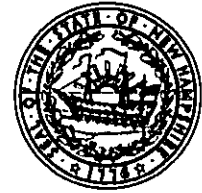




The State of New Hampshire  
**Department of Environmental Services**



2007  
 65

**Robert R. Scott, Commissioner**

February 28, 2020

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

**REQUESTED ACTION**

Approve the request to transfer Wetlands Permit #2015-00590, to fill 760 sq. ft. of lakebed to construct 44 linear ft. of breakwater, in an "slight dogleg" configuration leaving a 6 ft. gap at the shoreline, construct a 6 ft. x 47 ft. cantilevered pier connected to a 6 ft. x 35 ft. piling pier by a 6 ft. 12 ft. walkway in a "U" configuration accessed by a 6 ft. x 6 ft. walkway, and drive 2 tie-off piles for the easterly slip on an average of 102 ft. of frontage on Rattlesnake Island, on Lake Winnepesaukee, in Alton. The permit was originally issued to Leslie H. Fabian, and will be transferred to the new owner of the subject property, Donato Marangiello. The project was previously approved by the Governor and Council on June 24, 2015, Item # 146. This project will not have significant impact on or adversely affect the values of Lake Winnepesaukee.

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 Folsom Design Group dated January 23, 2015, as received by the Department on March 16, 2015.
2. This permit shall not be effective until it has been recorded with the County Registry of Deeds office by the Permittee. A copy of the recorded permit shall be submitted to the DES Wetlands Bureau by certified mail, return receipt requested, prior to construction.
3. 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.
4. Work authorized shall be carried out such that discharges in spawning or nursery areas during spawning seasons shall be avoided, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
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 the water at the work site has returned to normal clarity.
6. No portion of breakwater as measured at normal full lake 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. The minimum spacing for pile bents shall be 12 feet as measured center pile to center pile.
12. All activities shall be in accordance with the Shoreland Water Quality Protection Act, per RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland.


#### EXPLANATION

The NHDES approved this project on May 9, 2015. The NHDES supported its decision with the following finding:

This permit transfer is issued in accordance with NH Administrative Rule Env-Wt 502.02 (b).

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.

We respectfully request your approval of this item.



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Robert R. Scott  
Commissioner



**WETLANDS OR SHORELAND  
REQUEST FOR PERMIT TRANSFER**  
Water Division/Land Resources Management  
Wetlands Bureau



RSA/Rule: RSA 482-A, RSA 483-B/ Env-Wt 314.06; Env-Wq 1406.21

<b>RECEIVED</b> Administrative <b>FEB 12 2020</b> Only NHDES LAND RESOURCES MANAGEMENT	<b>COMPLETE</b> Administrative <b>FEB 24 2020</b> Only	Administrative Use Only	Permit No: <u>2015-00590</u>
			Authorized: <u>[Signature]</u>
			Print Name: <u>Sarah Lichos</u>
			Date: <u>2/24/20</u>

Under Wetlands Rule Env-Wt 314.06 and Shoreland Rule Env-Wq 1406.21, an applicant may request a permit transfer if the conditions described in Sections 4 and 5 are met. For a project that has not been completed when ownership or legal authority to undertake the project is to be transferred, either the transferor (wetlands permit only) or the transferee (wetlands or shoreland permit) may initiate a transfer of the permit. Once the permit expires, it is no longer eligible for a transfer of ownership. The grey boxes above are for Administrative/Registry of Deeds use.

SECTION 1 - PERMIT AND TRANSFER INFORMATION (Env-Wt 314.06; Env-Wq 1406.21)			
PERMIT NUMBER: <u>2015-00590</u>	PERMIT ISSUANCE DATE: <u>5/9/2015</u>	PERMIT EXPIRATION DATE: <u>5/9/2020</u>	PERMIT TYPE: <input checked="" type="checkbox"/> WETLANDS <input type="checkbox"/> SHORELAND
SECTION 2 - NEW OWNER (TRANSFEEE) INFORMATION (Env-Wt 314.06; Env-Wq 1406.21)			
LAST NAME, FIRST NAME, M.I.: <u>Marangiello Donato</u>			
MAILING ADDRESS: <u>62 Hancock Street</u>			
TOWN/CITY: <u>Malden</u>		STATE: <u>MA</u>	ZIP CODE: <u>02148</u>
DAYTIME PHONE: <u>781-258-9106</u>		EMAIL (if available): <u>donato2055@gmail.com</u>	
SECTION 3 - PREVIOUS OWNER (TRANSFEROR) INFORMATION (Env-Wt 314.06; Env-Wq 1406.21)			
LAST NAME, FIRST NAME, M.I.: <u>Fabian Leslie H</u>			

For wetlands permit transfer, please continue to Section 4.  
For shoreland permit transfer, please continue to Section 5.

[irm@des.nh.gov](mailto:irm@des.nh.gov) or (603) 271-2147

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

<https://www.des.nh.gov/>

**SECTION 4 - ADDITIONAL INFORMATION REQUIRED FOR WETLANDS PERMIT TRANSFER (Env-Wt 314.06)**

DATE ON WHICH THE PROPERTY TRANSFER IS EXPECTED TO OCCUR OR DID OCCUR: 10/29/2019

If your request package includes all the required information, your request for transfer of permit ownership will be processed and you will receive a copy of the transferred permit. If your request package does not include all the required information, a copy of the request will be rejected.

This request must be signed and certified by the transferor and the transferee. If the transferor is no longer available to sign the request, the transferee must submit a copy of the legal documentation that effected the transfer. Please read and initial the following statements and sign below:

Transferee initials: <u>DM</u>	I have included a copy of the recorded deed showing transfer of ownership of the property. This is only required if the transferor is no longer available to sign the request.
Transferor initials: <u>DM</u> Transferee initials: <u>DM</u>	I understand that work must be completed in accordance with the description and conditions of the approved permit.

SIGNATURE (TRANSFEROR): <u>[Signature]</u>	PRINT NAME LEGIBLY: <u>[Name]</u>	DATE: <u>[Date]</u>
SIGNATURE (TRANSFEEE): <u>[Signature]</u>	PRINT NAME LEGIBLY: Donato Marangiello	DATE: <u>27/11/20</u>

**SECTION 5 - ADDITIONAL INFORMATION REQUIRED FOR SHORELAND PERMIT TRANSFER (Env-Wq 1406.21)**

PROJECT ADDRESS: <u>[Address]</u>	TOWN/CITY: <u>[Town/City]</u>		
STATE: NH	ZIP CODE: <u>[Zip]</u>	MAP: <u>[Map]</u>	LOT: <u>[Lot]</u>

If your request package includes all the required information, your request for transfer of permit ownership will be processed and you will receive a copy of the transferred permit. If your request package does not include all the required information, a copy of the request will be rejected.

The following statement must be completed, read, and signed by the new owner(s):

"I/we, the undersigned, certify that I am/we are the present owner(s) of the property formerly of (name of former owner) [Name] and that I/we possess and have read the shoreland permit, including all plans and conditions included pursuant to Env-Wq 1406.15(c). I/we agree that I/we will abide by the previously-issued permit. I/we fully understand that the activities covered by the permit must be completed in strict accordance with the permit unless an amendment is applied for and granted. My/Our Title Reference is Book (number) [Book] Page (number) [Page], (County) [County] Registry of Deeds, and briefly is for land at (street address) [Address] in (town) [Town] New Hampshire."

SIGNATURE (TRANSFEEE): <u>[Signature]</u>	PRINT NAME LEGIBLY: <u>[Name]</u>	DATE: <u>[Date]</u>
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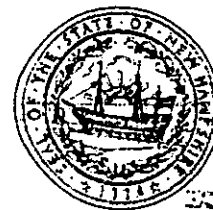


# WETLANDS PERMIT APPLICATION

Water Division/ Wetlands Bureau

Land Resources Management

Check the status of your application: <http://des.nh.gov/onestop>



RSA/Rule: Env-Wq 100-900

		File No. <u>2015-00590</u>	MAR 13 2015
		Check No. <u>1020</u>	
		Amount <u>1,494.90</u>	
		Date <u>5/6/2</u>	

**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: **75**      BLOCK:      LOT: **76**      UNIT:

USGS TOPO MAP WATERBODY NAME: **Winnepesaukee**       NA      STREAM WATERSHED SIZE:       NA

LOCATION COORDINATES (If known): **043,34'22.30''n; 071,18'5.46''w**       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.

**Provide a 6' x 47' cantilevered pier at breakwater with connecting walkway to a 6' x 35' permanent piling supported pier to provide two boatslips along 102.5 average shoreline. Provide two tie off pilings southeast side of the permanent piling dock to secure owners' watercraft. Total impacts for breakwater and docking structure equals 1,279.5 sq. ft.**

**4. RELATED PERMITS, ENFORCEMENT, EMERGENCY AUTHORIZATION, SHORELAND, ALTERATION OF TERRAIN, ETC...**

**Shoreland and Effluent Disposal Design permits pending**

**5. 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 15-0400

b.  Designated River the project is in ¼ miles of \_\_\_\_\_; and  
date a copy of the application was sent to Local River Advisory Committee: Month: \_\_\_ Day: \_\_\_ Year: \_\_\_

NA

shoreland@des.nh.gov or (603) 271-2147  
NHDES Wetlands Bureau, Concord, NH 03303-0095  
[www.des.nh.gov](http://www.des.nh.gov)

6. APPLICANT INFORMATION (Desired permit holder)

LAST NAME, FIRST NAME, M.I.: Folsom, Shane P

TRUST / COMPANY NAME: Folsom Design Group

MAILING ADDRESS: PO Box 548

TOWN/CITY: Wolfeboro Falls

STATE: NH

ZIP CODE: 03896

EMAIL or FAX: fdgwolfeboro@hotmail.com

PHONE: 603-715-2853

ELECTRONIC COMMUNICATION: By initialing here: \_\_\_\_\_ I hereby authorize DES to communicate all matters relative to this application electronically

7. PROPERTY OWNER INFORMATION (If different than applicant)

LAST NAME, FIRST NAME, M.I.: Fabian, Leslie H.

TRUST / COMPANY NAME:

MAILING ADDRESS:

TOWN/CITY:

STATE:

ZIP CODE:

EMAIL or FAX:

PHONE:

ELECTRONIC COMMUNICATION: By initialing here \_\_\_\_\_ I hereby authorize DES to communicate all matters relative to this application electronically

8. AUTHORIZED AGENT INFORMATION

LAST NAME, FIRST NAME, M.I.: Same as applicant

COMPANY NAME:

MAILING ADDRESS:

TOWN/CITY:

STATE:

ZIP CODE:

EMAIL or FAX:

PHONE:

ELECTRONIC COMMUNICATION: By initialing here \_\_\_\_\_ I hereby authorize DES to communicate all matters relative to this application electronically

9. 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.des.nh.gov](http://www.des.nh.gov)) to the NH State Historic Preservation Officer (SHPO) at the NH Division of Historical Resources to be reviewed for the presence of historical/ archeological resources
8. I authorize DES 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 DES correspondence. DES will not forward returned mail.

Handwritten signature of Leslie H. Fabian

Print name legibly: Leslie H. Fabian

Handwritten date: 2/23/15

Print name legibly


Date

## MUNICIPAL SIGNATURES

### 10. 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.

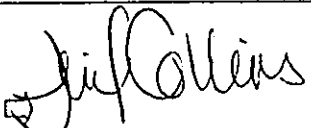
	Print name legibly	Date
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#### DIRECTIONS FOR CONSERVATION COMMISSION

1. Expedited review ONLY requires that the conservation commission's signature is obtained in the space above.
2. The Conservation Commission signature should be obtained prior to the submittal of the original application and four copies to the town/city clerk for mailing to the DES.
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.

### 11. 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 - Deputy	Jennifer Collins Print name legibly	Altan Town/City	3/13/2015 Date
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#### DIRECTIONS FOR TOWN/CITY CLERK:

Per RSA 482-A:3,1

1. For applications where "Expedited Review" is checked on page 1, sign and accept the applications **only** if the Conservation Commission signature has been received;
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 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.

**12. 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	760 / 44 <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	/ 25 <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	519.5 <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
<b>TOTAL</b>	<b>1279.5 / 69</b>	<b>/</b>

**13. 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) 1279.5 sq. ft. X \$0.20 = \$ 255.90

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

Permanent docking structure: 519.5 sq. ft. X \$2.00 = \$ 1039.00

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

Total = \$ 1,494.90

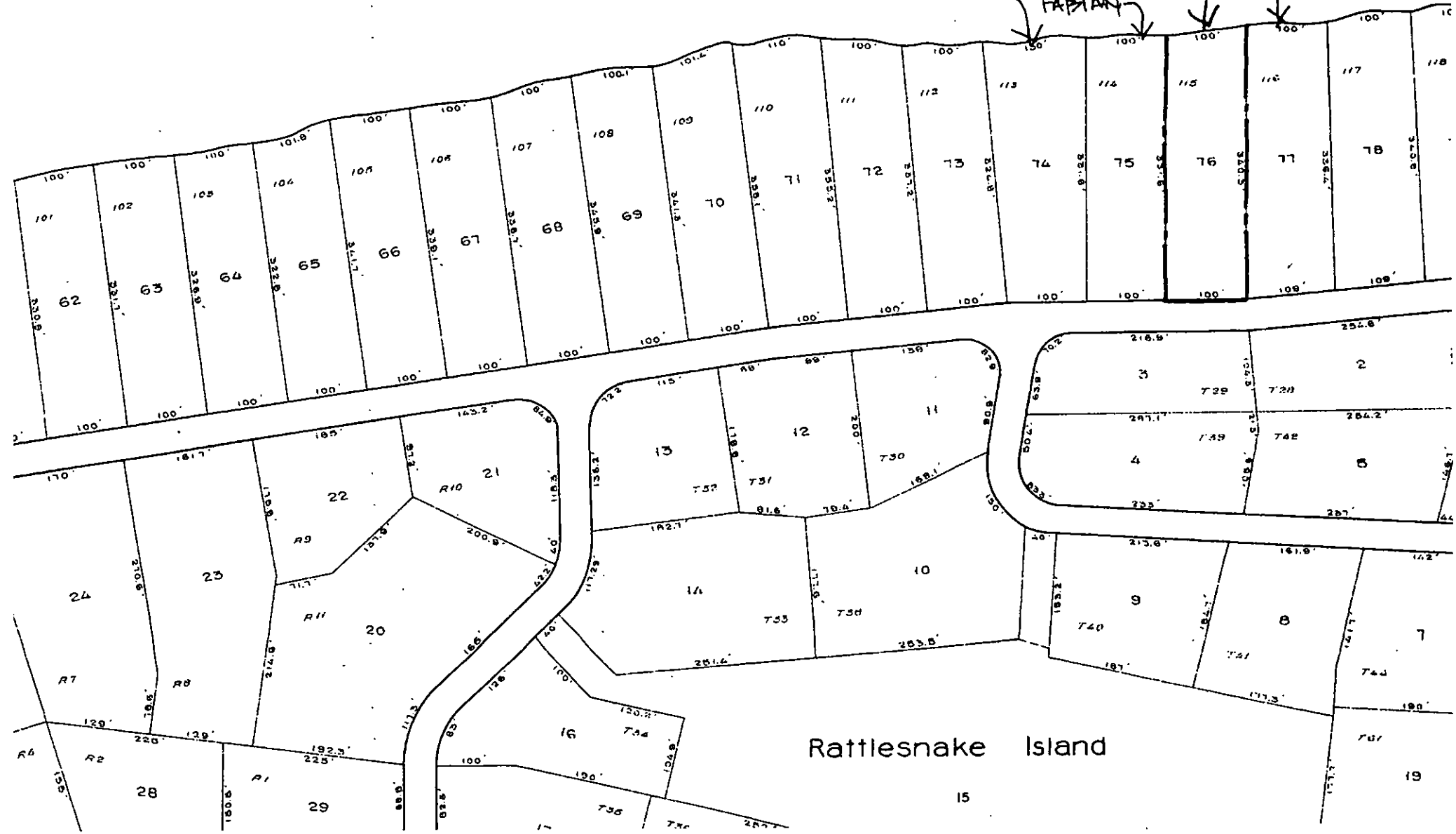
The Application Fee is the above calculated Total or \$200, whichever is greater = \$ 1,494.90



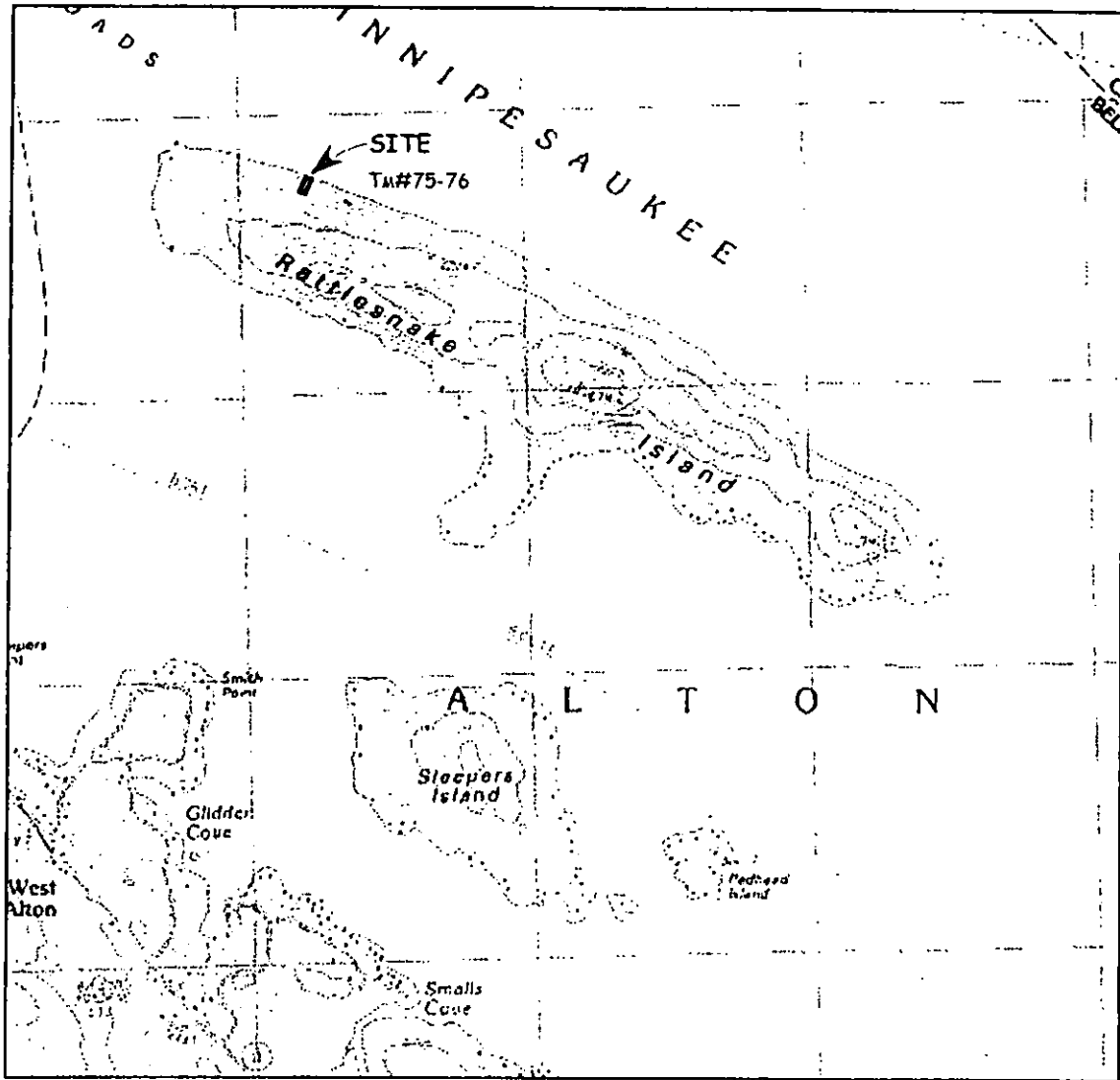
# WINNIPESAUKEE

LAKE

GILBERT  
SITE TM#75-76  
FABIAN  
THOMPSON  
VACHON



Rattlesnake Island



USGS MAP

911  
112



## New Hampshire Natural Heritage Bureau

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**To:** Shane Folsom  
P.O. Box 548  
Wolfeboro Falls, NH 03896

**Date:** 1/24/2015

**From:** NH Natural Heritage Bureau

**Re:** Review by NH Natural Heritage Bureau of request dated 1/24/2015  
NHB File ID: NHB15-0400

Applicant: Shane Folsom

**Location:** Tax Map(s)/Lot(s): 75-76  
Alton

**Project Description:** Construct a three bedroom cottage, shed, patio and effluent disposal system. Total of permanent impacts equal 2,145. Total of temporary impacts equal 7,399 sq. ft.. Total of impacts proposed 9,544 sq. ft. We are also constructing a breakwater and docking structure along the shoreline to provide two boat slips. Total impact 1,279.5 sq. ft.

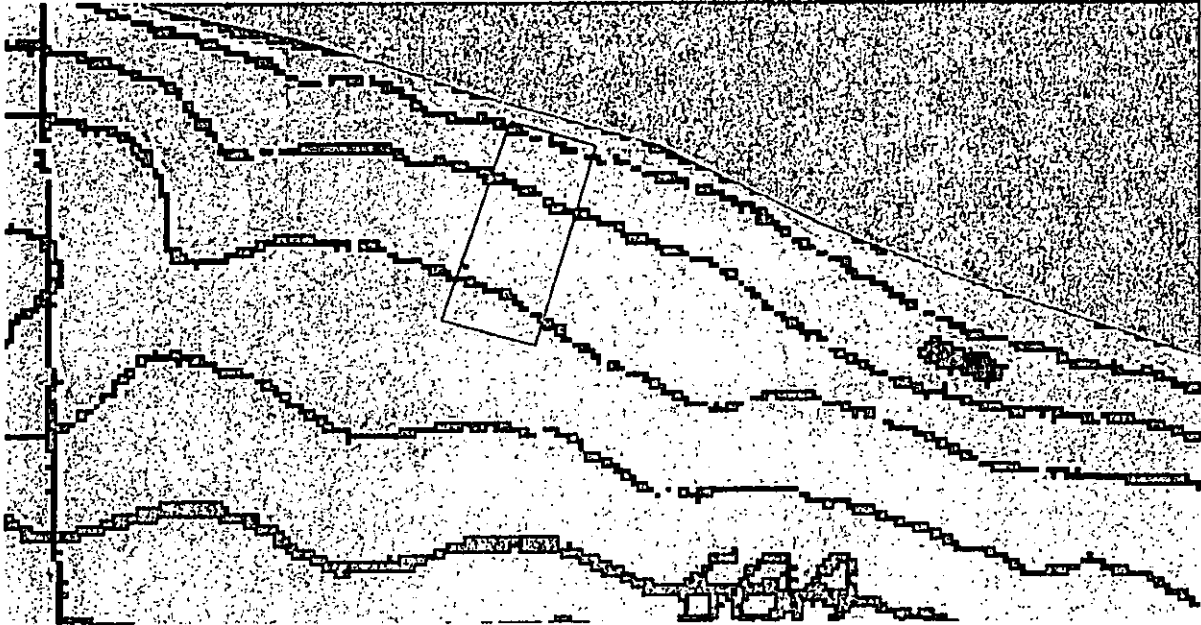
The NH Natural Heritage database has been checked for records of rare species and exemplary natural communities near the area mapped below. The species considered include those listed as Threatened or Endangered by either the state of New Hampshire or the federal government. We currently have no recorded 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 1/23/2016.



MAP OF PROJECT BOUNDARIES FOR NHB FILE ID: NHB15-0400





# FOLSOM DESIGN GROUP

P.O. Box 548, WOLFEBORO FALLS, NEW HAMPSHIRE 03896  
TELEPHONE: (603) 715-2853 (603)369-7819 (CELL)  
E-MAIL: FDBWOLFEBORO@HOTMAIL.COM  
WWW.FOLSOMDESIGNGROUP.COM

January 22, 2015

Re: NH Wetland Permit, Leslie H. Fabian, Tm# 75-76, Rattlesnake Island, Alton, NH

## ABUTTERS LIST

Owner of Record  
TM # 75-76  
Leslie H. Fabian

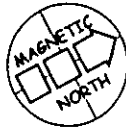
Tm # 75-75  
Leslie H. Fabian

Tm # 75-74  
Voclo V. Gilfert  
Roger G. Gilfert

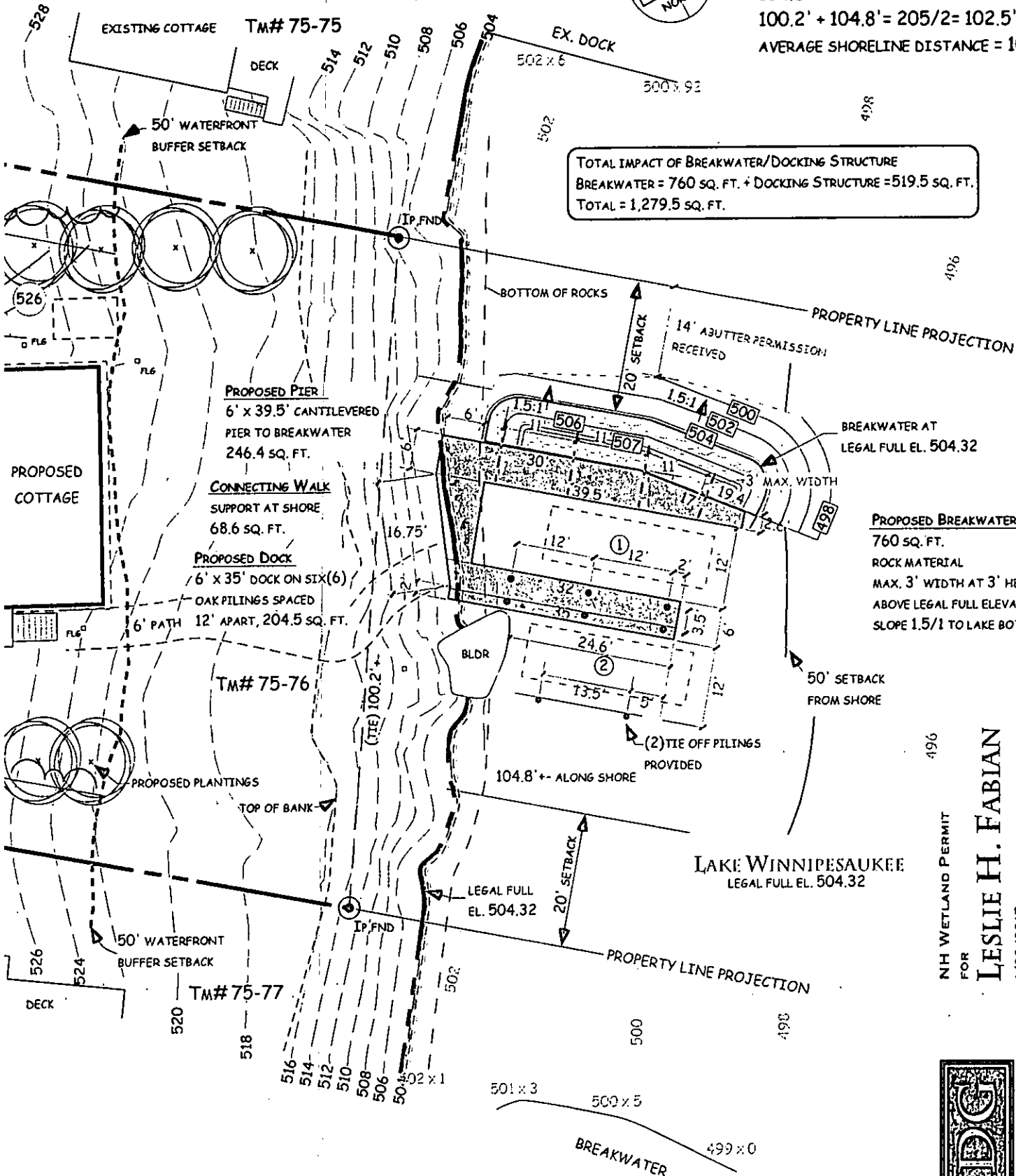
Tm #75-77

RICHARD E. VACHON  
YVETTE T. VACHON

Rattlesnake Island Association  
c/o Robert Moores



SHORELINE AVERAGE DISTANCE  
 100.2' +- (TIE)  
 104.8' +- ACTUAL  
 100.2' + 104.8' = 205/2 = 102.5'  
 AVERAGE SHORELINE DISTANCE = 102.5'



TOTAL IMPACT OF BREAKWATER/DOCKING STRUCTURE  
 BREAKWATER = 760 SQ. FT. + DOCKING STRUCTURE = 519.5 SQ. FT.  
 TOTAL = 1,279.5 SQ. FT.

**PROPOSED PIER**  
 6' x 39.5' CANTILEVERED  
 PIER TO BREAKWATER  
 246.4 SQ. FT.

**CONNECTING WALK**  
 SUPPORT AT SHORE  
 68.6 SQ. FT.

**PROPOSED DOCK**  
 6' x 35' DOCK ON SIX(6)  
 OAK PILING SPACED  
 6' PATH 12' APART, 204.5 SQ. FT.

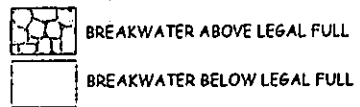
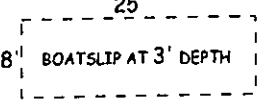
**PROPOSED BREAKWATER**  
 760 SQ. FT.  
 ROCK MATERIAL  
 MAX. 3' WIDTH AT 3' HEIGHT  
 ABOVE LEGAL FULL ELEVATION  
 SLOPE 1.5/1 TO LAKE BOTTOM

*Received by LES  
 March 16, 2015*

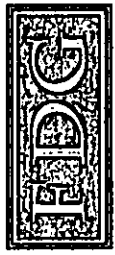
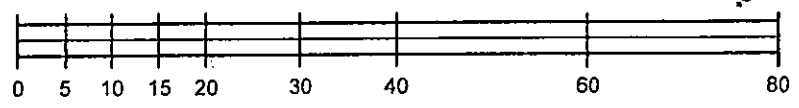
NH WETLAND PERMIT  
 FOR  
**LESLIE H. FABIAN**  
 1/23/2015

LAKE WINNIPESAUKEE  
 LEGAL FULL EL. 504.32

2 BOATSLIPS AS DEFINED IN ENV.-WT 101.10  
 8' WIDTH, 25' LENGTH @ 3' DEPTH



SCALE: 1" = 20'



CELEBRATING OVER TEN YEARS  
 IN BUSINESS 2001-2015