



SHORELAND PERMIT APPLICATION

Land Resources Management

Check the status of your application: www.des.nh.gov/onestop



RSA/Rule: RSA 483-B, Env-Wq 1400

This is an application for a permit to excavate, fill or construct new structures within the protected shoreland as regulated under RSA 483-B. For a complete list of activities that do not require a shoreland permit, view the shoreland program [frequently asked questions](#) (FAQs)

Please type or print clearly. **Please note:** Application packages missing required elements will be returned to the applicant in their entirety, including the fee. Land Resources Management will include a letter identifying the missing elements and describing how to resubmit the application package to NHDES. Application packages that are accepted will proceed to technical review to ensure the applicant has fulfilled all requirements as specified by statute or rules. For more information visit the [New Land Resources Management Application Return Process](#) site located on the Shoreland Program Page.

1. PROPERTY OWNER			
LAST NAME, FIRST NAME, M.I.: State of New Hampshire Department of Resources and Economic Development			
ADDRESS: 172 Pembroke Road	TOWN/CITY: Concord	STATE: NH	ZIP CODE: 03301
PHONE: 603-271-2411	EMAIL: Thomas.Mansfield@dred.nh.gov		
2. PROJECT LOCATION			
ADDRESS: Franconia Parkway	TOWN/CITY: Franconia	STATE: NH	ZIP CODE: 03580
WATERBODY NAME: Profile Lake	TAX MAP: N/A	LOT NUMBER: N/A	
3. CONTRACTOR OR AGENT			
LAST NAME, FIRST NAME, M.I.: Thompson, Dennis; Northern New England Field Services			
ADDRESS: 711 Piper Hill Road	TOWN/CITY: Stewartstown	STATE: NH	ZIP CODE: 03576
PHONE: 603-867-7536	EMAIL: nnefs@hughes.net		
4. CRITERIA			
Please check at least one of the following below:			
<input checked="" type="checkbox"/> This shoreland permit application requires neither a proposal to make the property more nearly conforming nor a request for a waiver of a minimum standard.			
<input type="checkbox"/> This shoreland permit application includes a proposal to make the structures and/ or the property more nearly conforming in accordance with RSA 483-B:11			
<input type="checkbox"/> This shoreland permit application includes a request for a waiver of the following minimum standard(s) under RSA 483-B:9, V _____.			
5. PROJECT DESCRIPTION			
Total square feet of impact	Total square feet of new impervious area		

shoreland@des.nh.gov or (603) 271-2147

NHDES Wetlands Bureau, 29 Hazen Drive, PO Box 95, Concord, NH 03302-0095

www.des.nh.gov

Provide a complete description of the proposed project. The purpose of this project is to construct trail that will comply with the Americans with Disabilities Act (ADA) for accessibility at the Old Man of the Mountain viewing area and Profile Lake. There will be a total of 15,452 square feet of protected shoreland impacted. Every effort is being made to minimize clearing and removal of vegetation. The trail location was selected based on the minimization of the removal of trees and saplings.

6. PERMIT APPLICATIONS SUBMITTED

Please indicate if applications for any of the permits listed below have been submitted or will need to be submitted:

- Wetlands Permit per RSA 482-A Individual Sewage Disposal System per RSA 485-A:29
 Alteration of Terrain Permit Per RSA 485-A:17 Subdivision Permit Per RSA 485-A:29

7. REFERENCE LINE ELEVATION (REQUIRED FOR LAKES, PONDS, AND ARTIFICIAL IMPOUNDMENTS)

Reference line elevations for most lakes, ponds and artificial impoundments greater than 10 acres in size are listed in the Consolidated List of Waterbodies Subject to the Shoreland Water Quality Protection Act. Please see RSA 483-B:4, xvii for the definition of reference line.

The reference line for this waterbody is 1929.5 Feet above sea level.

8. SHORELAND FRONTAGE Shoreland frontage is the actual frontage along the waterfront measured at the reference line.

The shoreland frontage on this lot is 4525 Linear Feet (Profile Lake Only)

N/A – No Direct frontage on this lot

9. APPLICATION FEE

A non-refundable permit application fee of \$100 plus \$0.10 per total square foot of is required at the time the application is submitted. Fees are capped at \$750 for projects impacting less than 10,000 sq ft, \$1,875 for projects impacting between 10,000 and less than 25,000 sq ft, and \$3,750 for projects impacting 25,000 sq ft and greater. Please note that your application will not be considered complete if it does not include the appropriate fee. **Please make checks payable to the Treasurer, State of NH.**

10. CALCULATING THE TOTAL IMPACT AREA AND PERMIT APPLICATION FEE

Total impact area is calculated by determining the sum of all areas disturbed by regrading, excavation, filling, construction, and structure removal. Impacts often include, but are not limited to: constructing new driveways, constructing new structures, areas disturbed when installing a new septic system or foundation, creating temporary access roads for the purpose of installing a well and regrading associated with landscaping activities.

Total Area Impacted within 250 Of the Reference Line. = 15,452 (A) Square Feet

Multiply the total Impact Area By 10¢ and add \$100.00. [(A) X .10 + \$100.00] = \$1645.20 Permit Fee

11. REQUIRED CERTIFICATIONS

By initialing within the blank before each of the following statements, and signing below, you are certifying that: to the best of my knowledge, the information provided is true, complete and not misleading.

 I understand that any permit or waiver granted based on false, incomplete, or misleading information shall be subject to revocation.

 I am aware that obtaining a shoreland permit will not exempt the work I am proposing from other state, local or federal approvals.

 I have notified the municipality or municipalities in which the proposed impacts are located and provided them with a complete copy of the application and all supporting materials on / / via certified mail.

 This project is within ¼ mi of a designated river (river name:) and I have notified the Local River Management Advisory Committee by providing them with a copy of the complete application, including all supporting materials, via certified mail on day: month: year: and I have included a copy of the certified mail receipt in the application submittal (RSA 482-A:3,i(d)(2))

 This project is **not** within ¼ mi of a designated river

 I have notified all abutters of the proposed impacts via certified mail as required by RSA 483-B:5-b, iv-a. (see definition of "abutter" on page (6).

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OWNER NAME	<i>Jeffrey J Rose</i>	PRINT NAME LEGIBLY: <i>Jeffrey J Rose</i>	DATE: <i>2/10/17</i>
APPLICANT NAME	<i>Dennis J Thompson</i>	PRINT NAME LEGIBLY: <i>DENNIS J. THOMPSON</i>	DATE: <i>2/10/17</i>

Please mail this application and all other attachments to the Department of Environmental Services Wetlands Bureau, PO Box 95, Concord NH 03302-0095. Missing information will delay processing of your application and may result in denial of a Shoreland Permit.

shoreland@des.nh.gov or (603) 271-2147

NHDES Wetlands Bureau, 29 Hazen Drive, PO Box 95, Concord, NH 03302-0095
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SHORELAND APPLICATION WORKSHEET

This form must be submitted to the Department of Environmental Services Wetlands Bureau accompanied with a Shoreland Permit Application. [Instructions for completing this form](#) are available on the shoreland program web page.

For the purposes of this worksheet, "Pre-Construction" impervious surface areas¹ means all human made impervious surfaces² currently in existence on the property, whether to be removed or to remain after the project is completed. "Post-Construction" impervious area means all impervious surfaces that will exist on the property upon completion of the project, including both new and any remaining pre-existing impervious surfaces. All answers shall be given in square feet.

This worksheet is for Profile Lake and immediate vicinity only. The total lot size is unknown.

CALCULATING THE IMPERVIOUS AREA WITHIN 250 FEET OF THE REFERENCE LINE			
	STRUCTURE DESCRIPTION	PRE-CONSTRUCTION IMPERVIOUS AREA	POST-CONSTRUCTION IMPERVIOUS AREA
PRIMARY STRUCTURE Include all <u>attached</u> decks and porches.	<u>n/a</u>	<u>n/a</u> FT ²	<u>n/a</u> FT ²
ACCESSORY STRUCTURES All other impervious surfaces excluding lawn furniture, well heads, and fences. Common accessory structures include, but are not limited to: driveways, walkways, patios and sheds.	<u>Parking Areas</u>	<u>20,000</u> FT ²	<u>20,000</u> FT ²
	<u>Trail</u>	<u>22,000</u> FT ²	<u>30,000</u> FT ²
	_____	_____ FT ²	_____ FT ²
	_____	_____ FT ²	_____ FT ²
	_____	_____ FT ²	_____ FT ²
	_____	_____ FT ²	_____ FT ²
TOTAL:		(A) <u>42,000</u> FT²	(B) <u>50,000</u> FT²
Area of the lot located within 250 ft of reference line: (NOTE: ESTIMATED – Profile Lake Only)			(C) <u>800,000</u> FT²
Percentage of lot covered by pre-construction impervious area within 250 ft of the reference line: [divide (a) by (c) x 100] (NOTE: ESTIMATED – Profile Lake Only)			(D) <u>5.25</u> %
Percentage of lot to be covered by post-construction impervious area within 250 ft of the reference line upon completion of the project: [divide (b) by (c) x 100] (NOTE: ESTIMATED – Profile Lake Only)			(E) <u>6.25</u> %

¹ "Impervious surface area" as defined in Env-Wq 1402.15 means, for purposes of the impervious surface limitation specified in RSA 483-B:9, V(g), the sum total of the footprint of each impervious surface that is located within the protected shoreland.

² "Impervious Surface" as defined in RSA 483-B:4, VII-b means any modified surface that cannot effectively absorb or infiltrate water. Examples of impervious surfaces include, but are not limited to, roofs, and unless designed to effectively absorb or infiltrate water, decks, patios, and paved, gravel, or crushed stone driveways, parking areas, and walkways.

IMPERVIOUS AREA THRESHOLDS

DETERMINING THE PLAN REQUIREMENTS

- The percentage of post-construction impervious area (**Calculation E**) is less than or equal to 20%.
This project **does not** require a stormwater management plan and **does not** require a plan demonstrating that each waterfront buffer grid segment at least meets the minimum required tree and sapling point score.
- A net increase in impervious area is proposed and the percentage of post-construction impervious area (**Calculation E**) is greater than 20%, but less than 30%.
This project **requires** a stormwater management but **does not** require a plan demonstrating that each waterfront buffer grid segment at least meets the minimum required tree and sapling point score.
See details on the *Checklist of Required Items* on page 6
- A net increase in impervious area is proposed and the percentage of post-construction impervious area (**Calculation E**) is greater than 30%.
This project **requires** a stormwater management plan be designed and certified by a professional engineer **and requires** plans demonstrating that each waterfront buffer grid segment at least meets the minimum required tree and sapling point score.
See details on the *Checklist of Required Items* on page 6

UNALTERED STATE REQUIREMENT

DETERMINING THE AREA TO REMAIN IN AN UNALTERED STATE

Total area of the lot between 50 ft and 150 ft of the reference line within which the vegetation currently exists in an unaltered state ³ (see definition below). If this area is completely altered, place a zero on line (F) and (I) and proceed to (J). (NOTE: ESTIMATED – Profile Lake Only)	(F) <u>300,000</u>
Total area of the lot between 50 ft and 150 ft from the reference line (NOTE: ESTIMATED – Profile Lake Only)	(G) <u>320,000</u>
At least 25 percent of the vegetation within area (G) must remain in an unaltered state. [.25 x G]	(H) <u>80,000</u>
Place the smaller of line (F) and calculation (H) on this line. In order to remain compliant with RSA 483-B:9, V(b), this is the minimum area that must remain in an unaltered state between 50 ft and 150 ft from the reference line. This area must be represented on all plans.	(I) <u>80,000</u>
Name of person who prepared this worksheet:	(J) <u>Erin Darrow, P.E.</u>

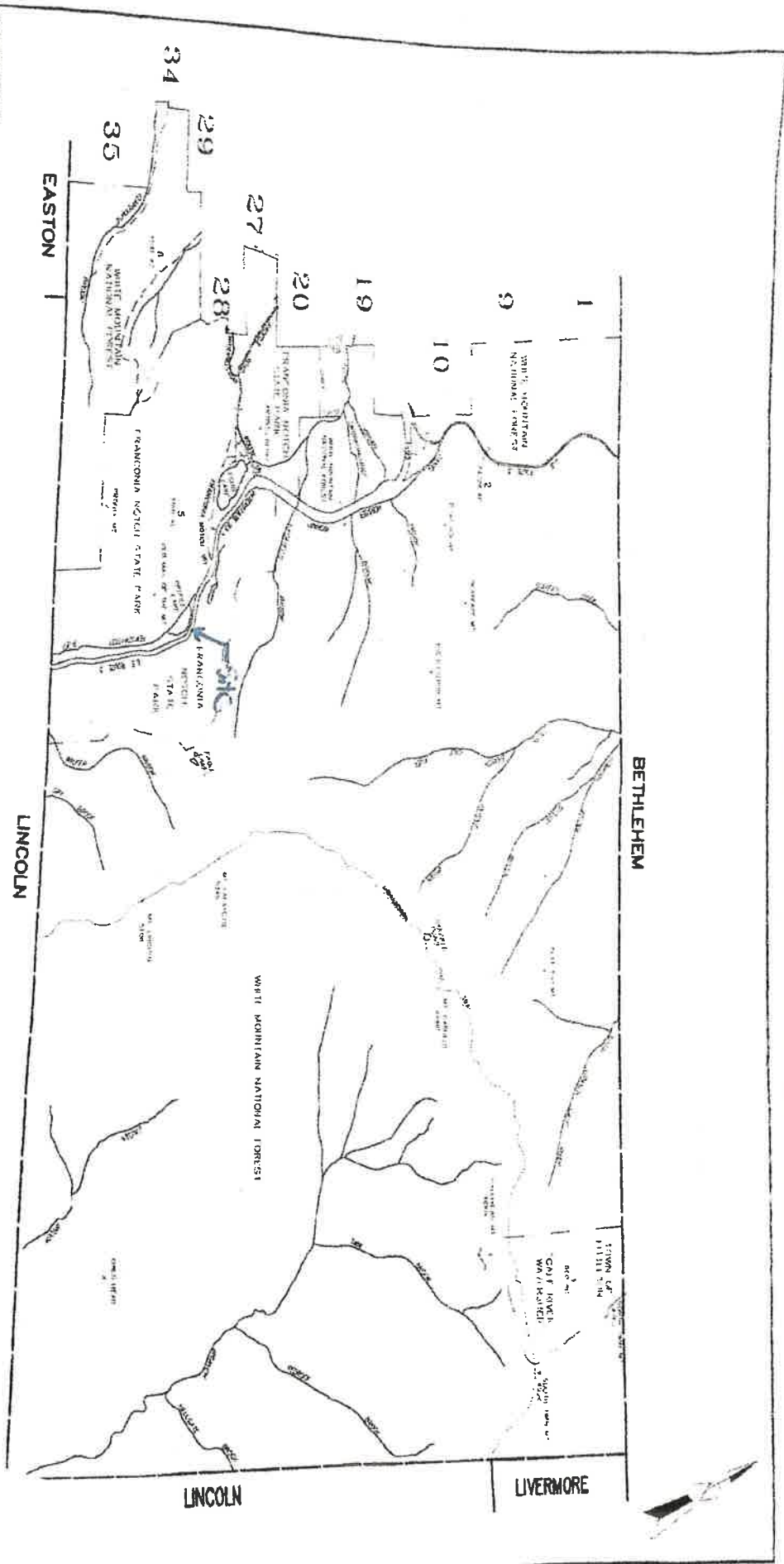
³ “Unaltered State” means native vegetation allowed to grow without cutting, limbing, trimming, pruning, mowing, or other similar activities except as needed for renewal or to maintain or improve plant health.

Name and date of the plan this worksheet is based upon:	(K) Overall Site Plan: <u>2/6/2017</u>
SIGNATURE: <u>Tim Davis</u>	DATE: 2/17/2017

shoreland@des.nh.gov or (603) 271-2147

NHDES Wetlands Bureau, 29 Hazen Drive, PO Box 95, Concord, NH 03302-0095
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Top Map
 WADES Shoreland & Dredge and Fill Permits
 Profile Lake ADA Trail and Boardwalk



PHOTOGRAPHIC ASSISTANCE BY
 CARTOGRAPHIC ASSOCIATES, INC.
 125 WEST 10TH STREET, SUITE 200
 PORTLAND, ME 04101
 1978
 PROPERTY MAP
 FRANCONIA
 NEW HAMPSHIRE
 SCALE IN FEET
 0 2000 4000
 CURRENT TO APRIL 1, 2010
 LEGEND
 ANCHOR BERTH NO. 12
 CONCRETE CONCRETE
 GRAVEL DRIVEWAY
 ROAD DRIVEWAY
 12
 150 FT.

SITE PHOTOS
Photos taken Fall 2016

**Profile Lake ADA Trail Construction
Franconia Notch; Franconia, NH
NHDES Dredge and Fill & Shoreland Permit Applications**

PHOTOS 1 & 2: Facing north across Profile Lake toward area where boardwalk will be located. Boardwalk will be along the lake where there is not enough space between the parkway and the lake for a trail.



SITE PHOTOS
Photos taken Fall 2016

Profile Lake ADA Trail Construction
Franconia Notch; Franconia, NH
NHDES Dredge and Fill & Shoreland Permit Applications

PHOTO 3: Proposed trail location area.



PHOTO 4: Facing boardwalk location.



PHOTO 5: Typical view of water where boardwalk will be located. Note sandy/rocky (not silty) base materials.



PHOTO 6: Facing boardwalk location from current Old Man of the Mountain viewing area.



Memo



NH NATURAL HERITAGE BUREAU
NHB DATACHECK RESULTS LETTER

To: Thomas Mansfield, NH DRED - Parks
172 Pembroke Road
Concord, NH 03301

From: Amy Lamb, NH Natural Heritage Bureau
Date: 11/22/2016 (valid for one year from this date)

Re: Review by NH Natural Heritage Bureau

NHB File ID: NHB16-3506

Town: Franconia

Location: Franconia Notch State Park

Description: This project will construct an accessible walking path on the east shore of Profile Lake. The length of the trail is 1578 linear feet. Of that length, 670 feet are proposed to be constructed over granite blocks placed on the lake bottom of Profile Lake. The walkway will run from the existing Old Man of the Mountain memorial plaza to paved bike path at the existing boat launch at the south end of Profile Lake.

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

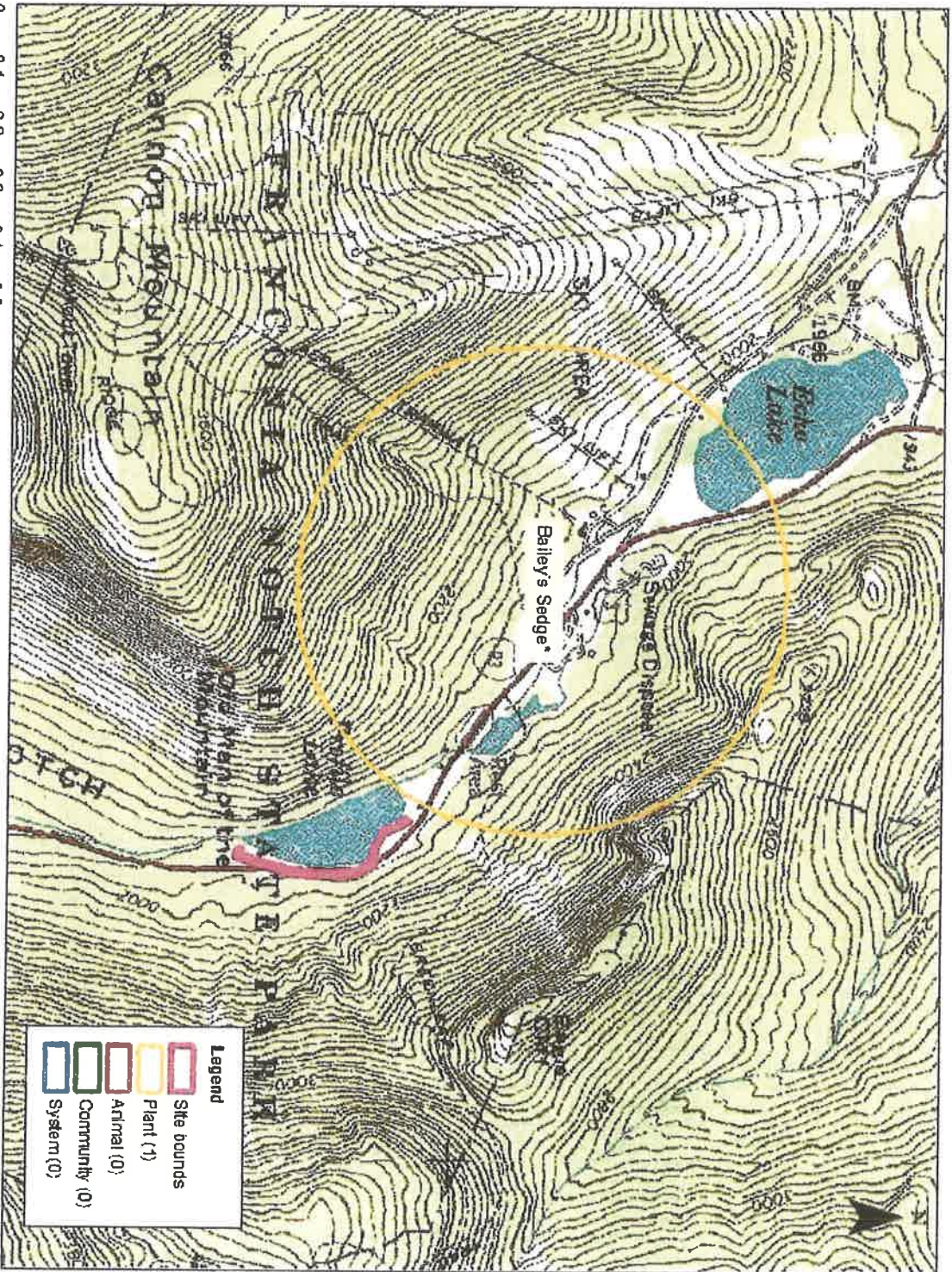
Comments: There is an historical record nearby for the state threatened plant Bailey's sedge. Although this is an old record, there have not been subsequent surveys to determine if this species is extant within Franconia Notch State Park. Therefore, NHB recommends a site walk in the summer prior to construction (July - September) when mature fruits of the plant would be present and enable identification.

Plant species	State ¹	Federal	Notes
Bailey's Sedge (<i>Carex baileyi</i>)*	T	--	As a resident of wetlands and peatlands, this species is susceptible to any changes to the wetland's hydrology (especially that which causes pooling), increased nutrient input from stormwater runoff, and sedimentation from nearby disturbances.

¹Codes: "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 or federal lists. * 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.

NHB16-3506



New Hampshire Natural Heritage Bureau - Plant Record

Bailey's Sedge (Carex baileyi)

Legal Status

Federal: Not listed
 State: Listed Threatened

Conservation Status

Global: Apparently secure but with cause for concern
 State: Imperiled due to rarity or vulnerability

Description at this Location

Conservation Rank: Historical records only - current condition unknown.
 Comments on Rank:

Detailed Description: 1861: Specimen collected.

General Area:

General Comments:

Management

Comments:

Location

Survey Site Name: Franconia Notch State Park
 Managed By: Franconia Notch State Park

County: Grafton

Town(s): Franconia

Size: 378.4 acres

Elevation: 2080 feet

Precision: Within 1.5 miles of the area indicated on the map (location information is vague or uncertain).

Directions: Profile House in Franconia State Park.

Dates documented

First reported: 1861-08-01

Last reported: 1861-08-01

7016 1370 0000 1729 4341

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<input type="checkbox"/> Adult Signature Restricted Delivery	\$ 0.00
Postage	\$ 0.00
Total Postage and Fees	\$ 0.00

Sent To
 Lemigewasset River Local Advisory Committee, Max Stamp Chair
 Street and Apt. No., or PO Box No.
 2110 Summer Street
 City, State, ZIP+4®
 Bristol, NH 03222

PS Form 3800, April 2015 PSN 7530-02-000-9057 See Reverse for Instructions



SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:
 Lemigewasset River Local Advisory Committee
 2110 Summer Street
 Bristol, NH 03222
 Attn: Max Stamp Chair

9590 9402 2509 6306 2396 85

2. Article Number (Transfer from service label)
 66 1370 0000 1729 4341

PS Form 3811, July 2015 PSN 7530-02-000-9050

COMPLETE THIS SECTION ON DELIVERY

A. Signature
 X Helga Stamp Agent Addressee

B. Received by (Printed Name)
 Helga Stamp

C. Date of Delivery
 2/11/17

D. Is delivery address different from item 1? Yes No
 If YES, enter delivery address below:

3. Service Type

<input type="checkbox"/> Adult Signature	<input type="checkbox"/> Priority Mail Express®
<input type="checkbox"/> Adult Signature Restricted Delivery	<input type="checkbox"/> Registered Mail™
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<input checked="" type="checkbox"/> Certified Mail Restricted Delivery	<input type="checkbox"/> Return Receipt for Merchandise
<input type="checkbox"/> Collect on Delivery	<input type="checkbox"/> Signature Confirmation™
<input type="checkbox"/> Collect on Delivery Restricted Delivery	<input type="checkbox"/> Signature Confirmation Restricted Delivery
<input type="checkbox"/> Insured Mail	
<input type="checkbox"/> Insured Mail Restricted Delivery (over \$500)	

Domestic Return Receipt

NHDES
DREDGE & FILL PERMIT

List of Abutters for Notification

DATE: February 3, 2017

TO: NHDES Wetlands Bureau

SITE: Profile Lake Trail Construction
Franconia Notch
State of New Hampshire
Department of Resources & Economic Development
Franconia, New Hampshire

RIGHT ANGLE ENGINEERING, PLLC
324 Prescott Hill Road
Grafton, NH 03240
(603) 523-8800 Phone
(603) 523-8811 Fax
(603) 443-7815 Mobile
Erin@RightAngle.Engineering

ABUTTERS:

William Cass, Assistant Commissioner
& Chief Engineer
State of New Hampshire
Department of Transportation
P.O. Box 483
7 Hazen Drive
Concord, NH 03302-0483
(603) 271-1484

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CONCORD, NH 03302

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Return Receipt Fee (Endorsement Required)	\$0.00
Restricted Delivery Fee (Endorsement Required)	\$0.00
Total Postage & Fees	\$3.35

0766
10
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02/04/2017

Sent to: NHDOT, Attn: William Cass
Street, Apt. No. or PO Box No.: PO Box 483
City, State, ZIP+4: Concord, NH 03302-0483

PS Form 3839, August 2006 See Reverse for Instructions

9402 94E9 1000 07AT 6002 7009 1410 0001 8344 2014

ABUTTER NOTIFICATION
STATE OF NEW HAMPSHIRE
DEPT. OF ENVIRONMENTAL SERVICES
DREDGE AND FILL & SHORELAND PERMITS
FOR TRAIL CONSTRUCTION
AT PROFILE LAKE
IN FRANCONIA NOTCH
FRANCONIA, NEW HAMPSHIRE

RIGHT ANGLE ENGINEERING, PLLC
324 Prescott Hill Road
Grafton, NH 03240
(603) 523-8800 Office
(603) 443-7815 Mobile
(603) 523-8811 Fax
Erin@RightAngle.Engineering

February 3, 2017

William Cass, Assistant Commissioner
& Chief Engineer
State of New Hampshire
Department of Transportation
P.O. Box 483
7 Hazen Drive
Concord, N H 03302-0483
(603) 271-1484

Dear Mr. Cass:

To follow-up earlier communications you have had with representatives from the New Hampshire Department of Resources and Economic Development (DRED) and the Old Man of the Mountain Legacy Fund, this letter has been prepared to notify you, for the New Hampshire Department of Transportation (NHDT), as an abutter, that new trail construction is being planned around Profile Lake by the Old Man of the Mountain viewing area. The intent of this project is to provide a trail that will be compliant with the standards of the Americans with Disabilities Act (ADA), so that all people can come and enjoy this part of Franconia Notch.

A dredge and fill permit application will be filed with the New Hampshire Department of Environmental Services (NHDES) for this work. The permit is needed for impacts in jurisdictional wetlands and the protected shoreland areas as part of the construction process.

The plans that show the proposed project will be available for viewing during normal business hours at the office of the NHDES Land Resources Management Bureau, Wetlands Bureau, 29 Hazen Drive, Concord, N.H. (8 a.m. to 4 p.m.). Also, I would be happy to review the design details with you.

Please contact me with any comments or questions. Thank you.

Sincerely,



Erin Darrow, P.E., C.P.E.S.C.
Right Angle Engineering, PLLC

Cc.: Dennis Thompson, Contractor
Northern New England Field Services