



The State of New Hampshire

## Department of Environmental Services



**Robert R. Scott, Commissioner**

January 16, 2018

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

### REQUESTED ACTION

Approve Barry Williams' request to perform the following work on Lake Winnepesaukee, in Alton. File # 2017-02205. This project will not have significant impact on or adversely affect the values of Lake Winnepesaukee.

Rework 45.5 feet of existing breakwater to install a 6 foot x 40 foot cantilevered pier to be accessed by 6 foot wide stairs over the bank and install a 14 foot x 32 foot seasonal canopy and seasonal boatlift between an existing 6 foot x 30 foot cantilevered pier and an existing 6 foot x 30 foot crib pier connected by 60 linear feet of wharf on an average of 214 feet of frontage along Lake Winnepesaukee, on Rum Point, in Alton.

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

1. All work shall be in accordance with revised plans by Diversified Marine Construction dated November 12, 2017, as received by NHDES on November 22, 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 trees, saplings, or ground covers from within the waterfront buffer.
5. Appropriate siltation and erosion controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized. Temporary controls shall be removed once the area has been stabilized.
6. 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.
7. All construction-related debris shall be placed outside of the areas subject to RSA 482-A.
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. 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.
10. All seasonal structures, including watercraft lifts, shall be removed for the non-boating season.

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

29 Hazen Drive • PO Box 95 • Concord, NH 03302-0095  
(603) 271-3503 • Fax: 271-7894 TDD Access: Relay NH 1-800-735-2964

11. The canopy, including the support frame and cover, shall be designed and constructed to be readily removed at the end of the boating season and the flexible canopy shall be removed for the non-boating season.

#### EXPLANATION

The NHDES Wetlands Bureau approved this project on December 17, 2017. NHDES 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 associated with a breakwater.
2. The maintenance 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 214 feet of shoreline frontage along Lake Winnepesaukee.
4. A maximum of 3 slips may be permitted on this frontage per Rule Env-Wt 402.13 Frontage Over 75'.
5. The proposed docking facility will provide 3 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

Land Resources Management

Wetlands Bureau

Check the status of your application: [www.des.nh.gov/onestop](http://www.des.nh.gov/onestop)



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

	<p><b>COMPLETE</b></p> <p>JUL 25 2017</p>	2017-02205
		18709
		\$ 718.40
		LSL

**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: **54 Timber Ridge Road** TOWN/CITY: **Alton**

TAX MAP: **58** BLOCK: **007** LOT: **000** UNIT:

USGS TOPO MAP WATERBODY NAME: **Lake Winnepesaukee**  NA STREAM WATERSHED SIZE:  NA

LOCATION COORDINATES (If known): **43.54/ -71.27**  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.

**Construct a cantaleverd dock on an existing breakwater, to allow the homeowner a safe docking facility during high winds.**

**4. SHORELINE FRONTAGE**

NA This lot has no shoreline frontage. SHORELINE FRONTAGE: **201.4'**  
 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.

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

None

**6. 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 - 1523

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

NA

<b>7. APPLICANT INFORMATION (Desired permit holder)</b>			
LAST NAME, FIRST NAME, M.I.: <b>Dave Farley</b>			
TRUST / COMPANY NAME: <b>Diversified Marine Construction</b>		MAILING ADDRESS: <b>PO Box 7464</b>	
TOWN/CITY: <b>Gilford</b>		STATE: <b>NH</b>	ZIP CODE: <b>03249</b>
EMAIL or FAX: <b>dfarley@divermarine.com</b>		PHONE: <b>603-528-4151</b>	
ELECTRONIC COMMUNICATION: By initialing here: <b>df</b> , I hereby authorize NHDES to communicate all matters relative to this application electronically			
<b>8. PROPERTY OWNER INFORMATION (If different than applicant)</b>			
LAST NAME, FIRST NAME, M.I.: <b>Williams, Barry</b>			
TRUST / COMPANY NAME:		MAILING ADDRESS: <b>[REDACTED]</b>	
TOWN/CITY: <b>Alton</b>		STATE: <b>NH</b>	ZIP CODE: <b>03809</b>
EMAIL or FAX:		PHONE:	
ELECTRONIC COMMUNICATION: By initialing here _____, I hereby authorize NHDES to communicate all matters relative to this application electronically			
<b>9. AUTHORIZED AGENT INFORMATION</b>			
LAST NAME, FIRST NAME, M.I.: <b>Farley, Jan</b>		COMPANY NAME: <b>Diversified Marine Construction</b>	
MAILING ADDRESS: <b>PO Box 7464</b>			
TOWN/CITY: <b>Gilford</b>		STATE: <b>NH</b>	ZIP CODE: <b>03249</b>
EMAIL or FAX: <b>jfarley@tech20.net</b>		PHONE: <b>603-630-2260</b>	
ELECTRONIC COMMUNICATION: By initialing here <b>jf</b> , I hereby authorize NHDES to communicate all matters relative to this application electronically			
<b>10. PROPERTY OWNER SIGNATURE:</b>			
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"> <li>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.</li> <li>I have reviewed and submitted information &amp; attachments outlined in the Instructions and Required Attachment document.</li> <li>All abutters have been identified in accordance with RSA 482-A:3, I and Env-Wt 100-900.</li> <li>I have read and provided the required information outlined in Env-Wt 302.04 for the applicable project type.</li> <li>I have read and understand Env-Wt 302.03 and have chosen the least impacting alternative.</li> <li>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.</li> <li>I have submitted a Request for Project Review (RPR) Form (<a href="http://www.nh.gov/nhdhr/review">www.nh.gov/nhdhr/review</a>) 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.</li> <li>I authorize NHDES and the municipal conservation commission to inspect the site of the proposed project.</li> <li>I have reviewed the information being submitted and that to the best of my knowledge the information is true and accurate.</li> <li>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.</li> <li>I am aware that the work I am proposing may require additional state, local or federal permits which I am responsible for obtaining.</li> </ol>			
 Property Owner Signature		<b>Barry Williams</b> Print name legibly	<b>6 / 15 / 2017</b> Date

## MUNICIPAL SIGNATURES

### 11. 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. 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.

### 12. 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.

 <small>Town/City Clerk Signature</small>	Jennifer L Collins <small>Print name legibly</small>	Athol <small>Town/City</small>	7/21/2017 <small>Date</small>
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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, 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,

**13. 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	/	<input type="checkbox"/> ATF	/	<input type="checkbox"/> ATF
Lake / Pond	/	<input type="checkbox"/> ATF	/	<input type="checkbox"/> ATF
Bank - Intermittent stream	/	<input type="checkbox"/> ATF	/	<input type="checkbox"/> ATF
Bank - Perennial stream / River	/	<input type="checkbox"/> ATF	/	<input type="checkbox"/> ATF
Bank - Lake / Pond	192 / 32	<input type="checkbox"/> ATF	/	<input type="checkbox"/> ATF
Tidal water	/	<input type="checkbox"/> ATF	/	<input type="checkbox"/> ATF
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	240 sq ft	<input type="checkbox"/> ATF		<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>432 / 32</b>		<b>/</b>	

**14. 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) 192 sq. ft. X \$0.20 = \$ 38.40

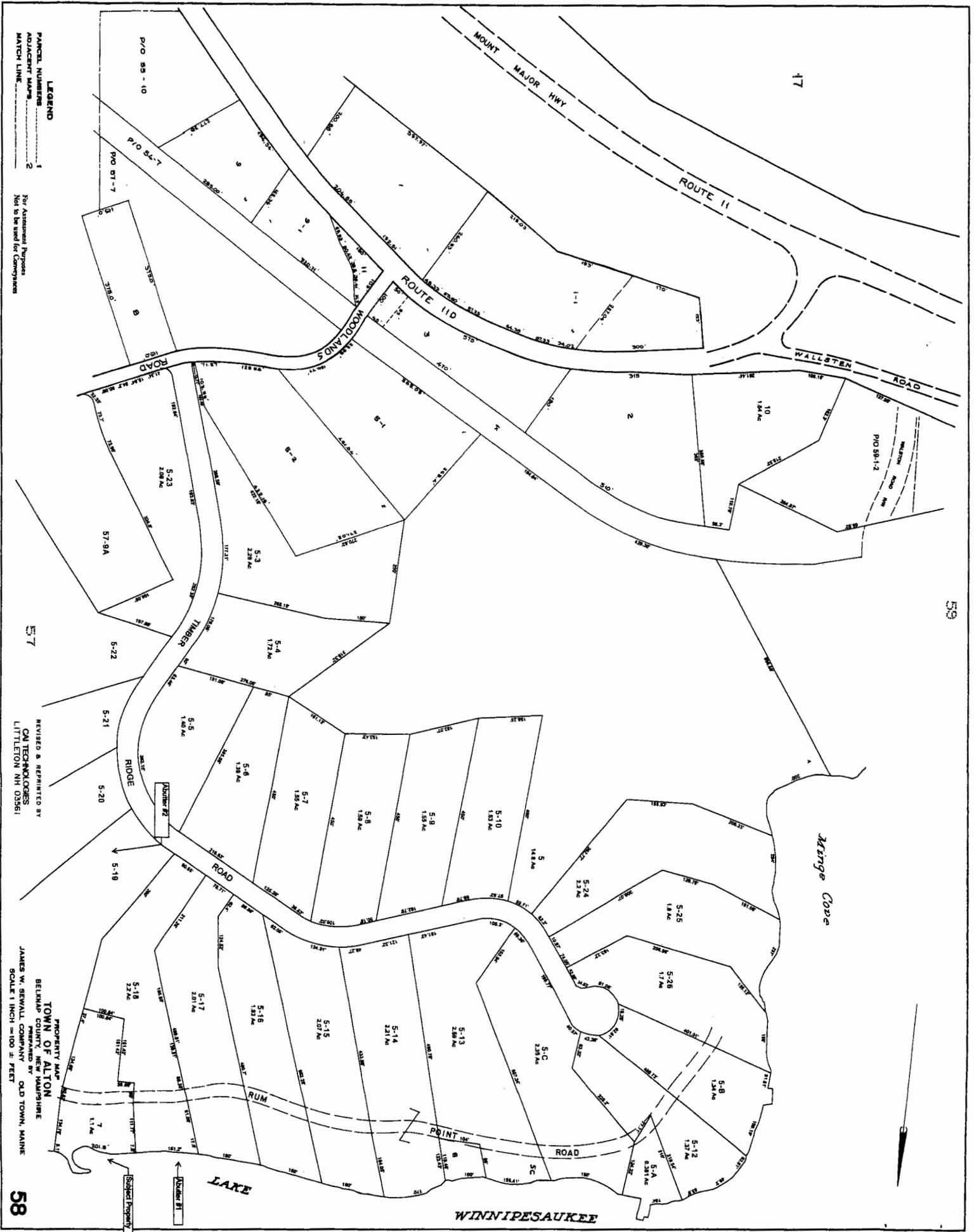
Temporary (seasonal) docking structure: sq. ft. X \$1.00 = \$

Permanent docking structure: 240 sq. ft. X \$2.00 = \$ 480.00

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

Total = \$ 718.40

The Application Fee is the above calculated Total or \$200, whichever is greater = \$ 718.40



17

59

**LEGEND**  
 1 Parcel Number  
 2 Adjacent Maps  
 3 For Assessment Purposes  
 4 Not to be used for Conveyance

57

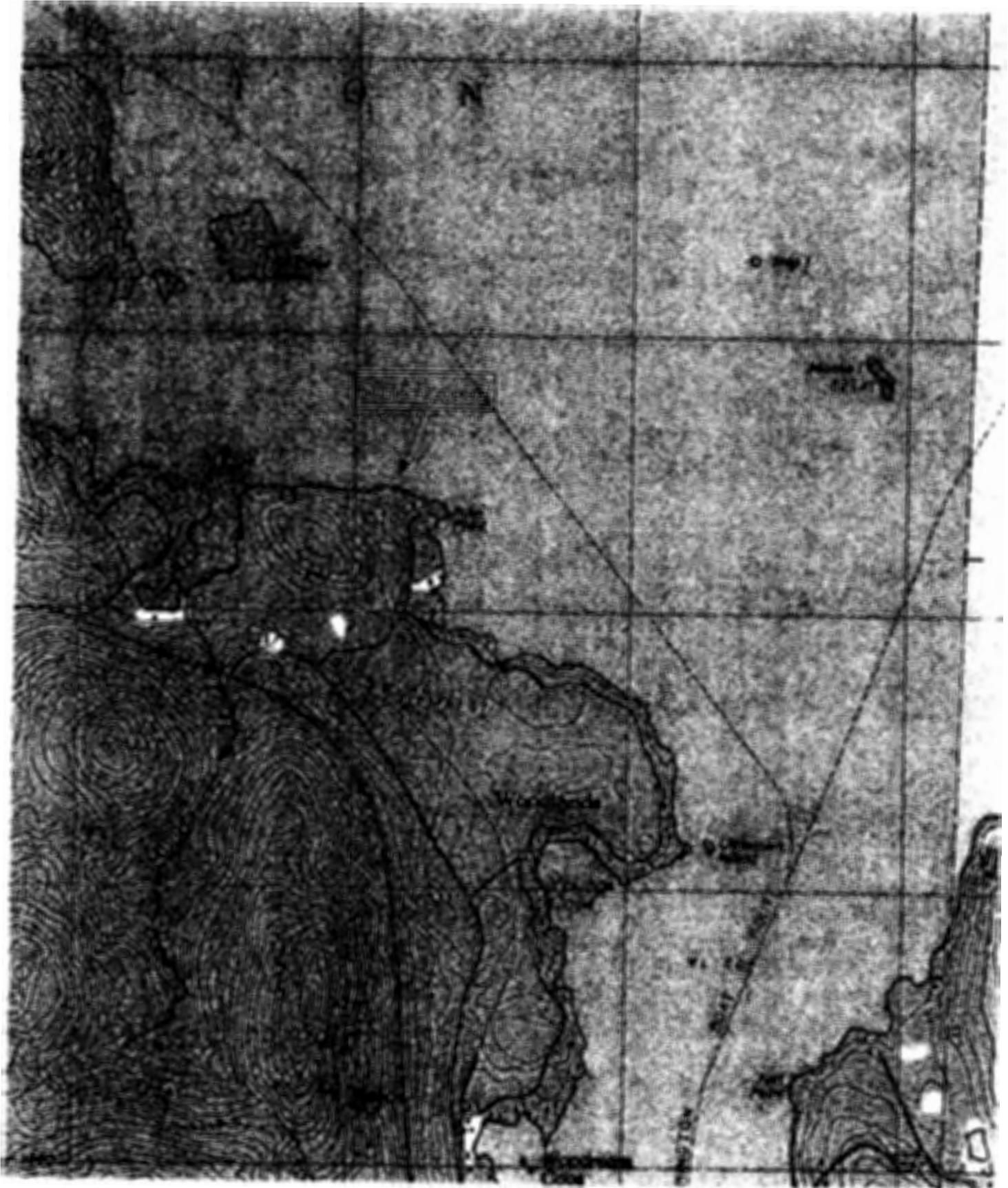
REVISED & REPRINTED BY  
 CMT TECHNOLOGIES  
 LITTLETON, NH 03561

**TOWN OF ALTON**  
 BELKNAP COUNTY, NEW HAMPSHIRE  
 JAMES W. SEWELL COMPANY, INC.  
 SCALE 1 INCH = 100 FEET

58

WINNIPESAUKEE

Williams  
58-007-000





## New Hampshire Natural Heritage Bureau

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**To:** Janice Farley  
PO Box 7464  
Gilford, NH 03249

**Date:** 5/22/2017

**From:** NH Natural Heritage Bureau

**Re:** Review by NH Natural Heritage Bureau of request dated 5/22/2017

NHB File ID: NHB17-1523

**Applicant:** Janice Farley

**Location:** Tax Map(s)/Lot(s): 58-070-000  
Alton

**Project Description:** Modify and existing breakwater.

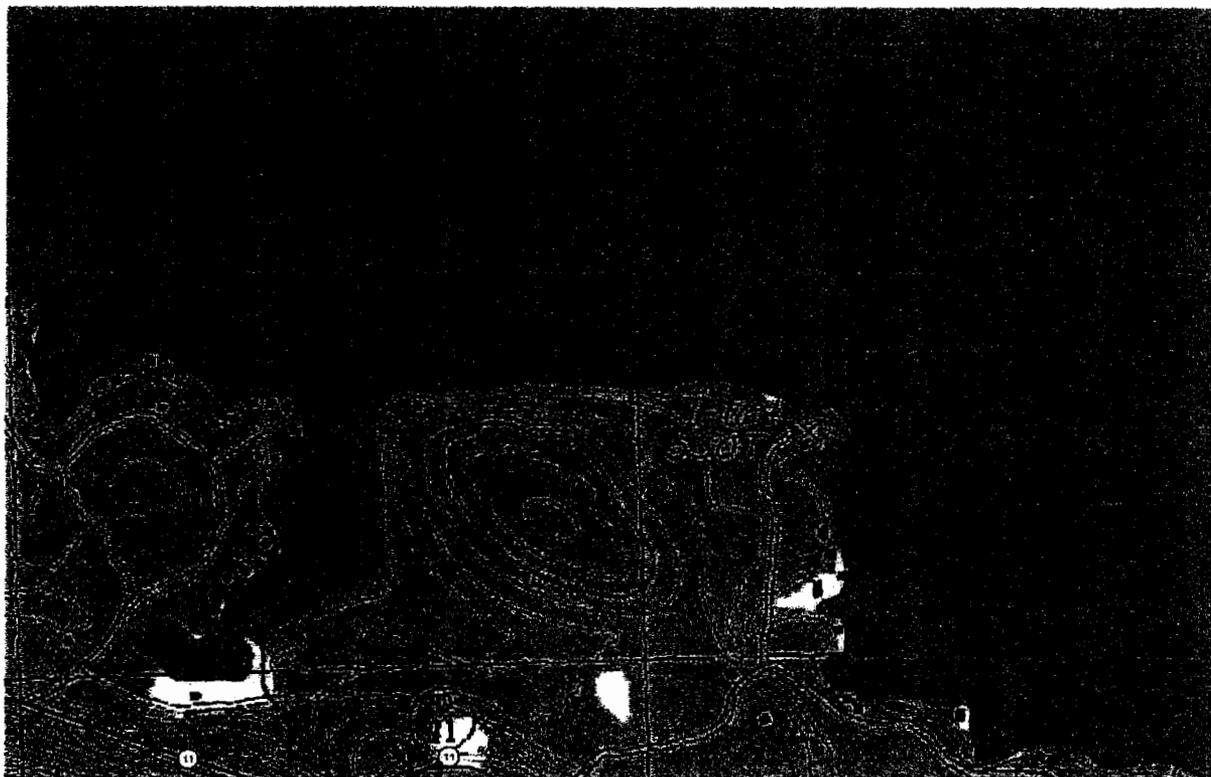
The NH Natural Heritage database has been checked for records of rare species and exemplary natural communities near the area mapped below. The species considered include those listed as Threatened or Endangered by either the state of New Hampshire or the federal government. We currently have no recorded 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 5/21/2018.



**MAP OF PROJECT BOUNDARIES FOR NHB FILE ID: NHB17-1523**



ABUTTER LIST

Subject Property

Parcel Number;	58-070-000	Mailing Address;	Barry Williams
	54 Timber Ridge Rd.		[REDACTED]
	Alton, NH 03809		

ABUTTERS

Parcel Number;	58-5-18	Mailing Address;	Daniel and Lanie Colao
Current Owner;	Daniel O Colao Revocable Trust		[REDACTED]
	56 Timber Ridge Rd		Ridgefield, CT 06877
	Alton, NH 03809		

Parcel Number;	58-5-19	Mailing Address;	Tim Cuchocki
Current Owner;	Bison Brook North LLC		[REDACTED]
	52 Timber Ridge Rd.		Preston, CT 06365
	Alton, NH 03809		