



The State of New Hampshire  
**DEPARTMENT OF ENVIRONMENTAL SERVICES**

**Thomas S. Burack, Commissioner**



May 13, 2016

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

**REQUESTED ACTION**

Approve Forest Brook Realty Trust's request to perform the following work on Lake Winnepesaukee, in Alton. File # 2016-00446. This project will not have significant impact on or adversely affect the values of Lake Winnepesaukee.

Construct a 6 ft. x 30 ft. piling pier with a 6 ft. x 24 ft. "L", an ice cluster, and 2 personal watercraft lifts immediately adjacent to the entrance of an existing 898 sq. ft. two slip dug-in boathouse and on the same frontage with a 6 ft. x 45 ft. piling pier, two 3-piling ice clusters, drive two pilings to support a permanent boatlift, on an average of 608 ft. of frontage along 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 Watermark Marine Construction dated January 21, 2016, as received by DES on February 22, 2016.
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 DES 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. Work shall be carried out in a time and manner to avoid disturbances to migratory waterfowl breeding and nesting areas.
5. 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.
6. All construction-related debris shall be placed outside of the areas subject to RSA 482-A.
7. 450 ft. of this property's frontage is dedicated to the approved 7 slip docking facility. Any subdivision of the property 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.
8. 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 ft. from the abutting property lines or the imaginary extension of those lines into the water.

DES Web site: [www.des.nh.gov](http://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

9. Pilings shall be spaced a minimum of 12 ft. apart as measured piling center to piling center.
10. No portion of the pier shall extend more than 30 ft. from the shoreline at full lake elevation (Elev. 504.32 ft.).
11. All seasonal structures, including watercraft lifts, shall be removed for the non-boating season.
12. This permit does not allow dredging for any purpose.

#### EXPLANATION

The DES Wetlands Bureau approved this project on April 13, 2016. DES supported its decision with the following findings:

1. This project is classified as a major project per Rule Env-Wt 303.02(d), expansion of a docking facility to provide 7 slips.
2. The applicant has an average of 608 ft. of frontage along Lake Winnepesaukee.
3. A maximum of 9 slips may be permitted on this frontage per Rule Env-Wt 402.13, Frontage Over 75 ft.
4. The proposed docking facilities will increase the number of slips provided on the frontage to 7 as defined per RSA 482-A:2, VIII and therefore meets Rule Env-Wt 402.13.
5. The department finds that a public hearing is not required for this major project because the project is not of significant public interest and its 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



# WETLANDS PERMIT APPLICATION

Water Division/ Wetlands Bureau  
Land Resources Management

Check the status of your application: [www.des.nh.gov/onestop](http://www.des.nh.gov/onestop)

*DES ORIGINAL*  
*Copy*



RSA/Rule: RSA 482-A/ Env-Wt 100-900

*Attached Color Photos.*

	<p><b>COMPLETE</b> Administrative Use Only FEB 2 2016</p>	<p>Administrative Use Only</p>	File No.: <b>2016-00446</b>
			Check No.: <b>12029</b>
			Amount: <b>\$ 858.00</b>
			Initials: <b>Emk</b>

**1. REVIEW TIME:**  
Indicate your Review Time below. Refer to Guidance Document A for instructions.

- Standard Review (Minimum, Minor or Major Impact)       Expedited Review (Minimum Impact only)

**2. PROJECT LOCATION:**  
Separate applications must be filed with each municipality that jurisdictional impacts will occur in.

ADDRESS: **Forest Brook Lane**      TOWN/CITY: **Alton**

TAX MAP: **21**      BLOCK: **12**      LOT: **2**      UNIT:

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

LOCATION COORDINATES (If known): **43°32'57.7706"N 71°12'20.8061"W**       Latitude/Longitude       UTM  
 State Plane

**3. 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.

**Proposing to install an "L" shaped permanent piling dock to provide 1 boatslip (324 sq. ft.), (2) two tie-off fender piles (2 sq. ft), (1) ice protecton cluster (3 sq. ft), and (2) two seasonal PWC lifts. This site meets the criteria for a permanent dock construction under 402.06 and this site also supports 9 boatslips on 607 ft of average frontage under Env-wt 402.13. All seasonal structures will be removed during non-boating season.**

**4. SHORELINE FRONTAGE**

NA This lot has no shoreline frontage.      SHORELINE FRONTAGE: **607.5 +/-**  
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.

**5. RELATED PERMITS, ENFORCEMENT, EMERGENCY AUTHORIZATION, SHORELAND, ALTERATION OF TERRAIN, ETC...**

**2013-03378, 2013-02671**

**6. 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 - 0399
- b.  Designated River the project is in ¼ miles of: \_\_\_\_\_ ; and  
date a copy of the application was sent to the Local River Management Advisory Committee: Month: \_\_\_ Day: \_\_\_ Year: \_\_\_
- NA

**7. APPLICANT INFORMATION (Desired permit holder)**

LAST NAME, FIRST NAME, M.I.: (Owner is Applicant)

TRUST / COMPANY NAME:

MAILING ADDRESS:

TOWN/CITY:

STATE:

ZIP CODE:

EMAIL or FAX:

PHONE:

ELECTRONIC COMMUNICATION: By initiating here: \_\_\_\_\_, I hereby authorize NHDES to communicate all matters relative to this application electronically

**8. PROPERTY OWNER INFORMATION (if different than applicant)**

LAST NAME, FIRST NAME, M.I.: Forest Brook Realty Trust

TRUST / COMPANY NAME:

MAILING ADDRESS: 218 Lowder Street

TOWN/CITY: Dedham

STATE: MA

ZIP CODE: 02026

EMAIL or FAX:

PHONE:

ELECTRONIC COMMUNICATION: By initiating here \_\_\_\_\_, I hereby authorize NHDES to communicate all matters relative to this application electronically

**9. AUTHORIZED AGENT INFORMATION**

LAST NAME, FIRST NAME, M.I.: Goodwin, Paul W.

COMPANY NAME: Watermark Marine Construction

MAILING ADDRESS: P.O. Box 6840

TOWN/CITY: Laconia

STATE: NH

ZIP CODE: 03247

EMAIL or FAX: PWG@docksource.com

PHONE: 603-293-4000

ELECTRONIC COMMUNICATION: By initiating here PWG, I hereby authorize NHDES to communicate all matters relative to this application electronically

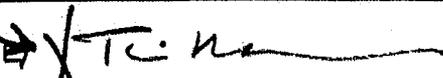
**10. PROPERTY OWNER SIGNATURE:**

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](http://www.nh.gov/nhdhr/review)) to the NH State Historic Preservation Officer (SHPO) at the NH Division of Historical Resources to be reviewed for the presence of historical/ archeological resources.
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 New Hampshire Department of Environmental Services 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 mail.

SIGN

  
Property Owner Signature

Timothy Mann

Print name legibly

2/18/16

Date

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](http://www.des.nh.gov)

## MUNICIPAL SIGNATURES

### 11. 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"/>	<input style="width: 100%; height: 100%;" type="text"/>	<input style="width: 100%; height: 100%;" type="text"/>
	Print name legibly	Date

#### 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.

### 12. 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"/>			
Town/City Clerk Signature	Print name legibly	Town/City	Date

#### 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.

**13. 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	5 / <input type="checkbox"/> ATF	/ <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	324 <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
<b>TOTAL</b>	<b>329 /</b>	<b>/</b>

**14. 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) \_\_\_\_\_ sq. ft. X \$0.20 = \$ \_\_\_\_\_

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

Permanent docking structure: **329** sq. ft. X \$2.00 = **\$ 658.00**

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

Total = **\$ 858.00**

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

SAUKEE

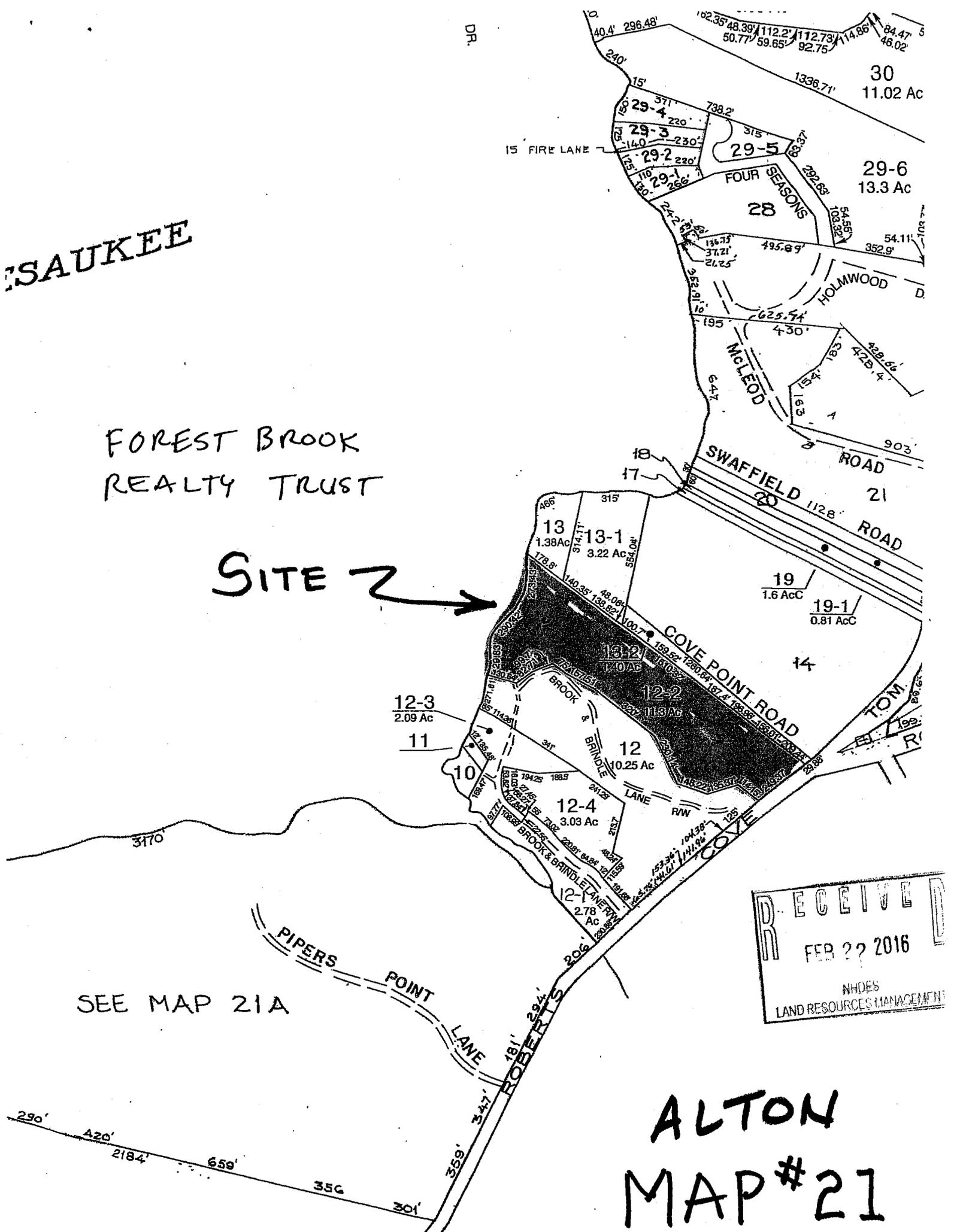
FOREST BROOK  
REALTY TRUST

SITE 2

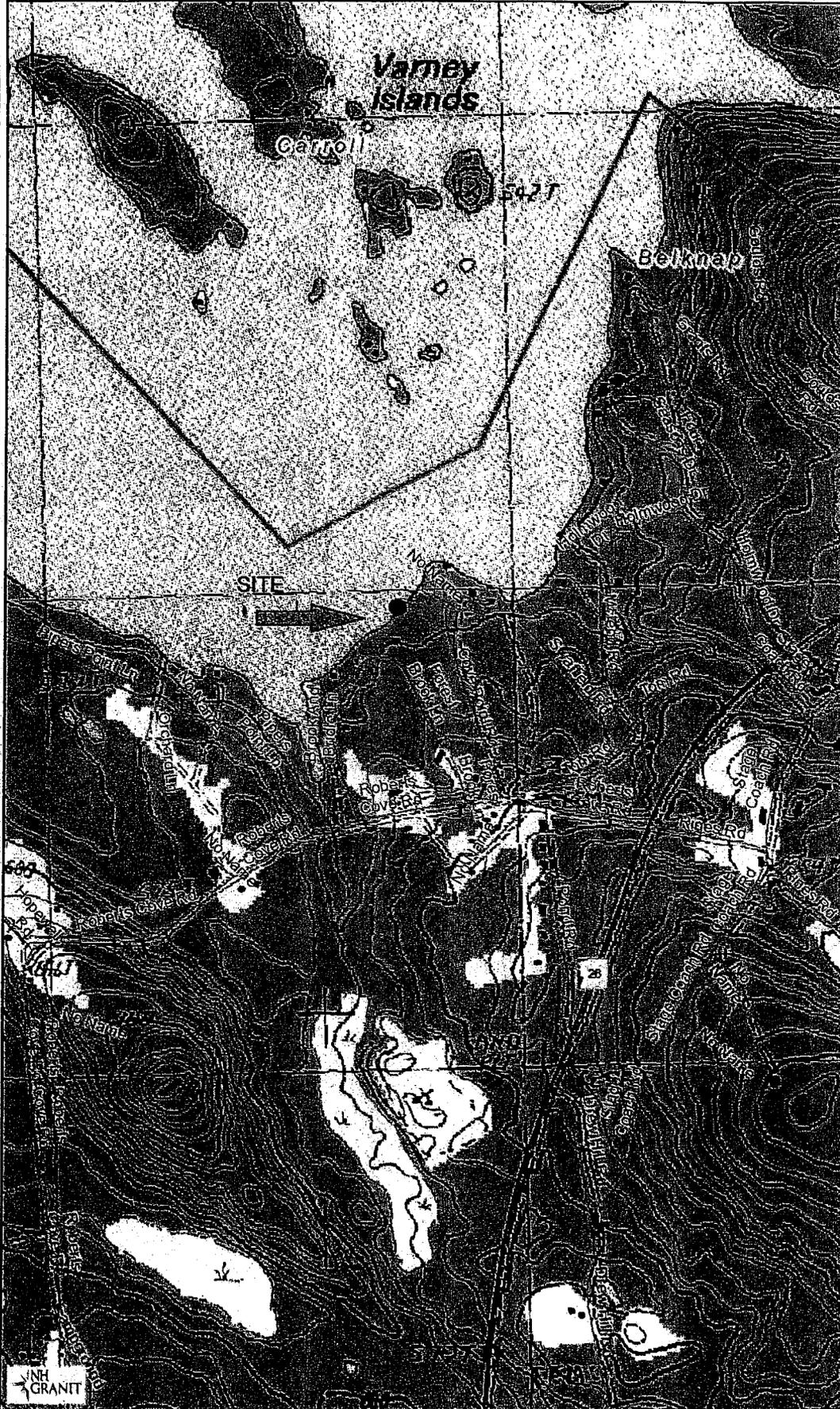
SEE MAP 21A

RECEIVED  
FEB 22 2016  
NHDES  
LAND RESOURCES MANAGEMENT

ALTON  
MAP # 21

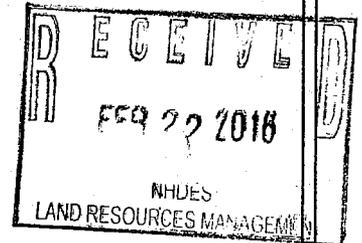


# FOREST BROOK REALTY TRUST



## Legend

- State
- County
- City/Town
- Interstates
- Turnpikes
- US Routes
- State Routes
- Local Roads



012  
-----  
113

Map Scale

1: 12,000

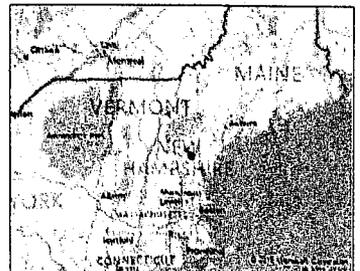


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Map Generated: 2/9/2016

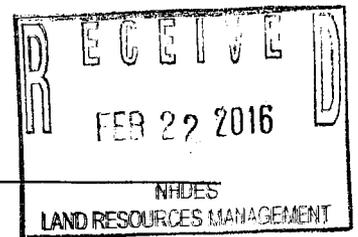
## Notes

FOREST BROOK LANE  
ALTON, NH 03810  
TAX M/L # 21/ 12/ 2





New Hampshire Natural Heritage Bureau



To: Michelle Wilson  
PO Box 6840  
Laconia, NH 03247

Date: 2/9/2016

From: NH Natural Heritage Bureau

Re: Review by NH Natural Heritage Bureau of request dated 2/9/2016

NHB File ID: NHB16-0399

Applicant: Forest Brook Realty Trust

Location: Tax Map(s)/Lot(s): 21,12,2  
Alton

Project Description: Proposing to install a "L" shaped permanent piling dock, one ice cluster, two fender pilings, and two seasonal PWC lifts.

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 2/8/2017.



MAP OF PROJECT BOUNDARIES FOR NHB FILE ID: NHB16-0399



Forest Brook Realty Trust  
Forest Brook Lane  
Alton, NH 03801  
SITE: TML# 21/12/2

ABUTTER LIST

TML#21/13/2 & TML#21/13/0

Averill Babson

[REDACTED]  
Darien, CT 06820

TML#21/13/1

James Babson  
C/O Nichols & Pratt LLP

[REDACTED]  
Atten: Richard Nichols  
Boston, MA 02109

TML#21/12/0

Joseph Family B and B Trust  
Brian Chadwick Joseph Trustee

[REDACTED]  
San Jose, CA 95124

