



The State of New Hampshire  
**DEPARTMENT OF ENVIRONMENTAL SERVICES**

**Thomas S. Burack, Commissioner**



June 08, 2015

Her Excellency, Governor Margaret Wood Hassan  
and The Honorable Council  
State House  
Concord, NH 03301

**REQUESTED ACTION**

Approve Leslie H. Fabian's request to perform the following work on Lake Winnepesaukee, in Alton. File # 2015-00590. This project will not have significant impact on or adversely affect the values of Lake Winnepesaukee.

Fill 760 sq. ft. of lakebed to construct 44 linear ft. of breakwater, in a slight "dogleg" configuration leaving a 6 ft. gap at the shoreline, construct a 6 ft. x 47 ft. cantilevered pier connected to a 6 ft. x 35 ft. piling pier by a 6 ft. x 12 ft. walkway in a "U" configuration accessed by a 6 ft. x 6 ft. walkway, and drive 2 tie-off piles for the easterly slip on an average of 102 ft. of frontage on Rattlesnake Island, on Lake Winnepesaukee, in Alton.

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

1. All work shall be in accordance with plans by Folsom Design Group dated January 23, 2015, as received by the Department on March 16, 2015.
2. This permit shall not be effective until it has been recorded with the Belknap County Registry of Deeds office by the Permittee. A copy of the recorded permit shall be submitted to the DES Wetlands Bureau by certified mail, return receipt requested, prior to construction.
3. Appropriate siltation and erosion controls shall be in place prior to construction, shall be maintained during construction, and shall remain in place until the area is stabilized.
4. Work authorized shall be carried out such that discharges in spawning or nursery areas during spawning seasons shall be avoided, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
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 the water at the work site has returned to normal clarity.
6. No portion of breakwater as measured at normal full lake shall extend more than 50 ft. from normal full lake shoreline.
7. The breakwater shall not exceed 3 ft. in height (Elev. 507.32 ft.) over the normal high water line (Elev. 504.32 ft.).
8. The width as measured at the top of the breakwater (Elev. 507.32 ft.) shall not exceed 3 ft.

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

**P.O. Box 95, 29 Hazen Drive, Concord, New Hampshire 03302-0095**

Telephone: (603) 271-3501 • Fax: (603) 271-6683 • TDD Access: Relay NH 1-800-735-2964

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 ft., 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. The minimum spacing for pile bents shall be 12 ft. as measured center pile to center pile.
12. All activities shall be in accordance with the Shoreland Water Quality Protection Act, per RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland.

#### EXPLANATION

The DES Wetlands Bureau approved this project on May 09, 2015. DES 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.
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 102 ft. of frontage along Lake Winnepesaukee, Alton.
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 and, therefore, meets Rule Env-Wt 402.13.
6. Public hearing is waived with the finding that the project impacts will not significantly impair the resources of Lake Winnepesaukee.
7. The applicant provided notarized abutter permission for that portion of the breakwater toe of slope located within the abutter's 20 ft. setback to the imaginary extension of the property line.

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.

*H. Xian Oufan*  
Acting Asst. Commissioner  
for Thomas S. Burack  
Commissioner



# WETLANDS PERMIT APPLICATION

Water Division/ Wetlands Bureau  
Land Resources Management

Check the status of your application: <http://des.nh.gov/onestop>



RSA/Rule: Env-Wq 100-900

		2015-00590 1020	MAR 13 2015
		1,494.90 Sloz	

**1. REVIEW TIME:**

Indicate your Review Time below. Refer to Guidance Document A for instructions.

Standard Review (Minimum, Minor or Major Impact)

Expedited Review (Minimum Impact only)

**2. PROJECT LOCATION:**

Separate applications must be filed with each municipality that jurisdictional impacts will occur in.

ADDRESS: **Rattlesnake Island**

TOWN/CITY: **Alton**

TAX MAP: **75**

BLOCK:

LOT: **76**

UNIT:

USGS TOPO MAP WATERBODY NAME: **Winnepesaukee**

NA

STREAM WATERSHED SIZE:

NA

LOCATION COORDINATES (If known): **043,34'22.30"n; 071,18'5.46"w**  Latitude/Longitude  UTM  State Plane

**3. 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.

Provide a 6' x 47' cantilevered pier at breakwater with connecting walkway to a 6' x 35' permanent piling supported pier to provide two boatslips along 102.5 average shorefront. Provide two tie off pilings southeast side of the permanent piling dock to secure owners' watercraft. Total impacts for breakwater and docking structure equals 1,279.5 sq. ft.

**4. RELATED PERMITS, ENFORCEMENT, EMERGENCY AUTHORIZATION, SHORELAND, ALTERATION OF TERRAIN, ETC...**

Shoreland and Effluent Disposal Design permits pending

**5. NATURAL HERITAGE BUREAU & DESIGNATED RIVERS:**

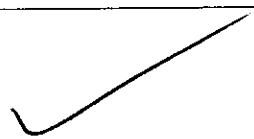
See the Instructions & Required Attachments document for instructions to complete a & b below.

a. Natural Heritage Bureau File ID: NHB 15-0400

b.  Designated River the project is in ¼ miles of \_\_\_\_\_; and  
date a copy of the application was sent to Local River Advisory Committee: Month: \_\_\_ Day: \_\_\_ Year: \_\_\_

NA

shoreland@des.nh.gov or (603) 271-2147  
NHDES Wetlands Bureau, Concord, NH 03303-0095  
[www.des.nh.gov](http://www.des.nh.gov)



**6. APPLICANT INFORMATION (Desired permit holder)**

LAST NAME, FIRST NAME, M.I.: **Folsom, Shane P**

TRUST / COMPANY NAME: **Folsom Design Group**

MAILING ADDRESS: **PO Box 548**

TOWN/CITY: **Wolfeboro Falls**

STATE: **NH**

ZIP CODE: **03896**

EMAIL or FAX: **fdgwolfeboro@hotmail.com**

PHONE: **603-715-2853**

ELECTRONIC COMMUNICATION: By initialing here: \_\_\_\_\_, I hereby authorize DES to communicate all matters relative to this application electronically

**7. PROPERTY OWNER INFORMATION (If different than applicant)**

LAST NAME, FIRST NAME, M.I.: **Fabian, Leslie H.**

TRUST / COMPANY NAME:

MAILING ADDRESS: [REDACTED]

TOWN/CITY: **Gardner**

STATE: **MA**

ZIP CODE: **01440**

EMAIL or FAX:

PHONE:

ELECTRONIC COMMUNICATION: By initialing here \_\_\_\_\_, I hereby authorize DES to communicate all matters relative to this application electronically

**8. AUTHORIZED AGENT INFORMATION**

LAST NAME, FIRST NAME, M.I.: **Same as applicant**

COMPANY NAME:

MAILING ADDRESS:

TOWN/CITY:

STATE:

ZIP CODE:

EMAIL or FAX:

PHONE:

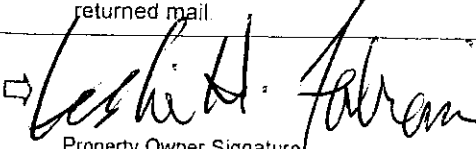
ELECTRONIC COMMUNICATION: By initialing here \_\_\_\_\_, I hereby authorize DES to communicate all matters relative to this application electronically

**9. PROPERTY OWNER SIGNATURE:**

See the Instructions & Required Attachments document for clarification of the below statements

By signing the application, I am certifying that:

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/nhdnr/review](http://www.nh.gov/nhdnr/review)) to the NH State Historic Preservation Officer (SHPO) at the NH Division of Historical Resources to be reviewed for the presence of historical/ archeological resources.
8. I authorize DES 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 DES correspondence. DES will not forward returned mail.



Leslie H. Fabian

2/23/15

Property Owner Signature

Print name legibly


Date

## MUNICIPAL SIGNATURES

### 10. 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
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#### DIRECTIONS FOR CONSERVATION COMMISSION

1. Expedited review **ONLY** requires that the conservation commission's signature is obtained in the space above.
2. The Conservation Commission signature should be obtained **prior** to the submittal of the original application and four copies to the town/city clerk for mailing to the DES.
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.

### 11. 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 - Deputy	Jennifer Collins Print name legibly	Altan Town/City	3/13/2015 Date
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#### DIRECTIONS FOR TOWN/CITY CLERK:

Per RSA 482-A:3,I

1. For applications where "Expedited Review" is checked on page 1, sign and accept the applications **only** if the Conservation Commission signature has been received;
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 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.

**12. 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	760 / 44	/
Bank - Intermittent stream	/	/
Bank - Perennial stream / River	/	/
Bank - Lake / Pond	/ 25	/
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	519.5	<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
<b>TOTAL</b>	<b>1279.5 / 69</b>	<b>/</b>

**13. 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) 1279.5 sq. ft. X \$0.20 = \$ 255.90

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

Permanent docking structure: 519.5 sq. ft. X \$2.00 = \$ 1039.00

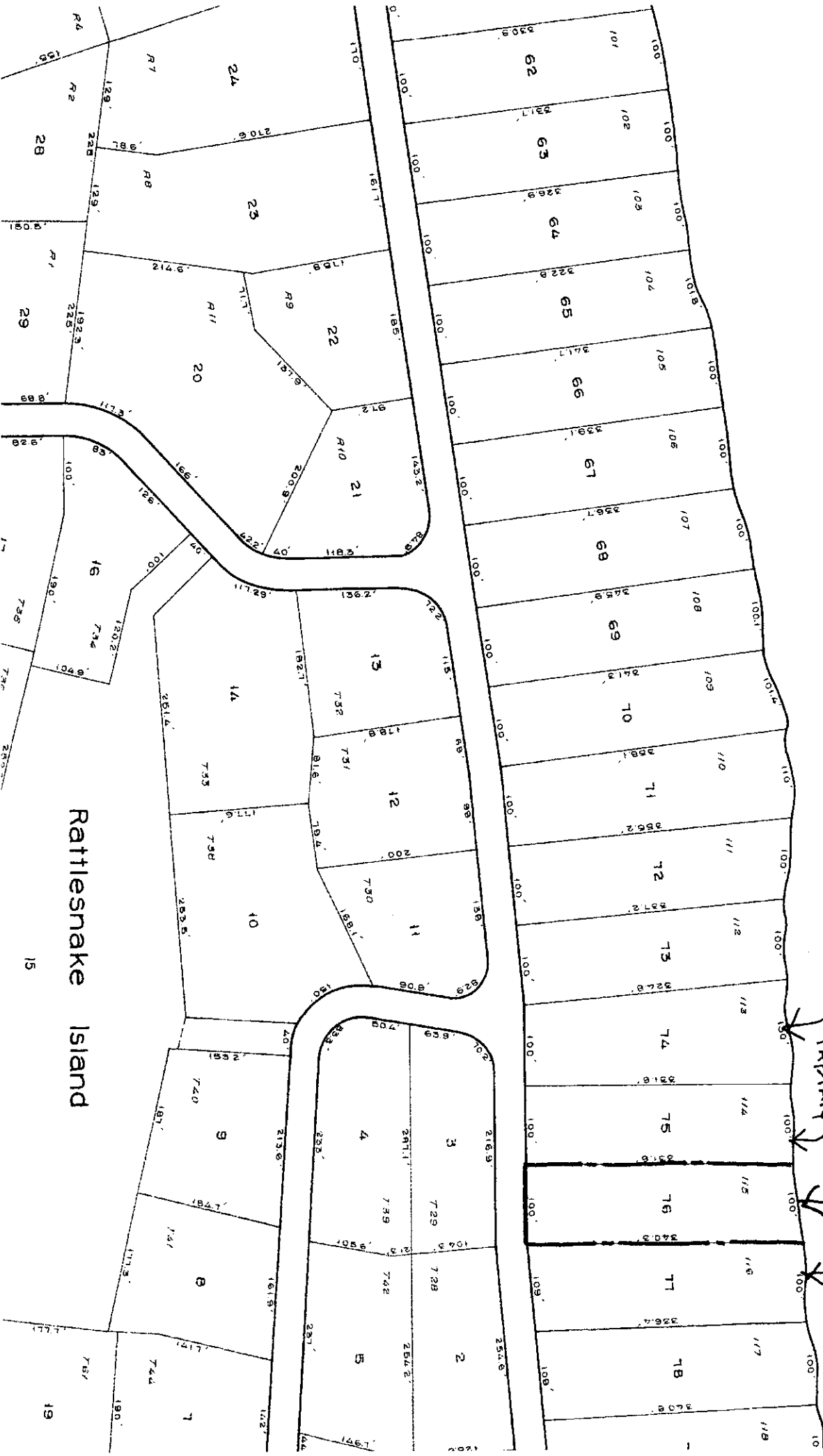
Projects proposing shoreline structures (including docks) add \$200 = \$ 200.00

Total = \$ 1,494.90

The Application Fee is the above calculated Total or \$200, whichever is greater = \$ 1,494.90

LAKE

WINNIPESAUKEE



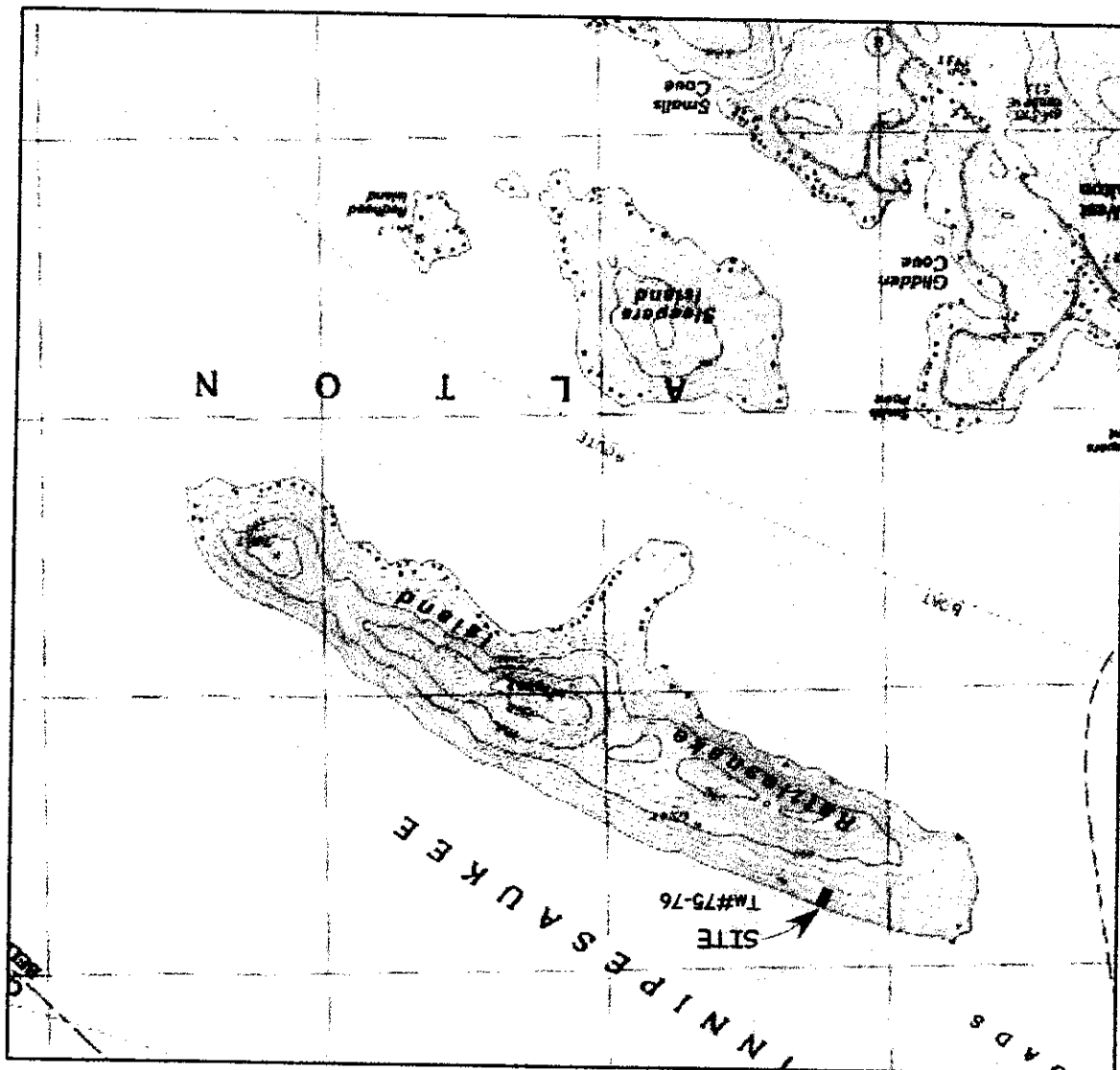
GILBERT FAIRMONT  
 SITE  
 TM#75-76

THOMPSON VACHON

Rattlesnake Island

011  
112

USGS MAP







## New Hampshire Natural Heritage Bureau

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**To:** Shane Folsom  
P.O. Box 548  
Wolfeboro Falls, NH 03896

**Date:** 1/24/2015

**From:** NH Natural Heritage Bureau

**Re:** Review by NH Natural Heritage Bureau of request dated 1/24/2015  
NHB File ID: NHB15-0400

Applicant: Shane Folsom

**Location:** Tax Map(s)/Lot(s): 75-76  
Alton

**Project Description:** Construct a three bedroom cottage, shed, patio and effluent disposal system. Total of permanent impacts equal 2,145. Total of temporary impacts equal 7,399 sq. ft. Total of impacts proposed 9,544 sq. ft. We are also constructing a breakwater and docking structure along the shoreline to provide two boat slips. Total impact 1,279.5 sq. ft.

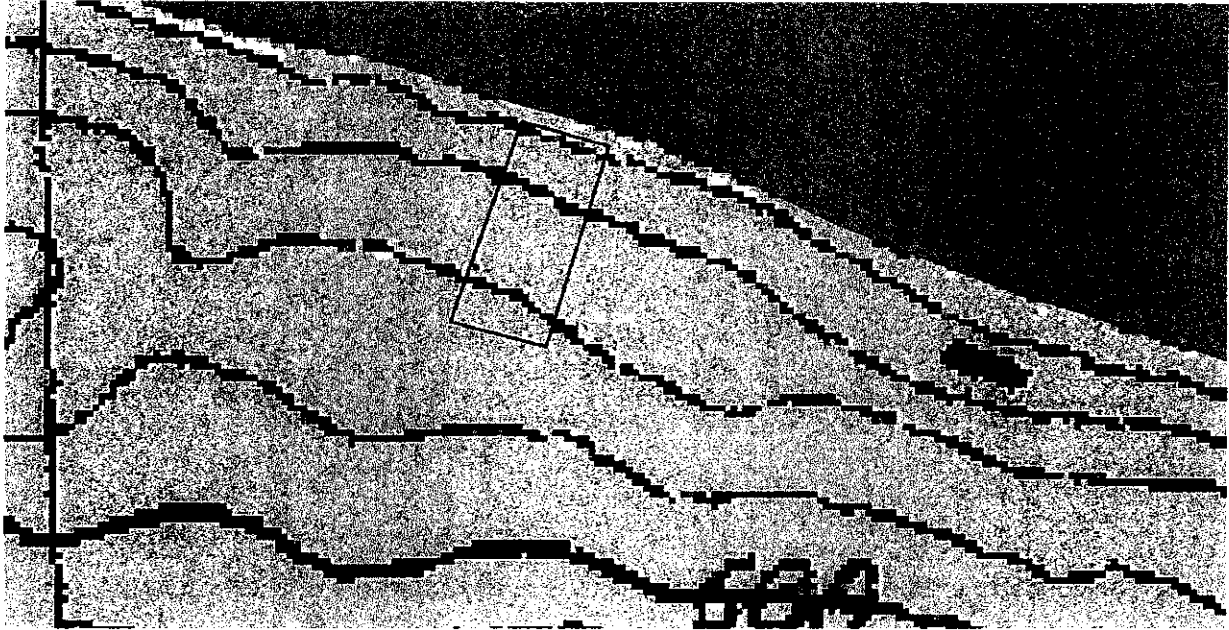
The NH Natural Heritage database has been checked for records of rare species and exemplary natural communities near the area mapped below. The species considered include those listed as Threatened or Endangered by either the state of New Hampshire or the federal government. We currently have no recorded 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 1/23/2016.



**MAP OF PROJECT BOUNDARIES FOR NHB FILE ID: NHB15-0400**





# FOLSOM DESIGN GROUP

P.O. Box 548, WOLFEBORO FALLS, NEW HAMPSHIRE 03896  
TELEPHONE: (603) 715-2853 (603)369-7819 (CELL)  
E-MAIL: FDGWOLFEBORO@HOTMAIL.COM  
WWW.FOLSOMDESIGNGROUP.COM

January 22, 2015

Re: NH Wetland Permit, Leslie H. Fabian, Tm# 75-76, Rattlesnake Island, Alton, NH

## ABUTTERS LIST

Owner of Record

TM # 75-76

Leslie H. Fabian  
[REDACTED]

Gardner, MA 01440

Tm # 75-75

Leslie H. Fabian  
[REDACTED]

Gardner, MA 01440

Tm # 75-74

Voclo V. Gilfert

Roger G. Gilfert  
[REDACTED]

Bedford, NH 03110

Tm #75-77

Michael R. Thompson  
[REDACTED]

Candia, NH 03034

RICHARD E. VACHON  
YVETTE T. VACHON  
[REDACTED]

MANCHESTER, NH 03104

Rattlesnake Island Association

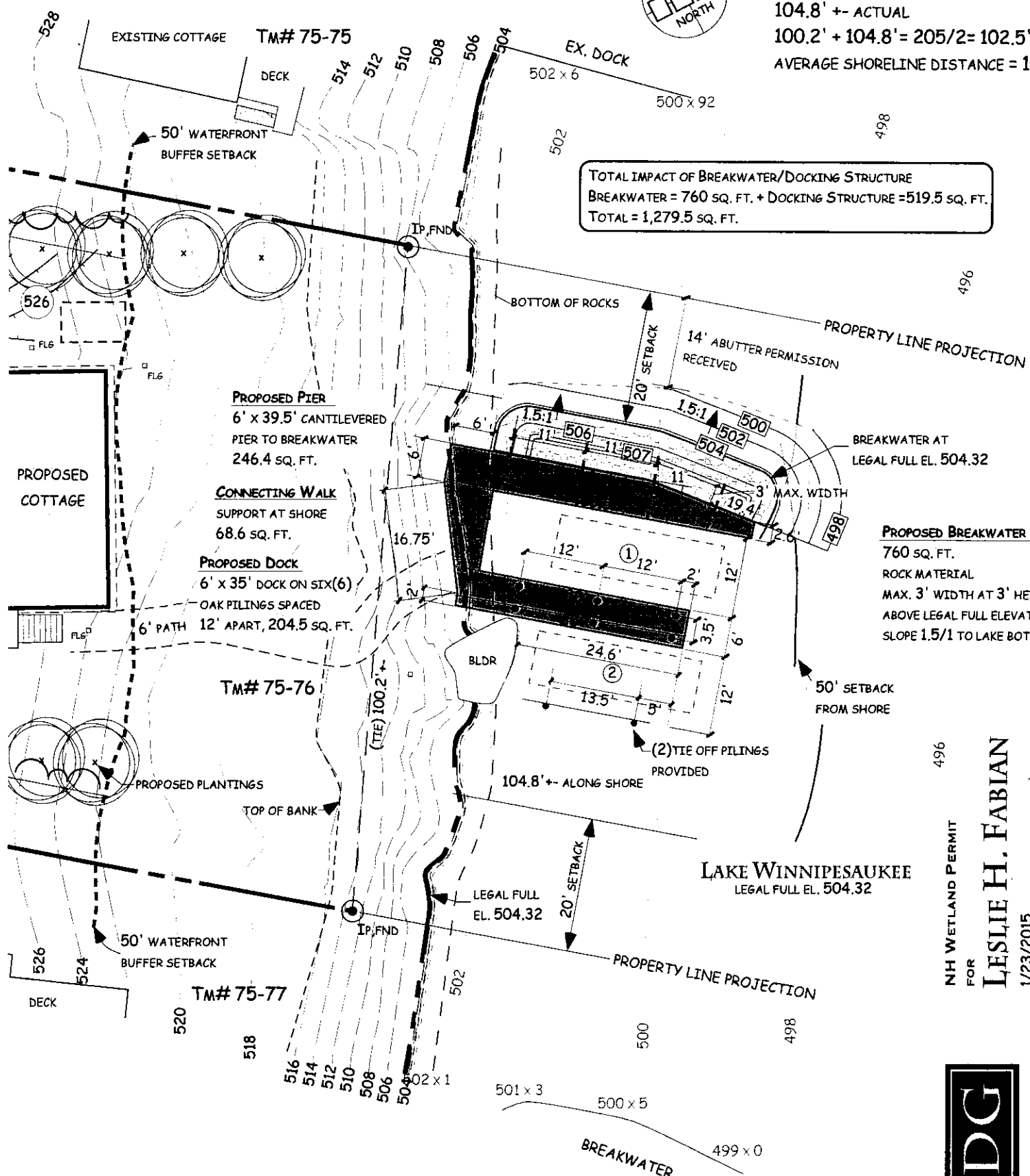
c/o Robert Moores

8 Robin Lane

Pepperell, MA 01463



SHORELINE AVERAGE DISTANCE  
 100.2' +- (TIE)  
 104.8' +- ACTUAL  
 $100.2' + 104.8' = 205/2 = 102.5'$   
 AVERAGE SHORELINE DISTANCE = 102.5'

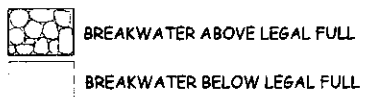
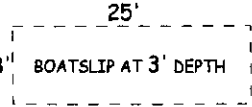


TOTAL IMPACT OF BREAKWATER/DOCKING STRUCTURE  
 BREAKWATER = 760 SQ. FT. + DOCKING STRUCTURE = 519.5 SQ. FT.  
 TOTAL = 1,279.5 SQ. FT.

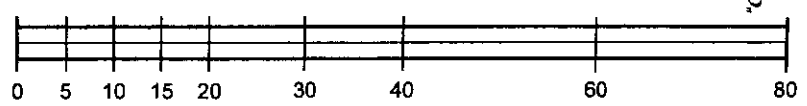
**PROPOSED BREAKWATER**  
 760 SQ. FT.  
 ROCK MATERIAL  
 MAX. 3' WIDTH AT 3' HEIGHT  
 ABOVE LEGAL FULL ELEVATION  
 SLOPE 1.5/1 TO LAKE BOTTOM

NH WETLAND PERMIT  
 FOR  
**LESLIE H. FABIAN**  
 1/23/2015  
*Received by PDS  
 March 16, 2015*

2 BOATSLIPS AS DEFINED IN ENV.-WT 101.10  
 8' WIDTH, 25' LENGTH @ 3' DEPTH



SCALE: 1" = 20'



'CELEBRATING OVER TEN YEARS  
 IN BUSINESS 2001-2015'