

FILED 12:33 DAS 127 JMM



The State of New Hampshire
Department of Environmental Services



Robert R. Scott, Commissioner

May 9, 2018

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

REQUESTED ACTION

Approve Jeffrey Williams' request to perform the following work on Lake Winnepesaukee in Alton. File # 2018-00324. This project will not have significant impact on or adversely affect the values of Lake Winnepesaukee.

Remove a 6 foot x 30 foot piling pier, ice cluster and tie-off pilings, fill 735 square feet of lake bed to construct 48 linear feet of breakwater with a 9 foot gap at the shoreline, a 4 foot x 30 foot cantilevered pier connected to a 6 foot x 30 foot piling pier by a 4 foot x 12 foot walkway in a U-shaped configuration, accessed by a 5 foot 4 inch x 6 foot walkway, drive one ice cluster and two tie-off pilings, construct a permanent boatlift and install 2 seasonal personal watercraft lifts on an average of 100 feet of frontage along Lake Winnepesaukee, on Rattlesnake Island, 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 plans by Winnepesaukee Marine Construction dated February 1, 2018 as received by the NHDES on February 6, 2018.
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. Work shall be carried out in a time and manner to avoid disturbances to migratory waterfowl breeding and nesting areas.
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 water at the work site has returned to normal clarity.
6. All construction-related debris shall be placed outside of the areas subject to RSA 482-A. Any spoil material deposited within 250 feet of any surface water shall comply with RSA-483-B.
7. 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.
8. 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.
9. Pilings shall be spaced a minimum of 12 feet apart as measured piling center to piling center.
10. No portion of the pier shall extend more than 38 feet from the shoreline at full lake elevation (Elevation 504.32).
11. All seasonal structures, including watercraft lifts, shall be removed for the non-boating season.

12. No portion of breakwater as measured at normal full lake (Elevation 504.32) shall extend more than 50 feet from normal full lake shoreline.
13. The breakwater shall not exceed 3 feet in height (Elevation 507.32) over the normal high water line (Elevation 504.32).
14. The width as measured at the top of the breakwater (Elevation 507.32) shall not exceed 3 feet.
15. 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.
16. 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.

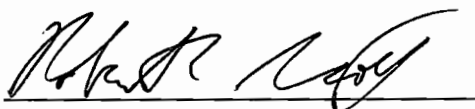
EXPLANATION

The NHDES Wetlands Bureau approved this project on April 9, 2018. The NHDES 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 100 feet of shoreline frontage along Lake Winnepesaukee.
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: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

Water Division/ Wetlands Bureau
Land Resources Management



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

RECEIVED FEB 06 2018 Use NHDES LAND RESOURCES MANAGEMENT		COMPLETE FEB 06 2018 Use Only		Administrative Use Only		File No: <u>2018-00324</u> Check No: <u>17818</u> Amount: <u>\$ 710.40</u> Initials: <u>LSL</u>
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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 Question.

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 that wetland impacts occur within.

ADDRESS: **890 Rattlesnake Island** TOWN/CITY: **Alton**

TAX MAP: **76** BLOCK: LOT: **66** 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.

Construct a 48 Linear foot breakwater with a 4' x 30' cantilevered pier and 4'x12 connecting walkway connected to an (existing) 6' x 30' piling pier. Install a permanent boat lift between docks and install (2) seasonal PWC lifts. Wetlands Impact: Breakwater approx 732 sq. ft., cantilvered pier and connecting walkway 178 sq. ft., four piling for lift 4 sq. ft.

5. SHORELINE FRONTAGE:
 NA This does not have shoreline frontage. SHORELINE FRONTAGE: **100 +/-**

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.

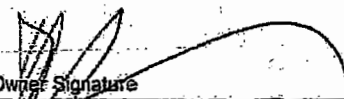
6. RELATED NHDES LAND RESOURCES MANAGEMENT PERMIT APPLICATIONS ASSOCIATED WITH THIS PROJECT:
 Please indicate if any of the following permit applications are required and, if required, the status of the application. To determine if other Land Resources Management Permits are required, refer to the Land Resources Management Web Page.

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 **18** - **0323**

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: ___
 N/A

8. APPLICANT INFORMATION (Desired permit holder)		
LAST NAME, FIRST NAME, M.I.: Williams, Jeffrey		
TRUST / COMPANY NAME:	MAILING ADDRESS: [REDACTED]	
TOWN/CITY: Dracut	STATE: MA	ZIP CODE: 01826
EMAIL or FAX:	PHONE:	
ELECTRONIC COMMUNICATION: By initialing here: JW , 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.: Kenney, Mark		COMPANY NAME: Winnepesaukee Marine Const.
MAILING ADDRESS: 60 Glidden Rd.		
TOWN/CITY: Gilford	STATE: NH	ZIP CODE: 03249
EMAIL or FAX: winnimarine@hotmail.com	PHONE: 6032937768	
ELECTRONIC COMMUNICATION: By initialing here MK , 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		
<ol style="list-style-type: none"> 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. I have reviewed and submitted information & attachments outlined in the Instructions and Required Attachment document. All abutters have been identified in accordance with RSA 482-A:3, I and Env-Wt 100-900. I have read and provided the required information outlined in Env-Wt 302.04 for the applicable project type. I have read and understand Env-Wt 302.03 and have chosen the least impacting alternative. 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. 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. I authorize NHDES and the municipal conservation commission to inspect the site of the proposed project. I have reviewed the information being submitted and that to the best of my knowledge the information is true and accurate. 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. I am aware that the work I am proposing may require additional state, local or federal permits which I am responsible for obtaining. The mailing addresses I have provided are up to date and appropriate for receipt of NHDES correspondence. NHDES will not forward returned mail. 		
	Jeffrey Williams	01/12/2018
Property Owner Signature	Print name legibly	Date

lrm@des.nh.gov or (603) 271-2147
 NHDES Wetlands Bureau, 29 Hazen Drive, PO Box 95, Concord, NH 03302-0095
www.des.nh.gov

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.

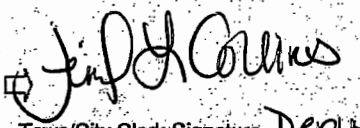
<input type="checkbox"/>	Print name legibly	Date
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DIRECTIONS FOR CONSERVATION COMMISSION

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.

 Town/City Clerk Signature <i>Deputy</i>	Jennifer L. Collins Print name legibly	Alton Town/City	2/2/2018 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, 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 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	732 /	<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	/	<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	182	<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
Vernal Pool		<input type="checkbox"/> ATF		<input type="checkbox"/> ATF
TOTAL	914 /		/	

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) 732 sq. ft. X \$0.20 = \$ 146.40

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

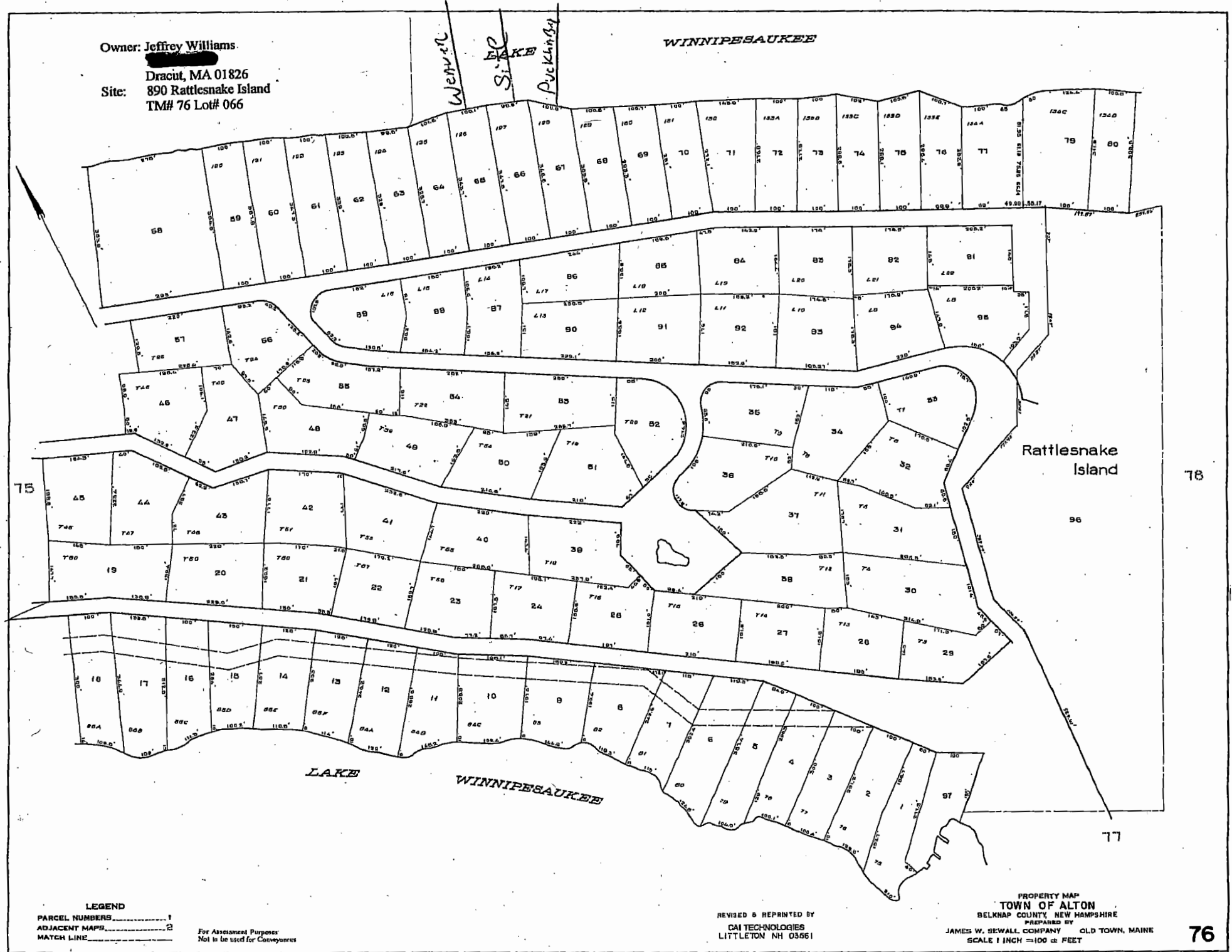
Permanent docking structure: 182 sq. ft. X \$2.00 = \$ 364.00

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

Total = \$ 710.40

The Application Fee is the above calculated Total or \$200, whichever is greater = \$ 710.40

Owner: Jeffrey Williams.
 Site: 890 Rattlesnake Island
 TM# 76 Lot# 066



WINNIPESAUKEE

Rattlesnake Island

LAKE WINNIPESAUKEE

LEGEND

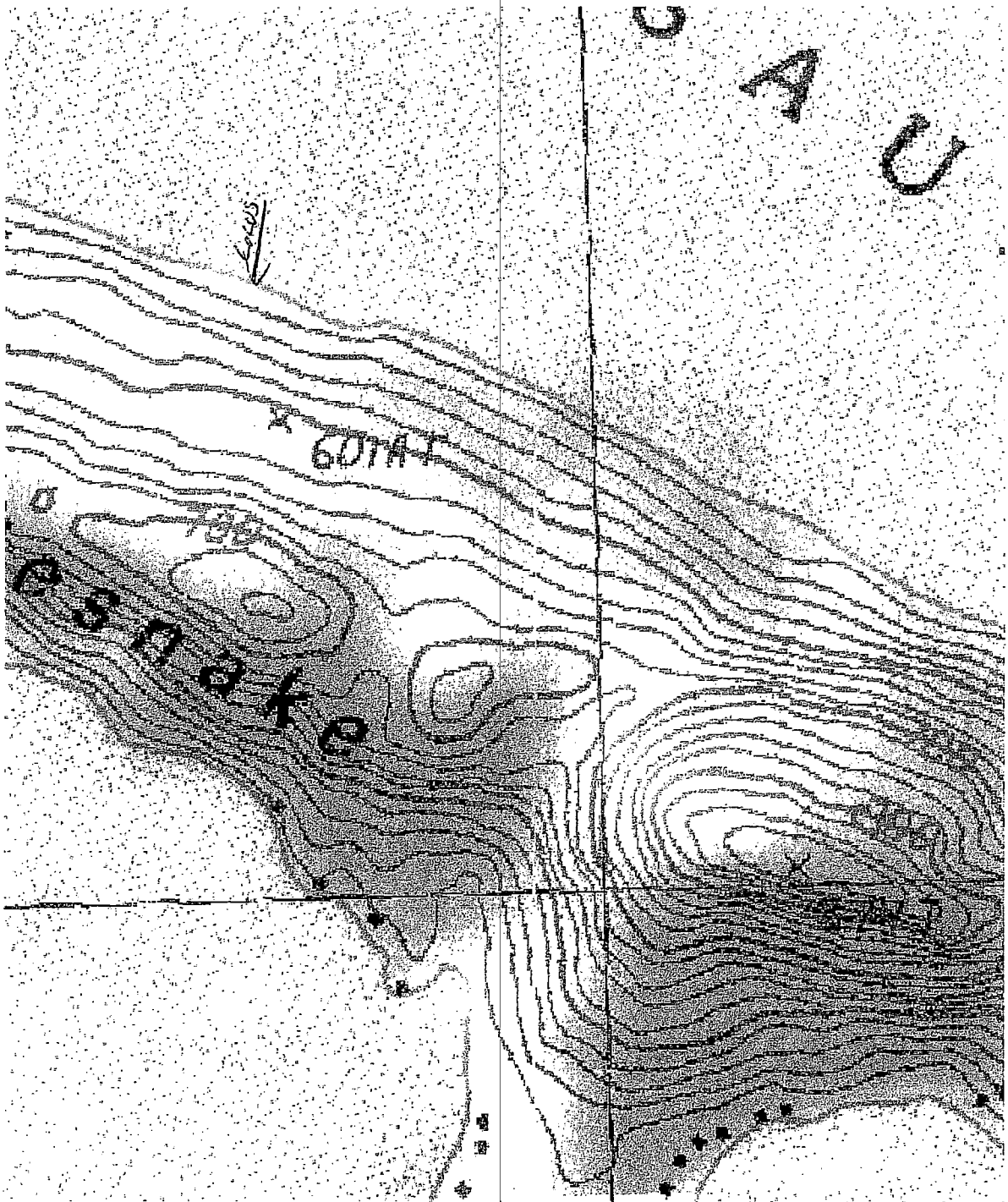
- PARCEL NUMBERS 1
- ADJACENT MAPS 2
- MATCH LINE 3

For Assessment Purposes
 Not to be used for Conveyances

REVISED & REPRINTED BY
 CAI TECHNOLOGIES
 LITTLETON NH 03661

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

Owner: Jeffrey Williams
[REDACTED]
Dracut, MA 01826
Site: 890 Rattlesnake Island
TM# 76 Lot# 066



Center: 43.5685°N 71.2915°W
Elevation at center: 728 feet (222 meters)
Quad: USGS West Alton
Drg Name: o43071e3
Drg Source Scale: 1:24,000



New Hampshire Natural Heritage Bureau

To: Patricia Scribner
60 Glidden Rd.
Gilford, NH 03249

Date: 1/25/2018

From: NH Natural Heritage Bureau

Re: Review by NH Natural Heritage Bureau of request dated 1/25/2018

NHB File ID: NHB18-0323

Applicant: Patricia Scribner

Location: Tax Map(s)/Lot(s): 76/66
Alton

Project Description: Construct a breakwater with cantilevered pier, permanent boat lift and two seasonal PWC lifts

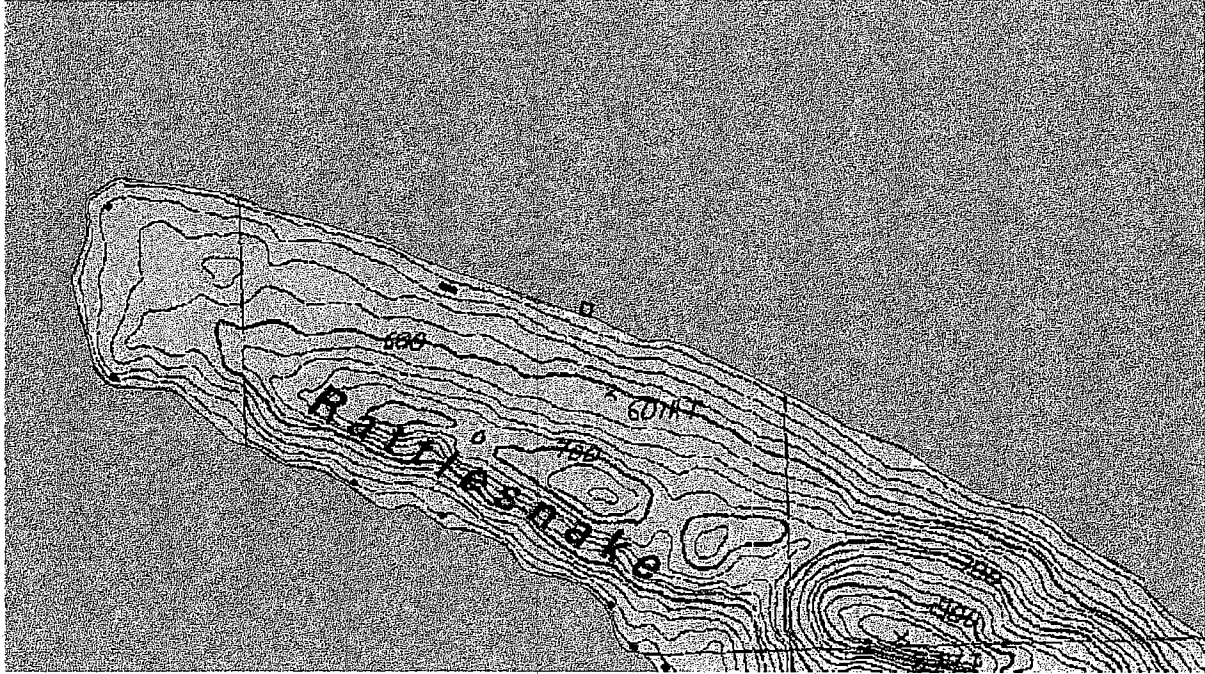
The NH Natural Heritage database has been checked for records of rare species and exemplary natural communities near the area mapped below. The species considered include those listed as Threatened or Endangered by either the state of New Hampshire or the federal government. We currently have no recorded 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 1/24/2019.



MAP OF PROJECT BOUNDARIES FOR NHB FILE ID: NHB18-0323



Winnepesaukee Marine Construction Inc.

60 Glidden Road Gilford, NH 03249

(603) 293-7768

E-mail: winnimarine@hotmail.com Web site: www.lakewinnicon.com

January 11, 2018

Abutters List

Owner: Jeffrey Williams

[REDACTED]

Dracut, MA 01826

Site: 890 Rattlesnake Island

TM# 76 Lot# 066

Abutters:

Richard Weaver ✓

[REDACTED]

Gilford, NH 03249

896 Rattlesnake Island

TM# 76 Lot# 65

Robert Puckhaber ✓

[REDACTED]

Concord, NH 03301-3832

886 Rattlesnake Island

TM# 76 Lot# 67

Rattlesnake Island Assoc. ✓

c/o Robert Moores

[REDACTED]

Pepperell, MA 01463

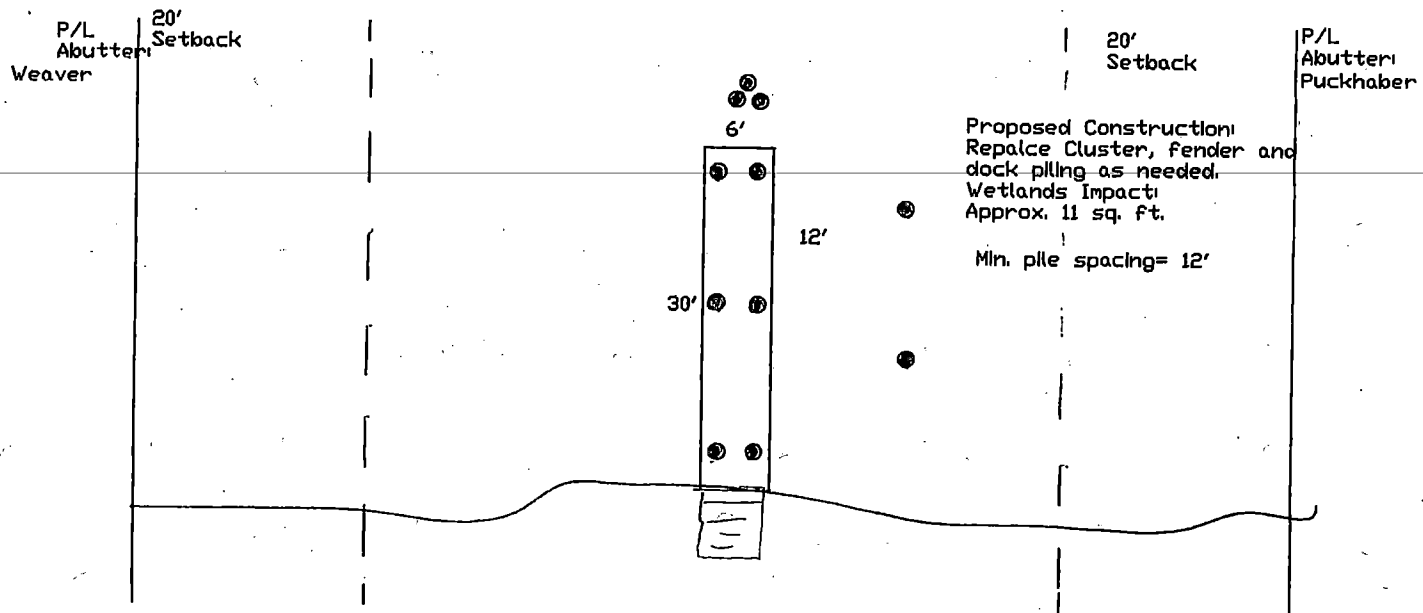
1 of 2

Owner: Jeffrey Williams
[Redacted]
Dracut, MA 01826
Site: 890 Rattlesnake Island
TM# 76 Lot# 066

Lake Winnepesaukee

No Scale

Existing

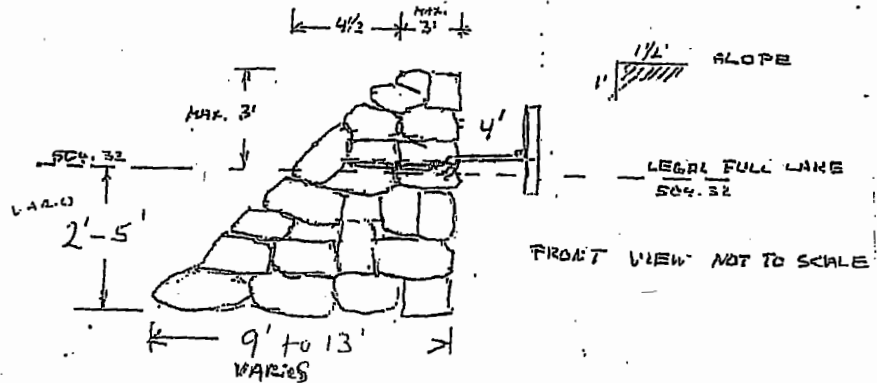


Winnepesaukee Marine Const.
60 Gladden Rd.
Gilford, NH 03249

2/1/18

Owner: Jeffrey Williams
 Dracut, MA 01826
 Site: 890 Rattlesnake Island
 TM# 76 Lot# 066

Lake Winnepesaukee
 Scale 1" = 20'

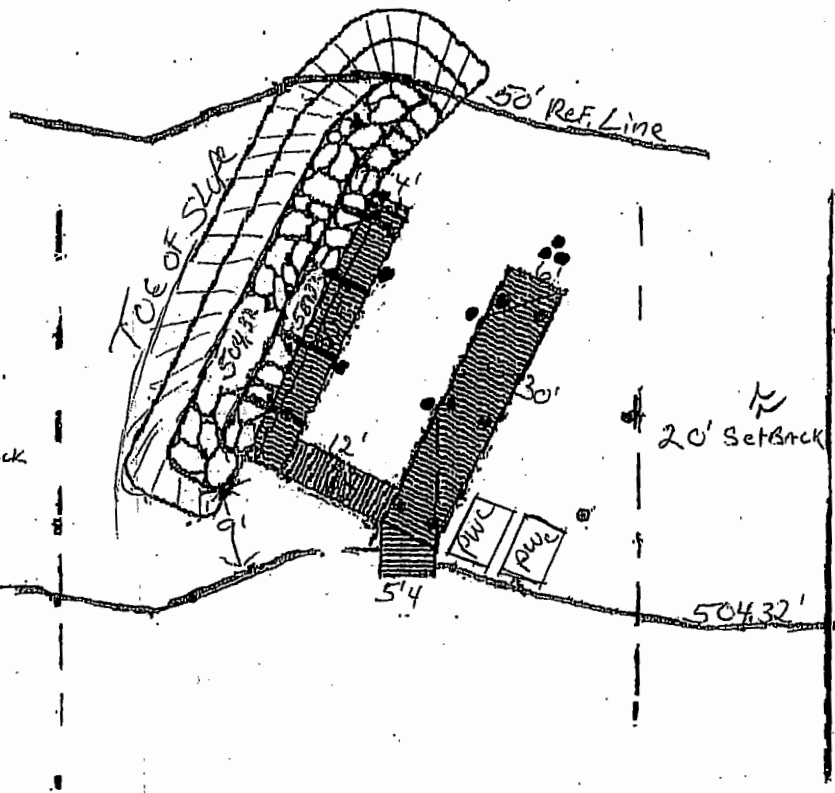


Adjusted Water Depths

50'	5'
45'	4'9"
40'	4'6"
35'	4'4"
30'	4'1"
25'	3'9"
20'	3'3"
15'	3'3"
10'	2'6"
5'	1'8"
5'	1'5"

P/L
 Abutter
 PULKHABER

20' Setback



Proposed Construction:
 Construct a 48 linear ft. breakwater with a 4' x 30' cantilevered pier with a 4' x 12' walkway connected to an existing 6' x 30' piling dock add four (4) piling to inside slip for a permanent boat lift. Install (2) seasonal PWC lifts.

P/L
 ABUTTER
 PULKHABER

Wetlands Impact:
 Breakwater approx. 735 sq. ft., 100 cu. yds.
 Dock, walkway and piling = 232 sq. ft.

Winnepesaukee Marine Const.
 80 Glidden Road
 Gilford, NH 03249

2/1/18