The State of New Hampshire HUG01 '18 Pm12:43 DA

NHDES

Department of Environmental

Services



Robert R. Scott, Commissioner

July 26, 2018

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

REQUESTED ACTION

Approve Port Wedeln Association, Inc.'s request to perform the following work on Lake Winnipesaukee, in Wolfeboro. File # 2018-01043. This project will not have significant impact on or adversely affect the values of Lake Winnipesaukee.

Replace three support pilings under the existing walkway decking, replace one pier piling, repair in-kind two 2 foot x 18 foot finger piers, rebuild in-kind the 2 foot x 20 foot finger pier, repair in-kind existing 657 square feet of the north face of the breakwater, and dredge 130 cubic yards of material from slip areas on an average of 491 feet of frontage along Lake Winnipesaukee, in Wolfeboro.

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 White Mountain Survey & Engineering, Inc. dated April 12, 2018 as received by the NH Department of Environmental Services (NHDES) on April 16, 2018.
- 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. 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.
- All dredged and excavated material and construction-related debris shall be placed outside of the areas subject to RSA 482-A. Any spoil material deposited within 250 feet of any surface water shall comply with RSA-483-B.
- 7. 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).
- 8. 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.

www.des.nh.gov 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

- 9. Only those structures shown on the approved plans shall be installed or constructed along this frontage. All portions of the structures, including the breakwater toe of slope, shall be at least 20 feet from the abutting property lines or the imaginary extension of those lines into the water.
- 10. Identified piers will be replaced in-kind.
- 11. No portion of the pier shall extend beyond current structures as measured from full lake elevation (Elevation 504.32).
- 12. No portion of breakwater as measured at normal full lake (Elevation 504.32) shall extend beyond existing dimensions
- 13. The breakwater shall not exceed 3 feet in height (Elevation 507.32) over the normal high water line (Elevation 504.32).
- 14. The width as measured at the top of the breakwater (Elevation 507.32) shall not exceed 3 feet.
- 15. Rocks shall not remain stockpiled on the frontage for longer than 60 days.
- 16. 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.
- 17. This facility is permitted with the condition that future maintenance dredging, if needed, shall not be permitted more frequently than once every six years, and that a new permit shall be required for each dredge activity.
- 18. The owner understands and accepts the risk that if this facility requires dredging to maintain a minimum slip depth of 3 feet more frequently than once every six years, or is shown to have an adverse impact on abutting frontages, it shall be subject to removal.

EXPLANATION

The NHDES Wetlands Bureau approved this project on June 26, 2018. The NHDES supported its decision with the following findings:

- This project is classified as a major project per Rule Env-Wt 303.02(g), removal of greater than 20 cubic yards of materials from public waters and Env-Wt 303.04(j) repair of a breakwater and other structures.
- 2. The reconstruction of a breakwater to provide safe docking at this site is justified in accordance with Rule Env-Wt 402.06, Breakwaters.
- 3. The applicant has an average of 491 feet of shoreline frontage along Lake Winnipesaukee.
- 4. The proposed maintenance, repairs, and dredging will not create additional boat slips, and, therefore, a waiver of rule Env-Wt 402.21, requiring a reduction in boat slips for the proposed modification is not required.

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.

1 Aug

Robert R. Scott Commissioner

| NHDES-W-06-012 | | | | | the trades | | |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------|-------------------------------------------|--------------------------------------------|----------------------------|-----------------|--|--|
| WETLANDS PERMIT APPLICATION | | | | | | | |
| NEW HAMISHIRE DEPARTMENT OF | NEW HAMISHIRE DEPARTMENTOR Water Division/ Wetlands Bureau | | | | | | |
| Environmental Services | Land Resourc | | | | | | |
| CI | neck the status of your appli | cation: <u>www.des.nh</u> | .gov/onestop | | | | |
| | <u> </u> | | - · · · · · · · · · · · · · | | ····· | | |
| | COMPLETE | | | | 01043 | | |
| APR#1/6/7/018 | APR 1.6 2018 | 12.71 | 777.5° 21. 2 | Chapte NC.21 | 37 | | |
| Only | Only CONDER | | - Csh 1 Only | Ann anti 4 '9 | 81.60 | | |
| NHDES | • • | | | Initials. | Emk | | |
| 1. REVIEW TIME: Indicate your Review | Time below. To determine | èview time, refér to | Guidance Docume | ent A for instruct | | | |
| Standard Review (Minimum, M | linor or Maior Impact) | ————————————————————————————————————— | pedited Review (Mi | nimum impact o | nlv) | | |
| 2. MITIGATION REQUIREMENT: | | | | | | | |
| If mitigation is required a Mitigation-Previ If Mitigation is Required please refer to t | Application meeting must oc he Determine if Mitigation is | cur prior to submitti Required Frequen | ng this Wetlands Po Ily Asked Question. | ermit Application | n. To determine | | |
| Mitigation Pre-Application Meeting | | _ Year: | | | | | |
| N/A - Mitigation is not required | | | | | | | |
| 3. PROJECT LOCATION: Separate wetland permit applications mu | st be submitted for each mu | nicipality that wetla | nd impacts occur w | athin 👘 👾 | | | |
| ADDRESS: Winterhaven Road | • | | TOWN | CITY: Wolfebo | ro | | |
| TAX MAP: 200 | BLOCK: | LOT: 4 | · | UNIT: | | | |
| USGS TOPO MAP WATERBODY NAME: La | ke Winnipesaukee | | TREAM WATERSHE | D SIZE: | 🖾 NA | | |
| LOCATION COORDINATES (If known): 43. | 591218°N, 71.250599°W | / | Atitude/Lor | ngitude 🔲 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. The project proposes maintenance of an existing boat basin and dock including replacement of existing rotting | | | | | | | |
| piers, repair of existing breakwater, repair of existing dock and dock supports and dredging of the boat basin. | | | | | | | |
| 5. SHORELINE FRONTAGE: | | · · · . | | • | | | |
| NA This.does not have shoreline from | ntage. SHC | | | | | | |
| NA This does not have shoreline frontage. SHORELINE FRONTAGE: 491 ' 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 Applic | | | | |
| Alteration of Terrain Permit Per RSA 485 | -A:17 🔲 YES 🖾 NO | | | | | | |
| Individual Sewerage Disposal per RSA 4 | 85-A:2 ☐ YES ⊠ NO ☐ YES ⊠ NO | · | | | | | |
| Subdivision Approval Per RSA 485-A Shoreland Permit Per RSA 483-B | | | | ED 🗌 PENDIN ED 🗌 PENDIN | | | |
| 7. NATURAL HERITAGE BUREAU & D See the Instructions & Required Attachmo | ESIGNATED RIVERS: | ns to complete a & | ł | | | | |
| a. Natural Heritage Bureau File ID: NHB <u>18</u> - <u>0431.</u> | | | | | | | |
| 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: | | | | | | | |
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| 8 APPEICANT INFORMATION (Desired permit holder) | | | | | |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------|---------------------------------------|----------------------------|--|--|
| LAST NAME, FIRST NAME, M.I.: | | | | | |
| TRUST / COMPANY NAME: Port Wedeln Association Inc. MAILING ADDRESS: | | | | | |
| TOWN/CITY: Wolfeboro Fails | | STATE: NH | ZIP CODE: 03894-0414 | | |
| EMAIL or FAX: | PHONE: | | | | |
| ELECTRONIC COMMUNICATION: By initialing here:, I hereby aut electronically. | , | mmunicate all matters relati | ve to this application | | |
| 9. PROPERTMOWNER INFORMATION (If different than applicar | 间 经资料 经济 | | | | |
| LAST NAME, FIRST NAME, M.I.: | | · | | | |
| TRUST / COMPANY NAME: | MAILING ADDRE | 3S: | - | | |
| TOWN/CITY: | | STATE: | ZIP CODE: | | |
| EMAIL or FAX: | PHO | NE: | | | |
| ELECTRONIC COMMUNICATION: By initialing here, I hereby auth electronically. | norize NHDES to co | mmunicate all matters relativ | e to this application | | |
| 10 AUTHORIZED AGENT INFORMATION | | | | | |
| LAST NAME, FIRST NAME, M.I.: Aiton, David R. COMP | PANY NAME: White | e Mountain Survey & | Engineering, Inc. | | |
| MAILING ADDRESS: PO Box 440 | , | · · · · · · · · · · · · · · · · · · · | | | |
| TOWN/CITY: Ossipee | | STATE: NH | ZIP CODE: 03864 | | |
| EMAIL or FAX: daiton@whitemountainsurvey.com | PHONE: 603-53 | 39-4118 X305 | | | |
| ELECTRONIC COMMUNICATION: By initialing here, I hereby auth electronically. | orize NHDES to con | nmunicate all matters relativ | e to this application | | |
| ntl: PROPERTY OWNER SIGNATURE: See the Instructions & Required Attachments document for clarificatio | n of the below sta | tements | | | |
| By signing the application, I am certifying that: | | | | | |
| 1. I authorize the applicant and/or agent indicated on this form to | | the processing of this a | oplication, 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. | | | | | |
| 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 (<u>www.nh.gov/nhdhr/review</u>) 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. | | | | | |
| 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. | | | | | |
| 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 forward returned mail. | | | | | |
| | <u> </u> | · · · · · · · · · · · · · · · · · · · | | | |
| Property Owner Signature ASSOCIATION Print name I | Bonom | 1 4/1 | 1/2018 | | |
| Property Owner Signature ASSOCIA 11007 Print name I | agibly | Date | | | |
| 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

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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 intervenerger RSA(482:A 14) 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.

DIRECTIONS FOR CONSERVATION COMMISSION

11. 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

13: The Conservation Commission may refuse to sign fift 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 transfer.

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13 TOWN / CITY/CLERK SIGNATURE

As required by Chapter 482; A 3 (amended 2014) Thereby certify that the applicant has filed four application forms four 4 detailed plans land four USGS location maps with the town/city indicated below.

Town/City Clerk Signature

成市等特别证券

man Waterman Waterman Waterborn

DIRECTIONS FOR TOWN/CITY/CLERK

PerRSA 482 A 31 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 vapplication 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 Rianning 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:

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 Date

Docking - River

Vernal Pool

Docking - Tidal Water

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Minimum Impact Fee: Flat fee of \$ 200

TOTAL

Minor or Major Impact Fee: Calculate using the below table below

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1

Permanent and Temporary (non-docking)

Temporary (seasonal) docking structure:

15. APRUCATION/FEE See the Instructions a Required Attachments document for further instruction (

Permanent docking structure:

| NHUES-W-06-012 | | | | |
|------------------------------------------------------------------------------------------------|-----------------------------------|------------------|---------------------------------------|-----------------|
| ara IMPACTIAREA Forteachiluriscictionaltareathal will Pormanent impacts that will remain | n after the project is complete . | | | 的行为。在这个问题, |
| demporary simpacts not intended it | oiremain (and will be)restored to | pre-construction | conditions) after the project is co | mplete 2020 sta |
| JURISDICTIONAL AREA | PERMANENT Sq. Ft. / Lin. Ft. | | TEMPORAR Sq. Ft. / Lin. | Y |
| Forested wetland | | 🗋 ATF | | ATF |
| Scrub-shrub wetland | | 🗌 ATF | · · · · · · · · · · · · · · · · · · · | ATF |
| Emergent wetland | | ATF | · · · · | ATF |
| Wet meadow | | 🖸 ATF | | |
| Intermittent stream | | | · · · · · · · · · · · · · · · · · · · | ATF |
| Perennial Stream / River | / | | 1 | |
| Lake / Pond | 3,498 / 319 | ATF | 1 | |
| Bank - Intermittent stream | . / | | | |
| Bank - Perennial stream / River | 1 | ATF | / . | |
| Bank - Lake / Pond | - / | ATF | 1 . | |
| Tidal water | 1 | ATF | 1 | |
| Salt marsh | | ATF | × . | ATF |
| Sand dune | | | <u> </u> | ATF |
| Prime wetland | | ATF | | |
| Prime wetland buffer | | 🗋 ATF | | |
| Undeveloped Tidal Buffer Zone (TBZ) | | ATF | | |
| Previously-developed upland in TBZ | · | ATF | | |
| Docking - Lake / Pond | 141 | | | |
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141 sq. ft. X \$2.00 = \$282.00

3,498 sq. ft. X \$0.20 =

sq. ft.

1

X \$1.00 = \$.

Total = \$981.60

\$ 699.60

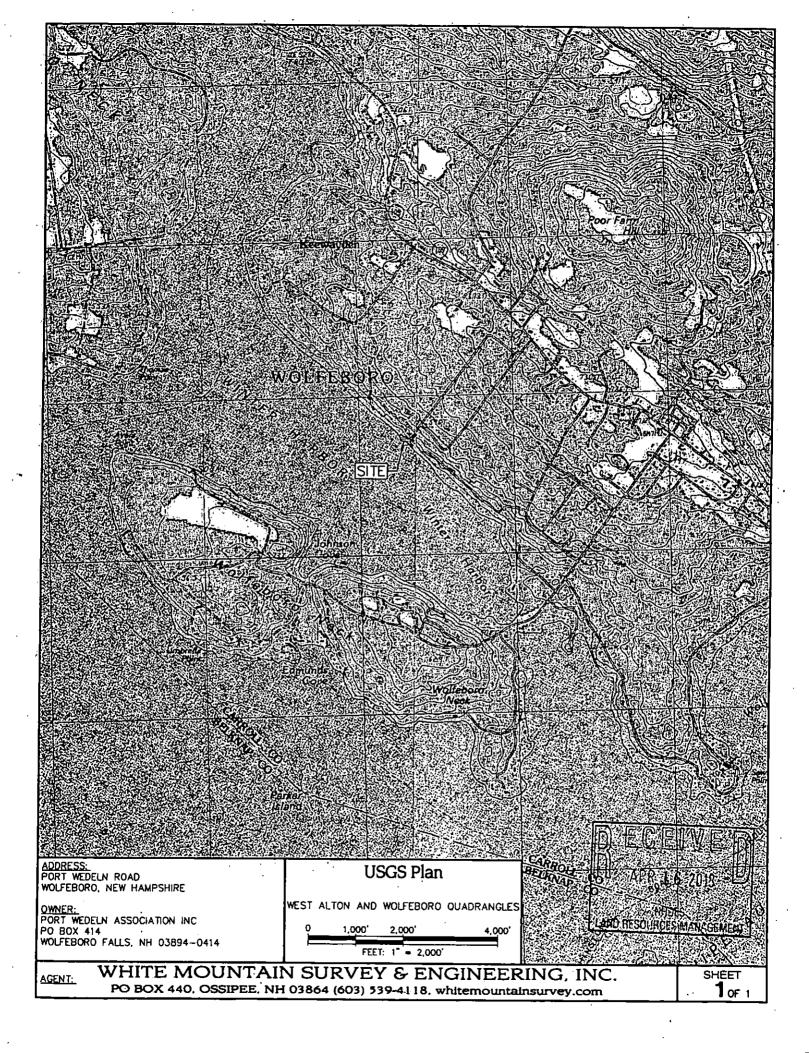
Irm@des.nh.gov or (603) 271-2147 NHDES Wetlands Bureau, 29 Hazen Drive, PO Box 95, Concord, NH 03302-0095 www.des.nh.gov

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

The Application Fee is the above calculated Total or \$200, whichever is greater = _\$ 981.60

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ATF



| | | • . | · · | ROBERT | P 186. LOT 18 | | MAP 200 LOT 5 CHRISTOPHER P. MASIELLO F |
|-------|----------------|---------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------|------------------|---------------------------------------------------------------------------------------------------------|
| | | | | | MAP 200. LOT 1 N/F D'ANGELO FAMILY TRUST MARY ANN REX. TRUSTEE WOLFEBORD, NH 03894-1633 | | MAP 200. LOT 18 |
| | | | | SAUNDI DAVID E. & | MAP 200, LOT 2 MAP 200, LOT 2 ER-WINSLOW REALTY TRUST JOHN T. MAGRAW TRUSTEES WALPOLE WA 02001-2707 | | |
| | | | | <u>MAP_</u> | 200. LOT. 4 (SUBJECT) MAP. 200 PORT WEDELN ASSOCIA | PARCEL) | CAROLYN COLE DÛRS g/k/g CAROLYM COLI CORMISH, NH D3745 |
| • | | | - . · | | WOLFEBORD FALLS, NH | HARBOR . N/ M | AP 200. LOT 6 ELISSA COHEN FYFFE REVOCABLE TRUS ELISSA COHEN FYFFE TRUSTEE LHAM, NH 03076-3617 |
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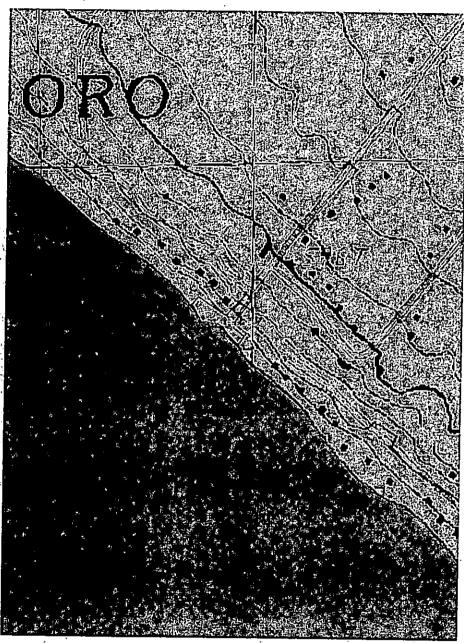


New Hampshire Natural Heritage Bureau

To: David Aiton Date: 1/31/2018 P.O. Box 440 Ossipee, NH 03864 From: NH Natural Heritage Bureau Re: Review by NH Natural/Heritage Bureau of request dated 1/31/2018 NHB File ID: NHB18-0431 Applicant: David Aiton Location; Tax Map(s)/Lot(s): Tax Map 200, Lot 4 Wolfeboro Project Description: Dredging of existing boat basin an pair.of breakwater and dock. The NH Natural Heritage database has been checked for fecords of rare species and exemplary natural, communities near the area mapped below The species considered include those listed as Threatened of Endangered by either the state of New Hampshire of the federal government. We currently have no recorded, occurrences for sensitive species near this A negative result (norrecord in our database) does not mean that a sensitive species is not present. Our data can only tell you our how 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 1/30/2019 C) 3 APR 16 2018 NHDES LAND RESOURCES MANAGEMENT

DRED/NHB 172 Pembroke Road Concord NH 03301





MAP OF PROJECT BOUNDARIES FOR NHB FILE ID: NHB18-0431

Department of Resources and Economic Development Division of Forests and Lands (603) 271-2214 fax: 271-6488

DRED/NHB 172 Pembroke Road Concord NH 03301



WHITE MOUNTAIN SURVEY & ENGINEERING, INC.

1270 ROUTE 16, POST OFFICE BOX 440 OSSIPEE, NH 03864-0440 TELEPHONE (603) 539-4118 FACSIMILE (603) 539-7912 WEB ADDRESS: www.whitemountainsurvey.com

Port Wedeln Road Wolfeboro, New Hampshire

Abutter List

Tax Map/Lot Number 200/4 (Subject Parcel) 200/3

Owner Port Wedeln Association Inc.

Wolfeboro Falls, NH 03894-0414

186/18

200/1

Robert S. Funkhouser Jeri A. Ballard

Tiffin, OH 44883-3525

D'Angelo Family Trust Mary Ann Rex, Trustee

Wolfeboro, NH 03894-1633

200/2

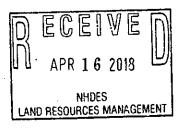
Saunders-Winslow Realty Trust David E. & John T. Magraw Trustees

Walpole, MA 02081-2707

200/5

Christopher P. Masiello Emily E. Tallman

Newburyport, MA 01950-3156





Port Wedeln Assoc., Inc. Abutter List Page 2 of 2

200/6

Melissa Cohen Fyffe Revocable Trust Melissa Cohen Fyffe Trustee

Pelham, NH 03076-3617

200/18

Linda T. Duarte 🗸

Wolfeboro, NH 03894-0746

200/19

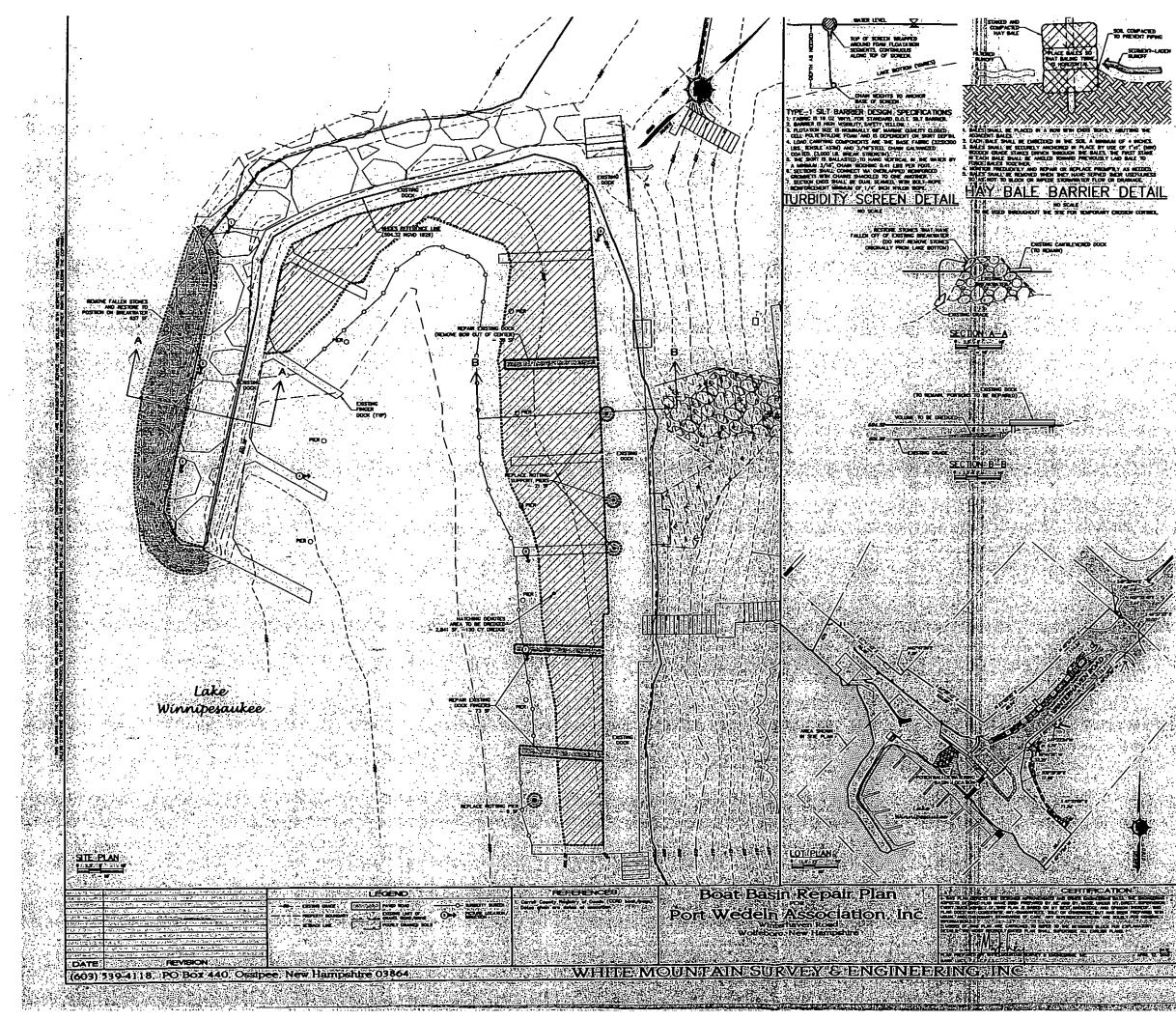
Carolyn Cole Durst 🖌 a/k/a Carolyn Cole

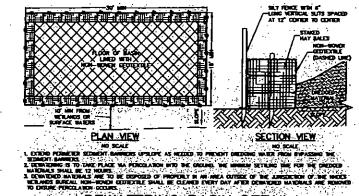
Cornish, NH 03745

Agent

White Mountain Survey & Engineering, Inc. PO Box 440 Ossipee, NH 03864

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DEWATERING BASIN DETAIL

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BOUNDARY INFORMATION INDATCH INTO THE CONTINUE CONTINUES

NHDES-AVERAGE SHOREFRONTAGE ECEIVE APR 1 6 2013 VERTICAL DATUM MATES 2018-01043





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SEET.