

The State of New Hampshire

Department of Environmental Services

Robert R. Scott, Commissioner



August 13, 2019

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

REQUESTED ACTION

Approve Charles and Cheryl Chiarello's request to perform the following work on Lake Winnipesaukee in Alton. File # 2019-00751. This project will not have significant impact on or adversely affect the values of Lake Winnipesaukee.

Fill 400 square feet of lakebed with 52 cubic yards of stone in order to add 15 linear feet to an existing 35 foot breakwater with a 6 foot shoreline opening and a 4 foot x 30 foot cantilevered dock attached to an adjacent 6 foot x 30 foot piling dock by an 11 foot 11 inch x 3 foot walkway and accessed by a 4 foot x 10 foot walkway with an ice-cluster located 5 feet from the lakeward end of the piling pier on an average of 100 feet of frontage along Lake Winnipesaukee 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 revised plans by Ambrose Marine dated June 1, 2019 and received by the NH Department of Environmental Services (NHDES) on June 17, 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 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 NH Code of Administrative Rules Env-Wq 1400 during and after construction.
- 4. This permit does not authorize the removal of vegetation from areas within the waterfront buffer.
- 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 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 feet from normal full lake shoreline.
- 7. The breakwater shall not exceed 3 feet 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 feet.
- 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 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.
- 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.

His Excellency, Governor Christopher T. Sununu and The Honorable Council Page 2

EXPLANATION

The NHDES approved this project on July 10, 2019. 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 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 an average of 104 feet of shoreline frontage along Lake Winnipesaukee.
- 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 NHDES finds that because the project is not of significant public interest and will not significantly impair the resources of Lake Winnipesaukee a public hearing under RSA 482-A:8 is not required.

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.

Respectfully submitted,

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

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Standard Review (Minimum, M	lings of Malor Impact)		Constituted Barrier days	
2 MITIGATION REQUIREMENT		The state of the s	Expedited Review (Minimum	impact only)
If mitigation is required; a Mitigation Pre A mitigation is required; please refer to the D	pplication meeting must occur- etermine if Mitigation is Requir	triorito submitting ed Frequently Aske	this Wetlands Permit Applicati	on: To determine (fr. 1949)
Mitigation Pre-Application Meeting D N/A - Mitigation is not required	rate: Month: Day: Yea	ir:		and the state of t
A PROJECT LOCATION Separate wetland permit applications must	be, submitted for each municip	ality within which v	vetland impacts occur.	
ADDRESS: 832 Rattlesnake Island	,		TOWN/CITY: Alte	on
TAX MAP: 76	BLOCK:	LOT: 80	UNIT:	
USGS TOPO MAP WATERBODY NAME: Lake Wi	nnipesaukee	□ NA	STREAM WATERSHED SIZE:	` NA
LOCATION COORDINATES (If known): 1084105	.03 E 390190.46N	,	☐ Latitude/Longitude ☐ UTM	
4-PROJECT DESCRIPTION Provide albrief description of the project of project and project of project and	tlining the scope of Work Attac space provided below	h additional sheets	as needed to provide a detail	ed explanation or your
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Shoreline Frontage is calculated by determine drawn between the property lines, both of v	ing the average of the distance which are measured at the norm	es of the actual natural	ural navigable shoreline frontag (Env-Wt 101.89).	ge and a straight line
6: RELATED NHDES LAND RESOURCES MAN Please indicate it any of the following permit To determine in other Land Resources Mana	AGEMENT PERMIT APPLICATION OF THE PROPERTY OF	ONS ASSOCIATED V	VITH THIS PROJECT 13 (1)	
Permit Type	Permit Required	File Number		
Alteration of Terrain Permit Per RSA 485-A:1		· —	APPROVED PE	NDING DENIED
Individual Sewerage Disposal per RSA 485-A; Subdivision Approval Per RSA 485-A	2 ☐ YES ☒ NO ☐ YES ☒ NO ☐			NDING DENIED
Shoreland Permit Per RSA 483-B	☐ YES 🖾 NO			NDING DENIED NDING DENIED
72-NATURAL HERITAGE BUREAU & DESIGNA See the instructions & Required Attachment	TED RIVERS: 100 Augustions to	complete a & b belo		
a. Natural Heritage Bureau File ID: NHB <u>1</u>		· · · · · · · · · · · · · · · · · · ·		
	<u>9 </u>			
b. This project is within a <u>Designated Rid</u> date a copy of the application was so	ver corridor. The project is with	iin ¼ mile of:	; a	nd I

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	SSAPPLICANTINEORMATION (Desired Permit holder)					
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	TRUST / COMPANY NAME:	MAILI	NG ADDRESS.	-		
	TÓWN/CÍTY			STATE:	ZIP CODE:	
	EMAIL or FAX:		HONE:			
	ELECTRONIC COMMUNICATION: By Initialing here: I hereby autho	rize NHDES to c	ommunicate all	mattage polatice to th		
	9 PROPERTY OWNER INFORMATION (If different than applicant)					•
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	OST NAME, FIRST NAME, M.I.	<u>-</u>		· · · · · · · · · · · · · · · · · · ·	· .	
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	LAST NAME, FIRST NAME, M.I.: Greer, Tobin		COMPA	NY NAME:Ambros	e Marine	
					e water	
	MAILING ADDRESS: PO Box 1323	·			· ·	
	TOWN/CITY: Meredith			STATE: NH	ZIP CODE:	03253
-	EMAIL or FAX: -tobin@marinenh.com—	PHO	IE:-603.707.7	394	,	
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,	14 PROPERTY OWNERS IGNATURE: See the lost fuctions of Reguired Attachments document or clarifical	tion of the be	ow statements			
	By signing the application, I am certifying that:					
	I authorize the applicant and/or agent indicated on this form request, supplemental information in support of this permit.		ehalf in the pro	ocessing of this ap	plication, and to fur	nish upon
	2. I have reviewed and submitted information & attachments of	utlined in the		d Required Attach	ment document.	
ĺ	All abutters have been identified in accordance with RSA 482					
	 I have read and provided the required information outlined in I have read and understand Env. Wt 302.03 and have chosen 				!.	,
	6. Any structure that I am proposing to repair/replace was either		•	-	u or would be consi	dered
	grandfathered per Env-Wt 101.47. 7. I have submitted a Request for Project Review (RPR) Form (<u>w</u>	ww.nh.gov/ni	ndhr/review) to	o the NH State Hist	oric Preservation C	Officer (SHPO) at
	the NH Division of Historical Resources to identify the preser agency for National Historic Preservation Act (NHPA) 106 cor	nce of historica	l/ archeologica	al resources while	coordinating with t	he lead federal
,	8. I authorize NHDES and the municipal conservation commission		he site of the p	roposed project.		
	9. I have reviewed the information being submitted and that to	the best of m	y knowledge th	ne information is tr	ue and accurate.	
	 I understand that the willful submission of falsified or misrep action. 	resented info	mation to the	NHDES is a crimina	al act, which may re	sult in legal
	11. I am aware that the work I am proposing may require additio	nal state, loca	l or federal per	mits which I am re	sponsible for obtai	ning.
	12. The mailing addresses I have provided are up to date and app	propriate for r	eceipt of NHDE	S correspondence	. NHDES will not for	ward returned
	Caller R. (C) DX Cha	rles Chiarello	>		1/13/2019	
	Print	name legibly	. •		Date	

MUNICIPAL SIGNATURES

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DIRECTIONS FOR CONSERVATION COMMISSION

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 Jown/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

JENNIE COMOS AHON Date Date

DIRECTIONS FOR TOWN/CITY CLERK:

er RSA 482-A 3.15

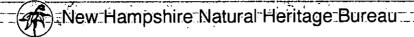
- 1 For applications where "Expedited Review" is checked on page 1, if the Conservation Commission signature is not present, NHDES will accept the permit application, but it will NOT receive the expedited review time.
- 2. IMMEDIATELY sign: the original application form and four copies in the signature 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

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.

Personal Stream Property Pr		/has been impacted provide square fter the project is complete for the				
PERMANENT TEMPORARY TEMP	Temporary: impacts not intended to re	main (and will be restored to ore-cor	structioniconditions) after the project is	ompleted 110	
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Salt marsh ATF ATF ATF Sand dune ATF ATF ATF Prime wetland ATF ATF Prime wetland buffer ATF ATF Undeveloped Tidal Buffer Zone (TB2) ATF ATF Previously-developed upland in TB2 ATF Docking - Lake / Pond ATF ATF Docking - Lake / Pond ATF ATF Docking - River ATF ATF Docking - Tidal Water ATF ATF Docking - Tidal Water ATF ATF Vernal Pool ATF ATF Vernal Pool ATF Williamum Impact Fee: See the instructions & Required Attachments document for further instruction Minimum Impact Fee: Calculate using the below table below Permanent and Temporary (non-docking) 400 sq. ft. X \$0.20 = S 80 Temporary (seasonal) docking structure: sq. ft. X \$0.20 = S Permanent docking structure: sq. ft. X \$0.20 = S Permanent docking structure: sq. ft. X \$0.20 = S Permanent docking structure: sq. ft. X \$0.20 = S Projects proposing shoreline structures (including docks) add \$200 = S Total = S 80	Bank - Lake / Pond	./	ATF	· · · · · · · · · · · · · · · · · · ·	,	ATF
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Previously-developed upland in TBZ	Prime wetland buffer		ATF			
Docking - Lake / Pond ATF	Undeveloped Tidal Buffer Zone (TBZ)	i	ATF			ATF
Docking - River Docking - Tidal Water ATF Vernal Pool TOTAL / IS APPLICATION: FEE: See: the instructions & Required Attachments document for further instruction y Minimum Impact Fee: Flat fee of \$ 200 Minor or Major Impact Fee: Calculate using the below table below Permanent and Temporary (non-docking) 400 sq. ft.	Previously-developed upland in TBZ	,	ATF	··· <u> </u>	<u> </u>	ATF
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Vernal Pool ATF	Docking - River		ATF		<u>.</u>	ATF
TOTAL / / 15 APPUCATION FEE Sees 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	Docking - Tidal Water		ATF			ATF
Minimum Impact Fee: Flat fee of \$ 200 Minor or Major Impact Fee: Calculate using the below table below Permanent and Temporary (non-docking) 400 sq. ft. X \$0.20 = \$ 80 Temporary (seasonal) docking structure: sq. ft. X \$1.00 = \$ Permanent docking structure: sq. ft. X \$2.00 = \$ Permanent docking structure: sq. ft. X \$2.00 = \$ Projects proposing shoreline structures (including docks) add \$200 = \$	Vernal Pool	•	ATF			ATF
Minimum Impact Fee: Flat fee of \$ 200 Minor or Major Impact Fee: Calculate using the below table below Permanent and Temporary (non-docking) 400 sq. ft. X \$0.20 = \$80 Temporary (seasonal) docking structure: sq. ft. X \$1.00 = \$ Permanent docking structure: sq. ft. X \$2.00 = \$ Projects proposing shoreline structures (including docks) add \$200 = \$ Total = \$80	TÒTAL	/		,	,	·
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Permanent and Temporary (non-docking) Temporary (seasonal) docking structure: Sq. ft. X \$0.20 = \$80 Permanent docking structure: Sq. ft. X \$2.00 = \$ Projects proposing shoreline structures (including docks) add \$200 = \$ Total = \$80	Minimum Impact Fee: Flat fee of	\$ 200				
Temporary (seasonal) docking structure: sq. ft. X \$1.00 = \$ Permanent docking structure: sq. ft. X \$2.00 = \$ Projects proposing shoreline structures (including docks) add \$200 = \$ Total = \$80	Minor or Major Impact Fee: Calc	ulate using the below table below				•
Permanent docking structure: sq. ft. X \$2.00 = \$ Projects proposing shoreline structures (including docks) add \$200 = \$ Total = \$80	. Perma	nent and Temporary (non-docking)	400 sq.	ft. X \$0.20 =	\$ 80	· · · · · ·
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Projects proposing shoreline structures (including docks) add \$200 = \$ Total = \$80	<u></u>	Permanent docking structure:	sq.	ft. X \$2.00 =	\$	
Total = \$80		·				·
		Projects proposing snoreline	orracrases flucinaly8			
The Application Fee is the above calculated Total or \$200, whichever is greater = \$200				Total =	\$ 80	
	The	Application Fee is the above calculat	ed Total or \$200, wh	nichever is greater =	\$ 200	

Eusting: 1084105.03 Mercator Projection WGS84 USNG Zone 19TCJ 0.5 Scale **1:24000** 1.0 1 inch = 2000 feet 1.5 ml CalTopo



To: Tobin Green

Box 1323

Meredith, NH 03253

From: NH Natural Heritage Bureau

Re: Review by NH Natural Heritage Bureau of request dated 1/30/2015

NHB File ID: NHB19-0383

Location Tax Map(s)/Lot(s): 76/80

Alton

Project Description: Expand an existing breakwater to full legal limits

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 of the recorded occurrences for sensitive species hear this project area.

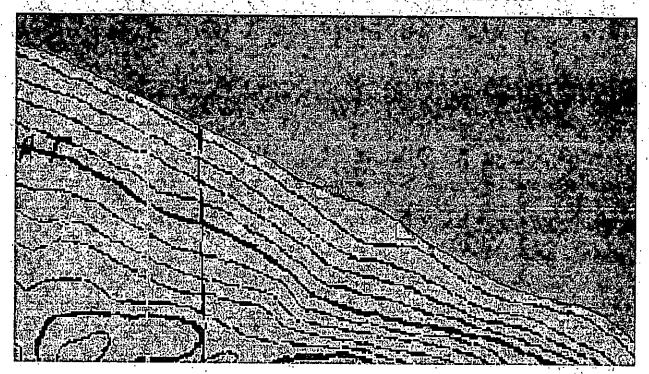
A negative result (no record in our datables) does not mean that a sensitive species is not present our data can only tell you of known occurrences based on information gathered by dualified biologists and reported to our office. However, many areas have here been surveyed for have only been surveyed for certain species. An on-site survey would provide better information on what species and communities are indeed present.

This report is valid through 1/29/2020

Date: 1/30/2019

Applicant: Tobin Greer

MAP OF PROJECT BOUNDARIES FOR NHB FILE ID: NHB19-0383



Ambrose-Marine Construction PO Box 1323 Meredith, NH 03253 603 279 4444

info@marinenh.com



Abutter List Chiarello

Subject Property:
832 Rattlesnake Island, Alton Tax Map 76/80
Charles and Cheryl Chiarello
20 Fox Hollow
Avon, CT 06001

Abutters:

1)838 Rattlesnake Island, Alton Tax Map 76/79 Andrew Hudak and Elissa Greenberg 2645 Longwood Drive Wilmington, DE 19810

- 2) Unnumbered Rattlesnake Island, Alton Tax Map 76/96
 Lakes Region Conservation Trust
 PO Box 766
 Center Harbor, NH 03226
- 3) Unnumbered Rattlesnake Island, Alton Tax Map 78/1
 Rattlesnake Island Association
 c/o Robert Moores
 8 Robin Lane
 Pepperell, MA 01463

