



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

**Robert R. Scott, Commissioner**



November 27, 2024

GOODHUE MEREDITH REAL PROPERTY LLC  
31 LOVEJOY SANDS RD  
MEREDITH NH 03253

**Re: Denied Non-Compliant Standard Dredge and Fill Wetlands Permit Application (RSA 482-A)**  
**NHDES File Number: 2024-00754**  
**Subject Property: 31 Lovejoy Sands Rd, Meredith, Tax Map #U35, Lot #11, 8A**

Dear Applicant:

On November 27, 2024, the New Hampshire Department of Environmental Services (NHDES) Wetlands Bureau completed technical review of the above-referenced Standard Dredge and Fill Wetlands Permit Application (Application). Pursuant to RSA 482-A and Env-Wt 313.01, the NHDES Wetlands Bureau determined the Application to Reconfigure multiple docking structures comprising a major docking facility and repurpose an existing commercial boat launch within an existing marina on frontage along Lake Winnepesaukee in Meredith. does not meet the criteria for approval. Therefore, the Application is denied. This decision is based on the following findings:

**Standards for Approval**

1. Pursuant to RSA 482-A:3, Excavating and Dredging Permit; Certain Exemptions., XIII, (b), any boat secured to such a dock shall not extend beyond the extension of the abutter's property line.
2. Pursuant to RSA 482-A:2, Definitions, VIII, (a), on water bodies over 10,000 acres, "Boat slip" means a volume of water 25 feet long, 8 feet wide, and 3 feet deep as measured at normal high water and located adjacent to a structure to which a watercraft may be secured.
3. Pursuant to Rule Env-Wt 313.01, Criteria for Approving Standard Permit Applications, (a)(4), the Department shall not approve an application for a standard permit and issue a permit unless all project-specific criteria established in Env-Wt 500 have been met.
4. Pursuant to Rule Env-Wt 513.17, Frontage Requirements for Public or Commercial Docking Structures, (b) to support a commercial docking structure or a marina, the subject property shall have 25 feet of contiguous shoreline per boat slip.
5. Pursuant to Rule Env-Wt 513.23 Modification of Existing Docking Structures, (a), the department shall not approve any change in size, location, or configuration of an existing docking structure unless the applicant demonstrates, and the department finds, that the modification, is less environmentally-impacting than the existing docking structure; or provides for fewer boat slips and less deck area over public submerged lands than the existing docking structure.
6. Pursuant to RSA 482-A:3, Excavating and Dredging Permit; Certain Exemptions., XIV, (a)(2), the department shall request any additional information that the department is permitted by law to require to complete its evaluation of the application, together with any written technical comments the department deems necessary, and shall notify the applicant that if the requested information is not received within 60 days of the request, the department shall deny the application. The department shall grant an extension of this 60-day time period upon request of the applicant.

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

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TDD Access: Relay NH 1 (800) 735-2964

7. Pursuant to RSA 482-A:3, Excavating and Dredging Permit; Certain Exemptions., XIV, (a)(2), the department shall grant an extension of the 60-day time period allowed for response to a request for additional information upon request of the applicant.

### **Finding of Fact**

1. On March 22, 2024, the New Hampshire Department of Environmental Services Wetlands Bureau ("the Department") received a Standard Dredge and Fill Application ("the Application") requesting a permit to reconfigure the layout of docks within a marina and repurpose an existing commercial boat launch on property identified as Lot #8A & #11 on Meredith Tax Map #U35 ("the Property") having frontage along Lake Winnepesaukee in Meredith.
2. The Property has an average of approximately 630 feet of non-contiguous frontage along Lake Winnepesaukee.
3. A property have 630 feet of contiguous frontage could support 25 slips pursuant to Rule Env-Wt 513.17, (b).
4. Upon review of the Application the Department determined that the Application failed to include a plan illustrating the proposed reconfiguration of the dock structures.
5. On May 10, 2024, the Department issued a Request for More Information (the RMI) to the applicant, requesting among other things, a revised plan and project proposal demonstrating that the proposed docking structure modifications would provide fewer boat slips and less deck area over public submerged lands than the existing docking structure as necessary to meet Rule Env-Wt 513.23.
6. The RMI also requested, among other things, a revised plan and project proposal demonstrating that the proposed docking structure modifications would include any modifications necessary to ensure that no boat or boat slip would be located beyond the extension of any abutter's property line to ensure compliance with RSA 482-A:3XIII, (b).
7. The RMI issued to the Applicant on May 10, 2024, explained that failure to submit the required information by July 9, 2024, would result in the denial of the application and that an extension to this deadline could be requested in accordance with RSA 482-A:3, XIV(a)(2).
8. On July 9, 2024, and September 6, 2024, the applicant requested and the Department approved an extension of the time period to respond to the RMI pursuant to RSA 482-A:3, XIV(a)(2).
9. On November 6, 2024, the Department received a complete response to the request for more information from the Agent representing the Applicant.
10. A plan depicting existing conditions on the Property's frontage by Horizons Engineering and dated November 6, 2024, illustrates existing docking structures providing 109 boat slips along the combined frontages of Lots 8A & 11.
11. Review of the plans submitted to the application found that the proposed dock reconfiguration would result in boat slips located beyond the imaginary extension of abutting property lines in new locations and in greater numbers than had existed prior to the adoption of RSA 482-A:3, XIII, (b).
12. A docking reconfiguration plan by Horizons Engineering and dated November 6, 2024, shows that the proposed new dock reconfiguration will provide a total of 124 slips.
13. On November 14, 2024, the Department contacted the Agent representing the Applicant and explained that proposed docking structures are not approvable because they provide for an increase in boat slips, a greater number of which are located beyond the imaginary extensions of the abutting property lines.
14. On November 15, 2024, the Department received an updated plan by Horizons Engineering dated November 15, 2024, which showed no changes to the proposed docking structures but instead identified several slips as "temporary" or "service" slips and implied that other proposed slips would simply not be used.

### **Rulings in Support of Denial**

1. The Department finds that "temporary" or "service" slips are slips, and as such the proposal to reconfigure the docking structures to provide an additional 15 slips for a total of 124 slips on the property frontage fails to meet Env-Wt 513.17 (b), and therefore, the application is denied in accordance with Rule Env-Wt 313.01, (a)(4).
2. The Department finds that the proposal to additional 15 slips for a total of 124 slips on the property frontage fails to meet Rule Env-Wt 513.23, (a), and therefore, the application is denied in accordance with Rule Env-Wt 313.01, (a)(4).
3. The Department finds that the reconfiguration of the docking structures along the Property resulting in a greater number of slips in which boats would be secured beyond the extension of the abutter's property line is not approvable pursuant to RSA 482-A:3, XIII(b), therefore, the application is denied.

In accordance with RSA 482-A:10, RSA 21-O:14, and Rules Env-WtC 100-200, **any person aggrieved by this decision may file a Notice of Appeal directly with the New Hampshire Wetlands Council (Council) or a Preliminary Notice of Appeal (PNA) and an offer to enter into settlement discussions within 30 days of the decision date, November 27, 2024.** When filing an appeal, every ground claiming the decision is unlawful or unreasonable must be fully set forth in the Notice of Appeal. Only the grounds set forth in the Notice of Appeal are considered by the Council. Information about the Council, including Council Rules, is available at <https://www.nhec.nh.gov/wetlands-council/about>. For appeal related issues, contact the Council Appeals Clerk at (603) 271-3650. A PNA and offer to enter into settlement discussions, shall be filed in accordance with the instructions found at <https://www.des.nh.gov/sites/g/files/ehbemt341/files/documents/prelim-noa-instrctns.pdf> using the form found at <https://www.des.nh.gov/sites/g/files/ehbemt341/files/documents/prelim-not-of-app.pdf>.

If you have any questions, please contact me at Darlene.Forst@des.nh.gov or (603) 271-4054.

Sincerely,



Darlene Forst  
Administrator, Wetlands Bureau  
Land Resources Management, Water Division

Copied: HORIZONS ENGINEERING WILL DAVIS Agent  
Municipal Clerk/Conservation Commission