

# The State of New Hampshire Department of Environmental Services

# 122

#### Clark B. Freise, Assistant Commissioner

June 6, 2017

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

#### **REQUESTED ACTION**

Approve John & Kathryn Kittredge's request to perform the following work on Lake Winnipesaukee, in Meredith. File # 2017-00371. This project will not have significant impact on or adversely affect the values of Lake Winnipesaukee.

Construct three 6 ft. x 40 ft. seasonal piers connected by two 6 ft. x 12 ft. wide walkways in a "W" configuration, install two 14 ft. x 30 ft. seasonal canopies and two seasonal boatlifts, remove a 10 ft. wide wood ramp and a 2 ft. x 14 ft. pier, repair a 416 square ft. irregularly shaped wharf, and impact 2,930 square ft. of bank to construct a 4 ft. wide path, the docking structure and a 20 ft. x 18 ft. perched beach contained by a 1 ft. wide retaining wall with 5 ft. wide access steps to the lake, on an average of 377 ft. of frontage along Lake Winnipesaukee, on Spindle Point, in Meredith.

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

- 1. All work shall be in accordance with revised plans by David M. Dolan Associates, PC dated April 11, 2017, as received by the NHDES on April 20, 2017.
- 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.
- Work shall be carried out in a time and manner to avoid disturbances to migratory waterfowl breeding and nesting areas.
- Appropriate siltation and erosion controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized. Temporary controls shall be removed once the area has been stabilized.
- 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.
- 7. 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.

- 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).
- 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.
- 10. 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 ft. from the abutting property lines or the imaginary extension of those lines into the water.
- 11. No portion of the docking structures shall extend more than 40 ft. from the shoreline at full lake elevation (Elev. 504.32).
- 12. All seasonal structures, including watercraft lifts, shall be removed for the non-boating season.
- 13. The canopies, including the support frames and covers, shall be designed and constructed to be readily removed at the end of the boating season and the flexible canopies shall be removed for the non-boating season.
- 14. Stone placed along the beach front for the purpose of retaining sand shall be placed above and landward of Elevation 507. The rocks existing at the normal high water line shall remain undisturbed such that the natural shoreline remains visible and intact.
- 15. The steps installed for access to the water shall be located completely landward of the normal high water line.
- 16. No more than 10 cubic yards of sand shall be used and all sand shall be located above the normal high water line.
- 17. The permittee shall provide appropriate diversion of surface water runoff to prevent erosion of beach area.
- 18. 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.
- 19. 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 ft. landward from the beach area.

#### **EXPLANATION**

The NHDES Wetlands Bureau approved this project on May 07, 2017. 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 slips.
- 2. The applicant has an average of 377 ft. of frontage along Lake Winnipesaukee.
- 3. A maximum of 6 slips may be permitted on this frontage per Rule Env-Wt 402.13, Frontage Over 75'.
- 4. The existing wharf in combination with the proposed docking facility will provide 5 slips as defined per RSA 482-A:2, VIII and, therefore, meets Rule Env-Wt 402.13.

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 The Department finds that because the project is not of significant public interest and will not significantly impair the resources of Lake Winnipesaukee a public hearing under RSA 482-A:8 is not required.

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/emk



#### **WETLANDS PERMIT APPLICATION**

#### Land Resources Management Wetlands Bureau

Check the status of your application: www.des.nh.gov/onestop



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

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15 (19719W TIME) Indicate you are view Time below. Refer to G	auldance Document A for Instruction	ins.				
Standard Review (Minimum, N	finor or Major Impact)		Expedited F	Review (Mir	nimum Impact	only)
28, 1270) Teathol@Arjolyk Separate applications must be filed with cac	h municipality that Jurisdictional in	npacts will oc	curin.			
ADDRESS: 73 Spindle Point Road				TOWN/CIT	y: Meredith	
TAX MAP: <b>U24</b>	BLOCK:	LOT: 3	32		UNIT:	
USGS TOPO MAP WATERBODY NAME: Lake Wir	nnipesaukee	□ NA	STREAM WATER	RSHED SIZE:		□ NA
LOCATION COORDINATES (If known): N411280	E1039850	w. 1	☐ Latitu	de/Longitude	е 🗌 итм 🛭	State Plane
ROTEGO DESCRIPTION: Provide a brief description of the project our project. DO NOT reply, See Attached I in the		dditional she	ets as needed t	o provide a	detailed expla	nation of your
Remove existing wood boat ramp and a 14' x 2' dock; Repair an existing 1 slip dock in kind and replace 5 support posts; install a 3 slip seasonal dock in a "W"-shaped configuration, anchored to boulders; install a concrete anchor pad at southerly dock finger; install two seasonal boat lifts w/seasonal canopies; construct a perched beach with landscape berms.						
4. SHORELINE FRONTAGE		P. San				
NA This lot has no shoreline frontage.	SHORELINE FRONTAG	SE: <b>377'</b>				
Shoreline frontage is calculated by determin drawn between the property lines, both of v	_			shoreline f	rontage and a	straight line
S. REPATED PERMITS ENFORCEMENT EME	RGENCY AUTHORIZATION, SHORE	LAND, ALTER	ATION OF TER	RAIN, ETC.	Harpinet .	
Shoreland Impact Permit No 2016-0297	75 .					
G. NATURAL HERITAGE BUREAU & DESIGN. See the Instructions & Required Attachment		iplete a & b t	elow.			
a. Natural Heritage Bureau File ID: NHB 1	. <u>6                                    </u>					
b. Designated River the project is in ¼ r date a copy of the application was s		; and t Advisory Co	mmittee: Mont	h: Day	: Year:	
	shoreland@des.nh.gov	or (603) 271-2	2147			

34 H 34 H	LICANT INFORMATION (Desired permit holder)  AME, FIRST NAME, M.I.: Kittredge, John and Kathryn				
	/ COMPANY NAME:	,	MAILING ADDRESS:		
TOWN	/ary: Meredith			STATE: NH	ZIP CODE: <b>03253</b>
EMAIL	or FAX: <b>c/o Agent</b>		PHONE: c/o	Agent	
8. PR	RONIC COMMUNICATION: By initialing here: <u>DMD</u> , I hereby OPERTY OWNER INFORMATION: (If different than appliamE, FIRST NAME, M.I.:		o communicate all r	matters relative to this a	pplication electronically
TRUST	/ COMPANY NAME:		MAILING ADDRESS:		
TOWN	/CITY:			STATE:	ZIP CODE:
EMAIL	or FAX:		РНО	NE:	
_ 346.546	THORIZED AGENT: INFORMATION  AME, FIRST NAME, M.I.: Dolan, David M.	<b>.</b>	сом	PANY NAME: <b>David M</b>	. Dolan Associates, PC
MAILIN	NG ADDRESS: PO Box 1581				
TOWN	/CITY: Center Harbor			STATE: NH	ZIP CODE: <b>03226</b>
EMAIL	or FAX: ddolan@dolansurvey.com		PHONE: <b>603-253</b>	J-8011	<del> </del>
004:00-00-201	RONIC COMMUNICATION: By initialing here DMDI hereby a	authorize NHDES 1	o communicate all n	natters relative to this a	pplication electronically
<b>新</b> 毛花艺术	ROPERTY OWNER SIGNATURE: e Instructions & Required Attachments document for cl	arification of the	below statemen	id	
By sig	ning the application, I am certifying that:			in territoria de la compansión de la compa	environmente (1776) (1786) (1786) (1786)
2.	I authorize the applicant and/or agent indicated on thi request, supplemental information in support of this part I have reviewed and submitted information & attachm	permit application nents outlined in	n. the Instructions a	and Required Attachr	
3. 4.	All abutters have been identified in accordance with RS I have read and provided the required information out				
5. 6.	I have read and understand Env-Wt 302.03 and have of Any structure that I am proposing to repair/replace was grandfathered per Env-Wt 101.47.	hosen the least	impacting alterna	tive.	
7.	I have submitted a Request for Project Review (RPR) For the NH Division of Historical Resources to identify the agency for NHPA 106 compliance.				
8.	l authorize NHDES and the municipal conservation con		,		
9.	I have reviewed the information being submitted and I understand that the willful submission of falsified or I Services is a criminal act, which may result in legal acti	misrepresented ion.	information to the	e New Hampshire De	partment of Environmental
11.	I am aware that the work I am proposing may require	additional state	local or federal p	ermits which I am res	sponsible for obtaining.
	Suche & Ketting	Kathryn F.	Cittredge		1/31/17
	Property Owner Signature	Print name leg	ibly -		Date .

#### **MUNICIPAL SIGNATURES**

### 11. CONSERVATION COMMISSION SIGNATURE le 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

#### DIRECTIONS FOR CONSERVATION COMMISSION

- 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/Gity Clerk for signature.
- 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

required by Chapter 482-A:3 (amended 2014), I hereby certify that the applicant has filed four application forms; four detailed s, and four USGS location maps with the town/city indicated below.

Town/City Clerk Signature

KERRE'A. PARKER

Print name legibly

Mendely

#### DIRECTIONS FOR TOWN/CITY CLERK:

Per RSA 482-A:3,1

- 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.

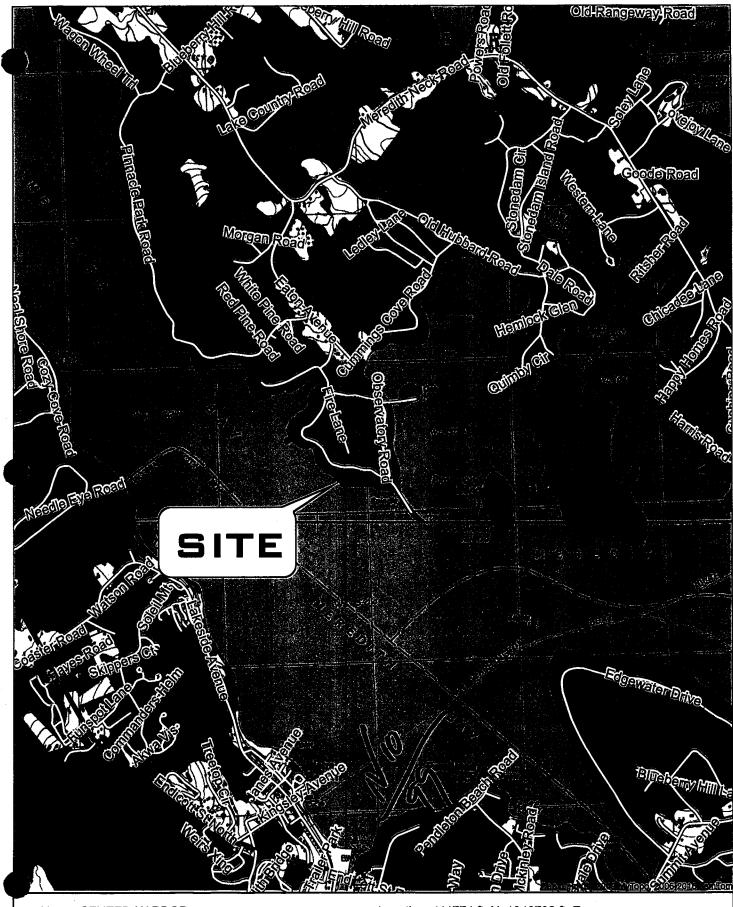
#### DIRECTIONS FOR APPLICANT:

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: IMPACTAREA : For each juited along leven that Willibe/	has been impacted iprovide square fe	et and, if applicable	x linear feet of impact * * * * * * * * * * * * * * * * * * *	
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SDICTIONAL AREA	nain (and Will be restored to ore-const PERMANENT	ruction conditions)	TEMPORARY	
	Sq. Ft. / Lin. Ft.		Sq. Ft. / Lin. Ft.	
Forested wetland  Scrub-shrub wetland		☐ ATF		☐ ATF
Emergent wetland		□ AIF		☐ ATF
Wet meadow		ATF		ATF
Intermittent stream		ATF		ATF
Perennial Stream / River	1	☐ ATF	1	ATF
Lake / Pond	/	ATF	1	ATF
Bank - Intermittent stream	1	ATF	/	ATF
Bank - Perennial stream / River	1	ATF	1	ATF
Bank - Lake / Pond	530 / 24	☐ ATF	2400 / 80	ATF
Tidal water	1	☐ ATF	1	ATF
Salt marsh		☐ ATF		ATF
Sand dune		☐ ATF.		ATF
Prime wetland		ATF		ATF
ne wetland buffer		ATF		ATF
Undeveloped Tidal Buffer Zone (TBZ)		ATF		ATF
Previously-developed upland in TBZ		ATF		ATF
Docking - Lake / Pond	416	ATF	1660	ATF
Docking - River		ATF		ATF
Docking - Tidal Water		☐ ATF		ATF
TOTAL	916 / 24		2400 / 56	
14: APPLICATION FEE: See the Instruct	ions & Required Attachments docume	ent for further instru	uction:	To 1/4-
Minimum Impact Fee: Flat fee of \$				
Minor or Major Impact Fee: Calcul		2930 sa f	ft. X \$0.20 = \$ <b>586.00</b>	
Temporary (seasonal) docking structure: 1660 sq. ft. X \$1.00 = \$1,660.00				
Permanent docking structure: 416 sq. ft. X \$2.00 = \$832.00				
Projects proposing shoreline structures (including docks) add \$200 = \$200.00				
Total = \$3,278.00  The Application Fee is the above calculated Total or \$200, whichever is greater = \$3,278.00				<del></del>

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

PROPERTY MAP ARCTINO MAY NO. R11
PARCIL MINISTER 74
SARGIVERON LOT NO. 4
PRESENT ADDRESS NO. 15 MEREDITH \* REVISED TO APRIL 1, 2013 FOR ASSESSMENT RESPONSE ONLY NOT FOR PROPERTY CONVEYANCES DBSERVATORY ₫₩IJŊ TNID



Name: CENTER HARBOR Date: 09/30/16

Scale: 1 inch = 2,000 ft.

Location: 411774 ft. N, 1040732 ft. E Kittredge

73 Spindle Point Rd., Meredith

Copyright (C) 2009 MyTopo



## NEW HAMPSHIRE NATURAL HERITAGE BUREAU NHB DATACHECK RESULTS LETTER

To: David Dolan, David M. Dolan Associates, PC

PO Box 1581

Center Harbor, NH=03226

From: NH Natural Heritage Bureau

Date: 10/5/2016 (valid for one year from this date)

Re: Review by NH Natural Heritage Bureau of request sugmitted 9/30/2016

NHB File ID: NHB16-3024 Applicant: David Dolan

Location: Meredith

Tax Maps: Tax Map U24 Lot 32

Projec

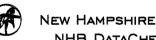
Description: Remove an existing non-conforming dwelling; construct a new

and walkways repostruct a new driveway, pation and walkways repostruct a new driveway, pation and walkways repostruct a new sewage disposal system, construct a

new docks and a perched beach

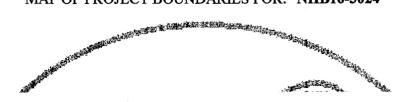
The NH Natural Heritage database has been checked by staff of the NH Natural Heritage Bureau and/or the NH Nongame and Endangered Species Program for records of rare species and exemplary natural communities near the area mapped below. The species considered include those listed as Threatened or Endangered 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 9/30/2016, and cannot be used for any other project.

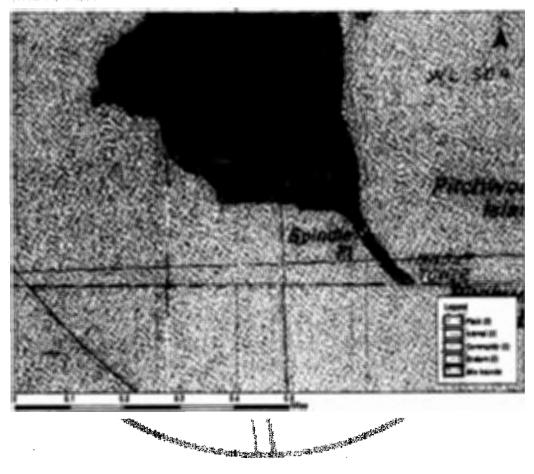


#### NEW HAMPSHIRE NATURAL HERITAGE BUREAU NHB DATACHECK RESULTS LETTER

#### MAP OF PROJECT BOUNDARIES FOR: NHB16-3024



#### NHB16-3024



# DEPARTMENT OF ENVIRONMENTAL SERVICES LAND RESOURCES MANAGEMENT WETLANDS BUREAU SHORELAND WATER QUALITY PROTECTION ACT WETLAND PERMIT APPLICATION

#### John and Kathryn Kittredge Tax Map U24 Lot 32 73 Spindle Point Road Meredith, Belknap County, NH

#### Abutter's List

Map	Lot	Lot Owner
Owner of	Record:	
U-25	33	John & Kathryn Kittredge
		Marlborough, MA 01752
Owner's A	Agent:	David M. Dolan, LLS
		David M. Dolan Associates, P.C.
		PO Box 1581 Center Harbor, NH 03226
Abutters:		
U24	31	Cornelius & Patricia Harte
		Winchester, MA 01890
U24	35	Robert C. & Donna W. Hartson
		Meredith, NH 03253

