



Department of Environmental Services

Robert R. Scott, Commissioner



May 4, 2020

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

REQUESTED ACTION

Approve Jason and Tara Bayko's request to amend the permit to reflect the appropriate revised plan date, and to perform the following work on Lake Winnipesaukee in Wolfeboro. File # 2018-00466. This project will not have significant impact on or adversely affect the values of Lake Winnipesaukee.

Dredge 38 cubic yards from 1,140 square feet of lakebed and impact 1,614 square feet of bank along 94 linear feet of shoreline to construct a 25 foot x 31 foot dug in boathouse with a 7 foot x 17 foot bump-out and a 4 foot x 65 foot walkway around the north and west sides, a dredged access channel, an h-shaped piling pier composed of two 6 foot x 30 piers connected by a 6 foot x 12 foot walkway accessed by a 6 foot x 22 foot walkway with 15 foot x 30 foot seasonal canopy, and construct a 900 square foot perched beach with 4 foot wide steps to the water, with on an average of 349 feet frontage on Lake Winnipesaukee in Wolfeboro. Condition 1 of the approval is corrected to reflect the appropriate approved plans by Beckwith Builders, Inc. dated February 21, 2018 as received by the NH Department of Environmental Services (DES) on March 26, 2018 and docking structure plans dated February 20, 2018 as revised on August 13, 2019 as received by the NH Department of Environmental Services (DES) on August 22, 2019.

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 perched beach plans by Beckwith Builders, Inc. dated February 21, 2018 as received by the NH Department of Environmental Services (DES) on March 26, 2018 and docking structure plans dated February 20, 2018 as revised on August 13, 2019 as received by the NH Department of Environmental Services (DES) on August 22, 2019.
- 2. This amended 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. The permittee shall file a restrictive covenant in the appropriate registry of deeds limiting the use of the boathouse to the storage of boats and boating-related accessories. Prior to construction, the permittee shall submit a copy of the recorded covenant to the DES Wetlands Program by certified mail, return receipt requested.
- 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. This permit does not authorize the removal of trees or saplings within the waterfront buffer that would result in a tree and sapling point score below the minimum required per RSA 483-B:9, V, (a)(2)(D)(iv).
- 6. Work shall be carried out in a time and manner to avoid disturbances to migratory waterfowl breeding and nesting areas.
- 7. 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.
- 8. All dredged and excavated material and 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.
- 9. The contractor responsible for completion of the work shall use techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
- 10. 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.
- 11. 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.
- 12. Pilings shall be spaced a minimum of 12 feet apart as measured piling center to piling center.
- 13. No portion of the pier shall extend more than 50 feet from the shoreline at full lake elevation (Elevation 504.32) to achieve 3 foot water depth levels in the slip areas.
- 14. All seasonal structures, including watercraft lifts, shall be removed for the non-boating season.
- 15. 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.
- 16. Stone placed along the beach front for the purpose of retaining sand shall be placed above and landward of those rocks currently located along the normal high water line (Elevation 504.32). The rocks existing at the normal high water line shall remain undisturbed such that the natural shoreline remains visible and intact.
- 17. The steps installed for access to the water shall be located completely landward of the normal high water line
- 18. No more than 10 cubic yards of sand shall be used and all sand shall be located above the normal high water line.
- 19. Any future beach replenishment shall require a new permit.
- 20. The permittee shall provide appropriate diversion of surface water runoff to prevent erosion of beach area.
- 21. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tackifiers on slopes less than 3:1 or netting and pinning on slopes steeper than 3:1.
- 22. A combination of trees, shrubs and ground covers representing the density and species diversity of the vegetation present prior to construction shall be replanted beginning at a distance no greater than 5 feet landward from the beach area.

- 23. The dug in boathouse shall be a single-story structure; ridgeline not to exceed 20 feet in height (Elevation 524.32) above normal high water (Elevation 504.32).
- 24. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, with a preferred undisturbed vegetated buffer of at least 50 feet and a minimum undisturbed vegetative buffer of 20 feet.
- 25. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tackifiers on slopes less than 3:1 or netting and pinning on slopes steeper than 3:1.
- 26. 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.
- 27. 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.

EXPLANATION

The NHDES approved this project on March 30, 2020. The NHDES supported its decision with the following findings:

- 1. This project is classified as a major project per Rule Env-Wt 303.02(d), construction of a major docking facility providing five boat slips and Rule Env-Wt 303.02(g) dredge of more than 20 cubic yards.
- 2. The applicant has an average of 349 feet of frontage along Lake Winnipesaukee.
- 3. A maximum of 5 slips may be permitted on this frontage per Rule Env-Wt 402.13, Frontage Over 75'.
- 4. The proposed docking facility will provide 5 slips as defined per RSA 482-A:2, VIII and therefore meets Rule Env-Wt 402.13.
- 5. The Department 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.

. We respectfully request your approval of this item.

Robert R. Scott Commissioner



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WETLAND AND SHORELAND REQUEST FOR PERMIT OWNERSHIP CHANGE

Water Division
Wetlands Bureau and Shoreland Program



RSA/Rule: <u>RSA483-B, Env-Wg 1406.21</u>

Env-Wt 502.02

www.des.nh.gov

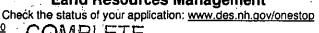
2:			2018-00466							
AND 2019	Ad heri trat Utic Only	1	oetizen By	Rec By						
LAND HEAVY	,	Ung								
Under Wetlands and Shoreland statutes (Env-Wt 502.02, a	and RSA 483-B, Env	-Wq 1406.21), res	pectively an applicant						
may request a permit ownership change i	f the conditions	within these statue	es are met.	promoty, an applicant						
1. PROJECT AND OWNER INFORMATION										
ADDRESS: Spruce Road	TOWN/CIT	y: Wolfeboro	STATE: NH	ZIP CODE: 03894						
PERMIT NUMBER: 2018-00466 (Wetlands) 2018-00323 (Shoreland)	Tax Map #228	ιот: 30	BLOCK:	UNIT:						
NEW PERMITEE NAME(S): (PLEASE TYPE OR PRINT LEGIBLY) Jason Bayko & Tara Bayko										
NEW PERMITEE MAILING ADDRESS: 54 Sears Road										
TOWN/CITY: Southborough s	тате: МА	ZIP CODE: 01772	EMAIL: tbayk	co@msn.com						
I/we possess and have read the shoreland permit, I/we will abide by the previously-issued permit. I/w accordance with the permit unless an amendment Carroll County Registry of Deeds and briefly NEW PERMITTEE SIGNATURE(S):	SHORELAND PERMITS ONLY: PLEASE COMPLETE CERTIFICATION STATEMENT AND ATTACH A COPY OF THE TRANSFERRED DEED "I/we, the undersigned, certify that I am/we are the present owner(s) of the property formerly of Robert B. King/ RBK-NH Realty Trust & 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 _3450Page_72 Carroll County Registry of Deeds and briefly is for land at (street address) Spruce Road, Wolfeboro, NH									
Tara Bayko for 2. AUTHORIZED AGENT OR APPLICANT INFORMAT	Tara Bayko for Jason & Tara Bayko 2. AUTHORIZED AGENT OR APPLICANT INFORMATION (IF APPLICABLE)									
AUTHORIZED AGENT / APPLICANT NAME (CIRCLE ONE): Jason Beckwith										
BUSINESS NAME: Beckwith Builders, Inc	· ·									
ADDRESS: 44 Libby Street	TOWN/CITY:	Wolfeboro	STATE: NH	ZIP CODE: 03894						
EMAIL: jason@beckwithbuilders.com	PHONE: 603	.569.6829	FAX:	<u>'</u>						

A NEW PERMIT WILL BE ISSUED TO THE OWNER OF RECORD AND A COPY MAILED TO THE APPLICANT AND/OR AGENT IF NOTED ON THIS FORM



WETLANDS PERMIT APPLICATION

Water Division/ Wetlands Bureau Land Resources Management





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11. REVIEW TIMEs Indicate your Revie Standard Review (Minimum,			to Guidance Document A (or) Expedited Review (Minimum In	
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43 PROJECTIDES CRIPTION:	THE STATE OF THE S		∆ La	itude/Longitude
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S. SHOREUNERRONIAGE: S. F. S.				
☐ NA This does not have shoreline fr		DRELINE FRONT	•	
Shoreline frontage is calculated by dete straight line drawn between the propert	y lines, both of which are mea	asured at the norm	nal high water line.	
6. FRELATED NHDES LAND RESOUR Please Indicate It any of the following p To determine Prother Land Resources I	danagement Rermitsiare regi	ired refer to the	and Resources Management	PROJECT: WebPage
Permit Type	Permit Required	File Numbe		
Alteration of Terrain Permit Per RSA 48				
Individual Sewerage Disposal per RSA Subdivision Approval Per RSA 485-A Shoreland Permit Per RSA 483-B	485-A:2 X YES		☐ APPROVED ☒ P	ATUS ENDING DENIED ENDING DENIED ENDING DENIED ENDING DENIED
Individual Sewerage Disposal per RSA Subdivision Approval Per RSA 485-A	485-A:2	ns (ő complete a)	APPROVED ⊠ P	ENDING DENIED DENIED DENIED DENIED
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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

BYAPPUCANT/INFORMATION (Desired/permit/holde							- 4
LAST NAME, FIRST NAME, M.L.: King, Robert B.					-17	<u> </u>	<u> </u>
TRUST / COMPANY NAME:		MAILING A	DDRESS:	<u>.</u>		•	•
TOWNCITY			-::	STATE:	z	IP CODE	
EMAIL or FAX:		PHONE					_
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EMAIL or FAX:			PHONE:	•	- · · ·		_ `
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LAST NAME, FIRST NAME, M.I.: Copplinger, Joanne K.	: ·	•	COMPANY	NAME:Bec	kwith Bui	lders	•
MAILING ADDRESS: 44 Libby Street						•	
TOWNCITY: Wolfeboro				STATE: N	H ZI	P CODE: 03894	
EMAIL or FAX: joanne@beckwithbuilders.com		PHONE: 6	03-986-327	'1	,		
ELECTRONIC COMMUNICATION: By Initialing here	I hereby author	rize NHDES	to communic	ate all matte	rs relative to	this application	
11): PROPERTY/OWNER SIGNATURE: See the Instructions & Required Attachments document (or clarification	of the belo	w statemen	1 2 V	100		
By signing the application, I am certifying that:				er Street Site	THE PERSON NAMED IN COLUMN TWO IS NOT THE PERSON NAMED IN COLUMN TWO IS NA	TO CANSTON POR CARE TO A STANSON FOR STANSON POR	92433
I authorize the applicant and/or agent indicated on upon request, supplemental information in support.	t of this permi	t applicatior	١.			•	i
 I have reviewed and submitted information & attact All abutters have been identified in accordance wit 	hments outlin h RSA 482-A	ed in the In: :3. I and En	structions ar	d Required	d Attachme	nt document.	
4. I have read and provided the required information	outlined in En	v-Wt 302.0	4 for the app	licable pro	ect type.		
6. Any structure that I am proposing to repair/replace	ive chosen in was either pr	e least impa eviously pe	icting altern: rmitted by th	ative. le Wetland:	s Bureau or	would be consider	ed
grandfathered per Env-Wt 101.47. 7. I have submitted a Request for Project Review (RF	PR) Form (ww	w.nh.gov/ni	ndhr/review)	to the NH	State Histo	ric Presentation Offi	^01
(SHPO) at the NH Division of Historical Resources with the lead federal agency for NHPA 106 complications.	to identify th	e presence	of historical/	archeolog	ical resourc	es while coordinatir	g
I authorize NHDES and the municipal conservation I have reviewed the information being submitted ar	commission	to inspect t	ne site of the	proposed	project.		
10. I understand that the willful submission of falsified	or misreprese	nted inform	cnowledge the lation to the l	ne informat New Hamp	ion is true a shire Depa	and accurate. Itment of	
Environmental Services is a criminal act, which ma 11. I am aware that the work I am proposing may requi	ire additional	state, local	or federal pe	rmits which	h I am resp	onsible for obtaining	1.
 The mailing addresses I have provided are up to deforward returned mail. 	ate and appro	priate for re	ceipt of NHI	DES corres	pondence.	NHDES will not	
Downer Signature	Joann	e K.Co	ppinge	۲	2/21/	1018	
Property Owner Signature BECKWITH Builders, Inc.	Print name le	gibly FOR	Robert	King	Date		
deckwith builders, inc.				J			

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

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 rown/City/Clerk for signature
- 31: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 lime frame.

13 TOWN/CITY CLERK SIGNATURE

As required by Chapter 482 A 3 (amended 2014) Thereby certify that the applicant has filed four application forms four detailed plans and four USGS location maps with the town/city indicated below.

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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, 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

DIRECTIONS FOR APPLICANT:

Submit the single of iginal permit application form bearing the signature of the Town/ City Clerk, additional materials, and the application fee to NHDES by mail or hand delivery.

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Permanent:/impacts\that will remail	n after the project is complete.	man same		
		e construction cor	iditions) alter the project is complete	<u> </u>
JURISDICTIONAL AREA	PERMANENT Sq. Ft. / Lin. Ft.		TEMPORARY Sq. Ft. / Lin. Ft.	
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Scrub-shrub wetland		☐ ATF		ATF.
Emergent wetland		ATF		ATF
_Wet.meadow		ATF-		- D-ATE
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Perennial Stream / River	, , , , , , , , , , , , , , , , , , , ,	☐ ATF	1.	☐ ATF
Laké / Pond	1	☐ ATF	/	☐ ATF
Bank - Intermittent stream		☐ ATF	/	ĀTF
Bank - Perennial stream / River	1	☐ ATF		☐ ÁTF
Bank - Lake / Pond	3 ³⁰ 380 SF walkway / 🗸	☐ ATF	1500 /	ATF
Tidal water	1	☐ ATF	/.	ATF.
Salt marsh		☐ ATF		ÀTF
Sand dune	-	ATF		ÂTĘ
Prime wetland		☐ ATF		☐ ATF
Prime wetland buffer		☐ ATF		☐ ÂŢÊ
Undeveloped Tidal Buffer Zone (TBZ)		☐ ATF		. 🗋 ATF
Previously-developed upland in TBZ		☐ AŢF		☐ ATF
Docking - Lake / Pond	1275 boathse dock	ATF	2050 SF 18	ATF
Docking - River	4	ATF ☐ ATF		☐ ATÉ
Docking - Tidal Water		☐ ATF		ATF
TOTAL			I_{i}	
15. APPLICATION FEE: See the	instructions & Required Attachment	s document for ful	ther instruction	
☐ Minimum Impact Fee: Flat fee	of \$ 200			
	alculate using the below table below			, ,
Permaner	nt and Temporary (non-docking) _	1880 sq. f	t. X \$0.20 = \$376.00	
Tempora	ry (seasonal) docking structure: _	2050 sq. f	t. X \$1.00 = <u>\$2050.00</u>	74:
	Permanent docking structure: _	1275 sq. f	t. X \$2.00 = \$2550.00	
Proje	ects proposing shoreline structur	res (including do	cks) add \$200 = \$200.00	are the second
N.		•	Total = \$5176.00	;
The Applica	ation Fee is the above calculated To	otal or \$200, which	never is greater = \$ 5176.00	

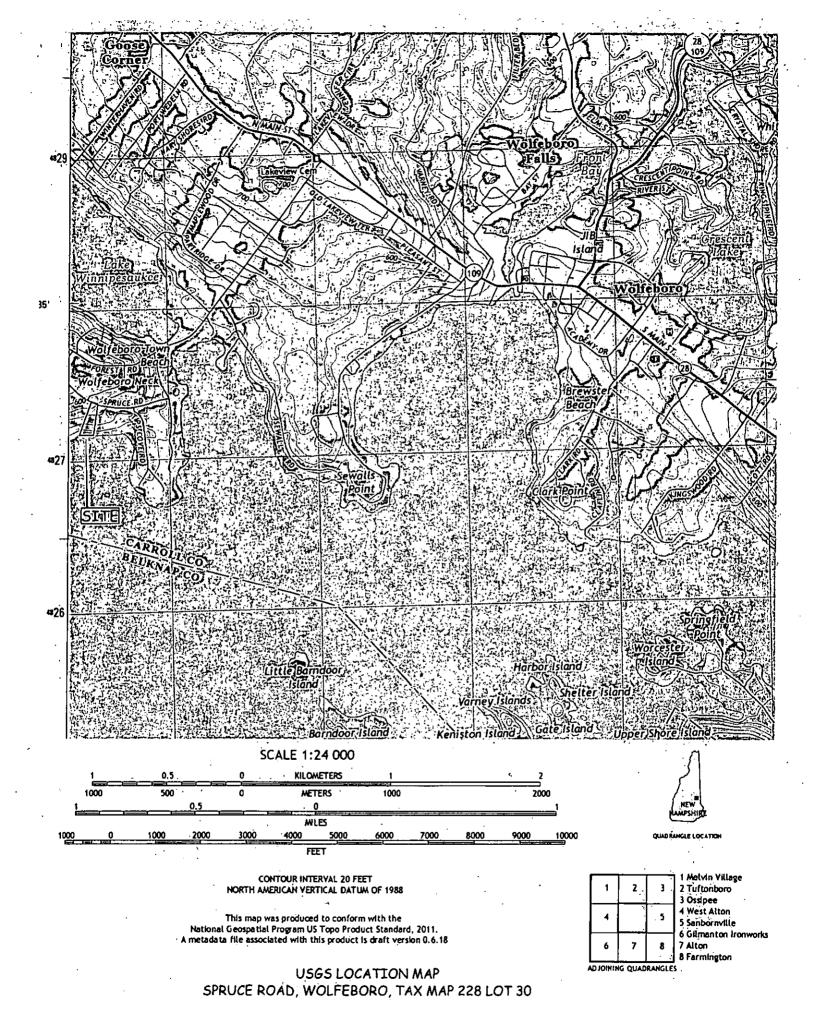
and all land use permit applications (including but not li	
wetlands) or other building-related permit applications (
water & sewer, town building permit, town driveway per	rmit, utilities permits) for my
property located at Spruce Road, Wolfeboro, NH (TM 2)	28 Lot 30.) Beckwith Builders, Inc.
may sign such applications on my behalf.	
Robert Ming	1/25/18
Robert King	Date

44 453.40 SPRUCE 43 . 3.40 Ac Wolfeboro, NH 1 Inch = 180 Feet September 03, 2014 www.cal-tech.com

Data shown on this map is provided for planning and informational purposes only. The municipality and CAI Technologies are not responsible for any use for other purposes or misuse or misrepresentation of this map.

CAT Technologies

1 379



To:

Joanne Coppinger

25 Hauser Estates Road Moultonborough, NH 03254

Date: 1/23/2018

NH Natural Heritage Bureau From:

Re:

Review by NH Natural/Heritage Bureau of request dated 1/23/2

NHB File ID: NHB18-0297

Applicant: Joanne Coppinger

Location: Tax Map(s)/Lot(s): 228/30

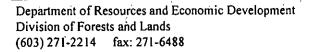
Wolfeboro

Project Description: ...construct a single-family home, perched

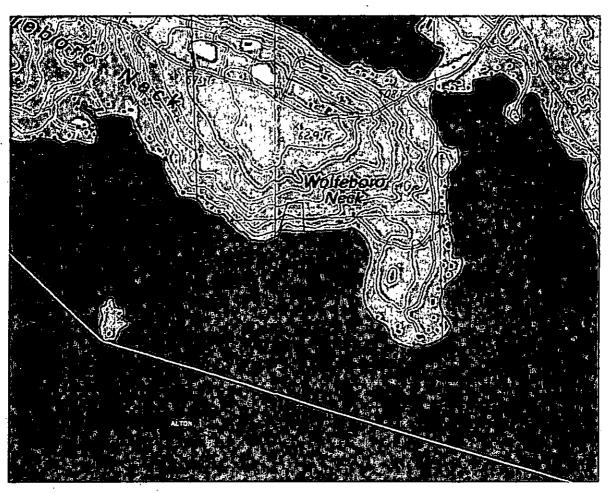
boathouse on a previously u

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 of Endangered by either the state of New Hampshire of the rederal 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.



MAP OF PROJECT BOUNDARIES FOR NHB FILE ID: NHB18-0297



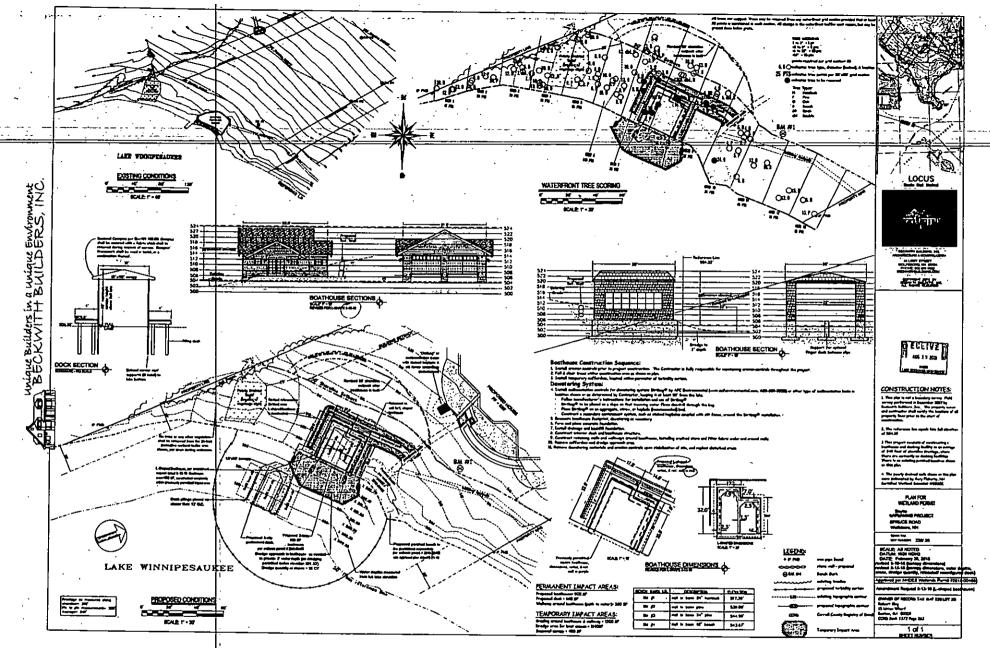
ABUTTERS LIST

SUBJECT PROPERTY: Tax Map 228 Lot 30, Spruce Road, Wolfeboro, NH

Abutters:

Tax Map 227 Lot 43 George & Sharon Vanderheiden

Tax Map 228 Lot 31 Bruce Beck C NH Family Trust (90%) Bruce Beck C Realty Trust (10%)



ALC: 1

CARL CONTRACTOR CONTRACTOR

