



The State of New Hampshire
Department of Environmental Services

Clark B. Freise, Assistant Commissioner



February 17, 2017

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

REQUESTED ACTION

Approve Archer Realty Trust's request to perform the following work on Lake Winnepesaukee, in Alton. File # 2016-03163. This project will not have significant impact on or adversely affect the values of Lake Winnepesaukee.

Fill 140 sq. ft. of lakebed with 18 cubic yards of rock to extend a "dogleg" shaped breakwater to a total length of 60 ft. and extend cantilevered dock resulting in a 4 ft. x 25 ft. pier extending from a 4 ft. x 36 ft. pier on an average of 113 ft. of shoreline frontage along Lake Winnepesaukee, on Barndoor Island, in Alton.

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

1. All work shall be in accordance with plans by Winnepesaukee Marine Construction dated October 25, 2016, as received by DES on November 2, 2016.
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 DES 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. No portion of breakwater as measured at normal full lake (Elev. 504.32) shall extend more than 50 ft. from normal full lake shoreline.
7. The breakwater shall not exceed 3 ft. in height (Elev. 507.32) over the normal high water line (Elev. 504.32).
8. The width as measured at the top of the breakwater (Elev. 507.32) shall not exceed 3 ft.
9. 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.
10. The owner understands and accepts the risk that if this facility requires dredging to maintain a minimum slip depth of 3 ft. 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 January 18, 2017. NHDES supported its decision with the following findings:

1. This project is classified as a major project per Rule Env-Wt 303.02(j), modification of a breakwater.
2. The construction of a breakwater to provide safe docking at this site is justified in accordance with Rule Env-Wt 402.06, Breakwaters.
3. The applicant has an average of 113 ft. 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 proposed breakwater modification will increase the length of each of the 2 slips provided to 25 ft. slip as currently allowed under RSA 482-A:2, VIII.
7. The Alton Conservation Commission notes that there is adequate water depth in which to dock a boat and questions the need for the additional dock length.
8. The proposed modification will not extend the docking structures further out from the shoreline, but rather parallel to the shoreline.
9. The additional length will provide tie-off points at either end of the allowed slip length and protection of the full slip length from wave action. It will not provide additional depth.
10. 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.



Clark B. Freise
Assistant 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/Encl. Wt 100-900

COMPLETE

NOV 02 2016

Administrative

File No. 2016-03163

Check No. 17457

Amount \$4,44.00

Initials LSL

NOV 02 2016

USE
NHDES

LAND RESOURCES MANAGEMENT

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: **42 Big Barndoor Island**

TOWN/CITY: **Alton**

TAX MAP: **81**

BLOCK:

LOT: **29**

UNIT:

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

☐ NA

STREAM WATERSHED SIZE:

☒ NA

LOCATION COORDINATES (If known): **43 33 23N, 71 13 43W**

☒ Latitude/Longitude ☐ UTM

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 replv "See Attached" in the space provided below.

Add 10 linear ft to existing breakwater and 8 linear ft to existing cantilvered dock.

Wetlands Impact: Breakwater = 142 SD.Ft.

dock = 106 SD.FT

5. SHORELINE FRONTAGE:

☐ NA This does not have shoreline frontage.

SHORELINE FRONTAGE: **113' +/-**

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 **16** - **3246**.

b. ☐ Designated River the project is in 1/4 miles of: _____; and

date a copy of the application was sent to the Local River Management Advisory Committee: Month: ___ Day: ___ Year: ___

☒ N/A

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

8. APPLICANT INFORMATION (Desired permit holder)LAST NAME, FIRST NAME, M.I.: **Archer, George**TRUST / COMPANY NAME: **Archer Realty Trust**

MAILING ADDRESS: [REDACTED]

TOWN/CITY: **Groton**STATE: **MA**ZIP CODE: **01540**

EMAIL or FAX:

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:

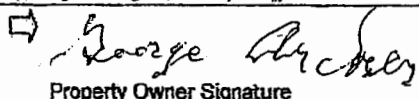
ELECTRONIC COMMUNICATION: By initialing here _____, I hereby authorize NHDES to communicate all matters relative to this application electronically

10. AUTHORIZED AGENT INFORMATIONLAST 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: **winnimaire@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:

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.
12. The mailing addresses I have provided are up to date and appropriate for receipt of NHDES correspondence. NHDES will not



Property Owner Signature

George Archer

Print name legibly

10/24/2016


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.

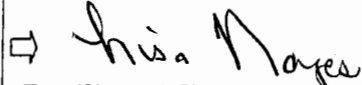
	Print name legibly	Date
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DIRECTIONS FOR CONSERVATION COMMISSION

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 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.

	Lisa Noyes Print name legibly	Alton Town/City	11/1/16 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.

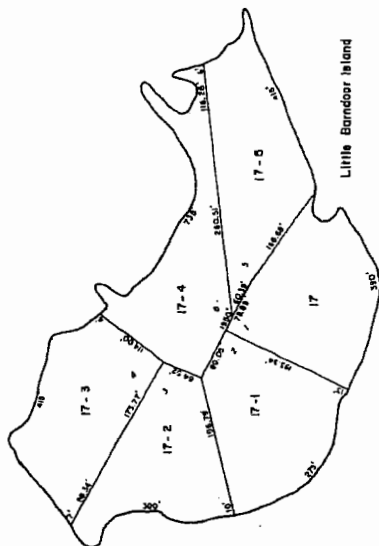
JURISDICTIONAL AREA	PERMANENT Sq. Ft. / Lin. Ft.	TEMPORARY Sq. Ft. / Lin. Ft.
Forested wetland	<input type="checkbox"/> ATF	<input type="checkbox"/> ATF
Scrub-shrub wetland	<input type="checkbox"/> ATF	<input type="checkbox"/> ATF
Emergent wetland	<input type="checkbox"/> ATF	<input type="checkbox"/> 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	142 / <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	106 <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	248 /	/

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 belowPermanent and Temporary (non-docking) 140 sq. ft. X \$0.20 = \$ 28.00Temporary (seasonal) docking structure: sq. ft. X \$1.00 = \$ Permanent docking structure: 108 sq. ft. X \$2.00 = \$ 216.00Projects proposing shoreline structures (including docks) add \$200 = \$ 200.00Total = \$ 444.00The Application Fee is the above calculated Total or \$200, whichever is greater = \$ 444.00

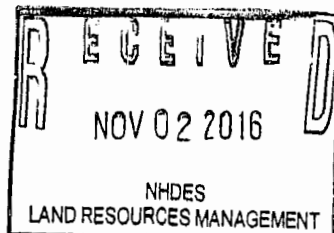
shoreland@des.nh.gov or (603) 271-2147

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

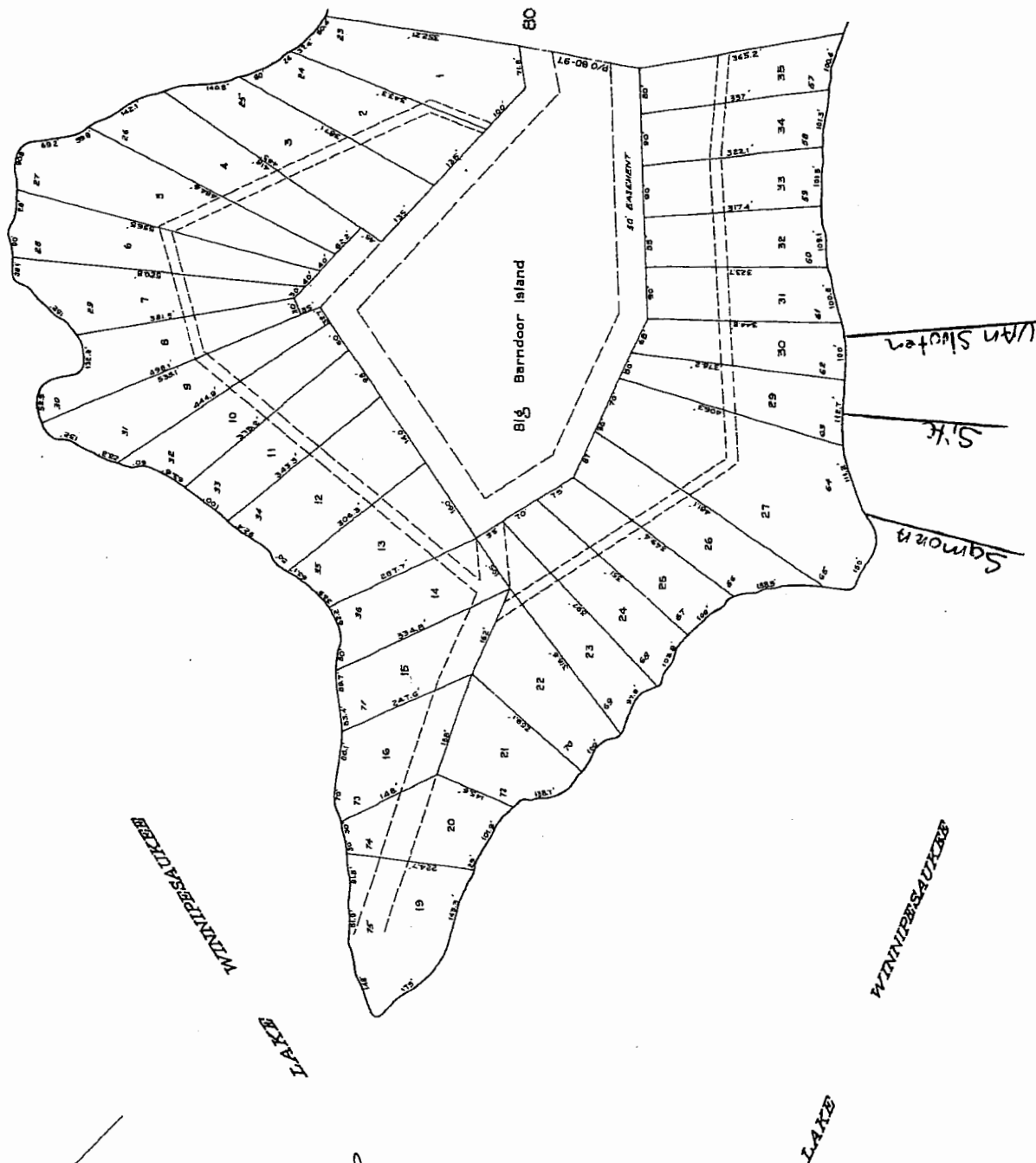
www.des.nh.gov



Owner: Archer Realty Trust
George & Julianne Archer "Trustee's"
Groton, MA 01540
Site: 42 Big Barndoor Island
TM# 81 Lot# 29



LEGEND
PARCEL NUMBERS 1
ADJACENT MAPS 2
MATCH LINE



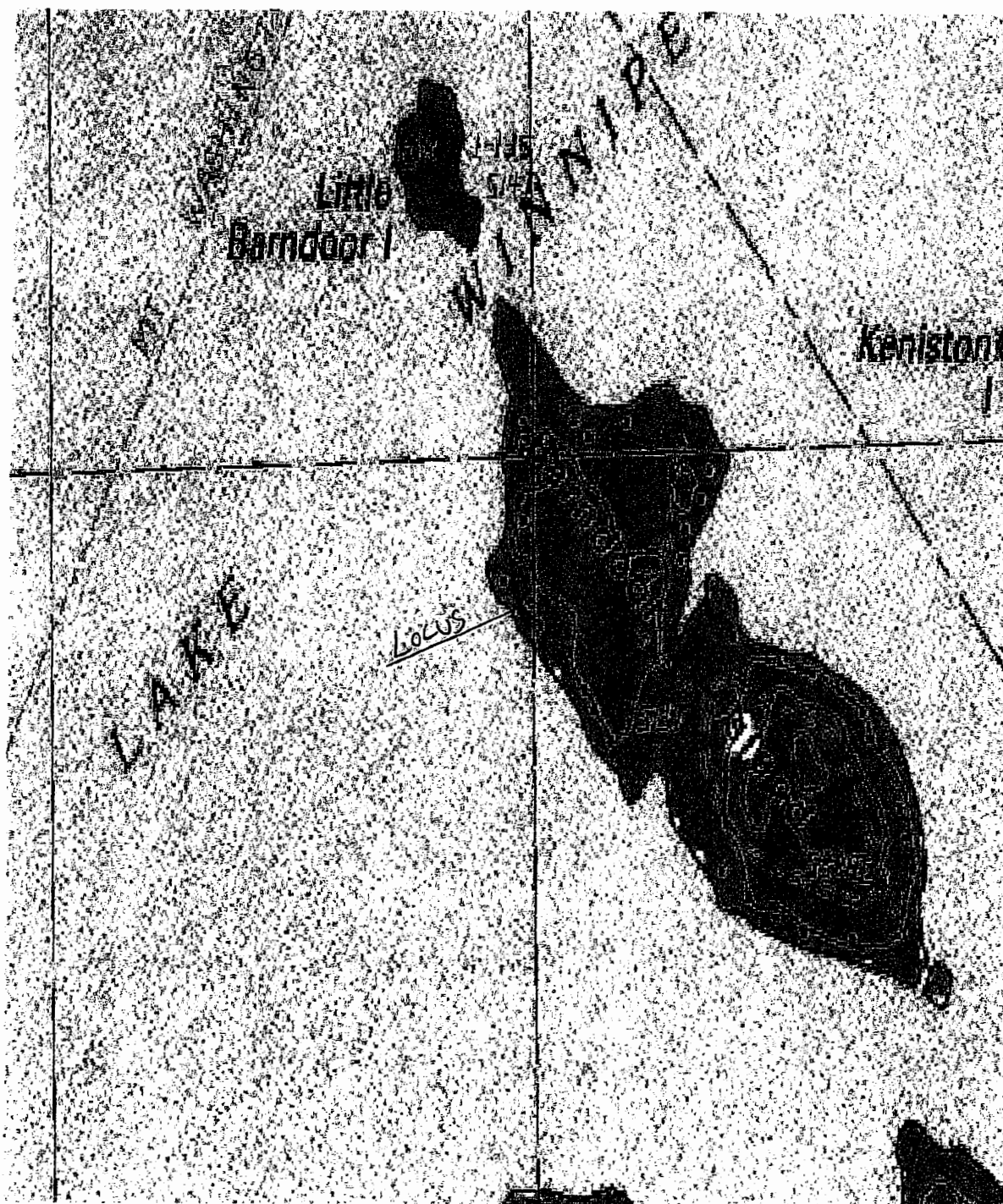
NO PARCEL 18, 28

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

REVISED & REPRINTED BY
CAI TECHNOLOGIES
LITTLETON, NH 03561

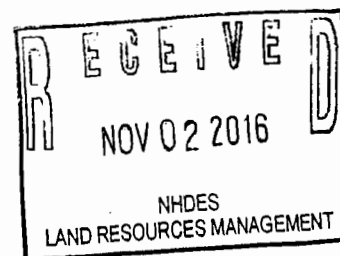
For Assessment Purposes
Not to be used for Easements

Owner: Archer Realty Trust
George & Julianne Archer "Trustee's"
Groton, MA 01540
Site: 42 Big Barndoor Island
TM# 81 Lot# 29



812
113

Center: 43.5564°N 71.2286°W
Elevation at center: 538 feet (164 meters)
Quad: USGS Lake Winnepesaukee
Drg Name: f43071e1
Drg Source Scale: 1:100,000





NEW HAMPSHIRE NATURAL HERITAGE BUREAU
NHB DATACHECK RESULTS LETTER

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

From: NH Natural Heritage Bureau

Date: 10/31/2016 (valid for one year from this date)

Re: Review by NH Natural Heritage Bureau of request submitted 10/24/2016

NHB File ID: NHB16-3246

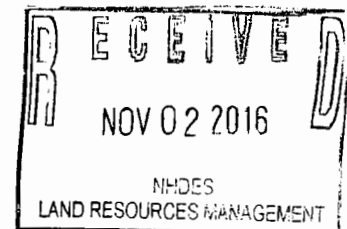
Applicant: Patricia Scribner

Location: Alton
Tax Maps: 81/29

Project
Description: Lengthen existing breakwater by 10 linear ft

The NH Natural Heritage database has been checked by staff of the NH Natural Heritage Bureau and/or the NH Nongame and Endangered Species Program 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.

It was determined that, although there was a NHB record (e.g., rare wildlife, plant, and/or natural community) present in the vicinity, we do not expect that it will be impacted by the proposed project. This determination was made based on the project information submitted via the NHB Datacheck Tool on 10/24/2016, and cannot be used for any other project.

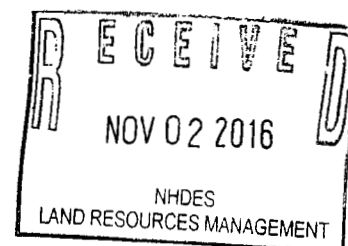
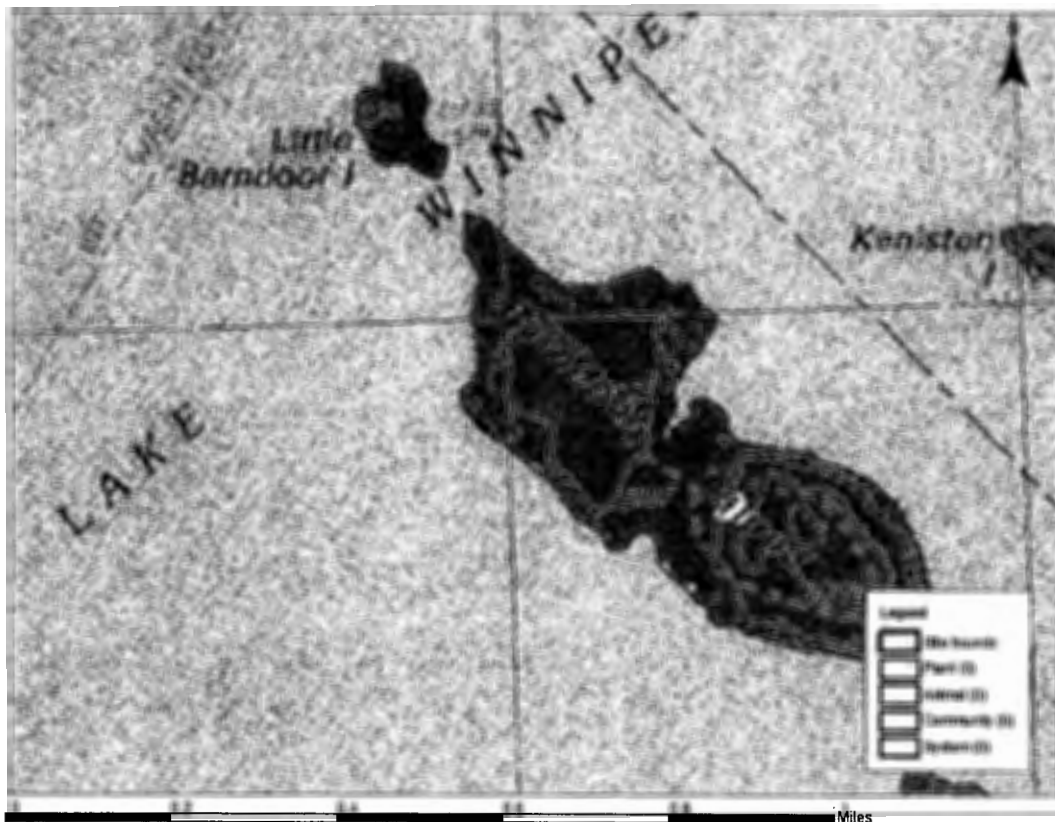




NEW HAMPSHIRE NATURAL HERITAGE BUREAU
NHB DATACHECK RESULTS LETTER

MAP OF PROJECT BOUNDARIES FOR: **NHB16-3246**

NHB16-3246



Winnepesaukee Marine Construction Inc.

60 Glidden Road Gilford, NH 03249

(603) 293-7768

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

October 24, 2016

Abutters List

Owner: Archer Realty Trust
George & Julianne Archer Trustee's
[REDACTED]
Groton, MA 01540
Site: 42 Big Barndoor Island, Alton
TM# 81 Lot# 29

Abutters:

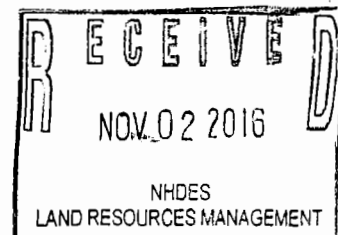
Robin Samora
[REDACTED]
Hampton Falls, NH 03844

38 Big Barndoor Island
TM# 81 Lot# 27

Paul Van Slooten
[REDACTED]
Eliot, ME 03903

46 Big Barndoor Island
TM# 81 Lot# 30

Barndoor Island Assoc.
c/o Richard McCarthy
[REDACTED]
Wolfeboro, NH 03827



Lake Winnepesaukee
Scale: 1" = 20'

1072

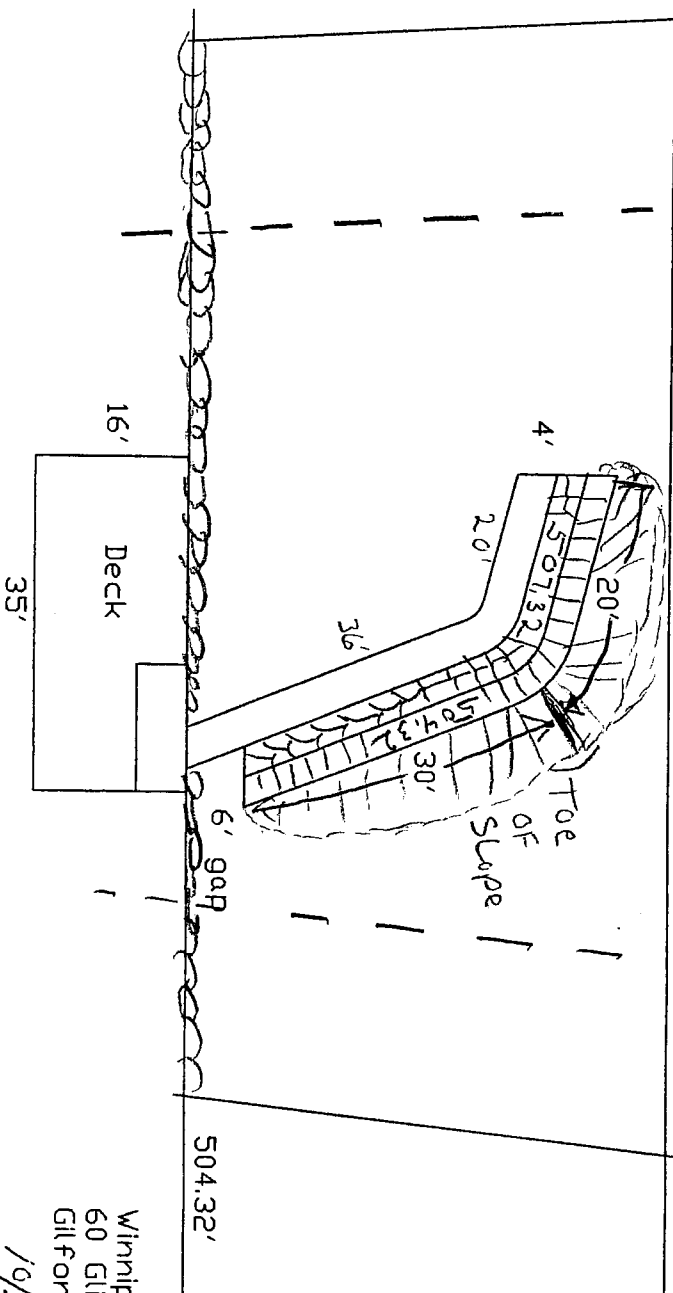
20'
Setback

P/L
Samora

P/L	seback
Van Slooten	

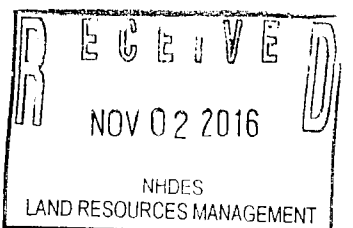
50' Reference Line

50	65"
45	64"
40	61"
35	52"
30	44"
25	49"
20	46"
15	43"
10	39"
5	34"
5	27"



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

10/25/16



er: Archer Realty Trust
George & Julianne Archer Trustees
58 Forge Village Rd.
Groton, MA 01540
42 Blg Barndoor Island, Alton
TM# 81 Lot# 29

Lake Winnepesaukee

Scale: 1" = 20'

Proposed Construction

P/L Van Slooten

Setback

20'

P/L Samara

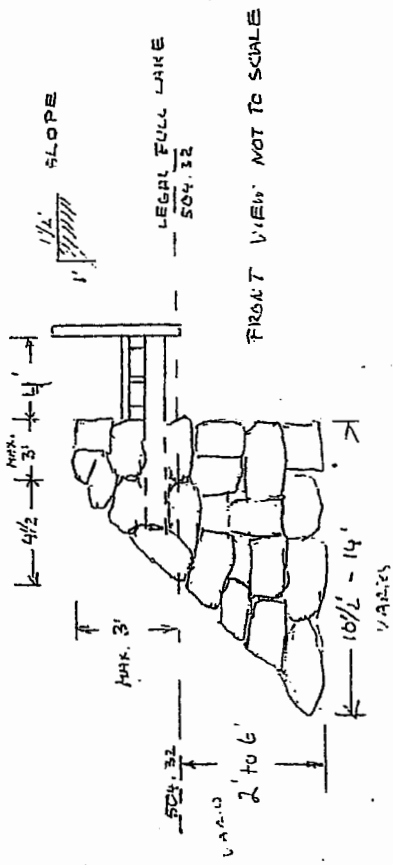
Setback

20'

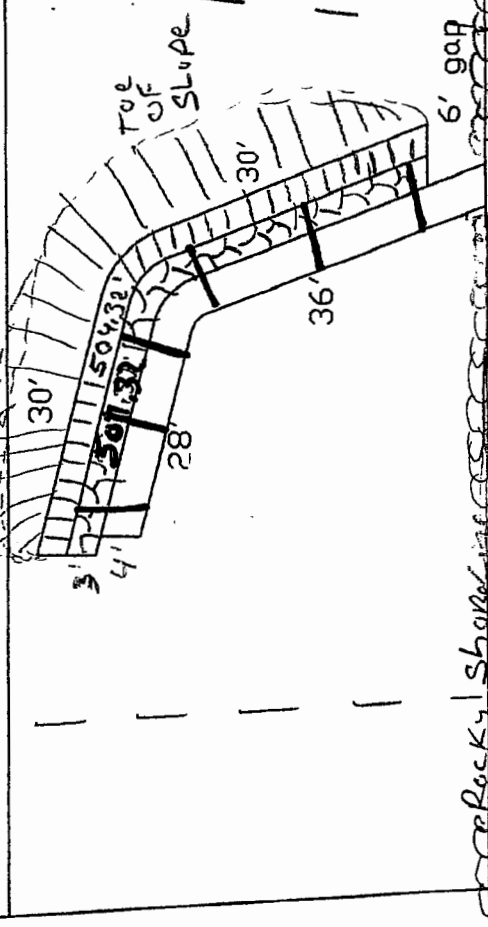
20F2

Proposed Construction:
Extend existing breakwater by 10 linear feet and
cantilevered dock by 8'

Wetlands impact:
Breakwater = 140 sq. ft. Approx. 18 cu yds.
Cantilevered dock: 32 sq. ft.



50' Reference Line



TOP OF BANK 506.1' - 16'

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

10/25/16

