



The State of New Hampshire
Department of Environmental Services



March 07, 2013

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

REQUESTED ACTION

Approve Pick Point Lodges's request to perform the following work on Lake Winnepesaukee, in Tuftonboro. File # 2012-02946. This project will not have significant impact on or adversely affect the values of Lake Winnepesaukee.

The Applicant requests reconsideration of the Department's December 10, 2013 decision to deny a permit to modify a boathouse on the merits of a revised proposal.

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

1. All work shall be in accordance with plans by Folsom Design dated September 10, 2012, as received by the NH Department of Environmental Services (DES) on November 05, 2012, North Country CAD dated August 23, 2012 and plans labeled Amendment dated January 07, 2013, received on January 08, 2013.
2. This permit shall not be effective until it has been recorded with the Carroll County Registry of Deeds office by the Permittee. A copy of the recorded permit shall be submitted to the DES Wetlands Bureau prior to construction.
3. The owner shall file a restrictive covenant in the appropriate registry of deeds limiting the use of the boathouse to the storage of boats and boating-related accessories. A copy of the recorded covenant permit shall be submitted to the DES Wetlands Bureau by certified mail, return receipt requested, prior to construction.
4. The seasonal dock and walkway shall be permanently removed and the boat lift re-located prior to the start of the boathouse modifications.
5. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
6. The boathouse addition shall be a single-story structure.
7. Dewatering of work areas and excavated materials shall be discharged to sediment basins located in uplands and lined with hay bales or other acceptable sediment trapping liner.
8. All dredged and excavated material and construction related debris shall be placed outside of the areas under the jurisdiction of the DES Wetlands Bureau.
9. Appropriate siltation and erosion controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.
10. 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.

11. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
12. 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.
13. 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.
14. 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.

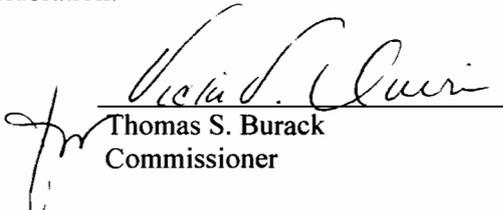
EXPLANATION

The DES Wetlands Bureau approved this project on 02/04/2013. DES supported its decision with the following findings:

1. This project is classified as a major project per Rule Env-Wt 303.02(d), modification of a major docking facility.
2. The applicant has an average of 1,830 ft. of frontage along Lake Winnepesaukee.
3. A maximum of 25 slips may be permitted on this frontage per Rule Env-Wt 402.13, Frontage Over 75'.
4. The existing docking facilities, in combination with the proposed modifications, will provide 25 slips as defined per RSA 482-A:2, VIII and therefore meets Rule Env-Wt 402.13.
5. The proposed modifications reduce both the number of slips provided on the frontage and the square feet of docking structure over public submerged lands as required pursuant to Rule Env-Wt 402.21, Modification of Existing Structures.
6. The proposed boathouse addition will be located entirely within the land of the Applicant and not 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.


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

File No. 2012-02146	Check No. 4952	Amount \$503.80	Initials DB

1. **REVIEW TIME:** If you do not know your project's review time, 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: 22 Pick Point Road TOWN/CITY: Tuftonboro

TAX MAP: 51 BLOCK: 2 LOT: 18 UNIT:

LOCATION COORDINATES (If known): 1,082,996.40 408,482.63 Latitude/Longitude UTM State Plane

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

NAME: Pick Point Lodges c/o Walker & Varney

EMAIL or FAX: PHONE: 603-569-2000

MAILING ADDRESS: P.O. Box 509

TOWN/CITY: Wolfeboro STATE: NH ZIP CODE: 03894

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

4. **AGENT INFORMATION:**

NAME: Shane P. Folsom COMPANY: Folsom Design Group of Wolfeboro

EMAIL or FAX: fdgwolfeboro@hotmail.com PHONE: 603-715-2853

MAILING ADDRESS: P.O. Box 548

TOWN/CITY: Wolfeboro Falls STATE: NH ZIP CODE: 03896

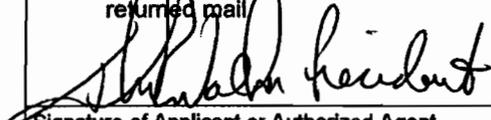
By initialing here, I, hereby authorize DES to communicate all matters relative to this application electronically (RSA 482-A:3, XIV (b)) : _____

5. PROPERTY OWNER / APPLICANT / AUTHORIZED AGENT: A letter of authorization from the applicant is required, if the

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 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.
10. The mailing addresses I have provided are up to date and appropriate for receipt of DES correspondence. DES will not forward returned mail.

NOV 05 2012


Signature of Applicant or Authorized Agent

THOMAS R WALKER 10/24/12
Print name legibly Date

APPLICANT/ AGENT APPLICATION SUBMITTAL DIRECTIONS:

1. If sought for Expedited Review, obtain the Conservation Commissions signature (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. TOWN/CITY CLERK SIGNATURE: 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.

 Heather Cebedde 11-2-12 Tuffenboro
Signature or Town/City Clerk Print name legibly Date Town/City

TOWN CLERK SUBMITTAL & MAILING DIRECTIONS:

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

1. If sought by the APPLICANT, after the Conservation Commissions signature has been obtained (ONLY required for Expedited Review; 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: * Only required for Expedited Review Applications

Expedited Review Applications ONLY require that the Conservation Commission signature is obtained prior to submitting the final application to the Town/City Clerk for signature and mailing to the NHDES Wetlands Bureau. The Conservation Commission is not required to sign. If the Conservation Commission does not sign this statement for any reason, then the application is not eligible for expedited review and 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.

Authorized Commission Signature Print name legibly 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): **2009-01510, 2009-00730, 1999-02474, 1991-01794**

Shoreland/ Alteration of Terrain/ Subsurface: _____

Other: _____

NOV 05 2012

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.

We propose to expand the existing boathouse by 265.5 sq.ft. to the rear. The addition is within the owners property and not over public waters. The need for the expansion is the owner cannot place his boat in the current boathouse configuration due to the slip being to short. We are proposing to extend the interior slip by 6'9" to allow safe access and storage of the boat. The proposed addition will also have an area to the front of the boatslip that will allow safe access around the slip. The increase of impervious area (roofline) will be only 310 sq.ft. We will have temporary impacts of 1,209 sq.ft. and will be dredging 9 cu.yds in the middle slip of the boathouse. NO addition lakeward of elevation 504.32 will take place.

This will be the least impacting alternative as we will have only 265.5 sq.ft. of additional building area. If the owner were not able to build this addition and had to construct a new dredged in boathouse (16' minimum by 47' long), it would total 752 sq. ft. of permanent impact and the amount of dredging would be 12' x 37' totaling 444 sq.ft. The property would then have two boathouses. This option would have more of an impact. Therefore, we feel that adding to the rear of the existing boathouse over the owner's property, not over public water, would have the least impact.

10. **APPLICATION REQUIREMENTS:** *This application will be returned to you if items outlined in A - I, 1 are not provided.* If applicable items outlined in I.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. If you do not know your impact category, refer to Attachment A to determine your project is minimum or minor/major impact. Copy links to your web browser.

- A. Is the project within a ¼ mile of a designated river? <http://des.nh.gov/organization/divisions/water/wmb/rivers/designrv.htm>
 Y N. If yes: 1. Indicate river: _____
2. As required by RSA 482-A:3,1(d)(2), I have notified the Local River Advisory Committee (<http://des.nh.gov/organization/divisions/water/wmb/rivers/lac/index.htm>) by sending a copy of the complete application and supporting materials via certified mail on: Month: ___ Day: ___ Year: ___
- B. Applicant/Agent and Town/City Clerk signatures, no.'s 5 & 6 on pg. 2 of this form (Env-Wt 501.02(a) & 505.01(l))
- C. Narrative of the project description, no. 9 above (Env-Wt 501.02(a) & 505.01(l))
- 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. Attach 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(l))
- 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 application fee, check or money order payable to: "Treasurer-State of NH" (RSA 482-A:3,1 & 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 on the next page of this form.

ERS POLE.

SQUIRREL ISLAND

LITTLE BIRCH ISLAND

LAKE WINNIPESAUKEE

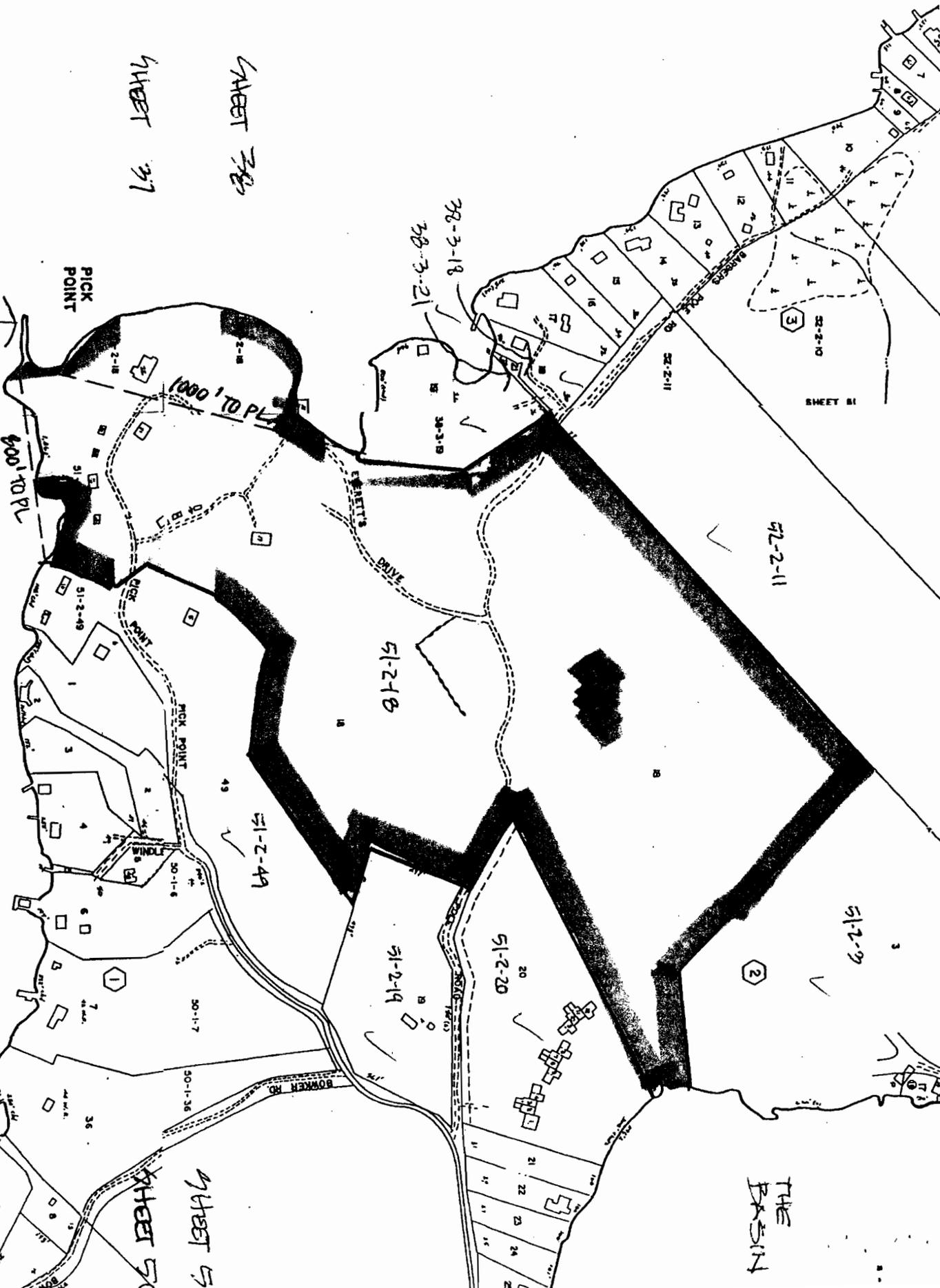
BREAKWATER

SHEET 37

SHEET 38

SHEET 31

BEVERLY
NOV 05 2012



PICK POINT

1000' TO PL

1000' TO PL

51-2-18

51-2-49

51-2-14

51-2-20

51-2-11

51-2-9

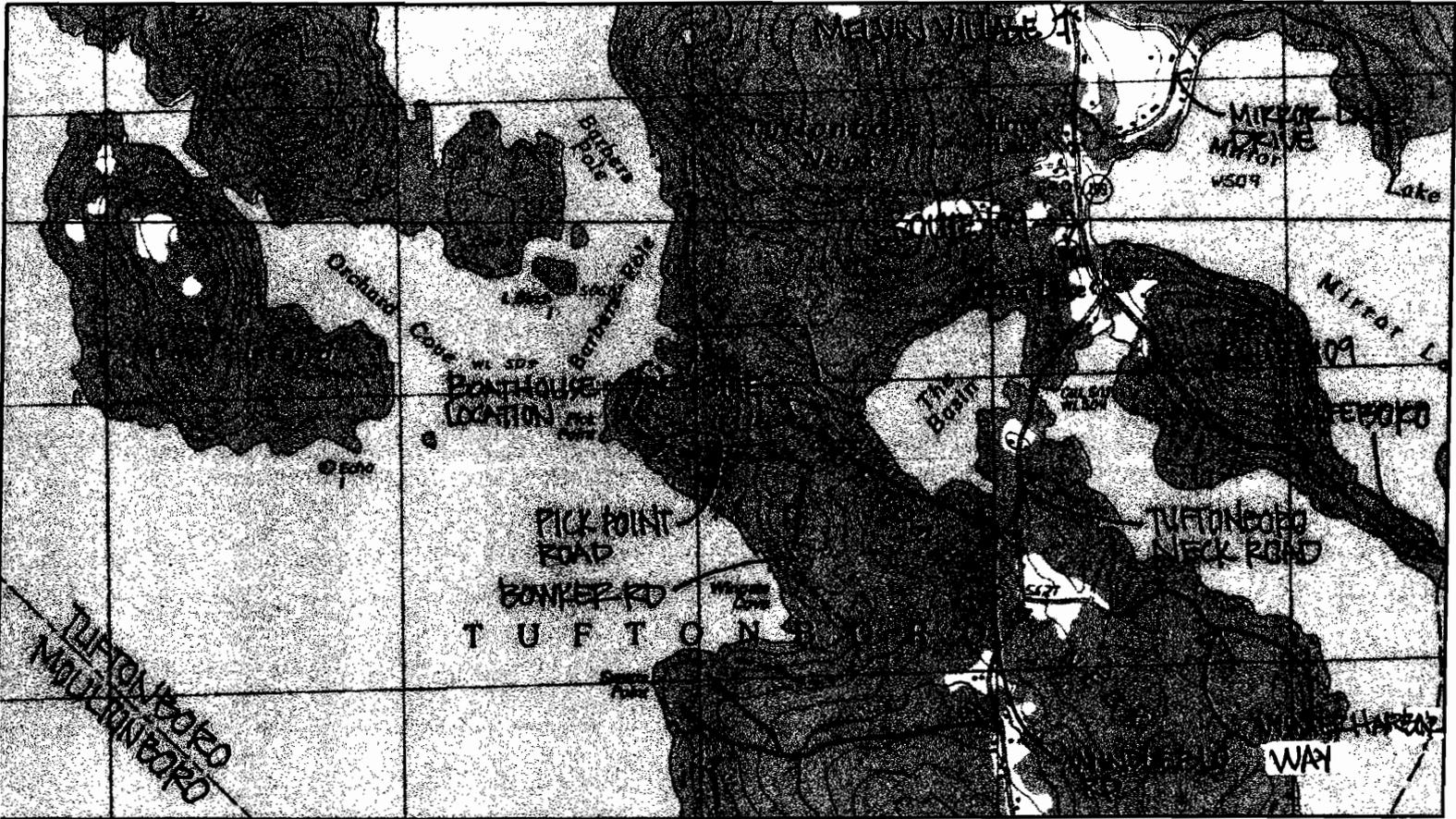
SHEET 5C

SHEET 5

THE BASIN

0-11
112

NOV 05 2012
LAND MANAGEMENT



USGS MAP



New Hampshire Natural Heritage Bureau

To: Shane Folsom
P.O. Box 548
Wolfeboro Falls, NH 03896

Date: 9/10/2012

From: NH Natural Heritage Bureau

Re: Review by NH Natural Heritage Bureau of request dated 9/10/2012

NHB File ID: NHB12-2512

Applicant: Shane Folsom

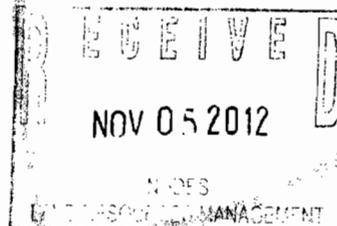
Location: Tax Map(s)/Lot(s): 51-2-18
Tuftonboro

Project Description: Enlarge existing boathouse to the rear over the owners land. No expansion to the existing docks located along the owners frontage is proposed. The expansion is to allow the owner to place his current boat inside his boathouse.

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.

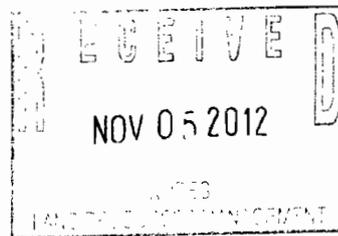
A negative result (no record in our database) does not mean that a sensitive species is not present. Our data can only tell you of known occurrences, based on information gathered by qualified biologists and reported to our office. However, many areas have never been surveyed, or have only been surveyed for certain species. An on-site survey would provide better information on what species and communities are indeed present.

This report is valid through 9/9/2013.





MAP OF PROJECT BOUNDARIES FOR NHB FILE ID: NHB12-2512





FOLSOM DESIGN GROUP

P.O. Box 548, WOLFEBORO FALLS, NEW HAMPSHIRE 03896

TELEPHONE: (603) 715-2853 (603)369-7819 (CELL)

E-MAIL: FDBWOLFEBORO@HOTMAIL.COM

WWW.FOLSOMDESIGNGROUP.COM

September 12, 2012

Re: Pick Point Lodge, Tm #51-2-18, Pick Point Road, Tuftonboro, NH

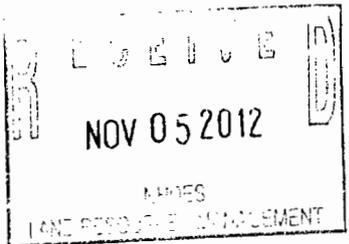
ABUTTERS LIST

Owner of Record
TM # 51-2-18
Pick Point Lodge
c/o Walker & Varney
P.O. Box 509
Wolfboro, NH 03894

Tm # 38-3-18
Richard & Elizabeth O'Rourke ✓
[REDACTED]
Providence, RI 02906

Tm # 38-3-19
Carriage House Point Trust ✓
[REDACTED]
Dedham, MA 02026

Tm # 38-3-21
Tower Meditzky Revocable Trust ✓
[REDACTED]
Belmont, CA 94002



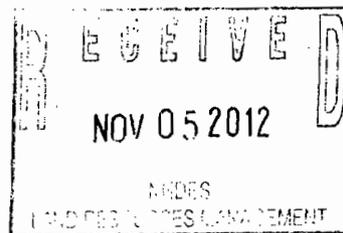
Tm # 51-2-3
Basin Developement ✓
William Gordon, President
16 Darren Drive
Raymond, NH 03077

Tm # 51-2-19 ✓
Eric & Kelly Jo Sargent
[REDACTED]
Mirror Lake, NH 03853

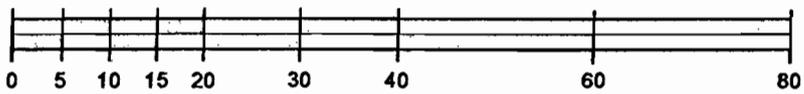
Tm # 51-2-20
Oak Knoll Association
Barbers Pole Road
Tuftonboro, NH 03816 ✓

Tm # 51-2-49
Jessica Y. Lightner
[REDACTED]
Mirror Lake, NH 03853 ✓

Tm # 52-2-11
Dunolly Point Trust
[REDACTED]
[REDACTED]
Wolfeboro, NH 03894 ✓



SCALE: 1" = 20'

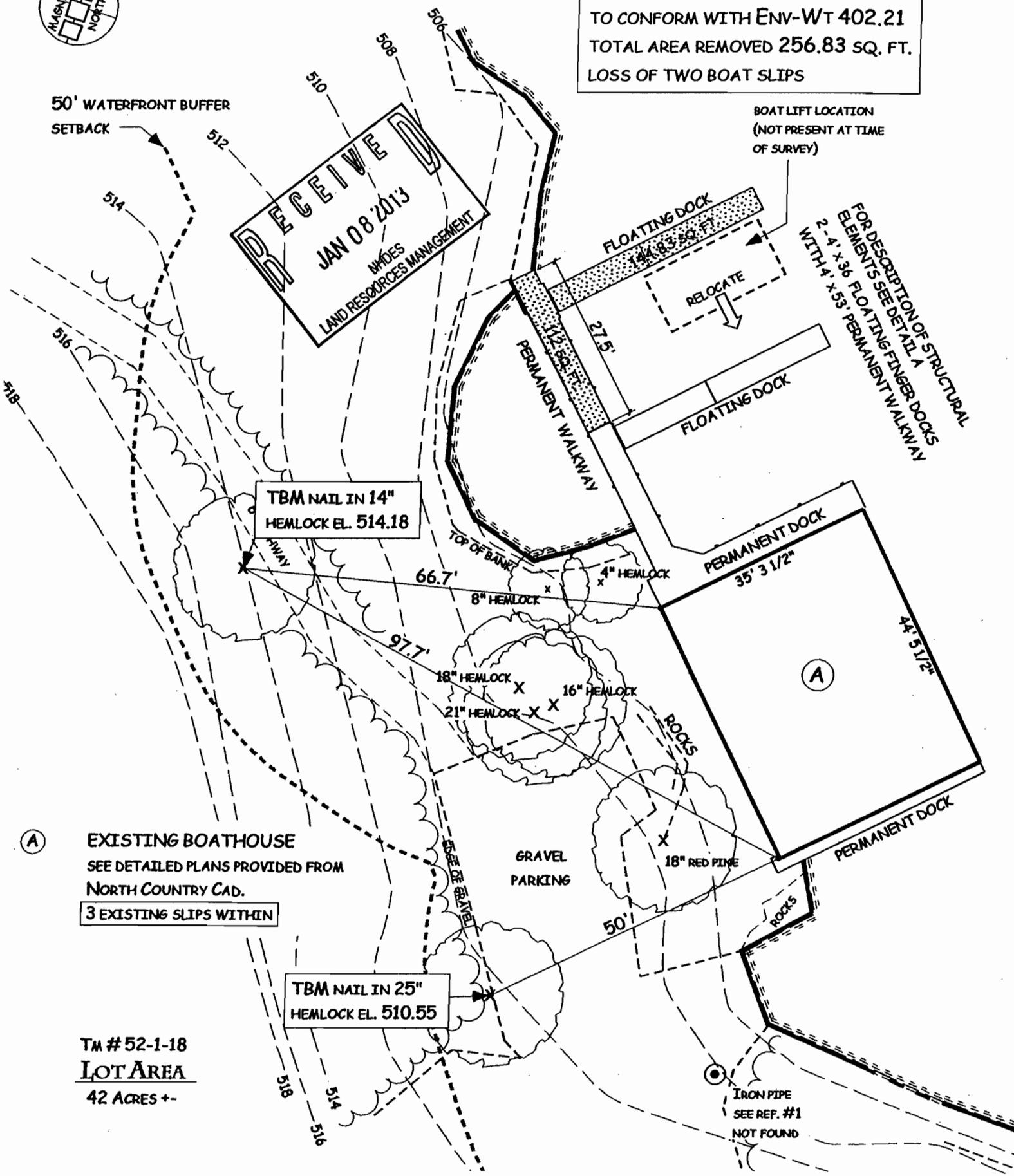


C/O WALKER & VARNEY
P.O. Box 509
WOLFEBORO, NH 03894

AMENDMENT
1/7/2013



REMOVE SECTIONS
TO CONFORM WITH ENV-WT 402.21
TOTAL AREA REMOVED 256.83 SQ. FT.
LOSS OF TWO BOAT SLIPS



FOR DESCRIPTION OF STRUCTURAL ELEMENTS SEE DETAIL A WITH 4' x 36' PERMANENT WALKWAY

EXISTING BOATHOUSE
SEE DETAILED PLANS PROVIDED FROM NORTH COUNTRY CAD.
3 EXISTING SLIPS WITHIN

TM # 52-1-18
LOT AREA
42 ACRES +-

IRON PIPE
SEE REF. #1
NOT FOUND