



The State of New Hampshire
Department of Environmental Services

Clark B. Freise, Assistant Commissioner



April 27, 2017

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

REQUESTED ACTION

Approve W & K Hopkins Family Revocable Trust of 2004's request to perform the following work on Lake Winnepesaukee, in Alton. File # 2017-00051. This project will not have significant impact on or adversely affect the values of Lake Winnepesaukee.

Applicant requests that the approval be amended to allow the construction of cribs to support the pier along the breakwater.

The Department imposed the following conditions as part of this approval:

1. All work shall be in accordance with amended plans by Ambrose Marine dated March 1, 2017 and received by NHDES on April 7, 2017.
2. This permit is not valid and effective until it has been recorded with the appropriate county Registry of Deeds by the applicant. Prior to starting work under this permit, the permittee shall submit a copy of the recorded permit to the NHDES Wetlands Program by certified mail, return receipt requested.
3. All development activities associated with this project shall be conducted in compliance with applicable requirements of RSA 483-B and N.H. Code of Administrative Rules Env-Wq 1400 during and after construction.
4. This permit does not authorize the removal of vegetation from within the waterfront buffer.
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 in place until suspended particles have settled and water at the work site has returned to normal clarity.
7. All construction-related debris and breakwater material not used in the construction of the new structure shall be placed outside of the areas subject to RSA 482-A. Any spoil material deposited within 250 ft. of any surface water shall comply with RSA-483-B.
8. No portion of breakwater as measured at normal full lake (Elev. 504.32) shall extend more than 50 ft. from normal full lake shoreline.
9. The breakwater shall not exceed 3 ft. in height (Elev. 507.32) over the normal high water line (Elev. 504.32).
10. The width as measured at the top of the breakwater (Elev. 507.32) shall not exceed 3 ft.
11. Rocks shall not remain stockpiled on the frontage for longer than 60 days.
12. Photos showing that all construction materials have been removed from the temporary stockpile area shall be submitted to the DES Wetlands program within 10 days of completing the docking facility.

www.des.nh.gov

29 Hazen Drive • PO Box 95 • Concord, NH 03302-0095
(603) 271-3503 • TDD Access: Relay NH 1-800-735-2964

13. 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.
14. The owner understands and accepts the risk that if this facility requires dredging to maintain a minimum slip depth of 3 ft. more frequently than once every 6 years, or is shown to have an adverse impact on abutting frontages, it shall be subject to removal.
15. Cribs shall not exceed 6 ft. long by 3.5 ft. wide, and shall be of sufficient height to support the docking structure above normal full lake level (Elev. 504.32).
16. Crib material shall be timber, concrete, or other non-toxic material, and of such size and spacing as necessary to completely contain the ballast.
17. The minimum clear spacing between cribs shall be 12 ft.

EXPLANATION

The NHDES Wetlands Bureau approved this project on April 08, 2017. The NHDES supported its decision with the following findings:

1. This project is classified as a major project per Rule Env-Wt 303.02(j), construction of a breakwater.
2. The construction of a breakwater to provide safe docking at this site is justified in accordance with Rule Env-Wt 402.07, Breakwaters.
3. The applicant has an average of 160 ft. of shoreline frontage along Lake Winnepesaukee.
4. A maximum of 3 slips may be permitted on this frontage per Rule Env-Wt 402.13, Frontage Over 75'.
5. The proposed docking facility will provide not more than 2 slips as defined per RSA 482-A:2, VIII and, therefore, meets Rule Env-Wt 402.13.
6. 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.
7. The proposed replacement of the existing structures will result in a 140 square foot reduction in the size of the breakwater and 486 fewer square feet of dock surface over public submerged lands.

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.


for Clark B. Freise
Assistant Commissioner



WETLANDS PERMIT APPLICATION

Water Division/ Wetlands Bureau
Land Resources Management

Check the status of your application: www.des.nh.gov/onestop



RSA/Rule: RSA 482-A/ Env.WL 400-900

RECEIVED JAN 11 2017 NHDES LAND RESOURCES MANAGEMENT	COMPLETE <i>Administrative</i> JAN 11 2017	<i>Administrative Use Only</i>	File # 2017-00051
			Check No. 2950
			Amount \$996.00
			Initials EMK

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: **24 Tranquility Lane** TOWN/CITY: **Alton**

TAX MAP: **18** BLOCK: _____ LOT: **38** 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.

Permanently remove an existing crib dock and relocate and reconfigure existing breakwater and cantilever dock.

5. **SHORELINE FRONTAGE:**

- NA This does not have shoreline frontage. **SHORELINE FRONTAGE: 160'**

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:**

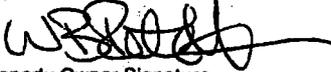
Please indicate if any of the following permit applications are required and, if required, the status of the application. To determine if other Land Resources Management Permits are required, refer to the Land Resources Management Web Page.

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 **16** - **3547**

- 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

EMAIL or FAX: [REDACTED]	PHONE: [REDACTED]
ELECTRONIC COMMUNICATION: By initialing here: <u>W</u> , I hereby authorize NHDES to communicate all matters relative to this application electronically	
9. PROPERTY OWNER INFORMATION (if different than applicant) Same As Applicant	
LAST NAME, FIRST NAME, M.I.: HOPKINS, W.B. PETE & KRISTINE E, TRUSTEES	
TRUST / COMPANY NAME: W & K HOPKINS FAMILY REVOCABLE TRUST	MAILING ADDRESS: [REDACTED]
TOWN/CITY: NORTH HAMPTON	STATE: NH ZIP CODE: 03862
EMAIL or FAX: [REDACTED]	PHONE: [REDACTED]
ELECTRONIC COMMUNICATION: By initialing here: <u>W</u> , I hereby authorize NHDES to communicate all matters relative to this application electronically	
10. AUTHORIZED AGENT INFORMATION	
LAST NAME, FIRST NAME, M.I.: GREER, TOBIN	COMPANY NAME: AMBROSE MARINE CONST.
MAILING ADDRESS: P.O. BOX 1323	
TOWN/CITY: MEREDITH	STATE: NH ZIP CODE: 03253
EMAIL or FAX: info@marinenh.com	PHONE: 603 279 4444
ELECTRONIC COMMUNICATION: By initialing here: <u>W</u> , I hereby authorize NHDES to communicate all matters relative to this application electronically	
11. PROPERTY OWNER SIGNATURE: See the Instructions & Required Attachments document for clarification of the below statements	
By signing the application, I am certifying that:	
<ol style="list-style-type: none"> 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. I have reviewed and submitted information & attachments outlined in the Instructions and Required Attachment document. All abutters have been identified in accordance with RSA 482-A:3, I and Env-Wt 100-900. I have read and provided the required information outlined in Env-Wt 302.04 for the applicable project type. I have read and understand Env-Wt 302.03 and have chosen the least impacting alternative. 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. I have submitted a Request for Project Review (RPR) Form (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. I authorize NHDES and the municipal conservation commission to inspect the site of the proposed project. I have reviewed the information being submitted and that to the best of my knowledge the information is true and accurate. 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. I am aware that the work I am proposing may require additional state, local or federal permits which I am responsible for obtaining. The mailing addresses I have provided are up to date and appropriate for receipt of NHDES correspondence. NHDES will not 	
<input type="checkbox"/>  Property Owner Signature	W.B. Pete Hopkins Print name legibly
	11/19/2016 Date

MUNICIPAL SIGNATURES

12. CONSERVATION COMMISSION SIGNATURE
--

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

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.

<input style="width: 100%; height: 100%;" type="text"/>	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 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.

<input style="width: 100%; height: 100%;" type="text"/>	Lisa Noyes Print name legibly	Alton Town/City	1/5/17 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, 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	/ <input type="checkbox"/> ATF	/ <input type="checkbox"/> ATF
Lake / Pond	1348 / <input type="checkbox"/> ATF	400 / <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	/ <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	<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
TOTAL	/	/

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) 1500 sq. ft. X \$0.20 = \$ 300

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

Permanent docking structure: 248 sq. ft. X \$2.00 = \$ 496

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

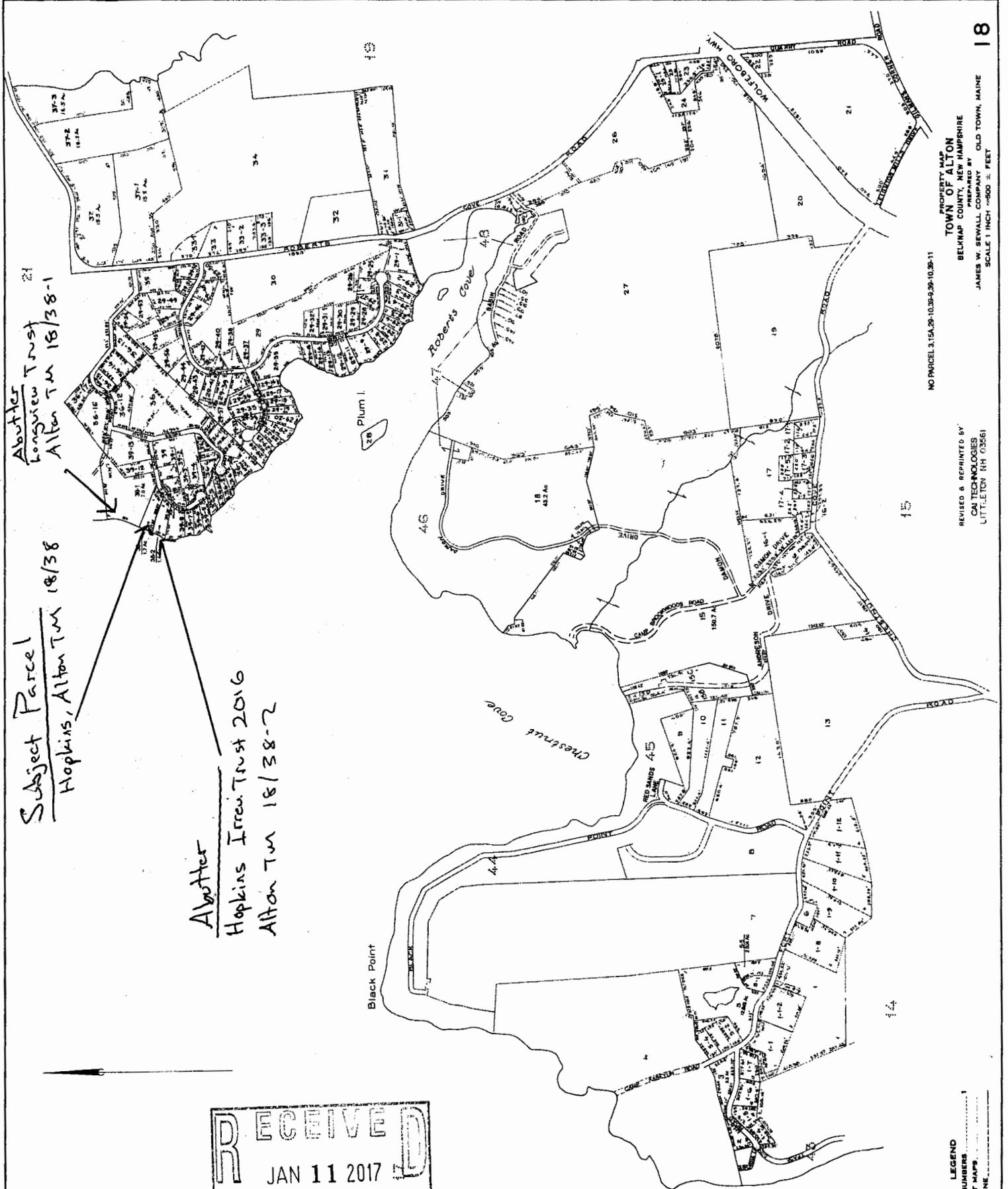
Total = \$ 996

The Application Fee is the above calculated Total or \$200, whichever is greater = \$ 996

Subject Parcel
Hopkins, Alton Tm 18/38

Abutter
Longview Trust
Alton Tm 18/38-1

Abutter
Hopkins Irrev. Trust 2016
Alton Tm 18/38-2



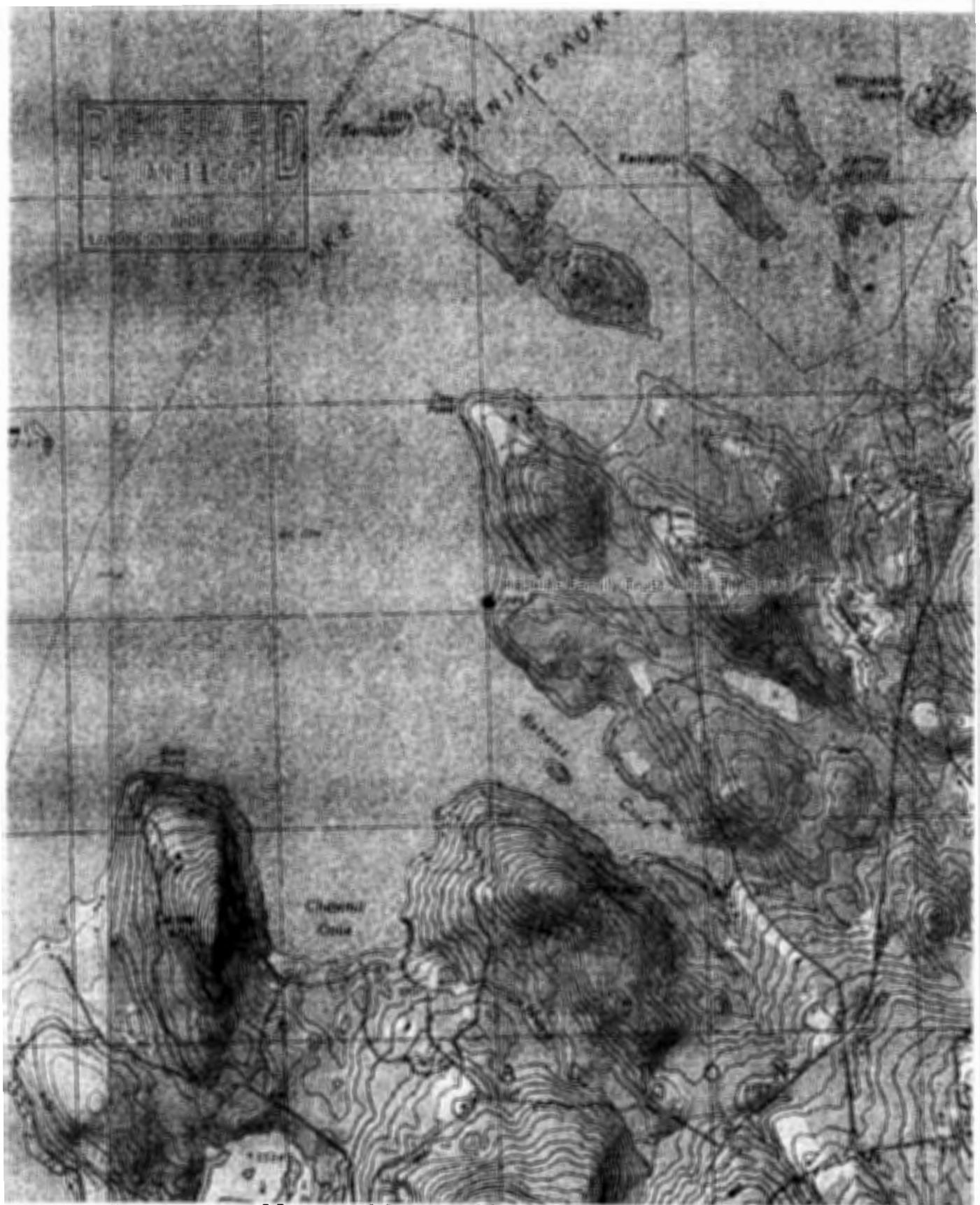
RECEIVED
JAN 11 2017
NHDES
LAND RESOURCES MANAGEMENT

PROPERTY MAP
TOWN OF ALTON
BELKNAP COUNTY, NEW HAMPSHIRE
DRAWN BY
JAMES W. SEWALL COMPANY OLD TOWN, MAINE
SCALE 1 INCH = 500 FEET

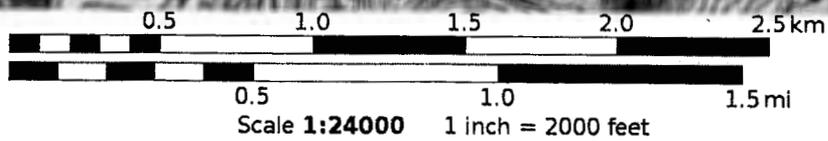
NO PARCEL 3,15A,29-10,39-3,99-10,39-11

REVISED & REPRINTED BY
CAI TECHNOLOGIES
LITTLETON NH 03561

LEGEND
PARCEL NUMBERS
ADJACENT MAPS
MATCH LINE

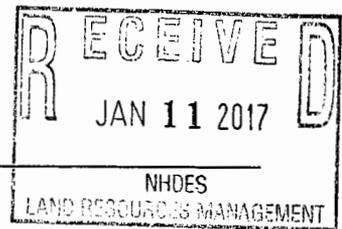


Mercator Projection
 WGS84
 USNG Zone 19TCJ
 CalTopo.com





New Hampshire Natural Heritage Bureau



To: Tobin Greer
Box 1323
Meredith, NH 03253

Date: 11/25/2016

From: NH Natural Heritage Bureau

Re: Review by NH Natural Heritage Bureau of request dated 11/25/2016

NHB File ID: NHB16-3547

Applicant: Tobin Greer

Location: Tax Map(s)/Lot(s): 18/38
Alton

Project Description: Permanently remove an existing crib dock and reconfigure and relocate an existing breakwater.

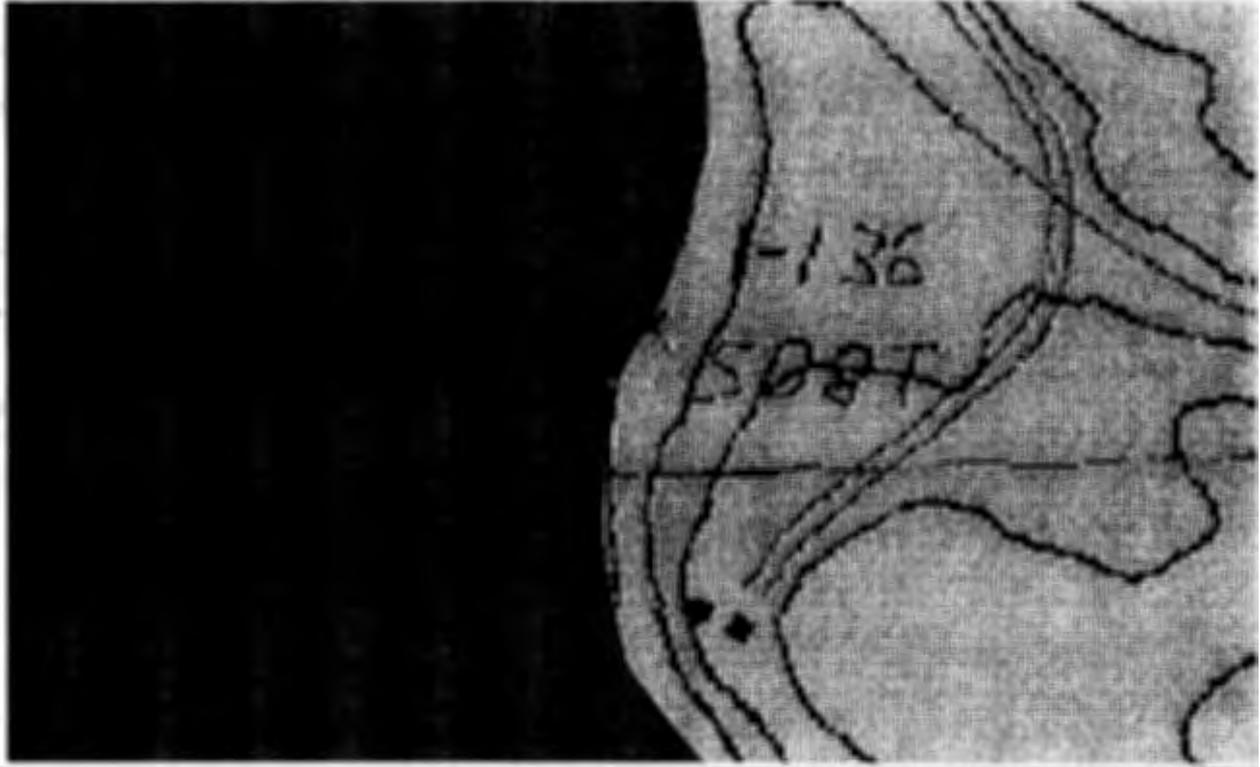
The NH Natural Heritage database has been checked for records of rare species and exemplary natural communities near the area mapped below. The species considered include those listed as Threatened or Endangered by either the state of New Hampshire or the federal government. We currently have no recorded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

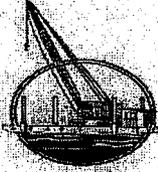
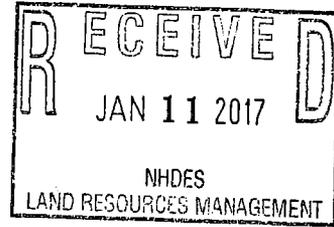
This report is valid through 11/24/2017.



MAP OF PROJECT BOUNDARIES FOR NHB FILE ID: NHB16-3547



Ambrose Marine Construction
PO box 1323
Meredith, NH 03253
603.279.4444
info@marinenh.com



Abutter List
W&K Hopkins Family Revocable Trust of 2004
24 Tranquility Lane
Alton Tax Map 18/38

Subject Property

24 Tranquility Lane, Alton TM 18/38
W&K Hopkins Family Revocable Trust of 2004
W.B. Pete Hopkins, Trustee
Kristin E. Hopkins, Trustee
[REDACTED]
North Hampton, NH 03862

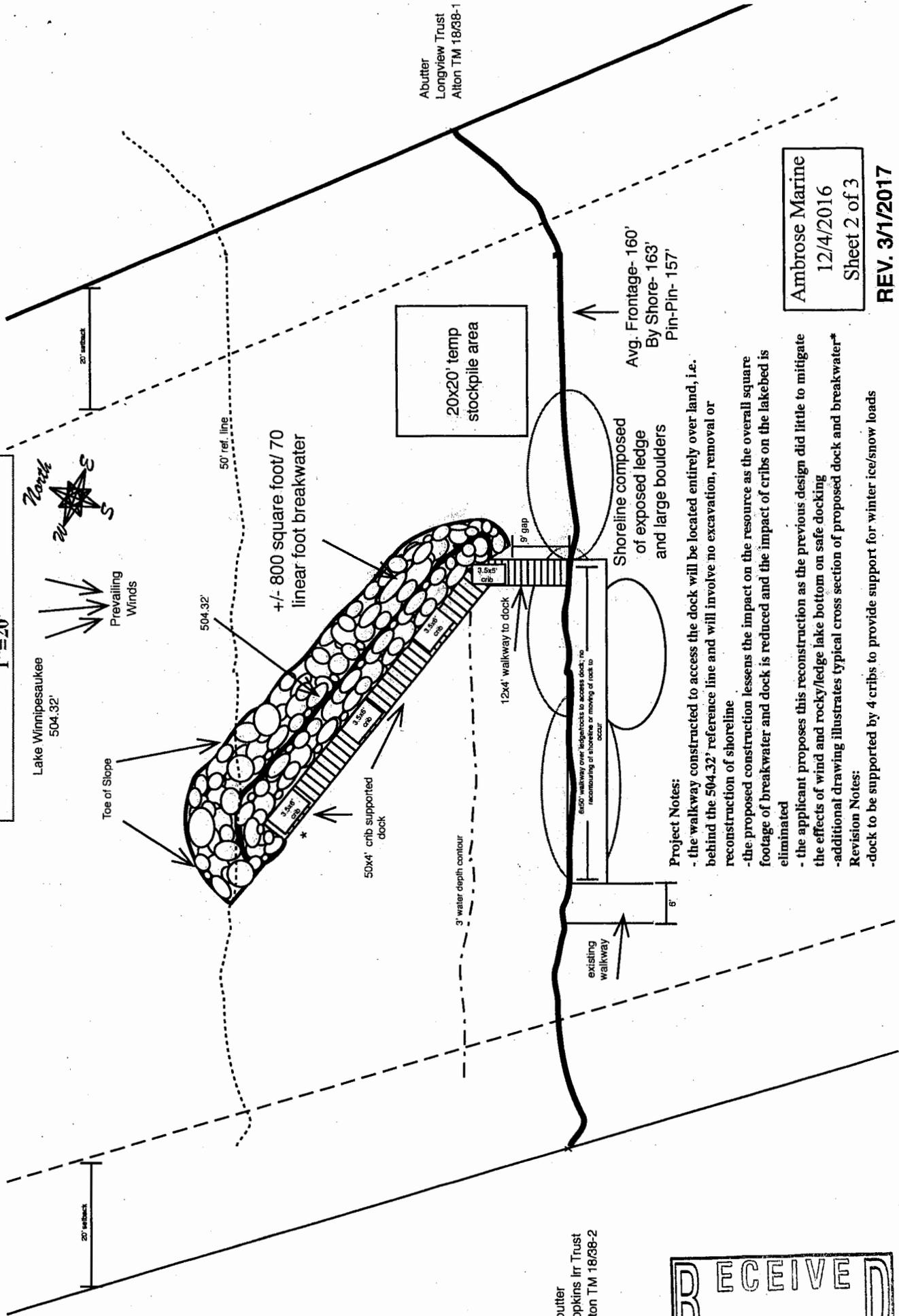
Abutters

- 1) 16 Tranquility Lane, Alton TM 18/38-1
Longview Trust
Timothy J. Sullivan, Trustee
c/o Friedman & Huet Associates
[REDACTED]
Homewood, IL 60430

- 2) Tranquility Lane (unnumbered), Alton TM 18/38-2
Hopkins Irrevocable Trust 2016
Kristin E. Hopkins, Trustee
Steven M. Burke, Trustee
[REDACTED]
North Hampton, NH 03862

Proposed Conditions Revised
W&K Hopkins Family rev. Trust of 2004
24 Tranquility Lane
Alton Tax Map 18/38
1"=20'

Lake Winnepesaukee
 504.32'



Abutter
 Longview Trust
 Alton TM 18/38-1

Abutter
 Hopkins Int Trust
 Alton TM 18/38-2

RECEIVED
 APR 07 2017
 NHDES

Project Notes:

- the walkway constructed to access the dock will be located entirely over land, i.e. behind the 504.32' reference line and will involve no excavation, removal or reconstruction of shoreline
- the proposed construction lessens the impact on the resource as the overall square footage of breakwater and dock is reduced and the impact of cribs on the lakebed is eliminated
- the applicant proposes this reconstruction as the previous design did little to mitigate the effects of wind and rocky/ledge lake bottom on safe docking
- additional drawing illustrates typical cross section of proposed dock and breakwater*

Revision Notes:

- dock to be supported by 4 cribs to provide support for winter ice/snow loads

Ambrose Marine
 12/4/2016
 Sheet 2 of 3

REV. 3/1/2017