



The State of New Hampshire
DEPARTMENT OF ENVIRONMENTAL SERVICES



Thomas S. Burack, Commissioner

October 24, 2016

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

REQUESTED ACTION

Approve Village Green Condominium Association's request to perform the following work on Lake Winnepesaukee, in Laconia. File # 2016-02028. This project will not have significant impact on or adversely affect the values of Lake Winnepesaukee.

Permanently remove an existing 10 slip, 788 sq. ft. permanent docking structure and construct a 9 slip, 763 sq. ft. pile supported docking structure consisting of a 3 ft. x 117 ft. main pier to a 3 ft. x 48 ft. "T" section, with three 2.5 ft. x 20 ft. fingers off the main pier and two 2.5 ft. x 20 ft. fingers off the "T" section on an average of 182 ft. of frontage along the entry to the Weirs Channel on Lake Winnepesaukee, in Laconia.

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

1. All work shall be in accordance with plans as received by DES on July 15, 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 permittee 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. 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.
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 in place until suspended particles have settled and water at the work site has returned to normal clarity.
6. All construction-related debris shall be placed outside of the areas subject to RSA 482-A.
7. 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.
8. 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.
9. Pilings shall be spaced a minimum of 12 ft. apart as measured piling center to piling center.
10. No portion of the pier shall extend more than 140 ft. from the shoreline at full lake elevation (Elev. 504.32 ft.).

DES Web site: 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

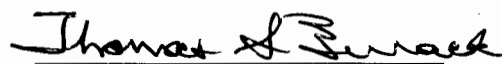
EXPLANATION

The DES Wetlands Bureau approved this project on September 22, 2016. DES supported its decision with the following findings:

1. This project is classified as a major project per Rule Env-Wt 303.02(d), construction of a docking facility providing 5 or more slips.
2. The applicant has an average of 182 ft. of frontage along Lake Winnepesaukee.
3. A maximum of 3 slips may be permitted on this frontage per Rule Env-Wt 402.13, Frontage Over 75 ft.
4. The existing docking facility provides 10 slips as defined per RSA 482-A:2, VIII and fails to conform to Rule Env-Wt 402.13.
5. The existing docking structure impacts 788 sq. ft.
6. The proposed docking structure will provide 9 slips and impact 763 sq. ft. of public waters, and, therefore, meets rule Env-Wt 402.21, Modification of Existing Structures.
7. The Department finds that because the project is not of significant public interest and will not significantly impair the resources of Lake Winnepesaukee a public hearing under RSA 482-A:8 is not required.

Application file documents are being forwarded to the Governor and Executive Council in connection with their consideration of this matter pursuant to RSA 482-A:3,II.(a) as it is a major project in public waters of the state.

We respectfully submit this request for your consideration.


Thomas S. Burack
Commissioner



WETLANDS PERMIT APPLICATION

Water Division/ Wetlands Bureau
Land Resources Management

Check the status of your application: <http://des.nh.gov/onestop>



RSA/Rule: Env-Wq 100-900

		2016-02028 392 \$1,726.00 Emck
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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: **70 LUCERNE AVE**

TOWN/CITY: **LACONIA**

TAX MAP: **154 254 1**

BLOCK:

LOT:

UNIT:

USGS TOPO MAP WATERBODY NAME: **WINNIPESSAUKEE** NA

STREAM WATERSHED SIZE: NA

LOCATION COORDINATES (if known):

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.

REPLACE A GRANDFATHERED NON CONFORMING DOCK SYSTEM WITH ONE OF LESSER ENVIRONMENTAL IMPACT

4. SHORELINE FRONTAGE

NA This lot has no shoreline frontage.

SHORELINE FRONTAGE: **182.5 AVG. -**

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.

2002 - 02302

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 15 - 4045

b. Designated River the project is in ¼ miles of: _____; and
date a copy of the application was sent to Local River Advisory Committee: Month: ___ Day: ___ Year: ___

NA

7. APPLICANT INFORMATION (Desired permit holder)

LAST NAME, FIRST NAME, M.I.: ~~FEAR~~, DAVE Thibeault

TRUST / COMPANY NAME: _____ MAILING ADDRESS: 70 LUCERNE AVE

TOWN/CITY: LACONIA STATE: NH ZIP CODE: 03247

EMAIL or FAX: _____ PHONE: _____

ELECTRONIC COMMUNICATION: By initialing here: _____, I hereby authorize DES to communicate all matters relative to this application electronically

8. PROPERTY OWNER INFORMATION (If different than applicant)

LAST NAME, FIRST NAME, M.I.: VILLAGE GREEN CONDOMINIUM ASSOCIATION

TRUST / COMPANY NAME: _____ MAILING ADDRESS: 70 LUCERNE AVE

TOWN/CITY: LACONIA STATE: NH ZIP CODE: 03247

EMAIL or FAX: _____ PHONE: _____

ELECTRONIC COMMUNICATION: By initialing here _____, I hereby authorize DES to communicate all matters relative to this application electronically

9. AUTHORIZED AGENT INFORMATION

LAST NAME, FIRST NAME, M.I.: GRAHAM TERENCE COMPANY NAME: DOCKS UNLIMITED

MAILING ADDRESS: 45 D.W. HIGHWAY

TOWN/CITY: MEREDITH STATE: NH ZIP CODE: 03253

EMAIL or FAX: DOCKSUNL@HOTMAIL.COM PHONE: 603 455 6847

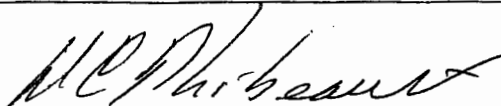
ELECTRONIC COMMUNICATION: By initialing here TG, I hereby authorize DES to communicate all matters relative to this application electronically

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) to the NH State Historic Preservation Officer (SHPO) at the NH Division of Historical Resources to be reviewed for the presence of historical/ archeological resources.
- I authorize DES 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 DES correspondence. DES will not forward returned mail.

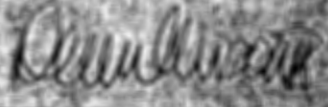

Property Owner Signature:  Print name legibly: DAVE C Thibeault Date: 6/21/2016

MUNICIPAL SIGNATURES

11. CONSERVATION COMMISSION APPROVAL

The signatory below certifies that it is a duly elected conservation commission and that it has:

1. Waives its right to intervene per RSA 422:11
2. Reviewed the application and all attached materials and approved the same
3. Has no objection to permitting the proposed project.




		7/13/16
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DIRECTIONS FOR CONSERVATION COMMISSION

1. Expedited review ONLY: If the Conservation Commission's signature is included in the space above.
2. Expedited review requires the applicant to provide the signature to obtain a permit as a condition of the original application to the permittee's jurisdiction.
3. The Conservation Commission may refuse to sign. If the Conservation Commission does not sign the permit for any reason the application is not eligible for expedited review and the application will proceed in the standard review timeframe.

12. TOWN CITY CLERK APPROVAL

As required by Chapter 422-A:12, the applicant must have the signatures of the applicant, the Conservation Commission, and the Town City Clerk on the application form.

			7-13-16
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DIRECTIONS FOR TOWN CITY CLERK

1. For applications where Expedited Review is requested, if the Conservation Commission signature is not present, TOWN/CITY CLERKS will accept the original application and will NOT receive the expedited review time.
2. IMMEDIATELY sign the original application form and enter in the signature space and the date above.
3. Return the signed original application form and all attachments to the applicant or the applicant's agent. Submit the application form and attachments to TOWN/CITY CLERK by mail or hand delivery.
4. IMMEDIATELY send a copy of the application form and attachments as an attachment to the following bodies: the Municipal Conservation Commission, the applicant's local (Town or City) Council, and the Planning Board.
5. Retain one copy of the application form and attachments for public review.

DIRECTIONS FOR APPLICANT

1. Submit the original permit application form bearing the signatures of the Town City Clerk, Conservation Commission, and the application fee to the TOWN/CITY CLERK.

12. 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.

After-the-fact (ATF): work completed prior to receipt of this application by DES. Check box to indicate ATF.

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	/	/
Lake / Pond	763 /	/
Bank - Intermittent stream	/	/
Bank - Perennial stream / River	/	/
Bank - Lake / Pond	/	/
Tidal water	/	/
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
TOTAL	763 /	/

13. 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 = \$ _____

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

Permanent docking structure: 763 sq. ft. X \$2.00 = \$ 1526

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

Total = \$ 1726.00

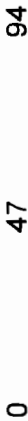


70 Lucerne Av
Laconia, NH



June 23, 2016

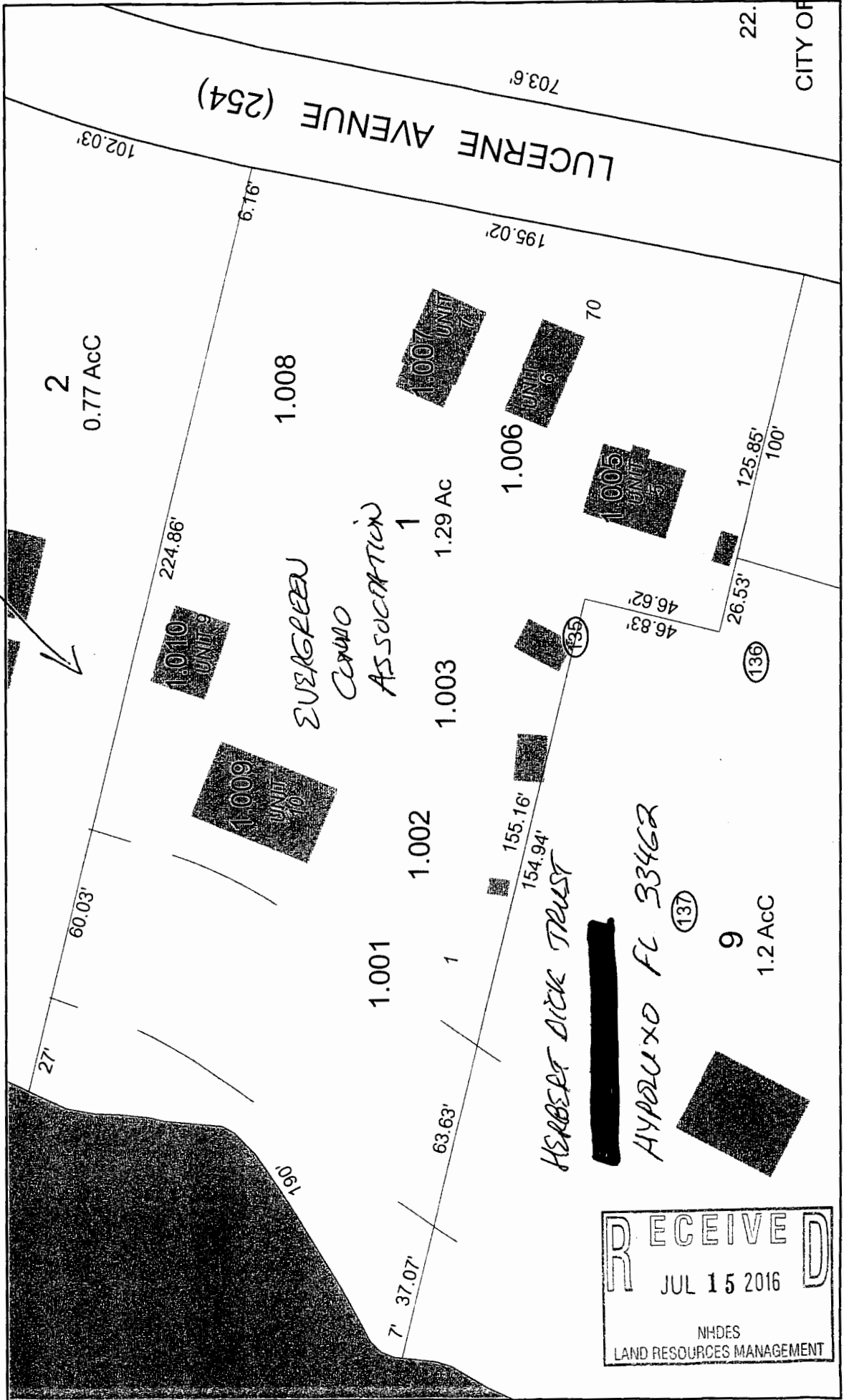
1 inch = 47 Feet



www.cai-tech.com

RAY BERTHOUT

141 LACONIA NH 03246



22.
CITY OF

RECEIVED
JUL 15 2016
NHDES
LAND RESOURCES MANAGEMENT

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.

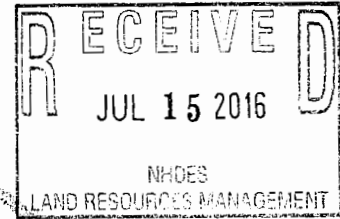
RECEIVED
JUL 15 2016
NHDES
LAND RESOURCES MANAGEMENT





NEW HAMPSHIRE NATURAL HERITAGE BUREAU
NHB DATACHECK RESULTS LETTER

To: Terry Graham, Docks Unlimited
45 DW Highway
Meredith, NH 03253



From: NH Natural Heritage Bureau

Date: 12/31/2015 (valid for one year from this date)

Re: Review by NH Natural Heritage Bureau of request submitted 12/23/2015

NHB File ID: NHB15-4045

Applicant: Terry Graham

Location: Laconia
Tax Maps: 154/254-1

Project Description: Replace grandfathered condominium dock 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.

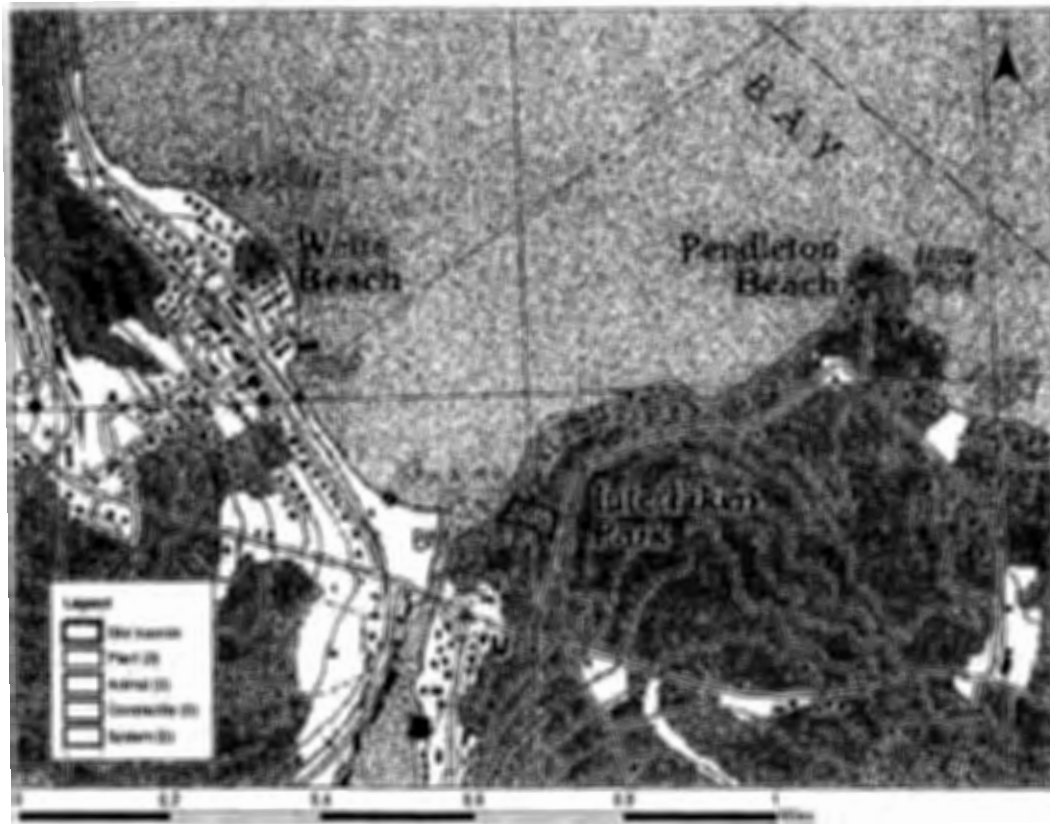
It was determined that, although there was a NHB record (e.g., rare wildlife, plant, and/or natural community) present in the vicinity, we do not expect that it will be impacted by the proposed project. This determination was made based on the project information submitted via the NHB Datacheck Tool on 12/23/2015, and cannot be used for any other project.



NEW HAMPSHIRE NATURAL HERITAGE BUREAU
NHB DATA CHECK RESULTS LETTER

MAP OF PROJECT BOUNDARIES FOR: NHB15-4045

NHB15-4045



7015 1520 0000 7558 2651

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<input type="checkbox"/> Return Receipt (hardcopy) \$	
<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 \$	
Sent To DICK HERBERG TRUST	
Street and Apt. No., or PO Box No. [REDACTED]	
City, State, ZIP+4® HYPOCAUXO - FL 33462	

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

7015 1520 0000 7558 2644

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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 \$	
Sent To RAY BERTHOLET	
Street and Apt. No., or PO Box No. [REDACTED]	
City, State, ZIP+4® LACONA NEW HAMPSHIRE 03246	

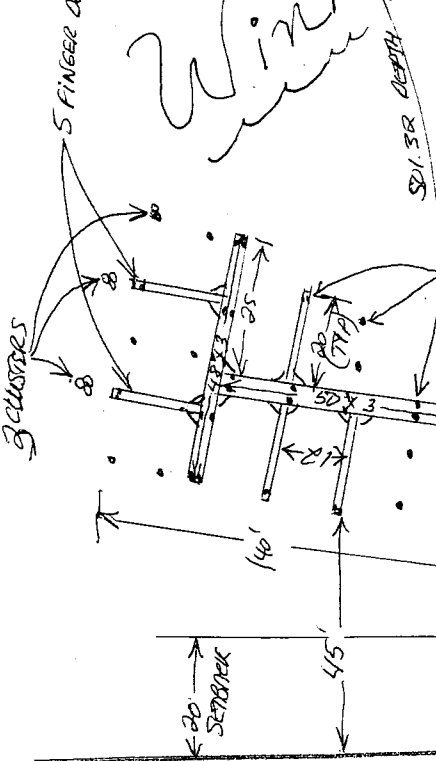
PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

PROPOSED DOCK SYSTEM
9 SLIPS

RECEIVED
JUL 15 2016

Winnipegaukee

5 FINGER DOCKS ALL 20' X 2.5'
SLIP WIDTHS ARE 12' MAXIMUM.



- RED DOTS ARE PILES
- 38 UNDER DOCKS (MINIMUM 12' ON CENTER)
- 9 TIE OFF PILING
- 3 ICE PROTECTION CLUSTERS (9 PILES)
- 56 PILING TOTAL

MAIN DOCK IS 117 X 3
CROSS RAMP IS 48 X 3
5 FINGER DOCKS EACH - 20' X 2.5'
9 TIE OFF PILING (9 SOFT)
9 CLUSTER PILING (9 SOFT)
DOCK TOTAL WITH OUTSIDE PILING 50' X 4'

ABUTTER LINE

763

- 27 ± - 57

587 ± 2
587 ± 20

SOIL 3R DEPTH
N115.11 L32.65 N17.40.57E 25.75'

150' ± ALONG SHORE
45599 SF
9486' ACRES

N33.47.23'E 10.9363'

BEACH

N75.00' 63.63'

N.O. 7.1

EXISTING DOCK

PER OLD PERMIT 10 SLIPS

JUL 15 2016

lake
Winnipisaukee

ABUTTER LINE

20' SETBACK

27' ±

575'

N17°40'57"E 25.75'

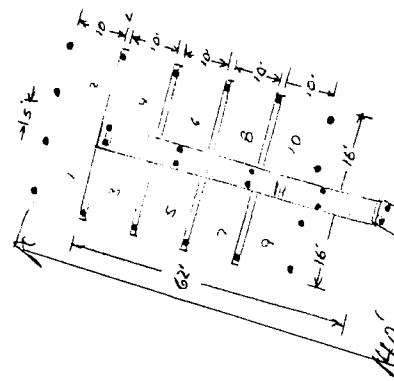
LOT 10
N 75° 00' 00" W
9170
2105

EXISTING
8" 14"x14" PILING
TO ACCOMMODATE 10 BOATS IN
TOTAL AREA OF PILING, WALKWAY
AND PILING APPROX. 788 SQ. FT.

190' ± ALONG SHORE

3554 SF
10 ACRES
9486

BEACH



20' SETBACK

ABUTTER LINE

N 75° 00' 00" W
37.07'

39' ±

68.63'

N 33° 47' 28" E

37.07'

68.63'