



WATERMARK
Marine Construction

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DEC 1 0 2007

December 6, 2007

Mr. Lawrence Morse, Chairman
NH DES Wetlands Council
PO Box 95
Concord, NH 03302-0095

**RE: Wetlands Council Appeal Docket #07-12 WtC – David Potter
Wetlands Bureau Permit #2005-02913**

Dear Chairman Morse,

Please allow this letter to serve as notice that Mr. Potter is withdrawing his appeal in the above mentioned matter. The Wetlands Bureau has issued the permit (attached) in a satisfactory manner. Thank you.

Sincerely,

COPY

Paul W. Goodwin

cc: Mr. David Potter
Thomas Burack, Commissioner NHDES
Harry Stewart, Director, DES Water Resources
Mary Ann Tilton, Asst. Administrator, NHDES Wetlands Bureau
Gilford Cons. Comm.



The State of New Hampshire
DEPARTMENT OF ENVIRONMENTAL SERVICES



Thomas S. Burack, Commissioner

WETLANDS AND NON-SITE SPECIFIC PERMIT 2005-02913

Permittee: David Potter, 75 Willow Rd., Nahant, MA 01908
Project Location: 221 Dockham Shore Rd, Gilford
Gilford Tax Map/Lot No. 216 / 50
Waterbody: Lake Winnepesaukee

NOTE--
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CONDITIONS

APPROVAL DATE: 12/03/2007

EXPIRATION DATE: 12/03/2012

Based upon review of the above referenced application, in accordance with RSA 482-A and RSA 485-A:17, a Wetlands Permit and Non-Site Specific Permit was issued. This permit shall not be considered valid unless signed as specified below.

PERMIT DESCRIPTION: Construct a 761 sq ft perched beach with 6 ft wide steps to the water impacting 31 linear feet of shoreline on property having an average of 157.5 ft of frontage in Gilford on Lake Winnepesaukee.

THIS APPROVAL IS SUBJECT TO THE FOLLOWING PROJECT SPECIFIC CONDITIONS:

1. All work shall be in accordance with plans by Watermark Marine Construction as revised October 16, 2007, and received by DES on October 19, 2007.
2. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.
3. All excavated material and construction related debris shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
4. The existing retaining wall shall be utilized to stabilize the beach front at the waterline. No new stone shall be placed along the beach front for the purpose of retaining sand.
5. The steps installed for access to the water shall be located completely landward of the normal high water line.
6. No more than 9 cu yd of sand may be used and all sand shall be located above the normal high water line.
7. This permit shall be used only once, and does not allow for annual beach replenishment.
8. The permittee shall provide appropriate diversion of surface water runoff to prevent erosion of beach area.
9. Revegetation of trees, shrubs and ground covers representing the density and species diversity of the existing stand of vegetation removed for this project shall begin at a distance no greater than 5 feet landward from the beach area.
10. Unnecessary removal of vegetation within the shoreland during construction shall be prohibited.
11. All planted vegetation shall be native and consistent with surrounding natural vegetation on the property and surrounding properties. Planting invasive or exotic species is strictly prohibited.
12. Appropriate siltation, erosion, and turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.
13. The approval does not authorize any work related to the existing dock facilities.
14. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement or revocation action if the DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.
15. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

GENERAL CONDITIONS THAT APPLY TO ALL DES WETLANDS PERMITS:

1. A copy of this permit shall be posted on site during construction in a prominent location visible to inspecting personnel;
2. This permit does not convey a property right, nor authorize any injury to property of others, nor invasion of rights of others;
3. The Wetlands Bureau shall be notified upon completion of work;
4. This permit does not relieve the applicant from the obligation to obtain other local, state or federal permits that may be required (see attached form for status of federal wetlands permit);
5. Transfer of this permit to a new owner shall require notification to and approval by the Department;
6. This permit shall not be extended beyond the current expiration date.
7. This project has been screened for potential impacts to **known** occurrences of rare species and exemplary natural communities in the immediate area. Since many areas have never been surveyed, or have received only cursory inventories, unidentified sensitive species or communities may be present. This permit does not absolve the permittee from due diligence in regard to state, local or federal laws regarding such communities or species.
8. The permittee shall coordinate with the NH Division of Historic Resources to assess and mitigate the project's effect on historic resources.

APPROVED: _____

Chris Brisch
for Chris Brisch

DES Wetlands Bureau

BY SIGNING BELOW I HEREBY CERTIFY THAT I HAVE FULLY READ THIS PERMIT AND AGREE TO ABIDE BY ALL PERMIT CONDITIONS.

OWNER'S SIGNATURE (required)

CONTRACTOR'S SIGNATURE (required)