



Department of Environmental Services

Robert R. Scott, Commissioner



March 3, 2020

His Excellency, Governor Christopher T. Sununu and The Honorable Council State House Concord, NH 03301

REQUESTED ACTION

Approve Stephen J. Fish Trust's request to perform the following work on Lake Winnipesaukee in Wolfeboro. File # 2019-03808. This project will not have significant impact on or adversely affect the values of Lake Winnipesaukee.

Dredge 14.7 cubic yards from 364 square feet of lake bed and impact 2,865 square feet of bank along 35 linear feet of shoreline to construct an 899 square foot "dug-in" boathouse with 2 boat slips on a lot with a preexisting breakwater and cantilevered dock providing 2 slips on an average of 240 feet of frontage along Lake Winnipesaukee, on Wolfeboro Neck facing the "Broads" in Wolfeboro.

The New Hampshire Department of Environmental Services (NHDES) imposed the following conditions as part of this approval:

- 1. All work shall be in accordance with plans by Watermark Marine Construction dated December 6, 2019 and received by NHDES on December 10, 2019.
- 2. This permit is not valid and effective until it has been recorded with the appropriate county Registry of Deeds by the applicant. Prior to starting work under this permit, the permittee shall submit a copy of the recorded permit to the NHDES Wetlands Bureau by certified mail, return receipt requested.
- 3. All development activities associated with this project shall be conducted in compliance with applicable requirements of RSA 483-B and N.H. Code of Administrative Rules Env-Wq 1400 during and after construction.
- 4. Work shall be carried out in a time and manner to avoid disturbances to migratory waterfowl breeding and nesting areas
- 5. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area and shall remain until suspended particles have settled and water at the work site has returned to normal clarity.
- 6. The contractor responsible for completion of the work shall use techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
- 7. No person undertaking any activity shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards in RSA 485-A and Env-Wq 1700.

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- 8. Any subdivision of the property frontage will require removal of a sufficient portion of the docking structures to comply with the dock size and density requirements in effect at the time of the subdivision.
- 9. The use of the boathouse shall be limited to the storage of boats and boating-related accessories.
- 10. The boathouse shall be a single-story structure; ridgeline not to exceed 20 feet in height (Elev. 524.32) above normal high water (Elev. 504.32).
- 11. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; and c) set back as far as possible from wetlands and surface waters, with a preferred undisturbed vegetated buffer of at least 50 feet and a minimum undisturbed vegetative buffer of 20 feet.
- 12. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tackifiers on slopes less than 3:1 or netting and pinning on slopes steeper than 3:1.
- 13. The owner understands and accepts the risk that if this facility requires dredging to maintain a minimum slip depth of 3 feet more frequently than once every 6 years, or is shown to have an adverse impact on abutting frontages, it shall be subject to removal.
- 14. This facility is permitted with the condition that future maintenance dredging, if needed, shall not be permitted more frequently than once every 6 years, and that a new permit shall be required for each dredge activity.
- 15. The permittee/permittee's contractor shall revegetate the disturbed area with trees, shrubs and ground covers representing the density and species diversity of the existing stand of vegetation removed for this project, exclusive of any invasive or nuisance species.
- 16. Only those structures shown on the approved plans shall be installed or constructed along this frontage. All portions of the structures shall be at least 20 feet from the abutting property lines or the imaginary extension of those lines into the water.

EXPLANATION •

The NHDES approved this project on January 28, 2020. The NHDES supported its decision with the following findings:

- 1. This is a major impact project per Administrative Rule Env-Wt 303.02(d), construction a docking system adjacent or attached to a breakwater.
- 2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
- 3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
- 4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
- 5. The Department finds that because the project is not of significant public interest and will not significantly impair the resources of Lake Winnipesaukee a public hearing under RSA 482-A:8 is not required.
- 6. The applicant has an average of 240 feet of shoreline frontage along Lake Winnipesaukee.
- 7. A maximum of 4 slips may be permitted on this frontage per Rule Env-Wt 402.13, Frontage Over 75'.

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8. The existing and proposed docking facilities will provide a total of 4 slips as defined per RSA 482-A:2, VIII and therefore meet Rule Env-Wt 402.13.

Application file documents are being forwarded to the Governor and the Executive Council in connection with their consideration of this matter pursuant to RSA 482-A:3,II.(a) as it is a major project in public waters of the state.

We respectfully request your approval of this item.

Robert R. Scott

Commissioner



Land Resources Management

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



RSA/Rule: RSA 482-A/ Env-Wt 100-900						
	IPLETE:			19:03808 #[3090 \$33380 \$5		
1. REVIEW TIME: Indicate your Review I me below A	lo determine review	time) refer to Guid	ance:DocumentA for instruction			
Standard Review (Minimum, Minor or M	ajor Impact)		Expedited Review (Minimum I	npact only)		
2. MITIGATION REQUIREMENT: Ultimitigation is required a Mitigation Pre-Application mitigation is required, please refer to the Determine Mitigation Pre-Application Meeting Date: Mon	if Mitigation is Requi	red Frequently Ask	this Wetlands Permit Applicatio			
N/A - Mitigation is not required PROJECT LOCATION: N → PROJECT LOCATION:		797-1045 BEFF				
Separate wetland permit applications must be submi	red to ceach municin	ality within which	wetland impacts occur			
ADDRESS: 72 Parker Island Road			TOWN/CITY: Wol	reconstructions feboro		
TAX MAP: 226 BLOCK: 0	100	LOT: 00	· · · · · · · · · · · · · · · · · · ·			
		!				
USGS TOPO MAP WATERBODY NAME: Winnipesaukee		□ NA	STREAM WATERSHED SIZE:	NA		
LOCATION COORDINATES (If known): 43.5789N/71.2631W		☐ Latitude/Longitude ☐ UTM ☐ State Plane				
4 PROJECT DESCRIPTION: Provide a brief description of the project outlining the project DO NOT reply See Attached in the space project DO NOT reply See Attached in the space protection of the protected storage of 2 boats and related accessories on 2	ovided below I shoreland to cons	struct a 899 sq ft	"dug-in" boathouse to provi	de year-round secure		
storage of 2 boats and related accessories on 240 ft average frontage. Dredge 364 sq ft of lake bed and 114 sq ft of bank to provide navigable access to the boat slips. No work is proposed to the existing 2 boat slip breakwater and cantilevered dock (total dockage existing and proposed on this frontage will be 4 boatslips).						
S-SHORELINE FRONTAGE:		*********** * ***				
N/A This does not have shoreline frontage.	SHORELINE	FRONTAGE: 240 +	**************************************			
Shoreline Frontage is calculated by determining the average of the distances of the actual natural navigable shoreline frontage and a straight line drawn between the property lines, both of which are measured at the normal high water line (Env-Wt 101.89).						
6 SRELATED NHDES LAND RESOURCES MANAGEMEN						
Please indicate it any of the following permit application of the	ons are required and	if required, the st	tus of the application			
Permit Type	Permit Required	File Number	Permit Application Stat	us		
Alteration of Terrain Permit Per RSA 485-A:17 Individual Sewerage Disposal per RSA 485-A:2	☐ YES ☒ NO ☐ YES ☒ NO			IDING DENIED		
Subdivision Approval Per RSA 485-A	YES NO			IDING DENIED IDING DENIED		
Shoreland Permit Per RSA 483-B	☐ YES 🖾 NO		1= =	IDING DENIED		
7. NATURAL HERITAGE BUREAU & DESIGNATED RIVE See the Instructions & Required Attachments docume	TOTAL TOP YOUR PROPERTY OF COMMENT	complete a & b be	ow The state of th			
a. Natural Heritage Bureau File ID: NHB <u>19</u> - <u>3913</u>						
b. This project is within a <u>Designated River</u> corridor. The project is within ¼ mile of: ; and						
date a copy of the application was sent to the <u>Local River Management Advisory Committee</u> : Month: Day: Year: N/A – This project is not within a Designated River corridor.						

8. APPLICANT INFORMATION (Desired permit holder)					
LAST NAME, FIRST NAME, M.I.: OWNER IS APPLICANT					
TRUST / COMPANY NAME:	MAILING ADDRESS:	and the state of t			
TOWN/CITY:	STATE:	ZIP CODE:			
EMAIL or FAX:	PHONE:	THE RESIDENCE OF THE PROPERTY			
ELECTRONIC COMMUNICATION: By Initialing here: I here	by authorize NHDES to communicate all matters relative to	this application electronically.			
9. PROPERTY OWNER INFORMATION (If different than app	plicant)	er			
LAST NAME, FIRST NAME, M.I.: Stephen J. Fish, Trustee					
TRUST / COMPANY NAME:Stephen J. Fish Trust	MAILING ADDRESS:	·· · · <u>-</u> -			
TOWN/CITY:	STATE:	ZIP CODE:			
EMAIL or FAX:	PHONE:	· · · · · · · · · · · · · · · · · · ·			
ELECTRONIC COMMUNICATION: By initialing here, I hereb					
10. AUTHORIZED AGENT INFORMATION	ry authorize NHDES to communicate all matters relative to t	nis application electronically.			
LAST NAME, FIRST NAME, M.I.: Goodwin, Paul	COMPANY NAME:Water	mark Marine Const.			
MAILING ADDRESS: 1218 Union Avenue					
TOWN/CITY: Laconia	STATE: NH	ZIP CODE: 03246			
EMAIL or FAX: pwg@watermarkmarine.com	PHONE: 603-293-4000				
ELECTRONIC COMMUNICATION: By initialing here PWG_, I hereby	authorize NHDES to communicate all matters relative to thi	is application electronically.			
11. PROPERTY OWNER SIGNATURE:					
See the Instructions & Required Attachments document for c	larification of the below statements	•			
By signing the application, I am certifying that:					
I authorize the applicant and/or agent indicated on th	is form to act in my behalf in the processing of this ar	polication, and to furnish upon			
request, supplemental information in support of this i	permit application.				
2. I have reviewed and submitted information & attachm	nents outlined in the <u>Instructions and Required Attacl</u>	nment document.			
3. All abutters have been identified in accordance with RSA 482-A:3, I and Env-Wt 100-900.					
 I have read and provided the required information outlined in Env-Wt 302.04 for the applicable project type. I have read and understand Env-Wt 302.03 and have chosen the least impacting alternative. 					
 Any structure that I am proposing to repair/replace was grandfathered per Env-Wt 101.47. 		u or would be considered			
7. I have submitted a Request for Project Review (RPR) For	orm (yoww oh gov/obdbr/review) to the NH State His	toric Brasanation Offices (SUBO) as			
the NH Division of Historical Resources to identify the	presence of historical/ archeological resources while	coordinating with the lead federal			
agency for National Historic Preservation Act (NHPA) 1	LO6 compliance.				
8. I authorize NHDES and the municipal conservation con					
9. I have reviewed the information being submitted and	that to the best of my knowledge the information is t	rue and accurate.			
 I understand that the willful submission of falsified or a action. 	misrepresented information to the NHDES is a crimin	al act, which may result in legal			
11. I am aware that the work I am proposing may require a	additional state local or fodoral accrete which there a	asaansible for absolute			
12. The mailing addresses have provided are up to date a	additional state, local or rederal permits which I am rendered	esponsible for obtaining.			
D 1-10/)					
X JNY , THEE	Stephen J. Fish, Trustee	12/6/2019			
Property Owner Signature	Print name legibly	Date			

MUNICIPAL SIGNATURES

12. CONSERVATION COMMISSION SIGNATURE					
The signature below certifies that the municipal conserva 1. Waives its right to intervene per RSA 482-A:11; 2. Believes that the application and submitted plans accu 3. Has no objection to permitting the proposed work.					
-A		\			

Print name legibly

DIRECTIONS FOR CONSERVATION COMMISSION

- Expedited review ONLY requires that the conservation commission's signature is obtained in the space above.
- 2. Expedited review requires the Conservation Commission signature be obtained prior to the submittal of the original application to the Town/City Clerk for signature.
- 3. The Conservation Commission may refuse to sign. If the Conservation Commission does not sign this statement for any reason, the application is not eligible for expedited review and the application will be reviewed in the standard review time frame.

13. TOWN / CITY CLERK SIGNATURE

As required by Chapter 482-A:3 (amended 2014), 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.

Print name legibly

ATAIN (1) ATEKINIAN WINGELOUS
int name legibly Town/City

DIRECTIONS FOR TOWN/CITY CLERK:

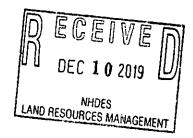
Per RSA 482-A:3,1

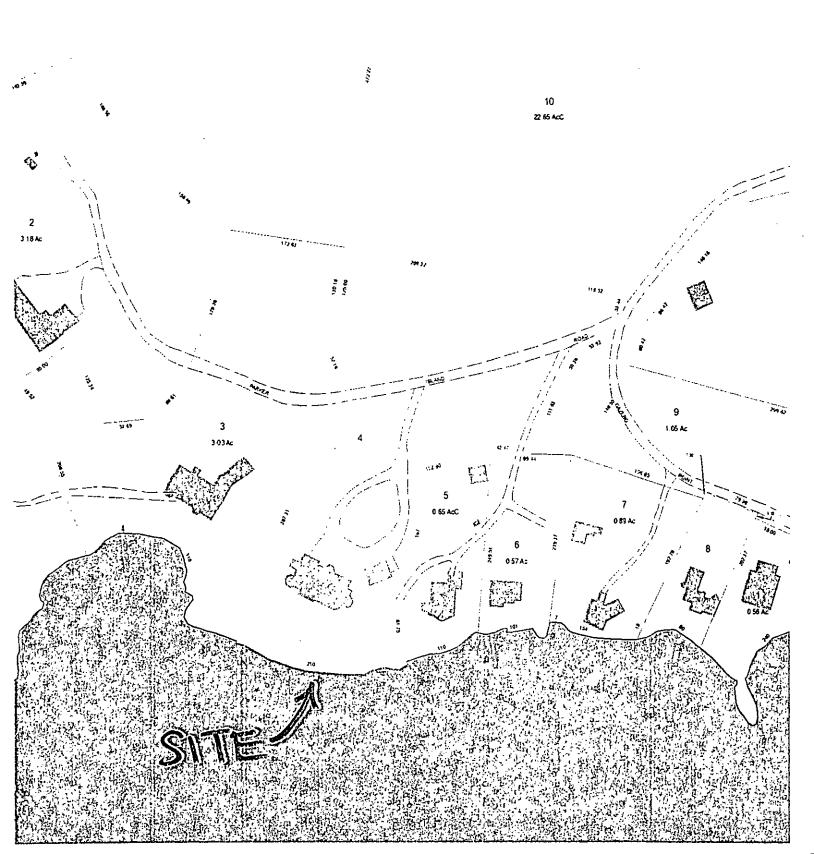
- 1. For applications where "Expedited Review" is checked on page 1, if the Conservation Commission signature is not present, NHDES will accept the permit application, but it will NOT receive the expedited review time.
- IMMEDIATELY sign the original application form and four copies in the signature space provided above;
- 3. 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.
- 4. 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; and
- 5. Retain one copy of the application form and one complete set of attachments and make them reasonably accessible for public review.

DIRECTIONS FOR APPLICANT:

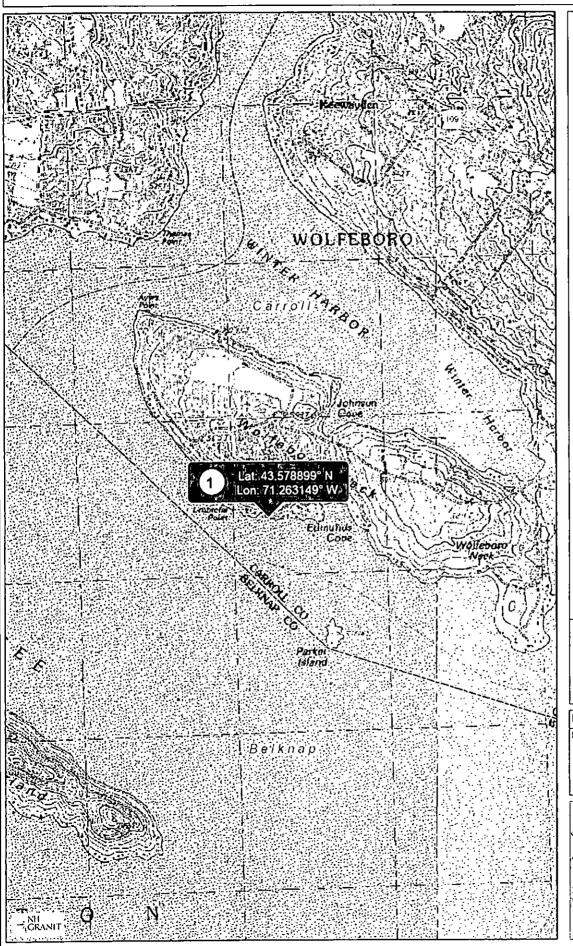
Submit the single, original permit application form bearing the signature of the Town/ City Clerk, additional materials, and the application fee to NHDES by mail or hand delivery.

14. IMPACT AREA: For each jurisdictional area that will be/ha Permanent: impacts that will remain after Temporary: impacts not intended to remain	the project is complete.			
Intermittent Streams: linear footage dista Perennial Streams/ Rivers: the total linear		- ·		each bank
JURISDICTIONAL AREA	PERMANENT Sq. Ft. / Lin. Ft.		TEMPORARY Sq. Ft. / Lin. Ft.	
Forested wetland		ATF		
Scrub-shrub wetland		ATF		ATF
Emergent wetland		ATF		ATF
Wet meadow		ATF .		ATF
Intermittent stream channel	/	ATF	/	ATF
Perennial Stream / River channel	/	ATF :	/	ATF
Lake / Pond	364 /	ATF		
Bank - Intermittent stream	/	ATF	/	
Bank - Perennial stream / River	/	ATF	. /	ATF
Bank - Lake / Pond	114 /	ATF	2,865 /	ATF
Tidal water	/	ATF	/	ATF
Salt marsh		ATF !		ATF
Sand dune		ATF		ATF
Prime wetland		ATF		
Prime wetland buffer		ATF		ATF
Undeveloped Tidal Buffer Zone (TBZ)		ATF		ATF
Previously-developed upland in TBZ		ATF	***************************************	ATF
Docking - Lake / Pond	899	ATF		ATF
Docking - River		ATF		ATF
Docking - Tidal Water		ATF		ATF
Vernal Pool		ATF		ATF
TOTAL				
15. APPLICATION FEE: See the Instructions		at for further instruction	^	
Minimum Impact Fee or Fee for Non-e classification (see RSA 482-A:3, 1(c)): F	inforcement related, publicly-fund			pact
Minor or Major Impact Fee: Calculate	using the below table below			
Permanent	and Temporary (non-docking)	3,344 sq. ft.	X \$0.40 = \$ 1,337.60	<u></u>
Temporary	(seasonal) docking structure:	sq. ft.	X \$2.00 = \$	
1	Permanent docking structure:	899 sq. ft.	X \$4.00 = \$3,596.00	
	Projects proposing shoreline stru	actures (including docks		
The Appli	ication Fee is the above calculated	Total or \$400, whichever	Total = \$ er is greater = \$5,333.60	





Map by NH GRANIT



Legend

- State
- County
- ☐ City/Town



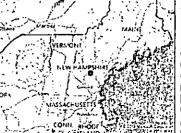
Map Scale

1: 24,000

NH GRANIT, www.granit.unh.edu Map Generated: 12/5/2019

Notes

FISH PROPERTY



To: Paul Goodwin

Watermark Marine Construction

1218 Union Avenue Laconia, NH 03246

From: NH Natural Heritage Bureau

Re: Review by NH Natural Heritage Bureau of request dated 12/5/2019

NHB File ID: NHB19-3913 Applicant: Stephen Fish

Location: Tax Map(s)/Lot(s): 226-004-000

Wolfeboro

Project Description: construct a dug-in boathouse with 2 boatslips and dredge

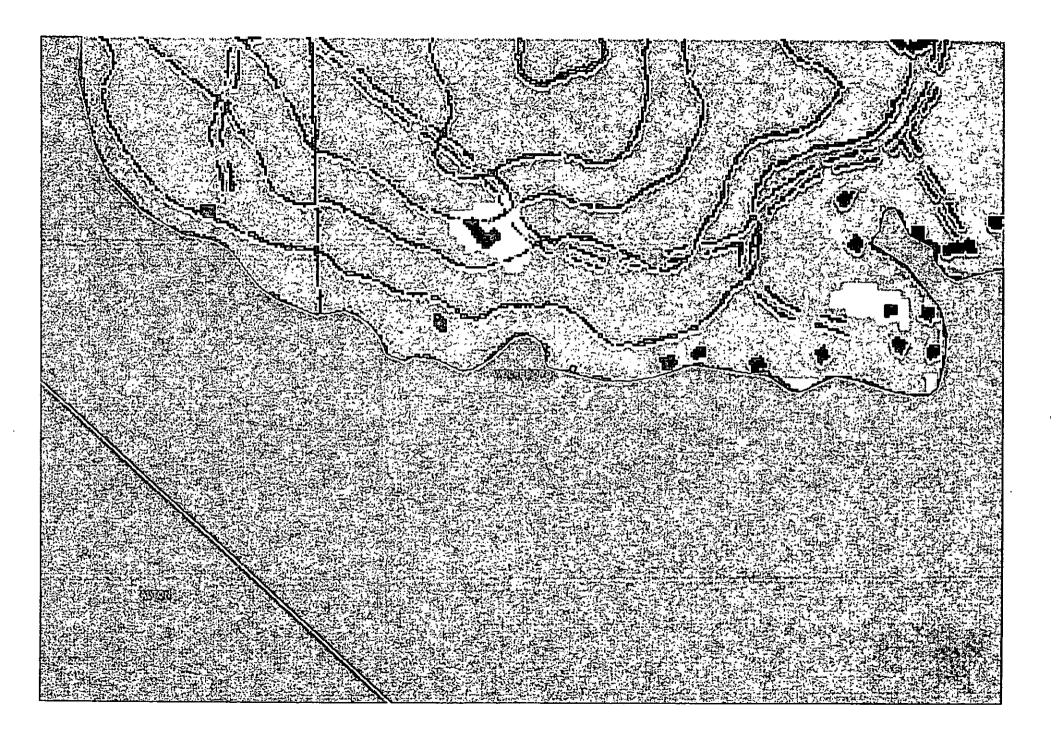
approach for navigable access

The NH Natural Heritage database has been checked for records of rare species and exemplary natural communities near the area mapped below. The species considered include those listed as Threatened or Endangered by either the state of New Hampshire or the federal government. We currently have no recorded occurrences for sensitive species near this project area.

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.

This report is valid through 12/4/2020.

Date: 12/5/2019





10 foot Abutters List Report

Wolfeboro, NH November 20, 2019

Subject Property:

Parcel Number:

226-004-000

CAMA Number:

226-004-000

Property Address: 72 PARKER ISLAND ROAD

Mailing Address: FISH STEPHEN J TRUST FISH STEPHEN

& KATHLEEN TRTS

Abutters:

Parcel Number:

213-027-000

CAMA Number:

213-027-000

Property Address: 45 UMBRELLA POINT

Parcel Number:

226-003-000

CAMA Number:

226-003-000

Property Address: 80 PARKER ISLAND ROAD

Parcel Number:

226-005-000

CAMA Number:

226-005-000

Property Address: 64 PARKER ISLAND ROAD

Parcel Number: 226-006-000

CAMA Number:

226-006-000

Property Address: 62 PARKER ISLAND ROAD

Parcel Number: 226-010-000 CAMA Number:

226-010-000

11/20/2019

Property Address: PARKER ISLAND ROAD

Mailing Address: VTT GREENVILLE LLC ATT; VTT

MANAGEMENT

Mailing Address: DAYTON BRUCE CONNER DAYTON

LYNN BAY

Mailing Address: SCHAPPELL JANOSKY RVCB TRUST

SCHAPPEL DAVID & JANOSKY KAREN

Mailing Address: ADAMIAN LYNNE R

Mailing Address: SMITH, EMERSON G. SMITH, EARLENE



