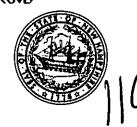
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The State of New Hampshire



Department of Environmental Services

Robert R. Scott, Commissioner



May 31, 2022

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

REQUESTED ACTION

Approve Jeremy Stannard's request to perform the following work on Lake Winnipesaukee in Alton pursuant to NH Department of Environmental Services (NHDES) Wetlands Bureau permit #2022-00524, and in accordance with RSA 482-A:3. No comments were submitted by the Alton Conservation Commission regarding the project as proposed.

Place 158 cubic yards of fill on 1,020 square feet of lakebed to construct a 70 linear foot breakwater with an attached 4 foot x 52 foot cantilevered pier accessed by a 4 foot x 16 foot walkway on an average of 101 feet of frontage along Lake Winnipesaukee on the northwest tip of Rattlesnake Island in Alton.

NHDES imposed the following conditions as part of this approval:

- 1. In accordance with Env-Wt 307.16, all work shall be done in accordance with the approved plans dated February 24, 2022 by Folsom Design & Construction Management, as received by the NH Department of Environmental Services (NHDES) on March 9, 2022.
- 2. This permit shall not be effective until it has been recorded in the Belknap County Registry of Deeds and a copy of the recorded permit has been provided to the department as required pursuant to RSA 482-A:3, and Env-Wt 314.02.
- 3. 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 as required to maintain compliance with Env-Wt 314.02 and Env-Wt 513.12.
- 4. Only those structures shown on the approved plans shall be installed or constructed along this frontage as required per Env-Wt 513.22, (a).
- 5. All portions of the docking structures, including the breakwater toe -of-slope, shall be located at least 20 feet from the abutting property lines and no watercraft shall be secured to the docking facility such that it crosses over the imaginary extension of the property lines over the surface water as required by RSA 482-A:3, XIII.
- (6. In accordance with Env-Wt 307.16, the breakwater shall be constructed as shown in the approved plans and specifications.
 - 7. In accordance with Env-Wt 512.05(b), no rocks shall be stockpiled in any jurisdictional area.
 - 8. The use of this structure shall be limited to the docking and securing of watercraft as required to comply with Env-Wt 307.09.

<u>www.des.nh.gov</u> 29 Hazen Drive • PO Box 95 • Concord, NH 03302-0095 NHDES Main Line: (603) 271-3503 • Subsurface Fax: (603) 271-6683 • Wetlands Fax: (603) 271-6588 TDD Access: Relay NH 1 (800) 735-2964 His Excellency, Governor Christopher T. Sununu and The Honorable Council Page 2 of 3

- 9. Owners of permanent docking structures which are not maintained so as to be structurally sound and usable for their intended purpose shall remove those docking structures in accordance with Env-Wt 513.22(c), to prevent hazards to public safety, navigation, and recreation.
- 10. The owner understands and accepts that should these docking structures be found to have an unreasonable impact on the ability of abutting owners to use and enjoy their properties or the public's right to navigation, passage, and use of the resource for commerce and recreation the structures shall be subject to removal pursuant to RSA 482-A:1, RSA 482-A:11, II, and Env-Wt 513.03(a).
- 11. No agitating or heating device shall be installed for the purpose of inhibiting the formation of ice in proximity to the approved structures unless it has been registered with the municipal clerk of the town in which such device shall be operated pursuant to RSA 270:34 Registration Required.
- 12. Pursuant to RSA 270:33, Heating, Agitating, or Other Devices in Public Waters; Safety Hazard, no agitating or heating device installed in accordance with RSA 270:34 shall inhibit or prevent the natural formation of ice in such a manner as to impede either the ingress or egress to or from the ice from any property other than that of the owner of the device.
- 13. All development activities associated with any project shall be conducted in compliance with applicable requirements of RSA 483-B and Env-Wq 1400 during and after construction as required pursuant to RSA 483-B:3.
- 14. Pursuant to RSA 483-B:9, V(a)(2)(D), (v), 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).
- 15. In accordance with Env-Wt 307.10(c), turbidity controls shall be installed prior to construction and maintained during construction such that no turbidity escapes the immediate area and remain in place until suspended particles have settled and water at the work site has returned to normal clarity.
- 16. No activity shall be conducted in such a way as to cause or contribute to any violation of surface water quality standards specified in RSA 485-A:8 or Env-Wq 1700.
- 17. Pursuant to RSA 482-A:14, RSA 482-A:14-b, and RSA 482-A:14-c, NHDES is authorized to take appropriate compliance actions should it be determined that, based upon additional information which becomes available, any of the structures depicted as "existing" on the plans submitted by or on behalf of the permittee were not previously permitted or grandfathered.

EXPLANATION

NHDES approved this project on April 28, 2022. NHDES supported its decision with the following findings:

- 1. This is a major impact project per Administrative Rule Env-Wt 512.06, construction of a breakwater.
- 2. The applicant has an average of 101 feet of frontage along Lake Winnipesaukee.
- 3. A maximum of 2 slips may be permitted on this frontage per Rule Env-Wt 513.12, Frontage Requirements for Private and Non-commercial Docking Structures.
- 4. The proposed docking facility will provide 2 slips as defined per RSA 482-A:2, VIII, and therefore meets Rule Env-Wt 513.12.
- 5. The applicant has provided the NHDES with evidence that the property has insufficient water depth as required by Env-Wt 513.08, (b).
- 6. The NHDES has accepted the evidence of the physical hardship and approved the extension of a permanent supported pier beyond that permissible under Env-Wt 513.11, (a)(1)(b).

His Excellency, Governor Christopher T. Sununu and The Honorable Council Page 3 of 3

- 7. The NHDES 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.
- 8. No concerns were received from abutters nor the local Conservation Commission related to the project.
- 9. The Department finds that the project as proposed and conditioned meets the requirements of RSA 482-A and the Wetlands Program Code of Administrative Rules Chapters Env-Wt 100 900.

NHDES Wetlands Bureau permit #2022-00524 application documents are enclosed for review by the Governor and the Executive Council in consideration of this request and in accordance with RSA 482-A:3, II(a), as it is a major project located in New Hampshire public waters.

We respectfully request your approval of this item.

1 Riks

Robert R. Scott Commissioner

IHDES-W-06-012				
NEW HAMPSIERE DEPARTMENT OF Environmental Services	STANDARD DRI WETLANDS PERM Water Division/Land Re Wetland <u>Check the Status o</u>	esources Managen s Bureau	-	
SA/Rule: RSA 482-A/Env-	Wt 100-900	· · · · · · · ·		
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Irm@des.	nh.gov oi	(603)	271-2147

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

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For dredging projects, is the subject property contaminated? If yes, list contaminant:	🔚 Yes 🕅 N
s there potential to impact impaired waters, class A waters, or outstanding resource waters?	🔛 Yes 🕅 I
For stream crossing projects, provide watershed size (see <u>WPPT</u> or Stream Stats):	
SECTION 2. PROJECT DESCRIPTION (Env2Wt311:04(i)) Provide a brief description of the project and the purpose of the project, outlining the scope of work and whether impacts are temporary or permanent 3DO NOT reply. See attached : please use the spa below Construct a 70 rock break water (1:1020 so th: /158 cuxyds)) and a 41-x152 cantilevered pler accessed b	€provided₂.
walkway.(27/8)sqsft;);on=1014;of/average:frontage;along;the:shore;of;Lake;Winnipesaukee	
ECTION 3:=PROJECT;LOCATION eparate wetland permit applications must be submitted for each municipality, within which wetland	macteoccus
DDRESS: Rattlesnakeisland	The second s
OWN/CITY: Alton	
AX MAP/BLOCK/LOT/UNIT: 75/54	
S GEOLOGICAL SURVEY (USGS) TOPO MAP WATERBODY NAME: Lake Winnipesaukee	
Diptional) LATITUDE/LONGITUDE in decimal degrees (to five decimal places): 43:57293° North	
7/1/30653° West	

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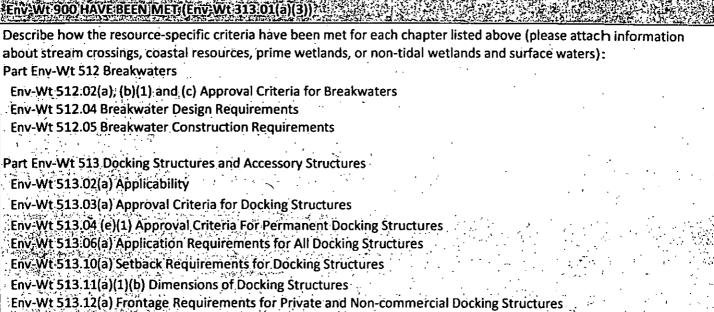
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NHDES-W-06-012

SECTION/4 APPLICANT (DESIRED PERMIT HOLDER) IN If the applicant is a trust or a company, then complete v			
NAME: Jeremy/Stannard		1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1	and the second
		· · · · · · · · · · · · · · · · · · ·	ł
TOWN/CITY:		STATE:	ZIP CODE:
	· · · ·		*****
FAX: N/A	PHONE:		
ELECTRONIC COMMUNICATION: By initialing here: N/A, to this application electronically.	l hereby authorize NHDES t	o cômmunicate	all. matters relative
SECTION'S AUTHORIZED AGENT INFORMATION (Env.	Wt:311:04(c)))		
LAST NAME, FIRST NAME, M.I.: Folsom; Gynthiall			
COMPANY NAME: Folsom Design & Construction Mana	gement	and a second	na Naka ya Kata kata k
MAILING ADDRESS: 46WinonaShoresiRoad			
TOWN/CITY: Meredith		STATE: NH	ZIP CODE: 03253
EMAIL ADDRESS: folsomdesign@atlanticobinet			
FAX: N/A	PHONE: (603) 393 5751		
ELECTRONIC COMMUNICATION: By initialing here this application electronically.			
SECTION 6 PROPERTY/OWNER INFORMATION (IF DIF	NOT THE ATT A LOT REPORTED ATT A LOT AND A LOT A		6))
If the owner is a trust or a company then complete wit Same as applicant	h the trust or company infor	mation <u>:</u> a v t	
NAME:			and a second second
MAILING ADDRESS:		affert jac frag	· · · · · · · · · · · · · · · · · · ·
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E. S. LANDARD STREET, S. M. MARTING, M.			
EMAIL ADDRESS:	· · · · · · · · · · · · · · · · · · ·		n da
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		to communicat	e all matters relative

Irm@des.nh.gov or (603) 271-2147 NHDES Wetlands Bureau, 29 Hazen Drive, PO Box 95, Concord, NH 03302-0095 www.des.nh.gov ٠.



SEGTION 7 RESOURCE SPECIFIC CRITERIALESTABLISHED IN Env Wt 400, Env Wt 500, Env Wt 600, Env Wt 700, OF

Env-Wt 513.14 Navigation Space for Docking Structures

Env-Wt 513.15 Design Requirements for Permanent Docking Structures

Env-Wt 513.22(a) Construction and Maintenance of Docking Structures

SECTION 8: AVOIDANCE/AND MINIMIZATION

Impacts within wetland jurisdiction must be avoided to the maximum extent practicable (Env-Wt 313:O3(a)).* Any project with unavoidable jurisdictional impacts must then be minimized as described in the <u>Wetlands Best Management</u> <u>Practice Techniques For Avoidance and Minimization</u> and the <u>Wetlands Permitting</u>: <u>Avoidance</u>, <u>Minimization and</u> <u>Mitigation Fact Sheet</u>. For minor or major projects, a functional assessment of all wetlands on the project site is required (Env-Wt 311.03(b)(10)).*

Please refer to the application checklist to ensure you have attached all documents related to avoidance and minimization, as well as functional assessment (where applicable). Use the <u>Avoidance and Minimization Checklist</u>, the <u>Avoidance and Minimization Narrative</u>, or your own avoidance and minimization narrative.

*See Env-Wt 311:03(b)(6) and Env-Wt 311.03(b)(10) for shoreline structure exemptions.

SECTION 9 - MITIGATION REQUIREMENT (Env-Wt 311:02) If Unavoidable initisdictional impacts require mitigation familing ation pre-application meeting must occur at least 30 days but not more than 90 days priors to submitting this Standard Dredge and Fill Permit Application

Mitigation Pre-Application Meeting Date: Month: 💹 Day: 💹 Year:

(X N/A - Mitigation is not required)

SECTION:10-THEPROJECTIMEETS COMPENSATORY MITIGATION REQUIREMENTS (Env-Wt/313/01(a)(1)c)

Confirm that you have submitted a compensatory mitigation proposal that meets the requirements of Env-Wt 800 for all permanent unavoidable impacts that will remain after avoidance and minimization techniques have been exercised to the maximum extent practicable: I錮 I confirm submittal.

(X N/A - Compensatory mitigation is not required)

NHDES-W-06-012

SECTION 11' IMPACT AREA (Env: Wt 31104(g)) For each jurisdictional area that will be/has been impacted provide square feet (SF) and if applicable line at feet (LF) of impact, and note whether the impact is after the fact (ATF i.e. work was started or completed without a permit). For intermittent and ephemeral streams, the linear footage of impact is measured along the thread of the channel *Please intermitstallation of a stream crossing in an ephemeral stream may be undertaken without a permit per Rule Env: Wt 309/02(d), however other dredge or fill impacts should be included below.*

For perennial streams/rivers, the linear footage of impact is calculated by summing the lengths of disturbances to the second stand banks:

Permanent impacts are impacts that will remain after the project is complete (e.g.) changes in grade or surface materials) of emporary impacts are impacts not intended to remain (and will be restored to pre-construction conditions) after the 4.5 project is completed.

JURISDICTIONAL AREA		PERMANENT						
		SF	LF	ATF	SF	1 LF	ATF	
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<u></u>	Scrub-shrub-Wetland							
ig.	Emergent Wetland				K		2	
Wetlands	Wet Meadow							
Š	Vernal Pool							
	Designated Prime Wetland		· · ·	2				
	Duly-established 100-foot Prime Wetland Buffer						a	
Ū.	Intermittent / Ephemeral Stream			1 1 1				
Vat	Perennial Stream or River							
l e	Lake / Pond							
E.	Docking - Lake / Pond	1298	4					
<u></u>	Docking - River				Ci ji		<u></u>	
	Bank - Intermittent Stream						3	
anks	Bank - Perennial Stream / River				1996			
ä	Bank / Shoreline - Lake / Pond						國	
	Tidal Waters			8			8	
	Tidal Marsh			[2] [2] [2] [2] [2] [2] [2] [2] [2] [2]				
Tidal	Sand Dune							
Ĕ	Undeveloped Tidal Buffer Zone (TBZ)							
	Previously-developed TBZ		, internet	· 🕄 · ·			. 😰	
	Docking - Tidal Water							
13 m	TOTAL	1298	.4	1.28.2				
SEC	TION 12, APPLICATION FEE(RSA482-A:3,I)		Y UNIT STATE		动 用的变形。			
	VINIMUM IMPACT FEE: Flat fee of \$400.	HURFE GLARGERY GROOM	<u>en an seite de la cara</u>	CALINY CONSCREPTION	<u>48.9.888</u> .081.887.782.843	<u> AN AN AN AN AN AN AN</u>	<u>ALLENG REAL</u>	
	NON-ENFORCEMENT RELATED, PUBLICLY-FUN							
	IMPACT CLASSIFICATION: Flat fee of \$400 (ref	er to RSA 48	$7-\Delta \cdot 3$ 1(c)	for restrict		LIS, REGARL	ILESS OF	
					<u>()()</u>			
MINOR OR MAJOR IMPACT FEE: Calculate using the table below:								
Permanent and temporary (non-docking): 1020 SF × \$0.40 = \$408								
Seasonal docking structure: SF × \$2.00 = \$								
Permanent docking structure: 278 SF × \$4.00 = \$ 1112								
	Projects pr	oposing sho	reline stru	ictures (incl	uding docks) add \$400 =		
					<u></u>		Territoria	
Total = \$1920								
The application fee for minor or major impact is the above calculated total or \$400, whichever is greater = \$ 1920								
·)	lrm@d	<u>les.nh.gov</u> or (6	603) 271-214	7			•	

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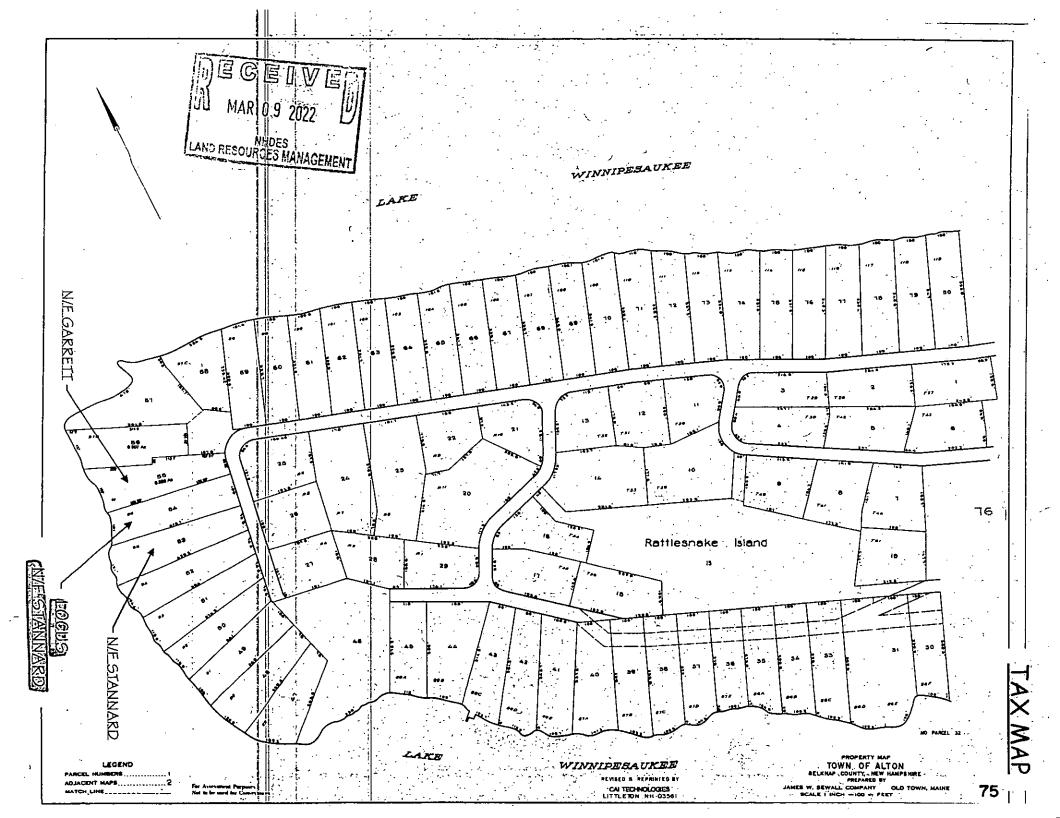
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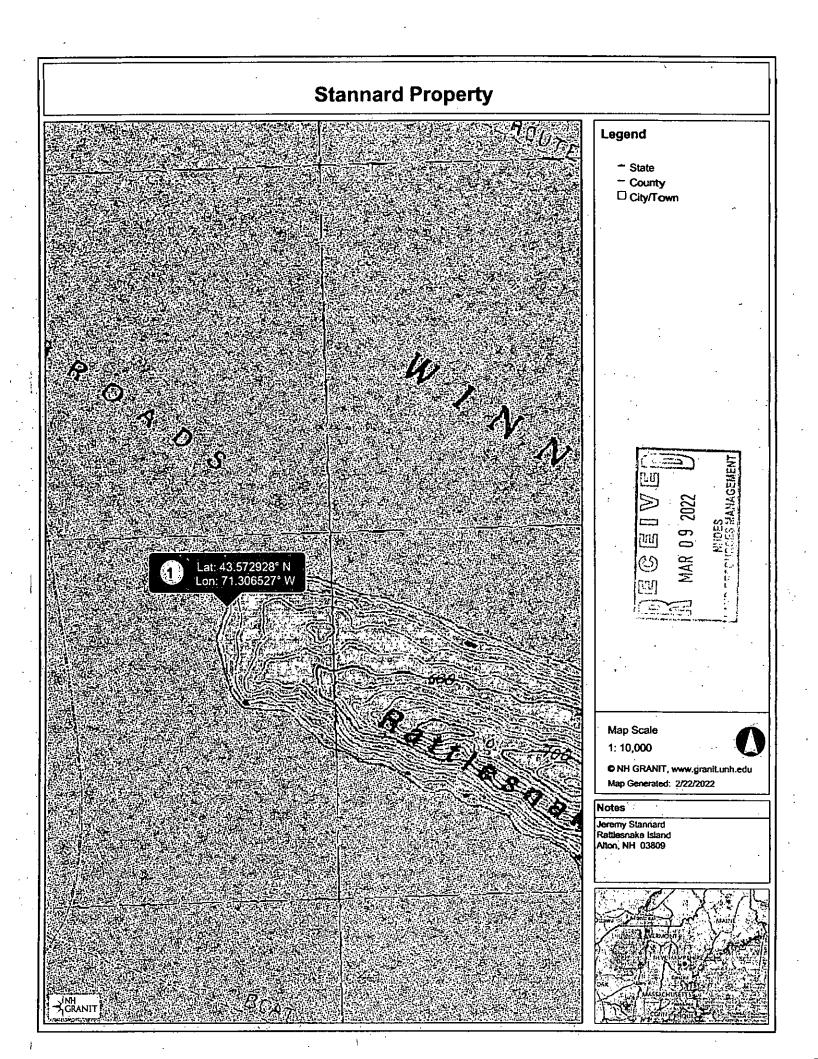
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CONTRACTOR OF	PROJECT CLASSIFICATION (project classification	Env-Wt 30	6.05)			
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SECTION 14						
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	To the best of the signer's know	wledge and	belief, all required	d notificatio	ńs have been provided	•
Initials:						
٦ ب الت الت	The information submitted on signer's knowledge and belief.	•	application is true	e, complete,	and not misleading to	the best of the
	The signer understands that: • The submission of false 1. Deny the application 2. Revoke any approve	on. val that is gr	ranted based on th	ne informatio	on.	• • • • •
Initials: JS		mpshire, re			r, or professional enginard of licensure and ce	
	• The signer is subject to currently RSA 641.	e2	, -		. .	
7 A	 The signature shall con Department to inspect projects and minimum inspect the site pursual 	the site of impact trai	the proposed proj l projects, where t	ect, except f	or minimum impact fo	restry SPN
Initials:			••••••••••••••••••••••••••••••••••••••	.		· · · · ·
JS CLF	If the applicant is not the owner the signer that he or she is awa			•	-	
SECTION 15	REQUIRED SIGNATURES (En	iv-Wt311.	04(d); Env-Wt-31	1.11)		
SIGNÁTURE (OWNER		PRINT NAME LEGIT	BLY:		DATE: 02/28/2022
SIGNATURE	APPLICANT, PDIFFERENT FROM	OWNER):		BLY:	, , ,	DATE:
SIGNATURE (ASENT IF APPLIABLE	<u> </u>	PRINT NAME LEGIL	BLY:		DATE: 02/28/2022
SECTION	Care and the second		Real and a second second states of a			
	by RSA 482-A:3, I(a)(1), I here our USGS location maps with				our application forms,	four detailed
TOWN/CIT	CLERK SIGNATURE:		3.		ME LEGIBLY:	
TOWN/CIT	1 Barb 1 for	·	· · · · · · · · · · · · · · · · · · ·	DATE:	Sa Noyes 3/3/2022	
	NHDES Wetlands		<u>s.nh.gov</u> .or (603) 271 azen Drive, PO Box 9		н 03302-0095	

www.des.nh.gov

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New Hampshire Natural Heritage Bureau NHB DataCheck Results Letter

To: Cynthia Folsom 46 Winona Shores Road Meredith, NH 03253

From: NH Natural Heritage Bureau

Date: 2/22/2022 (This letter is valid through 2/22/2023)

Re:=Review by NH-Natural Heritage Bureau of request dated 2/22/2022

Permit Type: Wetland Standard Dredge & Fill - Major

NHB ID: NHB22-0782

Applicant: Cynthia Folsom

Location: Alton

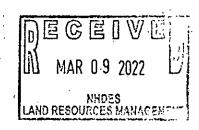
Tax Map: 75, Tax Lot: 54 Address: Rattlesnake

Proj. Description: Construct a rock breakwater with a (2) boatslip cantilevered docking structure

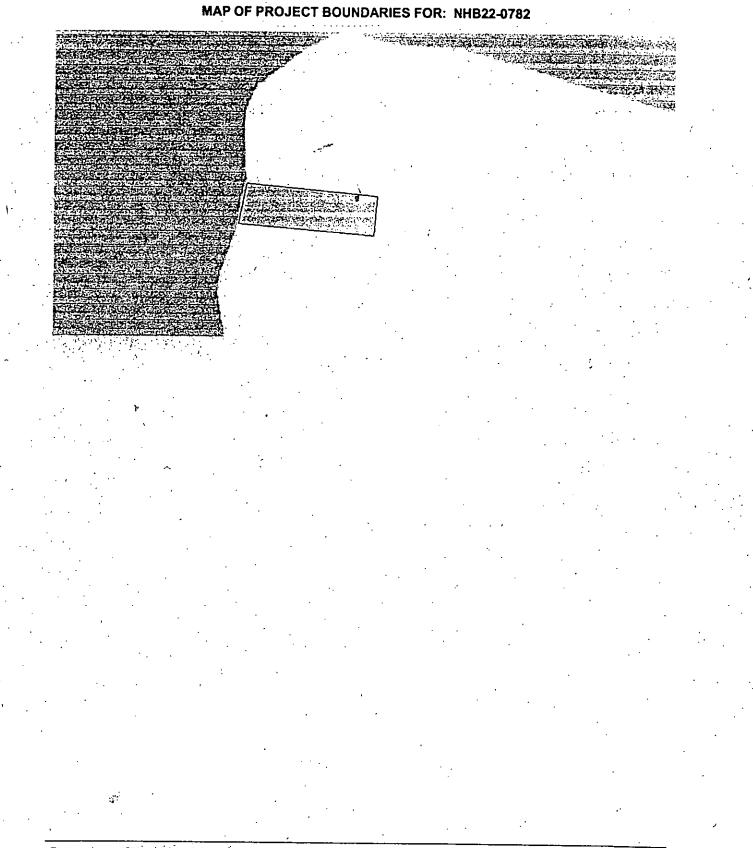
The NH Natural Heritage database has been checked for records of rare species and exemplary natural communities near the area mapped below. The species considered include those listed as Threatened or Endangered by either the state of New Hampshire or the federal government. Wercurrently have increased or occurrences for sensitive species inear 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.

Based on the information submitted, no further consultation with the NH Fish and Game Department pursuant to Fis 1004 is required.



Department of Natural and Cultural Resources Division of Forests and Lands (603) 271-2214 fax: 271-6488 DNCR/NHB 172 Pembroke Rd. Concord NH 03301



Department of Natural and Cultural Resources Division of Forests and Lands (603) 271-2214 (622) 271-6488

DNCR/NHB 172 Pembroke Rd.



February 27, 2022

ABUTTER NOTIFICATION

RE: Stannard Property, Alton, NH Tax Map No. 75 Lot No. 54

Dear Abutter:

Pursuant to NH RSA 482-A:3, this letter is notification of application submitted on behalf of Owners.

The proposed project consists of constructing a rock breakwater with a 4' wide cantilevered docking structure providing a total of (2) boatslips. No other work is proposed. The plans for the proposed project are on file at the town clerks office if you should wish to view them.

If you have any questions, please do not hesitate to contact this office. We will be happy to discuss any aspect of the proposed project.

Sincerety,

Cynthia L. Folsom Folsom Design & Construction Management

ABUTTERS LIST:

Tax Map No. 75 Lot No. 53 Jeremy Stannard

Tax Map No. 75 Lot No. 55 Nannene Erin Garrett CERTIFIED MAIL NO .:

(Also owned by applicant)

7014 0510 0001 4138 9402

