



The State of New Hampshire
Department of Environmental Services

Clark B. Freise, Assistant Commissioner



March 06, 2017

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

REQUESTED ACTION

Approve Bay Shore Yacht Club's request to perform the following work on Lake Winnepesaukee, in Meredith. File # 2016-03083. This project will not have significant impact on or adversely affect the values of Lake Winnepesaukee.

Dredge no more than 180 cubic yards of material from 8,350 sq. ft. of lakebed to improve navigation within an existing 75 slip commercial docking facility on an average of 210 ft. of shoreline frontage along Lake Winnepesaukee, in Meredith Bay, in Meredith.

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

1. All work shall be in accordance with plans by Turning Point Land Surveyors and Land Planners, dated September 10, 2016, and revised through February 10, 2017, as received by the NHDES on February 17, 2017.
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. The entire dredge work area shall be enclosed by appropriate turbidity controls.
7. All dredged material 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.
8. 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).
9. If, at any time during the dredge, the NHDES determines that there is significant risk to the containment of the site, the NHDES shall notify the permittee to cease working until the issue is addressed. Work shall cease immediately upon receipt of such notice by the permittee or by any agent of the permittee, and shall not resume until authorized by the NHDES.

www.des.nh.gov

29 Hazen Drive • PO Box 95 • Concord, NH 03302-0095
(603) 271-3503 • TDD Access: Relay NH 1-800-735-2964

10. This permit does not authorize any work to the existing docking structure. Any work to the existing docking structure that requires a permit under RSA 482-A shall require a new application and approval from the department. This permit shall not be amended to include additional impacts to the docking structures.
11. Launching and recovering equipment and off-loading spoils shall not destabilize or otherwise disturb the bank.
12. This permit does not allow for any impacts to the bank for off-loading dredge spoils from the barge. Any additional impacts will require an additional application and approval from the department. Any proposed additional work to stabilize the bank impacted by the approved dredge, will not meet the criteria of Part Env-Wt 503, Emergency procedures. This permit shall not be amended for additional impacts to the bank.
13. No dredging shall occur below elevation 500.32 ft.
14. No dredge activity shall be conducted within such proximity to the shoreline as may cause failure of the existing bank.
15. The applicant shall submit to the department photographs of the existing bank conditions along the subject frontage as well as the abutting frontages prior to the commencement of work. The photographs shall be dated and clearly labeled identifying the location shown.
16. The applicant shall submit to the department dated photographs of the bank taken in the same locations as the pre-dredge photographs by October 15, 2017.

EXPLANATION

The NHDES Wetlands Bureau approved this project on February 27, 2017. The NHDES 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 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. In accordance with RSA 482-A:8, the NHDES finds that the requirements for a public hearing do not apply as the permitted project is not of substantial public interest, and will not have a significant impact on or adversely affect the values of the lacustrine resource, as identified under RSA 482-A:1.
6. Both abutter's submitted signed letters granting permission for work both within their respective 20 ft. setbacks, and in front of their respective properties.
7. This permit does not allow for any work to the existing docking structures or the bank.

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and The Honorable Council
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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.



Clark B. Freise
Assistant Commissioner

CDF/CGA/coemk



WETLANDS PERMIT APPLICATION

Water Division/ Wetlands Bureau
Land Resources Management

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



RSA/Rule: Env-Wt 100-900

	COMPLETE	2016-03083
	OCT 26 2016	1770
	OCT 26 2016	\$2,200.00
		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 only)

2. PROJECT LOCATION:
Separate applications must be filed with each municipality that jurisdictional impacts will occur in.

ADDRESS: **4 Bay Shore Road** TOWN/CITY: **Meredith**

TAX MAP: **U02** BLOCK: LOT: **2A** UNIT:

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

LOCATION COORDINATES (if known): **x: 1,029,518.80 y: 419,707.51** 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.

Applicants are proposing to dredge approx. 11,000 sf of accumulated sand & mud that has migrated in and around the marinas docking facilities.

4. SHORELINE FRONTAGE

NA This lot has no shoreline frontage. **SHORELINE FRONTAGE: 210.15'**
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...

None

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 - 2866**
- 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.: Pearson, Michael			
TRUST / COMPANY NAME: Bay Shore Yacht Club		MAILING ADDRESS: 4 Bay Road	
TOWN/CITY: Meredith		STATE: NH	ZIP CODE: 03253
EMAIL or FAX: See Agent		PHONE: See Agent	
ELECTRONIC COMMUNICATION: By initialing here MP 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.: Same as Applicant			
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.: Bailey, Jessica J.		COMPANY NAME: Turning Point Land Surveyors & Land Planners	
MAILING ADDRESS: 217 Cotton Hill Road			
TOWN/CITY: Gilford		STATE: NH	ZIP CODE: 03249
EMAIL or FAX: jbailey@bailey-associates.com		PHONE: (603) 528-3734	
ELECTRONIC COMMUNICATION: By initialing here JJB , 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:			
<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 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 be reviewed for the presence of historical/ archeological resources. 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 forward returned mail. 			
 Property Owner Signature		Michael Pearson Print name legibly	10/20/2016 Date

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

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.

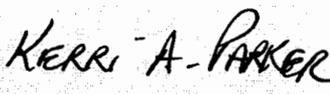
	Print name legibly	Date
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DIRECTIONS FOR CONSERVATION COMMISSION

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.

 <small>Town/City Clerk Signature</small>	 <small>Print name legibly</small>	 <small>Town/City</small>	 <small>Date</small>
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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.

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	/ <input type="checkbox"/> ATF	/ <input type="checkbox"/> ATF
Lake / Pond	/ <input type="checkbox"/> ATF	11,000 / 0 <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
TOTAL	/	11000 / 0

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) 11000 sq. ft. X \$0.20 = \$ 2,200

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

Permanent docking structure: 0 sq. ft. X \$2.00 = \$

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

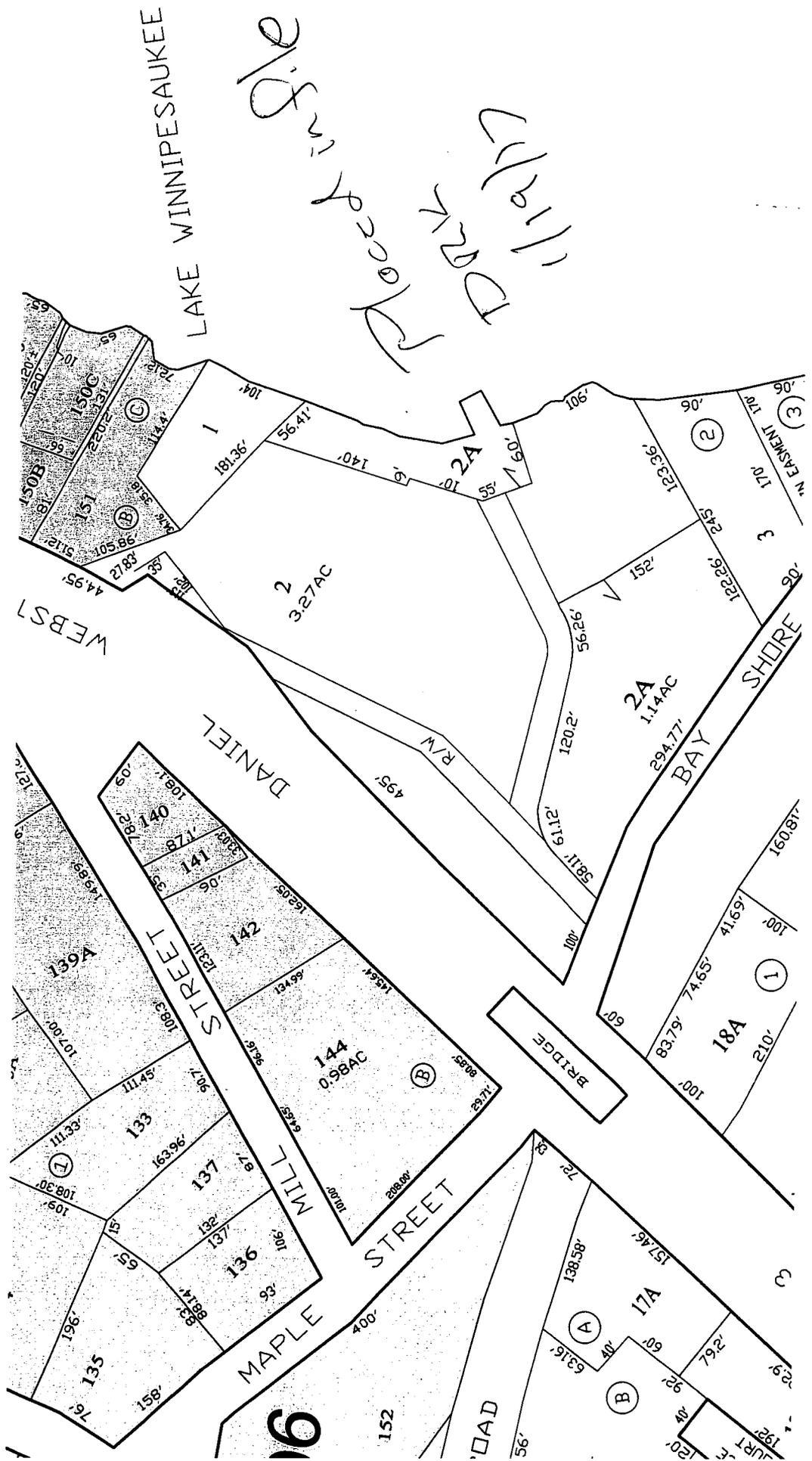
Total = \$ 2,200

The Application Fee is the above calculated Total or \$200, whichever is greater = \$ 2,200

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

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

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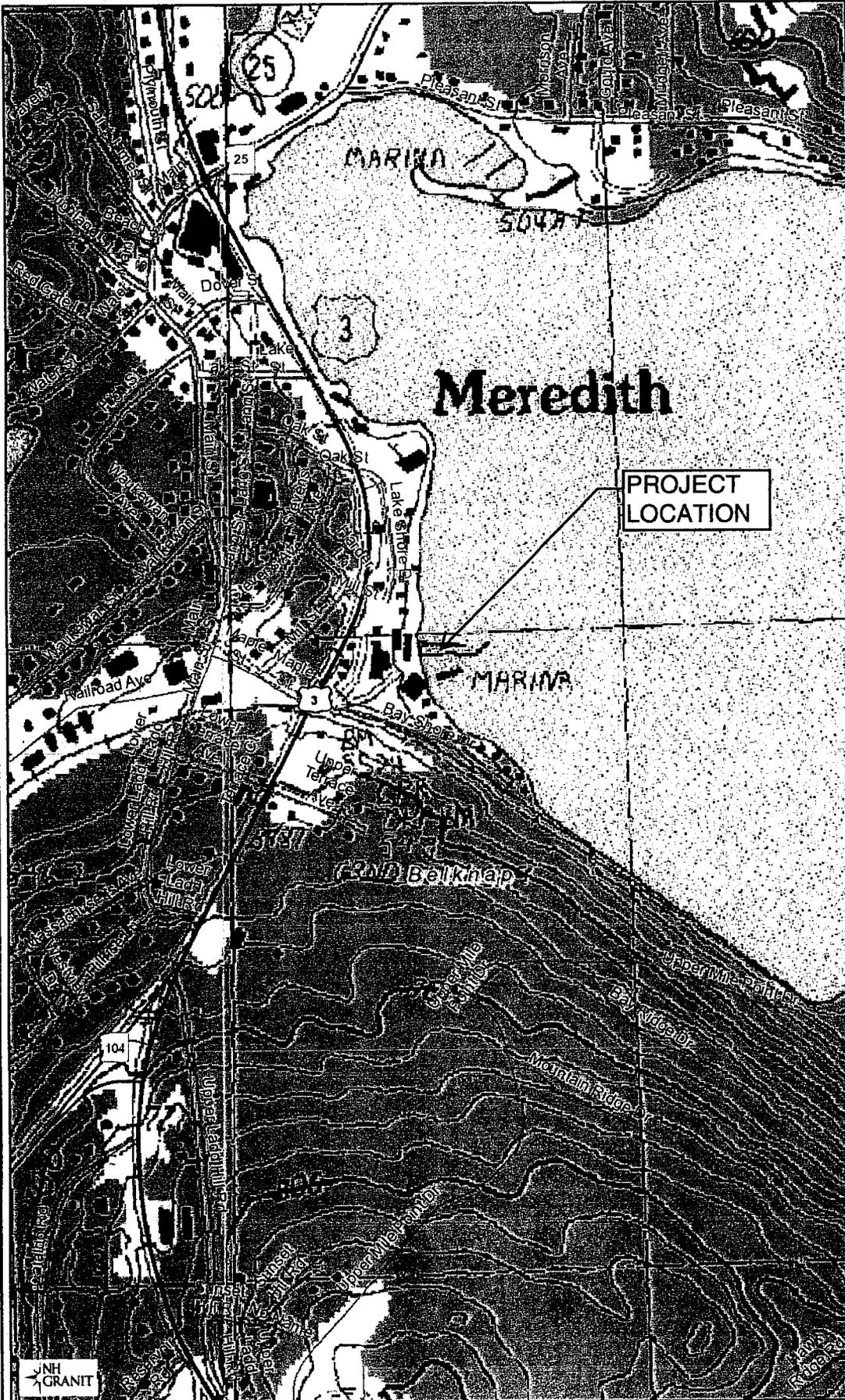
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USGS Locus Map



Legend

- State
- County
- City/Town
- Interstates
- Turnpikes
- US Routes
- State Routes
- Local Roads

Map Scale

1: 8,900

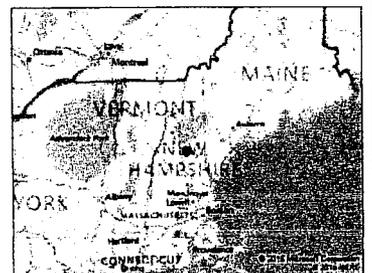
© NH GRANIT, www.granit.unh.edu

Map Generated: 9/16/2016



Notes

No 08





New Hampshire Natural Heritage Bureau

To: Jessica Bailey
217 Cotton Hill Road
Gilford, NH 03237

Date: 9/16/2016

From: NH Natural Heritage Bureau

Re: Review by NH Natural Heritage Bureau of request dated 9/16/2016

NHB File ID: NHB16-2866

Applicant: Jessica Bailey

Location: Tax Map(s)/Lot(s): Tax Map U02, Lot 2A
Meredith

Project Description: Bay Shore Yacht Club is proposing a maintenance dredge
of accumulated sand around the permitted docks.

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 9/15/2017.

Bryan L. Bailey Associates, Inc.

dba Turning Point Land Surveyors & Land Planners
217 Cotton Hill Road
Gilford, NH 03249
603-528-3734
www.bailey-associates.com

October 11, 2016

Bay Shore Yacht Club
Tax Map U02, Lot 2A
Bay Shore Road
Meredith, NH



Re: Abutter List

<p>Tax Map U02, Lot 1 Lucille E. Ristaino Rev. Trust Lucille E. Ristaino, Trustee [REDACTED] Meredith, NH</p>	<p><i>North</i></p>
<p>Tax Map U02, Lot 2 BOA Holdings, LLC 2 Bay Shore Road Meredith, NH</p>	<p><i>South</i></p>
<p>Tax Map U02, Lot 3 Judith Spaulding [REDACTED] Meredith, NH</p>	
<p>Agent & Professionals Bryan L. Bailey, LLS Jessica J. Bailey, CWS Bryan L. Bailey, Associates Inc. d.b.a. Turning Point Land Surveyors & Land Planners 217 Cotton Hill Road Gilford, NH 03249</p>	