



The State of New Hampshire
DEPARTMENT OF ENVIRONMENTAL SERVICES



Thomas S. Burack, Commissioner

June 14, 2016

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

REQUESTED ACTION

Approve Michawanic Village Condominium Association's request to perform the following work on Pine River Pond, in Wakefield. File # 2016-00541. This project will not have significant impact on or adversely affect the values of Pine River Pond.

Install a 6 ft. x 30 ft. seasonal pier anchored by a 7 ft. x 2 ft. concrete pad adjacent to a pre-existing 8 slip docking structure consisting of four 4 ft. x 20 ft. 4 in. seasonal piers hinged to a 6 ft. x 87 ft. 8 in. permanent wharf on an average of 736 ft. of shoreline frontage along Pine River Pond, in Wakefield.

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

1. All work shall be in accordance with plans by Advantage NH Lakes dated February 21, 2016, as received by DES on March 3, 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. All excavated material and construction-related debris shall be placed outside of the areas subject to RSA 482-A. Any spoil material deposited within 250 ft. of any surface water shall comply with RSA-483-B.
6. Any subdivision of the property 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.
7. Only those structures shown on the approved plans shall be installed or constructed along this frontage. All portions of the structures, including the breakwater toe of slope, shall be at least 20 ft. from the abutting property lines or the imaginary extension of those lines into the water.

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

8. No portion of the pier shall extend more than 30 ft. from the shoreline at full lake elevation (Elev. 582.35 ft.).
9. All seasonal structures shall be removed for the non-boating season.

EXPLANATION

The DES Wetlands Bureau approved this project on May 15, 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), modification of a docking facility providing 5 or more slips.
2. The applicant has an average of 736 ft. of frontage along Pine River Pond.
3. A maximum of 10 slips may be permitted on this frontage per Rule Env-Wt 402.13, Frontage Over 75 ft.
4. The combined existing and proposed docking facilities will provide 10 slips as defined per RSA 482-A:2, VIII and therefore meets Rule Env-Wt 402.13.
5. NH DES staff finds that because the project is not of significant public interest and the impacts will not significantly impair the resources of Pine River Pond a public hearing is not required under RSA 482-A:8.

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: www.des.nh.gov/onestop



RSA/Rule: RSA 482-A/ Env-Wt 100-900

		Administrative Use Only	File No: 2016-00341
			Check No: 416
			Amount: \$ 382.80
			Initials: DB

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: **238 Michawanic Road** TOWN/CITY: **Wakefield**

TAX MAP: **53** BLOCK: LOT: **13** UNIT:

USGS TOPO MAP WATERBODY NAME: **Pine River Pond** NA STREAM WATERSHED SIZE: NA

LOCATION COORDINATES (If known): **N 43.64064 E -71.04332** 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.

Provide a 6'x 30' seasonal hinged pier to accommodate two boatslips. Seasonal dock to meet Env-Wt. 402.05. A concrete anchoring pad will be required at the shoreline to hinge the seasonal pier and is considered a minimum impact per Env-Wt. 303.04 (ab). No work is proposed to the existing dock or existing beach along the frontage.

4. SHORELINE FRONTAGE

NA This lot has no shoreline frontage. SHORELINE FRONTAGE: **736'**

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...

1995-00702 , 2014-00622

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 16 - 0514

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

NA



7. APPLICANT INFORMATION (Desired permit holder)

LAST NAME, FIRST NAME, M.I.: Michawanic Village Condominium Association			
TRUST / COMPANY NAME:		MAILING ADDRESS: 221 Michawanic Road, Unit 9 C	
TOWN/CITY: Wakefield		STATE: NH	ZIP CODE: 03872
EMAIL or FAX: * See agent info		PHONE: * See agent info	
ELECTRONIC COMMUNICATION: By initialing here: _____, I hereby authorize NHDES to communicate all matters relative to this application electronically			

8. PROPERTY OWNER INFORMATION (If different than applicant)

LAST NAME, FIRST NAME, M.I.:			
TRUST / COMPANY NAME:		MAILING ADDRESS:	
TOWN/CITY:		STATE:	ZIP CODE:
EMAIL or FAX:		PHONE:	
ELECTRONIC COMMUNICATION: By initialing here _____, I hereby authorize NHDES to communicate all matters relative to this application electronically			

9. AUTHORIZED AGENT INFORMATION

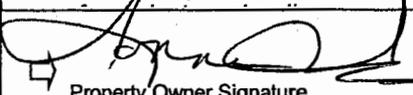
LAST NAME, FIRST NAME, M.I.: Folsom, Allen P.		COMPANY NAME: Advantage NH Lakes	
MAILING ADDRESS: P.O. Box 862			
TOWN/CITY: Wolfeboro Falls		STATE: NH	ZIP CODE: 03896
EMAIL or FAX: advantagenhlakes@gmail.com		PHONE: 603-998-0619	
ELECTRONIC COMMUNICATION: By initialing here AF , I hereby authorize NHDES 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:

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

		Donna Fauceffe	2/19/2016
Property Owner Signature		Print name legibly	Date

MUNICIPAL SIGNATURES

11. 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.

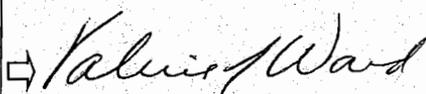
	Print name legibly	Date
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DIRECTIONS FOR CONSERVATION COMMISSION

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 reviewed in the standard review time frame.

12. 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.

	Valerie J Ward	Wakefield	3-1-16
Town/City Clerk Signature	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.

13. 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	/	/
Lake / Pond	180 / 6	/
Bank - Intermittent stream	/	/
Bank - Perennial stream / River	/	/
Bank - Lake / Pond	14 / 7	/
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	194 / 7	/

14. 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) 14 sq. ft. X \$0.20 = \$ 2.80

Temporary (seasonal) docking structure: 180 sq. ft. X \$1.00 = \$ 180.00

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

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

Total = \$ 382.80

The Application Fee is the above calculated Total or \$200, whichever is greater = \$ 382.80

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

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

www.des.nh.gov

Michawanic Village
Condo Association
238 Michawanic Rd
Waukegan, WI
Map 53 Lot 13

Tax Map
No Scale

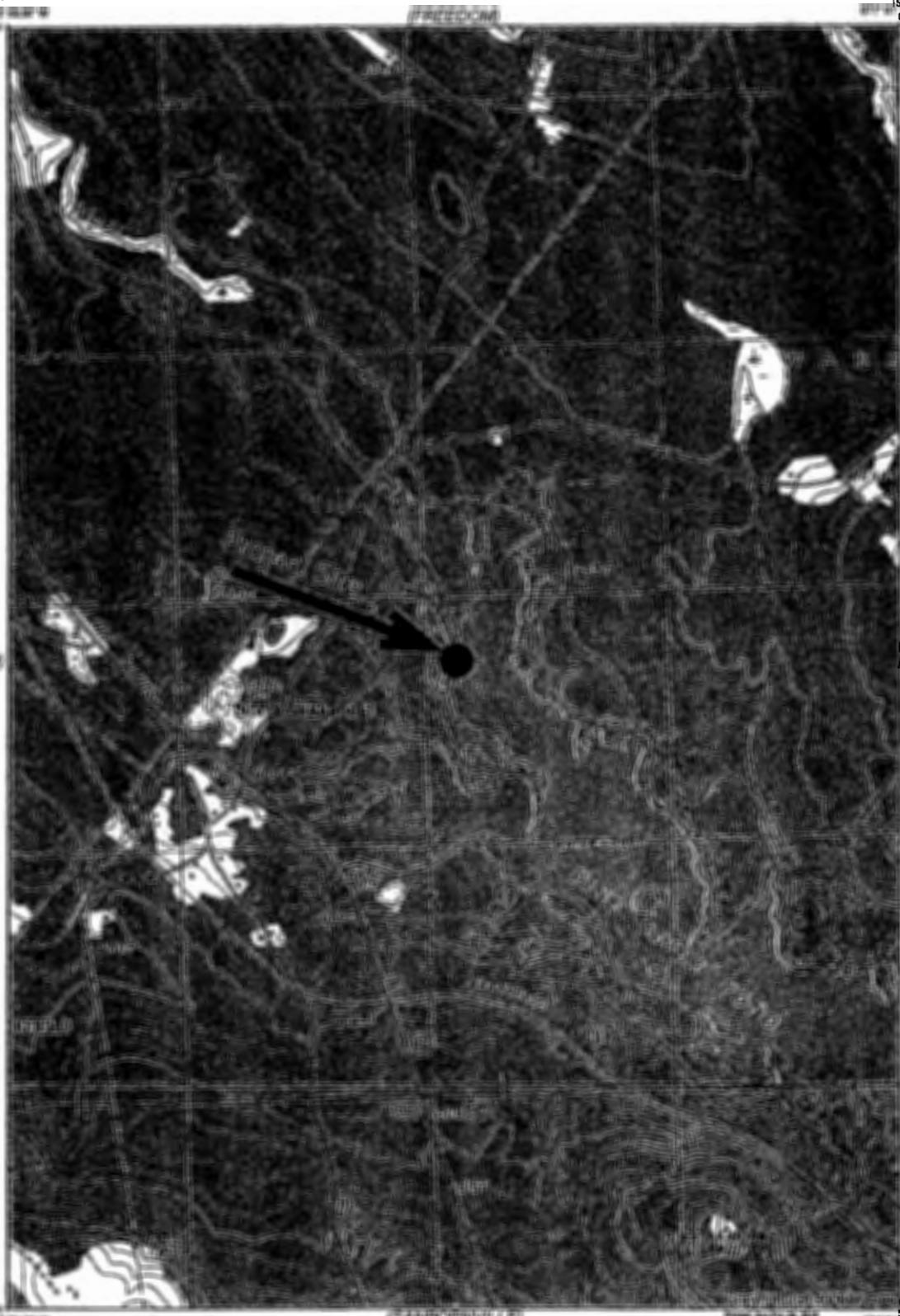
ADVANTAGE
BY LAKES



(OSSIPEE LAKE)

071
043° 39' 48.72"

15.06" W
043° 39' 48.72" N



(TUFTONBORO)

(WEST NEWFIELD)

N/B
101

043° 37' 01.15"
071"

043° 37' 01.15" N
15.06" W

(WOLFEBORO)

(GREAT EAST LAKE)

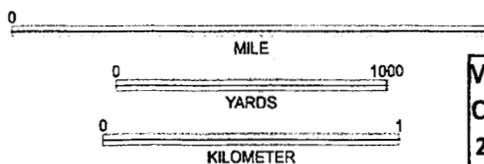
Produced by MyTopo Terrain Navigator
Topography based on USGS 1:24,000
Maps

North American 1983 Datum (NAD83)
Transverse Mercator Projection

To place on the predicted North American
1927 move the projection lines 9M N and
39M E



SCALE 1:24000



CONTOUR INTERVAL 20 FEET
NATIONAL GEODETIC VERTICAL DATUM 1929

Michawanic Village
Condo Association
238 Michawanic Rd
Wakefield, NH
Map 53 Lot 13

USGS Map
No Scale

ADVANTAGE
NH LAKES



NEW HAMPSHIRE NATURAL HERITAGE BUREAU
NHB DATACHECK RESULTS LETTER

To: Allen Folsom, Advantage NH Lakes
P.O. Box 862
Wolfeboro Falls, NH 03896

From: NH Natural Heritage Bureau

Date: 2/26/2016 (valid for one year from this date)

Re: Review by NH Natural Heritage Bureau of request submitted 2/20/2016

NHB File ID: NHB16-0514

Applicant: Allen Folsom

Location: Wakefield
Tax Maps: 53-13

Project Description: Provide a 6'x30' seasonal hinged pier adjacent to an existing docking facility.

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.

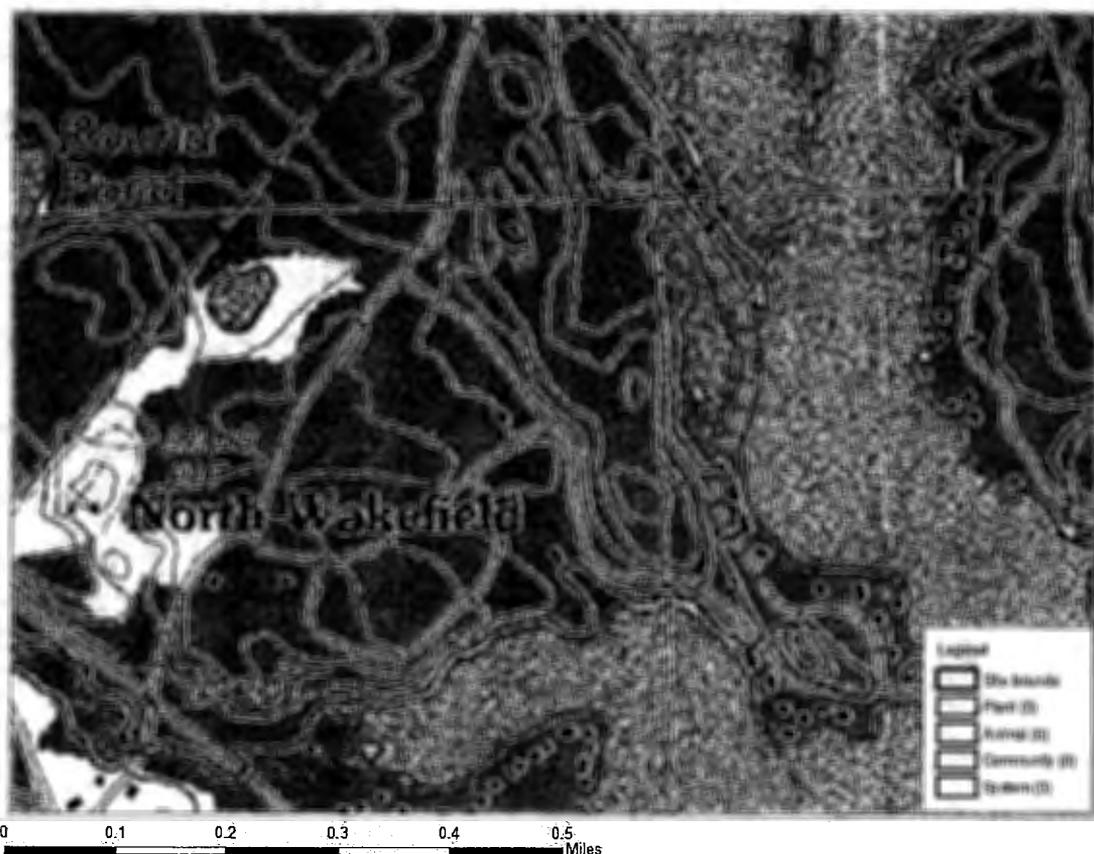
It was determined that, although there was a NHB record (e.g., rare wildlife, plant, and/or natural community) present in the vicinity, we do not expect that it will be impacted by the proposed project. This determination was made based on the project information submitted via the NHB Datacheck Tool on 2/20/2016, and cannot be used for any other project.



NEW HAMPSHIRE NATURAL HERITAGE BUREAU
NHB DATA CHECK RESULTS LETTER

MAP OF PROJECT BOUNDARIES FOR: **NHB16-0514**

NHB16-0514

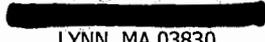


ABUTTERS LIST

Name of property owner (s): Michawanic Village Condo Association
Location of proposed project: 238 Michawanic Road, Wakefield, NH Tax Map 53-13
Brief description of work: Proposed 6'x 30' seasonal hinged pier adjacent to an existing docking

TM# 53-01

LEGRO JR, JAMES L
LEGRO, MARILYN C



LYNN, MA 03830

TM# 53-001

CORRENTI, FRANK J & MARJORIE A



STONEHAM, MA 02180

TM# 56-2

KELLER FAMILY REALTY TRUST
NANCY R KISLAK SUCCESSOR TRUST



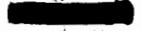
AGOURA HILLS, CA 91301

TM# 53-6

Other land of Michawanic Village Condo Association

TM# 53-7

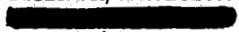
STALNAKER, WILLIAM R
STALNAKER, HILDRETH T



OCALA, FL 34478

TM# 53-8

DICESARE, PATRICIA A



YORK, ME 03909

TM# 53-9

WESSELL 1999 TRUST, MARGARET
MARGARET WESSELL TRUSTEE



WAKEFIELD, NH 03872

TM# 53-12

WINDY POINT ROAD TRUST
RICHARD R WILSON TRUSTEE 140



GEORGETOWN, MA 01833

Env-Wt 101.03 "Abutter" means any person who owns property immediately adjacent and contiguous to the property on which the project will take place. This does not include those properties across a public road. An abutter includes an owner of any flowage rights on or immediately adjacent to the property on which the project will take place. If the project is located on waterfront or another area which by its configuration would cause the project to affect non-contiguous properties, owners of those properties are considered as abutters. The term does not include the owner of a parcel of land located more than one quarter mile from the limits of the proposed project