



DEC18'19 PM12:36 DAS
The State of New Hampshire
Department of Environmental Services



slam
48

Robert R. Scott, Commissioner

December 10, 2019

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

REQUESTED ACTION

Approve Little Mark Island Trust's request to perform the following work on Lake Winnepesaukee in Alton. File # 2019-02898. This project will not have significant impact on or adversely affect the values of Lake Winnepesaukee.

Fill 300 square feet of lakebed to extend an existing 79 linear foot "L" shaped breakwater by 10 feet landward to meet the shoreline and repair an existing 16.1 foot x 27.2 foot boathouse over public waters, a "W" shaped docking facility and walkways associated with the boat house in kind on 366 feet of frontage along Lake Winnepesaukee, on Little Mark Island, in Alton.

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 Ames Associates dated August 15, 2019, as received by the NHDES on September 12, 2019.
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 Bureau 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. 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.
5. All construction-related debris shall be placed outside of the areas subject to RSA 482-A.
6. 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).
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. Rocks shall not remain stockpiled on the frontage for longer than 60 days.

10. Photos showing that all construction materials have been removed from the temporary stockpile area shall be submitted to the NHDES Wetlands program within 10 days of completing the docking facility.
11. Only those structures shown on the approved plans shall be installed or constructed along this frontage.
12. Only existing rocks that have fallen from the structure(s) shall be used for the repairs.
13. The repairs shall maintain the size, location, and configuration of the pre-existing structures.
14. This permit does not allow dredging for any purpose.
15. The permittee may make repairs to the permitted structures as necessary, prior to the permit expiration date, provided that prior to performing any repair the permittee notifies the NHDES Wetlands Bureau and the Conservation Commission, in writing, of the proposed start and completion dates.

EXPLANATION

The NHDES approved this project on November 01, 2019. 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 additional 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 subject property is a single lot comprised of an island accessible only by watercraft which has 366 feet of shoreline frontage along Lake Winnepesaukee.
4. A maximum of 5 slips may be permitted on this frontage per Rule Env-Wt 402.13 Frontage Over 75'.
5. The existing docking facility provides 4 slips as defined per RSA 482-A:2, VIII, and therefore meets Rule Env-Wt 402.13.
6. The proposed modifications will have no impact on the number of slips provided by the docking facilities.
7. The Applicant has requested a waiver of Rule Env-Wt 402.07, Breakwaters, (l), (4) which requires a gap of at least 6 feet between the breakwater and the shoreline for the purpose of maintaining shoreline sediment transport.
8. By its nature as an island, the site has no abutting properties that could be adversely impacted by the closing of the gap between the breakwater and the shoreline.
9. Ice formation within the gap between the breakwater and the shoreline is causing damage to both the docking structures and the shoreline.
10. The Applicant has met the requirements of Part Env-Wt 204, Waivers, and therefore, the requested waiver of Rule Env-Wt 402.07, Breakwaters, (l), (4) is granted.

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



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-Wt 100-900

RECEIVED Administrative Use Only SEP 12 2019 NHDES LAND RESOURCES MANAGEMENT	COMPLETE Administrative Use Only SEP 13 2019	Administrative Use Only	File: 2019-02898
			Check No: 1715
			Amount: \$1,036.00
			Initials: DS

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 Questions.

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 within which wetland impacts occur.

ADDRESS: 2 Little Mark Island TOWN/CITY: Alton

TAX MAP: 56 BLOCK: LOT: 22 UNIT:

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

LOCATION COORDINATES (if known): 43.532112, -71.260555 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.

Extend existing breakwater (300 sq ft) to shoreline to further protect the existing dock and boathouse from ice damage, reconstruct 380 sq ft of existing permanent dock damaged by ice.

5. SHORELINE FRONTAGE:

N/A This does not have shoreline frontage. SHORELINE FRONTAGE: 350'

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 (Env-Wt 101.89).

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 Webpage.

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 19 - 02645
- b. This project is within a Designated River corridor. The project is within X mile of: _____; and date a copy of the application was sent to the Local River Management Advisory Committee: Month: ___ Day: ___ Year: ___
- N/A - This project is not within a Designated River corridor.

8. APPLICANT INFORMATION (Desired permit holder)

LAST NAME, FIRST NAME, M.I.:

TRUST / COMPANY NAME: Little Mark Island Trust

MAILING ADDRESS:

TOWN/CITY

STATE:

ZIP CODE:

EMAIL or FAX:

PHONE:

ELECTRONIC COMMUNICATION: By initialing here: _____, I hereby authorize NHDES to communicate all matters relative to this application electronically.

9. PROPERTY OWNER INFORMATION (If different than applicant)

LAST NAME, FIRST NAME, M.I.:

TRUST / COMPANY NAME:

MAILING ADDRESS:

TOWN/CITY:

STATE:

ZIP CODE:

EMAIL or FAX:

PHONE:

ELECTRONIC COMMUNICATION: By initialing here _____, I hereby authorize NHDES to communicate all matters relative to this application electronically.

10. AUTHORIZED AGENT INFORMATION

LAST NAME, FIRST NAME, M.I.: Roseberry, Nicol

COMPANY NAME: Ames Associates

MAILING ADDRESS: 164 NH Route 25

TOWN/CITY: Meredith

STATE: NH

ZIP CODE: 03253

EMAIL or FAX: nicol@amesassociates.com

PHONE: 603-279-5705

ELECTRONIC COMMUNICATION: By initialing here  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:

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.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 National Historic Preservation Act (NHPA) 106 compliance.
8. I authorize NHDES 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 NHDES 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 NHDES correspondence. NHDES will not forward returned

Property Owner Signature

Thomas R. Walker, Trustee of
Little Mark Island Trust

Print name legibly

8/26/ 2019

Date

lrn@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.


	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 be 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.

	Lisa Noyes Print name legibly	Alton Town/City	9/5/19 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.

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

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 completed.

Intermittent Streams: linear footage distance of disturbance is measured along the thread of the channel.

Perennial Streams/Rivers: the total linear footage distance is calculated by summing the lengths of disturbance to the channel and each bank.

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 channel	/ <input type="checkbox"/> ATF	/ <input type="checkbox"/> ATF
Perennial Stream / River channel	/ <input type="checkbox"/> ATF	/ <input type="checkbox"/> ATF
Lake / Pond	300 / 30 <input type="checkbox"/> ATF	80 / 10 <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	380 <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
Vernal Pool	<input type="checkbox"/> ATF	<input type="checkbox"/> ATF
TOTAL	680 / 30	80 / 10

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) 380 sq. ft. X \$0.20 = \$ 76.00

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

Permanent docking structure: 380 sq. ft. X \$2.00 = \$ 760.00

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

Total = \$ 1,036.00

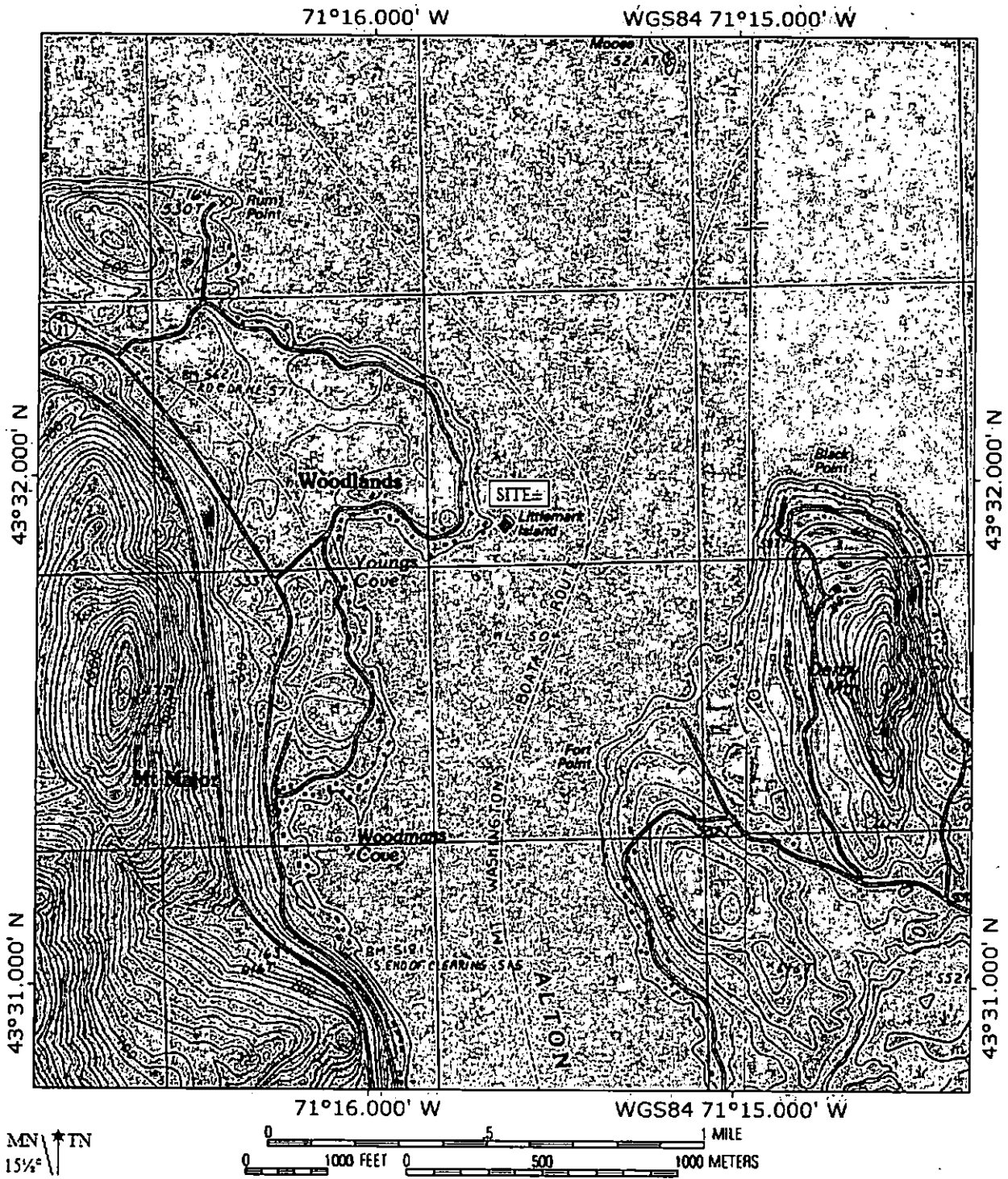
The Application Fee is the above calculated Total or \$200, whichever is greater = \$,1036.00

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

USGS MAP





New Hampshire Natural Heritage Bureau

To: Nicol Roseberry
164 NH Route 25
Meredith, NH 03253

Date: 8/19/2019

From: NH Natural Heritage Bureau

Re: Review by NH Natural Heritage Bureau of request dated 8/19/2019

NHB File ID: NHB19-2645

Applicant: Nicol Roseberry

Location: Tax Map(s)/Lot(s): 56-22
Alton

Project Description: Expand the existing rock breakwater to the north to cover the gap between the existing breakwater and the shoreline. Ice continues to damage the existing dock. Expanding the breakwater will provide necessary protection against future damage to the boat house and its dock. Temporarily stockpile rock for the breakwater near the project location. Reconstruct 380 sq ft of existing damaged dock section.

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 8/18/2020.



MAP OF PROJECT BOUNDARIES FOR NHB FILE ID: NHB19-2645

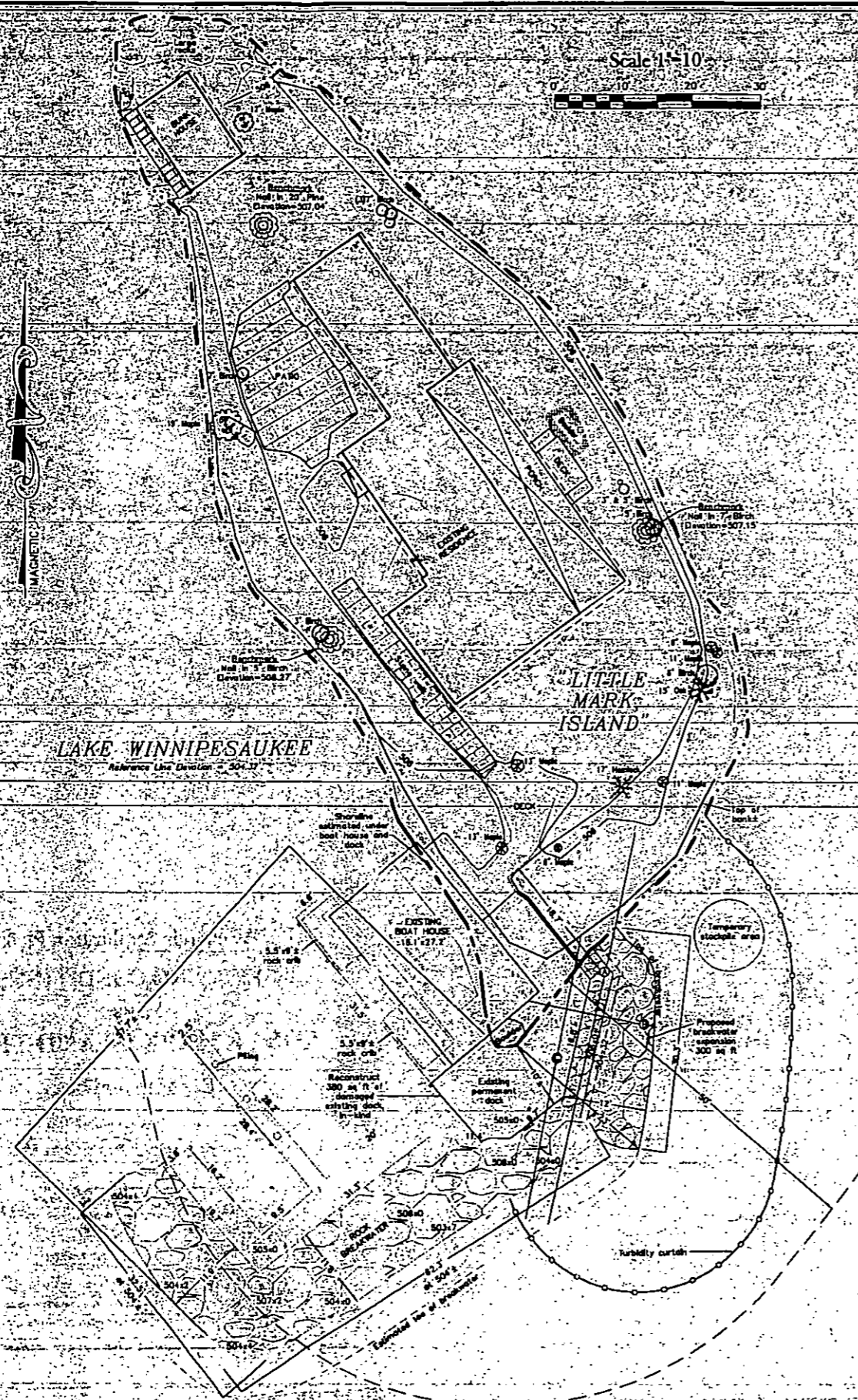


ABUTTER LIST & CERTIFIED RECEIPTS

Owner

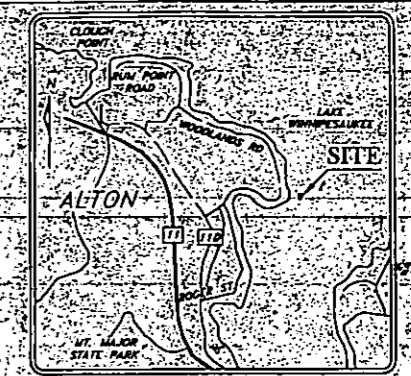
Map-Lot

No Abutters

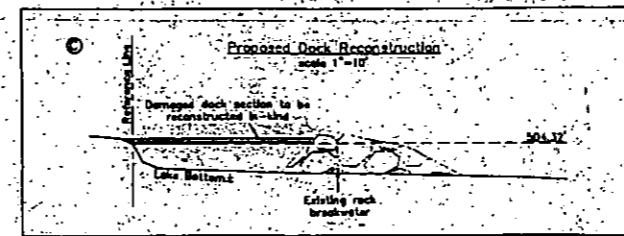
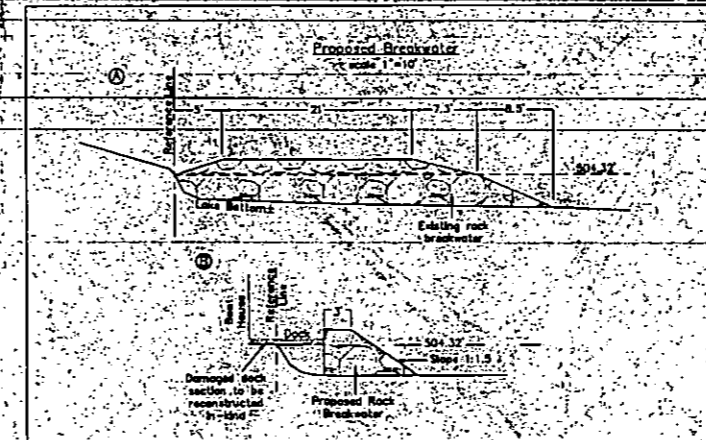
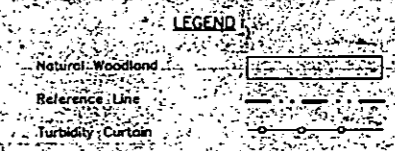


Scale 1"=10'

- NOTES**
- Property lines shown are based on a boundary survey of this property performed by Ames Associates.
 - Shoreline frontage = 365'
 - Project Description:**
 - Expand the existing rock breakwater to the north to cover the gap between the existing breakwater and the shoreline. This continues to damage the existing dock. Expanding the breakwater will provide necessary protection against future damage to the boat house and its dock. Temporarily stockpile rock for the breakwater near the project location.
 - Reconstruct 380 sq ft of existing damaged dock section.
 - No dredging is proposed with this project.
 - Project Impact:** Total = 780 sq ft
 - Breakwater = 300 sq ft / 27 cu yds of rock
 - Temporary stockpile = 50 sq ft
 - Dock reconstruction = 380 sq ft
 - No trees will need to be removed for this project. See NH RSA 433-B:9(V)(d)(2) for further information regarding requirements for trees within the 50' Wetland Buffer along the shoreline.
 - CONSTRUCTION SEQUENCE:**
 - Install turbidity curtain prior to project construction, maintain throughout, and remove upon stabilization of site.
 - Stockpile breakwater rock on site, as necessary for construction, and construct breakwater expansion.
 - Reconstruct the damaged dock section.
 - Construction debris to be removed from NHDES Wetland Buffer Jurisdiction.
 - Remove erosion controls upon stabilization of site.
 - Deviation from the project illustrated on this plan, and outside the scope of State and Local permits, without first receiving additional approval may result in enforcement action by NHDES and local officials. Contact Ames Associates (or NHDES: 603.271.2147) if it is determined prior to (preferably) or during construction that changes to the project will need to occur that are not represented on this plan.



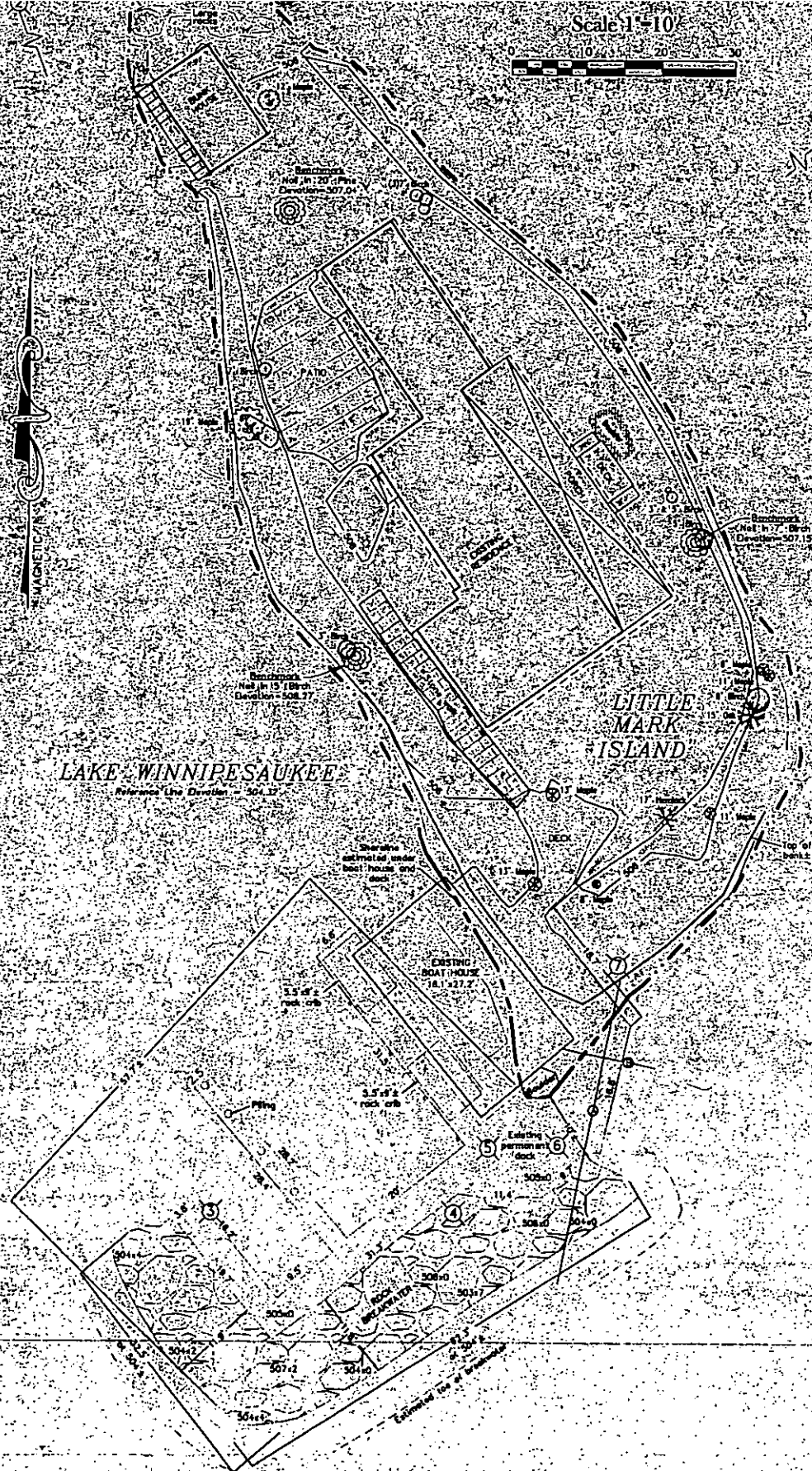
Locus Map
 Owner of Record:
 Little Mark Island Trust



Wetlands Application Plan
 PROPOSED CONDITIONS
 land of
LITTLE MARK ISLAND TRUST
 Tax Map '56 Lot 22
 Little Mark Island, Alton
 Belknap County, New Hampshire

ames associates
AMES ASSOCIATES
 154 NH ROUTE 25
 MERRIMACK, NH 03253
 603-278-6708
 603-278-7878 FAX
 LAND SURVEYORS / SEPTIC SYSTEM DESIGNERS
 ENVIRONMENTAL CONSULTANTS
 FORESTRY / WETLAND & SOIL SCIENCE
 WWW.AMESASSOCIATES.COM

PLAN DATE: 8/13/2019
 PROJECT NO.: Damaged 56-22
 SCALE: 1"=10'
 DRAWN BY: NR



Scale 1"=10'

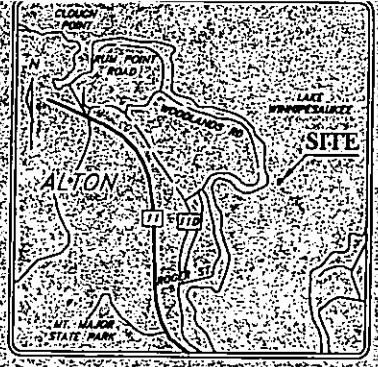


General Notes:

1. Property lines shown are based on a boundary survey of this property performed by Ames Associates.
2. Shoreline frontage along reference line = 344'
3. Existing shoreline structures include a breakwater, permanent dock and boat house over the water total.

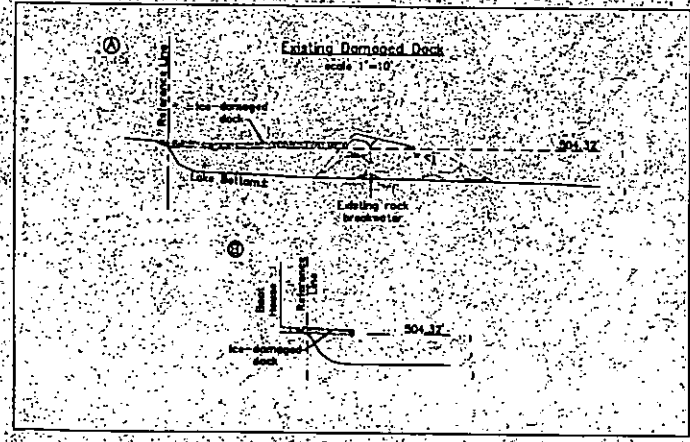
LEGEND

- Natural Woodland
- Photo Point
- Reference Line



Locus Map
Scale 1"=1000'

Owner of Record:
Little Mark Island Trust



Wetlands Application Plan
EXISTING CONDITIONS

land of
LITTLE MARK ISLAND TRUST
Tax Map 56 Lot 22
Little Mark Island, Alton
Belknap County, New Hampshire

	AMES ASSOCIATES 164 NH ROUTE 25 MERIDEN, NH 03253 603-378-8700 603-378-8778 FAX	
	LAND SURVEYORS SCOPIC SYSTEM DESIGNERS ENVIRONMENTAL CONSULTANTS FORESTRY WETLANDS & SOIL SCIENCE WWW.AMESASSOCIATES.COM	
PLAN DATE 8/15/2019	PROJECT NO. Demolish 56-22 SCALE 1"=10'	DRAWN BY NR

RECEIVED
SEP 18 2019