

The following are the New Hampshire statutes that have substantive provisions about seasonal docks. There are many more statutes that concern the procedural process of applying for a wetlands permit and DES requirements for processing permits. Call docks require a wetlands permit but some seasonal docks can be permitted by notification to DES rather than requiring DES review and approval.)

DES has very detailed regulations on docks found at ENV-WF 101, 303.04, 303.05, 402, and 506. New wetlands rules will take effect on December 15, 2019

RSA 482-A: ~~2~~ 2,

VIII. "Boat slip" means:

(a) On water bodies over 10,000 acres, 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.

(b) On water bodies of 10,000 acres or less, a volume of water 20 feet long, 6 feet wide, and 3 feet deep as measured at normal high water mark and located adjacent to a structure to which a watercraft may be secured.

IX. "Structure" means, notwithstanding any other provision of law, something installed, erected, or constructed, but shall not include a bench, landing with dimensions no larger than 10 feet wide by 10 feet long, or stairs with a width not exceeding 6 feet, provided that such benches, landings, or stairs are installed, erected, or constructed without regrading or recontouring of the shoreline and are not over water. Structures include, but are not limited to, the following: fence, dock, breakwater, post, pile, building, bridge, culvert, and wall.

RSA 482-A: 3,

IV-a. Temporary seasonal docks installed on any lake or pond shall be exempt from the permitting requirements of this section, provided that a notification is sent to the department by the owner of property that includes the name and address of the property owner, the municipality, the waterbody, and tax map and lot number on which the proposed dock will be located. To qualify for an exemption under this paragraph, a temporary seasonal dock shall be:

- (a) The only docking structure on the frontage;
- (b) Constructed to be removed during the non-boating season;
- (c) Removed from the lake bed for a minimum of 5 months of each year;
- (d) Configured to be narrow, rectangular, and erected perpendicular to the shoreline;
- (e) No more than 6 feet wide and no more than 40 feet long if the water body is 1,000 acres or larger, or no more than 30 feet long if the water body is less than 1,000 acres;
- (f) Located on a parcel of land that has 75 feet or more of shoreline frontage;
- (g) Located at least 20 feet from an abutting property line or the imaginary extension of the property line over the water;
- (h) Installed in a manner which requires no modification, regrading, or recontouring of the shoreline, such as installation of a concrete pad for construction of a hinged dock;
- (i) Installed in a manner which complies with RSA 483-B; and
- (j) Installed in a location that is not in, or adjacent to, an area that has been designated as a prime wetland in accordance with RSA 482-A:15.

RSA 482-A:3,

XIII. (a) All boat docking facilities shall be at least 20 feet from an abutting property line in non-tidal waters, and at least 20 feet in tidal waters.

(b) Boat docking facilities may be perpendicular or parallel to the shoreline or extend at some other angle into a water body, depending on the needs of the landowners, factors related to safe navigation, and the difficulty of construction. However, any boat secured to such a dock shall not extend beyond the extension of the abutter's property line.

(c) Notwithstanding the provisions of subparagraph (a), boat docking facilities may be located closer than 20 feet from an abutter's property line in non-tidal waters and 20 feet in tidal waters, if the owner of the boat docking facility obtains the written consent of the abutting property owner. Such consent shall be signed by all parties, notarized and filed with the dock application with the department of environmental services.

(d) Abutters may apply for a common dock on or near their common property line. Any application for a common dock shall be accompanied by a notarized written agreement which shall be signed by all property owners. Such agreement shall be filed at the registry of deeds and attached to the deed of each property owner.

Amendment to HB 645-FN

1 Amend RSA 482-A:3, IV-a as inserted by section 2 of the bill by replacing it with the following:

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3 IV-a. ~~(a)~~ ~~[Temporary]~~ Seasonal docks ~~[installed on any lake or pond]~~ shall be exempt from
4 the permitting requirements of this section, provided that a notification is sent to the department by
5 the owner of property that includes the name and address of the property owner, **a copy of the**
6 **deed for the property on which the dock is to be installed**, the municipality, the waterbody,
7 ~~[and]~~ tax map and lot number on which the proposed dock will be located, **and plans of the**
8 **waterfront and structure to be installed showing that the requirements of this paragraph**
9 **will be met.** To qualify for an exemption under this paragraph, a ~~[temporary]~~ seasonal dock shall
10 be:

11 ~~[(a)]~~ (1) The only docking structure on the frontage;

12 ~~[(b)]~~ (2) Constructed to be removed during the non-boating season;

13 ~~[(c)]~~ (3) Removed from the lake bed for a minimum of 5 months of each year;

14 ~~[(d)]~~ (4) Configured to be narrow, rectangular, and erected perpendicular to the
15 shoreline **of a lake or pond or parallel to the bank of a river**;

16 ~~[(e)]~~ (5) No more than 6 feet wide and no more than 40 feet long if the water body is
17 1,000 acres or larger, or no more than 30 feet long if the water body is **a river** or less than 1,000
18 acres **in size**;

19 ~~[(f)]~~ (6) Located on a parcel of land that has 75 feet or more of shoreline frontage;

20 ~~[(g)]~~ (7) Located at least 20 feet from an abutting property line or the imaginary
21 extension of the property line over the water;

22 ~~[(h)]~~ (8) Installed in a manner which requires no modification, regrading, or
23 recontouring of the shoreline, such as installation of a concrete pad for construction of a hinged
24 dock;

25 ~~[(i)]~~ (9) Installed in a manner which complies with RSA 483-B; and

26 ~~[(j)]~~ (10) Installed in a location that is not in, or adjacent to, an area that has been
27 designated as a prime wetland in accordance with RSA 482-A:15.

Amend subsection (6) (line 19) above as follows:

(6) Located on a parcel of land that has 75 or more of shoreline frontage. Notwithstanding this provision, parcels with 25 to 74 feet of frontage legally existing prior to _____ shall be entitled to one docking structure no larger than four feet wide and 24 feet long and which meets all the other requirements of this section.