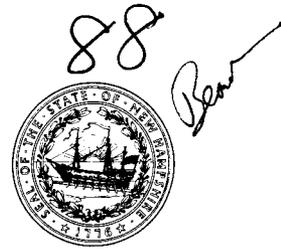




The State of New Hampshire
DEPARTMENT OF ENVIRONMENTAL SERVICES



Thomas S. Burack, Commissioner

May 08, 2016

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

REQUESTED ACTION

Approve DeVost Yacht Club Condominium's request to perform the following work on Newfound Lake, in Bristol. File # 2014-01355. This project will not have significant impact on or adversely affect the values of Newfound Lake.

Dredge no more than 64 cubic yards of sand from 2,070 sq. ft. from previously dredged slip areas within a major docking system, repair approximately 227 linear ft. of retaining wall "in kind", and plant approximately 90 linear ft. of vegetated buffer adjacent to the wall on 295 ft. of frontage along Newfound Lake, in Bristol.

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

1. All work shall be in accordance with plans by Fernstone Associates for the Natural Resources dated May 7, 2014, revision dated May 13, 2015, as received by the NH Department of Environmental Services (DES) on August 24, 2015.
2. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
3. Appropriate siltation and erosion controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
4. 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 the water at the work site has returned to normal clarity.
5. Work shall be done during drawdown.
6. This permit does not allow for the disposal of dredged material on the existing beach, all material shall be removed from the site.
7. No equipment shall operate on the lakebed, all equipment shall remain landward of "top of bank".
8. This permit shall not preclude DES from initiating appropriate action if DES 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.
9. The repairs shall maintain the size, location, and configuration of the pre-existing structures.

DES Web site: www.des.nh.gov

P.O. Box 95, 29 Hazen Drive, Concord, New Hampshire 03302-0095

Telephone: (603) 271-3503 • Fax: (603) 271-6588 • TDD Access: Relay NH 1-800-735-2964

10. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tackifiers on slopes less than 3:1 or netting and pinning on slopes steeper than 3:1.
11. All activities shall be in accordance with the Shoreland Water Quality Protection Act, RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland.

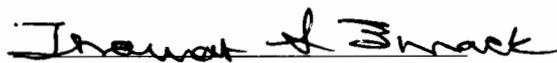
EXPLANATION

The DES Wetlands Bureau approved this project on April 06, 2016. DES supported its decision with the following findings:

1. This is a major impact project per Administrative Rule Env-Wt 303.02 (g) removal of more than 20 cubic yards of rock, gravel, sand, mud, or other material from public waters.
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(a), Requirements for Application Evaluation, has been considered in the design of the project.
5. Public hearing is waived with the finding that the project impacts will not significantly impair the resources of Newfound Lake.
6. The dredge areas have had previous permits from the Department to dredge sand from within the slips.
7. The applicant is adding a planted buffer strip along the top of the repaired wall to help reduce erosion of beach sand into the water body.
8. The abutter submitted written permission for work within the 20 ft. abutter setback as long as the work is limited to areas within the existing slips.

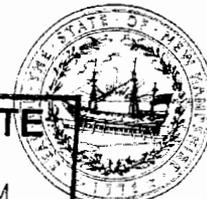
Application file documents are being forwarded to the Governor and Executive Council in connection with their consideration of this matter pursuant to RSA 482-A:3,II.(a) as it is a major project in public waters of the state.

We respectfully submit this request for your consideration.


Thomas S. Burack
Commissioner

THE STATE OF NEW HAMPSHIRE
DEPARTMENT OF ENVIRONMENTAL SERVICES
LAND RESOURCES MANAGEMENT
WETLANDS BUREAU

29 Hazen Drive, PO Box 95, Concord, NH 03302-0095
Phone: (603) 271-2147 Fax: (603) 271-6588
<http://des.nh.gov/organization/divisions/water/wetlands>



INCOMPLETE
JUN 09 2014

PERMIT APPLICATION

COMPLETE

NHDES
JUN 17 2014
LAND RESOURCES MANAGEMENT

RECEIVED
Administrative
MAY 30 2014
NHDES
LAND RESOURCES MANAGEMENT

INCOMPLETE
Administrative
MAY 30 2014

RECEIVED
JUN 09 2014
NHDES
LAND RESOURCES MANAGEMENT

File No: 2014-01355
Check No: 1062
Amount: \$ 1,160.00
Title: LSL

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)

2. PROJECT LOCATION:

Separate applications must be filed with each municipality that jurisdictional impacts will occur in.

ADDRESS: **208, 210 West Shore Road**

TOWN/CITY: **Bristol**

TAX MAP: **108**

BLOCK:

LOT: **51**

UNIT:

USGS TOPO MAP WATERBODY NAME: **Newfound Lake**

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.

Dredge accumulated sand within existing condominium marina, repair existing shoreline wall, and plant vegetation strip at wall.

4. RELATED PERMITS, ENFORCEMENT, EMERGENCY AUTHORIZATION, SHORELAND, ALTERATION OF TERRAIN, ETC...

5. 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 14 - 1690

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

6. APPLICANT INFORMATION (Desired permit holder)

LAST NAME, FIRST NAME, M.I.: **Joseph Mancini**

TRUST / COMPANY NAME: **DeVost Yacht Club Condominium** MAILING ADDRESS: **86 Progress Avenue, Suite 2**

TOWN/CITY: **Tyngsboro** STATE: **MA** ZIP CODE: **01879**

EMAIL or FAX: PHONE:

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

7. 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 DES to communicate all matters relative to this application electronically

8. AUTHORIZED AGENT INFORMATION

LAST NAME, FIRST NAME, M.I.: **Cooperdock, Peter** COMPANY NAME: **Fernstone Associates**

MAILING ADDRESS: **360 Castine Road**

TOWN/CITY: **Castine** STATE: **ME** ZIP CODE: **04421**

EMAIL or FAX: **peter@fernstoneassociates.com** PHONE: **603-323-7507**

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

9. 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 copy of the application materials to the NH State Historic Preservation Officer.
8. I authorize DES 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 New Hampshire Department of Environmental Services 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 DES correspondence. DES will not forward returned mail.

| | | |
|---|--------------------------------------|-----------------|
|  Property Owner Signature | JOSEPH MANCINI Print name legibly | 5/19/14 Date |
|---|--------------------------------------|-----------------|

MUNICIPAL SIGNATURES

10. 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.

| | | |
|---|---|---|
| <input style="width: 100%; height: 100%;" type="text"/> | <input style="width: 100%; height: 100%;" type="text"/> | <input style="width: 100%; height: 100%;" type="text"/> |
| Authorized Commission Signature | 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. The Conservation Commission signature should be obtained prior to the submittal of the original application and four copies to the town/city clerk for mailing to the DES.
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 reviewed in the standard review time frame.

11. TOWN / CITY CLERK SIGNATURE

As required by Chapter 482-A:3 (amended 1991), I hereby certify that the applicant has filed five application forms, five detailed plans, and five USGS location maps with the town/city indicated below and I have received and retained certified postal receipts (or copies) for all abutters identified by the applicant.

| | | | |
|---|---|---|---|
| <input style="width: 100%; height: 100%;" type="text"/> |
| Town/City Clerk Signature | Print name legibly | Town/City | Date |

DIRECTIONS FOR TOWN/CITY CLERK:

Per RSA 482-A:3,1(d):

1. For applications where "Expedited Review" is checked on page 1, accept the application for mailing only if the Conservation Commission signature has been sought;
2. Collect the postal receipts demonstrating that all abutters and the Local Advisory Committee were sent proper notice;
3. Collect any administrative fees, not to exceed \$10 plus the cost of postage by certified mail (RSA 482-A:3,1).
4. IMMEDIATELY sign the original application and four copies in the signature space provided above;
5. Retain one copy of the application form, one complete set of attachments and the postal receipts demonstrating that all abutters and the Local River Advisory Committee were notified and make them reasonably accessible to the public;
6. 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 in accordance with RSA 482-A:3, 1; and
7. IMMEDIATELY send the ORIGINAL application form, one complete set of attachments and filing fee, by CERTIFIED MAIL to the NHDES Wetlands Bureau at the address indicated on page 1 of this application. (DO NOT HOLD FOR CONSERVATION COMMISSION SIGNATURE).

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 | / <input type="checkbox"/> ATF | / <input type="checkbox"/> ATF |
| Lake / Pond | / <input type="checkbox"/> ATF | 5,384 / 140 <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 | 420 / 140 <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 |
| TOTAL | / | 5,804 / 140 |

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) 5,804 sq. ft. X \$0.20 = \$ 1160.80

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

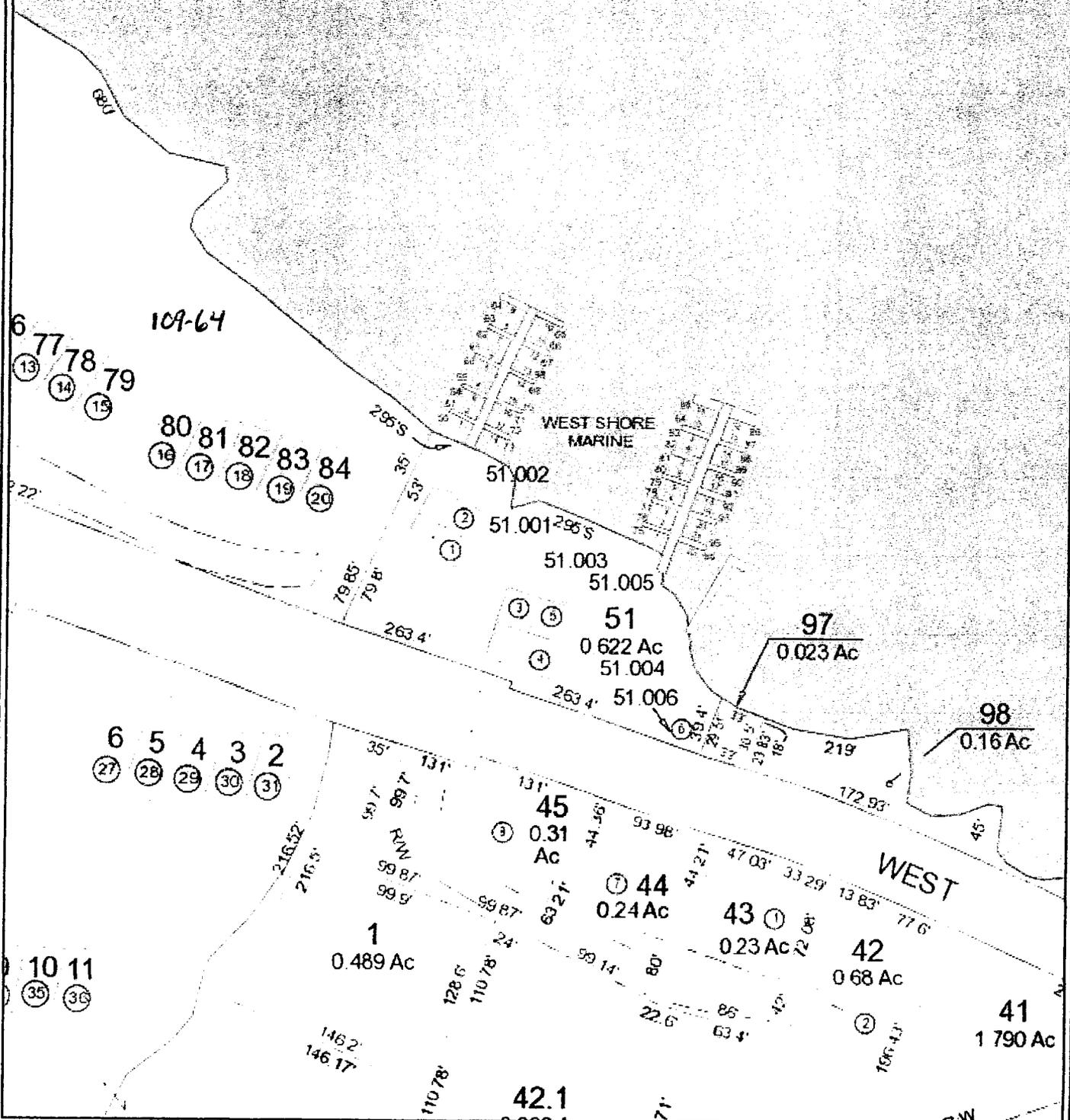
Permanent docking structure: _____ sq. ft. X \$2.00 = \$ _____

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

Total = \$ _____

The Application Fee is the above calculated Total or \$200, whichever is greater = \$ 1160.80

NEWFOUND LAKE

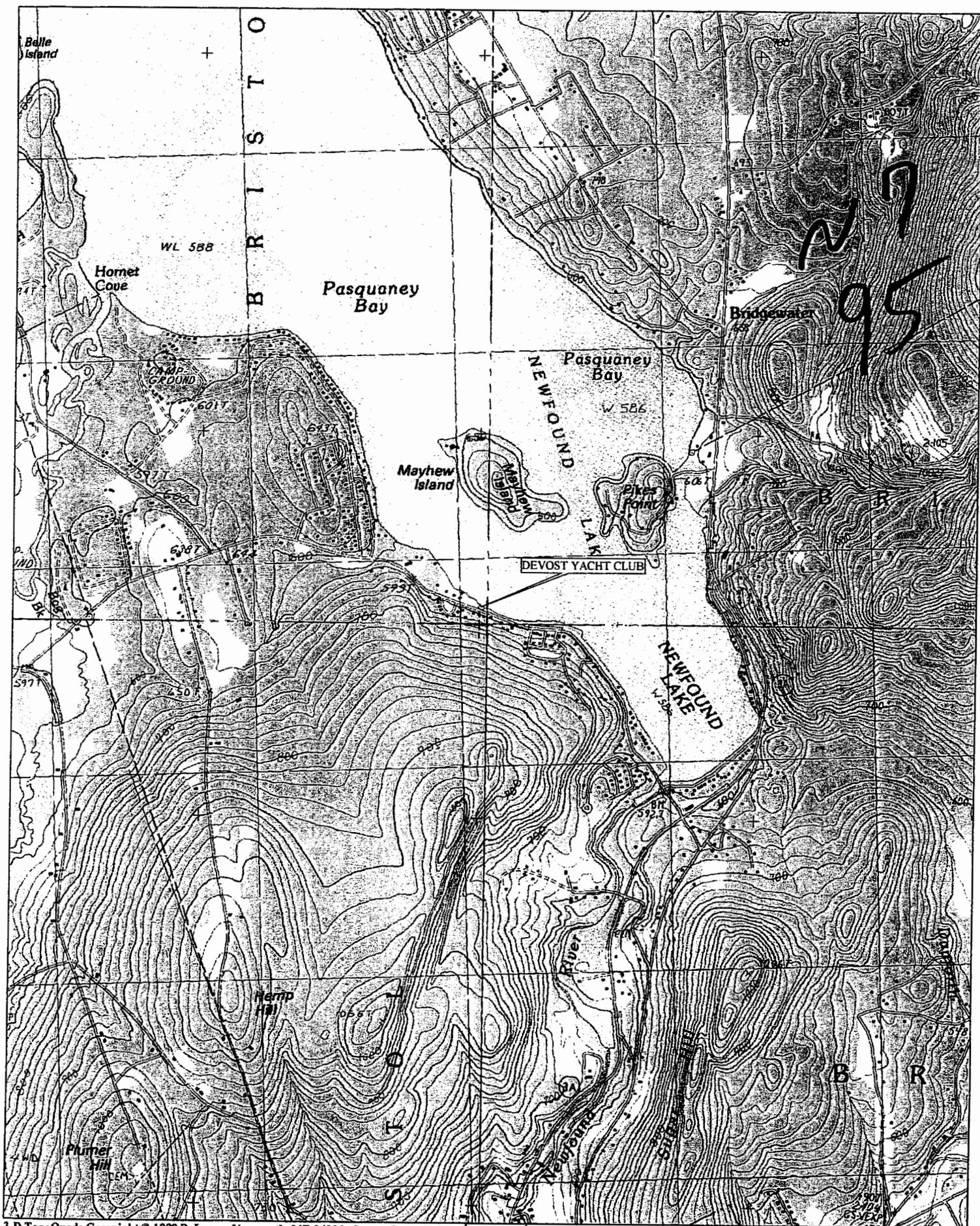


Bristol, NH
 1 Inch = 99 Feet
 May 07, 2014



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www.cai-tech.com
 CAI Technologies





New Hampshire Natural Heritage Bureau

To: Peter Cooperdock
360 Castine Road
Castine, ME 04421

Date: 5/7/2014

From: NH Natural Heritage Bureau

Re: Review by NH Natural Heritage Bureau of request dated 5/7/2014

NHB File ID: NHB14-1690

Applicant: Peter Cooperdock

Location: Tax Map(s)/Lot(s): 108-51
Bristol

Project Description: Dredge marina and repair retaining wall

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 5/6/2015.



MAP OF PROJECT BOUNDARIES FOR NHB FILE ID: NHB14-1690



Peter Cooperdock, CSS
Fernstone Associates
360 Castine Road
Castine, ME 04421



**DEVOST YACHT CLUB
LAKESIDE BOATSLIP OWNER'S ASSOCIATION
ABUTTER'S LIST**

| <u>TAX MAP</u> | <u>LOT</u> | <u>OWNER</u> |
|----------------|------------|---|
| 108 | 51 | Joseph Mancini, President Devost Yacht Club Lakeside Boatslip Owner's Association 86 Progress Avenue Unit 2 Tyngsboro, MA 01879 |
| 108 | 97 | Peter Brown [REDACTED] Alexandria, NH 03222 |
| 109 | 64 | Manor Estates c/o Sharyn Bennett [REDACTED] Quincy, MA 02169 |
| Agent: | | Peter Cooperdock Fernstone Associates 360 Castine Road Castine, ME 04421 |

Certified Soil Scientist 603-323-7507 Certified Wetland Scientist
Site Evaluation Septic System Design
Natural Resource Inventory