



The State of New Hampshire

Department of Environmental Services



Robert R. Scott, Commissioner

January 29, 2018

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

REQUESTED ACTION

Approve Albert and Carol Williams' request to perform the following work on Lake Winnepesaukee, in Alton. File # 2017-02991. This project will not have significant impact on or adversely affect the values of Lake Winnepesaukee.

Place 100 cubic yards of fill on 688 square feet of lakebed to construct 25 linear feet of breakwater with a 6 foot gap at the shoreline, a 4 foot x 30 foot cantilevered pier and a 6 foot x 30 foot piling pier connected by a 6 foot x 12 foot walkway in a "U" configuration accessed by 6 foot wide stairs over the bank and install a seasonal boat lift and two seasonal personal watercraft lifts on an average of 128 feet of frontage along Lake Winnepesaukee, on Rattlesnake 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 Watermark Marine Construction dated September 21, 2017, and submitted with correspondence dated December 20, 2017 as received by the NH Department of Environmental Services (NHDES) on December 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 any regrading or contouring of the bank to accommodate the proposed stairs and connecting walkway.
5. This permit does not authorize the removal of trees or saplings within the waterfront buffer.
6. Work shall be carried out in a time and manner to avoid disturbances to migratory waterfowl breeding and nesting areas.
7. 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. Temporary controls shall be removed once the area has been stabilized.
8. 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.
9. All construction-related debris shall be placed outside of the areas subject to RSA 482-A.
10. 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.

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. 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.
12. Pilings shall be spaced a minimum of 12 feet apart as measured piling center to piling center.
13. No portion of the piers shall extend more than 30 feet from the shoreline at full lake elevation (Elev. 504.32).
14. All seasonal structures, including watercraft lifts, shall be removed for the non-boating season.
15. No portion of breakwater as measured at normal full lake (Elev. 504.32) shall extend more than 31 feet from normal full lake shoreline.
16. The breakwater shall not exceed 3 feet in height (Elev. 507.32) over the normal high water line (Elev. 504.32).
17. The width as measured at the top of the breakwater (Elev. 504.32) shall not exceed 3 feet.
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.

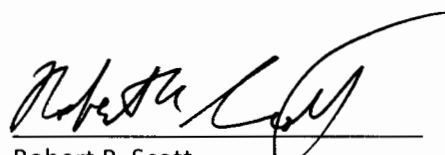
EXPLANATION

The NHDES Wetlands Bureau approved this project on December 29, 2017. NHDES supported its decision with the following findings:

1. This is a major impact project per Administrative Rule Env-Wt 303.02(d), construction a docking system adjacent or attached to 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 need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
4. 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.
5. 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.
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.
7. The applicant has an average of 128 feet of shoreline frontage along Lake Winipesaukee.
8. A maximum of 2 slips may be permitted on this frontage per Rule Env-Wt 402.13, Frontage Over 75'.
9. The proposed docking facility will provide 2 slips as defined per RSA 482-A:2, VIII and, therefore, meets Rule Env-Wt 402.13.

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

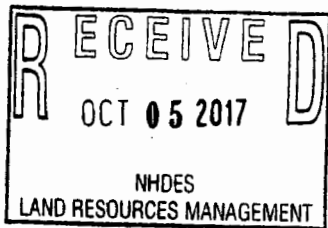
Land Resources Management

Wetlands Bureau

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



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



COMPLETE

OCT 05 2017

2017-02991

0015

\$2,320.00

DB

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: **078**

BLOCK: **002**

LOT: **000**

UNIT: **000**

USGS TOPO MAP WATERBODY NAME: **Lake Winnepesaukee**

☐ NA STREAM WATERSHED SIZE:

☒ NA

LOCATION COORDINATES (If known): **Easting: 1,084,934.66 Northing: 389,796.38**

☒ 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.

Install a 25ft breakwater with an area of 688ft² (100yds²) and a "U" shaped dock consisting of a 4ft x 30ft cantilevered dock finger and a 6ft x 30ft piling dock joined by a 6ft x 12ft connecting walkway. Additionally, install one seasonal boatlift and two seasonal PWC lifts. This property qualifies for a breakwater under Env-Wt 402.07. Breakwater to shall be constructed per rules outlined under Env-Wt 402.07. Turbidity controls shall be installed and maintained for the duration of the project.

4. SHORELINE FRONTAGE

☐ NA This lot has no shoreline frontage.

SHORELINE FRONTAGE: **127.8ft**

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.

N/A

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 - 2989**

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

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

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

www.des.nh.gov

7. APPLICANT INFORMATION (Desired permit holder)LAST NAME, FIRST NAME, M.I.: **Williams, Albert and Carol**TRUST / COMPANY NAME: **N/A**

MAILING ADDRESS: [REDACTED]

TOWN/CITY: **Salado**STATE: **TX**ZIP CODE: **76571**EMAIL or FAX: **N/A**PHONE: **N/A**ELECTRONIC COMMUNICATION: By initialing here: **N/A**, I hereby authorize NHDES to communicate all matters relative to this application electronically**8. PROPERTY OWNER INFORMATION (If different than applicant)**LAST NAME, FIRST NAME, M.I.: **Williams, Albert and Carol**TRUST / COMPANY NAME: **N/A**

MAILING ADDRESS: [REDACTED]

TOWN/CITY: **Salado**STATE: **TX**ZIP CODE: **76571**EMAIL or FAX: **N/A**PHONE: **N/A**ELECTRONIC COMMUNICATION: By initialing here: **N/A**, I hereby authorize NHDES to communicate all matters relative to this application electronically**9. AUTHORIZED AGENT INFORMATION**LAST NAME, FIRST NAME, M.I.: **Irving, Jamie C.**COMPANY NAME: **Watermark Marine Construction**MAILING ADDRESS: **1218 Union Avenue**TOWN/CITY: **Laconia**STATE: **NH**ZIP CODE: **03246**EMAIL or FAX: **jci@watermarkmarine.com**PHONE: **603-293-4000**ELECTRONIC COMMUNICATION: By initialing here: **JCI**, I hereby authorize NHDES to communicate all matters relative to this application electronically**10. 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 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.

☐ *Albert P. Williams*
Carol W
Property Owner Signature

Albert P. Williams
Carol J Williams
Print name legibly

9/28/2017
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

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.



Town/City Clerk Signature

Print name legibly

Town/City

Date

DIRECTIONS FOR TOWN/CITY CLERK:

Per RSA 482-A:3,1

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.

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	/	/
Lake / Pond	1,060 /	/
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	<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
TOTAL	1,060 /	/

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) _____ sq. ft. X \$0.20 = \$ _____

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

Permanent docking structure: **1,060** sq. ft. X \$2.00 = **\$ 2,120.00**

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

Total = **\$ 2,320.00**

The Application Fee is the above calculated Total or \$200, whichever is greater = **\$ 2,320.00**

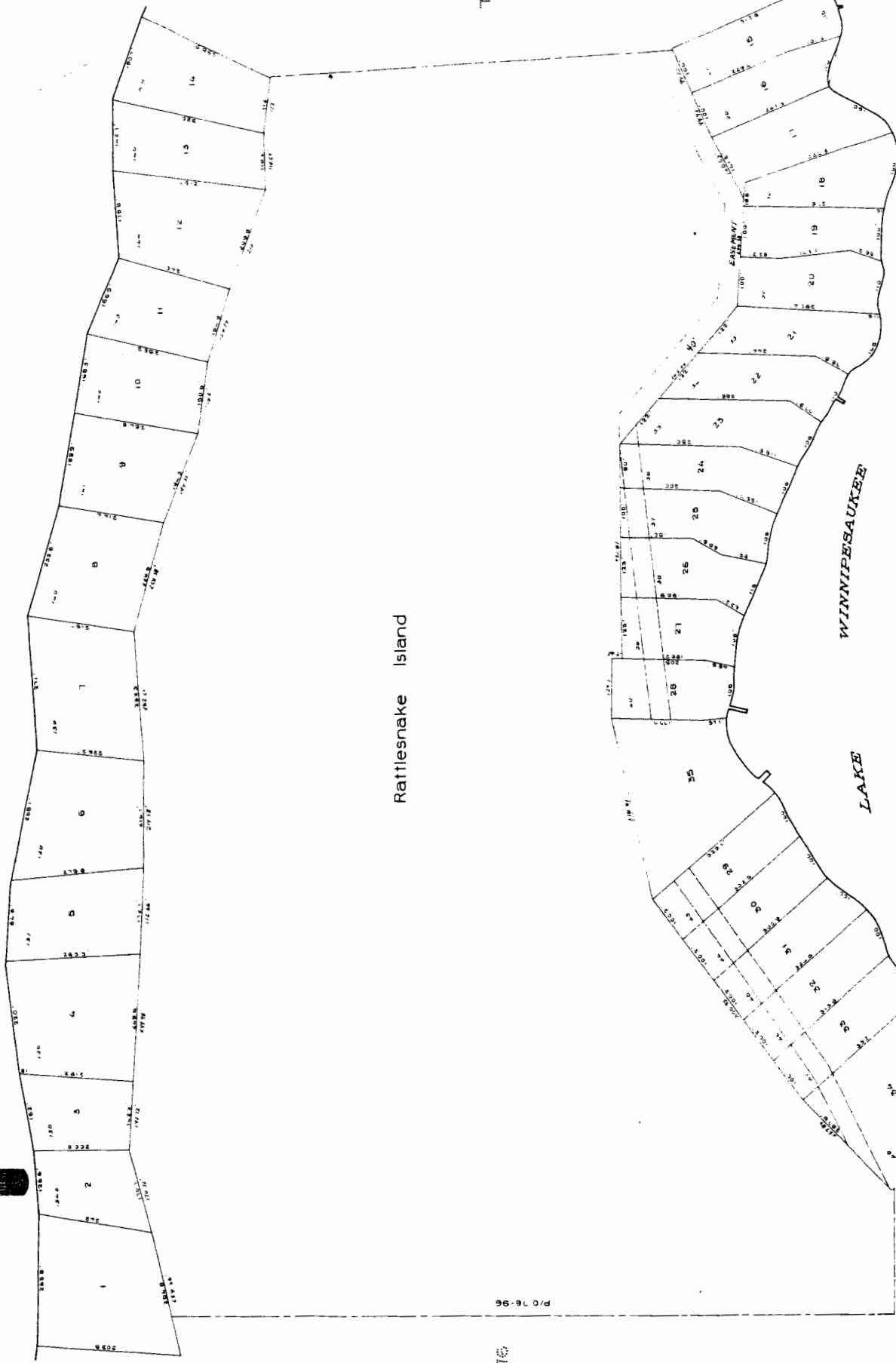
shoreland@des.nh.gov or (603) 271-2147

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

www.des.nh.gov

LAKE WINNIPESAUKEE

Rattlesnake Island

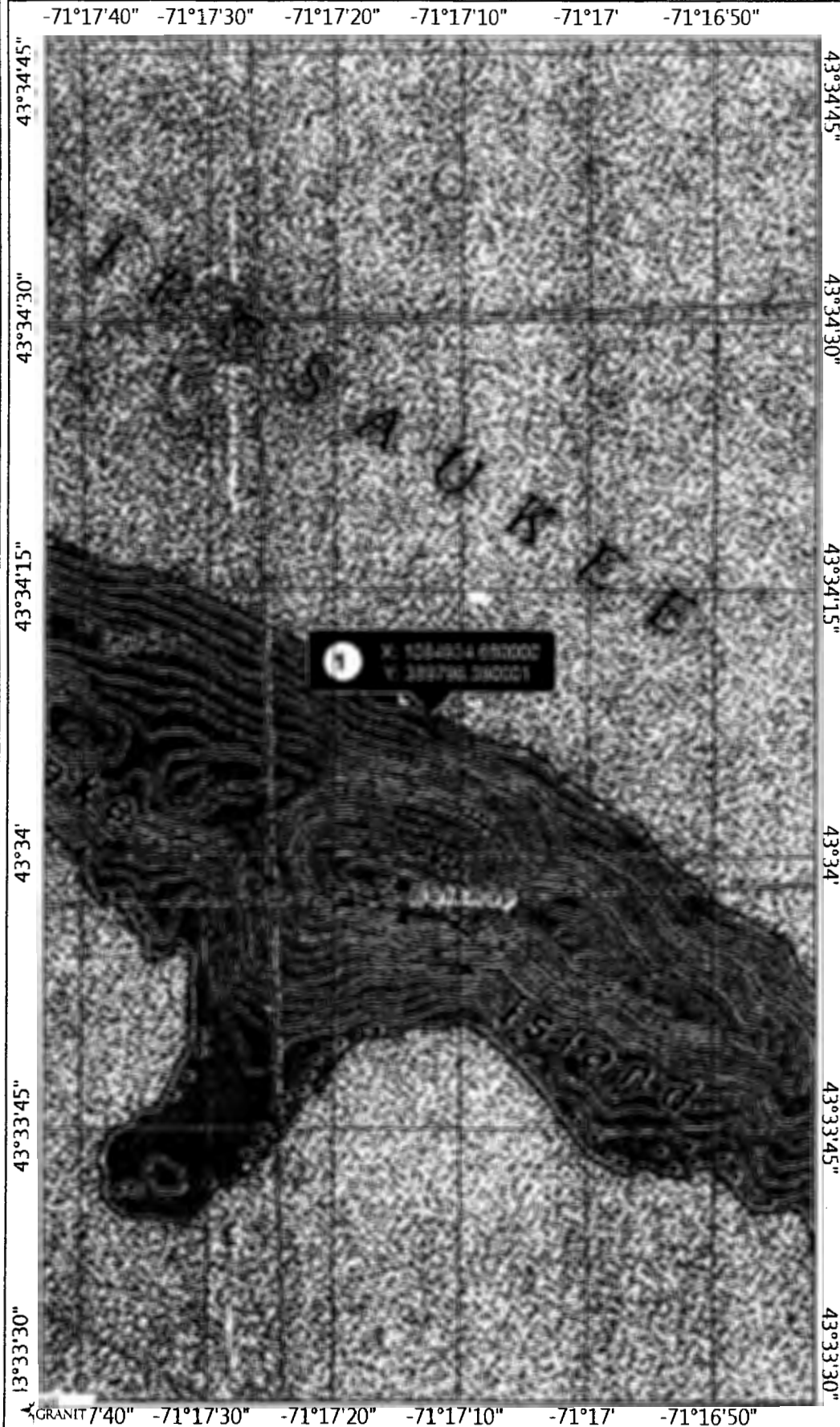


LEGEND
 PARCEL NUMBERS
 ADJACENT MAPS
 MATCH LINE

REVISIONS REQUIRED
 CAT TECHNOLOGIES
 LITTLETON, CO 80120

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

Williams Property



Legend

- State
- County
- City/Town

Map Scale

1: 10,000

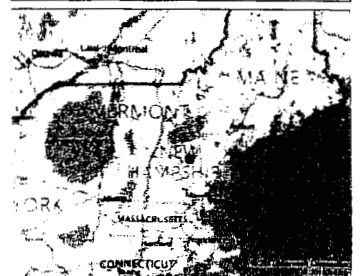


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Map Generated: 9/26/2017

Notes

Albert and Carol Williams
Rattlesnake Island, Alton
TM/L #078-002-000
NH Stateplane NAD83 (feet)
Easting: 1,084,934.66
Northing: 389,796.38





New Hampshire Natural Heritage Bureau

To: Jamie Irving
Watermark Marine Construction
PO Box 6840
Laconia, NH 03247

Date: 9/26/2017

From: NH Natural Heritage Bureau

Re: Review by NH Natural Heritage Bureau of request dated 9/26/2017

NHB File ID: NHB17-2989

Applicant: Albert and Carol Williams

Location: Tax Map(s)/Lot(s): 078-002-000
Alton

Project Description: Install a 25' breakwater, a 4' x 30' cantilevered breakwater dock and a 6' x 30' piling dock joined by a 6' x 12' connecting walkway. Additionally, install a seasonal boatlift and two seasonal PWC lifts.

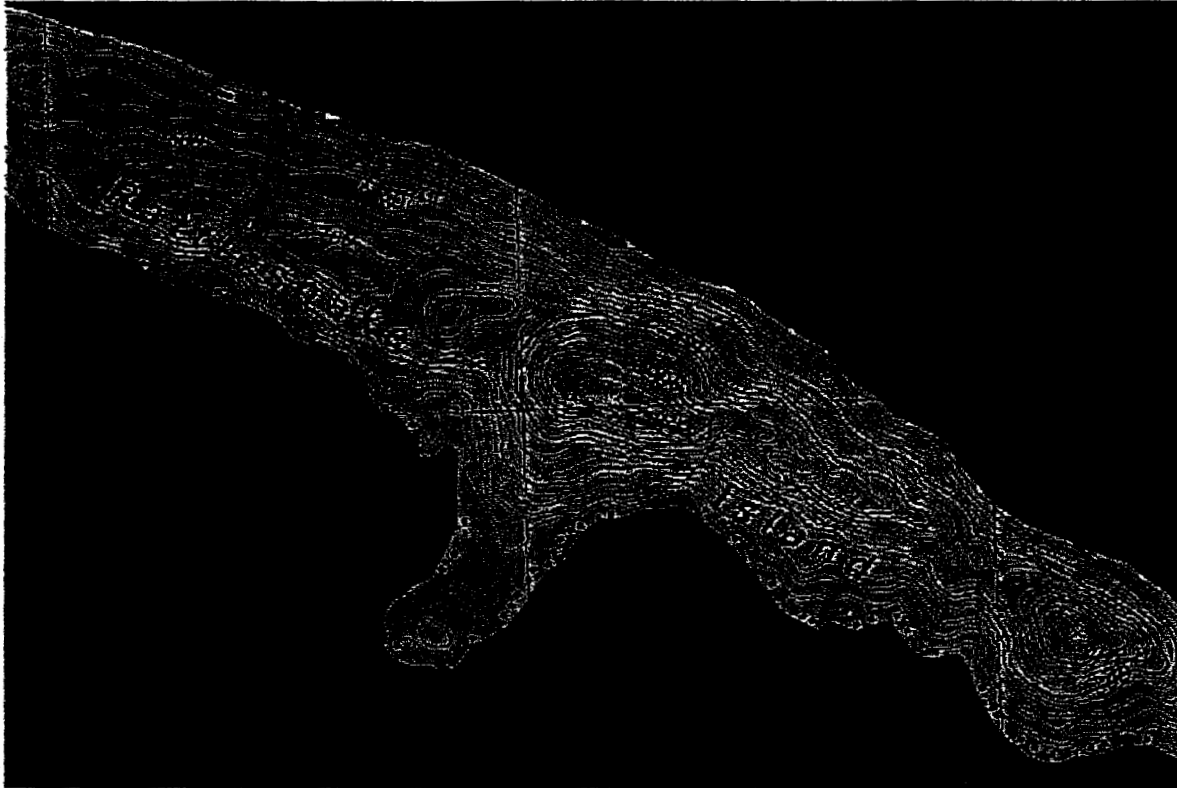
The NH Natural Heritage database has been checked for records of rare species and exemplary natural communities near the area mapped below. The species considered include those listed as Threatened or Endangered by either the state of New Hampshire or the federal government. We currently have no recorded 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 9/25/2018.



MAP OF PROJECT BOUNDARIES FOR NHB FILE ID: NHB17-2989



Abutter List

TM/L #078-002-000

Albert and Carol Williams
Site

#078-001-000

Rattlesnake Island Association
Attn: Robert Moores
[REDACTED]
Pepperill, MA 01463

#078-003-000

Beth Shibley
[REDACTED]
Alton Bay, NH 03810

#076-096-000

Lakes Region Conservation Trust
[REDACTED]
Center Harbor, NH 03226-0766

7017 0530 0000 9295 6129

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Extra Services & Fees (check box, add fee as appropriate)	
<input type="checkbox"/> Return Receipt (hardcopy)	\$
<input type="checkbox"/> Return Receipt (electronic)	\$
<input type="checkbox"/> Certified Mail Restricted Delivery	\$
<input type="checkbox"/> Adult Signature Required	\$
<input type="checkbox"/> Adult Signature Restricted Delivery	\$
Postage	\$.46
Total Postage and Fees	\$ 3.81
Rattlesnake Island Association Attn: Robert Moores [REDACTED] Pepperill, MA 01463	
See Reverse for Instructions	

OCT - 3 2017

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<input type="checkbox"/> Certified Mail Restricted Delivery	\$
<input type="checkbox"/> Adult Signature Required	\$
<input type="checkbox"/> Adult Signature Restricted Delivery	\$
Postage	\$.46
Total Postage and Fees	\$ 3.81
Beth Shibley [REDACTED] Alton Bay, NH 03810	
See Reverse for Instructions	

OCT - 3 2017

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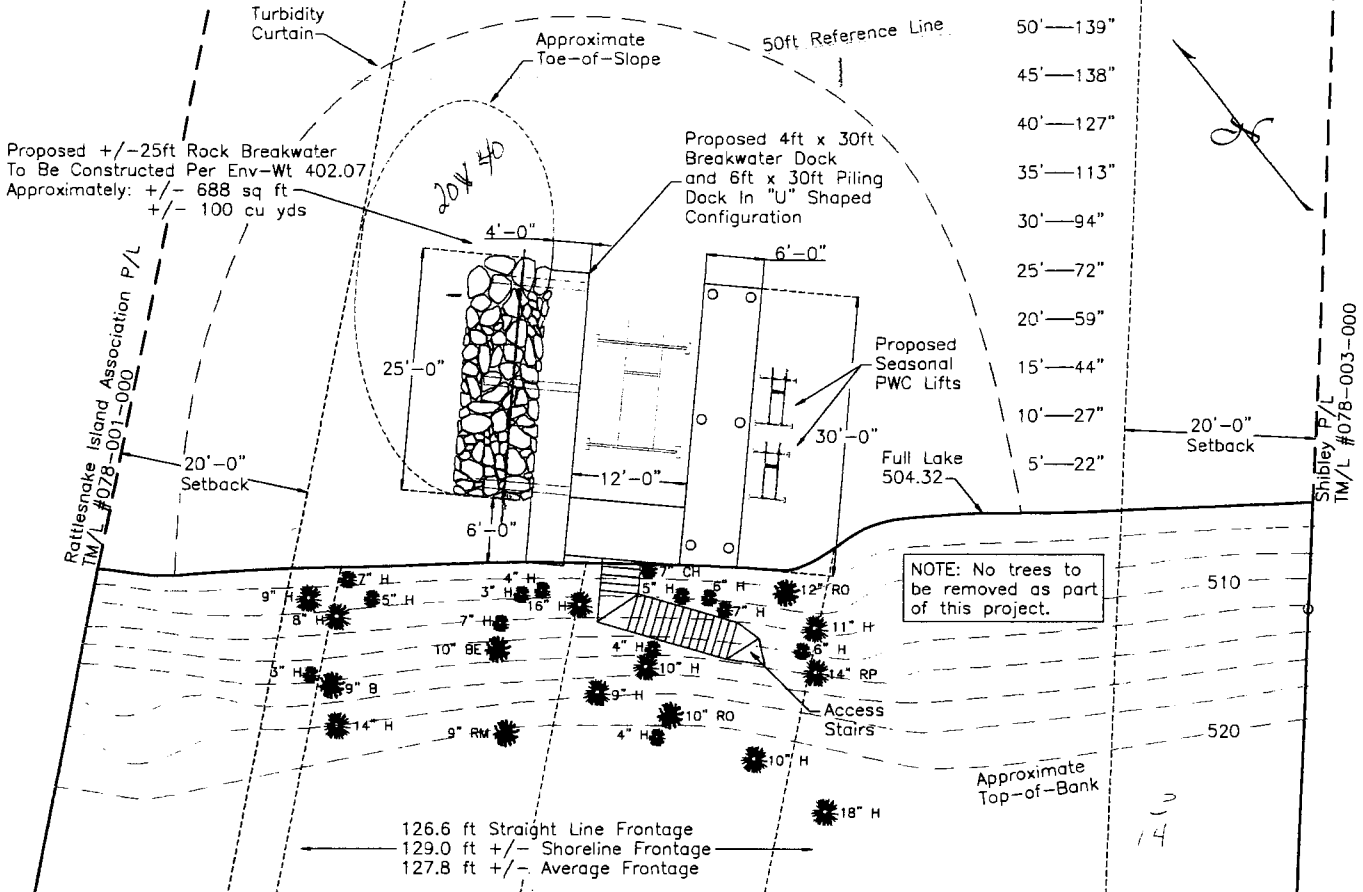
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Extra Services & Fees (check box, add fee as appropriate)	
<input type="checkbox"/> Return Receipt (hardcopy)	\$
<input type="checkbox"/> Return Receipt (electronic)	\$
<input type="checkbox"/> Certified Mail Restricted Delivery	\$
<input type="checkbox"/> Adult Signature Required	\$
<input type="checkbox"/> Adult Signature Restricted Delivery	\$
Postage	\$.46
Total Postage and Fees	\$ 3.81
Lakes Region Conservation Trust [REDACTED] Center Harbor, NH 03226-0766	
See Reverse for Instructions	

OCT - 3 2017

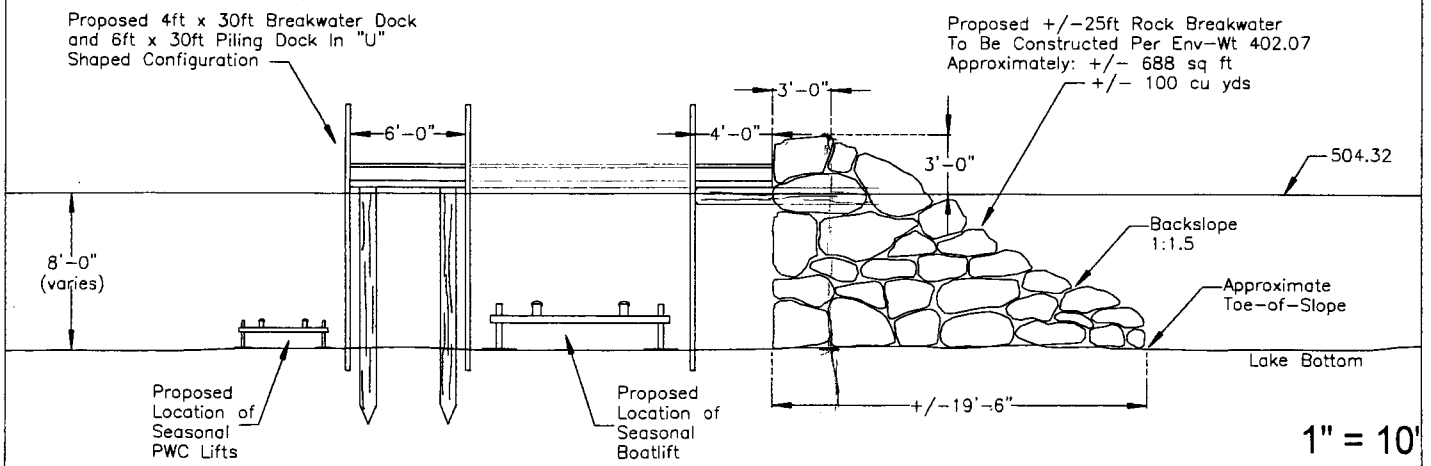
Lake Winnepesaukee

Full Lake Shoreline 504.32

NOTE: Site Exposed
To 8.63 Mile Fetch At
Heading of 324.27°



Profile View



Watermark Marine Construction
Laconia, Gilford & Sunapee, NH
(603) 293-4000/Fax (603) 524-8100
On The Web www.docksource.com
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Williams Property
Alton, NH
09/21/17 1" = 20'