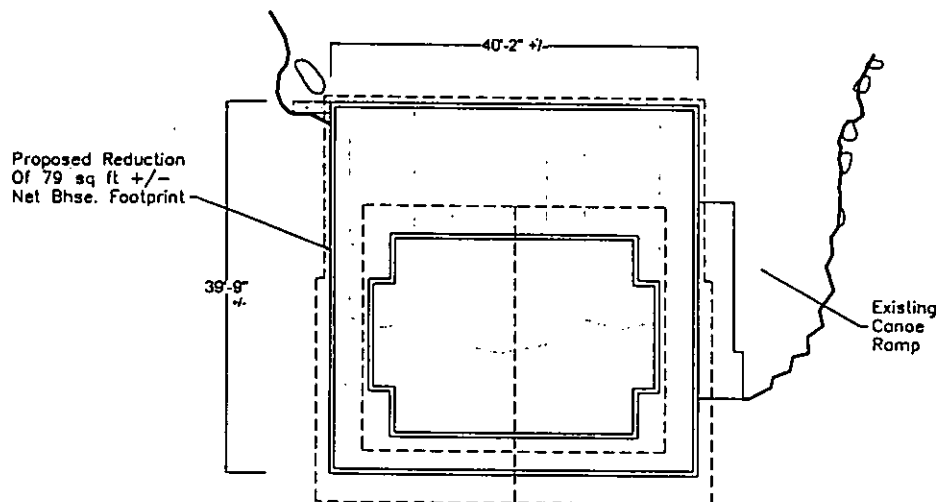
SINGING EAGLE
LODGE BOATHOUSE
Moultonboro, NH
12/1/18 1" = 20'
REV 7/15/19

PROPOSED BOATHOUSE:

FOUNDATION PLAN:



FLOOR PLAN:



SINGING EAGLE
LODGE BOATHOUSE
Moultonboro, NH
12/1/18 1" = 20'
REV 7/15/19