



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



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**Robert R. Scott, Commissioner**

December 6, 2021

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

**REQUESTED ACTION**

Approve the Town of Sunapee'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 #2021-02556. This project will not have significant impact on, or adversely affect, the values of Sunapee Lake. No comments were submitted by the Sunapee Conservation Commission regarding this project as proposed.

Install a 6-foot x 30-foot seasonal pier accessed by a 4-foot x 6-foot seasonal ramp section and attached to a 6-foot x 2-foot concrete pad approximately 124 feet east of existing public docking facility on an average of 308 feet of frontage along Sunapee Lake 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 dated October 4, 2021 by Scott Hazelton as received by the NH Department of Environmental Services (NHDES) on October 8, 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. 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.
4. Only those structures shown on the approved plans shall be installed or constructed along this frontage as required per Env-Wt 513.22, (a).
5. 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.
6. The proposed 6 foot x 30 foot seasonal structure and access ramp shall be removed for the non-boating season as required per Env-Wt 513.22.
7. The seasonal dock shall be removed from the water prior to applying any paint, stain, or other preservative coating, and not returned to the water until after such coating is dry as required per Env-Wt 513.22(b)(4).

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8. 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.
9. Work authorized shall be carried out in accordance with Env-Wt 307 such that appropriate turbidity controls are in place to protect water quality, that no turbidity escapes the immediate dredge area, and that appropriate turbidity controls shall remain until suspended particles have settled and water at the work site has returned to normal clarity.
10. 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.

#### EXPLANATION

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

1. This is a major impact project per Administrative Rule Env-Wt 513.24(c)(2), construction of a major docking system.
2. The applicant has an average of 312 feet of frontage along Sunapee Lake.
3. A maximum of 6 slips may be permitted on this frontage per Rule Env-Wt 513.17, Frontage Requirements for Public or Commercial Docking Structures.
4. The proposed docking facility will provide 6 slips as defined per RSA 482-A:2, VIII, and therefore meets Rule Env-Wt 513.17.
5. The NHDES finds that because the project is not of significant public interest and will not significantly impair the resources of Sunapee Lake a public hearing under RSA 482-A:8 is not required.
6. No concerns were received from abutters nor the local Conservation Commission related to the project.
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



**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:** Scott A, Hazelton

**TOWN NAME:** Town of Sunapee

		Administrative Use Only	File No.: 2021-02556
			Check No.: 052430
			Amount: \$760.00
			Initials: LSL

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?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Does the property contain a PRA? If yes, provide the following information:	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
<ul style="list-style-type: none"> <li>Does the project qualify for an Impact Classification Adjustment (e.g. NH Fish and Game Department (NHF&amp;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.</li> </ul>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
<ul style="list-style-type: none"> <li>Protected species or habitat?                             <ul style="list-style-type: none"> <li>If yes, species or habitat name(s):</li> <li>NHB Project ID #:</li> </ul> </li> </ul>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
<ul style="list-style-type: none"> <li>Bog?</li> </ul>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
<ul style="list-style-type: none"> <li>Floodplain wetland contiguous to a tier 3 or higher watercourse?</li> </ul>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
<ul style="list-style-type: none"> <li>Designated prime wetland or duly-established 100-foot buffer?</li> </ul>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
<ul style="list-style-type: none"> <li>Sand dune, tidal wetland, tidal water, or undeveloped tidal buffer zone?</li> </ul>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Is the property within a Designated River corridor? If yes, provide the following information:	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
<ul style="list-style-type: none"> <li>Name of Local River Management Advisory Committee (LAC):</li> <li>A copy of the application was sent to the LAC on Month:      Day:      Year:</li> </ul>	

[irm@des.nh.gov](mailto: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](http://www.des.nh.gov)



<b>SECTION 4 - APPLICANT (DESIRED PERMIT HOLDER) INFORMATION (Env-Wt 311.04(a))</b>		
If the applicant is a trust or a company, then complete with the trust or company information.		
NAME: Town of Sunapee		
MAILING ADDRESS: 23 Edgemont Road		
TOWN/CITY: Sunapee	STATE: NH	ZIP CODE: 03782
EMAIL ADDRESS: manager@town.sunapee.nh.us		
FAX:	PHONE: (603) 763-2212	
ELECTRONIC COMMUNICATION: By initialing here: DN, I hereby authorize NHDES to communicate all matters relative to this application electronically.		
<b>SECTION 5 - AUTHORIZED AGENT INFORMATION (Env-Wt 311.04(c))</b>		
<input type="checkbox"/> N/A		
LAST NAME, FIRST NAME, M.I.: Hazelton, Scott A.		
COMPANY NAME: Town of Sunapee		
MAILING ADDRESS: 621 Route 11		
TOWN/CITY: Sunapee	STATE: NH	ZIP CODE: 03782
EMAIL ADDRESS: scotth@town.sunapee.nh.us		
FAX: (603)7634337	PHONE: (603)763-5060	
ELECTRONIC COMMUNICATION: By initialing here SAH, I hereby authorize NHDES to communicate all matters relative to this application electronically.		
<b>SECTION 6 - PROPERTY OWNER INFORMATION (IF DIFFERENT THAN APPLICANT) (Env-Wt 311.04(b))</b>		
If the owner is a trust or a company, then complete with the trust or company information.		
<input type="checkbox"/> 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):

N/A

**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/ivers, 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			<input type="checkbox"/>			<input type="checkbox"/>
	Scrub-shrub Wetland			<input type="checkbox"/>			<input type="checkbox"/>
	Emergent Wetland			<input type="checkbox"/>			<input type="checkbox"/>
	Wet Meadow			<input type="checkbox"/>			<input type="checkbox"/>
	Vernal Pool			<input type="checkbox"/>			<input type="checkbox"/>
	Designated Prime Wetland			<input type="checkbox"/>			<input type="checkbox"/>
	Duly-established 100-foot Prime Wetland Buffer			<input type="checkbox"/>			<input type="checkbox"/>
Surface Water	Intermittent / Ephemeral Stream			<input type="checkbox"/>			<input type="checkbox"/>
	Perennial Stream or River			<input type="checkbox"/>			<input type="checkbox"/>
	Lake / Pond			<input type="checkbox"/>			<input type="checkbox"/>
	Docking - Lake / Pond	180	30	<input type="checkbox"/>			<input type="checkbox"/>
	Docking - River			<input type="checkbox"/>			<input type="checkbox"/>
Banks	Bank - Intermittent Stream			<input type="checkbox"/>			<input type="checkbox"/>
	Bank - Perennial Stream / River			<input type="checkbox"/>			<input type="checkbox"/>
	Bank / Shoreline - Lake / Pond	12	2	<input type="checkbox"/>			<input type="checkbox"/>
Tidal	Tidal Waters			<input type="checkbox"/>			<input type="checkbox"/>
	Tidal Marsh			<input type="checkbox"/>			<input type="checkbox"/>
	Sand Dune			<input type="checkbox"/>			<input type="checkbox"/>
	Undeveloped Tidal Buffer Zone (TBZ)			<input type="checkbox"/>			<input type="checkbox"/>
	Previously-developed TBZ			<input type="checkbox"/>			<input type="checkbox"/>
	Docking - Tidal Water			<input type="checkbox"/>			<input type="checkbox"/>
<b>TOTAL</b>		192	32				

**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:	180 SF	× \$2.00 = \$ 360.0
Permanent docking structure:	SF	× \$4.00 = \$
Projects proposing shoreline structures (including docks) add \$400 =		\$ 400.0
Total =		\$

**The application fee for minor or major impact is the above calculated total or \$400, whichever is greater = \$ 760.0**

<b>SECTION 13 - PROJECT CLASSIFICATION (Env-Wt 306.05)</b>		
Indicate the project classification.		
<input type="checkbox"/> Minimum Impact Project	<input type="checkbox"/> Minor Project	<input checked="" type="checkbox"/> Major Project
<b>SECTION 14 - REQUIRED CERTIFICATIONS (Env-Wt 311.11)</b>		
Initial each box below to certify:		
Initials: <i>SH</i> <i>DAN</i>	To the best of the signer's knowledge and belief, all required notifications have been provided.	
Initials: <i>SH</i> <i>DAN</i>	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: <i>SH</i> <i>DAN</i>	<p>The signer understands that:</p> <ul style="list-style-type: none"> <li>• The submission of false, incomplete, or misleading information constitutes grounds for NHDES to:               <ol style="list-style-type: none"> <li>1. Deny the application.</li> <li>2. Revoke any approval that is granted based on the information.</li> <li>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.</li> </ol> </li> <li>• The signer is subject to the penalties specified in New Hampshire law for falsification in official matters, currently RSA 641.</li> <li>• 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.</li> </ul>	
Initials: <i>SH</i> <i>DAN</i>	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.	
<b>SECTION 15 - REQUIRED SIGNATURES (Env-Wt 311.04(d); Env-Wt 311.11)</b>		
SIGNATURE (OWNER): <i>Donna Nashawaty</i>	PRINT NAME LEGIBLY: <i>DONNA NASHAWATY</i>	DATE: <i>7-29-21</i>
SIGNATURE (APPLICANT, IF DIFFERENT FROM OWNER):	PRINT NAME LEGIBLY:	DATE:
SIGNATURE (AGENT, IF APPLICABLE): <i>Scott A. Wazeston</i>	PRINT NAME LEGIBLY: <i>Scott A. Wazeston</i>	DATE: <i>7/28/21</i>
<b>SECTION 16 - TOWN / CITY CLERK SIGNATURE (Env-Wt 311.04(f))</b>		
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: <i>Betty H. Ramsrott</i>	PRINT NAME LEGIBLY: <i>Betty H. Ramsrott</i>	
TOWN/CITY: <i>Sunapee</i>	DATE: <i>August 2, 2021</i>	



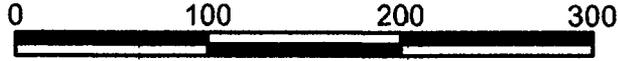
# Town Tax Map

Police Dock

1 inch = 100 Feet



July 12, 2021



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.



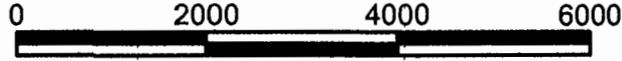
# USGS Map

Sunapee, NH

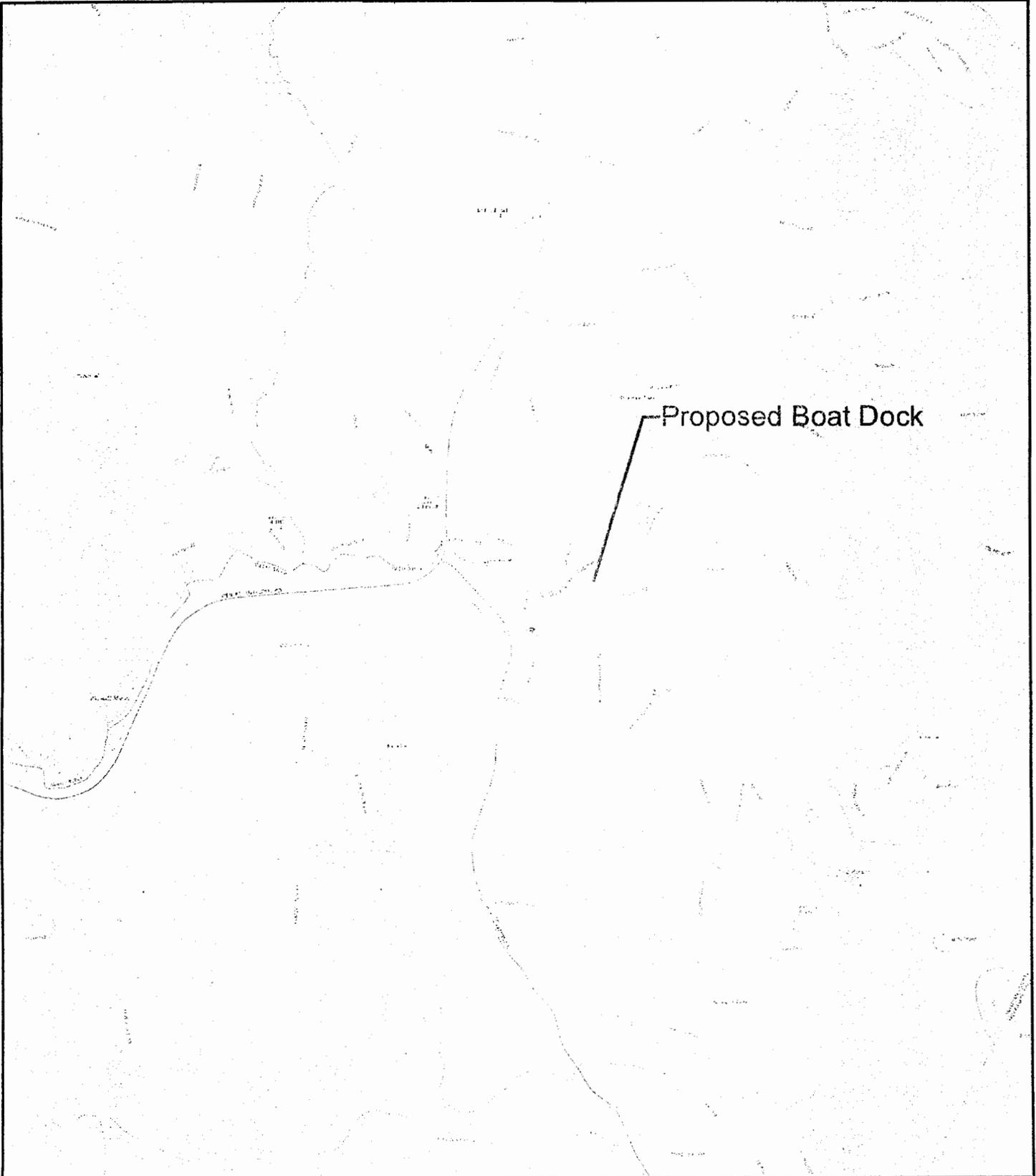
1 inch = 2000 Feet



May 17, 2021



[www.cai-tech.com](http://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.

**Memo**

NH Natural Heritage Bureau  
NHB DataCheck Results Letter

**To:** Scott Hazelton  
Post Office Box 94  
Springfield, NH 03284

**From:** Amy Lamb, NH Natural Heritage Bureau

**Date:** 5/10/2021 (valid until 05/10/2022)

**Re:** Review by NH Natural Heritage Bureau

**Permits:** NHDES - Wetland Standard Dredge & Fill - Major

**NHB ID:** NHB21-1414

**Town:** Sunapee

**Location:** 1 Lake Avenue

**Description:** This project proposes to install a 30' x 6' seasonal dock on the shoreline of the Town of Sunapee's referenced lot for use by the Sunapee Police Department. The dock will be installed 20-feet west of the northeast property corner and will be accessed from the shoreline.

As requested, I have searched our database for records of rare species and exemplary natural communities, with the following results.

**Comments** NHB: NHB recommends spacing dock boards 3/4" if possible to allow light to reach the lake bottom, in order to reduce impacts to the aquatic plant species American water-awlwort.  
F&G: No Comments At This Time

Plant species	State <sup>1</sup>	Federal	Notes
American water-awlwort ( <i>Subularia aquatica</i> ssp. <i>americana</i> )	E	--	This aquatic plant grows in shallow water and is vulnerable to changes in water levels, disturbance of the substrate, e.g. due to recreation, and changes in water quality, e.g. due to sediments or pollutants in stormwater runoff.

<sup>1</sup>Codes: "E" = Endangered, "T" = Threatened, "SC" = Special Concern, "--" = an exemplary natural community, or a rare species tracked by NH Natural Heritage that has not yet been added to the official state list. An asterisk (\*) indicates that the most recent report for that occurrence was more than 20 years ago.

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.



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

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**Robert R. Scott, Commissioner**

This application contains confidential information from the NH Natural Heritage Bureau (NHB) Datacheck tool provided by the NH Department of Natural and Cultural Resources, NHB. This information is being withheld from disclosure to the public.

Please direct all questions regarding the confidential information to Pamela G. Monroe, Legal Unit Administrator, NH Department of Environmental Services, at: [pamela.g.monroe@des.nh.gov](mailto:pamela.g.monroe@des.nh.gov), or (603) 271-3137.

# PROJECT ABUTTERS

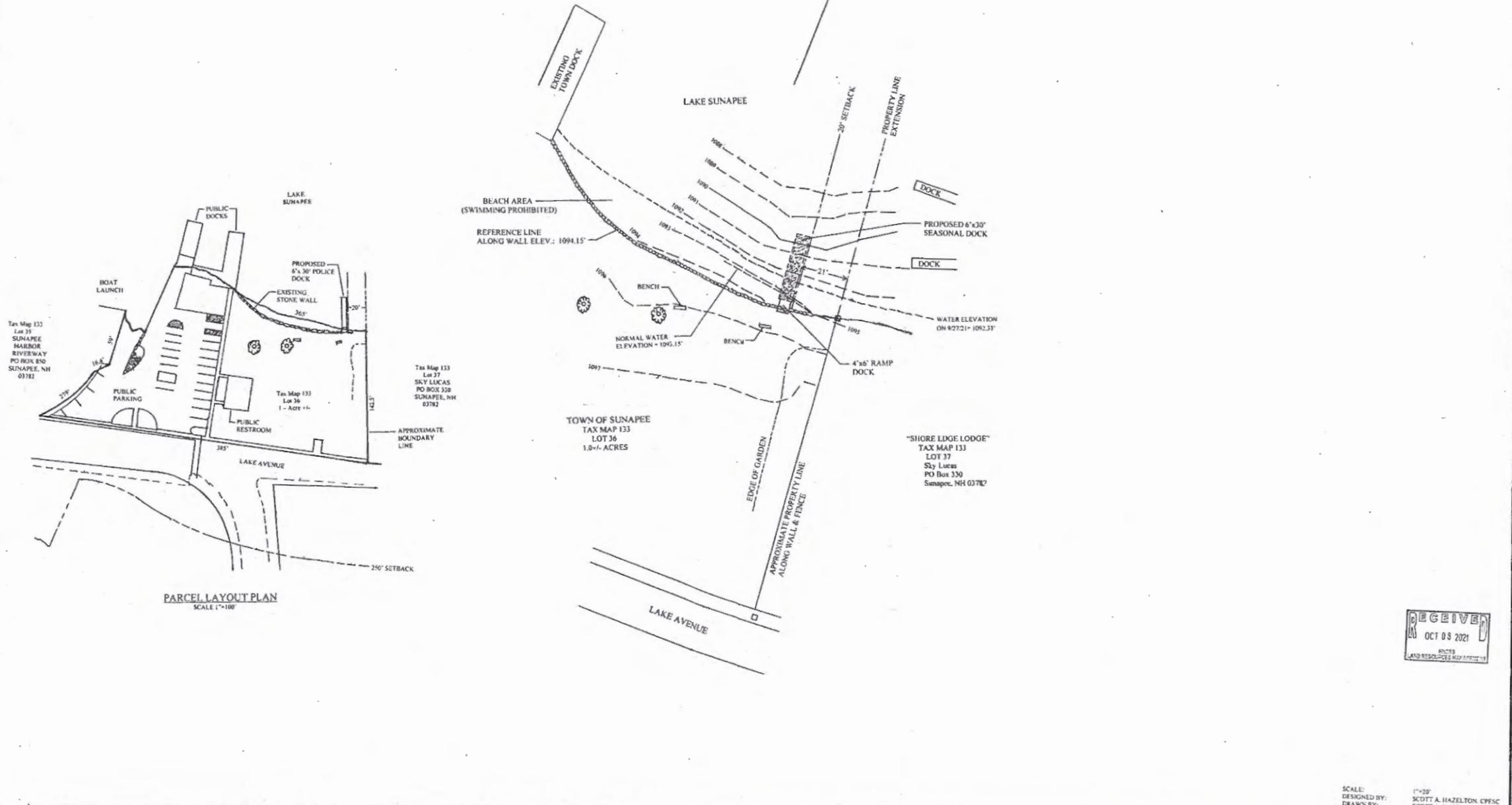
Sunapee Harbor Cottages, LLC

Sunapee Harbor-Riverway, Inc.

Town of Sunapee  
23 Edgemont Road  
Sunapee, NH 03782

Sky M. Lucas

NOTES:  
 1. This plan is the result of a total station survey by Penneyroyal Hill Land Surveying, September 27, 2021.  
 2. Contour lines and all elevations are referenced approximately to USGS datum from the NHDES website (NAVD29).  
 3. No underground utilities were located as part of this survey.  
 4. All boundaries shown are approximate and are based on existing survey plans and/or monuments found; no determination has been made by this office as to the validity of any monuments or the location of any property lines.



RFI #1	SITE PLAN	SAH	SAH	SAH

SITE PLAN for the PROPOSED POLICE DOCK  
 TOWN OF SUNAPEE HARBOR  
 TAX MAP 133 LOT 36

PREPARED for the SUNAPEE POLICE DEPARTMENT  
 9 SARGENT ROAD  
 SUNAPEE, NEW HAMPSHIRE 03782

RECEIVED  
 OCT 09 2021  
 SUNAPEE  
 LAND RESOURCE MANAGEMENT

SCALE: 1"=20'  
 DESIGNED BY: SCOTT A. HAZELTON, CPESC  
 DRAWN BY: SCOTT A. HAZELTON, CPESC  
 REVIEWED BY: SCOTT A. HAZELTON, CPESC  
 DATE: OCTOBER 4, 2021

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SHEET 1 OF 1