



The State of New Hampshire
**Department of Environmental
Services**

JUN 07 '18 PM 12:35 DA



Robert R. Scott, Commissioner

June 6, 2018

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

REQUESTED ACTION

Approve Circle Program's request to perform the following work on Spectacle Pond, in Groton. File # 2018-00432. This project will not have significant impact on or adversely affect the values of Spectacle Pond.

Impact 1,340 square feet of bank along 66 feet 5 inches of shoreline and dredge not more than 20 cubic yards of woody and organic debris from 220 square feet of lakebed to construct a 36 foot 6 inch x 30 foot perched beach with 6 foot wide steps to the water and install two 6 foot x 30 foot seasonal docks attached to two 6 foot x 3 foot anchor pads in front of the beach, on an average of 1,730 linear feet of shoreline frontage, along Spectacle Pond, in Groton.

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 Stephens Landscaping Professionals, LLC dated January 25, 2018, as received by the NH Department of Environmental Services (NHDES) on February 20, 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. This permit does not authorize the removal of trees or saplings within the waterfront buffer that would result in a tree and sapling point score below the minimum required per RSA 483-B:9, V, (a)(2)(D)(iv).
5. Work shall be carried out in a time and manner to avoid disturbances to migratory waterfowl breeding and nesting areas.
6. Any steps installed for access to the water shall be located completely landward of the normal high water line.
7. 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.
8. 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.

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

9. All dredged and excavated material and construction-related debris shall be placed outside of the areas subject to RSA 482-A. Any spoil material deposited within 250 feet of any surface water shall comply with RSA-483-B.
10. Dredging shall be limited to the removal of woody debris and organic material and shall not include mineral soils.
11. No more than 20 cubic yards of sand shall be used and all sand shall be located above the normal high water line.
12. The permittee shall provide appropriate diversion of surface water runoff to prevent erosion of beach area.
13. 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.
14. A combination of trees, shrubs and ground covers representing the density and species diversity of the vegetation present prior to construction shall be replanted beginning at a distance no greater than 5 feet landward from the beach area.
15. 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.
16. 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.
17. No portion of the docking structures shall extend more than 30 feet from the shoreline at full lake elevation (Elev. 820).
18. All seasonal structures shall be removed for the non-boating season.

EXPLANATION

The NHDES Wetlands Bureau approved this project on May 7, 2018. The NHDES 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 docking facilities providing 5 or more slips.
2. The applicant has an average of 1,730 feet of frontage along Spectacle Pond.
3. A maximum of 23 slips may be permitted on this frontage per Rule Env-Wt 402.13, Frontage Over 75'.
4. The lot currently has two existing 6 foot x 30 foot seasonal docks permitted under Wetlands Files #2003-00230 and #2003-00935.
5. The combined existing and proposed docking facility will provide 8 slips as defined per RSA 482-A:2, VIII and, therefore, meets Rule Env-Wt 402.13.
6. The Department finds that because the project is not of significant public interest and will not significantly impair the resources of Spectacle Pond, a public hearing under RSA 482-A:8 is not required.
7. The Department conducted an on-site inspection May 2, 2018, in order to inspect the perched beach and existing seasonal docks permitted under Wetlands File #2003-00935.
8. The owner never constructed the beach and proposes a new location requiring less vegetation removal and slope that is less than the previously approved beach as required per Env-Wt 302.03.

9. The Department received comments from the Town meeting with concerns for Common Loon nesting that has been successful in recent years.
10. The owner received a report from the NH Natural Heritage Bureau date January 26, 2018 stating that they do not expect the proposed project will have any impact on any endangered or threatened species.
11. The Town received a comment concerning the size of the dock given that the lake is only 53 acres in size.
12. The approved piers will meet the standard dimension of a seasonal dock on a lake less than 1,000 acres which is 6 feet x 30 feet as required per Env-Wt 402.03 (a)(2).
13. The Department has received concerns from individuals claiming to be abutters who stated that they were not notified of the project until April 25, 2018.
14. All abutters were notified by certified mail of the project on February 14, 2018 as required per Env-Wt 505.01 (o).
15. Several of the concerned parties do not meet the definition of abutter as put forward in Rule Env-Wt 101.03.
16. Concerns were expressed regarding dredging and silt and who would monitor this during construction.
17. Conditions within the permit require turbidity controls to be installed prior to construction and maintained throughout the construction of the project.
18. Concerns were expressed about the removal of trees.
19. The project, as proposed, will meet the vegetation requirements of RSA 483-B:9, V.

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.



Robert R. Scott
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-WL 100-900

RECEIVED FEB 20 2018 Administrative Use Only NHDES LAND RESOURCES MANAGEMENT	COMPLETE Administrative Use Only FEB 20 2018	Administrative Use Only	File No: 2018-00432 Check No: 7427 Amount: 876.00 Initials: Emk
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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: **36 Blanchette Lane/Spectacle Pond Road** TOWN/CITY: **Groton**

TAX MAP: **6** BLOCK: LOT: **34** UNIT:

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

LOCATION COORDINATES (if known): **940745,442084** Latitude/Longitude UTM

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.

Proposed 36.6' x 30' perched beach (820 sq. ft.) with a set of 6' wide stone steps to access the pond, (2) 6' x 3' concrete pads (36 sq. ft.), (2) 6' x 30' (360 sq. ft.) seasonal docks and propose to clean woody debris from pond bed in front of beach (5' x 44' = 220 sq. ft.)

5. SHORELINE FRONTAGE:

- NA This does not have shoreline frontage. SHORELINE FRONTAGE: **1,730'**

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 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 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 type="checkbox"/> NO	_____	<input type="checkbox"/> APPROVED <input type="checkbox"/> PENDING <input type="checkbox"/> DENIED
Shoreland Permit Per RSA 483-B	<input checked="" type="checkbox"/> YES <input 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** - **0363**
- 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.: **Circle Program - Contact is John Mcrae**

TRUST / COMPANY NAME:

MAILING ADDRESS: [REDACTED]

TOWN/CITY: **Plymouth**STATE: **NH**ZIP CODE: **03264**

EMAIL or FAX: [REDACTED]

PHONE: [REDACTED]

ELECTRONIC COMMUNICATION: By initialing here: jm, 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.:

TRUST / COMPANY NAME:

MAILING ADDRESS:

TOWN/CITY:

STATE:

ZIP CODE:

EMAIL or FAX:

PHONE:

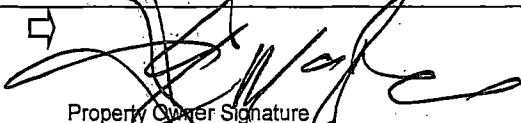
ELECTRONIC COMMUNICATION: By initialing here _____, I hereby authorize NHDES to communicate all matters relative to this application electronically.

10. AUTHORIZED AGENT INFORMATIONLAST NAME, FIRST NAME, M.I.: **Stephens, John**COMPANY NAME: **Stephens Landscaping Prof.**MAILING ADDRESS: **62 Moultonborough Neck Road**TOWN/CITY: **Moultonborough**STATE: **NH**ZIP CODE: **03254**EMAIL or FAX: **designpermit@stephenslandscaping.com**PHONE: **(603)707-0630**ELECTRONIC COMMUNICATION: By initialing here JS, 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:

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 forward returned mail.



Property Owner Signature

Circle Program, John Mcrae

Print name legibly

1/30/18


Date

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.

	RUTH MILLETT	GIRON	02-16-2018
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.

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

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

www.des.nh.gov

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	856 / <input type="checkbox"/> ATF	724 / <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
Vernal Pool	<input type="checkbox"/> ATF	<input type="checkbox"/> ATF
TOTAL	856 /	724 /

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) 1,580 sq. ft. X \$0.20 = \$ 316.00

Temporary (seasonal) docking structure: 360 sq. ft. X \$1.00 = \$ 360.00

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

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

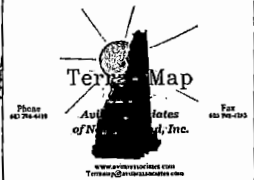
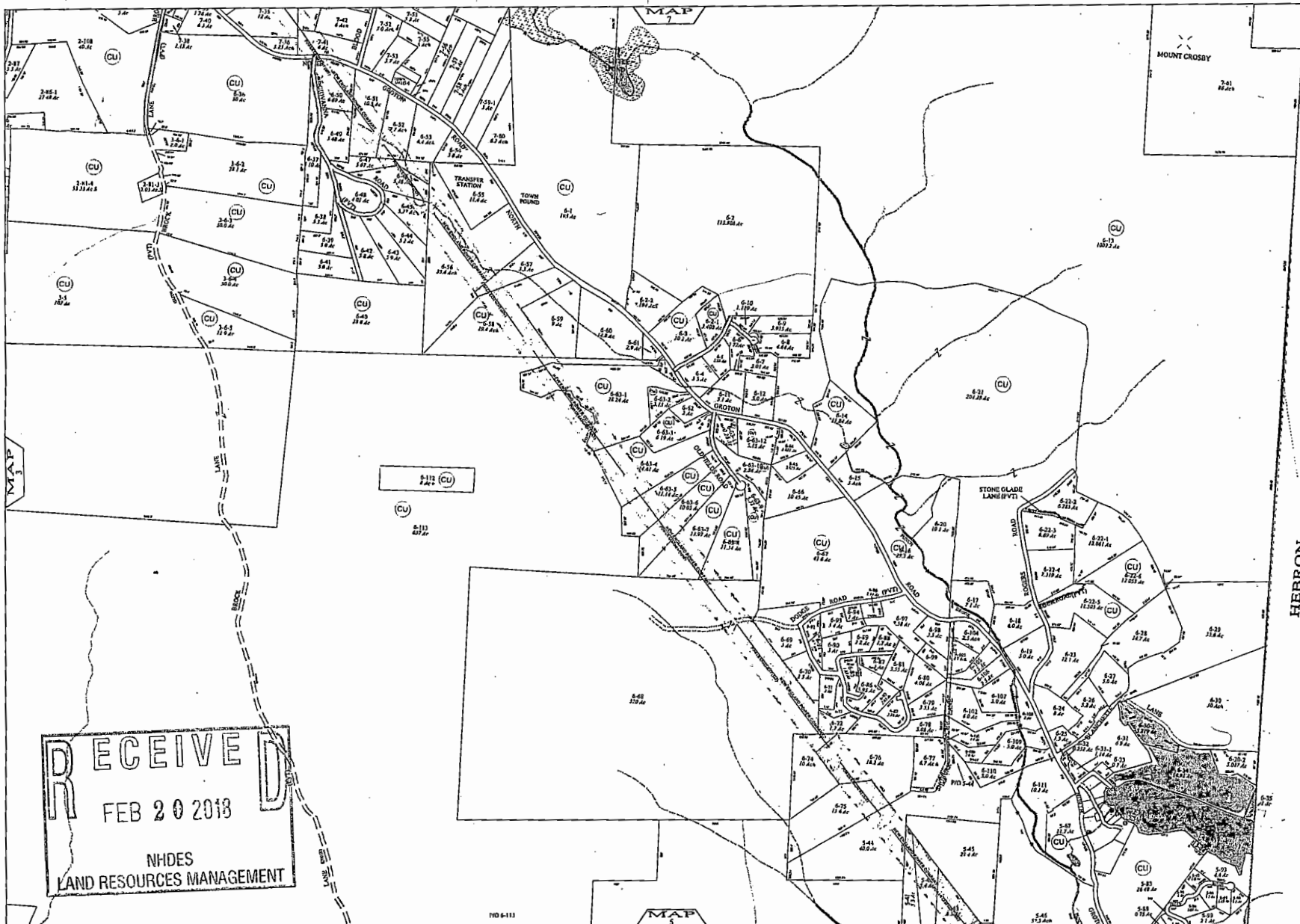
Total = \$ 876.00

The Application Fee is the above calculated Total or \$200, whichever is greater = \$ 876.00

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

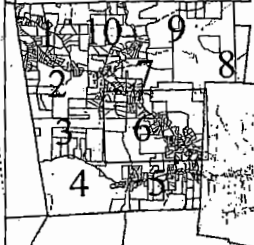


Town of
GROTON
 Grafton County
 New Hampshire

LEGEND

- Map-Lot-Sub 1-79-1
- Parcel Acreage 2 Ac.
- Frontage (feet) 200'
- Trail
- Class 6 ROW
- ROW/Easement
- Rivers
- Wetlands
- Power Lines
- Current Use

SCALE



RECEIVED
 FEB 20 2013
 NHDES
 LAND RESOURCES MANAGEMENT

For Assessment Purposes
 Not to be used for conveyances

MAP NOTES:

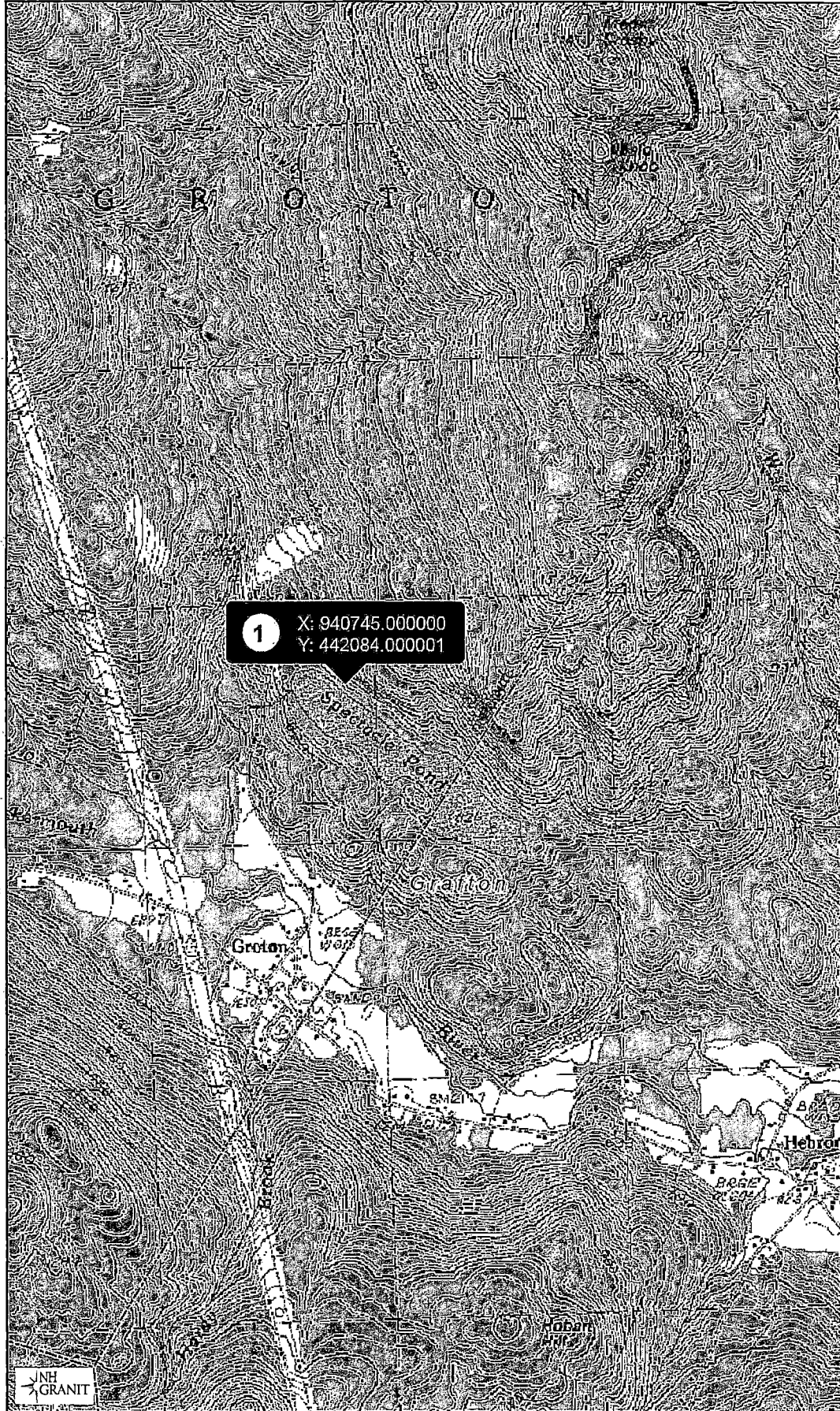
Revised April 1, 2014

NAD83 NEW HAMPSHIRE STATE PLANES, US FOOT



MAP 6

Circle Program Map by NH GRANIT



Legend

- State
- County
- City/Town

1 X: 940745.000000
Y: 442084.000001

RECEIVED
FEB 20 2018
NHDES
LAND RESOURCES MANAGEMENT

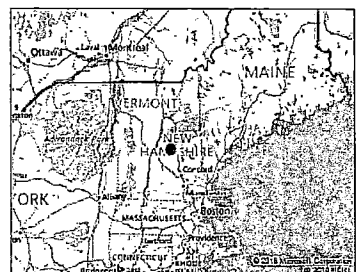
Map Scale
1: 24,000



© NH GRANIT, www.granit.unh.edu
Map Generated: 1/26/2018

Notes

36 Blanchette Lane
Groton, NH





NEW HAMPSHIRE NATURAL HERITAGE BUREAU
NHB DATACHECK RESULTS LETTER

To: Rhonda Blackey, Stephens Landscaping Professionals, LLC
63 Whittier Highway
Moultonborough, NH 03254

From: NH Natural Heritage Bureau

Date: 1/31/2018 (valid for one year from this date)

Re: Review by NH Natural Heritage Bureau of request submitted 1/26/2018

NHB File ID: NHB18-0363

Applicant: Rhonda Blackey

Location: Groton

Tax Maps: Tax Map 6, Lot #34

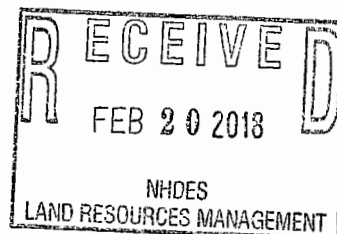
Project

Description: Shoreland: Install a 10' wide gravel access road (1,700 sq. ft.) down to the proposed seasonal docking structures and perched beach. Install a 10' x 10' storage shed behind the 20' setback.
Wetland: Propose to install a 36.6' x 30' perched beach (820 sq. ft.) with a set of 6' wide stone steps to access the pond. Back wall to be a seating wall so beach area can also be used as an educational/teaching area. Proposed to install no more than 20 cu. yards of clean beach sand, depth not to exceed 6". Install (2) 6' x 30' (360 sq. ft.) seasonal docks closer to the camp for better accessibility to campers. Install (2) 6' x 3' (36 sq. ft.) concrete pads. Clean woody debris from pond bed in front of perched beach wall (5' x 44' = 220 sq. ft.)

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 1/26/2018, and cannot be used for any other project.

Department of Natural and Cultural Resources
Division of Forests and Lands
(603) 271-2214 fax: 271-6488



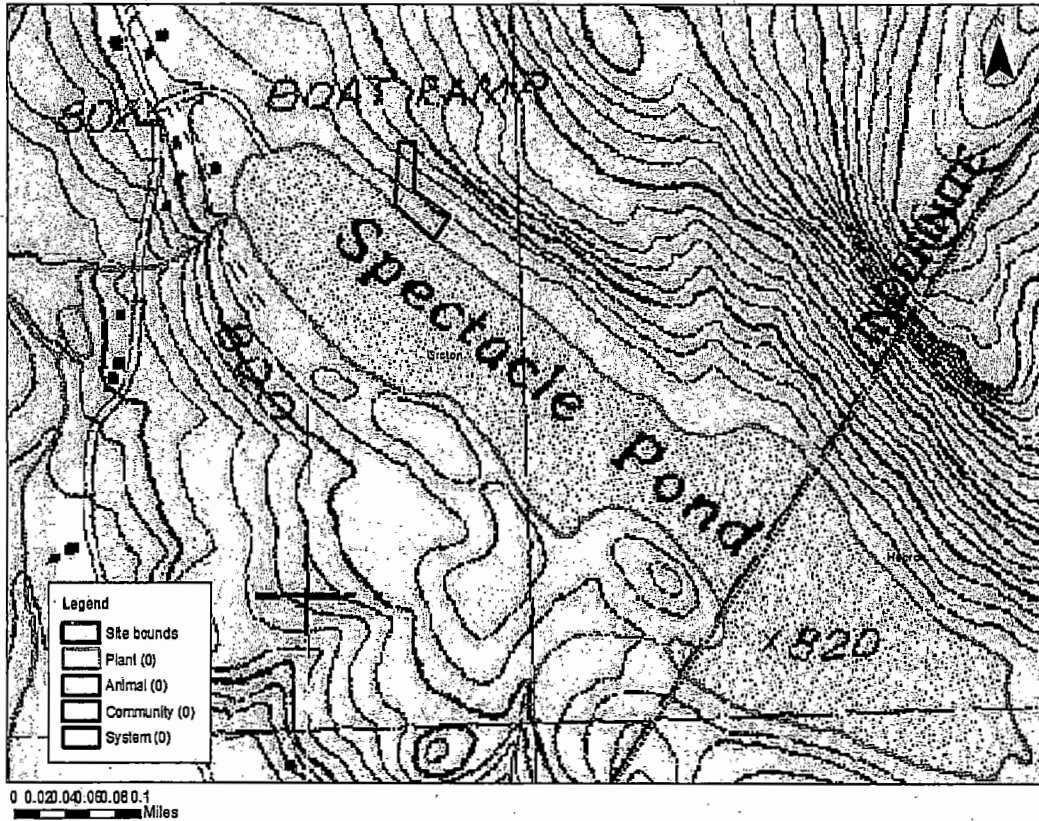
DNCR/NHB
172 Pembroke Rd.
Concord, NH 03301



NEW HAMPSHIRE NATURAL HERITAGE BUREAU
NHB DATA CHECK RESULTS LETTER

MAP OF PROJECT BOUNDARIES FOR: NHB18-0363

NHB18-0363



Abutter List For:

Property Address:

Circle Program
Spectacle Pond Road
Groton, NH 03241
Tax Map 6, Lot #34-0

Keith & Janet Umphlett
Blanchette Lane
Groton, NH 03241
Tax Map 6, Lot #30

Rosa Slegers
60 Blanchette Lane
Groton, NH 03241
Tax Map 6, Lot #30-1

Mary & Sarah Mudge
Blanchette Lane
Groton, NH 03241
Tax Map 6, Lot #30-2

Circle Program
36 Blanchette Lane
Groton, NH 03241
Tax Map 6, Lot #31-0

Circle Program
Spectacle Pond Road
Groton, NH 03241
Tax Map 6, Lot #33

Robert Casella
313 Spectacle Pond Road
Groton, NH 03241
Tax Map 6, Lot #35

Mailing Address:

[REDACTED]
Plymouth, NH 03264

[REDACTED]
Derry, NH 03038

[REDACTED]
Arlington, MA 02474-2531

[REDACTED]
Severna Park, MD 21146-4630

[REDACTED]
Plymouth, NH 03264

[REDACTED]
Plymouth, NH 03264

[REDACTED]
Barrington, NH 03825

