



The State of New Hampshire
DEPARTMENT OF ENVIRONMENTAL SERVICES



Thomas S. Burack, Commissioner

February 28, 2014

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

REQUESTED ACTION

Approve Lake House's at Christmas Island, LLC's request to perform the following work on Lake Winnepesaukee, in Laconia. File # 2013-00853. This project will not have significant impact on or adversely affect the values of Lake Winnepesaukee.

Permanently remove an existing 4 ft. x 50 ft. seasonal pier and a 3.7 ft. x 39 ft. seasonal pier. Add a 3.5 ft. x 47 ft. seasonal center pier extension, two 3 ft. x 10.8 ft. seasonal finger piers, and two 3 ft. x 16 ft. seasonal fingers to the existing 3.9 ft. x 47 ft. permanent center pier with four existing finger piers measuring 3.6 ft. x 17.5 ft., 3.5 ft. x 17.5 ft., 1.7 ft. x 17.7 ft., and 1.7 ft. x 17.6 ft. attached to an 8 ft. x 35 ft. concrete structure at the shoreline on an average of 759 ft. of shoreline frontage along Lake Winnepesaukee, in Laconia.

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

1. All work shall be in accordance with plans by Rokeh Consulting LLC, as revised November 8, 2013, and received by the NH Department of Environmental Services (DES) on January 7, 2014.
2. No work is authorized to the additional existing 4 ft. x 24 ft. seasonal dock on the north side of the shoreline.
3. This permit shall not be effective until it has been recorded with the Belknap County Registry of Deeds office by the Permittee. A copy of the recorded permit shall be submitted to the DES Wetlands Bureau, by certified mail, return receipt requested, prior to construction.
4. No portion of the docking facility shall extend more than 95.6 ft. from the shoreline at full lake elevation.
5. The existing seasonal docks shall be completely removed prior to the start of construction of the new docking structures.
6. This permit shall not preclude DES from taking any enforcement or revocation action if DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.
7. All construction related debris shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
8. Appropriate siltation, erosion, and turbidity controls shall be in place prior to construction, maintained during construction, and shall remain in place until the area is stabilized.

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

9. Work authorized shall be carried out such that discharges in spawning or nursery areas during spawning seasons shall be avoided, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
10. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding areas and spawning areas shall be avoided.
11. These shall be the only structures on this water frontage and all portions of the docking structures shall be at least 20 ft. from abutting property lines or the imaginary extension of those lines into the water.
12. All seasonal structures shall be removed from the lake for the non-boating season.
13. 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.

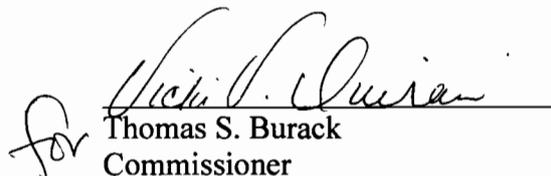
EXPLANATION

The DES Wetlands Bureau approved this project on January 28, 2014. 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 759 ft. of frontage along Lake Winnepesaukee.
3. A maximum of 11 slips may be permitted on this frontage per Rule Env-Wt 402.13, Frontage Over 75'.
4. The combined existing and proposed docking facilities will provide 19 slips as defined per RSA 482-A:2, VIII and therefore the structures fail to conform to Rule Env-Wt 402.13 and are subject to Rule Env-Wt 402.21, Modification of Existing Structures.
5. The modifications to the docking facilities will reduce the number of slips provided on the frontage by one and will result in less square feet of impact over public submerged lands than the existing docking structures, therefore the project meets Rule Env-Wt 402.21, Modification of Existing Structures.
6. Public hearing is waived with the finding that the project impacts will not significantly impair the resources of Lake Winnepesaukee.

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.


for 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

Website: <http://des.nh.gov/organization/divisions/water/wetlands/index.htm>
Permit Application Status: <http://des.nh.gov/onestop/index.htm>



APR 09 2013

WETLANDS PERMIT APPLICATION CITY OF LACONIA
Office of City Clerk

File No. 2013-00853	Check No. 12567	Amount \$525.00	Initials CMB
RECEIVED Administrative Use Only APR 11 2013 NHDES LAND RESOURCES MANAGEMENT	COMPLETE Administrative Use Only APR 11 2013	Administrative Use Only	Administrative Use Only

1. **REVIEW TIME:** If you do not know the review time for your project, refer to Attachment A to determine if your project's review time is Standard or Expedited.

Standard Review (Minimum, Minor or Major Impact) Expedited Review (Minimum Impact)

2. **PROJECT LOCATION:** A separate application must be filed with each municipality that jurisdictional impacts will occur in.

ADDRESS: 630 Weirs Boulevard		TOWN/CITY: Laconia	
TAX MAP: 216	BLOCK: 248	LOT: 4	UNIT:

US GEOLOGICAL SURVEY TOPO MAP WATERBODY NAME: Lake Winnepesaukee	LOCATION COORDINATES (If known): <input type="checkbox"/> Latitude/Longitude <input type="checkbox"/> UTM <input type="checkbox"/> State Plane
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3. **PROPERTY OWNER** or **APPLICANT INFORMATION** (check all that apply) If the applicant is not the property owner, attach property owner information and written permission from the property owner granting the applicant permission to act on their behalf.

NAME: Lake Houses at Christmas Island, LLC

MAILING ADDRESS: 25 Buttrick Road, Suite A1

TOWN/CITY: Londonderry	STATE: NH	ZIP CODE: 03053
EMAIL or FAX:	PHONE:	

By initialing here, I, hereby authorize DES to communicate all matters relative to this application electronically (RSA 482-A:3, XIV (b)) : _____

4. **AGENT INFORMATION:**

NAME: Regina A. Nadea, Esq.	COMPANY: Normandin, Cheney & O'Neil, PLLC
MAILING ADDRESS: PO Box 575	
TOWN/CITY: Laconia	STATE: NH ZIP CODE: 03247-0575
EMAIL or FAX: rnadeau@nco-law.com	PHONE: 603-524-4380

By initialing here, I, hereby authorize DES to communicate all matters relative to this application electronically (RSA 482-A:3, XIV (b)) : **RAN**

* Complete this page last.

5. **PROPERTY OWNER / AUTHORIZED APPLICANT / AUTHORIZED AGENT SIGNATURE:** A letter of authorization from the property owner/applicant is required if the property owner/applicant does not sign below. Note the property owner permission requirement in no.3 above.

By signing the application, I am certifying that:

1. All abutters have been identified in accordance with RSA 482-A:3, I and Env-Wt 100-900.
2. I have read and provided the required information outlined in Env-Wt 302.04 for the applicable project type.
3. I have read and understand Env-Wt 302.03 and have chosen the least impacting alternative.
4. 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 101.44.
5. I have submitted a copy of the application materials to the NH State Historic Preservation Officer.
Link: <http://www.nh.gov/nhdhr/review/> (Copy link to your web browser)
6. I authorize DES and the municipal conservation commission to inspect the site of the proposed project.
7. I have reviewed the information being submitted and that to the best of my knowledge the information is true and accurate.
8. 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.
9. I am aware that the work I am proposing may require additional state, local or federal permits which I am responsible for obtaining.
10. The mailing addresses I have provided are up to date and appropriate for receipt of DES correspondence. DES will not forward returned mail.

see attached authorization

Property Owner/ Applicant / Authorized Agent

Print name legibly

Date

APPLICATION SUBMITTAL DIRECTIONS:

1. The Conservation Commission signature is ONLY required for Expedited Review; Standard Review applications do NOT require the Conservation Commission's signature;
2. Submit the original application form and materials, four copies, application fee and any required municipal fees (authorized by RSA 482-A:3,I) to the town/city clerk for the REQUIRED town /city clerk's signature and mailing via certified mail to DES. Municipal fees means an administrative fee not to exceed \$10 plus the cost of postage by certified mail.

6. This section is to be completed by the Town/City Clerk

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.

Mary A Reynolds

Town/City Clerk

Mary Reynolds

Print name legibly

4-9-13

Date

Laconia

Town/City

TOWN CLERK SUBMITTAL & MAILING DIRECTIONS:

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

1. For applications where "Expedited Review" is checked on page 1, only accept the application if the Conservation Commission's signature has been obtained (Standard Review Applications do NOT require the Conservation Commission's signature);
2. Collect from the applicant 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,I).
4. Immediately sign the original application and four copies in the signature space provided in the space above;
5. Retain one copy of the application form and all attachments that will remain with the town/city clerk and will be made reasonably accessible to the public;
6. Immediately distribute a copy of the application with attachments to 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, I; and
7. IMMEDIATELY send (DO NOT HOLD FOR OTHER MUNICIPAL REVIEWS) the original application materials and filing fee, by CERTIFIED MAIL to the NHDES Wetlands Bureau at the address indicated on the front of this application.

7. **CONSERVATION COMMISSION SIGNATURE FOR EXPEDITED REVIEW ONLY:** *N/A*

ONLY Expedited Review applications require that the Conservation Commission signature is obtained prior to submittal the final application to the Town/City Clerk for signature and mailing to the NHDES Wetlands Bureau. The Conservation Commission may refuse to sign. If the Conservation Commission does not sign this statement for any reason, then the application is not eligible for expedited review and the "Standard Review" box should be checked on page 1. The application shall be reviewed in the standard review time.

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.

Authorized Commission Signature

Print name legibly

Date

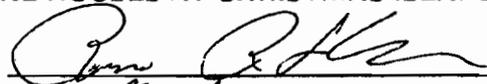
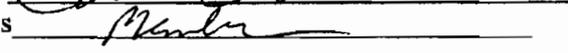
AGENT AUTHORIZATION

I Romeo Lacasse, of Lake Houses at Christmas Island, LLC, hereby authorize Jon Rokeh P.E. of Rokeh Consulting, and Regina Nadeau, of Normandin, Cheney & O'Neil, to act as our agent for the filing of applications and seeking approvals for shorefront improvements off Weirs Boulevard in Laconia, New Hampshire.

LAKE HOUSES AT CHRISTMAS ISLAND, LLC

By: _____

It's _____

8. **RELATED FILES/APPROVALS:** If applicable, indicate files and approvals that are related to the proposed project or project site. Link to all NHDES Programs, Bureaus and Units: <http://des.nh.gov/programs/index.htm> (Copy link to your web browser)

Wetlands Bureau enforcement, emergency authorizations: _____

Wetlands Bureau approvals, denials: _____

Shoreland/ Alteration of Terrain/ Subsurface: **2010-03333, 2006-2958**

Other: _____

9. **PROJECT DESCRIPTION:** Provide a brief description of the project, outlining the scope of work to be performed, including the area of impact (square feet) of permanent impacts, temporary impacts (impacts that are not intended to remain after the project is completed), and after-the-fact impacts (work completed prior to receipt of this application by DES) to each jurisdictional area that will be impacted (wetlands, streams, rivers, lakes/ponds, prime wetland/buffer, tidal waters, salt marsh, sand dune, [upland] tidal buffer zone & docking structures). Docking structures provide the square footage of seasonal docking structures and permanent docking structures. Please provide only a brief project description as instructed above and attach additional sheets to provide other information requirements, but **DO NOT** reply "See Attached" in the space provided below.

Reconfigure 20 slip grandfathered dockage system by eliminating one 2.4' x 49' seasonal dock and one 3.7' x 39.1' seasonal dock and replace with a 325 square foot seasonal dock extension to be added onto an existing permanent dock system resulting in one less boat slip and 1.6 less square feet.

10. **APPLICATION REQUIREMENTS:** *This application will be returned to you if items outlined in A - J.1 are not provided.* If applicable items outlined in J:2 - L are not provided, you may receive a letter requesting the outstanding information. Please note that a DES request letter is a courtesy and applications that do not include the required information may be denied. Copy links to your web browser.

A. 1. Is the project within a ¼ mile of a designated river? Y N

Designated river list and map link: <http://des.nh.gov/organization/divisions/water/wmb/rivers/designriv.htm>

2. If yes: Indicate river: _____

3. As required by RSA 482-A:3, I(d)(2), I have notified the Local River Advisory Committee (LAC) by sending a copy of the complete application and supporting materials via certified mail on: Month: ___ Day: ___ Year: ___

LAC link: <http://des.nh.gov/organization/divisions/water/wmb/rivers/lac/index.htm>

B. Property Owner or Authorized Applicant/Agent and Town/City Clerk signatures, no.'s 5 & 6 on pg. 2 of this form (Env-Wt 501.02(a) & 505.01(i))

C. Narrative of the project description, no. 9 above (Env-Wt 501.02(a) & 505.01(i))

D. Documentation from the Department of Resources and Economic Development's Natural Heritage Bureau (NHB) indicating that NHB has reviewed your project. Documentation can be obtained online at: https://www2.des.state.nh.us/nhb_datacheck/ or by phone (603) 271-2215 x 323. Please attach the REQUIRED letter/memo and map provided by NHB.

E. A copy of a U. S. Geological Survey topographic map upon which the property lines and project limits have been outlined (surveyed property boundaries not required). The map must be at an unaltered scale of 1:24,000 or 1" = 2,000 feet (1:25,000 metric map). (Env-Wt 501.02(a)(4) & 505.01(g))

Topographic Map Links: <http://des.nh.gov/organization/divisions/water/wetlands/categories/technical.htm>

F. Attach legible and labeled color photographs clearly depicting the jurisdictional areas to be impacted, the resource outside of impact area, any shoreline structures and culvert inlet/outlets (Env-Wt 501.02(a)(3) & 505.01(i))

G. Attach drawing(s)/plan(s) (including a construction sequence) showing additional data requirements listed in Env-Wt 501.02(a)(2) & 505.01(h). See no. 11 on pg.'s 4 & 5 for drawing/plan requirements.

H. Attach a completed U.S. Army Corps of Engineers New Hampshire Programmatic General Permit (PGP) Appendix B – Required Information and Corps Secondary Impact Checklist: http://www.nae.usace.army.mil/Regulatory/SGP/NH_PGP.pdf (scroll to page 29 of 34 to reach Appendix B).

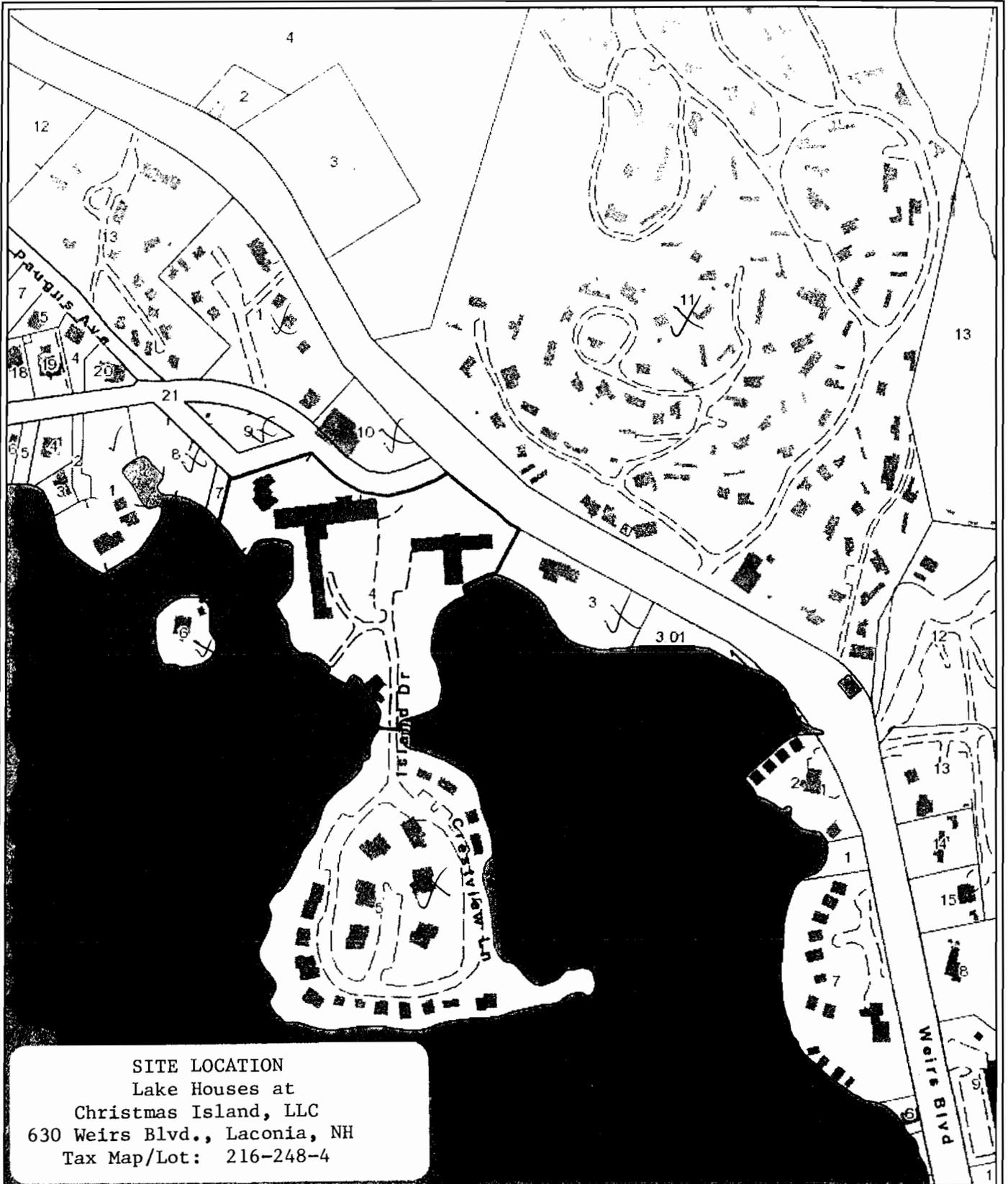
10. APPLICATION REQUIREMENTS CONTINUED:

- I. Attach the application fee, check or money order payable to: "Treasurer-State of NH" (RSA 482-A:3,I & Env-Wt 505.01(c))
- Minimum Impact (Standard & Expedited Review): Flat fee of \$ 200 **OR**
 - Minor or Major Impact (Standard Review): Complete the minor & major application fee table below.

MINOR & MAJOR APPLICATION FEE:

Permanent impacts (non-docking):	_____ sq. ft.	X \$0.20 =	_____
Temporary impacts (non-docking):	_____ sq. ft.	X \$ 0.20 =	_____
Temporary (seasonal) docking structure:	325 sq. ft.	X \$1.00 =	325.00
Permanent docking structure:	_____ sq. ft.	X \$2.00 =	_____
Projects proposing shoreline structures add \$200 =			200.00
Total =			_____
The Application Fee is the above calculated Total or \$200, whichever is greater =			525.000

- J.1. Legible copy or tracing of the tax map from the municipal office (Env-Wt 501.02(a)(1)& 505.01(e)).
2. Confirm the submitted tax map illustrates the property of the applicant, the location of the proposed project on the property, and the location of properties of abutters (defined Env-Wt 101.03) with each lot labeled with the abutter's name(s) and mailing address(es); or provide a list of abutters' names and mailing addresses to cross-reference with the tax map (Env-Wt 501.02(a)(1)& 505.01(f))
- Abutter Notification Exceptions see Env-Wt 501.01(c).
 - If jurisdictional impacts occur within 20 feet of an abutting property line or imaginary extension thereof over surface water signed permission letter(s) from the affected abutters must be included with this application (Env-Wt 304.04). This letter must be notarized if your project is a boat docking facility (RSA 482-A:3-XIII(c)). Notarized abutter permission is not required for maintenance projects.
- K. Need, Avoidance & Questions:
- Minimum: 1. Attach a statement demonstrating need for the proposed project (Env-Wt 302.03); and
2. Attach a statement demonstrating that the proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction. (Env-Wt 302.03 & 505.01(d)&(y)); **OR**
 - Minor & Major: Attach a response to questions outlined in Wetland Rule Env-Wt 302.04(a)
- L. Minor & Major Impact Projects ONLY: Does the project require compensatory mitigation pursuant to Env-Wt 302.03?
- Y N **If yes:** Attach a completed Mitigation Agreement Form and materials outlined on the form (Env-Wt 501.02(a)(6) & 501.06)
Link: http://des.nh.gov/organization/commissioner/pip/forms/wetlands/documents/mitigation_form.doc



SITE LOCATION
 Lake Houses at
 Christmas Island, LLC
 630 Weirs Blvd., Laconia, NH
 Tax Map/Lot: 216-248-4



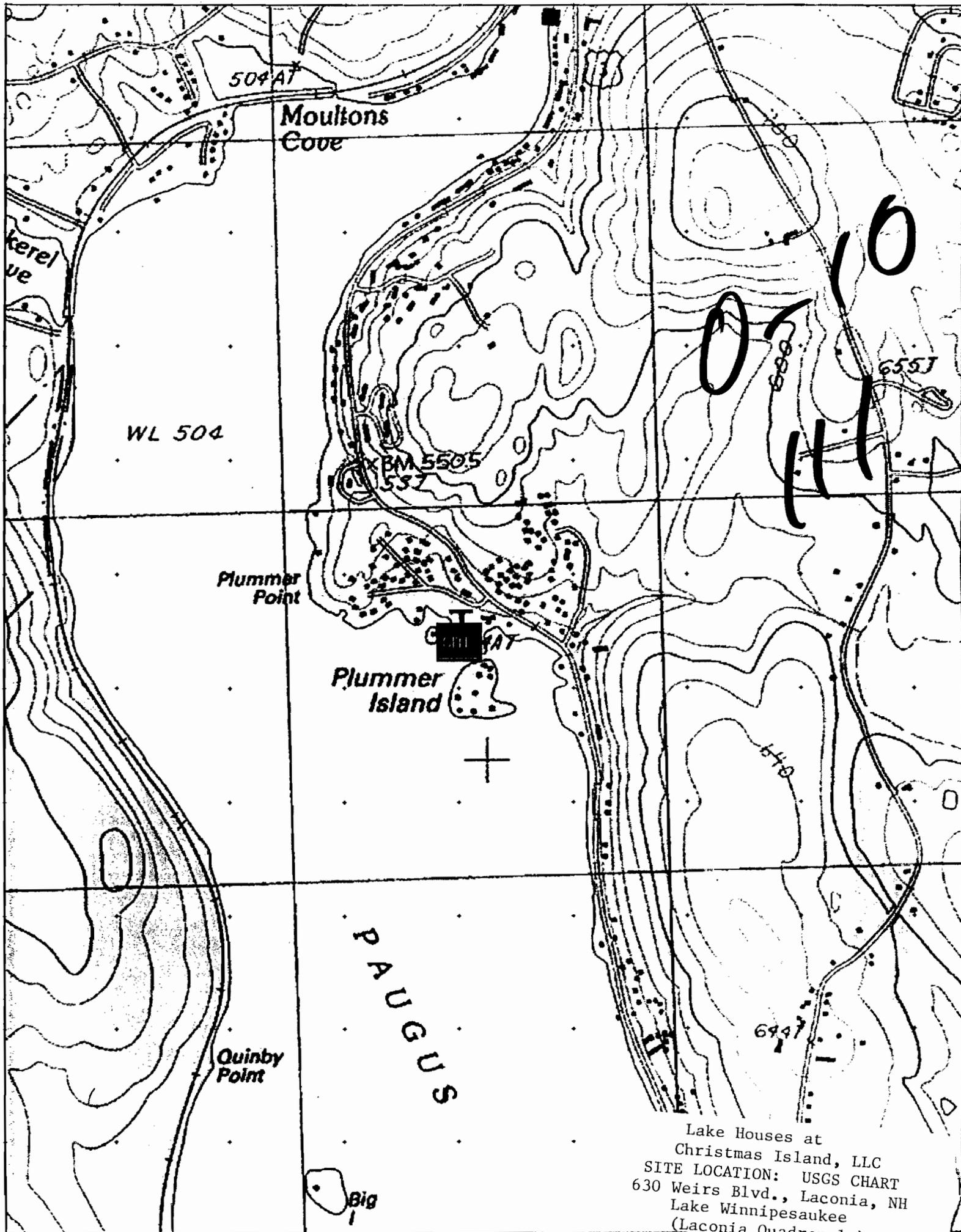
Laconia, NH
 1 Inch = 240 Feet
 March 28, 2013



Data shown on this map is provided for planning and informational purposes only. The municipality and Cartographic Associates, Inc. are not responsible for any use for other purposes or misuse or misrepresentation of this map.

www.cai-info.com

CARTOGRAPHIC ASSOCIATES, INC.



Lake Houses at
Christmas Island, LLC
SITE LOCATION: USGS CHART
630 Weirs Blvd., Laconia, NH
Lake Winnepesaukee
(Laconia Quadrangle)



NEW HAMPSHIRE NATURAL HERITAGE BUREAU
NHB DATACHECK RESULTS LETTER

To: Jon Rokeh, Rokeh Consulting
89 King Road

Chichester, NH 03258

From: NH Natural Heritage Bureau

Date: 4/3/2013 (valid for one year from this date)

Re: Review by NH Natural Heritage Bureau of request submitted 3/28/2013

NHB File ID: NHB13-001 **Applicant:** Jon Rokeh

Location: Lacombe
Tax Map: Tax Lot 216-304

Project

Two seasonal docks proposed to be discontinued and a new seasonal expansion proposed on an existing permanent dock to replace the discontinued docks.

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 3/28/2013, and cannot be used for any other project.



NEW HAMPSHIRE NATURAL HERITAGE BUREAU
NHB DATACHECK RESULTS LETTER

MAP OF PROJECT BOUNDARIES FOR: **NHB13-0971**

NHB13-0971



NH NATURAL HERITAGE BUREAU



1:22000

Valid for one year from this date: 03 Apr 2013

Lake Houses at Christmas Island, LLC-Applicant: The abutters to the premises were sent notice of the pending application by certified mail, on March 29, 2013 . Please find below the addresses and respective mail receipts for each abutter.

Christmas Island Resort Condominium
Assoc. c/o Harvard Management
14 Country Club Road
Gilford, NH 03249

216-377-5

X

Kalecia Resort Enterprises, LLC
33 Reflection Drive
Sandwich, MA 02563

216-266-8

X

Sweetwood Condominiums
c/o Diane M. Labelle
59 Rhode Island Avenue
Manchester, NH 03104

216-266-9 and
210-248-1

X
X

Christmas Island Steak House, Inc.
c/o Thomas A. Roux
630 Weirs Boulevard
Laconia, NH 03246

216-248-10

X

Richard P. Tilton and Joanne C. Tilton,
Trustees of the Richard P. Tilton Revocable
Trust of 2004 and Joanne C. Tilton and
Richard P. Tilton, Trustees of the Joanne C.
Tilton Revocable Trust of 2004
[REDACTED]
Laconia, NH 03247

216-248-3 and
216-248-11

X
X

Christmas Island Motel Corporation
c/o Thomas Roux
630 Weirs Boulevard
Laconia, NH 03246

216-266-6

X

Lake Houses at Christmas Island, LLC-Applicant: The abutters to the premises were sent notice of the pending application by certified mail, on April 9, 2013. Please find below the addresses and respective mail receipts for each abutter.

Sweetwood Condominiums
 c/o Glen Flanagan, President ✓
 672 Weirs Boulevard #9
 Laconia, NH 03246

210-248-1
 (Units 1 and 9)

Leanne L. and Brad T. Flannery
 [REDACTED]
 S. Weymouth, MA 02190-1282

210-248-1
 (Unit 2)

Kevin M. and Carol A. Campbell
 [REDACTED]
 Maynard, MA 01754-1140

210-248-1
 (Unit 3)

Jon P. Flaherty
 [REDACTED]
 S. Boston, MA 02127

210-248-1
 (Unit 4)

Flanagan Family 2009 Revocable Trust
 Brian W. Ray, Esq., Trustee
 [REDACTED]
 Plymouth, NH 03264

210-248-1
 210-248-1
 210-248-1
 (Units 5, 7 and 8)

Michael D. Flanagan
 [REDACTED]
 Norwood, MA 02062

210-248-1
 (Unit 6)

U.S. Postal Service
CERTIFIED MAIL RECEIPT
(Domestic Mail Only; No Insurance Coverage Provided)

For delivery information visit our website at www.usps.com.

OFFICIAL USE

Postage	\$.46
Certified Fee	3.10
Return Receipt Fee (Endorsement Required)	2.55
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$ 6.11

LACONIA POST OFFICE

APR
 Postmark
 9⁰⁰
 2013
 03246

Sent To **Michael D. Flanagan**

Street, Apt. No., or PO Box No. [REDACTED]

City, State, ZIP+4 **Norwood, MA 02062**

PS Form 3800, August 2006 See Reverse for Instructions

7010 1870 0002 9037 9392



