



The State of New Hampshire
DEPARTMENT OF ENVIRONMENTAL SERVICES

Thomas S. Burack, Commissioner



September 11, 2013

Her Excellency, Governor Margaret Wood Hassan
and The Honorable Council
State House
Concord, NH 03301

REQUESTED ACTION

Approve Samuel Cavallaro's request to perform the following work on Lake Winnepesaukee, in Alton. File # 2013-01250. This project will not have significant impact on or adversely affect the values of Lake Winnepesaukee.

Permanently remove an 8 ft. x 23 ft. 6 in. wharf along the shoreline and install a 4 ft. x 28 ft. seasonal dock adjacent to an existing 50 ft. breakwater with a 4 ft. x 37 ft. permanent dock on an average of 150 ft. of shoreline frontage, on Sleepers Island, on Lake Winnepesaukee, 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, revision dated July 18, 2013, as received by the NH Department of Environmental Services (DES) on July 19, 2013.
2. This permit shall not be effective until it has been recorded with the Belknap 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 installation.
3. The existing wharf shall be completely and permanently removed prior to the installation of the seasonal dock.
4. This permit does not allow for any work to the existing breakwater.
5. The seasonal pier shall be removed from the lake for the non-boating season.
6. No portion of the pier shall extend more than 28 ft. from the shoreline at full lake elevation.
7. All activities shall be in accordance with the Shoreland Water Quality Protection Act, 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.

DES Web site: www.des.nh.gov

P.O. Box 95, 29 Hazen Drive, Concord, New Hampshire 03302-0095

Telephone: (603) 271-3501 • Fax: (603) 271-6683 • TDD Access: Relay NH 1-800-735-2964

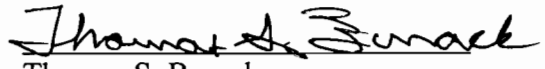
EXPLANATION

The DES Wetlands Bureau approved this project on August 8, 2013. DES 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 dock attached to a breakwater.
2. The applicant has an average of 150 ft. of shoreline frontage along Lake Winnepesaukee.
3. A maximum of 3 slips may be permitted on this frontage per Rule Env-Wt 402.13 Frontage Over 75'.
4. The proposed docking facility will provide 2 slips as defined per Rule Env-Wt 101.09 Boat slip, and therefore meets Rule Env-Wt 402.13.
5. The proposed modification will provide safer dockage on this island property.
6. The proposed modification provides less square feet of dock surface area over public submerged lands.
7. Public hearing is waived with the finding that the project impacts will not significantly impair the resources of Lake Winnepesaukee.

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.


Thomas S. Burack
Commissioner



THE STATE OF NEW HAMPSHIRE
DEPARTMENT OF ENVIRONMENTAL SERVICES
LAND RESOURCES MANAGEMENT
WETLANDS BUREAU

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

Phone: (603) 271-2147 Fax: (603) 271-6588

Website: <http://des.nh.gov/organization/divisions/water/wetlands/index.htm>

Permit Application Status: <http://des.nh.gov/onestop/index.htm>



WETLANDS PERMIT APPLICATION

2013-01250	16454	\$325.00	CMB
RECEIVED MAY 15 2013 NHDES LAND RESOURCES MANAGEMENT	COMPLETE MAY 15 2013		

1. **REVIEW TIME:** If you do not know the review time for your project, refer to Attachment A to determine if your project's review time is Standard or Expedited.

☐ Standard Review (Minimum, Minor or Major Impact)

☒ Expedited Review (Minimum Impact)

2. **PROJECT LOCATION:** A separate application must be filed with each municipality that jurisdictional impacts will occur in.

ADDRESS: 390 Sleeper Island

TOWN/CITY: Alton

TAX MAP: 73

BLOCK:

LOT: 30

UNIT:

US GEOLOGICAL SURVEY TOPO MAP WATERBODY NAME:

Lake Winnepesaukee

LOCATION COORDINATES (If known):

☐ Latitude/Longitude ☐ UTM ☐ State Plane

3. ☒ **PROPERTY OWNER** or ☐ **APPLICANT INFORMATION** (check all that apply). If the applicant is not the property owner, attach property owner information and written permission from the property owner granting the applicant permission to act on their behalf.

NAME: Samuel Cavallaro

MAILING ADDRESS:

TOWN/CITY: Alton Bay

STATE: NH

ZIP CODE: 03810

EMAIL or FAX: winnimaine@hotmail.com

PHONE: 6032937768

By initialing here, I, hereby authorize DES to communicate all matters relative to this application electronically (RSA 482-A:3, XIV (b)) : SC

4. **AGENT INFORMATION:**

NAME: Mark Kenney

COMPANY: Winnepesaukee Marine Construction

MAILING ADDRESS: 60 Glidden Rd.

TOWN/CITY: Gilford

STATE: NH

ZIP CODE: 03249

EMAIL or FAX: winnimarine@hotmail.com

PHONE: 6032937768

By initialing here, I, hereby authorize DES to communicate all matters relative to this application electronically (RSA 482-A:3, XIV (b)) : MK

* Complete this page last.

5. PROPERTY OWNER / AUTHORIZED APPLICANT / AUTHORIZED AGENT SIGNATURE: A letter of authorization from the property owner/applicant is required if the property owner/applicant does not sign below. Note the property owner permission requirement in no.3 above.

By signing the application, I am certifying that:

1. All abutters have been identified in accordance with RSA 482-A:3, I and Env-Wt 100-900.
2. I have read and provided the required information outlined in Env-Wt 302.04 for the applicable project type.
3. I have read and understand Env-Wt 302.03 and have chosen the least impacting alternative.
4. 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 101.44.
5. I have submitted a copy of the application materials to the NH State Historic Preservation Officer.
Link: <http://www.nh.gov/nhdhr/review/> (Copy link to your web browser)
6. I authorize DES and the municipal conservation commission to inspect the site of the proposed project.
7. I have reviewed the information being submitted and that to the best of my knowledge the information is true and accurate.
8. 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.
9. I am aware that the work I am proposing may require additional state, local or federal permits which I am responsible for obtaining.
10. The mailing addresses I have provided are up to date and appropriate for receipt of DES correspondence. DES will not forward returned mail.

Samuel Carallan

Property Owner/ Applicant / Authorized Agent

Samuel Carallan

Print name legibly

5/18/13

Date

APPLICATION SUBMITTAL DIRECTIONS:

1. The Conservation Commission signature is ONLY required for Expedited Review; Standard Review applications do NOT require the Conservation Commission's signature;
2. Submit the original application form and materials, four copies, application fee and any required municipal fees (authorized by RSA 482-A:3,I) to the town/city clerk for the REQUIRED town /city clerk's signature and mailing via certified mail to DES. Municipal fees means an administrative fee not to exceed \$10 plus the cost of postage by certified mail.

6. This section is to be completed by the Town/City Clerk

As required by Chapter 482-A:3 (amended 1991), I hereby certify that the applicant has filed five application forms, five detailed plans, and five USGS location maps with the town/city indicated below and I have received and retained certified postal receipts (or copies) for all abutters identified by the applicant.

Marie Price

Town/City Clerk

Marie Price

Print name legibly

5/14/13

Date

Aiton

Town/City

TOWN CLERK SUBMITTAL & MAILING DIRECTIONS:

Per RSA 482-A:3,I(d):

1. For applications where "Expedited Review" is checked on page 1, only accept the application if the Conservation Commission's signature has been obtained (Standard Review Applications do NOT require the Conservation Commission's signature);
2. Collect from the applicant the postal receipts demonstrating that all abutters and the Local Advisory Committee were sent proper notice;
3. Collect any administrative fees, not to exceed \$10 plus the cost of postage by certified mail (RSA 482-A:3,I).
4. Immediately sign the original application and four copies in the signature space provided in the space above;
5. Retain one copy of the application form and all attachments that will remain with the town/city clerk and will be made reasonably accessible to the public;
6. Immediately distribute a copy of the application with attachments to the municipal Conservation Commission, the local governing body (Board of Selectmen or Town/City Council), and the Planning Board in accordance with RSA 482-A:3, I; and
7. IMMEDIATELY send (DO NOT HOLD FOR OTHER MUNICIPAL REVIEWS) the original application materials and filing fee, by CERTIFIED MAIL to the NHDES Wetlands Bureau at the address indicated on the front of this application.

7. CONSERVATION COMMISSION SIGNATURE FOR EXPEDITED REVIEW ONLY:

ONLY Expedited Review applications require that the Conservation Commission signature is obtained prior to submittal the final application to the Town/City Clerk for signature and mailing to the NHDES Wetlands Bureau. The Conservation Commission may refuse to sign. If the Conservation Commission does not sign this statement for any reason, then the application is not eligible for expedited review and the "Standard Review" box should be checked on page 1. The application shall be reviewed in the standard review time.

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.

Earl J. Bagley

Authorized Commission Signature

Earl J. Bagley

Print name legibly

5/13/13

Date

8. **RELATED FILES/APPROVALS:** If applicable, indicate files and approvals that are related to the proposed project or project site. Link to all NHDES Programs, Bureaus and Units: <http://des.nh.gov/programs/index.htm> (Copy link to your web browser)

Wetlands Bureau enforcement, emergency authorizations: _____

Wetlands Bureau approvals, denials: _____

Shoreland/ Alteration of Terrain/ Subsurface: _____

Other: _____

9. **PROJECT DESCRIPTION:** Provide a brief description of the project, outlining the scope of work to be performed, including the area of impact (square feet) of permanent impacts, temporary impacts (impacts that are not intended to remain after the project is completed), and after-the-fact impacts (work completed prior to receipt of this application by DES) to each jurisdictional area that will be impacted (wetlands, streams, rivers, lakes/ponds, prime wetland/buffer, tidal waters, salt marsh, sand dune, [upland] tidal buffer zone & docking structures). Docking structures provide the square footage of seasonal docking structures and permanent docking structures. Please provide only a brief project description as instructed above and attach additional sheets to provide other information requirements, but DO NOT reply "See Attached" in the space provided below.

Permanently remove a 8'x23'6" dock along shore, Replace with a 4'x28' seasonal lift-out attached to shoreline rocks. Dock to be removed = 188 sq. ft. New seasonal dock 125 sq. ft. a reduction of impact approx. 53. sq. ft.

10. **APPLICATION REQUIREMENTS:** *This application will be returned to you if items outlined in A – J.1 are not provided.* If applicable items outlined in J.2 – L are not provided, you may receive a letter requesting the outstanding information. Please note that a DES request letter is a courtesy and applications that do not include the required information may be denied. Copy links to your web browser.

- ☒ A. 1. Is the project within a ¼ mile of a designated river? ☐ Y ☒ N

Designated river list and map link: <http://des.nh.gov/organization/divisions/water/wmb/rivers/designriv.htm>

2. If yes: Indicate river: _____

3. As required by RSA 482-A:3,1(d)(2), I have notified the Local River Advisory Committee (LAC) by sending a copy of the complete application and supporting materials via certified mail on: Month: ____ Day: ____ Year: ____

LAC link: <http://des.nh.gov/organization/divisions/water/wmb/rivers/lac/index.htm>

- ☒ B. Property Owner or Authorized Applicant/Agent and Town/City Clerk signatures, no.'s 5 & 6 on pg. 2 of this form (Env-Wt 501.02(a) & 505.01(f))
- ☒ C. Narrative of the project description, no. 9 above (Env-Wt 501.02(a) & 505.01(f))
- ☒ D. Documentation from the Department of Resources and Economic Development's Natural Heritage Bureau (NHB) indicating that NHB has reviewed your project. Documentation can be obtained online at: https://www2.des.state.nh.us/nhb_datacheck/ or by phone (603) 271-2215 x 323. Please attach the REQUIRED letter/memo and map provided by NHB.
- ☒ E. A copy of a U. S. Geological Survey topographic map upon which the property lines and project limits have been outlined (surveyed property boundaries not required). The map must be at an unaltered scale of 1:24,000 or 1" = 2,000 feet (1:25,000 metric map). (Env-Wt 501.02(a)(4) & 505.01(g))
Topographic Map Links: <http://des.nh.gov/organization/divisions/water/wetlands/categories/technical.htm>
- ☒ F. Attach legible and labeled color photographs clearly depicting the jurisdictional areas to be impacted, the resource outside of impact area, any shoreline structures and culvert inlet/outlets (Env-Wt 501.02(a)(3) & 505.01(i))
- ☒ G. Attach drawing(s)/plan(s) (including a construction sequence) showing additional data requirements listed in Env-Wt 501.02(a)(2) & 505.01(h). See no. 11 on pg.'s 4 & 5 for drawing/plan requirements.
- ☒ H. Attach a completed U.S. Army Corps of Engineers New Hampshire Programmatic General Permit (PGP) Appendix B – Required Information and Corps Secondary Impact Checklist: <http://des.nh.gov/organization/divisions/water/wetlands/documents/pgp-appendix-b.pdf> (scroll to page 29 of 34 to reach Appendix B).

10. APPLICATION REQUIREMENTS CONTINUED:

- ☒ I. Attach the application fee, check or money order payable to: "Treasurer-State of NH" (RSA 482-A:3, I & Env-Wt 505.01(c))
- Minimum Impact (Standard & Expedited Review): Flat fee of \$ 200 OR
 - Minor or Major Impact (Standard Review): Complete the minor & major application fee table below.

MINOR & MAJOR APPLICATION FEE:

Permanent impacts (non-docking): _____ sq. ft. X \$0.20 = _____

Temporary impacts (non-docking): _____ sq. ft. X \$ 0.20 = _____

Temporary (seasonal) docking structure: _____ 125 sq. ft. X \$1.00 = _____

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

Projects proposing shoreline structures add \$200 = _____

Total = _____

The Application Fee is the above calculated Total or \$200, whichever is greater = 325

- ☒ J.1. Legible copy or tracing of the tax map from the municipal office (Env-Wt 501.02(a)(1) & 505.01(e)).
2. Confirm the submitted tax map illustrates the property of the applicant, the location of the proposed project on the property, and the location of properties of abutters (defined Env-Wt 101.03) with each lot labeled with the abutter's name(s) and mailing address(es); or provide a list of abutters' names and mailing addresses to cross-reference with the tax map (Env-Wt 501.02(a)(1) & 505.01(f))
- Abutter Notification Exceptions see Env-Wt 501.01(c).
 - If jurisdictional impacts occur within 20 feet of an abutting property line or imaginary extension thereof over surface water signed permission letter(s) from the affected abutters must be included with this application (Env-Wt 304.04). This letter must be notarized if your project is a boat docking facility (RSA 482-A:3-XIII(c)). Notarized abutter permission is not required for maintenance projects.

☒ K. Need, Avoidance & Questions:

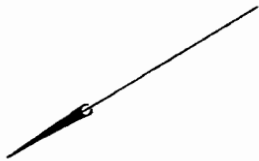
- Minimum: 1. Attach a statement demonstrating need for the proposed project (Env-Wt 302.03); and
2. Attach a statement demonstrating that the proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction. (Env-Wt 302.03 & 505.01(d)&(y)); OR
- Minor & Major: Attach a response to questions outlined in Wetland Rule Env-Wt 302.04(a)

☒ L. Minor & Major Impact Projects ONLY: Does the project require compensatory mitigation pursuant to Env-Wt 302.03?

☐ Y ☒ N If yes: Attach a completed Mitigation Agreement Form and materials outlined on the form (Env-Wt 501.02(a)(6) & 501.06)

Link: http://des.nh.gov/organization/commissioner/pip/forms/wetlands/documents/mitigation_form.doc

Owner: Samuel & Catherine Cavallaro
 390 Sleeper Island
 Alton Bay, NH 03810
 Site: Same
 TM# 73 Lot# 30



WINNEPESAUKEE

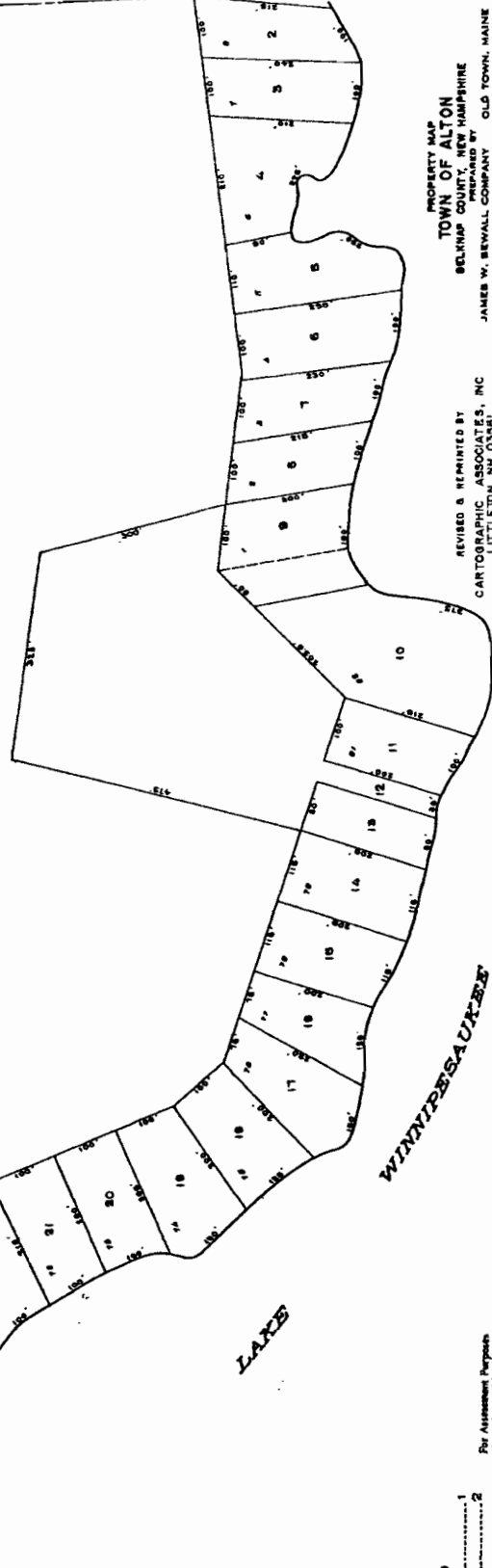
SLR

Martin

H/K

Sleepers Island

74



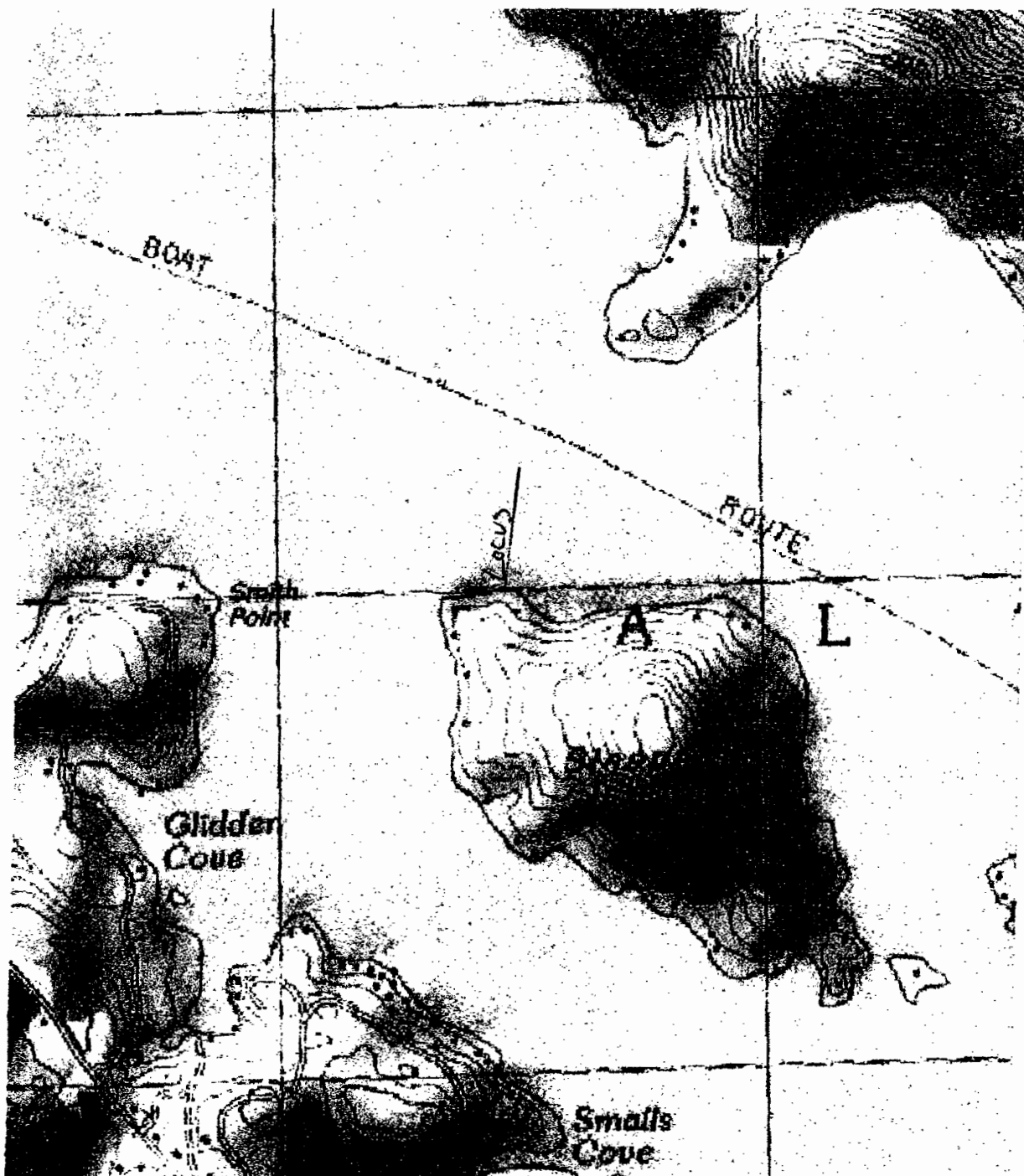
LEGEND
 PARCEL NUMBERS 1
 ADJACENT MAPS 2
 MATCH LINE

REVISED & REPRINTED BY
 CARTOGRAPHIC ASSOCIATES, INC.
 LITTLETON, NH 03581

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

Owner: Samuel & Catherine Cavallaro
390 Sleeper Island
Alton Bay, NH 03810
Site: Same
TM# 73 Lot# 30

0-11
112



Center: 43.5567°N 71.2961°W
Elevation at center: 495 feet (151 meters)
Quad: USGS West Alton
Drg Name: o43071e3
Drg Source Scale: 1:24,000



New Hampshire Natural Heritage Bureau

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

Date: 5/8/2013

From: NH Natural Heritage Bureau

Re: Review by NH Natural Heritage Bureau of request dated 5/8/2013

NHB File ID: NHB13-1384

Applicant: Patricia Scribner

Location: Tax Map(s)/Lot(s): 73/30
Alton

Project Description: Install a 4'x28' seasonal dock

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 5/7/2014.



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Winnepesaukee Marine Construction Inc.

60 Glidden Road Gilford, NH 03249

(603) 293-7768

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

April 17, 2013

Abutters List

Owner: Samuel & Catherine Cavallaro

390 Sleeper Island

Alton Bay, NH 03810

Site: Same

TM# 73 Lot# 30

Abutters:

Judson Hale

[REDACTED]

Dublin, NH 03444

Sleeper Island

TM# 73 Lot# 29

Gary & Nadine Martin

[REDACTED]

Freeport, ME 04032

384 Sleeper Island

TM# 73 Lot# 31

Sleeper Island Assoc.

c/o Nadine Martin

[REDACTED]

Freeport, ME 04032

Adjusted water depths	
40'	5'2"
35'	
30'	3'11"
25'	
20'	3'6"
15'	
10'	2'11"
5'	
5'	2'3"

Lake Winnepesaukee
Legal Full Lake = 504.32'
No Scale

20F2

Received
5/19/13

Dwight Samuel Cavallaro
390 Sleepers Island
Alton, NH 03810
TM# 0073 Lot# 0030
Frontage = 150 +/-

GPS 43 33 24N
071 17 46W

Toe of
Slope
11'-14'

N
No work
Proposed

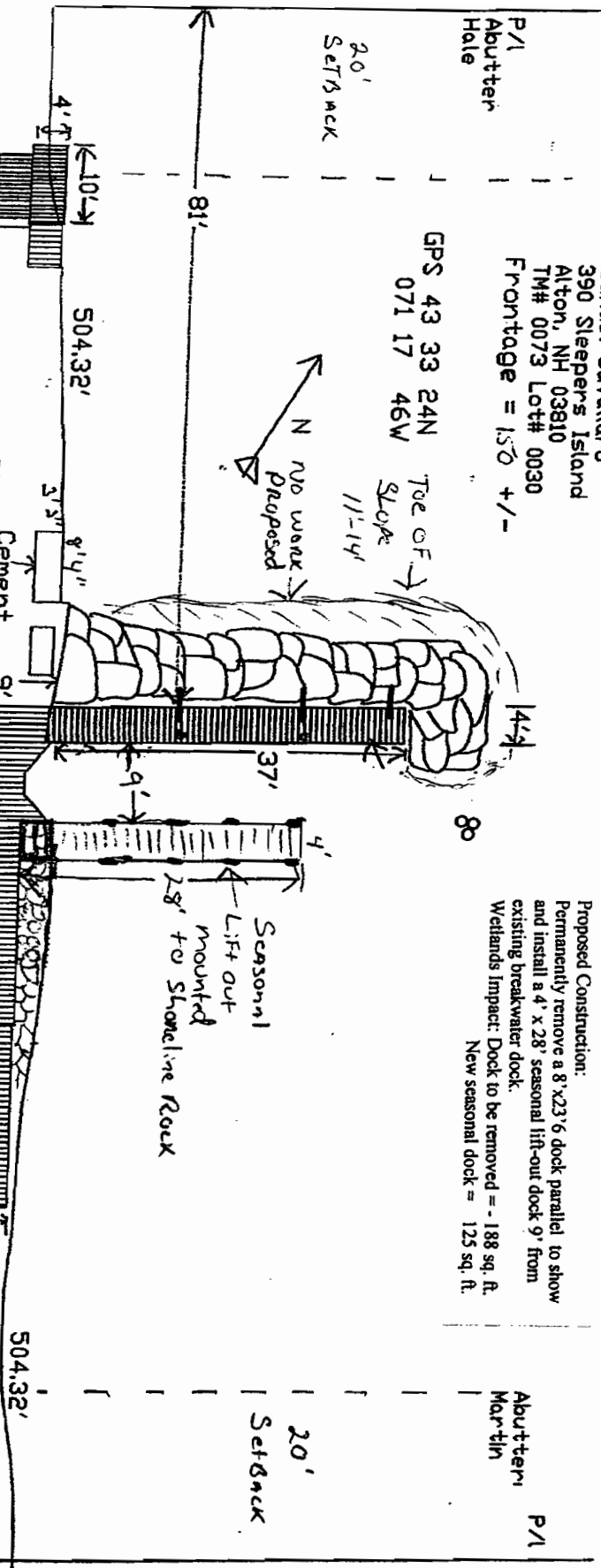
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Proposed Construction:
Permanently remove a 8'x23'6" dock parallel to shore
and install a 4' x 28' seasonal lift-out dock 9' from
existing breakwater dock.
Wetlands Impact: Dock to be removed = -188 sq. ft.
New seasonal dock = 125 sq. ft.

New seasonal dock = 125 sq. ft.

Abutter
Martin
P/I

20'
Setback



Winnepesaukee Marine Const.
60 Glidden Rd.
Gifford, NH 03249
603-293-7768

Revised
7/18/13

MD

File # 13-01250

Owner: Samuel Cavallaro

390 Sleepers Island
Alton, NH 03810
TM# 0073 Lot# 0030

Frontage = 150 +/-

P/I
Abutter
Hale

GPS 43 33 24N
071 17 46W

Toe of
Slope
11'-14'

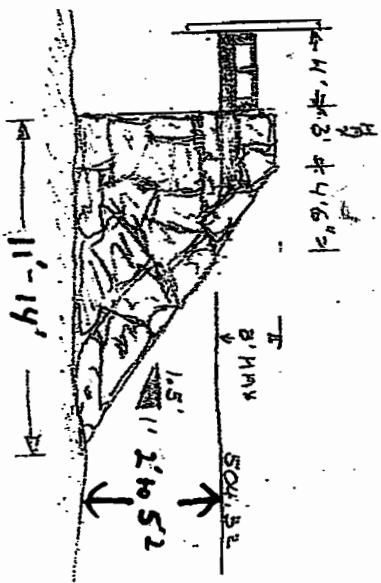
No work
N proposed

Lake Winnepesaukee
Legal Full Lake = 504.32'
No Scale

Existing

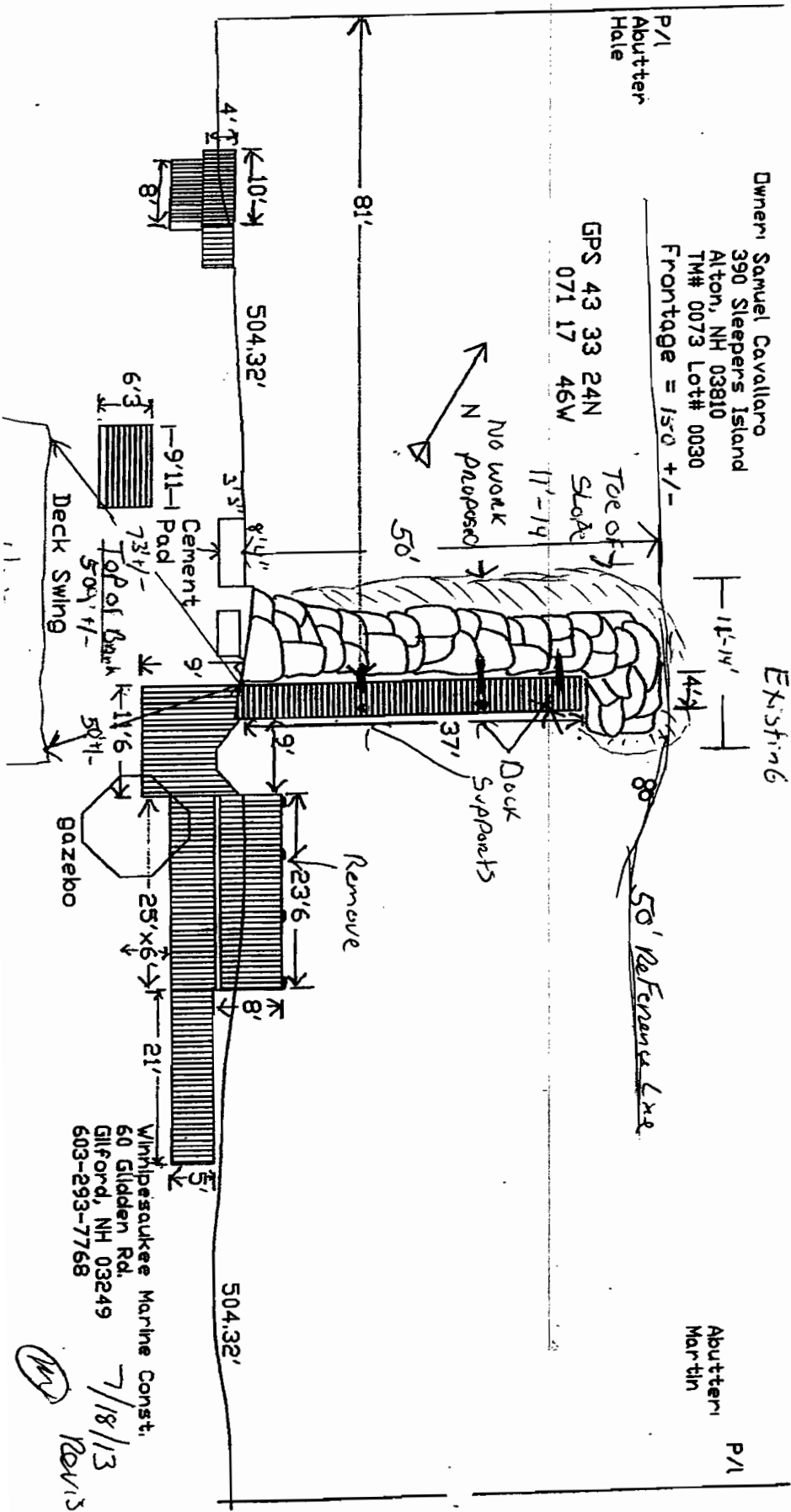
CROSS
Section

10F2



P/I
Abutter
Martin

Received
DES 07/19/13



Winnepesaukee Marine Const.
60 Glidden Rd.
Gilford, NH 03249
603-293-7768

7/18/13
Revised

