



DEPARTMENT OF ENVIRONMENTAL SERVICES



Thomas S. Burack, Commissioner

May 04, 2015

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

REQUESTED ACTION

Approve Ellen Mulligan Revocable Trust's request to perform the following work on Lake Winnepesaukee, in Gilford. File # 2015-00397. This project will not have significant impact on or adversely affect the values of Lake Winnepesaukee.

Install a 6 ft. x 35 ft. seasonal dock connected to a 6 ft. x 40 ft. seasonal dock by a 6 ft. x 12 ft. walkway in a "U" configuration on an average of 296 ft. of shoreline frontage on Mark Island, on Lake Winnepesaukee, in Gilford.

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

1. All work shall be in accordance with plans by Winnepesaukee Marine Construction dated February 11, 2015, as received by the NH Department of Environmental Services (DES) on February 23, 2015.
2. 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 installation.
3. These shall be the only structures on this water frontage and all portions of these docking structures shall be at least 20 ft. from abutting property lines or the imaginary extension of those lines into the water.
4. The seasonal piers shall be removed from the lake for the non-boating season.
5. No portion of the piers shall extend more than 40 ft. from the shoreline at full lake elevation.
6. 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 April 03, 2015. 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 docking facilities providing 5 slips.

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

Her Excellency, Governor Margaret Wood Hassan
and The Honorable Council
Page 2

2. The Applicant's property spans a narrow portion of Mark Island and has two non-contiguous shoreline frontages; one on either side of the island.
3. The property has a total of 614 ft. of frontage along Lake Winnepesaukee when the frontages are considered in combination.
4. There is a pre-existing 6 ft. x 40 ft. crib pier on the frontage on north side of the island.
5. The proposed structure will be located on frontage along the south side of the island.
6. A maximum of 9 slips may be permitted on 614 ft. frontage per Rule Env-Wt 402.13, Frontage Over 75'.
7. The existing and proposed docking facilities will provide 5 slips as defined per RSA 482-A:2, VIII and therefore meet Rule Env-Wt 402.13.
8. 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.


Thomas S. Burack
Commissioner

TSB/CGA/emk



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
<http://des.nh.gov/organization/divisions/water/wetlands>



RECEIVED
TOWN OF GILFORD

PERMIT APPLICATION

FEB 10 2015

201500397
Department of

Planning and Land Use
17008

756.20

shk

RECEIVED
FEB 23 2015
NHDES
LAND RESOURCES MANAGEMENT

COMPLETE
FEB 23 2015

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)

2. PROJECT LOCATION:

Separate applications must be filed with each municipality that jurisdictional impacts will occur in.

ADDRESS: **45 Mark Island**

TOWN/CITY: **Gilford**

TAX MAP: **220**

BLOCK:

LOT: **005**

UNIT:

USGS TOPO MAP WATERBODY NAME: **Lake Winnepesaukee**

NA

STREAM WATERSHED SIZE:

NA

LOCATION COORDINATES (If known):

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.

Install two seasonal 6'x40' lift out docks with a 6'x12' connecting walkway and one 3' x 7' anchor pad. Approx. wetlands impact 573 sq. ft.

4. RELATED PERMITS, ENFORCEMENT, EMERGENCY AUTHORIZATION, SHORELAND, ALTERATION OF TERRAIN, ETC...

5. 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 14-4624

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

NA

6. APPLICANT INFORMATION (Desired permit holder)LAST NAME, FIRST NAME, M.I.: **Mulligan, Ellen**TRUST / COMPANY NAME: **Ellen Mulligan Rev. Trust**

MAILING ADDRESS: [REDACTED]

TOWN/CITY: **Gilford**STATE: **NH**ZIP CODE: **03249**

EMAIL or FAX:

PHONE:

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

7. 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 DES to communicate all matters relative to this application electronically

8. AUTHORIZED AGENT INFORMATIONLAST NAME, FIRST NAME, M.I.: **Kenney, Mark**COMPANY NAME: **Winnepesaukee Marine Const.**MAILING ADDRESS: **60 Glidden Rd.**TOWN/CITY: **Gilford**STATE: **NH**ZIP CODE: **03249**EMAIL or FAX: **winnimarine@hotmail.com**PHONE: **2937768**ELECTRONIC COMMUNICATION: By initialing here **MK**, I hereby authorize DES to communicate all matters relative to this application electronically**9. 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 copy of the application materials to the NH State Historic Preservation Officer.
8. I authorize DES 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 DES correspondence. DES will not forward returned mail.


 Property Owner Signature *Trustee*
Ellen Mulligan

Print name legibly

11 / 25 / 2014

Date

MUNICIPAL SIGNATURES

10. 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.

<p>⇒ <i>Carole Hall</i></p> <p>Authorized Commission Signature</p>	<p style="text-align: center;"><i>Carole Hall</i></p> <p style="text-align: center;"><i>2/13/15</i></p> <p>Print name legibly</p>	<p style="text-align: center;"><i>2/13/15</i></p> <p>Date</p>
--	---	---

DIRECTIONS FOR CONSERVATION COMMISSION

1. Expedited review ONLY requires that the conservation commission's signature is obtained in the space above.
2. The Conservation Commission signature should be obtained **prior** to the submittal of the original application and four copies to the town/city clerk for mailing to the DES.
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.

11. 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.

<p>⇒ <i>Jennifer L Mooney</i></p> <p>Town/City Clerk Signature</p>	<p style="text-align: center;"><i>Jennifer L Mooney</i></p> <p>Print name legibly</p>	<p style="text-align: center;"><i>Gilford</i></p> <p>Town/City</p>	<p style="text-align: center;"><i>2/13/15</i></p> <p>Date</p>
--	---	--	---

DIRECTIONS FOR TOWN/CITY CLERK:

Per RSA 482-A:3,1

1. For applications where "Expedited Review" is checked on page 1, sign and accept the applications **only** if the Conservation Commission signature has been received;
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 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.

12. 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.

After-the-fact (ATF): work completed prior to receipt of this application by DES. Check box to indicate ATF.

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	/ <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	21 <input type="checkbox"/> ATF	552 <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	21 /	552 /

13. 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) 21 sq. ft. X \$0.20 = \$ 4.20

Temporary (seasonal) docking structure: 552 sq. ft. X \$1.00 = \$ 552

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

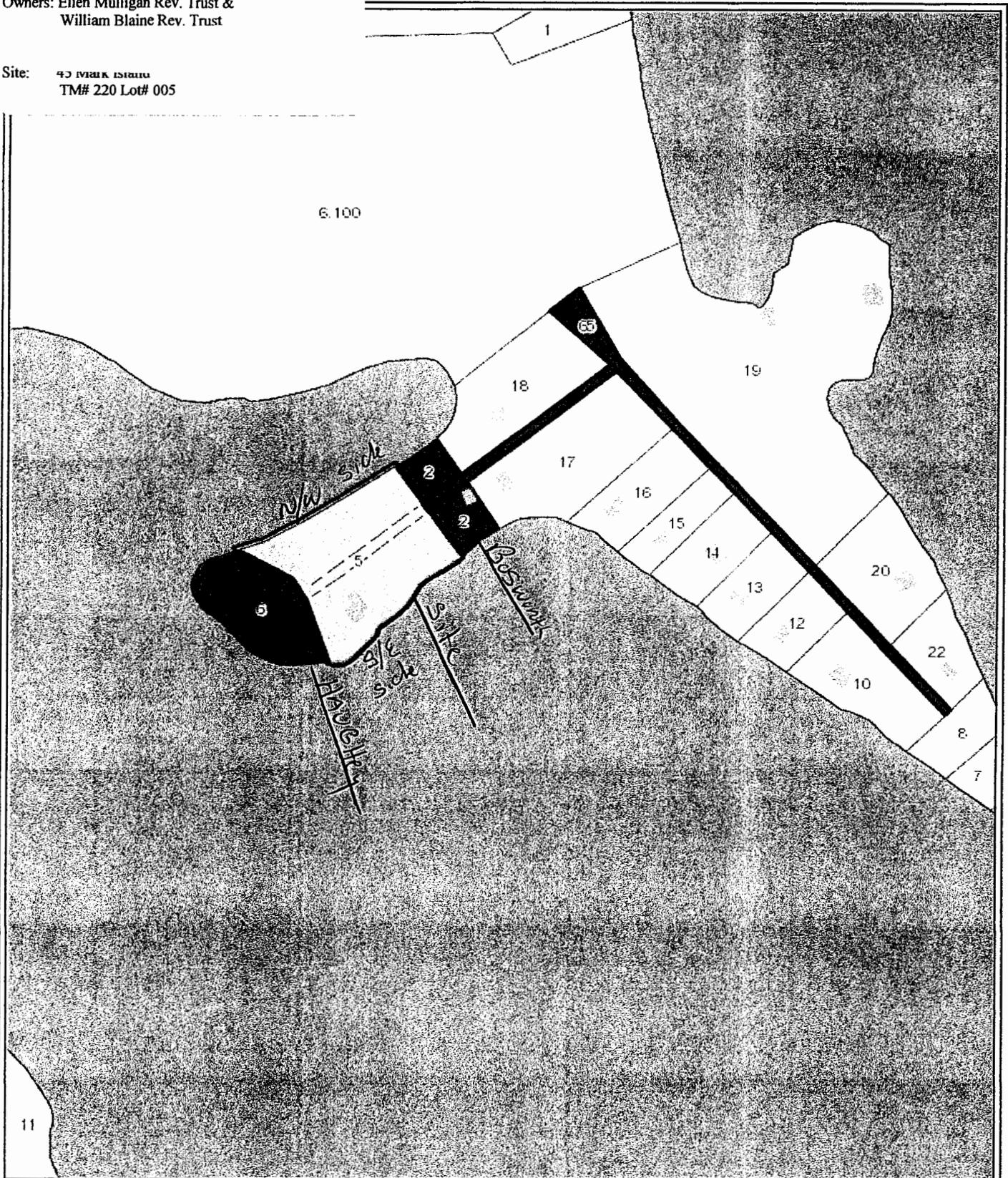
Projects proposing shoreline structures (including docks) add \$200 = \$ 200

Total = \$ 756.20

The Application Fee is the above calculated Total or \$200, whichever is greater = \$ 756.20

Owners: Ellen Mulligan Rev. Trust &
William Blaine Rev. Trust

Site: 43 IVANK ISLAND
TM# 220 Lot# 005



Mulligan
Gilford, NH
1 Inch = 249 Feet
October 23, 2014



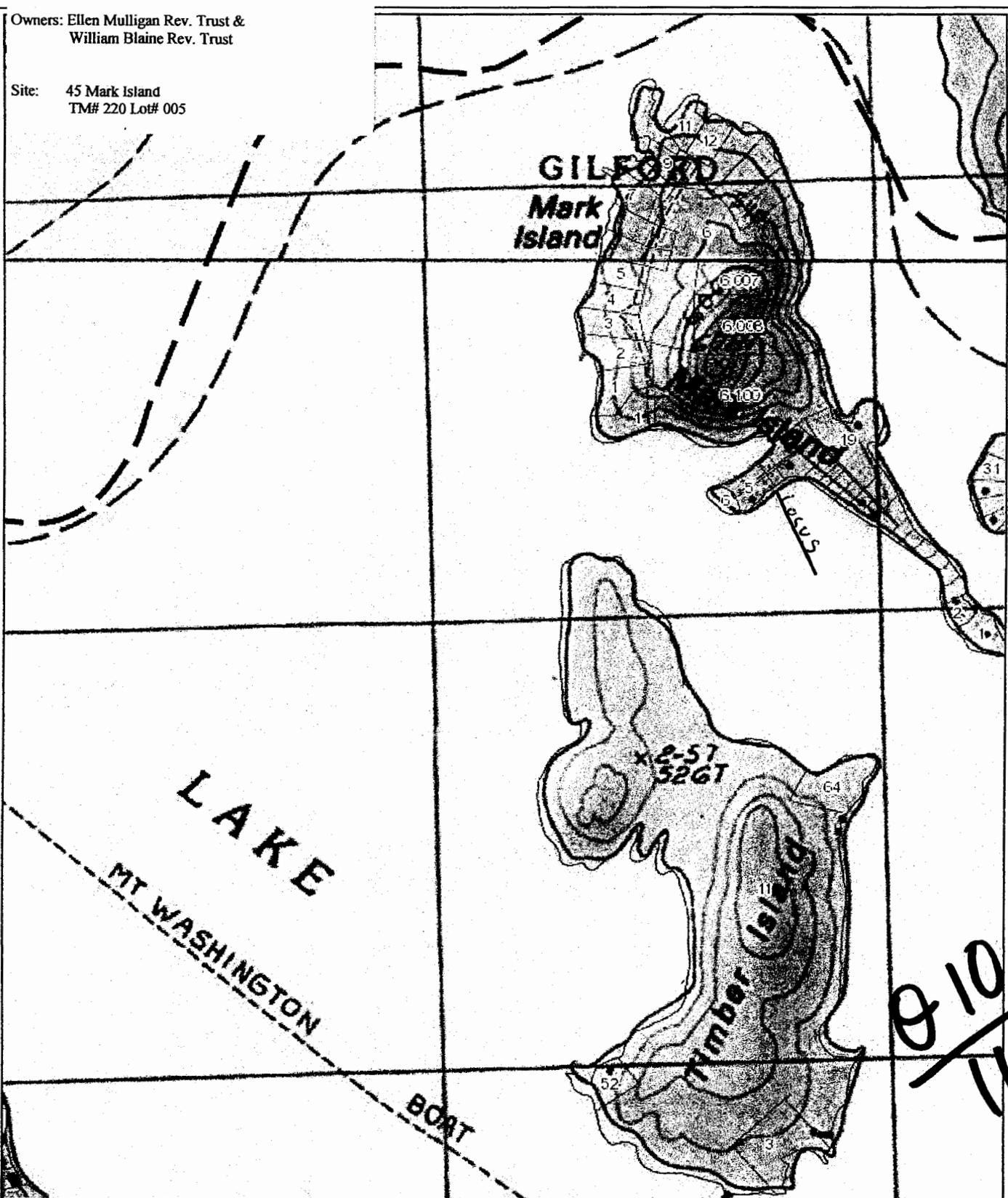
Data shown on this map is provided for planning and informational purposes only. The municipality and CAI Technologies are not responsible for any use for other purposes or misuse or misrepresentation of this map.

www.cai-tech.com



Owners: Ellen Mulligan Rev. Trust &
William Blaine Rev. Trust

Site: 45 Mark Island
TM# 220 Lot# 005



Mulligan
Gilford, NH
1 Inch = 997 Feet
October 23, 2014



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

www.cai-tech.com
CAI Technologies



New Hampshire Natural Heritage Bureau

To: Patricia Scribner
60 Glidden Rd.
Gilford, NH 03249

Date: 12/1/2014

From: NH Natural Heritage Bureau

Re: Review by NH Natural Heritage Bureau of request dated 12/1/2014

NHB File ID: NHB14-4624

Applicant: Patricia Scribner

Location: Tax Map(s)/Lot(s): 220/005
Gilford

Project Description: Install 2ea 6'x40' seasonal lift up docks and 1ea 3'x7'
concrete anchor pad.

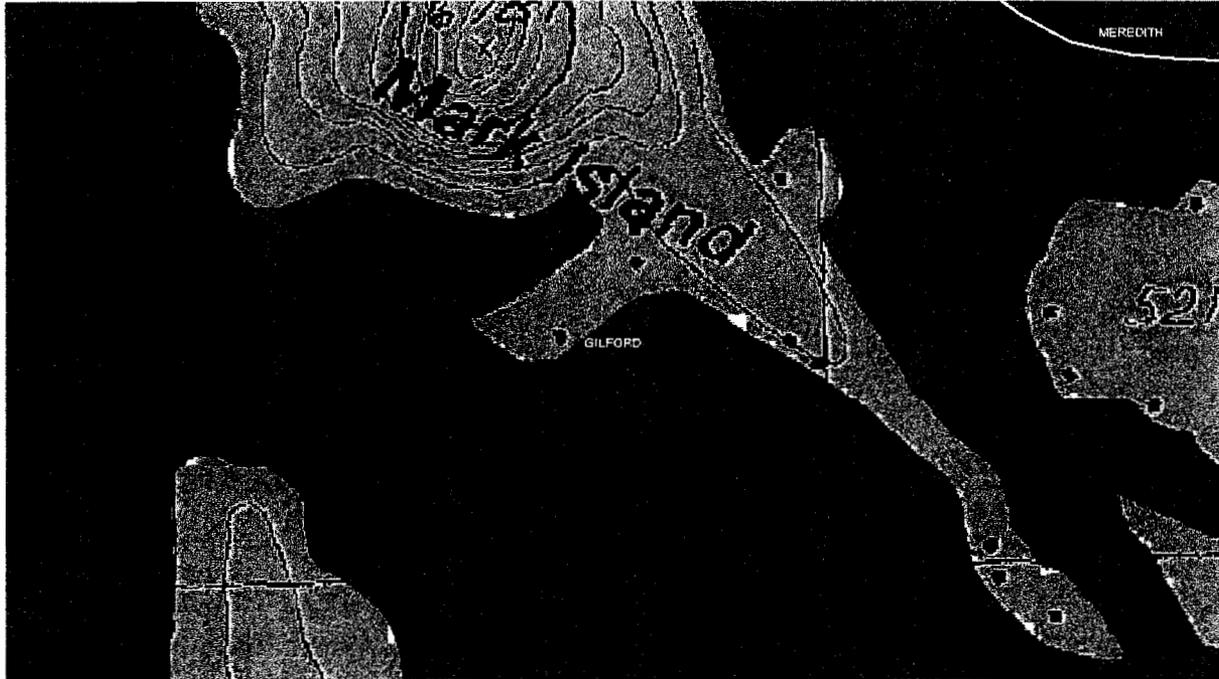
The NH Natural Heritage database has been checked for records of rare species and exemplary natural communities near the area mapped below. The species considered include those listed as Threatened or Endangered by either the state of New Hampshire or the federal government. We currently have no recorded 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 11/30/2015.



MAP OF PROJECT BOUNDARIES FOR NHB FILE ID: NHB14-4624



Winnepesaukee Marine Construction Inc.

60 Glidden Road Gilford, NH 03249

(603) 293-7768

E-mail: winnimarine@hotmail.com Web site: www.lakewinnicon.com

October 23, 2014

Abutters List

Owner: Ellen Mulligan Rev. Trust &
William Blaine Rev. Trust

[REDACTED]

Gilford, NH 03249

Site: 45 Mark Island
TM# 220 Lot# 005

Abutters:

Bosworth Trust

[REDACTED]

Gilford, NH 03249

49 Mark Island
TM# 220 Lot# 002

Thomas Haughey

[REDACTED]

Laconia, NH 03246

44 Mark Island
TM# 220 Lot# 006

Melinda Rousselle

[REDACTED]

Chichester, NH 03258

Mark Island ROW
TM# 245 Lot# 065