



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



Beach
53

Robert R. Scott, Commissioner

February 22, 2018

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

REQUESTED ACTION

Approve Melissa and Michael Baro's request to perform the following work on Lake Winnepesaukee, in Alton. File # 2017-03314. This project will not have significant impact on or adversely affect the values of Lake Winnepesaukee.

Place 67 cubic yards of fill on 490 square feet of lakebed to construct 35 linear feet of breakwater beginning 6 feet lakeward of the normal high water line, with a 4 foot x 36 foot cantilevered pier, connected to a 6 foot x 36 foot piling pier by a 6 foot x 12 foot walkway, install a permanent boatlift and drive two fender piles and one 3-pile ice cluster on an average of 100 feet of frontage along Lake Winnepesaukee, on Sleeper Island, in Alton.

The Department imposed the following conditions as part of this approval:

1. All work shall be in accordance with revised plans by Winnepesaukee Marine Construction dated November 15, 2017, as received by the NHDES on November 16, 2017.
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 Program 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. This permit does not authorize the removal of vegetation from areas within the waterfront buffer.
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 in place until suspended particles have settled and water at the work site has returned to normal clarity.
6. No portion of breakwater as measured at normal full lake (Elev. 504.32) shall extend more than 41 feet from normal full lake shoreline.
7. The breakwater shall not exceed 3 feet in height (Elev. 507.32) over the normal high water line (Elev. 504.32).
8. The width as measured at the top of the breakwater (Elev. 507.32) shall not exceed 3 feet.

9. 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.
10. 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.
11. 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.
12. Only those structures shown on the approved plans shall be installed or constructed along this frontage. All portions of the structures, including the breakwater toe of slope, shall be at least 20 feet from the abutting property lines or the imaginary extension of those lines into the water.
13. Pilings shall be spaced a minimum of 12 feet apart as measured piling center to piling center.
14. No portion of the piers shall extend more than 36 feet from the shoreline at full lake elevation (Elev. 504.32).

EXPLANATION

The NHDES Wetlands Bureau approved this project on January 23, 2018. NHDES supported its decision with the following findings:

1. This project is classified as a major project per Rule Env-Wt 303.02(j), construction of a breakwater in public waters.
2. The construction of a breakwater to provide safe docking at this site is justified in accordance with Rule Env-Wt 402.07, Breakwaters.
3. The applicant has an average of 100 feet of shoreline frontage along Lake Winnepesaukee.
4. A maximum of 2 slips may be permitted on this frontage per Rule Env-Wt 402.13, Frontage Over 75'.
5. The proposed docking facility will provide 2 slips as defined per RSA 482-A:2, VIII and, therefore, meets Rule Env-Wt 402.13.
6. The Department finds that, because the project is not of significant public interest and will not significantly impair the resources of Lake Winnepesaukee, a public hearing under RSA 482-A:8 is not required.

Application file documents are being forwarded to the Governor and 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 submit this request for your consideration.



Robert R. Scott
Commissioner



WETLANDS PERMIT APPLICATION

Water Division/ Wetlands Bureau
Land Resources Management



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

RSA/Rule: RSA 482-A:Env/W/100-900

<div style="border: 2px solid black; padding: 5px; font-size: 2em; font-weight: bold; letter-spacing: 5px;">RECEIVED</div> <p style="text-align: center;">NOV 07 2017</p> <p style="text-align: center; font-size: 0.8em;">NHDES LAND RESOURCES MANAGEMENT</p>	<div style="border: 1px solid black; padding: 5px; font-size: 1.5em; font-weight: bold;">COMPLETE</div> <p style="text-align: center;">NOV 07 2017</p>	<p style="font-size: 1.2em;">2017-03314</p> <p style="font-size: 1.2em;">17733</p> <p style="font-size: 1.2em;">\$998</p> <p style="font-size: 1.2em;">LSL</p>
--	--	--

1. REVIEW TIME: Indicate your Review Time below. To determine review time, refer to [Guidance Document A](#) for instructions.

- Standard Review (Minimum, Minor or Major Impact)
 Expedited Review (Minimum Impact only)

2. MITIGATION REQUIREMENT:
If mitigation is required a Mitigation-Pre Application meeting must occur prior to submitting this Wetlands Permit Application. To determine if Mitigation is Required, please refer to the [Determine if Mitigation is Required Frequently Asked Question](#).

Mitigation Pre-Application Meeting Date: Month: ___ Day: ___ Year: ___
 N/A - Mitigation is not required

3. PROJECT LOCATION:
Separate wetland permit applications must be submitted for each municipality that wetland impacts occur within.

ADDRESS: Sleeper Island		TOWN/CITY: Alton	
TAX MAP: 73	BLOCK:	LOT: 34	UNIT:
USGS TOPO MAP WATERBODY NAME: Lake Winnepesaukee		<input type="checkbox"/> NA	STREAM WATERSHED SIZE: <input checked="" type="checkbox"/> NA
LOCATION COORDINATES (if known): 43.55658, 71.299504		<input type="checkbox"/> Latitude/Longitude <input type="checkbox"/> UTM	

4. PROJECT DESCRIPTION:
Provide a brief description of the project outlining the scope of work. Attach additional sheets as needed to provide a detailed explanation of your project. DO NOT reply "See Attached" in the space provided below.

Construct a 35' breakwater with a 4' x 30' cantilevered dock with a 4' x 12' connecting walkway to a 6' x 30' piling dock with two fender piles.
Wetlands Impact: Breakwater 490 sq Ft.
Docks: 350 sq Ft

5. SHORELINE FRONTAGE:
 NA This does not have shoreline frontage. SHORELINE FRONTAGE: **100'**

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.

6. RELATED NHDES LAND RESOURCES MANAGEMENT PERMIT APPLICATIONS ASSOCIATED WITH THIS PROJECT:
Please indicate if any of the following permit applications are required and, if required, the status of the application.
To determine if other Land Resources Management Permits are required, refer to the [Land Resources Management Web Page](#).

Permit Type	Permit Required	File Number	Permit Application Status
Alteration of Terrain Permit Per RSA 485-A:17	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	_____	<input type="checkbox"/> APPROVED <input type="checkbox"/> PENDING <input type="checkbox"/> DENIED
Individual Sewerage Disposal per RSA 485-A:2	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	_____	<input type="checkbox"/> APPROVED <input type="checkbox"/> PENDING <input type="checkbox"/> DENIED
Subdivision Approval Per RSA 485-A	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	_____	<input type="checkbox"/> APPROVED <input type="checkbox"/> PENDING <input type="checkbox"/> DENIED
Shoreland Permit Per RSA 483-B	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	_____	<input type="checkbox"/> APPROVED <input type="checkbox"/> PENDING <input type="checkbox"/> DENIED

7. NATURAL HERITAGE BUREAU & DESIGNATED RIVERS:
See the Instructions & Required Attachments document for instructions to complete a & b below.

- a. Natural Heritage Bureau File ID: **NHB 17 - 3010**
- b. Designated River the project is in 1/4 miles of: _____; and
 date a copy of the application was sent to the [Local River Management Advisory Committee](#): Month: ___ Day: ___ Year: ___
 N/A

8. APPLICANT INFORMATION (Desired permit holder)			
LAST NAME, FIRST NAME, M.I.: Baro, Michael & Melissa			
TRUST / COMPANY NAME:		MAILING ADDRESS: ██████████	
TOWN/CITY: Harrisville		STATE: RI	ZIP CODE: 02830
EMAIL or FAX:		PHONE:	
ELECTRONIC COMMUNICATION: By initialing here: _____, I hereby authorize NHDES to communicate all matters relative to this application electronically			
9. PROPERTY OWNER INFORMATION (If different than applicant)			
LAST NAME, FIRST NAME, M.I.:			
TRUST / COMPANY NAME:		MAILING ADDRESS:	
TOWN/CITY:		STATE:	ZIP CODE:
EMAIL or FAX:		PHONE:	
ELECTRONIC COMMUNICATION: By initialing here _____, I hereby authorize NHDES to communicate all matters relative to this application electronically			
10. AUTHORIZED AGENT INFORMATION			
LAST NAME, FIRST NAME, M.I.: Kenney, Mark		COMPANY NAME: Winnepesaukee Marine Const.	
MAILING ADDRESS: 60 Glidden Rd.			
TOWN/CITY: Gilford		STATE: NH	ZIP CODE: 03249
EMAIL or FAX: winnimarine@hotmail.com		PHONE: 6032937768	
ELECTRONIC COMMUNICATION: By initialing here MK , I hereby authorize NHDES to communicate all matters relative to this application electronically			
11. PROPERTY OWNER SIGNATURE:			
See the Instructions & Required Attachments document for clarification of the below statements			
By signing the application, I am certifying that:			
<ol style="list-style-type: none"> 1. I authorize the applicant and/or agent indicated on this form to act in my behalf in the processing of this application, and to furnish upon request, supplemental information in support of this permit application. 2. I have reviewed and submitted information & attachments outlined in the Instructions and Required Attachment document. 3. All abutters have been identified in accordance with RSA 482-A:3, I and Env-Wt 100-900. 4. I have read and provided the required information outlined in Env-Wt 302.04 for the applicable project type. 5. I have read and understand Env-Wt 302.03 and have chosen the least impacting alternative. 6. Any structure that I am proposing to repair/replace was either previously permitted by the Wetlands Bureau or would be considered grandfathered per Env-Wt 101.47. 7. I have submitted a Request for Project Review (RPR) Form (www.nh.gov/nhdhr/review) to the NH State Historic Preservation Officer (SHPO) at the NH Division of Historical Resources to identify the presence of historical/ archeological resources while coordinating with the lead federal agency for NHPA 106 compliance. 8. I authorize NHDES and the municipal conservation commission to inspect the site of the proposed project. 9. I have reviewed the information being submitted and that to the best of my knowledge the information is true and accurate. 10. I understand that the willful submission of falsified or misrepresented information to the New Hampshire Department of Environmental Services is a criminal act, which may result in legal action. 11. I am aware that the work I am proposing may require additional state, local or federal permits which I am responsible for obtaining. 12. The mailing addresses I have provided are up to date and appropriate for receipt of NHDES correspondence. NHDES will not forward returned mail. 			
 Property Owner Signature		Michael Baro Michael Baro Print name legibly	10 / 23 / 2017 Date

MUNICIPAL SIGNATURES

12. CONSERVATION COMMISSION SIGNATURE

The signature below certifies that the municipal conservation commission has reviewed this application, and:

1. Waives its right to intervene per RSA 482-A:11;
2. Believes that the application and submitted plans accurately represent the proposed project; and
3. Has no objection to permitting the proposed work.

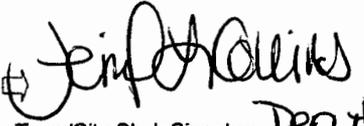
	Print name legibly	Date
---	--------------------	------

DIRECTIONS FOR CONSERVATION COMMISSION

1. 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 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.

 Town/City Clerk Signature	Jennifer L. Collins Print name legibly	Atton Town/City	11/2/2017 Date
---	---	--------------------	-------------------

DIRECTIONS FOR TOWN/CITY CLERK:

Per RSA 482-A:3,I

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.
2. 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:

1. 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/has been impacted, provide square feet and, if applicable, linear feet of impact

Permanent: impacts that will remain after the project is complete.

Temporary: impacts not intended to remain (and will be restored to pre-construction conditions) after the project is complete.

JURISDICTIONAL AREA	PERMANENT Sq. Ft. / Lin. Ft.	TEMPORARY Sq. Ft. / Lin. Ft.
Forested wetland	<input type="checkbox"/> ATF	<input type="checkbox"/> ATF
Scrub-shrub wetland	<input type="checkbox"/> ATF	<input type="checkbox"/> ATF
Emergent wetland	<input type="checkbox"/> ATF	<input type="checkbox"/> ATF
Wet meadow	<input type="checkbox"/> ATF	<input type="checkbox"/> ATF
Intermittent stream	<input type="checkbox"/> ATF	<input type="checkbox"/> ATF
Perennial Stream / River	/	/
Lake / Pond	/	/
Bank - Intermittent stream	/	/
Bank - Perennial stream / River	/	/
Bank - Lake / Pond	/	/
Tidal water	/	/
Salt marsh	<input type="checkbox"/> ATF	<input type="checkbox"/> ATF
Sand dune	<input type="checkbox"/> ATF	<input type="checkbox"/> ATF
Prime wetland	<input type="checkbox"/> ATF	<input type="checkbox"/> ATF
Prime wetland buffer	<input type="checkbox"/> ATF	<input type="checkbox"/> ATF
Undeveloped Tidal Buffer Zone (TBZ)	<input type="checkbox"/> ATF	<input type="checkbox"/> ATF
Previously-developed upland in TBZ	<input type="checkbox"/> ATF	<input type="checkbox"/> ATF
Docking - Lake / Pond	840	<input type="checkbox"/> ATF
Docking - River	<input type="checkbox"/> ATF	<input type="checkbox"/> ATF
Docking - Tidal Water	<input type="checkbox"/> ATF	<input type="checkbox"/> ATF
TOTAL	840 /	/

15. APPLICATION FEE: See the Instructions & Required Attachments document for further instruction

Minimum Impact Fee: Flat fee of \$ 200

Minor or Major Impact Fee: Calculate using the below table below

Permanent and Temporary (non-docking) 490 sq. ft. X \$0.20 = \$ 98.00

Temporary (seasonal) docking structure: _____ sq. ft. X \$1.00 = \$

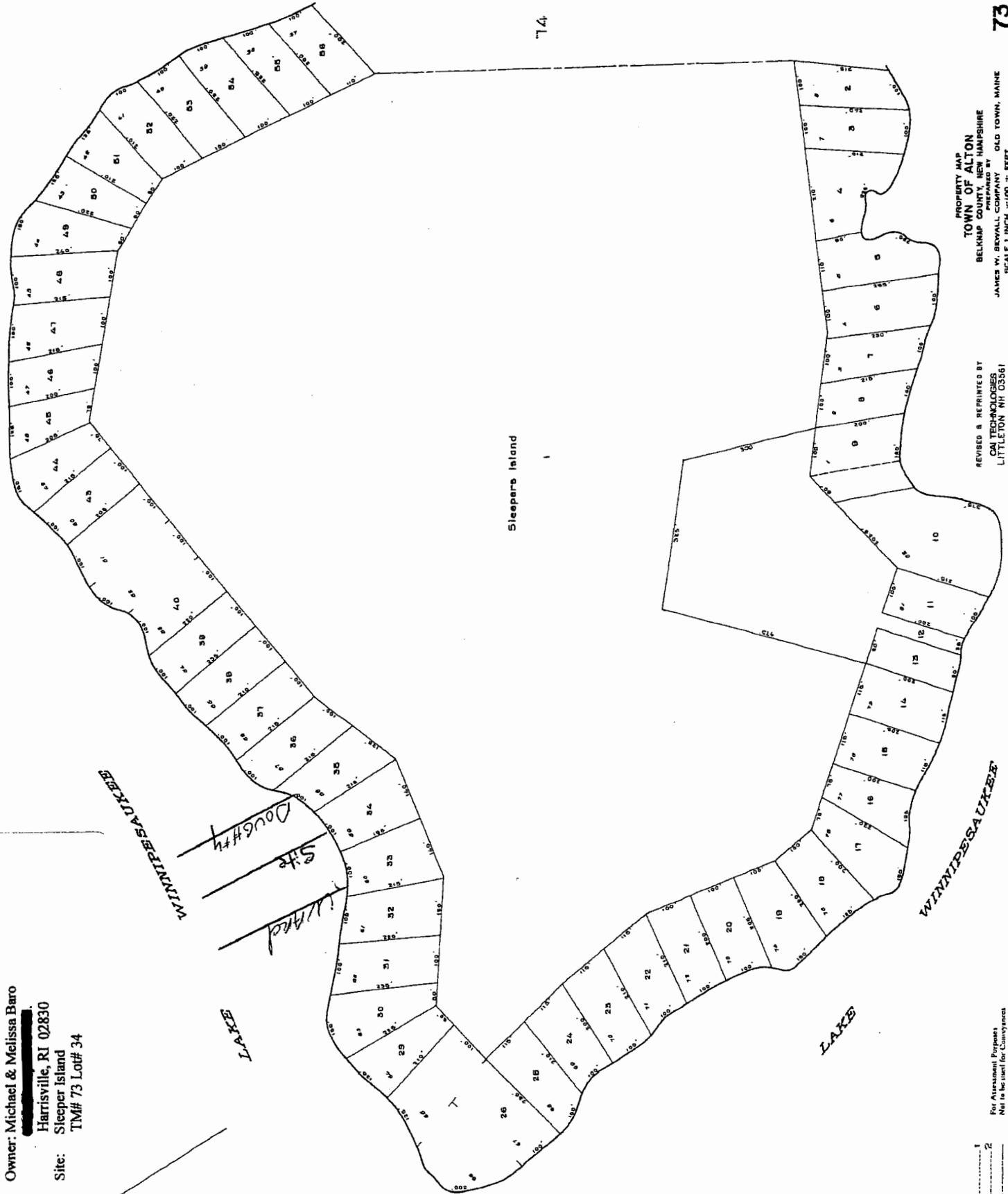
Permanent docking structure: 350. sq. ft. X \$2.00 = \$ 700.00

Projects proposing shoreline structures (including docks) add \$200 = \$ 200.00

Total = \$ 998.00

The Application Fee is the above calculated Total or \$200, whichever is greater = \$ 998.00

Owner: Michael & Melissa Baro
 Harrisville, RI 02830
 Site: Sleeper Island
 TM# 73 Lot# 34



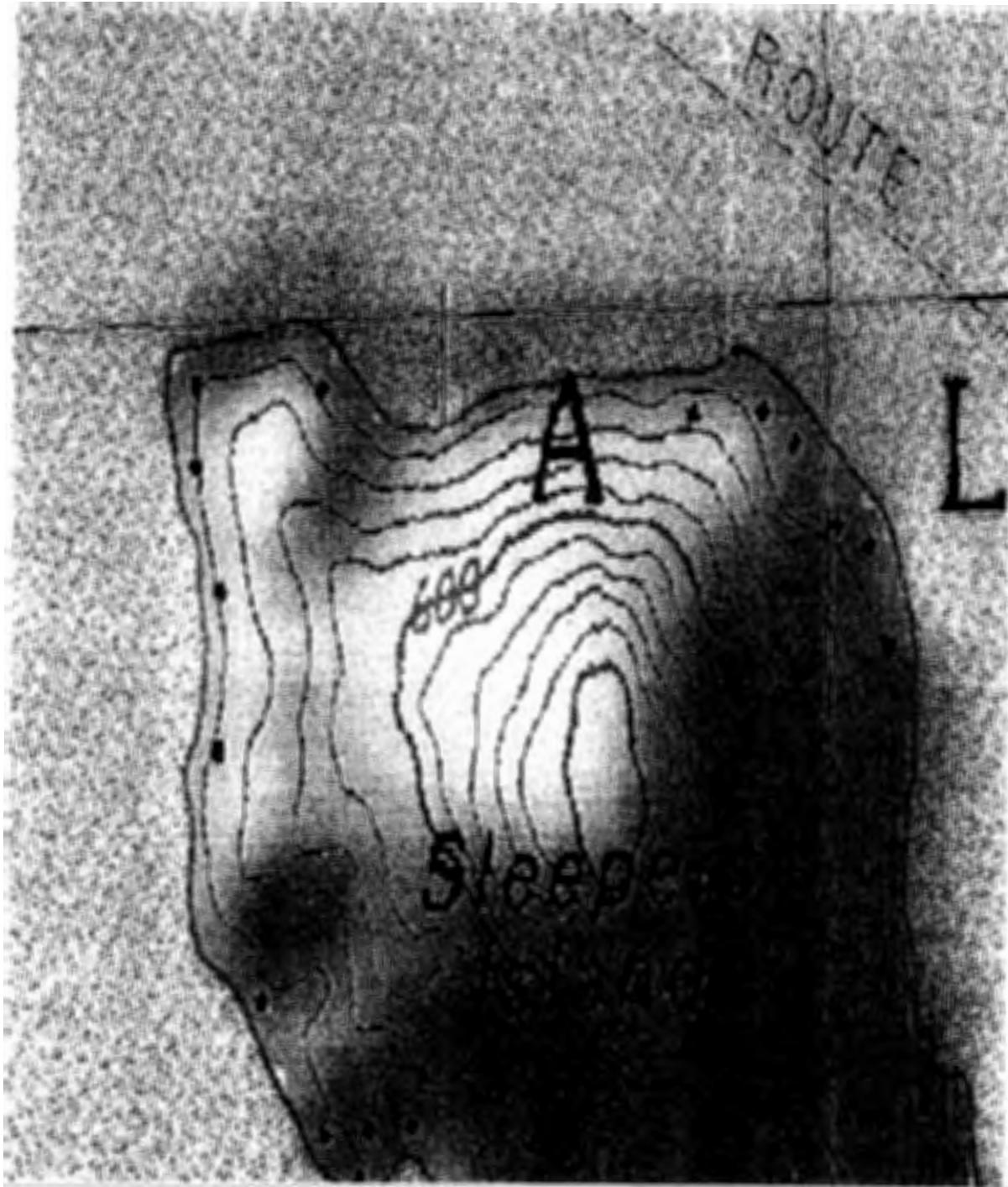
LEGEND
 PARCEL NUMBERS 1
 ADJACENT MAPS 2
 MATCH LINE

For Assessment Purposes
 Not to be used for Conveyance

REVISED & REPRINTED BY
 CAL TECHNOLOGIES
 LITTLETON, CO 80120

PROPERTY MAP
 TOWN OF ALTON
 BELKNAP COUNTY, NEW HAMPSHIRE
 JAMES W. BEWALL COMPANY
 OLD TOWN, MAINE
 SCALE 1 INCH = 100 FEET

Owner: Michael & Melissa Baro
[REDACTED]
Harrisville, RI 02830
Site: Sleeper Island
TM# 73 Lot# 34



Center: 43.5552°N 71.2938°W
Elevation at center: 669 feet (204 meters)
Quad: USGS West Alton
Drg Name: o43071e3
Drg Source Scale: 1:24,000



New Hampshire Natural Heritage Bureau

To: Patricia Scribner
60 Glidden Rd.
Gilford, NH 03249

Date: 9/27/2017

From: NH Natural Heritage Bureau

Re: Review by NH Natural Heritage Bureau of request dated 9/27/2017
NHB File ID: NHB17-3010

Applicant: Patricia Scribner

Location: Tax Map(s)/Lot(s): 73/84
Alton

Project Description: Construct breakwater and "U" shaped dock

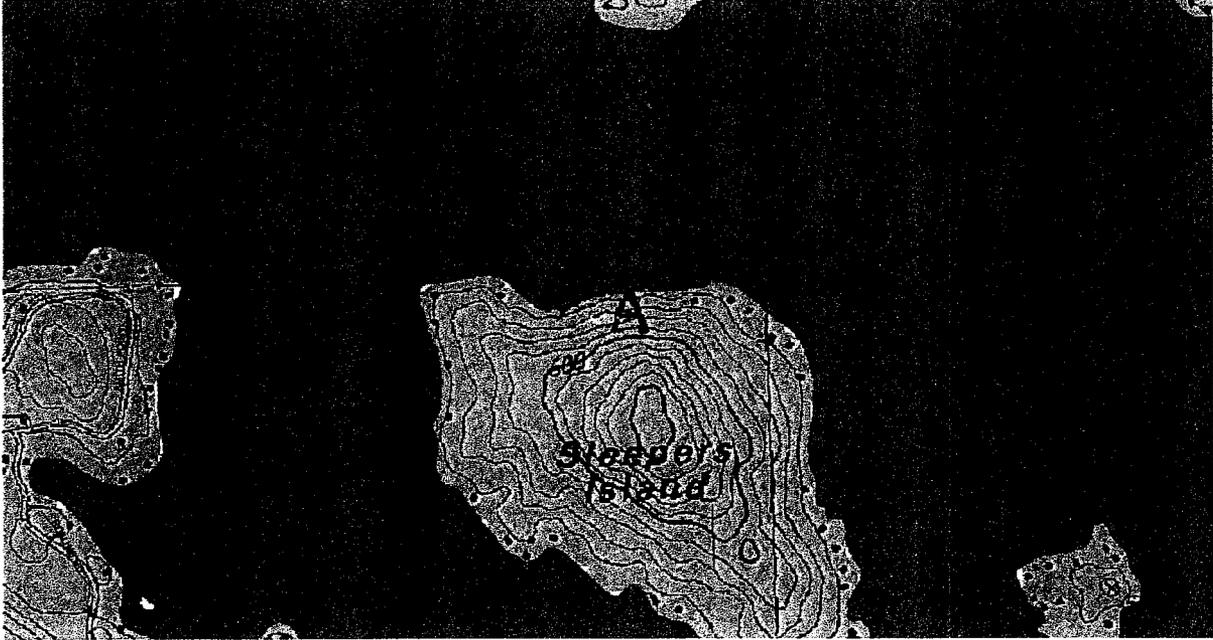
The NH Natural Heritage database has been checked for records of rare species and exemplary natural communities near the area mapped below. The species considered include those listed as Threatened or Endangered by either the state of New Hampshire or the federal government. We currently have no recorded 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 9/26/2018.



MAP OF PROJECT BOUNDARIES FOR NHB FILE ID: NHB17-3010



Winnepesaukee Marine Construction Inc.

60 Glidden Road Gilford, NH 03249

(603) 293-7768

E-mail: winnimarine@hotmail.com Web site: www.lakewinnicon.com

September 28, 2017

Abutters List

Owner: Michael & Melissa Baro

[REDACTED]

Harrisville, RI 02830

Site: Sleeper Island

TM# 73 Lot# 34

Abutters:

Robert Doughty

[REDACTED]

Merrimac, MA 01860

370 Sleepers Island

TM# 73 Lot# 35

Brian Ward

[REDACTED]

Laconia, NH 03246

378 Sleeper Island

TM# 73 Lot# 33

Sleeper Island Assoc.

c/o Nadine Martin

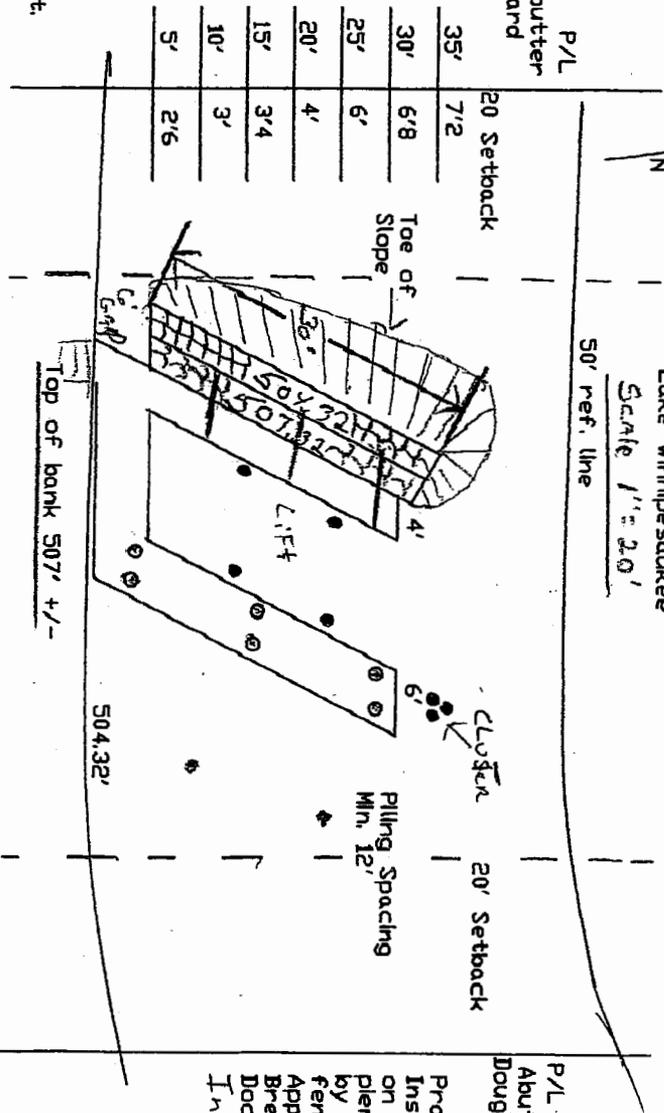
[REDACTED]

Freeport, ME 04032

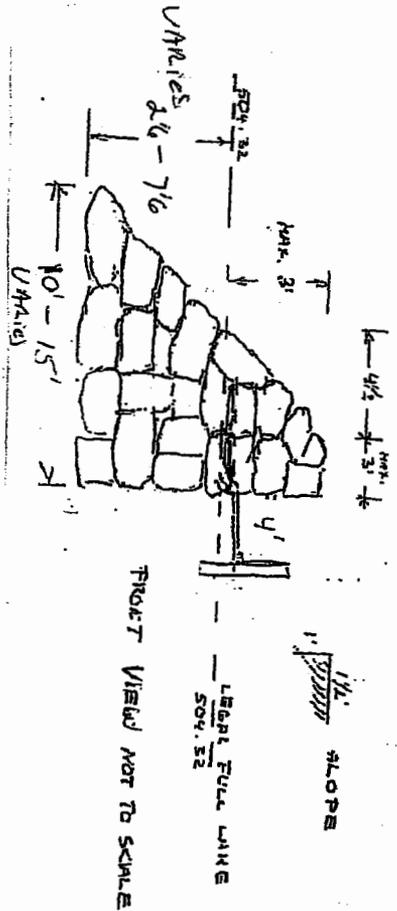
Owner: Michael & Melissa Boro
 Harrisville, RI 02830
 Site: Sleeper Island
 TMA# 73 Lot# 34
 File # 17-03314

Winnepesaukee Marine Const.
 60 Gladden Rd.
 Gilford, NH 03249

Revised
 11/15/17



Proposed Construction:
 Install a 30' breakwater with a 6' gap on shore end with a 4'W x 36' cantilever pier with a 6' x 30' piling dock connected by a 6' x 12' connect walkway and (2) fender piling. Plus one ice cluster. Approx. wetlands impact.
 Breakwater = 490 sq. ft
 Docks & walkway = 350 sq. ft.
 Install (4) piling boat lift.



RECEIVED
 NOV 16 2017
 NHDES
 LAND RESOURCES MANAGEMENT