



The State of New Hampshire
Department of Environmental Services



Robert R. Scott, Commissioner

October 29, 2018

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

REQUESTED ACTION

Approve Clark Enterprises, Inc.'s request to perform the following work on Lake Winnepesaukee in Moultonborough. File # 2018-02418. This project will not have significant impact on or adversely affect the values of Lake Winnepesaukee.

Remove a 3 foot x 16 foot unauthorized wharf, repair a 38 foot x 40 foot dug-in boathouse and a 6 foot x 30 foot piling pier in-kind, construct a 6 foot x 27 foot piling pier to be connected to the existing piling pier by a 6 foot x 12 foot connecting walkway in a "U" configuration on an average of 382 feet of frontage along Lake Winnepesaukee, 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 plans by Watermark Marine Construction dated July 31, 2018 and revised through September 26, 2018 as received by the NHDES on September 27, 2018.
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 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. Work shall be carried out in a time and manner to avoid disturbances to migratory waterfowl breeding and nesting areas.
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. The contractor responsible for completion of the work shall use techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
8. 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.
9. 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 feet from the abutting property lines or the imaginary extension of those lines into the water.
10. Pilings shall be spaced a minimum of 12 feet apart as measured piling center to piling center.
11. No portion of the piers shall extend more than 30 feet from the shoreline at full lake elevation (Elevation 504.32).

www.des.nh.gov

29 Hazen Drive • PO Box 95 • Concord, NH 03302-0095

NHDES Main Line: (603) 271-3503 • Subsurface Fax: (603) 271-6683 • Wetlands Fax: (603) 271-6588

TDD Access: Relay NH 1 (800) 735-2964

12. The repairs shall maintain the size, location, and configuration of the pre-existing structures.
13. The permittee may make repairs to the permitted structures as necessary, prior to the permit expiration date, provided that prior to performing any repair the permittee notifies the NHDES Wetlands Program and the Conservation Commission, in writing, of the proposed start and completion dates
14. 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.
15. 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 permitted were not previously permitted or grandfathered.

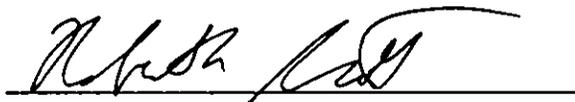
EXPLANATION

The NHDES approved this project on September 27, 2018. The NHDES supported its decision with the following findings

1. This is a major impact project per Administrative Rule Env-Wt 303.02(d) the construction or modification of docking system providing 5 or more slips.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(c) for Requirements for Application Evaluation, has been considered in the design of the project.
5. The applicant has an average of 382 feet of shoreline frontage along Lake Winnepesaukee.
6. A maximum of 6 slips may be permitted on this frontage per Rule Env-Wt 402.13, Frontage Over 75'.
7. The proposed docking facility will provide 5 slips as defined per RSA 482-A:2, VIII and therefore meets Rule Env-Wt 402.13.
8. In a report dated August 17, 2018 the Moultonborough Conservation Commission stating concerns about a smaller dock attached to the current pier and the attachment to the shore of the new pier.
9. The concerns of the Conservation Commission have been addressed with the abandonment of the smaller pier and the removal of the shoreline attachment of the new pier from the proposal.
10. 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 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 submit this request for your consideration,



Robert R. Scott
Commissioner



DES COPY
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-WL 100-900

RECEIVED Administrative Use Only AUG 10 2018 NHDES	COMPLETE Administrative Use Only AUG 10 2018	Administrative Use Only	File No: 2018-02418 Check No.: 6788 Amount: \$ 692.00 Initials: DB
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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 Question.

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 that wetland impacts occur within.

ADDRESS: 73 Christmas Tree Lane TOWN/CITY: Moultonborough

TAX MAP: 180 BLOCK: 001 LOT: 000 UNIT: 000

USGS TOPO MAP WATERBODY NAME: Lake Winnepesaukee NA STREAM WATERSHED SIZE: NA

LOCATION COORDINATES (If known): Easting: 1,068,659.6 Northing: 439,605.93 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.

Repair existing 6ft x 30ft piling dock and existing dug-in boathouse "in-kind". Additionally install a 6ft x 30ft piling dock and a 6ft x 12ft connecting walkway north of the existing dockage to create a "U" shaped configuration.

5. SHORELINE FRONTAGE:

N/A This does not have shoreline frontage. SHORELINE FRONTAGE: 385ft

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.

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 Web Page.

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 18- 2387
- b. Designated River the project is in 1/4 miles of _____; and date a copy of the application was sent to the Local River Management Advisory Committee: Month: ___ Day: ___ Year: ___
 N/A

8. APPLICANT INFORMATION (Desired permit holder)			
LAST NAME, FIRST NAME, M.I.: Clark-Pastrick, Courtney			
TRUST / COMPANY NAME: Clark Enterprises, Inc.		MAILING ADDRESS:	
TOWN/CITY:		STATE:	ZIP CODE:
EMAIL or FAX: N/A		PHONE: N/A	
ELECTRONIC COMMUNICATION: By initialing here: <u>N/A</u> . 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.: Clark-Pastrick, Courtney			
TRUST / COMPANY NAME: Clark Enterprises, Inc.		MAILING ADDRESS:	
TOWN/CITY:		STATE:	ZIP CODE:
EMAIL or FAX: N/A		PHONE: N/A	
ELECTRONIC COMMUNICATION: By initialing here: <u>N/A</u> . I hereby authorize NHDES to communicate all matters relative to this application electronically.			
10. AUTHORIZED AGENT INFORMATION			
LAST NAME, FIRST NAME, M.I.: Irving, Jamie C.		COMPANY NAME: Watermark Marine Construction	
MAILING ADDRESS: 1218 Union Avenue			
TOWN/CITY: Laconia		STATE: NH	ZIP CODE: 03246
EMAIL or FAX: jci@watermarkmarine.com		PHONE: 603-293-4000	
ELECTRONIC COMMUNICATION: By initialing here: <u>JCI</u> . 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:			
<ol style="list-style-type: none"> 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 identify the presence of historical/ archeological resources while coordinating with the lead federal agency for NHPA 106 compliance. I authorize NHDES and the municipal conservation commission to inspect the site of the proposed project. I have reviewed the information being submitted and that to the best of my knowledge the information is true and accurate. I understand that the willful submission of falsified or misrepresented information to the New Hampshire Department of Environmental Services is a criminal act, which may result in legal action. I am aware that the work I am proposing may require additional state, local or federal permits which I am responsible for obtaining. The mailing addresses I have provided are up to date and appropriate for receipt of NHDES correspondence. NHDES will not forward returned mail. 			
<input type="checkbox"/> <i>Courtney C. Pastrick</i> Property Owner Signature		<i>Courtney C. Pastrick</i> Print name legibly	
		8/2/2018 Date	

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

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 Print name legibly	Moultonborough Town/City	8/7/18 Date
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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 complete.

JURISDICTIONAL AREA	PERMANENT Sq. Ft. / Lin. Ft.	TEMPORARY Sq. Ft. / Lin. Ft.
Forested wetland	<input type="checkbox"/> ATF	<input type="checkbox"/> ATF
Scrub-shrub wetland	<input type="checkbox"/> ATF	<input type="checkbox"/> ATF
Emergent wetland	<input type="checkbox"/> ATF	<input type="checkbox"/> ATF
Wet meadow	<input type="checkbox"/> ATF	<input type="checkbox"/> ATF
Intermittent stream	<input type="checkbox"/> ATF	<input type="checkbox"/> ATF
Perennial Stream / River	/ <input type="checkbox"/> ATF	/ <input type="checkbox"/> ATF
Lake / Pond	/ <input type="checkbox"/> ATF	/ <input type="checkbox"/> ATF
Bank - Intermittent stream	/ <input type="checkbox"/> ATF	/ <input type="checkbox"/> ATF
Bank - Perennial stream / River	/ <input type="checkbox"/> ATF	/ <input type="checkbox"/> ATF
Bank - Lake / Pond	/ <input type="checkbox"/> ATF	/ <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	246 <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	246 /	/

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 = \$ 0.00

Temporary (seasonal) docking structure: _____ sq. ft. X \$1.00 = \$ 0.00

Permanent docking structure: 246 sq. ft. X \$2.00 = \$ 492.00

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

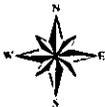
Total = \$ 692.00

The Application Fee is the above calculated Total or \$200, whichever is greater = \$ 692.00

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



Clark-Pastrick Property

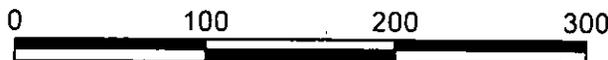
Moultonborough, NH



May 10, 2018

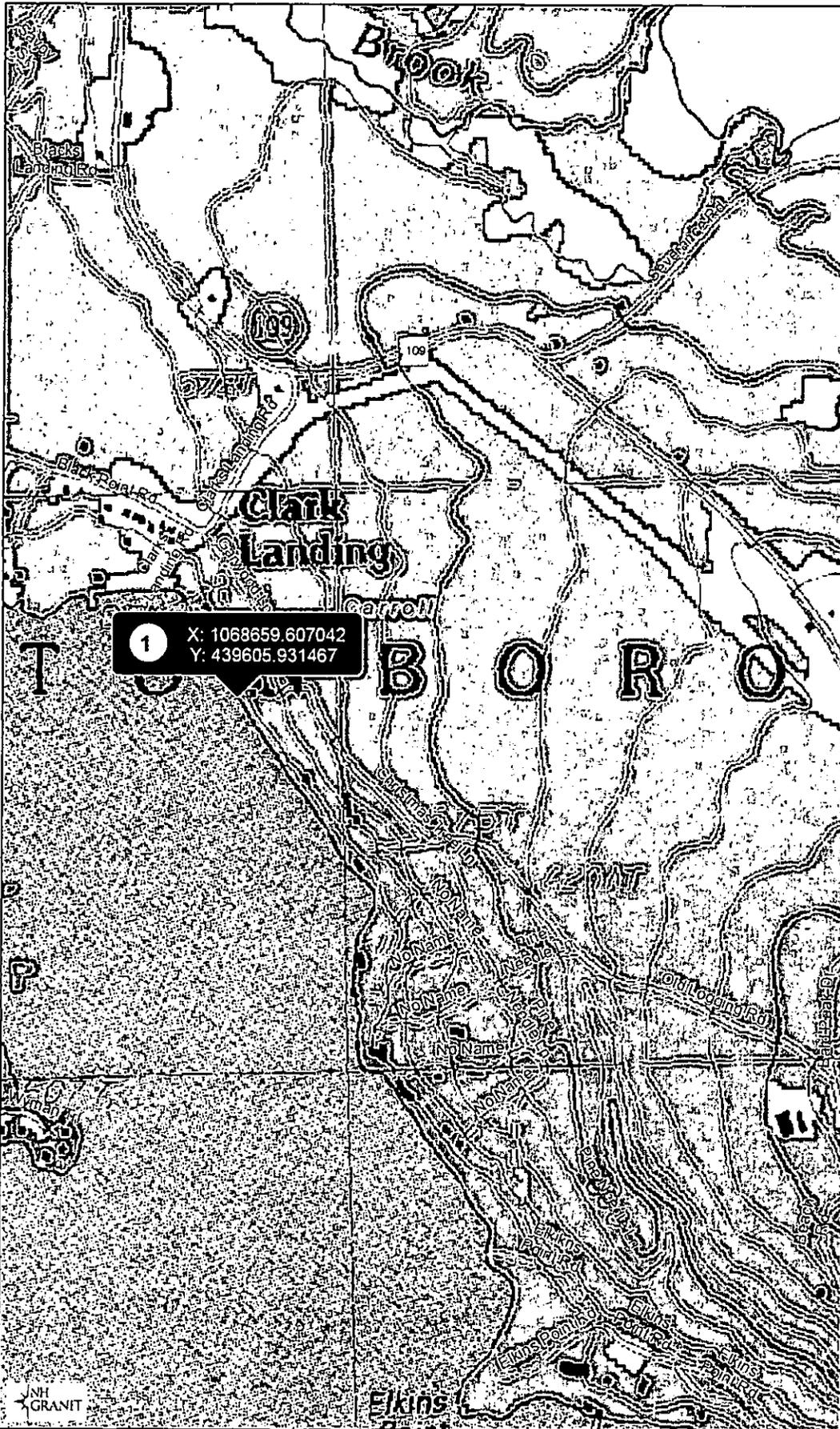
1 inch = 100 Feet

www.cai-tech.com



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.

Clark-Pastrick Property



Legend

- State
- County
- City/Town

1 X: 1068659.607042
Y: 439605.931467

Map Scale

1: 10,000

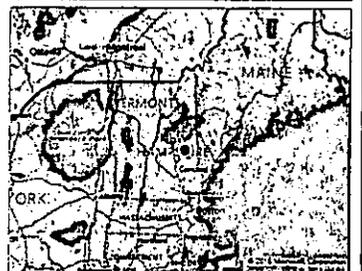


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Map Generated: 5/31/2018

Notes

Courtney Clark-Pastrick
73 Christmas Tree Lane, Moultonborough
TM/L # 180-001-000
Stateplane NAD83 (feet)
Easting: 1,068,659.61
Northing: 439,605.93





New Hampshire Natural Heritage Bureau

To: Ian Aldcroft
1218 Union Avenue
Laconia, NH 03246

Date: 7/30/2018

From: NH Natural Heritage Bureau

Re: Review by NH Natural Heritage Bureau of request dated 7/30/2018

NHB File ID: NHB18-2387 ✓

Applicant: Courtney Clark-Pastrick

Location: Tax Map(s)/Lot(s): 180-001-000
Moultonborough

Project Description: Repair existing 6ft x 30ft piling dock and existing dug-in boathouse "in-kind". Additionally install a 6ft x 30ft piling dock and a 6ft x 12ft connecting walkway north of the existing dockage to create a "U" shaped configuration.

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 7/29/2019.



MAP OF PROJECT BOUNDARIES FOR NHB FILE ID: NHB18-2387





0 foot Abutters List Report

Moultonborough, NH
May 31, 2018

Subject Property:

Parcel Number: 180001000
CAMA Number: 180001000000000
Property Address: 73 CHRISTMAS TREE LANE Unit 000

Mailing Address: PASTRICK COURTNEY CLARK C/O CLARK ENTERPRISES INC

Abutters:

Parcel Number: 180002000
CAMA Number: 180002000000000 ✓
Property Address: 91 CHRISTMAS TREE LANE Unit 000

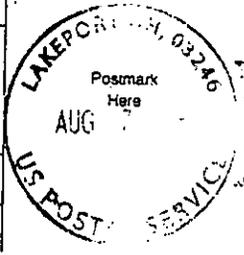
Mailing Address: SWENSON CHRISTOPHER

Parcel Number: 181005000
CAMA Number: 181005000000000 ✓
Property Address: 61 CHRISTMAS TREE LANE Unit 000

Mailing Address: CHRISTMAS TREE LANE REALTY #1 LLC

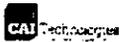
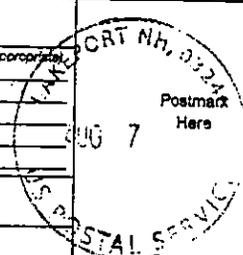
7017 0530 0000 0550 0102

U.S. Postal Service™	
CERTIFIED MAIL® RECEIPT	
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For delivery information, visit our website at www.usps.com ®.	
OFFICIAL USE	
Certified Mail Fee	\$ 3.45
Extra Services & Fees (check box, add fee as appropriate)	
<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	\$ 0.47
Total Postage and Fees	\$ 3.92
Sent To	Christmas Tree Lane Realty LLC ✓
Street	
City, Sta:	
PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions	



7017 0526 0000 0550 0102

U.S. Postal Service™	
CERTIFIED MAIL® RECEIPT	
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For delivery information, visit our website at www.usps.com ®.	
OFFICIAL USE	
Certified Mail Fee	\$ 3.45
Extra Services & Fees (check box, add fee as appropriate)	
<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	\$ 0.47
Total Postage and Fees	\$ 3.92
Sent To	Christopher Swenson ✓
Street	
City, Sta:	
PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions	



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5/31/2018

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Page 1 of 1

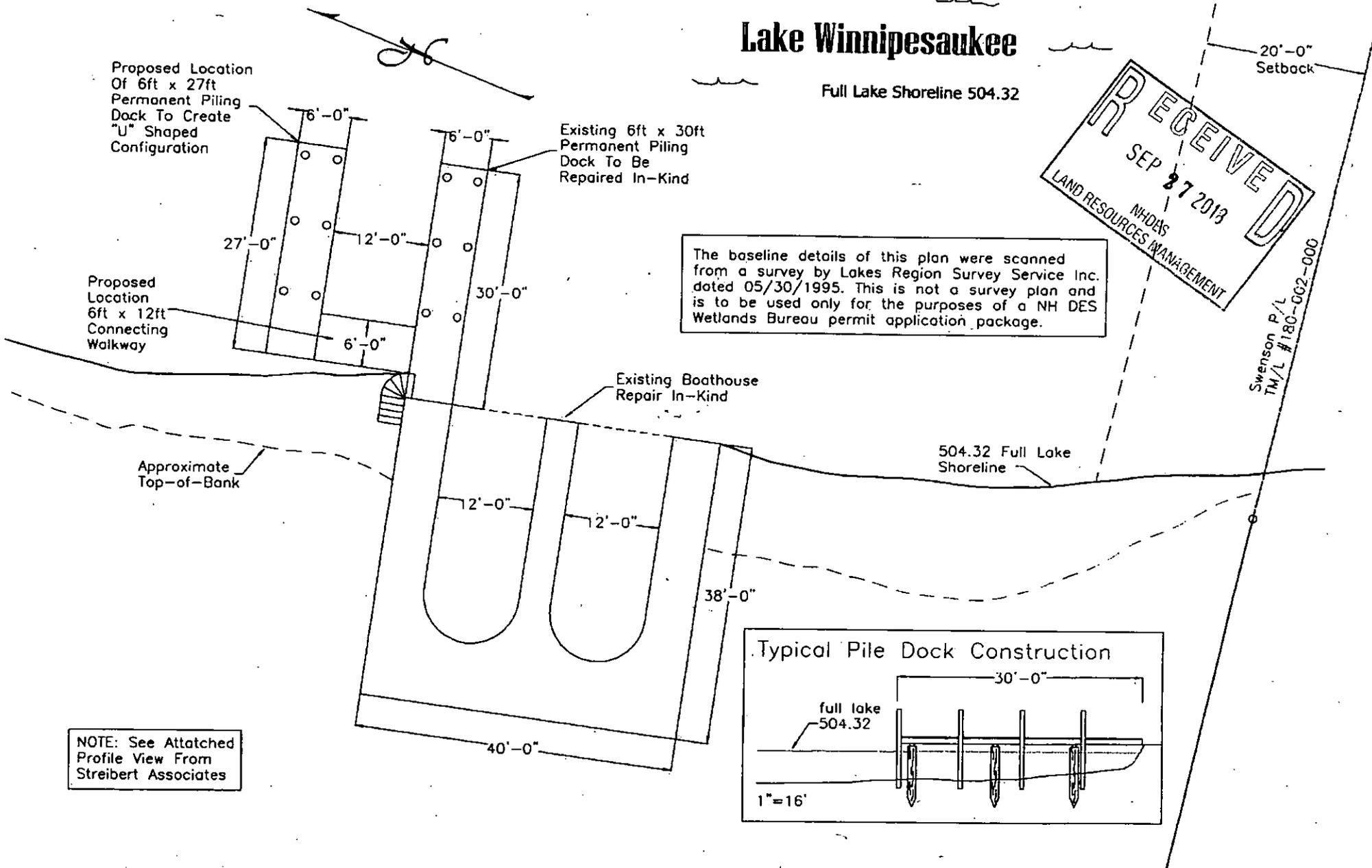
Lake Winnepesaukee

Full Lake Shoreline 504.32

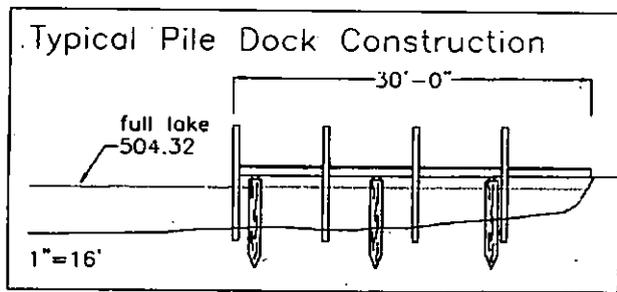
RECEIVED
 SEP 27 2013
 NHDES
 LAND RESOURCES MANAGEMENT

Swenson P/L
 TM/L # 180-002-000

The baseline details of this plan were scanned from a survey by Lakes Region Survey Service Inc. dated 05/30/1995. This is not a survey plan and is to be used only for the purposes of a NH DES Wetlands Bureau permit application package.



NOTE: See Attached Profile View From Streibert Associates



380 ft Straight Line Frontage
 385 ft +/- Shoreline Frontage
 382.5 ft +/- Average Frontage

WATERMARK
 MARINE CONSTRUCTION
 Lacoia, Gilford & Surapee, NH
 (603) 293-4000/Fax: (603) 524-6100
 On The Web: www.docksource.com
 Copyright Protected - © WMS, LLC 2017 All Rights Reserved

Clark-Pastrick Property
 Moultonborough, NH
 REV: 09/26/18 7/31/18 1" = 16'