



The State of New Hampshire DEC 23 '19 AM 10:14 DAS
Department of Environmental Services



46

Robert R. Scott, Commissioner

December 13, 2019

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

REQUESTED ACTION

Approve James Orr's request to perform the following work on Lake Winnepesaukee in Alton. File # 2019-02169. This project will not have significant impact on or adversely affect the values of Lake Winnepesaukee.

Remove 5 linear feet of existing breakwater creating an 11 foot wide gap at the shoreline, fill 275 square feet of lakebed with 52 cubic yards of rock in order to expand an existing breakwater to 69.8 linear feet and temporarily impact 300 square feet of lake bed for stockpiling of rock on 297 linear feet of shoreline frontage along Lake Winnepesaukee in Brickyard Cove, in Alton.

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 revised plans by Beckwith Builders, Inc., revision dated November 4, 2019 and as received by the NH Department of Environmental Services (NHDES) on November 6, 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. This permit does not authorize any regrading or contouring of the bank.
5. Work authorized shall be carried out such that there are no discharges in or to spawning or nursery areas during spawning seasons. Impacts to such areas shall be avoided or minimized to the maximum extent practicable during all other times of the year.
6. Work shall be carried out in a time and manner to avoid disturbances to migratory waterfowl breeding and nesting areas.
7. 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.
8. All construction-related debris shall be placed outside of the areas subject to RSA 482-A.

9. 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.
10. 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.
11. This permit does not authorize work to the existing docks and boathouse.
12. The breakwater shall have an irregular face to dissipate wave energy.
13. No portion of breakwater as measured at normal full lake (Elev. 504.32) shall extend more than 50 feet from normal full lake shoreline.
14. The breakwater shall not exceed 3 feet in height (Elev. 507.32) over the normal high water line (Elev. 504.32).
15. The width as measured at the top of the breakwater (Elev. 504.32) shall not exceed 3 feet.
16. A gap of 11 feet shall be maintained between the breakwater and the shoreline (Elev. 504.32).
17. The total linear feet of breakwater over the normal high water line (Elev. 504.32) shall not exceed 69 feet 8 inch.
18. 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.
19. 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.
20. Rocks shall not remain stockpiled on the frontage for longer than 60 days and must be within and contained by a turbidity curtain.
21. Photos showing that all construction materials have been removed from the temporary stockpile area shall be submitted to the NHDES Wetlands Bureau within 10 days of completing the breakwater.
22. This permit shall not preclude the NHDES from initiating appropriate action if the NHDES later determines that any of the structures depicted as "existing" on the plans submitted by or on behalf of the permittee were not previously permitted or grandfathered.

EXPLANATION

The NHDES approved this project on November 12, 2019. The NHDES supported its decision with the following findings:

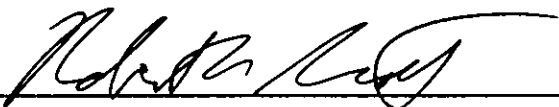
1. This is a major impact project per Administrative Rule Env-Wt 303.02(j), modification of a breakwater in public waters.
2. The construction of a breakwater to provide safe docking at this site is justified in accordance with Rule Env-Wt 402.07, Breakwaters.
3. The applicant has provided evidence which 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 NHDES 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.

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6. The applicant has an average of 297 feet of shoreline frontage along Lake Winnepesaukee.
7. The total length of the proposed breakwater is 69 feet 8 inches and in accordance with Env-Wt 402.07(e)(2), the total length of the breakwater shall not exceed 70 feet, therefore the application has meet the requirement of Env-Wt 402.07(e)(2).

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



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-Wt 100-900

RECEIVED JUL 16 2019 NHDES	COMPLETE JUL 16 2019 Administrative Use Only	2019-03169
		Check No: 8196
		Amount: \$4800
		Initial: DB

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 Questions.

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 within which wetland impacts occur.

ADDRESS: 12 Point Beach Lane TOWN/CITY: Alton

TAX MAP: 21A BLOCK: LOT: 28 UNIT:

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

LOCATION COORDINATES (if known): Latitude/Longitude UTM State Plane

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.

The purpose of this project is to extend an existing breakwater to the allowed length of 70ft.

5. SHORELINE FRONTAGE: N/A This does not have shoreline frontage. SHORELINE FRONTAGE: 297 Feet

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. 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 Webpage.

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 19 - 2147

b. This project is within a Designated River corridor. The project is within ¼ mile of: _____; and date a copy of the application was sent to the Local River Management Advisory Committee: Month: ___ Day: ___ Year: ___
 N/A - This project is not within a Designated River corridor.

lrn@des.nh.gov or (603) 271-2147

NHDES Wetlands Bureau, 29 Hazen Drive, PO Box 95, Concord, NH 03302-0095

www.des.nh.gov

8. APPLICANT INFORMATION (Desired permit holder)

LAST NAME, FIRST NAME, M.I.: Orr, James

TRUST / COMPANY NAME:

MAILING ADDRESS:

TOWN/CITY:

EMAIL or FAX:

STATE:

ZIP CODE

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.: Beckwith, Jason

COMPANY NAME: Beckwith Builders Inc.

MAILING ADDRESS: 44 Libby Street

TOWN/CITY: Wolfeboro

STATE: NH

ZIP CODE: 03894

EMAIL or FAX: jason@beckwithbuilders.com

PHONE: 603-569-6829

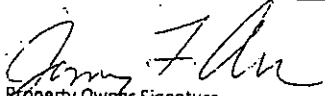
ELECTRONIC COMMUNICATION: By initialing here JB, I hereby authorize NHDES to communicate all matters relative to this application electronically.

11. PROPERTY OWNER SIGNATURE

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

By signing the application, I am certifying that:

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 National Historic Preservation Act (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 NHDES 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


Property Owner Signature

JAMES F. ORR
Print name legibly


7/12/19
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
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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 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.

 Deputy Town Clerk	Jennifer L. Collins Print name legibly	Alton Town/City	7.15.2019 Date
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DIRECTIONS FOR TOWN/CITY CLERK:

Per RSA 482-A:3,

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 completed.

Intermittent Streams: linear footage distance of disturbance is measured along the thread of the channel.

Perennial Streams/Rivers: the total linear footage distance is calculated by summing the lengths of disturbance to the channel and each bank.

JURISDICTIONAL AREA	PERMANENT Sq. Ft. / Lin. Ft.	ATF	TEMPORARY Sq. Ft. / Lin. Ft.	ATF
Forested wetland		<input type="checkbox"/>		<input type="checkbox"/>
Scrub-shrub wetland		<input type="checkbox"/>		<input type="checkbox"/>
Emergent wetland		<input type="checkbox"/>		<input type="checkbox"/>
Wet meadow		<input type="checkbox"/>		<input type="checkbox"/>
Intermittent stream channel	/	<input type="checkbox"/>	/	<input type="checkbox"/>
Perennial Stream / River channel	/	<input type="checkbox"/>	/	<input type="checkbox"/>
Lake / Pond	290 SqFt / Breakwater	<input type="checkbox"/>	300 SqFt / Temp. Stockpile	<input type="checkbox"/>
Bank - Intermittent stream	/	<input type="checkbox"/>	/	<input type="checkbox"/>
Bank - Perennial stream / River	/	<input type="checkbox"/>	/	<input type="checkbox"/>
Bank - Lake / Pond	/	<input type="checkbox"/>	/	<input type="checkbox"/>
Tidal water	/	<input type="checkbox"/>	/	<input type="checkbox"/>
Salt marsh		<input type="checkbox"/>		<input type="checkbox"/>
Sand dune		<input type="checkbox"/>		<input type="checkbox"/>
Prime wetland		<input type="checkbox"/>		<input type="checkbox"/>
Prime wetland buffer		<input type="checkbox"/>		<input type="checkbox"/>
Undeveloped Tidal Buffer Zone (TBZ)		<input type="checkbox"/>		<input type="checkbox"/>
Previously developed upland in TBZ		<input type="checkbox"/>		<input type="checkbox"/>
Docking - Lake / Pond		<input type="checkbox"/>		<input type="checkbox"/>
Docking - River		<input type="checkbox"/>		<input type="checkbox"/>
Docking - Tidal Water		<input type="checkbox"/>		<input type="checkbox"/>
Vernal Pool		<input type="checkbox"/>		<input type="checkbox"/>
TOTAL	/		/	

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) 300 sq. ft. X \$0.20 = \$ 60

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

Permanent docking structure: 290 sq. ft. X \$2.00 = \$ 580

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

Total = \$ 840

The Application Fee is the above calculated Total or \$200, whichever is greater = **\$ 840**

WIPER'S
POINT

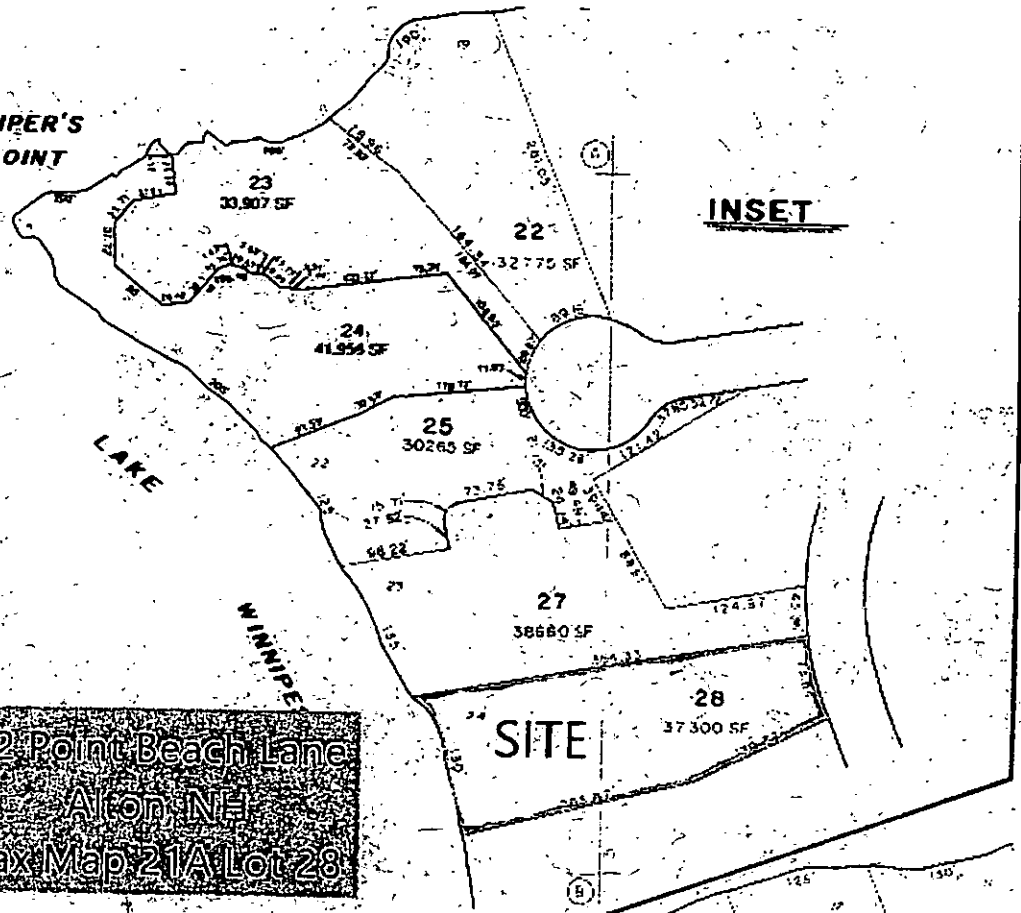
INSET

LAKE

MINNIE

SITE

2 Point Beach Lane
Alton, NE
Tax Map 21A Lot 28



USGS Map

Legend

- State
- County
- City/Town

X: 1102983.659939
Y: 382630.615250

Map Scale

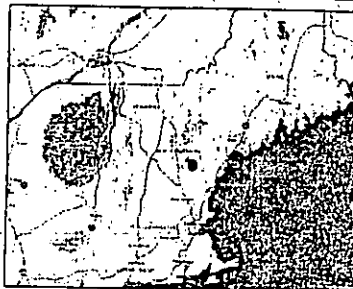
1: 24,000

© NH GRANIT, www.granit.unh.edu

Map Generated: 7/2/2019

Notes

12 Point Beach Road, Alton, NH





New Hampshire Natural Heritage Bureau

To: Jason Beckwith
44 Libby Street
Wolfeboro, NH, 03894

Date: 7/9/2019

From: NH Natural Heritage Bureau

Re: Review by NH Natural Heritage Bureau of request dated 7/9/2019
NHB File ID: NHB19-2147

Applicant: Jason Beckwith

Location: Tax Map(s)/Lot(s): Tax Map 21A Lot 28
Alton

Project Description: Extend an existing breakwater to the allowed 70ft

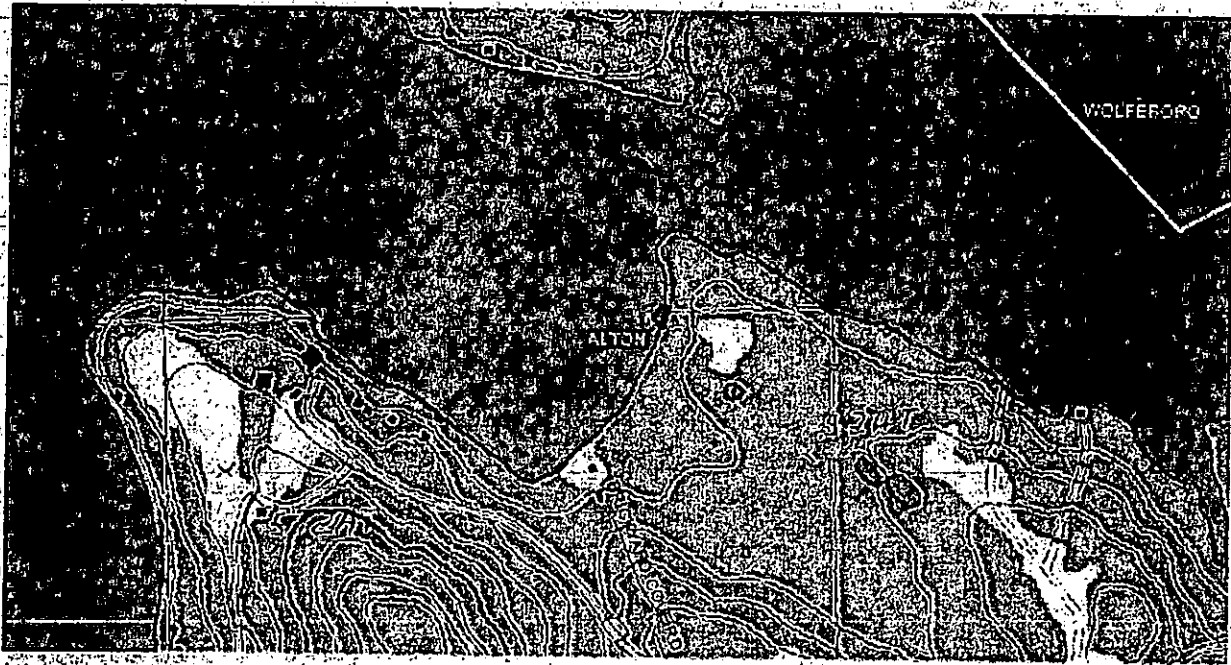
The NH Natural Heritage database has been checked for records of rare species and exemplary natural communities near the area mapped below. The species considered include those listed as Threatened or Endangered by either the state of New Hampshire or the federal government. We currently have no recorded 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 7/8/2020.



MAP OF PROJECT BOUNDARIES FOR NHB FILE ID: NHB19-2147





BECKWITH BUILDERS, INC.
Unique Builders in a Unique Environment



ABUTTERS LIST

Subject Parcel:

TM# 21A / 28 Orr James F III
Orr Ann L
12 Point Beach Lane
Alton, NH 03809

Mailing Address:

Abutters:

TM# 21A / 27 Jeffrey M Hirsch Rev Trust
10 Point Beach Lane
Alton, NH 03809

Mailing Address:

TM# 21A / 29 Orr James F III
Orr Ann L
14 Point Beach Lane
Alton, NH 03809

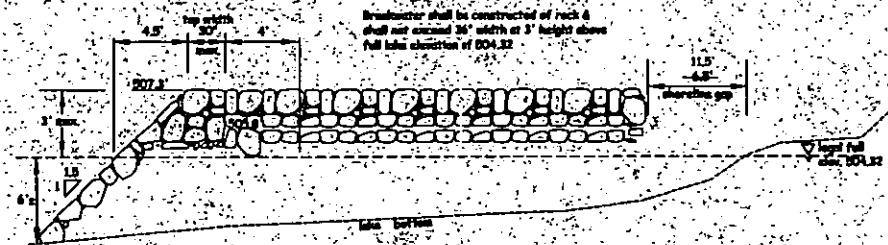
Mailing Address:

NOTES

The purpose of the project is to extend an existing breakwater to the allowed length of 70ft. There will be no part above full lake elevation beyond the 50ft setback from the shoreline.

FOOTPRINT AREAS:

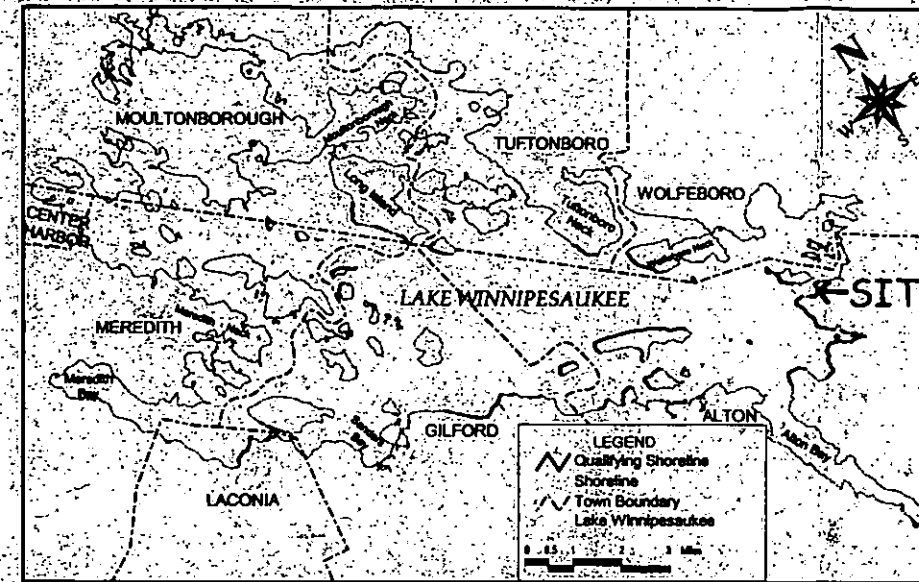
275 SF
Proposed breakwater area = 290 SF
Temporary stockpile area = 300 SF



BREAKWATER SECTION
SCHEMATIC - NO SCALE

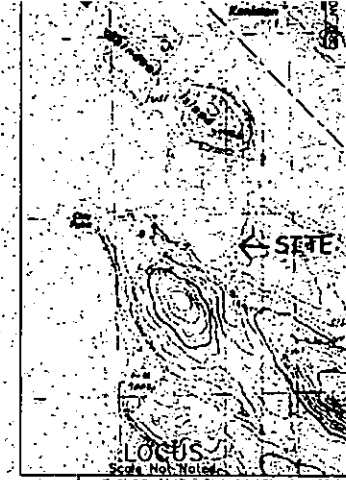
CONSTRUCTION SEQUENCE

1. Install erosion controls (turbidity curtain and other methods as necessary; the Contractor is fully responsible for controlling erosion.)
2. Construct new breakwater to lines and grades shown. Materials may be temporarily stockpiled in location shown.
3. Remove erosion controls once area is fully stabilized.



NHDES BREAKWATER MAP

Authored by: NH Department of Environmental Services
Wetlands Bureau



BECKWITH BUILDERS, INC.
ARCHITECTURE & CONSTRUCTION
124 LIBBY STREET
WOLFEBORO, NH 03090
PHONE: 603.882.8800
WWW.BECKWITHBUILDERS.COM
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BECKWITH BUILDERS, INC.
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NOTES:

1. Property lines and existing conditions as shown on this plan were taken from a surveyed plan of the property by White Mountain Survey Co., Inc. dated August 2000.
2. Elevation data as shown on this plan is based on Lake Winnepesaukee full elevation of 804.32'.
3. Deed Information: Bellows County Registry of Deeds Book 2720 Page 25.
4. Owner of Record: Tax Map 21A Lot 28: James F. Orr III & Ann L. Orr

Site Address: 12 Point Beach Lane
Alton, NH

DATE	REVISION
10/1/19	Breakwater adjusted to fit True DOH Shoreline Setback. Water depths added.
10/24/19	Remove an existing non-conforming portion of the breakwater that is beyond the DOH shoreline.
10/30/19	Shoreline prior to beachhouse construction used. Breakwater modified around corresponding DOH shoreline setback.
11/4/19	Corrected "Footprint Area" from 290 SF to 275 SF

PLAN FOR WETLANDS PERMIT

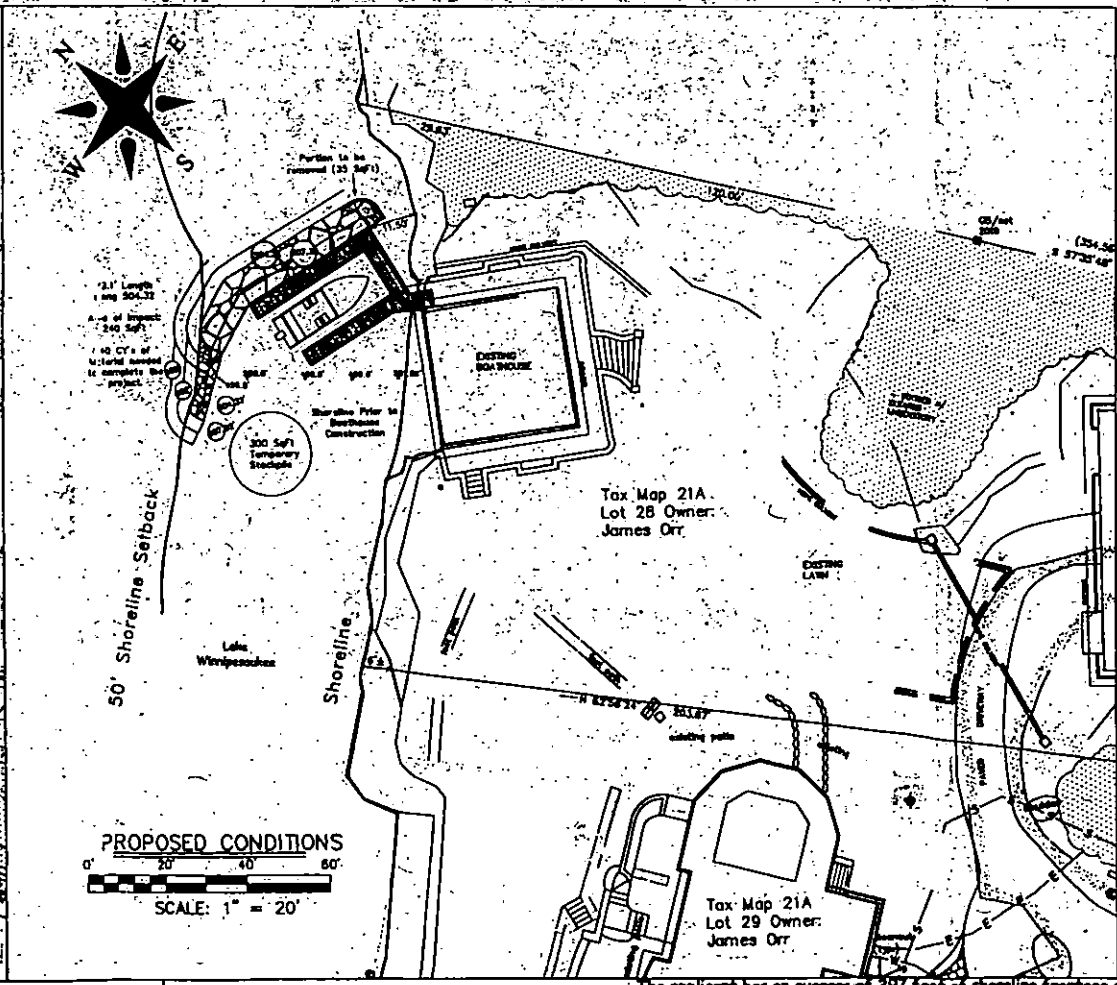
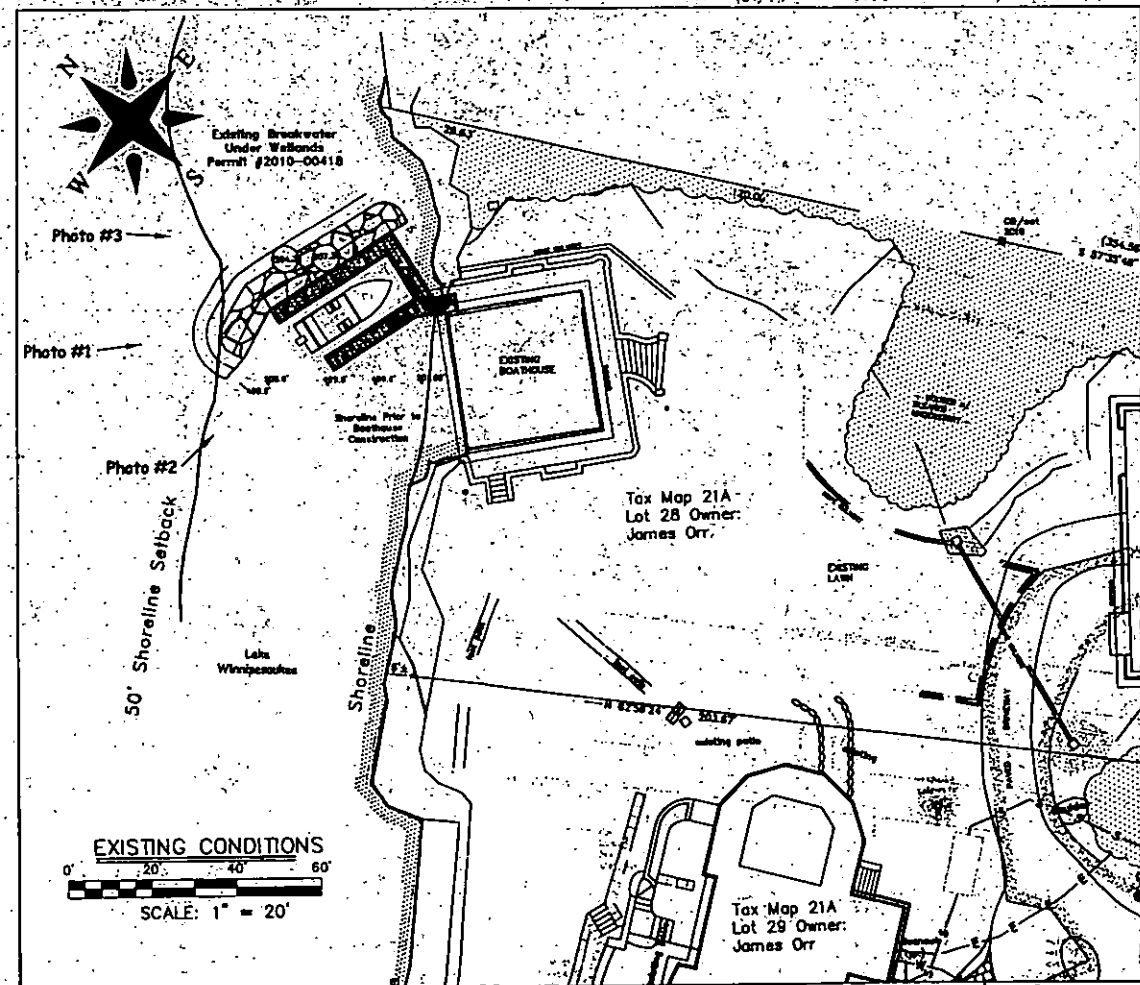
ORR PROJECT
12 POINT BEACH ROAD
ALTON, NH

TOWN TAX MAP NUMBER: 21A / 28

SCALE: 1" = 20'
DATE: July 9, 2019

OWNER OF RECORD TAX MAP 21A LOT 28:
James F. Orr III & Ann L. Orr

Book 2720 Page 25



LEGEND:

- proposed turbidity curtain
- DOH existing topographic contour
- BCRD Bellows County Registry of Deeds
- Shoreline & Shoreline Setback

The applicant has an average of 297 feet of shoreline frontage on two contiguous lots along Lake Winnepesaukee.

Unique Builders in a Unique Environment
BECKWITH BUILDERS, INC.