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The State of New Hampshire
Department of Environmental Services



Robert R. Scott, Commissioner

June 12, 2018

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

REQUESTED ACTION

Approve Charlotte Kersbergen's request to perform the following work on Lake Winnepesaukee, in Alton. File # 2017-02496. This project will not have significant impact on or adversely affect the values of Lake Winnepesaukee.

The Applicant requests to retain the as-built dimensions of the breakwater which was not built in accord with the permit issued to a previous owner of the property.

The New Hampshire Department of Environmental Services (NHDES) imposed the following conditions as part of this approval:

1. The docking structures shall be maintained as depicted on the revised plans by Diversified Marine Construction dated March 28, 2018, as received by the NHDES on March 29, 2018.
2. This Approval is not valid and effective until it has been recorded with the appropriate county Registry of Deeds by the applicant. The permittee shall submit a copy of the recorded After the Fact Approval to the NHDES Wetlands Program by certified mail, return receipt requested.
3. All development activities associated with this project shall be maintained in compliance with applicable requirements of RSA 483-B and N.H. Code of Administrative Rules Env-Wq.1400 during and after construction.
4. This facility is approved 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.
5. 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 6 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 May 15, 2018. The NHDES 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 construction of a docking facility associated with breakwater.
2. The applicant has an average of 117 feet of frontage along Lake Winnepesaukee.
3. A maximum of 2 slips may be permitted on this frontage per Rule Env-Wt 402.13, Frontage Over 75'.
4. The docking facility will provide 2 slips as defined per RSA 482-A:2, VIII and, therefore, meets Rule Env-Wt 402.13.
5. The Department finds that because the project is not of significant public interest and will not significantly impair the resources of Lake Winnepesaukee a public hearing under RSA 482-A:8 is not required.

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

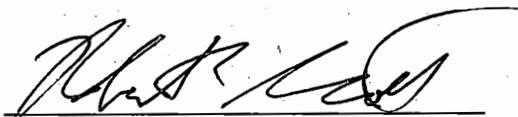
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Page 2

6. Permit # 2006-02177 was issued to the previous owner of the subject property and authorized the construction of a similar breakwater providing 2 slips.
7. The docking facility was not constructed in accordance with the approved plans but would still be approvable under RSA 482-A and the current Wetland Program Code of Administrative Rule Chapters 100 - 900.

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.

A handwritten signature in black ink, appearing to read "Robert R. Scott", written over a horizontal line.

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. Mt 100-900

RECEIVED AUG 21 2017 NHDES LAND RESOURCES MANAGEMENT	COMPLETE AUG 21 2017	2017-02496 15752 \$465.80 Encl
	Administrative	Administrative
	Use	Use
	Cost	Cost

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 Question.

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 that wetland impacts occur within.

ADDRESS: **16 Big Barndoor Island** TOWN/CITY: **Alton**

TAX MAP: **81** BLOCK: _____ LOT: **25** UNIT: _____

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

LOCATION COORDINATES (if known): **43.557 / -71.228** Latitude/Longitude UTM

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.

Dredge the boat slip in an existing breakwater to give the property owner access to the dock and island property.

5. SHORELINE FRONTAGE:

NA This does not have shoreline frontage. SHORELINE FRONTAGE: **128 ft**

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 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 **17** - _____

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: ____
 N/A

7. APPLICANT INFORMATION (Desired permit holder)LAST NAME, FIRST NAME, M.I.: **Kersbergen, Charlotte**

TRUST / COMPANY NAME: [REDACTED]

MAILING ADDRESS: [REDACTED]

TOWN/CITY: **Hooksett**STATE: **NH**ZIP CODE: **06051**

EMAIL or FAX: [REDACTED]

PHONE: [REDACTED]

ELECTRONIC COMMUNICATION: By initialing 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.:

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

9. AUTHORIZED AGENT INFORMATIONLAST NAME, FIRST NAME, M.I.: **Farley, Jan**COMPANY NAME: **Diversified Marine Construction**MAILING ADDRESS: **PO Box 7464**TOWN/CITY: **Gilford**STATE: **NH**ZIP CODE: **03249**EMAIL or FAX: **jfarley@tech-20.net**PHONE: **603-630-2260**ELECTRONIC COMMUNICATION: By initialing here **if**, 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) 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.
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.



Property Owner Signature

Charlotte Kersbergen

Print name legibly

3 / 28 / 2017

Date

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.

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.

Town/City Clerk Signature

Print name legibly

Town/City

Date

DIRECTIONS FOR TOWN/CITY CLERK:

Per RSA 482-A:3, I

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,

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	/ <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	232.9 <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
TOTAL	232.90 /	/

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 = \$ _____

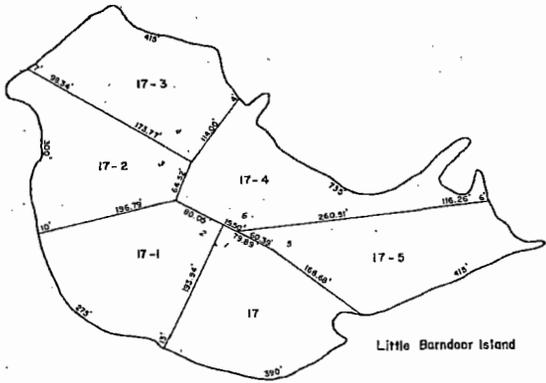
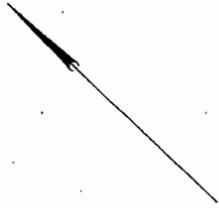
Permanent docking structure: **232.9** sq. ft. X \$2.00 = **\$ 465.80**

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

Total = \$ _____

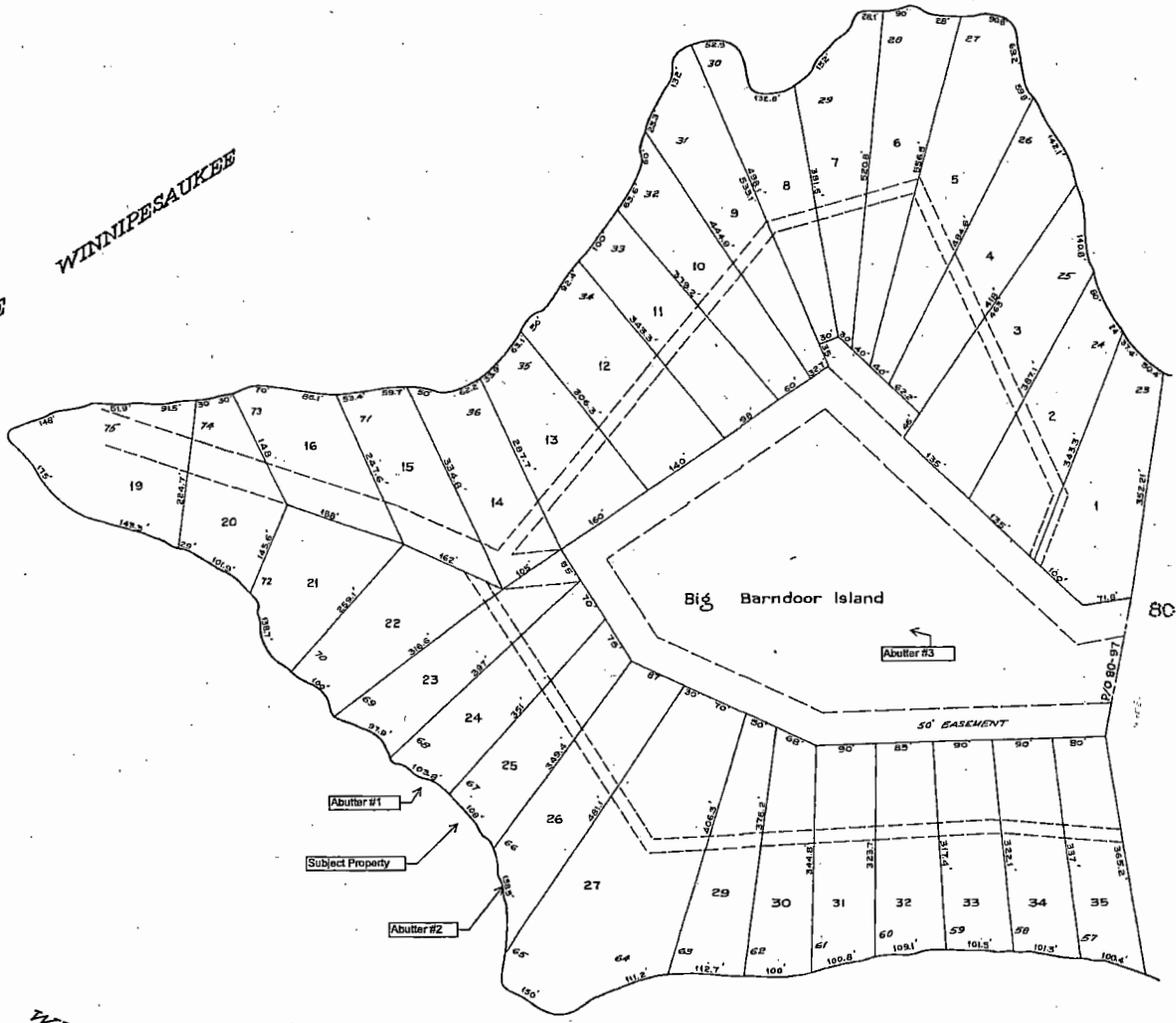
The Application Fee is the above calculated Total or \$200, whichever is greater = **\$ 465.80**

Kersbergen 81/25



Little Barndoor Island

LAKE WINNIPESAUKEE



Big Barndoor Island

LAKE WINNIPESAUKEE

RECEIVED
AUG 21 2017
NHDES
LAND RESOURCES MANAGEMENT

LEGEND
PARCEL NUMBERS 1
ADJACENT MAPS 2
MATCH LINE

For Assessment Purposes
Not to be used for Conveyances

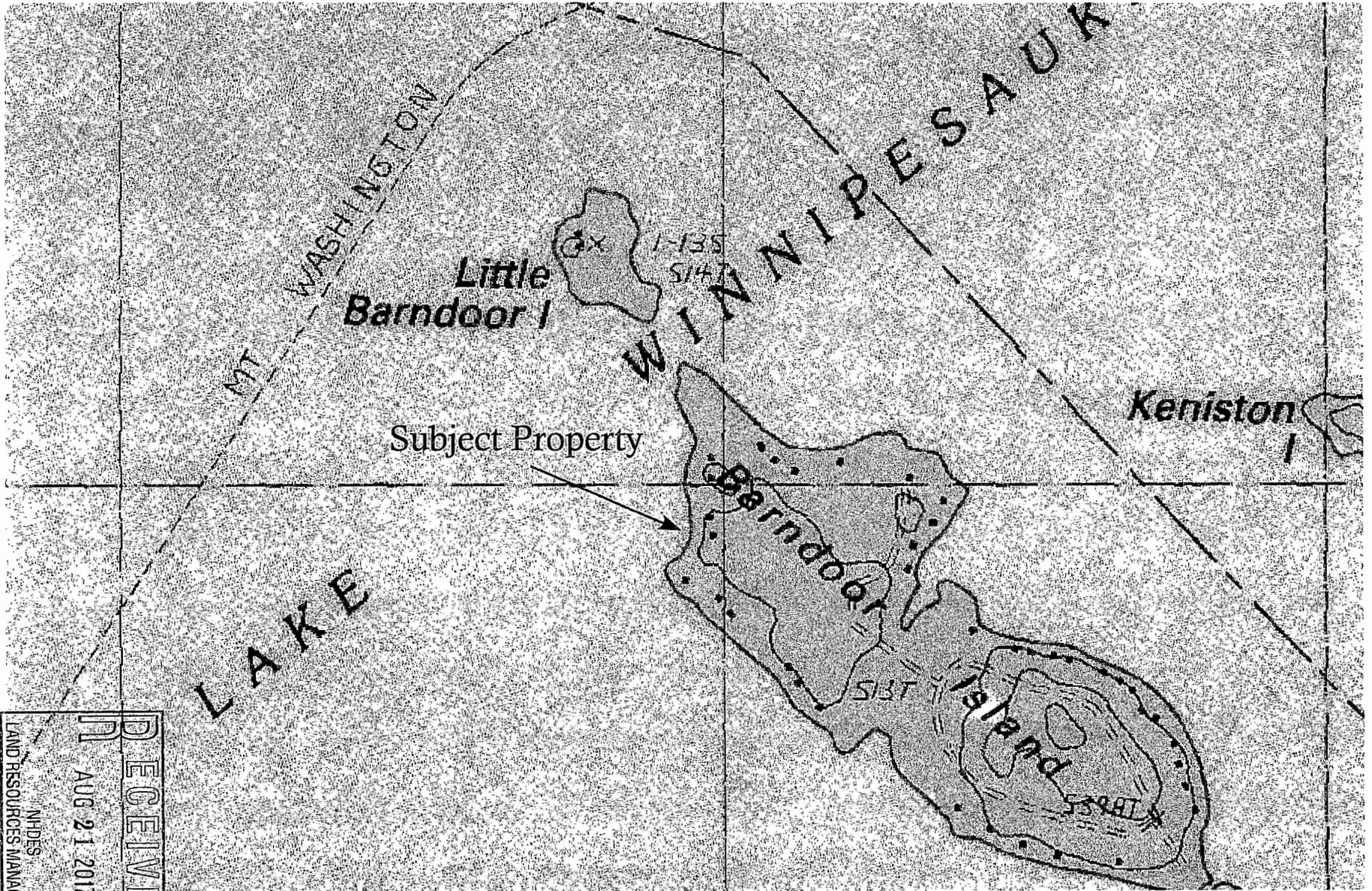
REVISED & REPRINTED BY
CAJ TECHNOLOGIES
LITTLETON NH 03561

PROPERTY MAP
TOWN OF ALTON
BELKNAP COUNTY, NEW HAMPSHIRE
PREPARED BY
JAMES W. SEWALL COMPANY OLD TOWN, MAINE
SCALE 1 INCH = 100 ± FEET

NO PARCEL 18, 28

Kersbergen

81 - 25

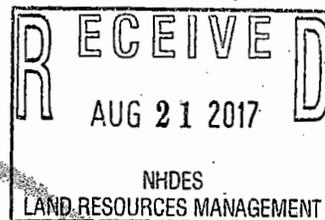


RECEIVED
AUG 21 2017
NHDES
LAND RESOURCES MANAGEMENT



NEW HAMPSHIRE NATURAL HERITAGE BUREAU
NHB DATACHECK RESULTS LETTER

To: Janice Farley, Diversified Marine Construction
PO Box 7464
Gilford, NH 03249



From: NH Natural Heritage Bureau

Date: 4/4/2017 (valid for one year from this date)

Re: Review by NH Natural Heritage Bureau of request submitted 3/22/2017

NHB File ID: NHB17-0866

Applicant: Dave Farley

Location: Alton
Tax Maps: 81/25

Project Description: Dredging an existing boat slip.

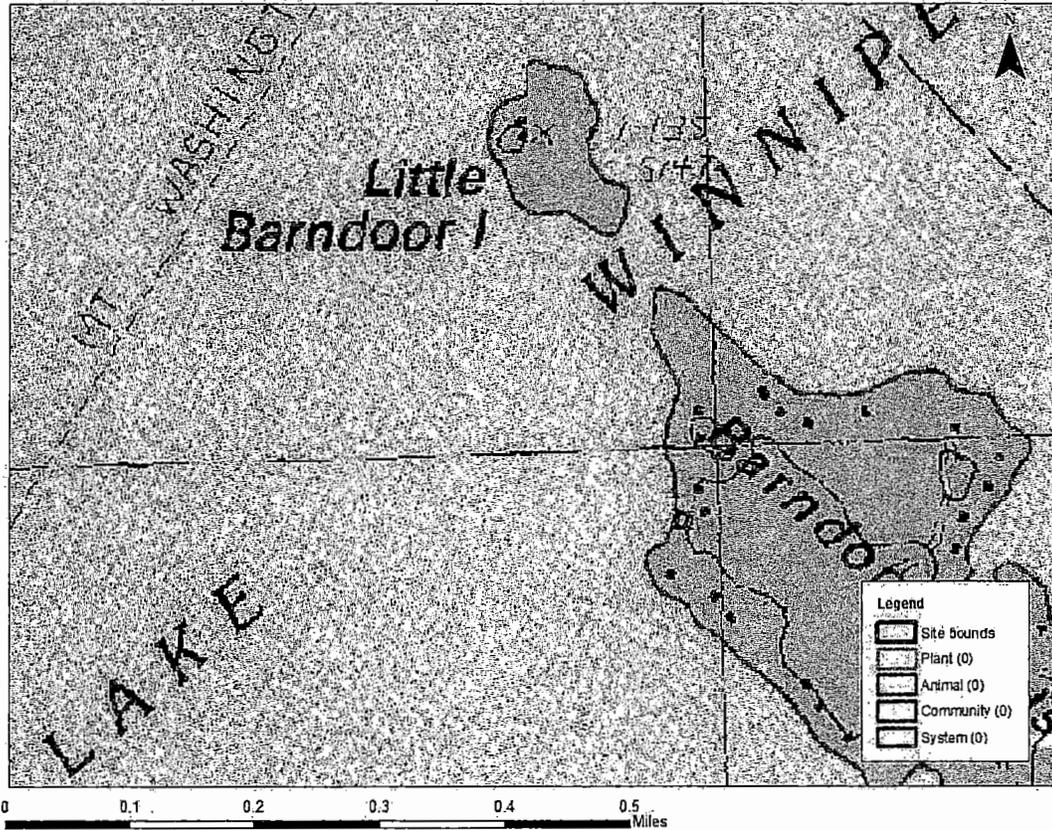
The NH Natural Heritage database has been checked by staff of the NH Natural Heritage Bureau and/or the NH Nongame and Endangered Species Program for records of rare species and exemplary natural communities near the area mapped below. The species considered include those listed as Threatened or Endangered by either the state of New Hampshire or the federal government.

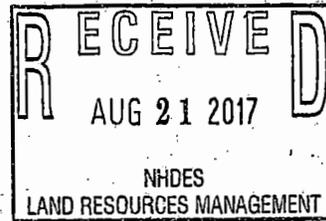
It was determined that, although there was a NHB record (e.g., rare wildlife, plant, and/or natural community) present in the vicinity, we do not expect that it will be impacted by the proposed project. This determination was made based on the project information submitted via the NHB Datacheck Tool on 3/22/2017, and cannot be used for any other project.



MAP OF PROJECT BOUNDARIES FOR: NHB17-0866

NHB17-0866





List of Abutters

Subject Property

Parcel Number: 81/25
Property Address: 16 Big Barndoor Island
Alton, NH

Mailing Address: Charlotte Kersbergen
[REDACTED]
[REDACTED]
Hooksett, NH 03106

Abutters

Parcel Number: 81/24
Property Address: 14 Big Barndoor Island
Alton, NH

Mailing Address: Edwin & Diana Caron
[REDACTED]
Hudson, NH 03051

Parcel Number: 81/26
Property Address: 20 Big Barndoor Island
Alton, NH

Mailing Address: Lake Cottage Trust
Steven Leach
[REDACTED]
Wolfeboro, NH 03894

Parcel Number: 80/77
Center Big Barndoor Island

Mailing Address: Barndoor Island Ass.
Richard McCarthy
[REDACTED]
Wolfeboro, NH 03827