



The State of New Hampshire  
**Department of Environmental Services**



Sam  
119

**Robert R. Scott, Commissioner**

April 2, 2019

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

**REQUESTED ACTION**

Approve Michael Hepworth's request to perform the following work on Lake Winnepesaukee in Alton. File # 2018-03721. This project will not have significant impact on or adversely affect the values of Lake Winnepesaukee.

Repair, in-kind, a 4 foot x 40 foot cantilevered pier adjacent to a 44 linear foot breakwater; construct a 6 foot x 30 foot crib pier and a 4 foot x 12 foot walkway to connect to the pre-existing cantilevered pier in a "U" configuration; and, install a 14 foot x 30 foot seasonal canopy on an average of 138 feet of frontage along Lake Winnepesaukee, on Clay Point, 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 Winnepesaukee Marine Construction revision dated February 26, 2019 and as received by the NH Department of Environmental Services (NHDES) on February 26, 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. No work shall commence until the rock that blocks the approved gap between the existing breakwater and the shore is removed.
4. 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.
5. Work shall be carried out in a time and manner to avoid disturbances to migratory waterfowl breeding and nesting areas.
6. 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.
7. Appropriate siltation and erosion controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized. Temporary controls shall be removed once the area has been stabilized.
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 shall be at least 20 feet from the abutting property lines or the imaginary extension of those lines into the water.

[www.des.nh.gov](http://www.des.nh.gov)

29 Hazen Drive • PO Box 95 • Concord, NH 03302-0095

NHDES Main Line: (603) 271-3503 • Subsurface Fax: (603) 271-6683 • Wetlands Fax: (603) 271-6588

TDD Access: Relay NH 1 (800) 735-2964

11. Cribbs shall be spaced a minimum of 12 feet apart as measured crib center to crib center.
12. No portion of crib supported pier shall extend more than 30 feet from the shoreline at full lake elevation (Elevation 504.32).
13. All seasonal structures shall be removed for the non-boating season.
14. The canopy, including the support frame and cover, shall be designed and constructed to be readily removed at the end of the boating season and the flexible canopy shall be removed for the non-boating season.
15. No person undertaking any activity shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards in RSA 485-A and Env-Wq 1700.
16. The repairs shall maintain the size, location, and configuration of the pre-existing structures.

#### EXPLANATION

The NHDES approved this project on February 28, 2019. The NHDES supported its decision with the following findings:

1. This is a major impact project per Administrative Rule Env-Wt 303.02(d), construction of docking system attached to a breakwater.
2. Applicant has provided the Department with evidence that a reasonable investigation have been undertaken to determine the impossibility of driving pilings as required by Env-Wt 402.06(e).
3. The Department has accepted the evidence of the physical limitations of the property and approved the implementation of a crib supported dock under Env-Wt 402.06(h).
4. The applicant has an average of 138 feet of shoreline frontage along Lake Winnepesaukee.
5. A maximum of 2 slips may be permitted on this frontage per Rule Env-Wt 402.13, Frontage Over 75'.
6. The proposed docking facility will provide 2 slips as defined per RSA 482-A:2, VIII and therefore meets Rule Env-Wt 402.13.
7. 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 Rule Env-Wt 302.03.
8. The applicant has demonstrated by plan and example that each factor listed in Rule Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
9. 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 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](http://www.des.nh.gov/onestop)

Phone: 603-892-6100 Fax: 603-892-9000

<b>RECEIVED</b> DEC 18 2018 USE ONLY NHDES LAND RESOURCES MANAGEMENT	<b>COMPLETE</b> Administrative Use Only DEC 18 2018	Administrative Use Only	File No. <u>2018-03721</u>
			Check No. <u>18037</u>
			Amount: <u>1,076.00</u>
			Initials: <u>JB</u>

**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 Tranquility Lane TOWN/CITY: Alton

TAX MAP: 18 BLOCK: \_\_\_\_\_ LOT: 39-6 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 6'x30' crib supported pier adjacent to existing breakwater dock with a 4'x12' connecting walkway, also install a 14' x 30' seasonal canopy in center slip. 6'x6' Cribbs are required at this location do to ledge.**

**5. SHORELINE FRONTAGE:**

NA This does not have shoreline frontage. SHORELINE FRONTAGE: 138'

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 - 3739

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

**8. APPLICANT INFORMATION (Desired permit holder)**LAST NAME, FIRST NAME, M.I.: **Hepworth, Michael**

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.

**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 &amp; 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](http://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 forward returned mail.



Property Owner Signature

**Michael Hepworth**

Print name legibly

**12 / 06 / 2019**

Date


[lm@des.nh.gov](mailto:lm@des.nh.gov) or (603) 271-2147  
 NHDES Wetlands Bureau, 29 Hazen Drive, PO Box 85, Concord, NH 03302-0095  
[www.des.nh.gov](http://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.


	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.

	Jennifer L. Collins Print name legibly	Alton Town/City	12/13/2018 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	/	/
Lake / Pond	228 /	420 /
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
Vernal Pool	<input type="checkbox"/> ATF	<input type="checkbox"/> ATF
<b>TOTAL</b>	<b>228 /</b>	<b>420 /</b>

**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) \_\_\_\_\_ sq. ft. X \$0.20 = \$ \_\_\_\_\_

Temporary (seasonal) docking structure: **420** sq. ft. X \$1.00 = **\$ 420.00**

Permanent docking structure: **228** sq. ft. X \$2.00 = **\$ 456.00**

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

Total = **\$ 1076.00**

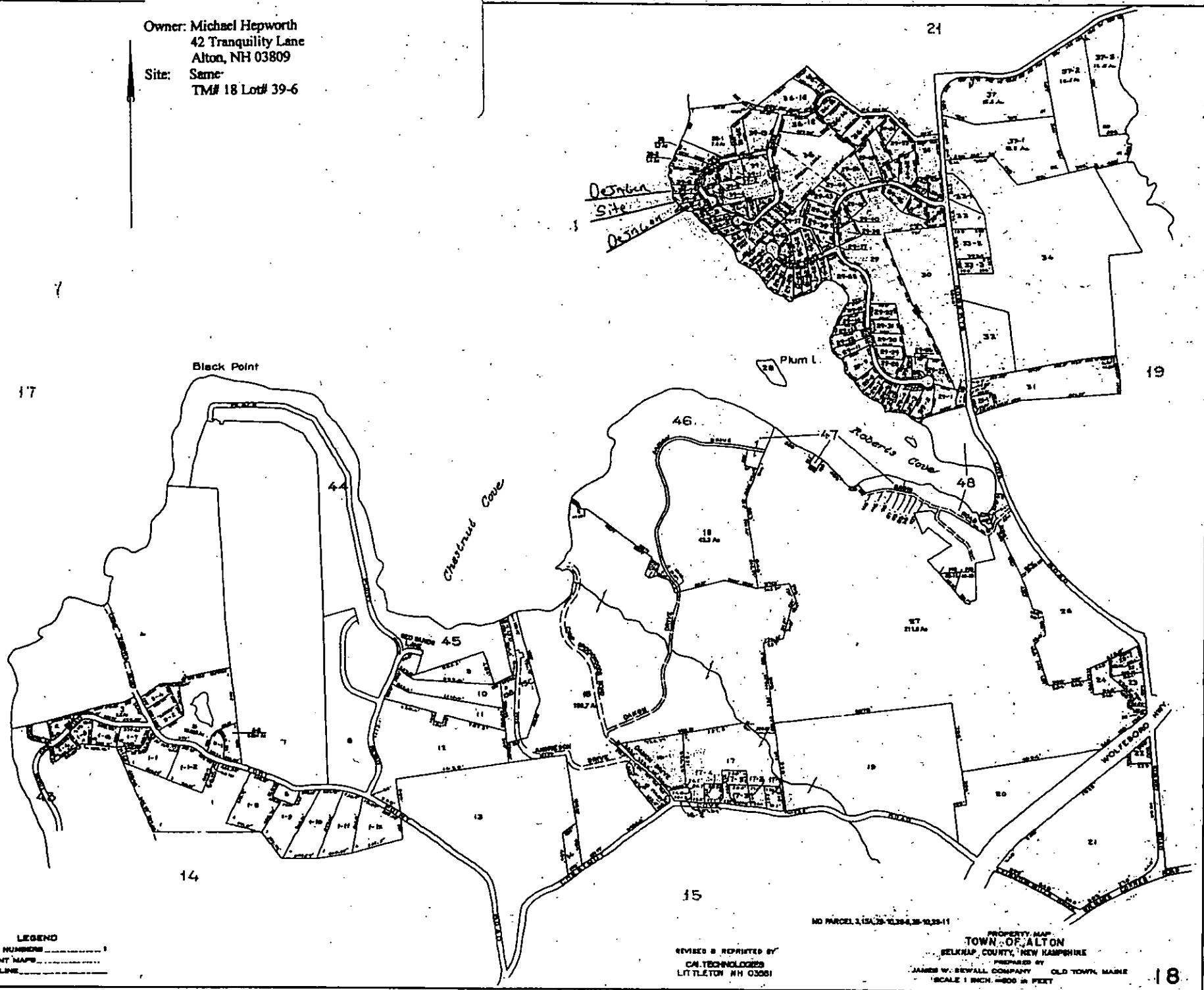
The Application Fee is the above calculated Total or \$200, whichever is greater = **\$ 1076.00**

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

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

www.des.nh.gov

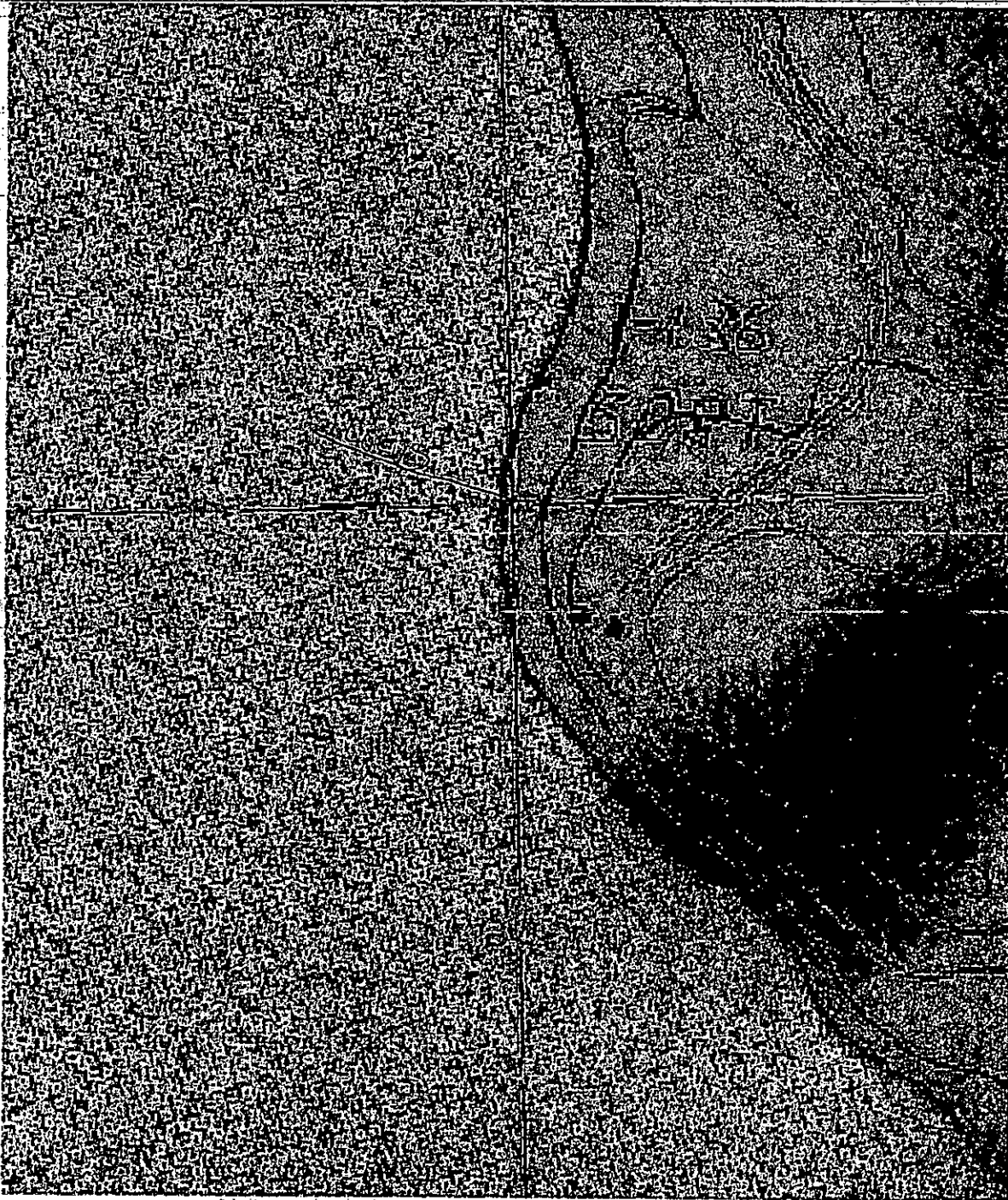
Owner: Michael Hepworth  
 42 Tranquility Lane  
 Alton, NH 03809  
 Site: Same  
 TM# 18 Lot# 39-6



**LEGEND**  
 PARCEL NUMBERS .....  
 ADJACENT MAPS .....  
 MATCH LINE .....

NO PARCELS 1, 15A, 16, 17, 18A, 19, 20, 21-11  
 REVISED & REPRINTED BY  
 CA TECHNOLOGIES  
 LITTLETON, NH 03581  
 PROPERTY MAP  
 TOWN OF ALTON  
 BELKAP COUNTY, NEW HAMPSHIRE  
 PREPARED BY  
 JAMES W. SEWALL COMPANY OLD TOWN, MAINE  
 SCALE 1 INCH = 400 FEET

Owner: Michael Hepworth  
42 Tranquility Lane  
Alton, NH 03809  
Site: Same  
TM# 18 Lot# 39-6



Center: 43.5396°N 71.2274°W  
Elevation at center: 495 feet (151 meters)  
Quad: USGS Wolfeboro  
Scale 1:24,000





# New Hampshire Natural Heritage Bureau

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

Date: 12/6/2018

From: NH Natural Heritage Bureau

Re: Review by NH Natural Heritage Bureau of request dated 12/6/2018

NHB File ID: NHB18-3739

Applicant: Patricia Scribner

Location: Tax Map(s)/Lot(s): 18/39-6  
Alton

Project Description: Construct a 6' x 30' crib supported dock with connecting  
walkway and install a seasonal canopy 14' x 30'

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.

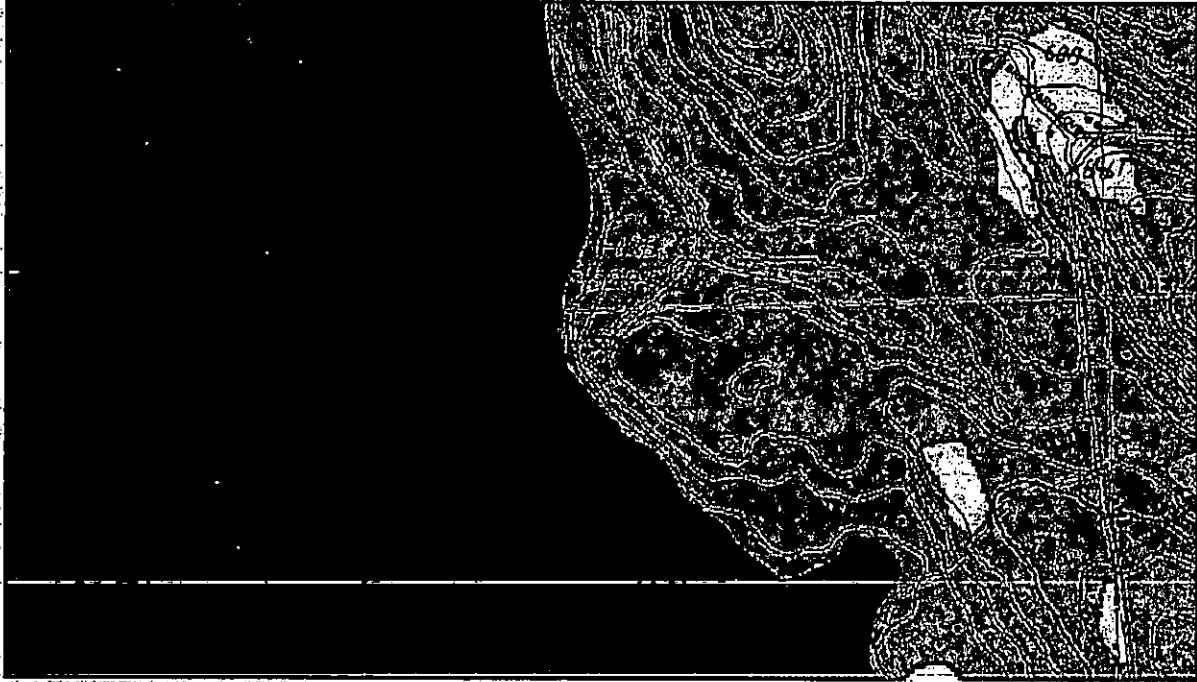
A negative result (no record in our database) does not mean that a sensitive species is not present. Our data can only tell you of known occurrences based on information gathered by qualified biologists and reported to our office. However, many areas have never been surveyed, or have only been surveyed for certain species. An on-site survey would provide better information on what species and communities are indeed present.

This report is valid through 12/5/2019.



New Hampshire Natural Heritage Bureau

MAP OF PROJECT BOUNDARIES FOR NHB FILE ID: NHB18-3739



**Winnepesaukee Marine Construction Inc.**

**60 Glidden Road Gilford, NH 03249**

**(603) 293-7768**

E-mail: [winnmarinc@hotmail.com](mailto:winnmarinc@hotmail.com) Web site: [www.lakewtaulicou.com](http://www.lakewtaulicou.com)

December 6, 2018

**Abutters List**

Owner: Michael Hepworth

Site: Same  
TM# 18 Lot# 39-6

Abutters:

Peter DeJager Jr.

50 Tranquility Lane  
TM# 18 Lot# 39-5

John DeJager

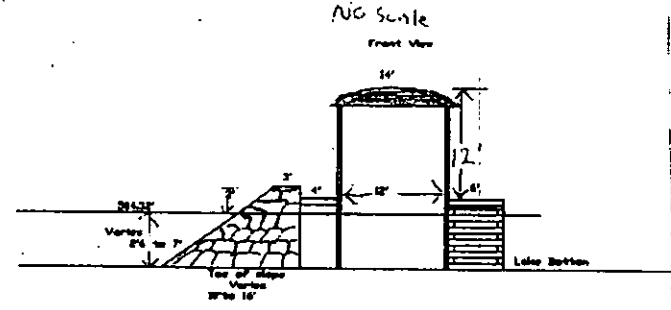
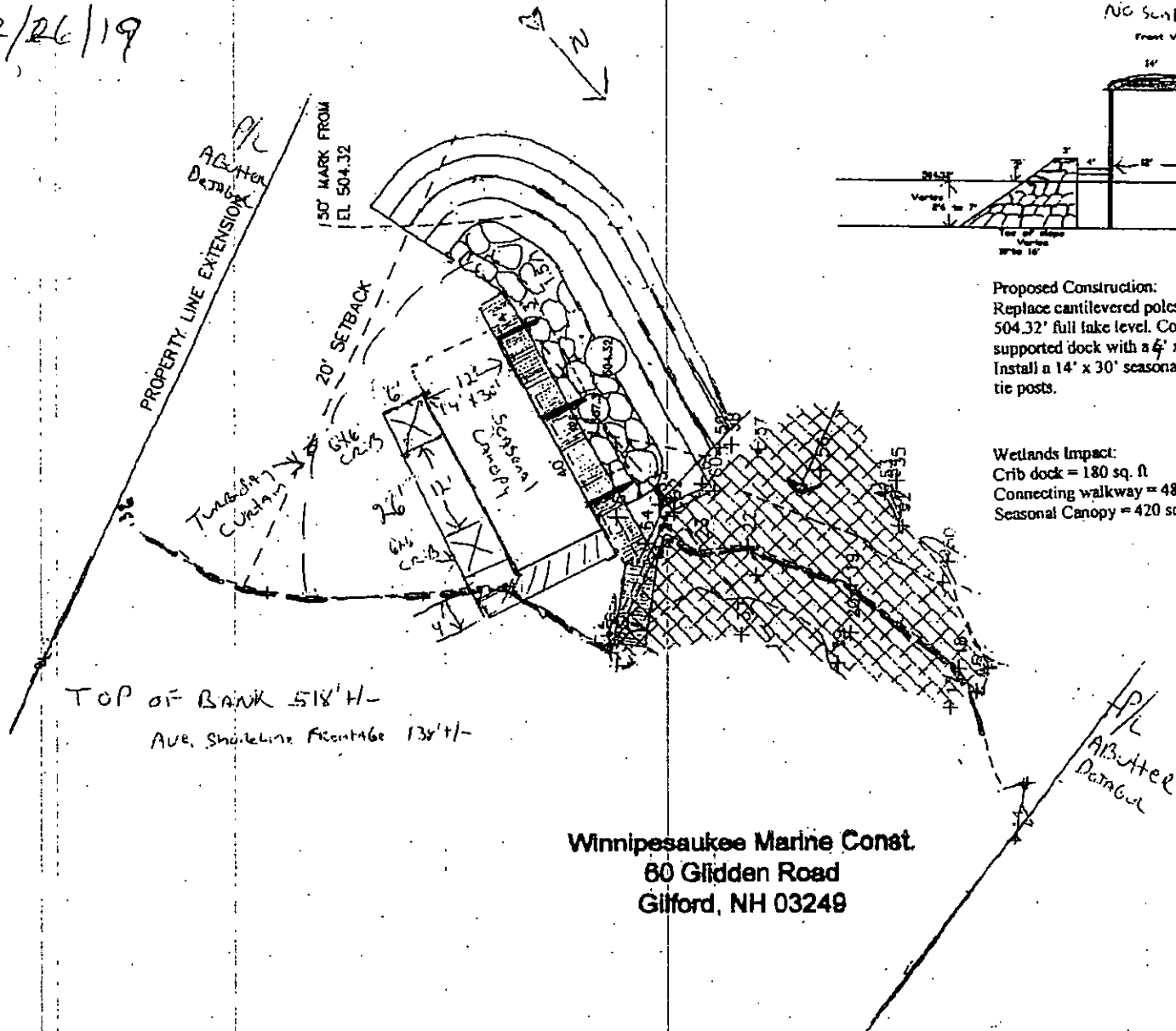
TM# 18 Lot# 39-7

Owner: Michael Hepworth  
 42 Tranquility Lane  
 Alton, NH 03809  
 Site: Same  
 TM# 18 Lot# 39-6

2 OF 2  
 Proposed  
 SCALE 1" = 20'

Revised  
 File# 18-03721  
 2/26/19

Lake Winnepesaukee



Proposed Construction:  
 Replace cantilevered poles in breakwater above the 504.32' full lake level. Construct a 6' x 30' crib supported dock with a 4' x 12' connecting walkway. Install a 14' x 30' seasonal canopy supported by long tie posts.

Wetlands Impact:  
 Crib dock = 180 sq. ft.  
 Connecting walkway = 48 sq. ft.  
 Seasonal Canopy = 420 sq. ft.

Winnepesaukee Marine Const.  
 80 Glidden Road  
 Gilford, NH 03249

RECEIVED  
 FEB 26 2019  
 NHDES  
 LAND RESOURCES MANAGEMENT