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The State of New Hampshire

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Department of Environmental Services

Robert R. Scott, Commissioner

199

June 13, 2023

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

REQUESTED ACTION

Approve The Condominium at Paugus Bay's request to perform the following work on Lake Winnipesaukee in Laconia pursuant to NH Department of Environmental Services (NHDES) Wetlands Bureau permit #2023-00435, and in accordance with RSA 482-A:3. No comments were submitted by the Laconia Conservation Commission regarding the project as proposed.

Install two 3 piling ice clusters, two seasonal personal watercraft lifts and five seasonal boatlifts adjacent to the existing major docking structure on an average of 309 feet of frontage along Lake Winnipesaukee in Paugus Bay, in Laconia.

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 revised plans, revision dated April 6, 2023, by Watermark Marine Construction, as received by the NH Department of Environmental Services (NHDES) on April 10, 2023.
2. This permit shall not be effective until it has been recorded in the Belknap 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 owner understands and accepts that should these docking structures be found to have an unreasonable impact on the ability of abutting owners to use and enjoy their properties or the public's right to navigation, passage, and use of the resource for commerce and recreation the structures shall be subject to removal pursuant to RSA 482-A:1, RSA 482-A:11, (II), and Env-Wt 513.03 (a).
7. The use of this structure shall be limited to the docking and securing of watercraft as required to comply with Env-Wt 307.09.

8. Owners of permanent docking structures which are not maintained so as to be structurally sound and usable for their intended purpose shall remove those docking structures in accordance with Env-Wt 513.22(c), to prevent hazards to public safety, navigation, and recreation.
9. In accordance with Env-Wt 513.22(b)(1), the seasonal docking structures on this lake or pond shall be installed after ice-out and removed prior to ice-in.
10. 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.
11. 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

NHDES approved this project on May 10, 2023. NHDES supported its decision with the following findings:

1. This is a major impact project per Administrative Rule Env-Wt 513.26(c)(3), construction or modification of a docking structure providing 5 or more slips.
2. The applicant has an average of 309 feet of frontage along Lake Winnipesaukee.
3. A maximum of 5 slips may be permitted on this frontage per Rule Env-Wt 513.12, Frontage Requirements for Private and Non-commercial Docking Structures.
4. The existing docking structures provide 8 slips as defined per RSA 482-A:2, VIII, (a).
5. The proposed docking accessory structures will not provide additional boat slips as defined per RSA 482-A:2, VIII, and therefore do not result in a violation of Rule Env-Wt 513.12.
6. The NHDES 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. No concerns were received from abutters, nor the local Conservation Commission related to the project.
8. The Applicant has provided a report from the NH Natural Heritage Bureau indicating that the project should have no adverse impact on any threatened or endangered species.
9. The NHDES 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.

NHDES Wetlands Bureau permit #2023-00435 application documents are enclosed for review by the Governor and the Executive Council in consideration of this request and in accordance with RSA 482-A:3, II(a), as it is a major project located in New Hampshire public waters.

We respectfully request your approval of this item.

Robert R. Scott
Commissioner

NHDES-W-06-012 NHDES WETLAND's BUREAU COPY

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: The Condominium Cottages At Paugus Bay **TOWN NAME:** Laconia

RECEIVED Administrative Use Only FEB 22 2023 NHDES LAND RESOURCES MANAGEMENT	COMPLETE Administrative Use Only FEB 22 2023	Administrative Use Only	File No. 2023-0435
			Check No. 24454
			Amount $424.00
			Initials

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? o If yes, species or habitat name(s): o NHB Project ID #: **NHB23-0326**	☐ 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(i))

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.

Install two ice protection clusters adjacent to the permanent deck along shore for additional protection. Lastly, install five seasonal boatlifts and two seasonal PWC lifts adjacent to the existing dockage.

SECTION 3 – PROJECT LOCATION

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

ADDRESS: **109 Weirs Blvd.**

TOWN/CITY: **Laconia**

TAX MAP/BLOCK/LOT/UNIT: **277-248-006**

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

☒ N/A

(Optional) LATITUDE/LONGITUDE in decimal degrees (to five decimal places): **43.57069° North**

71.45077° 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: **The Condominium Cottages At Paugus Bay**		
MAILING ADDRESS:		
TOWN/CITY:	STATE:	ZIP CODE:
EMAIL ADDRESS: **N/A**		
FAX: **N/A**	PHONE: **N/A**	

ELECTRONIC COMMUNICATION: By initialing here **N/A**, 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

NAME: **Ian E. Aldcroft**		
COMPANY NAME: **Watermark Marine Construction**		
MAILING ADDRESS: **1218 Union Avenue**		
TOWN/CITY: **Laconia**	STATE: **NH**	ZIP CODE: **03246**
EMAIL ADDRESS: **iea@watermarkmarine.com**		
FAX: **N/A**	PHONE: **603-293-4000**	

ELECTRONIC COMMUNICATION: By initialing here **IEA**, 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: **The Condominium Cottages At Paugus Bay**		
MAILING ADDRESS:		
TOWN/CITY:	STATE:	ZIP COL
EMAIL ADDRESS: **N/A**		
FAX: **N/A**	PHONE: **N/A**	

ELECTRONIC COMMUNICATION: By initialing here **N/A**, 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):

There are currently no resource-specific criteria established in chapter Env-Wt 500. There are no resource-specific criteria to meet with regards to the installation of Permanent docks, boathouses, permanent boatlifts, seasonal docks, seasonal PWC lifts, seasonal boatlifts and seasonal canopies.

This project proposes no work involving stream crossings, coastal resources or prime wetlands.

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	6		☒			☐
	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		6					

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):	**0 SF**	× $0.40 =	**$ 0.00**
Seasonal docking structure:	**0 SF**	× $2.00 =	**$ 0.00**
Permanent docking structure:	**6 SF**	× $4.00 =	**$ 24.00**
Projects proposing shoreline structures (including docks) add $400 =			**$ 400.00**
		Total =	**$ 424.00**
The application fee for minor or major impact is the above calculated total or $400, whichever is greater =			**$ 424.00**

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: PEG	To the best of the signer's knowledge and belief, all required notifications have been provided.
Initials: PEG	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: PEG	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: PEG	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: Peter Grenier	DATE: 1/31/2023
SIGNATURE (APPLICANT, IF DIFFERENT FROM OWNER):	PRINT NAME LEGIBLY:	DATE:
SIGNATURE (AGENT, IF APPLICABLE):	PRINT NAME LEGIBLY: Ian E. Aldcroft	DATE: 1/31/23

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: Katie A. Gargano	PRINT NAME LEGIBLY: Katie A. Gargano
TOWN/CITY: Laconia	DATE: 2/17/23

The Condominium Cottages At Paugus Bay Property

Laconia, NH

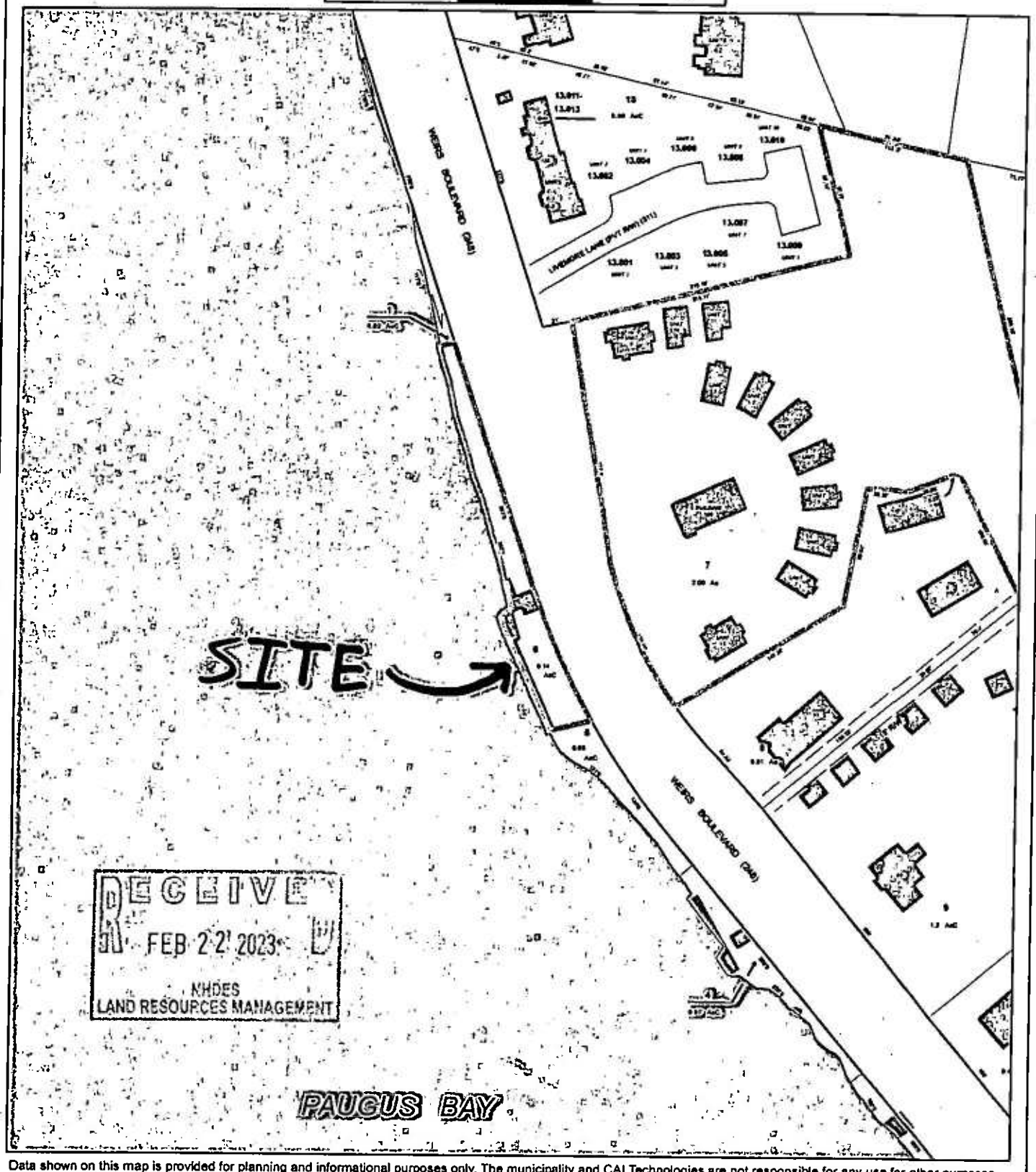
1 inch = 100 Feet

CAI Technologies
Precision Mapping Geospatial Solutions

www.cai-tech.com

January 31, 2023

0 100 200 300



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FEB 22 2023
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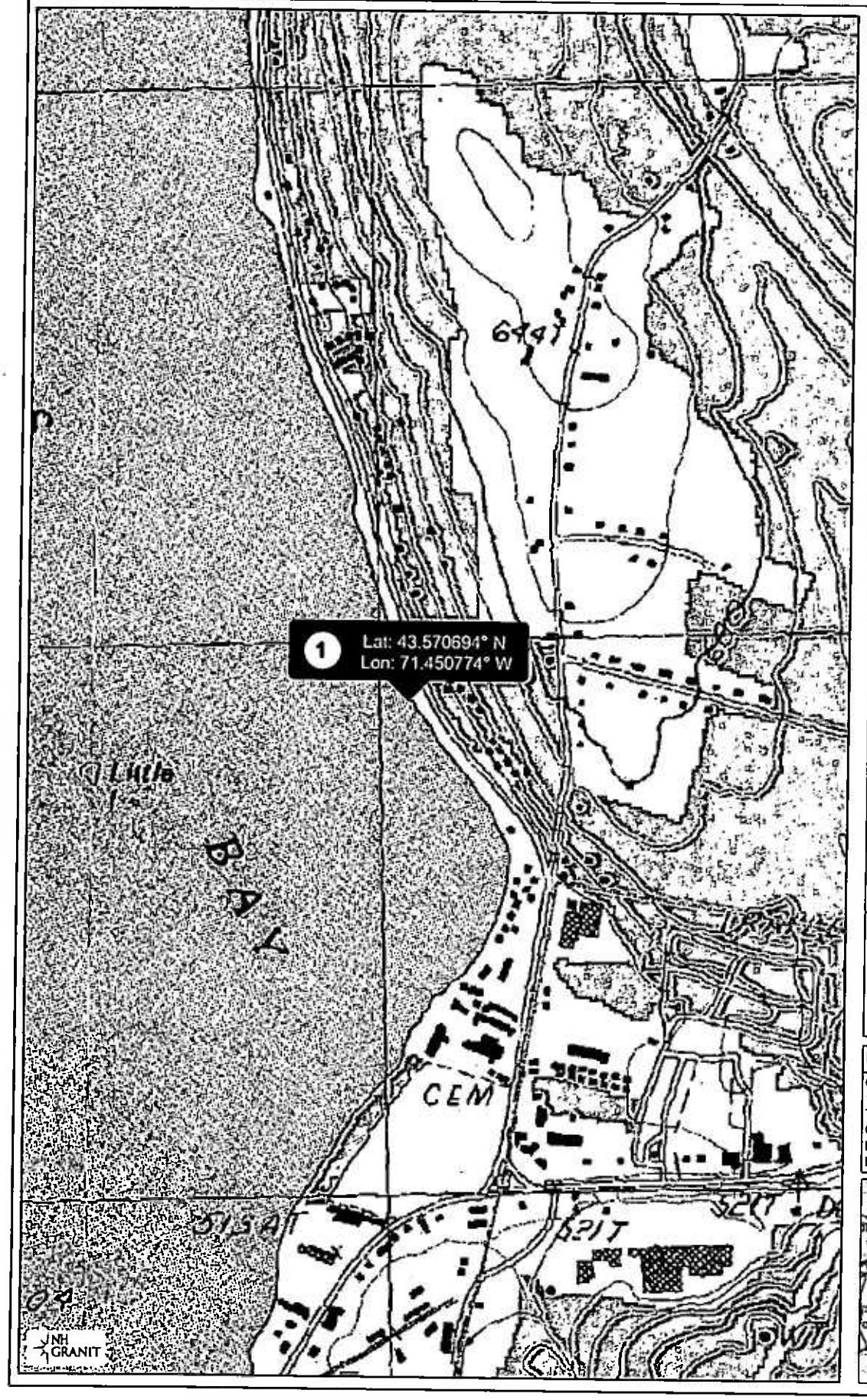
LAND RESOURCES MANAGEMENT

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.

The Condominium Cottages At Paugus Bay Property



Legend

- State
- County
- City/Town

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NHDES
LAND RESOURCES MANAGEMENT

Map Scale

1: 10,000

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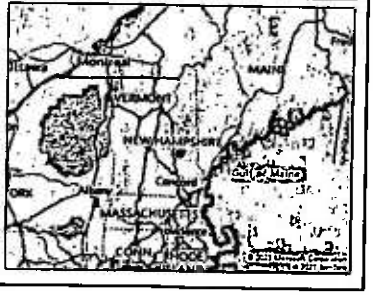
Map Generated: 1/31/2023

Notes

Condominium Cottages At Paugus Bay
109 Weirs Blvd.
TM/L #277-248-006
Geographic Coordinates:
Latitude: 43.57069° N
Longitude: 71.45077° W



New Hampshire Natural Heritage Bureau
NHB DataCheck Results Letter

To: Ian Aldcroft
1218 Union Avenue
Laconia, NH 03246

From: NH Natural Heritage Bureau

Date: 1/30/2023 (This letter is valid through 1/30/2024)

Re: Review by NH Natural Heritage Bureau of request dated 1/30/2023

Permit Types: Wetland Standard Dredge & Fill - Minor General Permit

NHB ID: NHB23-0326

Applicant: Ian Aldcroft

Location: Laconia
Tax Map: 277, Tax Lot: 248-006
Address: 109 Weirs Blvd.

Proj. Description: Install two ice protection clusters adjacent to the permanent deck along shore for additional protection. Lastly, install five seasonal boatlifts and two seasonal PWC lifts adjacent to the existing dockage.

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.

Based on the information submitted, no further consultation with the NH Fish and Game Department pursuant to Fis 1004 is required.

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FEB 22 2023
NHDES
LAND RESOURCE MANAGEMENT

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 DataCheck Results Letter

MAP OF PROJECT BOUNDARIES FOR: NHB23-0326

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

Abutter List

TM/L: #277-248-006	The Condominium Cottages At Paugus Bay
#261-248-013	Boulevard Commons A Condominium
#277-248-008	109 Weirs Blvd. Nominee Trust

7022 2410 0000 3935 2086

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- ☐ Certified Mail Restricted Delivery $
- ☐ Adult Signature Required $
- ☐ Adult Signature Restricted Delivery $

Postage
$

Total Postage and Fees
$

Sent To: Boulevard Commons A Condominium

Street

City, St

PS Form

See Reverse for Instructions

Postmark Here
FEB 2023

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- ☐ Adult Signature Required $
- ☐ Adult Signature Restricted Delivery $

Postage
$

Total Postage and Fees
$

Sent To: 109 Weirs Blvd. Nominee Trust

Street

City, St

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

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FEB 2023

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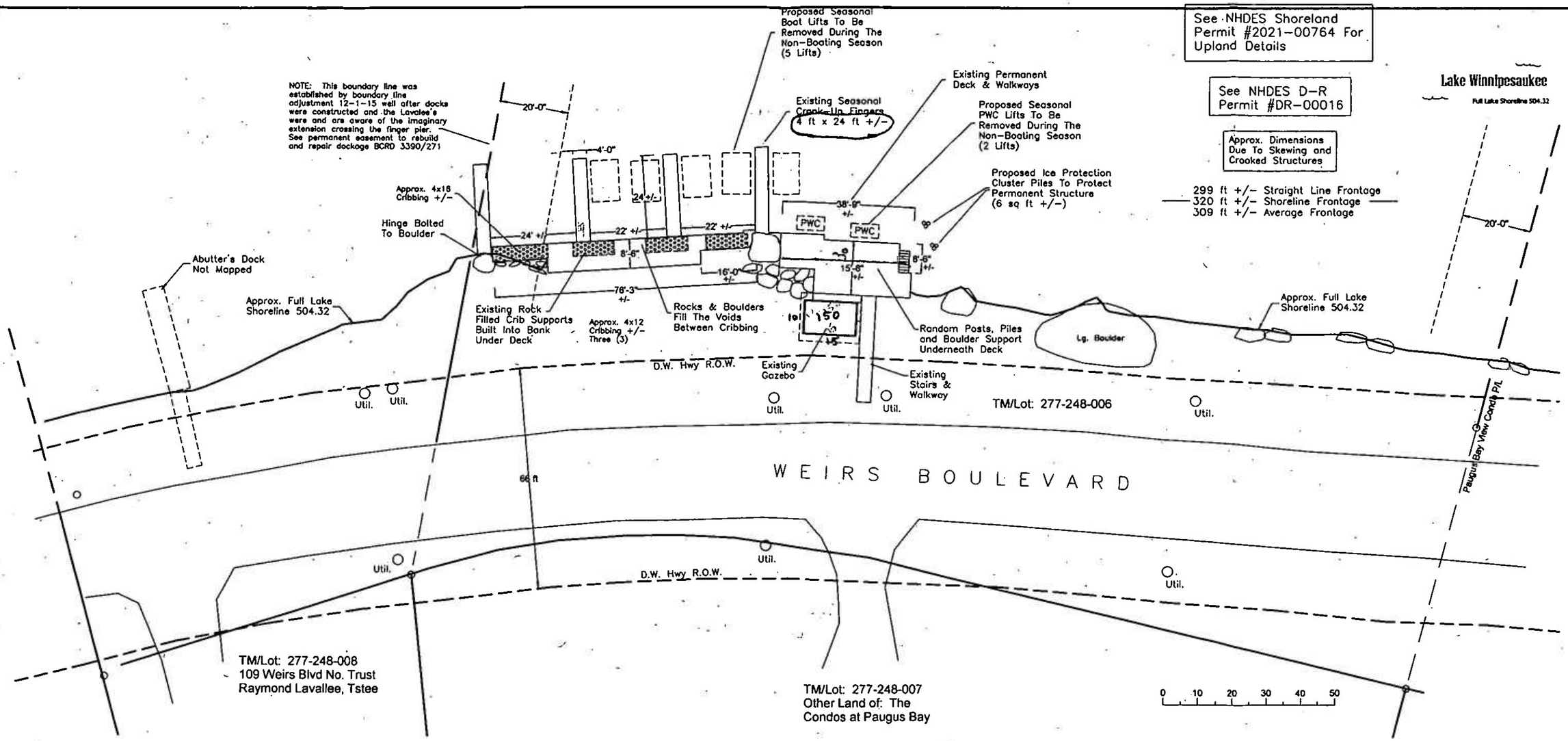
LAND RESOURCES MANAGEMENT



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APR 10 2023
NHDES
LAND RESOURCES MANAGEMENT

PRINT "LANDSCAPE" @ 17" x 11"

WATERMARK MARINE CONSTRUCTION

Watermark Marine Construction
1218 Union Avenue
Laconia, NH 03246
603-293-4000 (Phone)
603-524-8100 (Fax)

Project Name: The Condominium at Paugus Bay	Plan Title: Proposed Conditions
Plan Scale: 1" = 30'	Project Town: Laconia, NH
Plan Date: REV 4/6/23	Site Address: 109 Weirs Boulevard

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