



The State of New Hampshire
DEPARTMENT OF ENVIRONMENTAL SERVICES

Thomas S. Burack, Commissioner



June 10, 2013

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

REQUESTED ACTION

Approve Arthur/Kirsten Tzianabos's request to perform the following work on Lake Winnepesaukee, in Alton. File # 2013-00601. This project will not have significant impact on or adversely affect the values of Lake Winnepesaukee.

Repair an existing 12 ft. x 23 ft. piling pier extending from a 4 ft. 6 in x 26 ft. 2 in. wharf, install a 6 ft. x 30 ft. piling pier, drive three 3-piling ice clusters and one tie-off piling, and install a 14 ft. x 30 ft. seasonal canopy over an existing seasonal boat lift on an average of 302 ft. of frontage along 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 Watermark Marine Construction dated January 22, 2013, as received by the NH Department of Environmental Services (DES) on March 7, 2013.
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. No work is authorized to the existing 10 ft. wide wood ramp adjacent to the north property line.
4. No work is authorized to the 8 ft. wide crib pier and two 10 ft. wide ramps located to the south of the permitted structures.
5. The repairs shall maintain the size, location and configuration of the pre-existing structures.
6. This permit to replace or repair existing structures shall not preclude the DES from taking any enforcement action or revocation action if the DES later determines that the structures represented as "existing" were not previously permitted or grandfathered.
7. All construction related debris shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
8. Appropriate siltation, erosion, and turbidity controls shall be in place prior to construction, maintained during construction, and shall remain until the area is stabilized.
9. 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.

DES Web site: www.des.nh.gov

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

Telephone: (603) 271-3503 • Fax: (603) 271-6588 • TDD Access: Relay NH 1-800-735-2964

1875
1876
1877

10. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding areas and spawning areas shall be avoided.
11. Seasonal lift shall be removed for the non-boating season.
12. Canopies shall be of seasonal construction type with a flexible fabric cover. The seasonal support frame shall be designed to be removed for the non-boating season. The flexible fabric cover shall be removed during all seasons of non-use.
13. All activities shall be in accordance with the Shoreland Water Quality Protection Act, 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

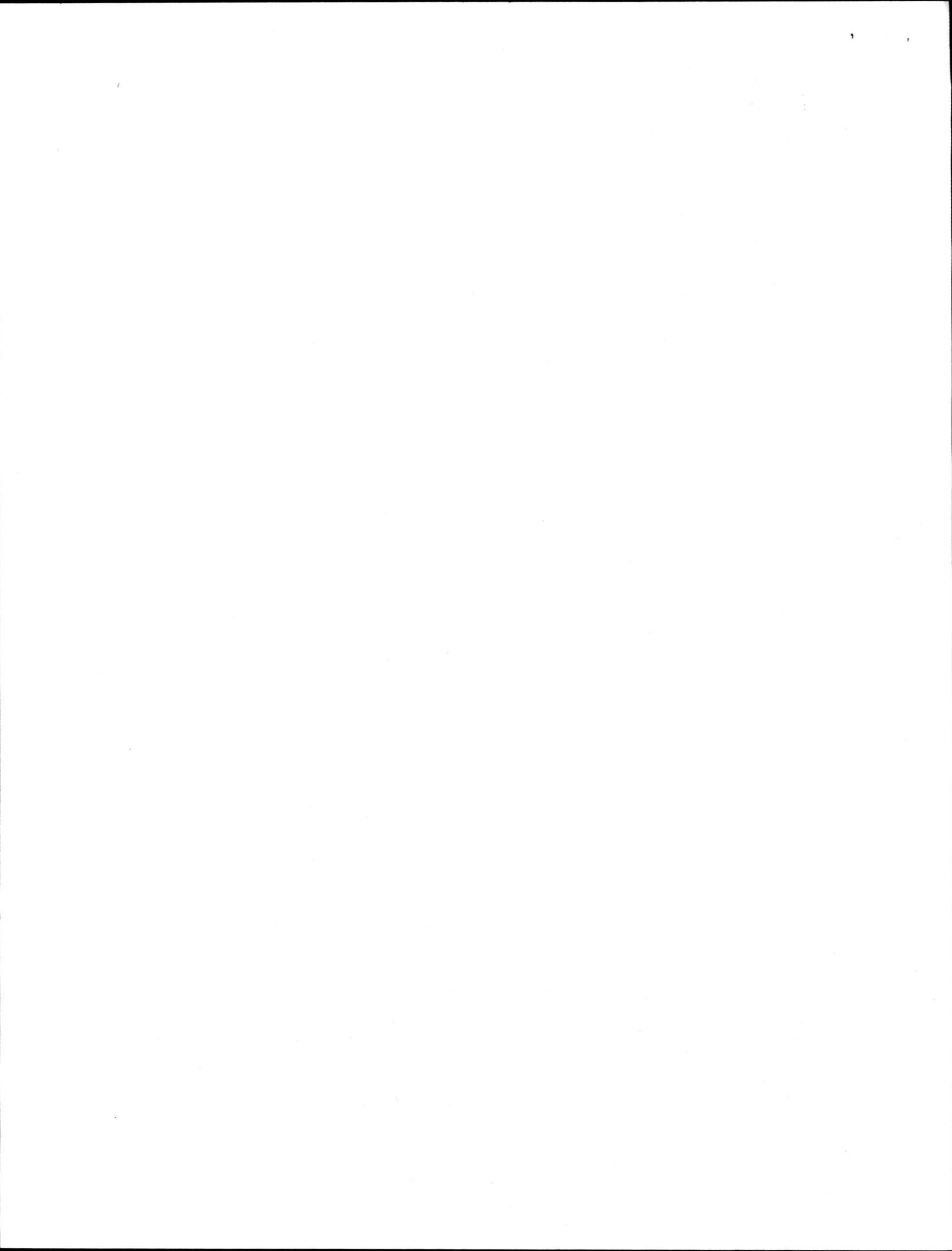
The DES Wetlands Bureau approved this project on 05/07/2013. DES supported its decision with the following findings:

1. This project is classified as a major project per Rule Env-Wt 303.02(d), modification of docking facilities providing 5 or more slips.
2. The applicant has submitted a copy of the deed for the property as proof of ownership of the frontage.
3. The deed supports the Applicants claim of ownerships of an average of 302 ft. of frontage along Lake Winnepesaukee.
4. A maximum of 5 slips may be permitted on this frontage per Rule Env-Wt 402.13, Frontage Over 75'.
5. The owner of an abutting property that does not have frontage along Lake Winnepesaukee has constructed structures providing 2 boat slips, as defined per RSA 482-A:2, VIII, on this frontage.
6. The docking facility proposed by the owner will provide 3 slips as defined per RSA 482-A:2, VIII. The combined facilities will provide 5 slips and therefore the project meets Rule Env-Wt 402.13.
7. Public hearing is waived with the finding that the project impacts will not significantly impair the resources of Lake Winnepesaukee.

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.


Thomas S. Burack
Commissioner





THE STATE OF NEW HAMPSHIRE
DEPARTMENT OF ENVIRONMENTAL SERVICES
LAND RESOURCES MANAGEMENT
WETLANDS BUREAU

29 Hazen Drive, PO Box 95, Concord, NH 03302-0095
Phone: (603) 271-2147 Fax: (603) 271-6588

Website: <http://des.nh.gov/organization/divisions/water/wetlands/index.htm>
Permit Application Status: <http://des.nh.gov/onestop/index.htm>

WETLANDS COPY #

ORIG.
PHOTOS
ATTACH.



WETLANDS PERMIT APPLICATION

2013-00601 	Check No. # 2584 	Amount: 1,002.00 	Initials: JH
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1. **REVIEW TIME:** If you do not know the review time for your project, refer to Attachment A to determine if your project's review time is Standard or Expedited.

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

2. **PROJECT LOCATION:** A separate application must be filed with each municipality that jurisdictional impacts will occur in.

ADDRESS: Off Olive Steet TOWN/CITY: Alton

TAX MAP: 65 BLOCK: 86 LOT: UNIT:

US GEOLOGICAL SURVEY TOPO MAP WATERBODY NAME: Lake Winnepesaukee LOCATION COORDINATES (if known): 43°33'24.11"N, 71°18'51.15"W
 Latitude/Longitude UTM State Plane

3. PROPERTY OWNER or APPLICANT INFORMATION (check all that apply). If the applicant is not the property owner, attach property owner information and written permission from the property owner granting the applicant permission to act on their behalf.

NAME: Arthur & Kirsten Tzianabos

MAILING ADDRESS: [REDACTED]

TOWN/CITY: Reading STATE: MA ZIP CODE: 01867

MAIL or FAX: [REDACTED] PHONE:

By initialing here, I, hereby authorize DES to communicate all matters relative to this application electronically (RSA 482-A:3, XIV (b)) : _____

AGENT INFORMATION:

NAME: Paul W. Goodwin COMPANY: Watermark Marine Construction

MAILING ADDRESS: PO Box 6840

TOWN/CITY: Laconia STATE: NH ZIP CODE: 03247

MAIL or FAX: pwg@docksource.com PHONE: 603-293-4000

By initialing here, I, hereby authorize DES to communicate all matters relative to this application electronically (RSA 482-A:3, XIV (b)) : PWG

* Complete this page last.

5. **PROPERTY OWNER / AUTHORIZED APPLICANT / AUTHORIZED AGENT SIGNATURE:** A letter of authorization from the property owner/applicant is required if the property owner/applicant does not sign below. Note the property owner permission requirement in no.3 above.

By signing the application, I am certifying that:

1. All abutters have been identified in accordance with RSA 482-A:3, I and Env-Wt 100-900.
2. I have read and provided the required information outlined in Env-Wt 302.04 for the applicable project type.
3. I have read and understand Env-Wt 302.03 and have chosen the least impacting alternative.
4. 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 101.44.
5. I have submitted a copy of the application materials to the NH State Historic Preservation Officer.
Link:<http://www.nh.gov/nhdhr/review/> (Copy link to your web browser)
6. I authorize DES and the municipal conservation commission to inspect the site of the proposed project.
7. I have reviewed the information being submitted and that to the best of my knowledge the information is true and accurate.
8. 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.
9. I am aware that the work I am proposing may require additional state, local or federal permits which I am responsible for obtaining.
10. The mailing addresses I have provided are up to date and appropriate for receipt of DES correspondence. DES will not forward returned mail.

* SIGN - *Arthur Triambos*

Arthur Triambos

2/23/13

Property Owner/ Applicant / Authorized Agent

Print name legibly

Date

APPLICATION SUBMITTAL DIRECTIONS:

1. The Conservation Commission signature is ONLY required for Expedited Review; Standard Review applications do NOT require the Conservation Commission's signature;
2. Submit the original application form and materials, four copies, application fee and any required municipal fees (authorized by RSA 482-A:3.1) to the town/city clerk for the REQUIRED town/city clerk's signature and mailing via certified mail to DES. Municipal fees means an administrative fee not to exceed \$10 plus the cost of postage by certified mail.

6. This section is to be completed by the Town/City Clerk.

As required by Chapter 482-A:3 (amended 1991), I hereby certify that the applicant has filed five application forms, five detailed plans, and five USGS location maps with the town/city indicated below and I have received and retained certified postal receipts (or copies) for all abutters identified by the applicant.

Marie Price

Marie Price

3/6/2013

Alton

Town/City Clerk

Print name legibly

Date

Town/City

TOWN CLERK SUBMITTAL & MAILING DIRECTIONS:

Per RSA 482-A:3,1(d):

1. For applications where "Expedited Review" is checked on page 1, only accept the application if the Conservation Commission's signature has been obtained (Standard Review Applications do NOT require the Conservation Commission's signature);
2. Collect from the applicant the postal receipts demonstrating that all abutters and the Local Advisory Committee were sent proper notice;
3. Collect any administrative fees, not to exceed \$10 plus the cost of postage by certified mail (RSA 482-A:3.1).
4. Immediately sign the original application and four copies in the signature space provided in the space above;
5. Retain one copy of the application form and all attachments that will remain with the town/city clerk and will be made reasonably accessible to the public;
6. Immediately distribute a copy of the application with attachments to the municipal Conservation Commission, the local governing body (Board of Selectmen or Town/City Council), and the Planning Board in accordance with RSA 482-A:3, 1; and
7. IMMEDIATELY send (DO NOT HOLD FOR OTHER MUNICIPAL REVIEWS) the original application materials and filing fee, by CERTIFIED MAIL to the NHDES Wetlands Bureau at the address indicated on the front of this application.

7. **CONSERVATION COMMISSION SIGNATURE FOR EXPEDITED REVIEW ONLY:**

ONLY Expedited Review applications require that the Conservation Commission signature is obtained prior to submit the final application to the Town/City Clerk for signature and mailing to the NHDES Wetlands Bureau. The Conservation Commission may refuse to sign. If the Conservation Commission does not sign this statement for any reason, then the application is not eligible for expedited review and the "Standard Review" box should be checked on page 1. The application shall be reviewed in the standard review time.

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.

Authorized Commission Signature

Print name legibly

Date

8. **RELATED FILES/APPROVALS:** If applicable, indicate files and approvals that are related to the proposed project or project site. Link to all NHDES Programs, Bureaus and Units: <http://des.nh.gov/programs/index.htm> (Copy link to your web browser)

Wetlands Bureau enforcement, emergency authorizations: _____

Wetlands Bureau approvals, denials: **2005-02246**

Shoreland/ Alteration of Terrain/ Subsurface: _____

Other: _____

9. **PROJECT DESCRIPTION:** Provide a brief description of the project, outlining the scope of work to be performed, including the area of impact (square feet) of permanent impacts, temporary impacts (impacts that are not intended to remain after the project is completed), and after-the-fact impacts (work completed prior to receipt of this application by DES) to each jurisdictional area that will be impacted (wetlands, streams, rivers, lakes/ponds, prime wetland/buffer, tidal waters, salt marsh, sand dune, [upland] tidal buffer zone & docking structures). Docking structures provide the square footage of seasonal docking structures and permanent docking structures. **Please provide only a brief project description as instructed above and attach additional sheets to provide other information requirements, but DO NOT reply "See Attached" in the space provided below.**

Proposed rebuild existing 12x23 permanent dock "in kind" (no net impact - see permit #2005-02246) and construct a 6 x 30 permanent piling dock (180 sq ft) with a 14x30 seasonal canvas canopy (420 sq ft), two ice clusters, and two tie off piles (11 sq ft). Retain existing seasonal boatlift.

No work is proposed to the existing 8x30 crib dock or wood ramps on site.

This site meets the criteria under Env-Wt 402.06 for permanent dock construction.

This will provide a total of 5 boatslips on 302 ft avg. frontage meeting Env-Wt 402.13.

The seasonal canvas canopy will be removed during the non-boating season.

A turbidity curtain will be installed and maintained during construction and removed upon stabilization.

10. **APPLICATION REQUIREMENTS:** *This application will be returned to you if items outlined in A – J.1 are not provided.* If applicable items outlined in J.2 - L are not provided, you may receive a letter requesting the outstanding information. Please note that a DES request letter is a courtesy and applications that do not include the required information may be denied. Copy links to your web browser.

A. 1. Is the project within a ¼ mile of a designated river? Y N

Designated river list and map link: <http://des.nh.gov/organization/divisions/water/wmb/rivers/designriv.htm>

2. If yes: Indicate river: _____

3. As required by RSA 482-A:3,1(d)(2), I have notified the Local River Advisory Committee (LAC) by sending a copy of the complete application and supporting materials via certified mail on: **Month:** ___ **Day:** ___ **Year:** ___

LAC link: <http://des.nh.gov/organization/divisions/water/wmb/rivers/lac/index.htm>

B. Property Owner or Authorized Applicant/Agent and Town/City Clerk signatures, no.'s 5 & 6 on pg. 2 of this form (Env-Wt 501.02(a) & 505.01(i))

C. Narrative of the project description, no. 9 above (Env-Wt 501.02(a) & 505.01(i))

D. Documentation from the Department of Resources and Economic Development's Natural Heritage Bureau (NHB) indicating that NHB has reviewed your project. Documentation can be obtained online at: https://www2.des.state.nh.us/nhb_datacheck/ or by phone (603) 271-2215 x 323. Please attach the REQUIRED letter/memo and map provided by NHB.

E. A copy of a U. S. Geological Survey topographic map upon which the property lines and project limits have been outlined (surveyed property boundaries not required). The map must be at an unaltered scale of 1:24,000 or 1" = 2,000 feet (1:25,000 metric map). (Env-Wt 501.02(a)(4) & 505.01(g))

Topographic Map Links: <http://des.nh.gov/organization/divisions/water/wetlands/categories/technical.htm>

F. Attach legible and labeled color photographs clearly depicting the jurisdictional areas to be impacted, the resource outside of impact area, any shoreline structures and culvert inlet/outlets (Env-Wt 501.02(a)(3) & 505.01(i))

G. Attach drawing(s)/plan(s) (including a construction sequence) showing additional data requirements listed in Env-Wt 501.02(a)(2) & 505.01(h). See no. 11 on pg.'s 4 & 5 for drawing/plan requirements.

H. Attach a completed U.S. Army Corps of Engineers New Hampshire Programmatic General Permit (PGP) Appendix B – Required Information and Corps Secondary Impact Checklist: http://www.nae.usace.army.mil/Regulatory/SGP/NH_PGP.pdf (scroll to page 29 of 34 to reach Appendix B).

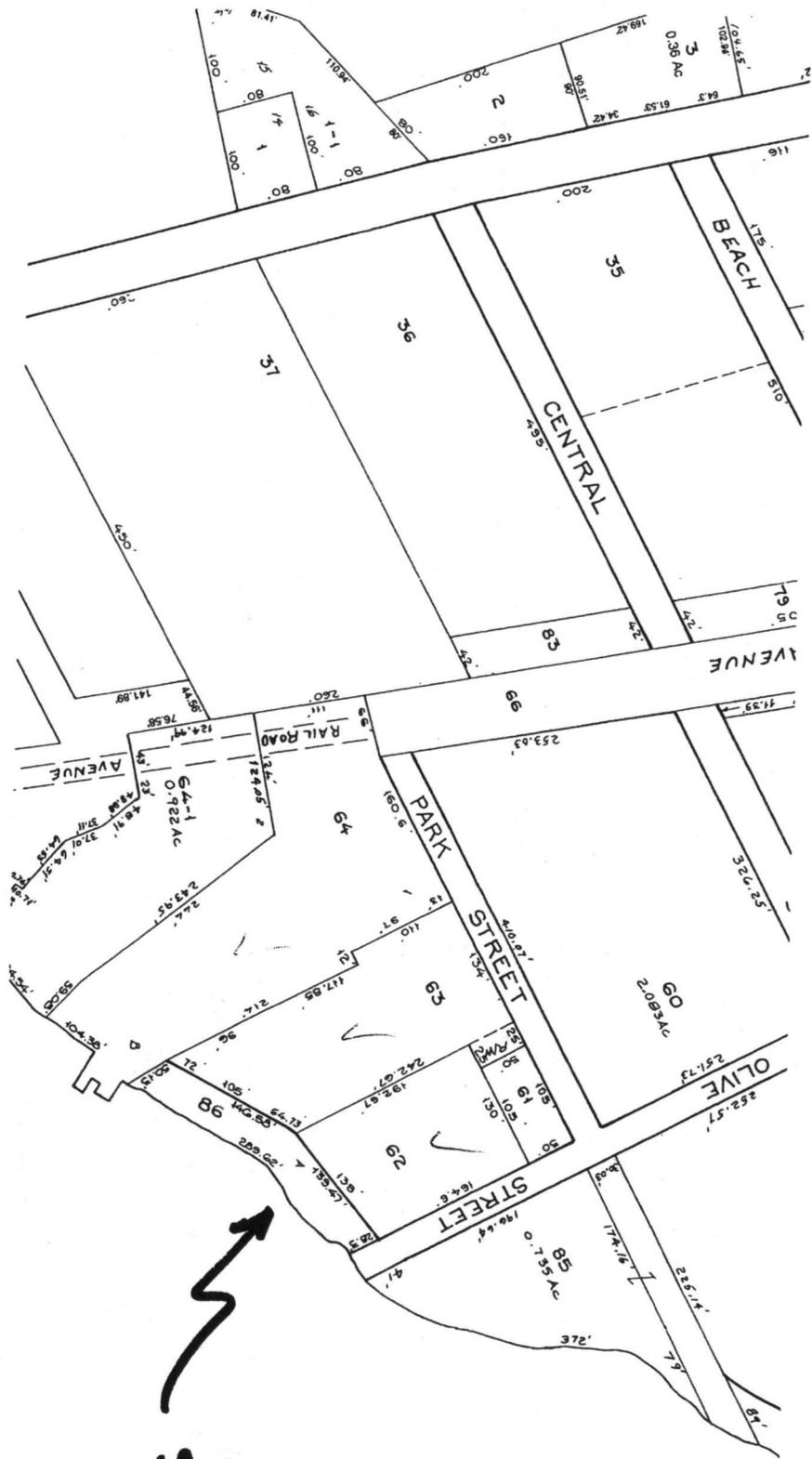
10. APPLICATION REQUIREMENTS CONTINUED:

- I. Attach the application fee, check or money order payable to: "Treasurer-State of NH" (RSA 482-A:3,1 & Env-Wt 505.01(c))
- Minimum Impact (Standard & Expedited Review): Flat fee of \$ 200 **OR**
 - Minor or Major Impact (Standard Review): Complete the minor & major application fee table below.

MINOR & MAJOR APPLICATION FEE:

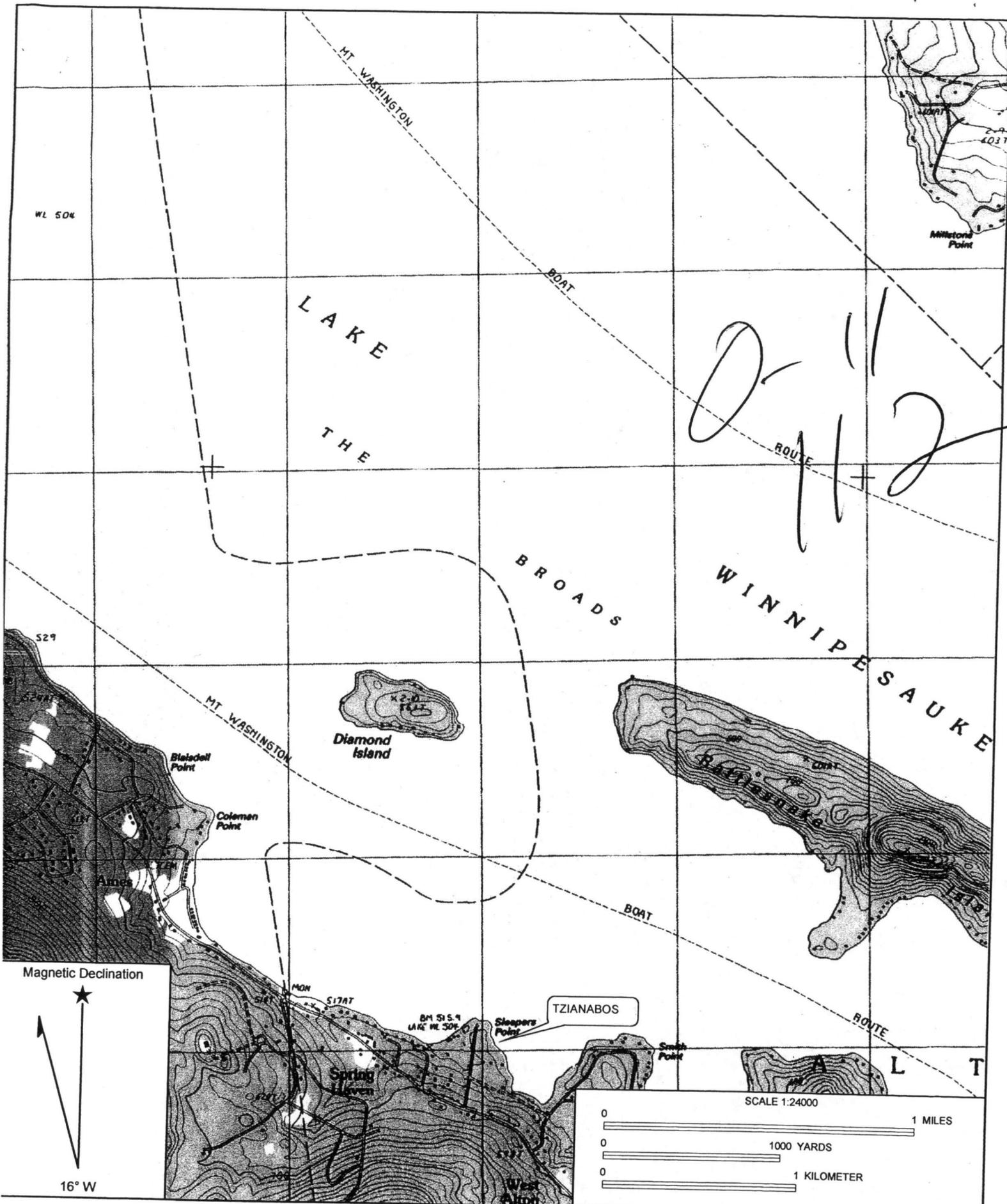
Permanent impacts (non-docking): _____	sq. ft.	X \$0.20 =	_____
Temporary impacts (non-docking): _____	sq. ft.	X \$ 0.20 =	_____
Temporary (seasonal) docking structure: _____	420 sq. ft.	X \$1.00 =	420.00
Permanent docking structure: _____	191 sq. ft.	X \$2.00 =	382.00
Projects proposing shoreline structures add \$200 =			200.00
Total =			1,002.00
The Application Fee is the above calculated Total or \$200, whichever is greater =			_____

- J.1. Legible copy or tracing of the tax map from the municipal office (Env-Wt 501.02(a)(1)& 505.01(e)).
2. Confirm the submitted tax map illustrates the property of the applicant, the location of the proposed project on the property, and the location of properties of abutters (defined Env-Wt 101.03) with each lot labeled with the abutter's name(s) and mailing address(es); or provide a list of abutters' names and mailing addresses to cross-reference with the tax map (Env-Wt 501.02(a)(1)& 505.01(f))
- Abutter Notification Exceptions see Env-Wt 501.01(c).
 - If jurisdictional impacts occur within 20 feet of an abutting property line or imaginary extension thereof over surface water signed permission letter(s) from the affected abutters must be included with this application (Env-Wt 304.04). This letter must be notarized if your project is a boat docking facility (RSA 482-A:3-XIII(c)). Notarized abutter permission is not required for maintenance projects.
- K. Need, Avoidance & Questions:
- Minimum: 1. Attach a statement demonstrating need for the proposed project (Env-Wt 302.03); and
2. Attach a statement demonstrating that the proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction. (Env-Wt 302.03 & 505.01(d)&(y)); **OR**
 - Minor & Major: Attach a response to questions outlined in Wetland Rule Env-Wt 302.04(a)
- L. Minor & Major Impact Projects ONLY: Does the project require compensatory mitigation pursuant to Env-Wt 302.03?
- Y N **If yes:** Attach a completed Mitigation Agreement Form and materials outlined on the form (Env-Wt 501.02(a)(6) & 501.06)
Link: http://des.nh.gov/organization/commissioner/pip/forms/wetlands/documents/mitigation_form.doc



SITE

TZIANABOS
 COPY OF ALTON
 MAP # 65

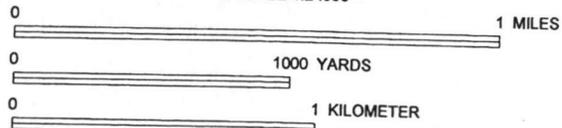


Magnetic Declination



16° W

SCALE 1:24000



Name: WEST ALTON
 Date: 1/24/2013
 Scale: 1 inch equals 2000 feet

Location: 043° 34' 36.76" N 071° 18' 52.87" W NAD 27
 Caption: TZIANABOS PROPERTY



New Hampshire Natural Heritage Bureau

To: Paul Goodwin
29 Gilford East Drive
Gilford, NH 03249

Date: 1/31/2013

From: NH Natural Heritage Bureau

Re: Review by NH Natural Heritage Bureau of request dated 1/31/2013

NHB File ID: NHB13-0468

Applicant: Arthur Tzianabos

Location: Tax Map(s)/Lot(s): 65-86-00
Alton

Project Description: rebuild one dock, install a new dock and seasonal canopy

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 1/30/2014.

ABUTTER LIST:

- #65-86: Tzianabos – SITE
- #65-62: Other Land of Tzianabos
- #65-63: Jerome & Kendra Bergeron
[REDACTED]
Marblehead, MA 01945
- #65-64: Gary & Janet Kelloway
[REDACTED]
Haverhill, MA 01835

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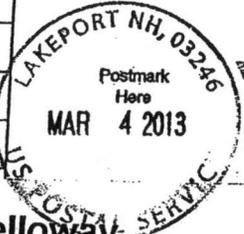


7012 0470 0000 5128 8797

Jerome & Kendra Bergeron
[REDACTED]
Marblehead, Ma. 01945

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7012 0470 0000 5128 8784

Gary & Janet Kelloway
[REDACTED]
Haverhill, Ma. 01835

ABUTTER LIST &
Cert. Mail Rect's

TZIANABOS PROPERTY
Alton, NH

