



The State of New Hampshire
Department of Environmental Services



Robert R. Scott, Commissioner

January 10, 2025

66

Her Excellency, Governor Kelly A. Ayotte
and The Honorable Council
State House
Concord, NH 03301

REQUESTED ACTION

Approve Devost Yacht Club & West Shore Marine's request to perform the following work on Newfound Lake in Bristol pursuant to NH Department of Environmental Services (NHDES) Wetlands Bureau permit #2024-01054, and in accordance with RSA 482-A:3. No comments were submitted by the Bristol Conservation Commission regarding the project as proposed.

Impact 5,318 square feet of lake bed in order to dredge 210 cubic yards of material, impact 350 square feet along 16 linear feet of bank in order to connect the two existing retaining walls with a wall constructed at existing grade, repair a 6 foot x 105 foot piling pier with eight 2 foot x 20 foot fingers and two 4 foot x 20 foot fingers extending from the end of the pier, repair a 6 foot x 110 foot piling pier with ten 2 foot x 20 foot fingers and two 6 foot x 20 foot fingers extending from the end of the pier on an average of 285 feet of frontage along Newfound Lake in Bristol.

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 October 14, 2024 by Diversified Marine Construction, LLC, as received by the NH Department of Environmental Services (NHDES) on October 14, 2024.
2. This permit shall not be effective until it has been recorded in the Grafton 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. Work conducted shall adhere to the conditions and recommendations received from the New Hampshire Fish & Game Department in order to avoid and minimize project-related impacts to sensitive species identified by the DataCheck (NHB24-1155) per Env-Wt 311.01(b).
4. In accordance with Env-Wt 307.10(f), dredged materials to be stockpiled in uplands shall be dewatered in sedimentation basins that are contained within turbidity controls that prevent turbid water from leaving the basins; and located outside of any jurisdictional area.
5. In accordance with Env-Wt 307.10(d), dredged materials shall be disposed of out of jurisdictional areas, unless other disposition is specifically permitted pursuant to Env-Wt 307.10(e).
6. 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.
7. In accordance with Env-Wt 307.10(b), work shall be done in the dry during lake drawdown.

www.des.nh.gov

29 Hazen Drive • PO Box 95 • Concord, NH 03302-0095
NHDES Main Line: (603) 271-3503 • Subsurface Fax: (603) 271-6683 • Wetlands Fax: (603) 271-6588
TDD Access: Relay NH 1 (800) 735-2964

8. Only those structures shown on the approved plans shall be installed or constructed along this frontage as required per Env-Wt 513.22, (a).
9. 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.
10. 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.
11. All dredged and excavated material and 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.
12. 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.
13. 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.

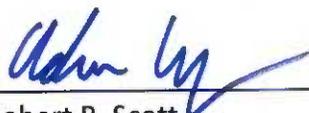
EXPLANATION

NHDES approved this project on November 06, 2024. NHDES supported its decision with the following findings:

1. This is a major impact project per Administrative Rule Env-Wt 523.04(c), the proposed amount of dredge material in public waters exceeds 30 cubic yards.
2. The NHDES finds that because the project is not of significant public interest and will not significantly impair the resources of Newfound Lake, a public hearing under RSA 482-A:8 is not required.
3. No concerns were received from abutters nor the local Conservation Commission related to the project.
4. 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 #2024-01054 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.


FOR _____
Robert R. Scott
Commissioner



**STANDARD DREDGE AND FILL
WETLANDS PERMIT APPLICATION**
Water Division / Land Resources Management
Check the Status of your Application



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

APPLICANT'S NAME: Devost Yacht Club

TOWN NAME: Bristol

			File No.: 2024-01054
			Check No.: 0583
			Amount: 3454.00
			Initials: BH

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="radio"/> Yes <input type="radio"/> No
Does the property contain a PRA? If yes, provide the following information:	<input type="radio"/> Yes <input checked="" type="radio"/> No
<ul style="list-style-type: none"> Does the project qualify for an Impact Classification Adjustment (e.g. NH Fish and Game Department (NHFG) 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. 	<input type="radio"/> Yes <input checked="" type="radio"/> No
<ul style="list-style-type: none"> Protected species or habitat? <ul style="list-style-type: none"> If yes, species or habitat name(s): Northern Long-Eared Bat NHB Project ID #: NHB24-1155 	<input checked="" type="radio"/> Yes <input type="radio"/> No
Bog?	<input type="radio"/> Yes <input checked="" type="radio"/> No
Floodplain wetland contiguous to a tier 3 or higher watercourse?	<input type="radio"/> Yes <input checked="" type="radio"/> No
Designated prime wetland or duly-established 100-foot buffer?	<input type="radio"/> Yes <input checked="" type="radio"/> No
Sand dune, tidal wetland, tidal water, or undeveloped tidal buffer zone?	<input type="radio"/> Yes <input checked="" type="radio"/> No
Is the property within a Designated River corridor? If yes, provide the following information:	<input type="radio"/> Yes <input checked="" type="radio"/> No
<ul style="list-style-type: none"> Name of Local River Management Advisory Committee (LAC): A copy of the application was sent to the LAC on Month: Day: Year: 	

For dredging projects, is the subject property contaminated? • If yes, list contaminant:	<input type="radio"/> Yes <input checked="" type="radio"/> No
Is there potential to impact impaired waters, class A waters, or outstanding resource waters?	<input type="radio"/> Yes <input checked="" type="radio"/> No
For stream crossing projects, provide watershed size (see <u>WPPT</u> or Stream Stats):	
SECTION 2 - PROJECT DESCRIPTION (Env-Wt 311.04(I))	
Provide a description of the project and the purpose of the project, the need for the proposed impacts to jurisdictional areas, an outline of the scope of work to be performed, and whether impacts are temporary or permanent.	
Maintenance dredge to a depth of 584.88 removing approximately 210 cubic yards of sandy material from approximately 8635 sq. ft. of lake-bed in a previously dredged area within existing slips adjacent to a major docking system on Newfound Lake, Bristol.	
SECTION 3 - PROJECT LOCATION	
Separate wetland permit applications must be submitted for each municipality within which wetland impacts occur.	
ADDRESS: 210 West Shore Road	
TOWN/CITY: Bristol	
TAX MAP/BLOCK/LOT/UNIT: 108/051	
US GEOLOGICAL SURVEY (USGS) TOPO MAP WATERBODY NAME: <input type="checkbox"/> N/A Newfound Lake	
(Optional) LATITUDE/LONGITUDE in decimal degrees (to five decimal places): 43.626070/-71.750490	

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: Devost Yacht Club & West Shore Marine			
MAILING ADDRESS: [REDACTED]			
TOWN/CITY: [REDACTED]		STATE: [REDACTED]	ZIP CODE: [REDACTED]
EMAIL ADDRESS: [REDACTED]			
FAX:		PHONE: [REDACTED]	
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))			
<input checked="" type="checkbox"/> N/A			
LAST NAME, FIRST NAME, M.I.: Farley, Dave			
COMPANY NAME: Diversified Marine Construction LLC			
MAILING ADDRESS: PO Box 7464			
TOWN/CITY: Gilford		STATE: NH	ZIP CODE: 03247
EMAIL ADDRESS: dfarley@divermarine.com			
FAX:		PHONE: 603-630-2259	
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.			
<input checked="" 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):

Env-Wt 406.03(a)(5); Wetland delineation not required for shoreline structures projects at the shoreline, where there is no vegetated wetlands.

Env-Wt 523.04(c)(3); Project is considered a major impact classification due to the proposed removal of 210 cu. yds. of material.

Env-Wt 600; The project is not located in coastal or tidal waters.

Env-Wt 700; The project is not located in a PRA.

Env-Wt 900; The project does not involve a stream crossing.

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

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

JURISDICTIONAL AREA		PERM. SF	PERM. LF	PERM. ATF	TEMP. SF	TEMP. LF	TEMP. 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	Intermittent / Ephemeral Stream			<input type="checkbox"/>			<input type="checkbox"/>
	Perennial Stream or River			<input type="checkbox"/>			<input type="checkbox"/>
	Lake / Pond	8635		<input type="checkbox"/>			<input type="checkbox"/>
	Docking - Lake / Pond			<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			<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"/>
TOTAL		8635					

SECTION 12 - APPLICATION FEE (RSA 482-A:3, 1)

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): 8635 SF × \$0.40 = \$ 3454

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 = \$ 3454

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:  To the best of the signer's knowledge and belief, all required notifications have been provided.

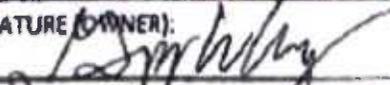
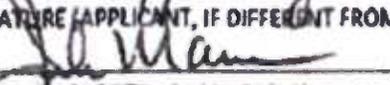
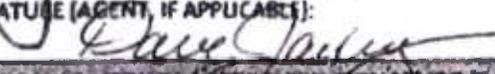
Initials:  The information submitted on or with the application is true, complete, and not misleading to the best of the signer's knowledge and belief.

Initials:  The signer understands that:

- The submission of false, incomplete, or misleading information constitutes grounds for NHOES 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.

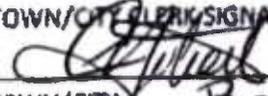
Initials:  If the applicant is not the owner of the property, each property owner signature shall constitute certification by the signer that he or she is aware of the application being filed and does not object to the filing.

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

SIGNATURE (OWNER): 	PRINT NAME LEGIBLY: Greg Wagner	DATE:
SIGNATURE (APPLICANT, IF DIFFERENT FROM OWNER): 	PRINT NAME LEGIBLY: Joseph Mancini	DATE:
SIGNATURE (AGENT, IF APPLICABLE): 	PRINT NAME LEGIBLY: Dave Farley	DATE: 3/5/24

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:  deputy	PRINT NAME LEGIBLY: Cheryl A. Herbert
TOWN/CITY: Bristol	DATE: 4/12/24

DIRECTIONS FOR TOWN/CITY CLERK:

Per RSA 482-A:3, I(a)(1)

1. IMMEDIATELY sign the original application form and four copies in the signature space provided above.
2. 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.
3. 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.
4. Retain one copy of the application form and one complete set of attachments and make them reasonably accessible for public review.

DIRECTIONS FOR APPLICANT:

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 at the address at the bottom of this page. Make check or money order payable to "Treasurer – State of NH".



Devost Yacht Club & West Shore Marine 108/51

Bristol, NH

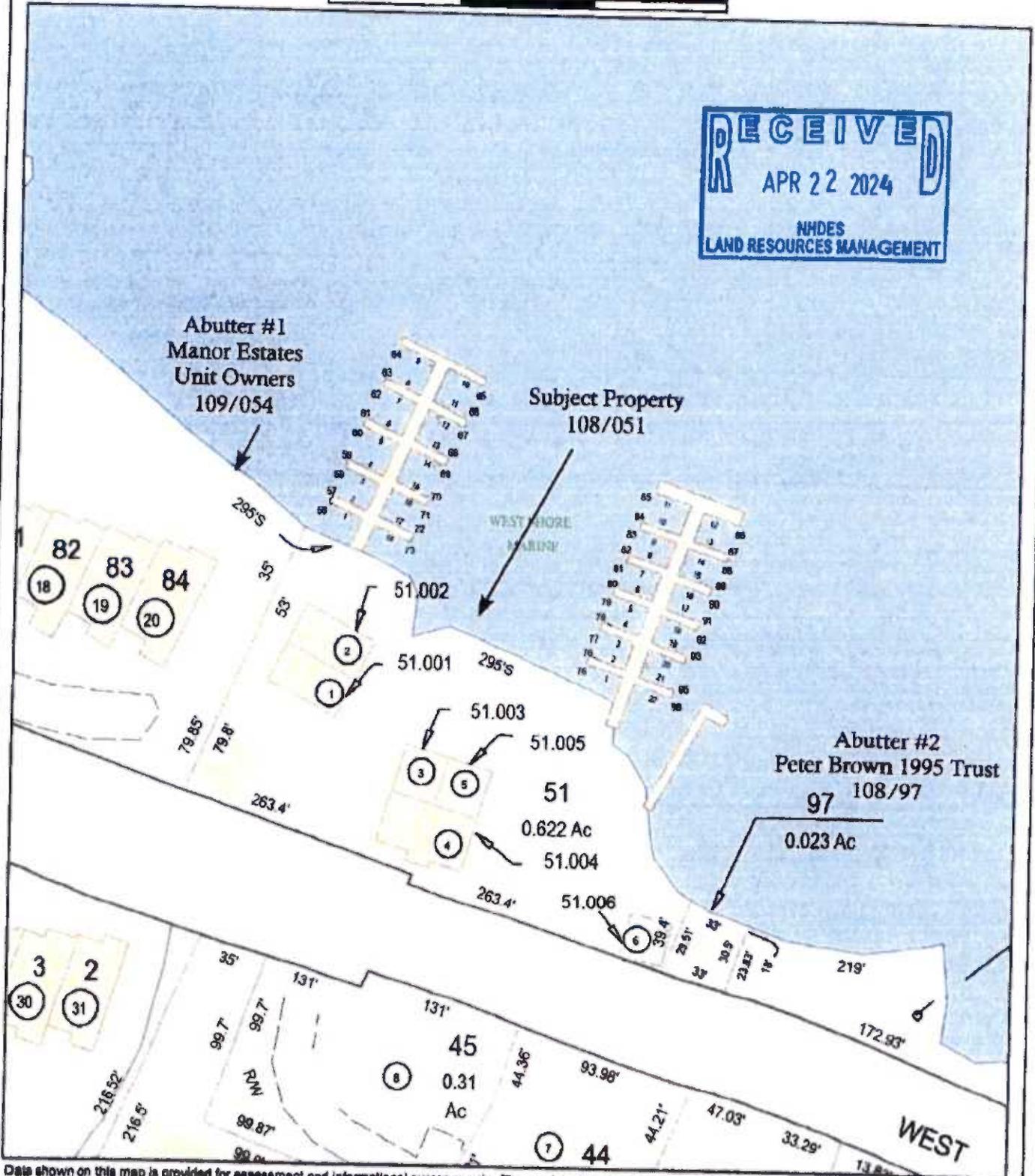


1 inch = 68 Feet

April 12, 2024

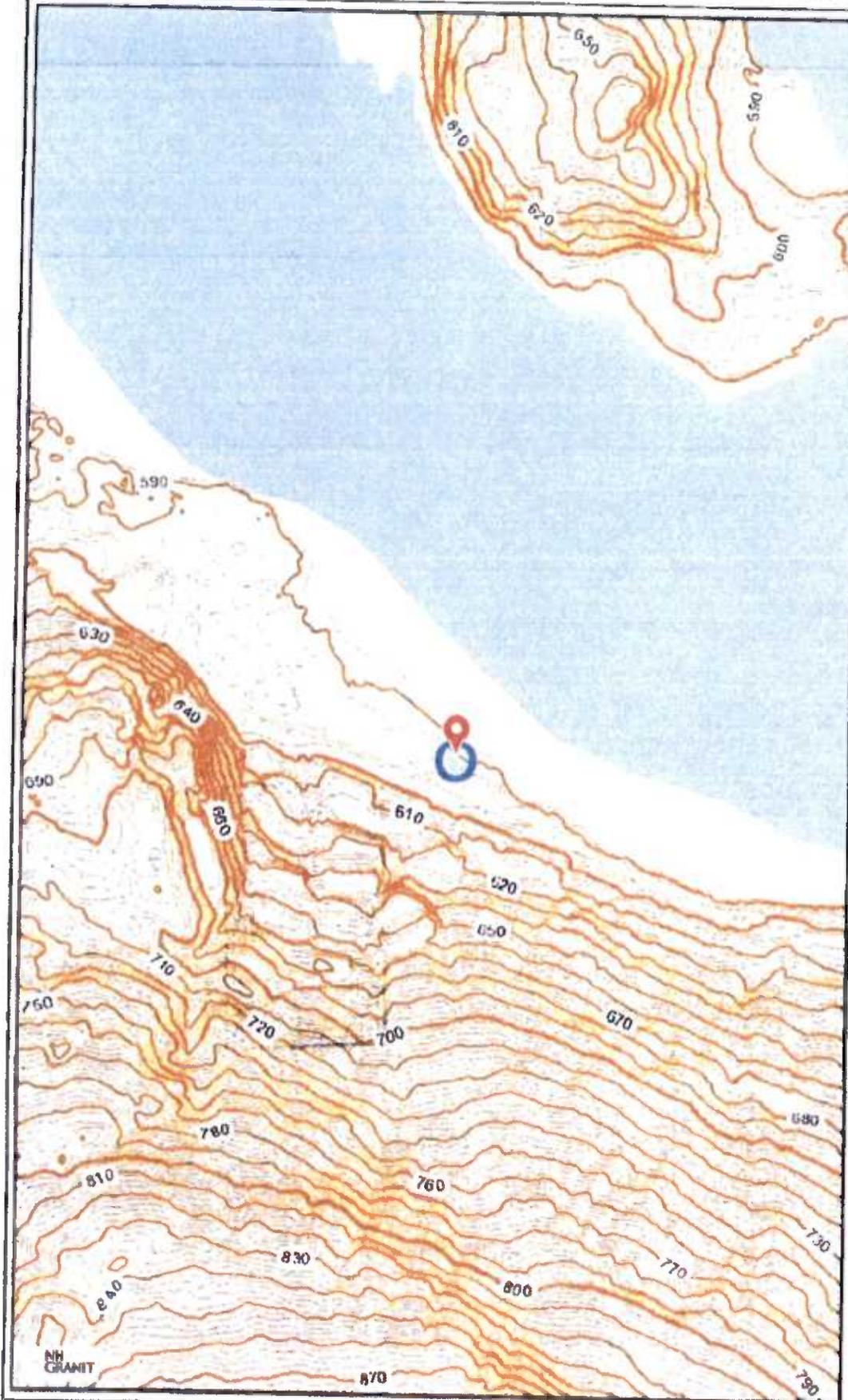


www.cai-tech.com



Data shown on this map is provided for assessment 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. It is not valid for legal description and conveyance.

Devost Yacht Club & West Shore Marine



Legend

- Contour_2ft_0108020201_s
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Map Scale

1: 5,000



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Map Generated: 4/12/2024

Notes

210 West Shore Rd
Bristol, NH
Map 108 Lot 051





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



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. This information is being withheld from disclosure to the public.

Please direct all questions regarding the confidential information to Courtney Lockwood, Land Resources Management Program Attorney, NH Department of Environmental Services, at: courtney.l.lockwood@des.nh.gov, or (603) 271-8614.

Abutter List

Subject Property:

Parcel Number: 108-051

Property Address: 210 West Shore Rd

Mailing Address:

West Shore Marine Common Area

Bristol, NH 03222

Abutter #1:

Parcel Number: 109-064

Mailing Address:

Manor Estates Unit Owners

[REDACTED]

Abutter #2:

Parcel Number: 108-097

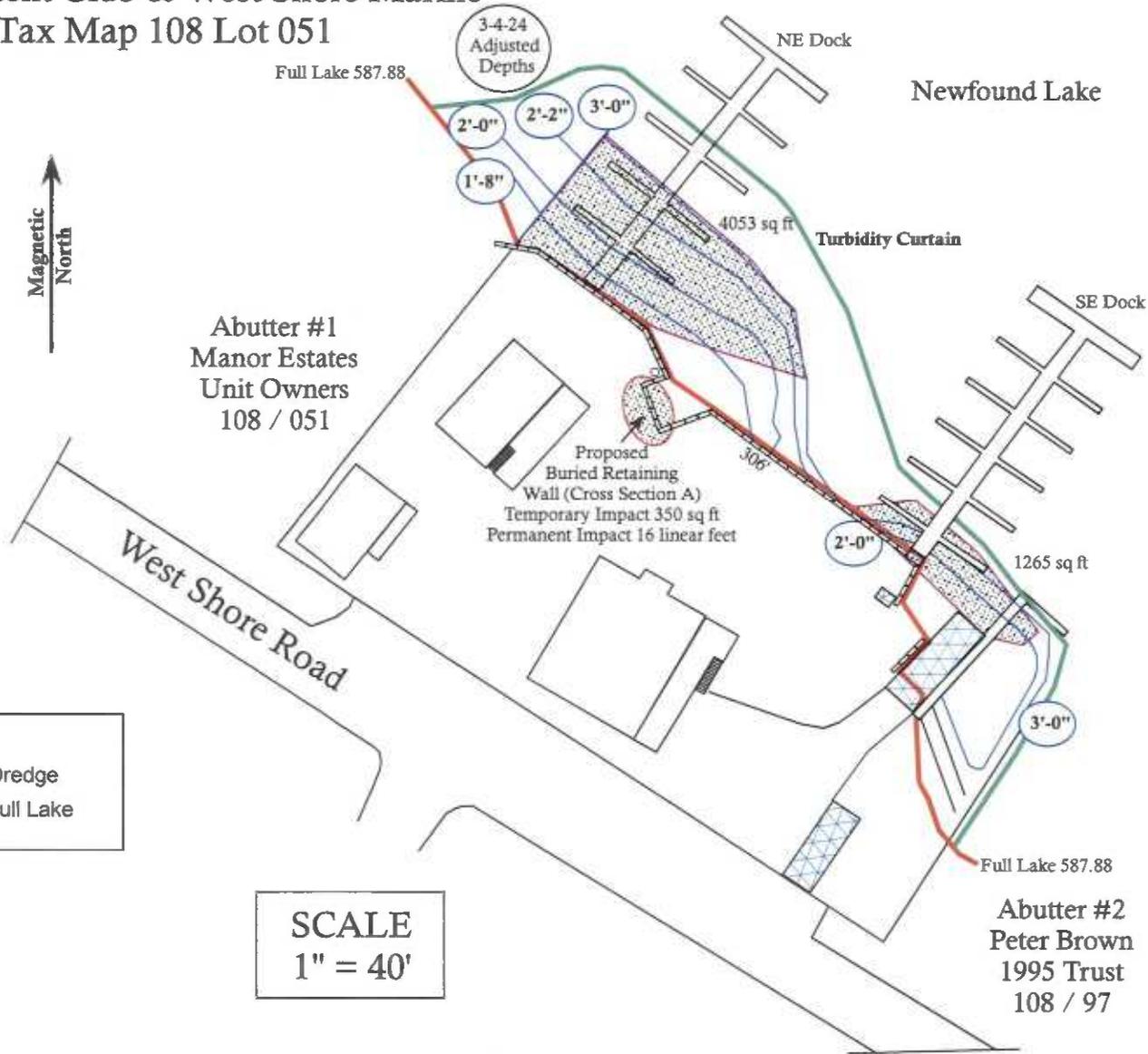
Mailing Address:

Peter Brown 1995 Trust

[REDACTED]



**Proposed Conditions
Devost Yacht Club & West Shore Marine
Tax Map 108 Lot 051**



Magnetic North ↑

LEGEND

- 584.88 Dredge
- 587.88 Full Lake

SCALE
1" = 40'

Notes

- 1) Shoreline Frontage 306'
- 2) Dredging to be contained within the areas determined on the plan.
- 3) Dredge to be completed in the fall of 24 or spring of 25.
- 4) Rebuild docking system including pilings, framing, decking, and tie posts.

Impact Calculations

- 1) Proposed Dredge to base depth of 584.88 ft.
- 2) Proposed impact 5318 sq. ft.
- 3) Buries wall impact 350 sq ft temp, 16 linear ft permanent.
- 4) Proposed dredge material is 210 cubic yds.
- 5) Contours have been calculated based on Full Lake at 587.88 with depth elevations taken on 3/4/2024.

Construction Sequence

- 1) Mobilize site with equipment and install turbidity curtain.
- 2) Contain dredge area within the turbidity curtain.
- 3) Construct buried retaining wall.
- 4) Dredge according to plan.
- 5) Rebuild docks in kind with no change location, size, or configuration.
- 6) Remove dredge spoils off site and dispose of outside of DES Wetlands jurisdiction.
- 7) Remove turbidity curtain upon water clarity being restored.

Dredge Detail for
Devost Yacht Club & West Shore Marine
Newfound Lake, Bristol, NH

Drawing Date; February 15th, 2024
 Drawn By; Dave Farley
 Revised; 7/24/24
 Revised By; Dave Farley
 Revised; 9/15/24
 Revised By; Dave Farley
 Revised; 10/14 by Jan Farley

Diversified Marine Construction, LLC
 P.O. Box 7464
 Gilford, NH 03247
 Office (603) 528-4151
 Cell (603) 630-2259