



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



**Thomas S. Burack, Commissioner**

June 08, 2015

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

**REQUESTED ACTION**

Approve Beth C. Marcoux Trust Agreement's request to perform the following work on Lake Winnepesaukee, in Alton. File # 2015-00047. This project will not have significant impact on or adversely affect the values of Lake Winnepesaukee.

Remove 1,146 sq. ft. of breakwater and a cantilevered dock, fill 612 sq. ft. of lake bed to construct 48 linear ft. of breakwater, in a slight "dogleg" configuration, with a 6 ft. gap at the shoreline and two 6 ft. x 33 ft. crib piers connected by a 6 ft. x 12 ft. walkway in a "U" configuration accessed by a 6 ft. x 6 ft. walkway, and install a 14 ft. x 30 ft. seasonal canopy over the center slip on an average of 130 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 White Mountain Survey and Engineering Inc. revision dated April 8, 2015, as received by the Department on April 14, 2015.
2. This permit shall not be effective until it has been recorded with the Belknap County Registry of Deeds office by the Permittee. A copy of the recorded permit shall be submitted to the DES Wetlands Bureau by certified mail, return receipt requested, prior to construction.
3. 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.
4. Work authorized shall be carried out such that discharges in spawning or nursery areas during spawning seasons shall be avoided, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
5. These shall be the only structures on this water frontage and all portions of the structures, including the breakwater toe of slope, shall be at least 20 ft. from the abutting property lines or the imaginary extension of those lines into the water.
6. 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 the water at the work site has returned to normal clarity.
7. No portion of breakwater as measured at normal full lake shall extend more than 50 ft. from normal full lake shoreline.
8. The breakwater shall not exceed 3 ft. in height (Elev. 507.32 ft.) over the normal high water line (Elev. 504.32 ft.).
9. The width as measured at the top of the breakwater (Elev. 507.32 ft.) shall not exceed 3 ft.
10. Rocks may not remain stockpiled on the frontage for a period longer than 60 days.
11. Photos showing that all construction materials have been removed from the temporary stockpile area shall be submitted to the Bureau upon completion of the docking facility.

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

12. All rock from the pre-existing breakwater not utilized in the construction of the new breakwater shall be removed from the jurisdiction of the Wetlands Bureau.
13. 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.
14. 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.
15. Canopies shall be of seasonal construction type with a flexible fabric cover. The seasonal support frame shall be designed to be removed for the non-boating season. The flexible fabric cover shall be removed during all seasons of non-use.
16. All activities shall be in accordance with the Shoreland Water Quality Protection Act, per 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

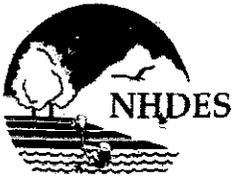
The DES Wetlands Bureau approved this project on May 09, 2015. DES supported its decision with the following findings:

1. This project is classified as a major project per Rule Env-Wt 303.02(j), construction of a 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 applicant has an average of 130 ft. of frontage along Lake Winnepesaukee, Alton.
4. A maximum of 2 slips may be permitted on this frontage per Rule Env-Wt 402.13, Frontage Over 75 ft.
5. The proposed docking facility will provide 2 slips as defined per RSA 482-A and therefore meets Rule Env-Wt 402.13.
6. DES finds that a public hearing is not required under RSA 428-A:8 because the project is not of substantial public interest and will not have a significant impact on or adversely affect the values of Lake Winnepesaukee as identified under RSA 482-A:1.

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.

*H. Heitor DuBois*  
*Acting Asst. Commissioner*  
for 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  
<http://des.nh.gov/organization/divisions/water/wetlands>



# PERMIT APPLICATION

		Administrative Use Only	File No. <u>2015-00047</u>
			Check No. <u>720</u>
			Amount: <u>2,070.40</u>
			Initials: <u>Sbz</u>

**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)

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

ADDRESS: <b>42 Campfire Circle</b>		TOWN/CITY: <b>Alton</b>	
TAX MAP: <b>18</b>	BLOCK:	LOT: <b>29-24</b>	UNIT:

USGS TOPO MAP WATERBODY NAME: <b>Lake Winnepesaukee</b>	<input type="checkbox"/> NA	STREAM WATERSHED SIZE:	<input type="checkbox"/> NA
---	-----------------------------	------------------------	-----------------------------

LOCATION COORDINATES (If known): **43.5371/ -71.2243**  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.

**Relocation of an existing breakwater, reconfiguration of steps from an existing perched beach to the water and construction of a new two slip dock.**

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

File Number **1991-01023 (breakwater and dock)**

**5. 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 14 - 3766
- b.  Designated River the project is in ¼ miles of: \_\_\_\_\_; and  
date a copy of the application was sent to Local River Advisory Committee: Month: \_\_\_ Day: \_\_\_ Year: \_\_\_\_
- NA

**6. APPLICANT INFORMATION (Desired permit holder)**LAST NAME, FIRST NAME, M.I.: **Beth C. Marcoux Trust Agreement, Beth C. and Frank W. Marcoux Trustees**

TRUST / COMPANY NAME:

MAILING ADDRESS: [REDACTED]

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

EMAIL or FAX:

PHONE:

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

**7. 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 DES to communicate all matters relative to this application electronically

**8. AUTHORIZED AGENT INFORMATION**LAST NAME, FIRST NAME, M.I.: **David R. Aiton**COMPANY NAME: **White 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) 539-4118 Ext. 305**

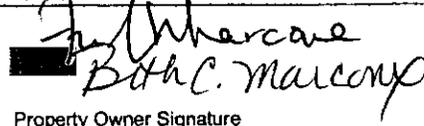
ELECTRONIC COMMUNICATION: By initialing here \_\_\_\_\_, I hereby authorize DES to communicate all matters relative to this application electronically

**9. PROPERTY OWNER SIGNATURE:**

See the Instructions &amp; 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 copy of the application materials to the NH State Historic Preservation Officer.
8. I authorize DES 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 DES correspondence. DES will not forward returned mail.

  
 Property Owner Signature

**FRANK W. MARCOUX**  
**Beth C. Marcoux**  
 Print name legibly

**12/18/2014**  
 Date

## MUNICIPAL SIGNATURES

### 10. 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.

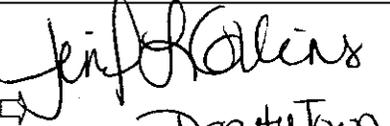
<input style="width: 20px; height: 20px;" type="checkbox"/> Authorized Commission Signature	Print name legibly	Date
--	--------------------	------

#### DIRECTIONS FOR CONSERVATION COMMISSION

1. Expedited review ONLY requires that the conservation commission's signature is obtained in the space above.
2. The Conservation Commission signature should be obtained prior to the submittal of the original application and four copies to the town/city clerk for mailing to the DES.
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.

### 11. TOWN / CITY CLERK SIGNATURE

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.

<input style="width: 20px; height: 20px;" type="checkbox"/>  Deputy Town Clerk	Print name legibly	Town/City	Date
--	--------------------	-----------	------

#### DIRECTIONS FOR TOWN/CITY CLERK:

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

1. For applications where "Expedited Review" is checked on page 1, accept the application for mailing only if the Conservation Commission signature has been sought;
2. Collect 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 above;
5. Retain one copy of the application form, one complete set of attachments and the postal receipts demonstrating that all abutters and the Local River Advisory Committee were notified and make them reasonably accessible to the public;
6. 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 in accordance with RSA 482-A:3, I; and
7. IMMEDIATELY send the ORIGINAL application form, one complete set of attachments and filing fee, by CERTIFIED MAIL to the NHDES Wetlands Bureau at the address indicated on page 1 of this application. (DO NOT HOLD FOR CONSERVATION COMMISSION SIGNATURE).

**12. 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.

*After-the-fact (ATF):* work completed prior to receipt of this application by DES. Check box to indicate ATF.

JURISDICTIONAL AREA	PERMANENT Sq. Ft. / Lin. Ft.		TEMPORARY Sq. Ft. / Lin. Ft.	
Forested wetland	N/A	<input type="checkbox"/> ATF	N/A	<input type="checkbox"/> ATF
Scrub-shrub wetland	N/A	<input type="checkbox"/> ATF	N/A	<input type="checkbox"/> ATF
Emergent wetland	N/A	<input type="checkbox"/> ATF	N/A	<input type="checkbox"/> ATF
Wet meadow	N/A	<input type="checkbox"/> ATF	N/A	<input type="checkbox"/> ATF
Intermittent stream	N/A	<input type="checkbox"/> ATF	N/A	<input type="checkbox"/> ATF
Perennial Stream / River	N/A / N/A	<input type="checkbox"/> ATF	N/A / N/A	<input type="checkbox"/> ATF
Lake / Pond	1,902 / 80	<input type="checkbox"/> ATF	0 / 0	<input type="checkbox"/> ATF
Bank - Intermittent stream	N/A / N/A	<input type="checkbox"/> ATF	N/A / N/A	<input type="checkbox"/> ATF
Bank - Perennial stream / River	N/A / N/A	<input type="checkbox"/> ATF	N/A / N/A	<input type="checkbox"/> ATF
Bank - Lake / Pond	N/A / N/A	<input type="checkbox"/> ATF	N/A / N/A	<input type="checkbox"/> ATF
Tidal water	N/A / N/A	<input type="checkbox"/> ATF	N/A / N/A	<input type="checkbox"/> ATF
Salt marsh	N/A	<input type="checkbox"/> ATF	N/A	<input type="checkbox"/> ATF
Sand dune	N/A	<input type="checkbox"/> ATF	N/A	<input type="checkbox"/> ATF
Prime wetland	N/A	<input type="checkbox"/> ATF	N/A	<input type="checkbox"/> ATF
Prime wetland buffer	N/A	<input type="checkbox"/> ATF	N/A	<input type="checkbox"/> ATF
Undeveloped Tidal Buffer Zone (TBZ)	N/A	<input type="checkbox"/> ATF	N/A	<input type="checkbox"/> ATF
Previously-developed upland in TBZ	N/A	<input type="checkbox"/> ATF	N/A	<input type="checkbox"/> ATF
Docking - Lake / Pond	914	<input type="checkbox"/> ATF	0	<input type="checkbox"/> ATF
Docking - River	N/A	<input type="checkbox"/> ATF	N/A	<input type="checkbox"/> ATF
Docking - Tidal Water	N/A	<input type="checkbox"/> ATF	N/A	<input type="checkbox"/> ATF
<b>TOTAL</b>	<b>2,816 / 80</b>		<b>0 / 0</b>	

**13. 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) 1,902 sq. ft. X \$0.20 = \$ 380.40

Temporary (seasonal) docking structure: 338 sq. ft. X \$1.00 = \$ 338.00

Permanent docking structure: 576 sq. ft. X \$2.00 = \$ 1,152.00

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

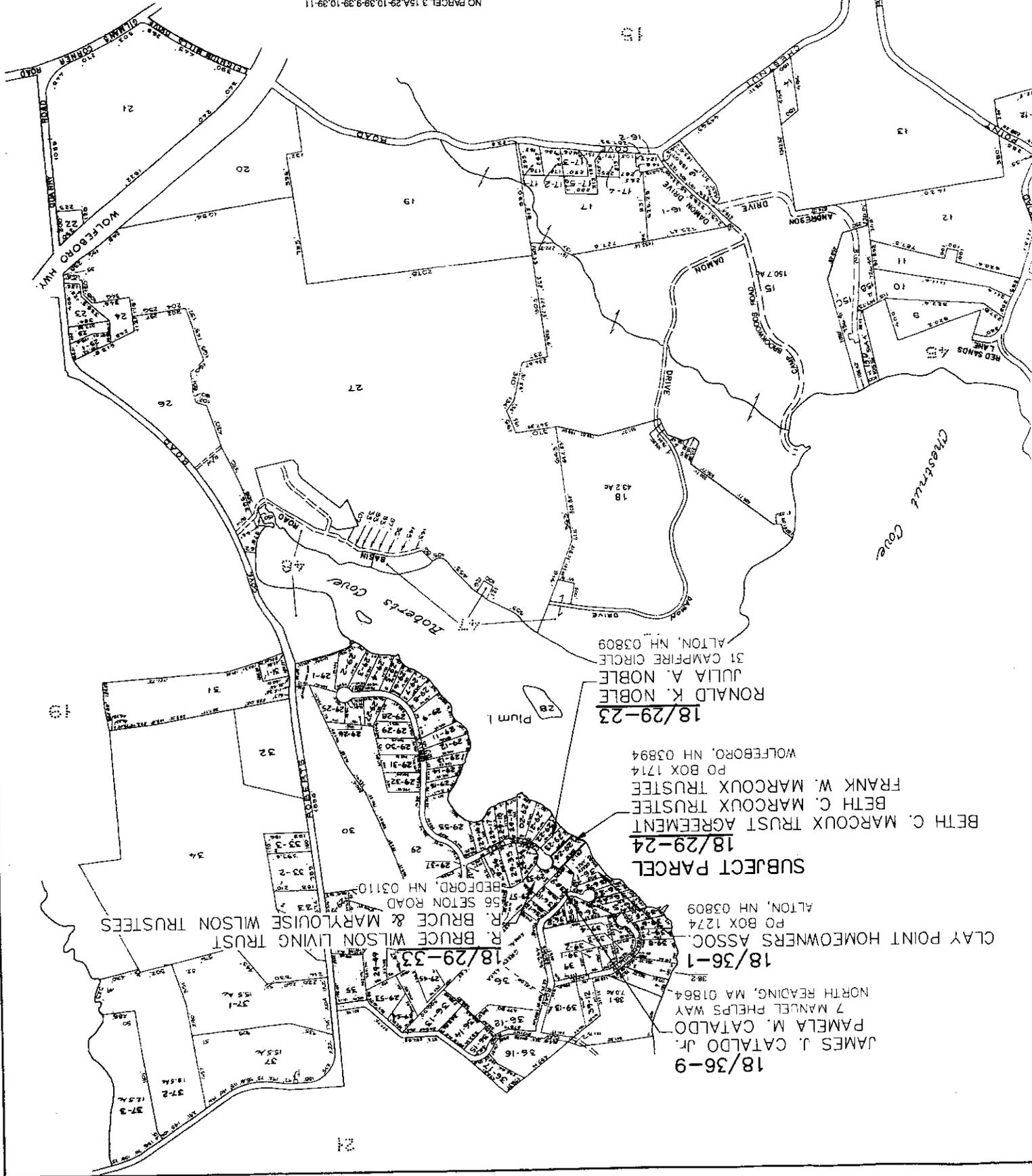
Total = \$ 2,070.40

The Application Fee is the above calculated Total or \$200, whichever is greater = \$ 2,070.40

PROPERTY MAP  
TOWN OF ALTON  
BELKNAP COUNTY, NEW HAMPSHIRE  
PREPARED BY  
JAMES W. SEWALL COMPANY  
OLD TOWN, MAINE  
SCALE 1 INCH = 500 FT. FEET

REVISED & REPRINTED BY  
CAL TECHNOLOGIES  
LITTLETON, NH 03561

NO PARCEL 3, 15A, 29-10, 39-9, 39-10, 39-11



18/29-23  
 RONALD K. NOBLE  
 JULIA A. NOBLE  
 31 CAMPFIRE CIRCLE  
 ALTON, NH 03809

SUBJECT PARCEL  
 18/29-24  
 BETH C. MARCOUX TRUST AGREEMENT  
 BETH C. MARCOUX TRUSTEE  
 FRANK W. MARCOUX TRUSTEE  
 PO BOX 1714  
 WOLFEBORO, NH 03894

18/36-1  
 CLAY POINT HOMEOWNERS ASSOC.  
 PO BOX 1274  
 ALTON, NH 03809

18/29-33  
 R. BRUCE WILSON LIVING TRUST  
 R. BRUCE & MARYLOUISE WILSON TRUSTEES  
 56 SETON ROAD  
 BEDFORD, NH 03110

18/36-9  
 JAMES J. CATALDO JR.  
 PAMELA M. CATALDO  
 7 MANUEL PHELPS WAY  
 NORTH READING, MA 01864





NEW HAMPSHIRE NATURAL HERITAGE BUREAU  
NHB DATACHECK RESULTS LETTER

---

**To:** David Aiton, White Mountain Survey & Engineering, Inc.  
P.O. Box 440  
Ossipee, NH 03864

**From:** NH Natural Heritage Bureau

**Date:** 10/7/2014 (valid for one year from this date)

**Re:** Review by NH Natural Heritage Bureau of request submitted 10/3/2014

**NHB File ID:** NHB14-3766

**Applicant:** David Aiton

**Location:** Alton  
Tax Maps: Map 18, Lot 29-24

**Project**

**Description:** Relocation and expansion of an existing breakwater and dock.

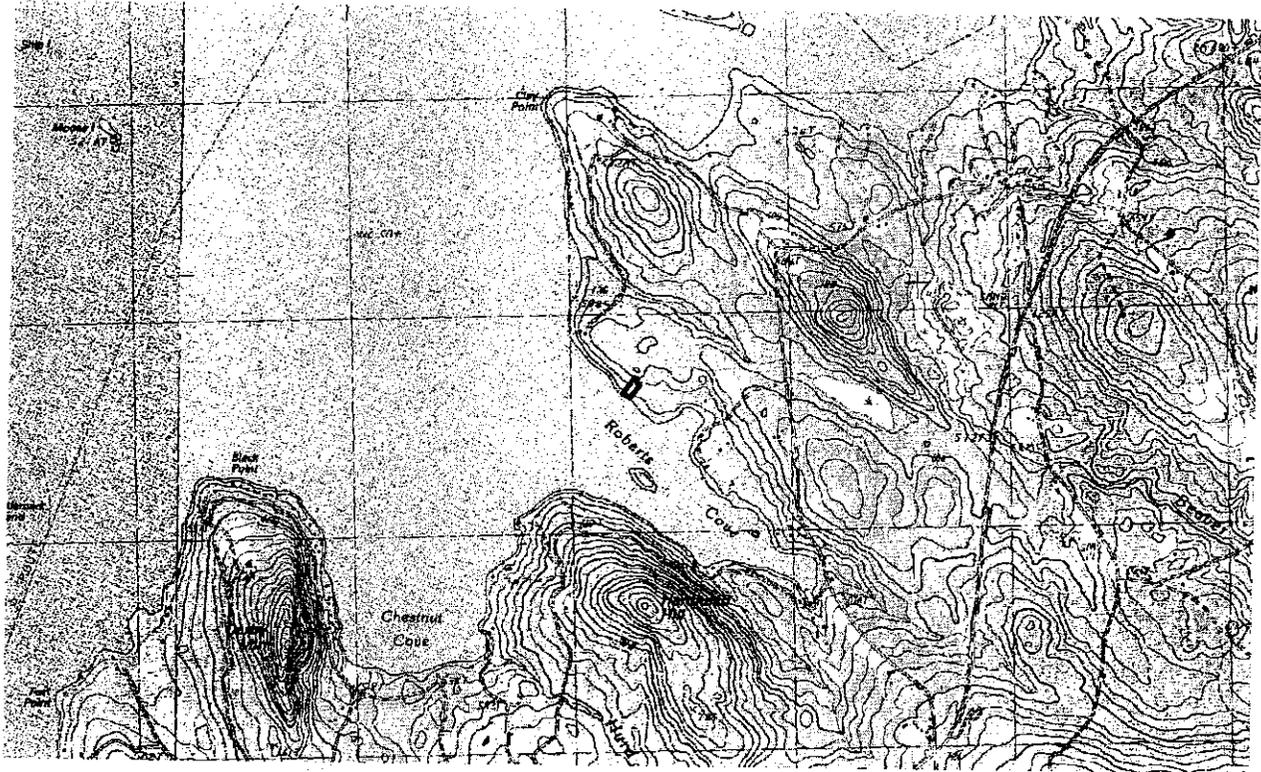
The NH Natural Heritage database has been checked by staff of the NH Natural Heritage Bureau and/or the NH Nongame and Endangered Species Program for records of rare species and exemplary natural communities near the area mapped below. The species considered include those listed as Threatened or Endangered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

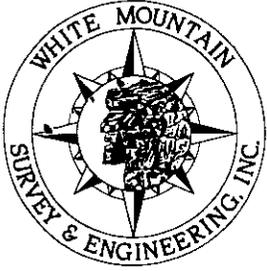
It was determined that, although there was a NHB record (e.g., rare wildlife, plant, and/or natural community) present in the vicinity, we do not expect that it will be impacted by the proposed project. This determination was made based on the project information submitted via the NHB Datacheck Tool on 10/3/2014, and cannot be used for any other project.



NEW HAMPSHIRE NATURAL HERITAGE BUREAU  
NHB DATA CHECK RESULTS LETTER

MAP OF PROJECT BOUNDARIES FOR: NHB14-3766





**WHITE MOUNTAIN SURVEY & ENGINEERING, INC.**

1270 ROUTE 16, POST OFFICE BOX 440  
OSS�PEE, NH 03864-0440  
TELEPHONE (603) 539-4118 FACSIMILE (603) 539-7912  
WEB ADDRESS: [www.whitemountainsurvey.com](http://www.whitemountainsurvey.com)

**42 Campfire Circle  
Alton, New Hampshire**

**Abutter List**

<b>Tax Map/Lot Number</b>	<b>Owner</b>
<b>18/29-24 (Subject Parcel)</b>	Beth C. Marcoux Trust Agreement Beth C. Marcoux Trustee Frank W. Marcoux Trustee [REDACTED] Wolfeboro, NH 03894
18/29-23	Ronald K. Noble Julia A. Noble [REDACTED] Alton, NH 03809
18/29-33	R. Bruce Wilson Living Trust R. Bruce & Marylouise Wilson Trustees [REDACTED] Bedford, NH 03110
18/36-1	Clay Point Homeowners Assoc. PO Box 1274 Alton, NH 03809
18/36-9	James J. Cataldo Jr. Pamela M. Cataldo [REDACTED] North Reading, MA 01864
<i>Agent</i>	<i>White Mountain Survey &amp; Engineering, Inc. PO Box 440 Ossipee, NH 03864</i>