The State of New Hampshire APR07'21 AM10:08 RCVD

Department of Environmental Services

Robert R. Scott, Commissioner

April 5, 2021

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

REQUESTED ACTION

Approve Coffin Real Estate Trust's request to perform work on Sunapee Lake in Sunapee as outlined below. This request is pursuant to New Hampshire Department of Environmental Services (NHDES) file #2020-03074. This project will not have significant impact on, or adversely affect, the values of Sunapee Lake.

Replace an existing 30 foot 4 inch x 30 foot 4 inch boathouse with attached docking structures, supported by cribs and concrete foundation in the same size, including height, location, and configuration, permanently remove the second story living space within the boathouse, and install a 6 foot x 40 foot seasonal dock 10 feet from the southern side of the boathouse on an average of 306 feet of frontage along Lake Sunapee, in Sunapee.

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

1. In accordance with Env-Wt 307.16, all work shall be done in accordance with the approved plans by Stocker Woodworks, as received by the NH Department of Environmental Services (NHDES) on February 08, 2021.
2. This permit shall not be effective until it has been recorded in the Sullivan County Registry of Deeds and a copy of the recorded permit has been provided to the department as required pursuant to RSA 482-A:3, and Env-Wt 314.02.
3. Only those structures shown on the approved plans shall be installed or constructed along this frontage as required per Env-Wt 513.22, (a).
4. 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 as required to maintain compliance with Env-Wt 314.02 and Env-Wt 513.12.
1. 5 Activities that produce suspended sediment in jurisdictional areas that provide value as bird migratory areas or fish and shellfish spawning or nursery areas, shall be done so as to avoid and minimize discharges of dredged material or placement of fill material during spawning or breeding seasons by using water quality protection techniques as specified in Env-Wt 307 and timing of project as specified in Env-Wt 307.10(g) or (h), as applicable.
5. In accordance with Env-Wt 307.10(c), turbidity controls shall be installed prior to construction and maintained during construction such that no turbidity escapes the immediate dredge area; and remain in place until suspended particles have settled and water at the work site has returned to normal clarity.

6. All construction-related debris shall be placed outside of those areas subject to RSA 482-A or RSA-483-B unless a permit for the deposition of materials within those areas has been obtained as required per RSA 482-A:3 or RSA 483-B:5-b respectively.
7. No activity shall be conducted in such a way as to cause or contribute to any violation of surface water quality standards specified in RSA 485-A:8 or Env-Wq 1700 as required pursuant to Env-Wt 307.03(a).
8. All portions of the docking structures shall be located at least 20 feet from the abutting property lines and no watercraft shall be secured to the docking facility such that it crosses over the imaginary extension of the property lines over the surface water as required by RSA 482-A:3, XIII.
9. No portion of the seasonal docking structure shall extend more than 40 feet from the shoreline at operational lake elevation (Elev. 1093.15) pursuant to Env-Wt 513.22, (a).
10. All seasonal structures shall be removed for the non-boating season as required per Env-Wt 513.22.
11. All development activities associated with any project shall be conducted in compliance with applicable requirements of RSA 483-B and Env-Wq 1400 during and after construction as required pursuant to RSA 483-B:3.
12. Pursuant to RSA 482-A:14, RSA 482-A:14-b, and RSA 482-A:14-c, NHDES is authorized to take appropriate compliance actions should it be determined that, based upon additional information which becomes available, any of the structures depicted as "existing" on the plans submitted by or on behalf of the permittee were not previously permitted or grandfathered.
13. No agitating or heating device shall be installed for the purpose of inhibiting the formation of ice in proximity to the approved structures unless it has been registered with the municipal clerk of the town in which such device shall be operated pursuant to RSA 270:34 Registration Required.
14. Pursuant to RSA 270:33, Heating, Agitating, or Other Devices in Public Waters; Safety Hazard, no agitating or heating device installed in accordance with RSA 270:34 shall inhibit or prevent the natural formation of ice in such a manner as to impede either the ingress or egress to or from the ice from any property other than that of the owner of the device.

EXPLANATION

The NHDES approved this project on March 05, 2021. The NHDES supported its decision with the following findings:

1. This is classified as a major project per Rule Env-Wt 513.26(c), construction or modification of docking structures providing 5 or more slips.
2. The applicant has proposed the permanent removal of the existing second story living area within the boathouse and replacement with cathedral ceiling over the interior slips.
3. The Applicant has an average of 304 feet of frontage along Lake Sunapee in Sunapee.
4. A maximum of 5 slips as defined per RSA 482-A:2, VIII may be permitted on 304 feet of frontage per Rule Env-Wt 513.12.
5. The combined existing and proposed docking facilities will provide 5 slips as defined per RSA 482-A:2, VIII and therefore meet the requirement of Rule Env-Wt 513.12.
6. 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.

7. The Department finds that the project as proposed and conditioned meets the requirements of RSA 482-A and the Wetlands Program Code of Administrative Rules Chapters Env-Wt 100 - 900. No waivers of RSA 482-A or the Wetlands Program Code of Administrative Rules Chapters Env-Wt 100 - 900 were requested or approved under this permit action.

Application file documents are being forwarded to the Governor and the 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 request your approval of this item.

Robert R. Scott
Commissioner

NEW HAMPSHIRE DEPARTMENT OF Environmental Services

STANDARD DREDGE AND FILL WETLANDS PERMIT APPLICATION

Water Division/Land Resources Management
Wetlands Bureau

Check the Status of your Application

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

APPLICANT'S NAME: Coffin Real Trust, Robert **TOWN NAME:** Sunapee

RECEIVED	INCOMPLETE	COMPLETE	
Administrative Use Only DEC 02 2020 NHDES LAND RESOURCES MANAGEMENT	Administrative Use Only DEC 03 2020	Administrative Use Only DEC 1 2020	File No. 2020-03079 Check No. 26230 Amount: $400.00 Initials: JSL

A person may request a waiver of the requirements in Rules Env-Wt 100-900 to accommodate situations where strict adherence to the requirements would not be in the best interest of the public or the environment but is still in compliance with RSA 482-A. A person may also request a waiver of the standards for existing dwellings over water pursuant to RSA 482-A:26, III(b). For more information, please consult the Waiver Request Form.

SECTION 1 - REQUIRED PLANNING FOR ALL PROJECTS (Env-Wt 306.05; RSA 482-A:3, I(d)(2))

Please use the Wetland Permit Planning Tool (WPPT), the Natural Heritage Bureau (NHB) DataCheck Tool, the Aquatic Restoration Mapper, or other sources to assist in identifying key features such as: priority resource areas (PRAs), protected species or habitats, coastal areas, designated rivers, or designated prime wetlands.

Has the required planning been completed?	☒ Yes ☐ No
Does the property contain a PRA? If yes, provide the following information:	☐ Yes ☒ No
• Does the project qualify for an Impact Classification Adjustment (e.g. NH Fish and Game Department (NHF&G) and NHB agreement for a classification downgrade) or a Project-Type Exception (e.g. Maintenance or Statutory Permit-by-Notification (SPN) project)? See Env-Wt 407.02 and Env-Wt 407.04.	☐ Yes ☒ No
• Protected species or habitat? ○ If yes, species or habitat name(s): ● NHB Project ID #: NHB19-2308	☐ Yes ☒ No
• Bog?	☐ Yes ☒ No
• Floodplain wetland contiguous to a tier 3 or higher watercourse?	☐ Yes ☒ No
• Designated prime wetland or duly-established 100-foot buffer?	☐ Yes ☒ No
• Sand dune, tidal wetland, tidal water, or undeveloped tidal buffer zone?	☐ Yes ☒ No
Is the property within a Designated River corridor? If yes, provide the following information: • Name of Local River Management Advisory Committee (LAC): • A copy of the application was sent to the LAC on Month: Day: Year:	☐ Yes ☒ No

For dredging projects, is the subject property contaminated? • If yes, list contaminant:	☐ Yes ☒ No
Is there potential to impact impaired waters, class A waters, or outstanding resource waters?	☐ Yes ☒ No
For stream crossing projects, provide watershed size (see WPPT or Stream Stats):	

SECTION 2 - PROJECT DESCRIPTION (Env-Wt 311.04(l))

Provide a **brief** description of the project and the purpose of the project, outlining the scope of work to be performed and whether impacts are temporary or permanent. DO NOT reply "See attached", please use the space provided below.

The existing boathouse has a grandfathered 2nd floor with a wood stove, chiminy and sink and bunk beds. We would gladly delete not only the stove, chiminy and sink but the second floor structure itself along with the stairway leading to it. We would do this in order to make the following changes. The existing cribs need to be replaced in kind with no changes. The Concrete which supports the land end of the boathouse needs to be demoed and replaced. We would ask to be able to change the shape of the foundation for 2 reasons. First it would use way less concrete the way we propose to build it. (see attached plans) Second we don t want to change the footprint that the deck system covers but we would like to have the boathouse cover the complete deck system. That would be making the boathouse longer but in the same footprint as exists now. That way we could make the slips longer so as to alow bringing the Grandfathers wooden boats in under cover.

We would also like to apply for a seasonal dock 6 x40 to be not more than 10' from the south side of boathouse as with 329' of frontage we have enough for 5 slips. Would prefer option #2

SECTION 3 - PROJECT LOCATION

Separate wetland permit applications must be submitted for each municipality within which wetland impacts occur.

ADDRESS: 26 Garnet Hill Rd

TOWN/CITY: Sunapee

TAX MAP/BLOCK/LOT/UNIT: map 126 lot 36

US GEOLOGICAL SURVEY (USGS) TOPO MAP WATERBODY NAME: Lake Sunapee

☐ N/A

(Optional) LATITUDE/LONGITUDE in decimal degrees (to five decimal places): ____° North ____° West

SECTION 4 - APPLICANT (DESIRED PERMIT HOLDER) INFORMATION (Env-Wt 311.04(a))
If the applicant is a trust or a company, then complete with the trust or company information.

NAME: Coffin Real Estate Trust, Robert G. Coffin

MAILING ADDRESS:

TOWN/CITY: | STATE: | ZIP CODE:

EMAIL ADDRESS:

FAX: | PHONE:

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

SECTION 5 - AUTHORIZED AGENT INFORMATION (Env-Wt 311.04(c))
☒ N/A

LAST NAME, FIRST NAME, M.I.: Green Richard L.

COMPANY NAME: Central Lakes Dock Co. Inc.

MAILING ADDRESS: 848 County Rd.

TOWN/CITY: New London | STATE: N. | ZIP CODE: 03257

EMAIL ADDRESS: pamgreen@tds.net

FAX: | PHONE: 603-526-9246

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

SECTION 6 - PROPERTY OWNER INFORMATION (IF DIFFERENT THAN APPLICANT) (Env-Wt 311.04(b))
If the owner is a trust or a company, then complete with the trust or company information.
☒ Same as applicant

NAME:

MAILING ADDRESS:

TOWN/CITY: | STATE: | ZIP CODE:

EMAIL ADDRESS:

FAX: | PHONE:

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

SECTION 7 - RESOURCE-SPECIFIC CRITERIA ESTABLISHED IN Env-Wt 400, Env-Wt 500, Env-Wt 600, Env-Wt 700, OR Env-Wt 900 HAVE BEEN MET (Env-Wt 313.01(a)(3))

Describe how the resource-specific criteria have been met for each chapter listed above (please attach information about stream crossings, coastal resources, prime wetlands, or non-tidal wetlands and surface waters):
Having read on the computer the critera listed above as far as I can understand it by completely enclosing the project in a state approved silt curtian and by moving the old deck and crib material by barge and the new material in by barge we will be doing minimal disturbance to the environment. We will have the silt curtian up before we start and not remove it till all is said and done.

SECTION 8 - AVOIDANCE AND MINIMIZATION

Impacts within wetland jurisdiction must be avoided to the maximum extent practicable (Env-Wt 313.03(a)).* Any project with unavoidable jurisdictional impacts must then be minimized as described in the Wetlands Best Management Practice Techniques For Avoidance and Minimization and the Wetlands Permitting: Avoidance, Minimization and Mitigation Fact Sheet. For minor or major projects, a functional assessment of all wetlands on the project site is required (Env-Wt 311.03(b)(10)).*

Please refer to the application checklist to ensure you have attached all documents related to avoidance and minimization, as well as functional assessment (where applicable). Use the Avoidance and Minimization Checklist, the Avoidance and Minimization Narrative, or your own avoidance and minimization narrative.

**See Env-Wt 311.03(b)(6) and Env-Wt 311.03(b)(10) for shoreline structure exemptions.*

SECTION 9 - MITIGATION REQUIREMENT (Env-Wt 311.02)

If unavoidable jurisdictional impacts require mitigation, a mitigation pre-application meeting must occur at least 30 days but not more than 90 days prior to submitting this Standard Dredge and Fill Permit Application.

Mitigation Pre-Application Meeting Date: Month: Day: Year:

(☒ N/A - Mitigation is not required)

SECTION 10 - THE PROJECT MEETS COMPENSATORY MITIGATION REQUIREMENTS (Env-Wt 313.01(a)(1)c)

Confirm that you have submitted a compensatory mitigation proposal that meets the requirements of Env-Wt 800 for all permanent unavoidable impacts that will remain after avoidance and minimization techniques have been exercised to the maximum extent practicable: ☐ I confirm submittal.

(☒ N/A – Compensatory mitigation is not required)

SECTION 11 - IMPACT AREA (Env-Wt 311.04(g))

For each jurisdictional area that will be/has been impacted, provide square feet (SF) and, if applicable, linear feet (LF) of impact, and note whether the impact is after-the-fact (ATF; i.e., work was started or completed without a permit).

For intermittent and ephemeral streams, the linear footage of impact is measured along the thread of the channel. *Please note, installation of a stream crossing in an ephemeral stream may be undertaken without a permit per Rule Env-Wt 309.02(d), however other dredge or fill impacts should be included below.*

For perennial streams/rivers, the linear footage of impact is calculated by summing the lengths of disturbances to the channel and banks.

Permanent impacts are impacts that will remain after the project is complete (e.g., changes in grade or surface materials).

Temporary impacts are impacts not intended to remain (and will be restored to pre-construction conditions) after the project is completed.

JURISDICTIONAL AREA		PERMANENT			TEMPORARY		
		SF	LF	ATF	SF	LF	ATF
Wetlands	Forested Wetland			☐			☐
	Scrub-shrub Wetland			☐			☐
	Emergent Wetland			☐			☐
	Wet Meadow			☐			☐
	Vernal Pool			☐			☐
	Designated Prime Wetland			☐			☐
	Duly-established 100-foot Prime Wetland Buffer			☐			☐
Surface Water	Intermittent / Ephemeral Stream			☐			☐
	Perennial Stream or River			☐			☐
	Lake / Pond			☐			☐
	Docking - Lake / Pond	456	28.5	☐			☐
	Docking - River			☐			☐
Banks	Bank - Intermittent Stream			☐			☐
	Bank - Perennial Stream / River			☐			☐
	Bank / Shoreline - Lake / Pond			☐			☐
Tidal	Tidal Waters			☐			☐
	Tidal Marsh			☐			☐
	Sand Dune			☐			☐
	Undeveloped Tidal Buffer Zone (TBZ)			☐			☐
	Previously-developed TBZ			☐			☐
	Docking - Tidal Water			☐			☐
TOTAL							

SECTION 12 - APPLICATION FEE (RSA 482-A:3, I)

☒ **MINIMUM IMPACT FEE:** Flat fee of $400.

☐ **NON-ENFORCEMENT RELATED, PUBLICLY-FUNDED AND SUPERVISED RESTORATION PROJECTS, REGARDLESS OF IMPACT CLASSIFICATION:** Flat fee of $400 (refer to RSA 482-A:3, 1(c) for restrictions).

☐ **MINOR OR MAJOR IMPACT FEE:** Calculate using the table below:

Permanent and temporary (non-docking):	SF	× $0.40 =	$
Seasonal docking structure:	SF	× $2.00 =	$
Permanent docking structure:	SF	× $4.00 =	$
Projects proposing shoreline structures (including docks) add $400 =			$
		Total =	$

The application fee for minor or major impact is the above calculated total or $400, whichever is greater = $

SECTION 13 - PROJECT CLASSIFICATION (Env-Wt 306.05)

Indicate the project classification.

☒ Minimum Impact Project	☐ Minor Project	☐ Major Project

SECTION 14 - REQUIRED CERTIFICATIONS (Env-Wt 311.11)

Initial each box below to certify:

Initials: RLG	To the best of the signer's knowledge and belief, all required notifications have been provided.
Initials: RLG	The information submitted on or with the application is true, complete, and not misleading to the best of the signer's knowledge and belief.
Initials: RLG	The signer understands that: • The submission of false, incomplete, or misleading information constitutes grounds for NHDES to: 1. Deny the application. 2. Revoke any approval that is granted based on the information. 3. If the signer is a certified wetland scientist, licensed surveyor, or professional engineer licensed to practice in New Hampshire, refer the matter to the joint board of licensure and certification established by RSA 310-A:1. • The signer is subject to the penalties specified in New Hampshire law for falsification in official matters, currently RSA 641. • The signature shall constitute authorization for the municipal conservation commission and the Department to inspect the site of the proposed project, except for minimum impact forestry SPN projects and minimum impact trail projects, where the signature shall authorize only the Department to inspect the site pursuant to RSA 482-A:6, II.
Initials: RLG	If the applicant is not the owner of the property, each property owner signature shall constitute certification by the signer that he or she is aware of the application being filed and does not object to the filing.

SECTION 15 - REQUIRED SIGNATURES (Env-Wt 311.04(d); Env-Wt 311.11)

SIGNATURE (OWNER):	PRINT NAME LEGIBLY:	DATE:
SIGNATURE (APPLICANT, IF DIFFERENT FROM OWNER):	PRINT NAME LEGIBLY:	DATE:
SIGNATURE (AGENT, IF APPLICABLE):	PRINT NAME LEGIBLY: Richard L. Green	DATE:

SECTION 16 - TOWN/CITY CLERK SIGNATURE (Env-Wt 311.04(f))

As required by RSA 482-A:3, I(a),(1), 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.

TOWN/CITY CLERK SIGNATURE: Betty H. Ramspott	PRINT NAME LEGIBLY: Betty H Ramspott
TOWN/CITY: Sunapee	DATE: November 24, 2020

Coffin

Tri Town, NH

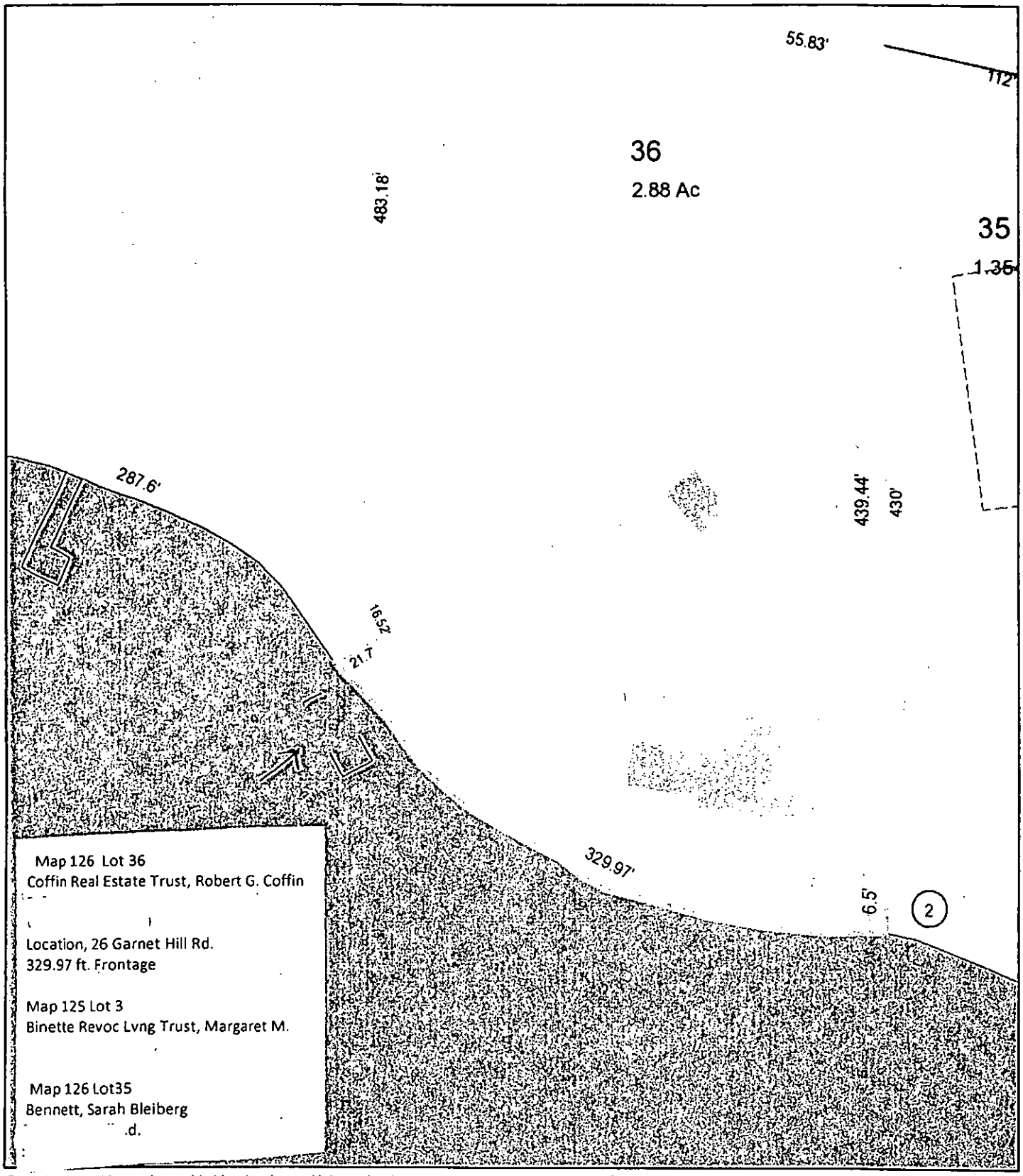
1 inch = 68 Feet

July 10, 2019

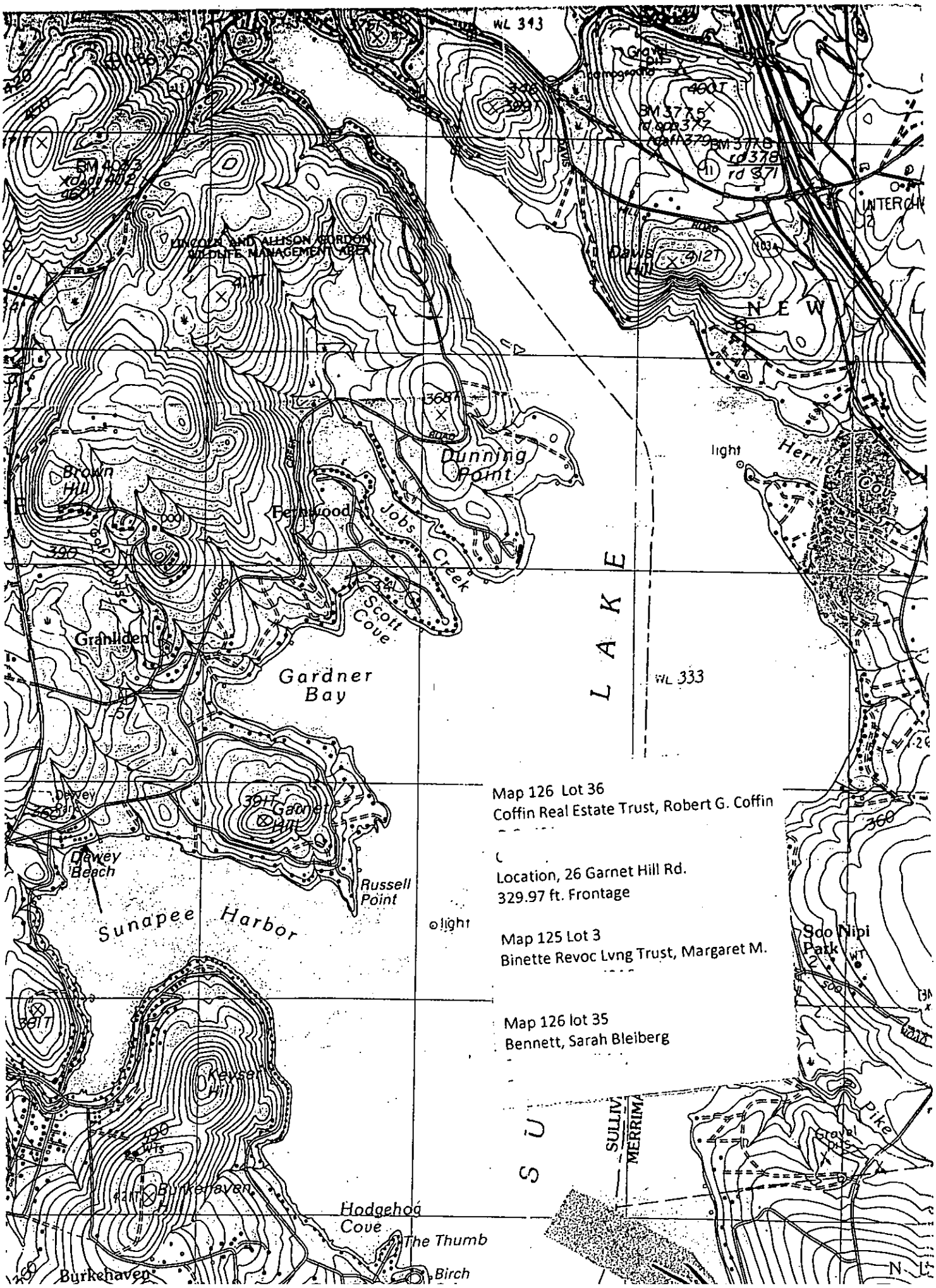
0 68 137 206

CAI Technologies

www.cai-tech.com



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.


WL 343
LINCOLN AND ALLISON GORDON WILDLIFE MANAGEMENT AREA
Davis Hill
NEW
Herrick Cove
Dunning Point
Jobs Creek
Scott Cove
Brown Hill
Fernwood
Granliden
Gardner Bay
LAKE
WL 333
Garnet Hill
Dewey Beach
Russell Point
Sunapee Harbor
light
Soo Nipi Park
Kersen Hill
Burkehaven
Hodgehog Cove
The Thumb
Birch
Pike
Gravel pit
SULLIV
MERRIMA
Map 126 Lot 36
Coffin Real Estate Trust, Robert G. Coffin
Location, 26 Garnet Hill Rd.
329.97 ft. Frontage
Map 125 Lot 3
Binette Revoc Lvng Trust, Margaret M.
Map 126 lot 35
Bennett, Sarah Bleiberg

NEW HAMPSHIRE NATURAL HERITAGE BUREAU
NHB DATACHECK RESULTS LETTER

To: Rick Green, Central Lakes Dock Co
848 County Rd
New London, NH 03257

From: NH Natural Heritage Bureau

Date: 12/10/2020 (valid for one year from this date)

Re: Review by NH Natural Heritage Bureau of request submitted 12/10/2020

NHB File ID: NHB20-3643 **Applicant:** Rick Green

Location: Sunapee
Tax Maps: map 125 lot 36

Project Description: to remove and replace boathouse

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.

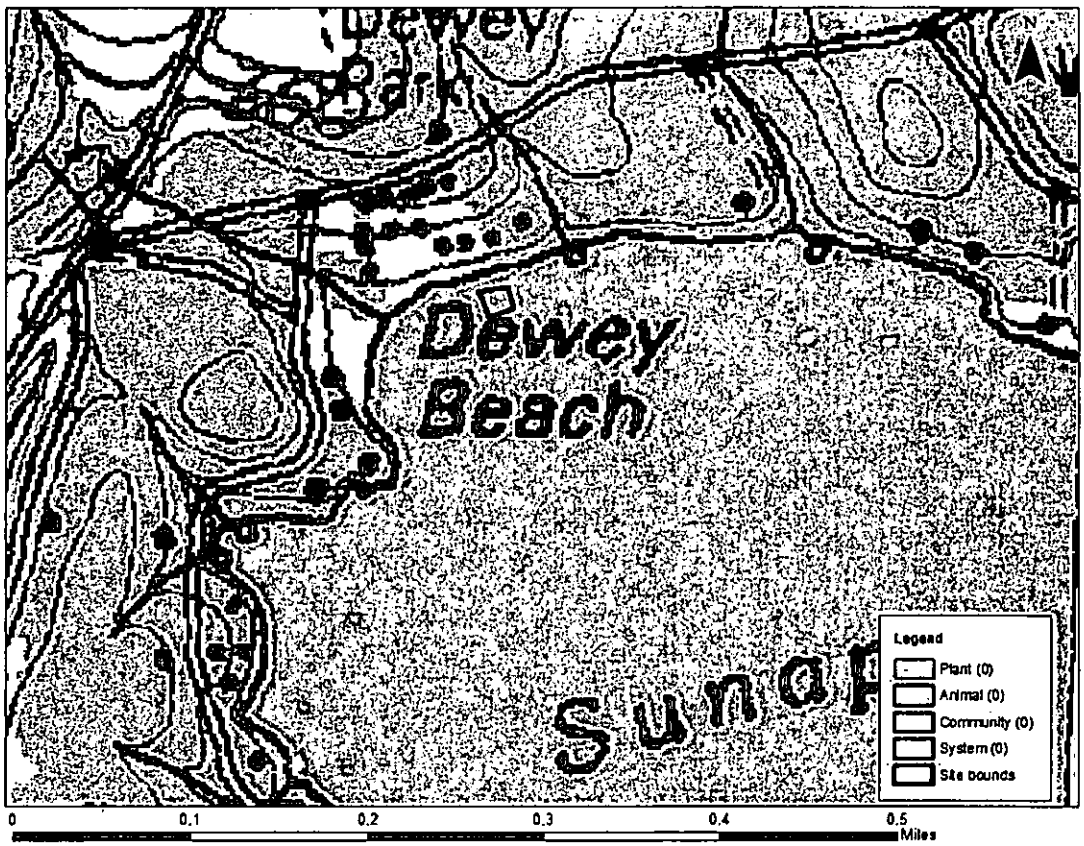
It was determined that, although there was a NHB record (e.g., rare wildlife, plant, and/or natural community) present in the vicinity, we do not expect that it will be impacted by the proposed project. This determination was made based on the project information submitted via the NHB Datacheck Tool on 7/22/2019, 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

MAP OF PROJECT BOUNDARIES FOR: **NHB20-3643**

NHB20-3643



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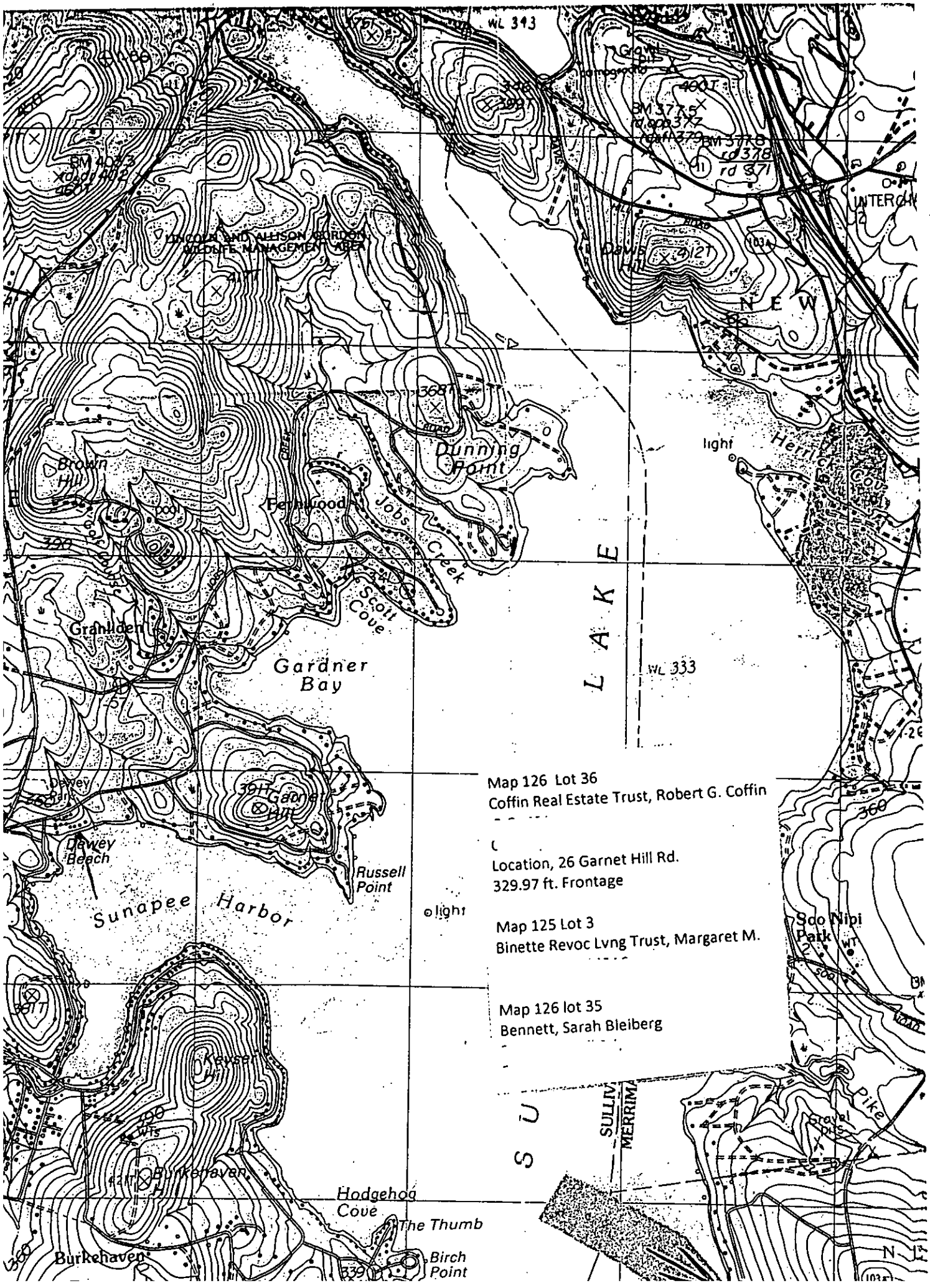


Map 126 Lot 36
Coffin Real Estate Trust, Robert G. Coffin

Location, 26 Garnet Hill Rd.
329.97 ft. Frontage

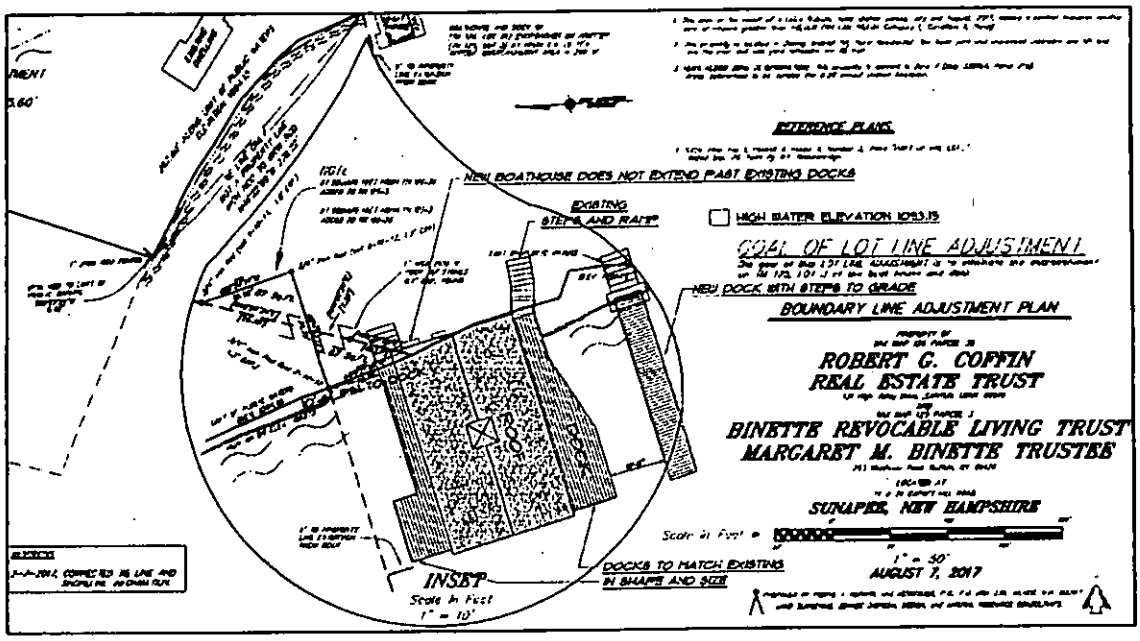
Map 125 Lot 3
Binette Revoc Lvng Trust, Margaret M.

Map 126 lot 35
Bennett, Sarah Bleiberg

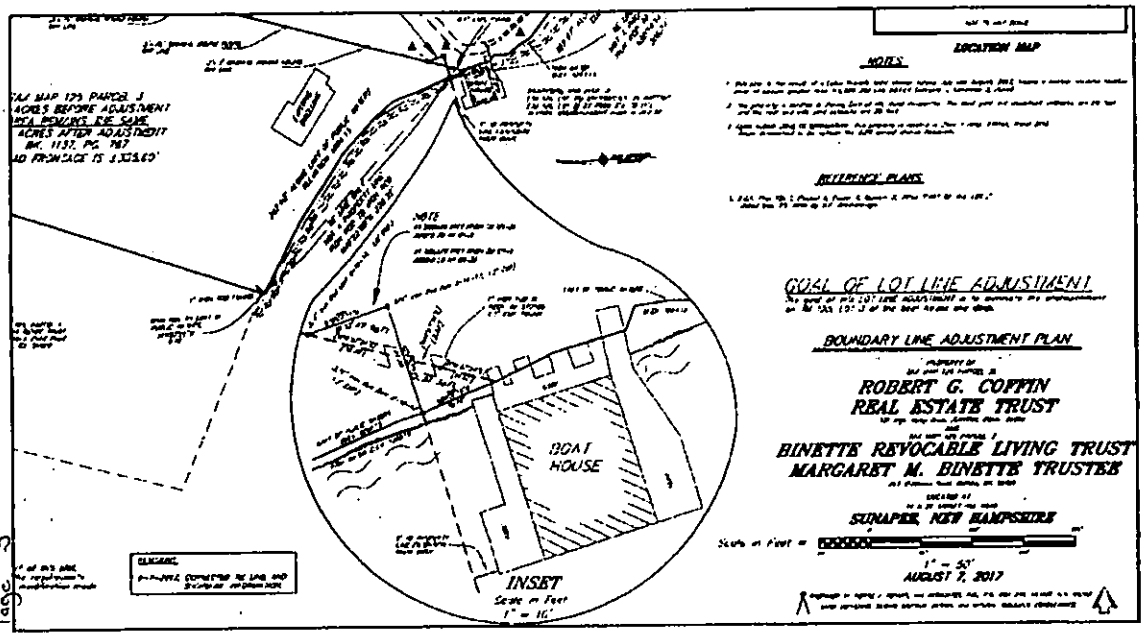
Open Living Space

2020-030 YY

PROPOSED BOATHOUSE WITH DOCKS



EXISTING BOATHOUSE AND DOCKS



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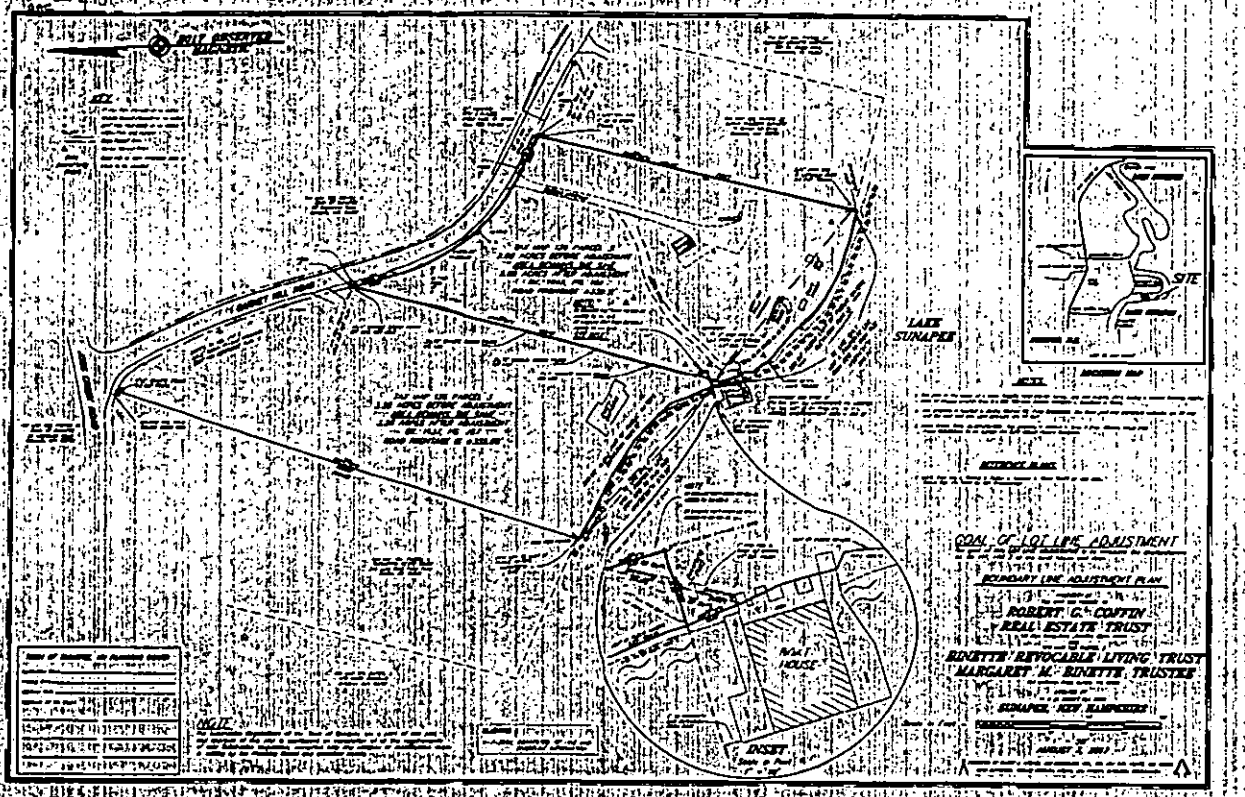
LAKE SUNAPEE
SITE
COND. OF LOT LINE ADJUSTMENT
BOUNDARY LINE ADJUSTMENT PLAN
ROBERT G. COFFIN
REAL ESTATE TRUST
RINETTE REVOCABLE LIVING TRUST
MARGARET M. RINETTE, TRUSTEE
BOAT HOUSE
DOCK

2020-03077

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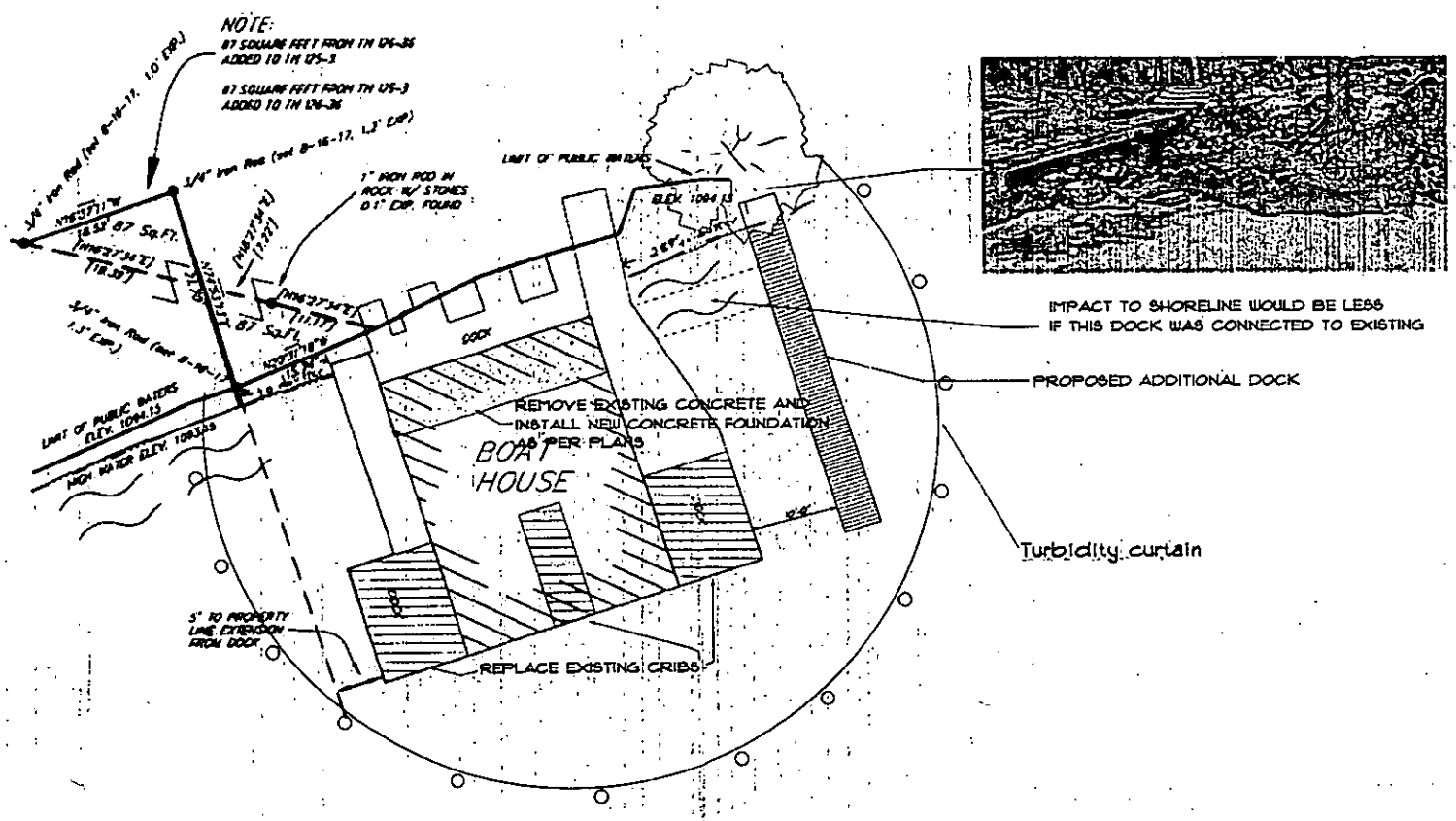
COFFIN BOATHOUSE
LAKE SUNAPEE