



The State of New Hampshire

Department of Environmental Services



Scott
72

Robert R. Scott, Commissioner

December 06, 2017

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

REQUESTED ACTION

Approve Curvey 1998 Issue Trust's request to perform the following work on Lake Winnepesaukee, in Alton. File # 2017-02532. This project will not have significant impact on or adversely affect the values of Lake Winnepesaukee.

Retain and repair a 56 foot long "L-shaped" breakwater with a 12 foot gap at the shoreline and a 4 foot x 29 foot cantilevered pier accessed by a 4 foot x 25 foot pier accessed by a 4 foot x 11 foot 3 inch walkway along the shore and dredge 14.2 cubic yards from 394 square feet of lakebed on an average of 123 linear feet of frontage along Lake Winnepesaukee, on Pipers Point, 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 August 14, 2017, as received by the NHDES on August 23, 2017.
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.
6. All dredged material 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. 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.
8. 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.
9. No portion of the docking facilities shall extend more than 50 feet from the shoreline at full lake elevation (Elev. 504.32).

www.des.nh.gov

29 Hazen Drive • PO Box 95 • Concord, NH 03302-0095
(603) 271-3503 • Fax: 271-7894 TDD Access: Relay NH 1-800-735-2964

10. Only existing rocks that have fallen from the structure(s) shall be used for the repairs. No additional rocks shall be used, whether obtained from the site or brought to the site.
11. The repairs shall maintain the size, location, and configuration of the pre-existing structures.
12. All construction-related debris shall be placed outside of areas subject to RSA 482-A jurisdiction.
13. The permittee may make repairs to the permitted structures as necessary, prior to the permit expiration date, provided that prior to performing any repair the permittee notifies the NHDES Wetlands Program and the Conservation Commission, in writing, of the proposed start and completion dates.

EXPLANATION

The NHDES Wetlands Bureau approved this project on November 06, 2017. The NHDES 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 docking facility associated with a breakwater.
2. The applicant has an average of 123 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 proposed docking facility will provide 2 slips as defined per RSA 482-A:2, VIII and, therefore, meets Rule Env-Wt 402.13.
5. The construction of a breakwater to provide safe docking at this site is justified in accordance with Rule Env-Wt 402.06, Breakwaters.
6. The existing structures were originally approved by Wetland Permit #2000-00259.
7. The narrative description of the approved structures in Wetland Permit #2000-00259 did not accurately represent the structures as shown on the plans submitted with that application and specifically referenced as the plans for construction in Specific Condition #1 of the Permit.
8. The existing structures were constructed in compliance with the approved plans referenced as the plans for construction in Specific Condition #1 of the Permit.
9. This approval corrects the errors made in the "Project Description" of Wetland Permit #2000-00259 and accurately represents the structures constructed on the frontage.
10. 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.

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.


Robert R. Scott
Commissioner



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

WETLANDS PERMIT APPLICATION

Land Resources Management
Wetlands Bureau

Check the status of your application: www.des.nh.gov/onestop

** WETLANDS COPY **

ORIG. PHOTOS

ATTACHED



	<p>COMPLETE</p> <p>Administrative Use Only AUG 23 2017</p>	<p>Administrative Use Only</p>	File No.: 2017-02532
			Check No.: 16644
			Amount: \$ 278.80
			Initials: EMR

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: **130 Piper's Point Lane**

TOWN/CITY: **Alton**

TAX MAP: **21A**

BLOCK: **025**

LOT: **000**

UNIT: **000**

USGS TOPO MAP WATERBODY NAME: **Winnepesaukee**

NA

STREAM WATERSHED SIZE:

NA

LOCATION COORDINATES (If known): **43°32.97'N, 71°13.11'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.

We propose to repair the existing dock and breakwater "in kind" (see Permit #2000-00259) and maintenance dredge 394 +/- sq ft (14.6 cu yds +/-) to provide safe depth alongside the dockage. Of course, the project will be surrounded with a turbidity curtain during work and until stabilization.

4. SHORELINE FRONTAGE

NA This lot has no shoreline frontage. SHORELINE FRONTAGE: **123 +/-**

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.

2000-00259, 2008-00268, 2014-02807

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 17 - 2396

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

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.

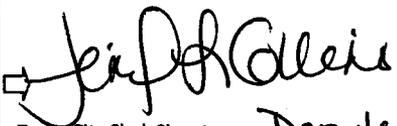
	Print name legibly	Date
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DIRECTIONS FOR CONSERVATION COMMISSION

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 - Deputy	Jennifer L. Collins Print name legibly	Atton Town/City	8.22.17 Date
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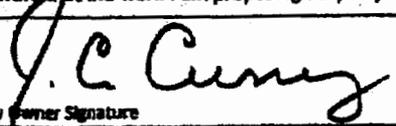
DIRECTIONS FOR TOWN/CITY CLERK:

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, and the application fee to NHDES by mail or hand delivery.

7. APPLICANT INFORMATION (Desired permit holder)			
LAST NAME, FIRST NAME, M.I.: James Curvey			
TRUST / COMPANY NAME: Curvey 1998 Issue Trust		MAILING ADDRESS: Curvey Family Office, [REDACTED]	
TOWN/CITY: Boston		STATE: MA	ZIP CODE: 02210
EMAIL or FAX:		PHONE:	
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.: Owner is applicant...			
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 INFORMATION			
LAST NAME, FIRST NAME, M.I.: Paul Goodwin		COMPANY NAME: Watermark Marine Const.	
MAILING ADDRESS: 1218 Union Avenue			
TOWN/CITY: Laconia		STATE: NH	ZIP CODE: 03246
EMAIL or FAX: pwg@watermarkmarines.com		PHONE: 603-293-4800	
ELECTRONIC COMMUNICATION: By initialing 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:			
<ol style="list-style-type: none"> 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. I have reviewed and submitted information & attachments outlined in the instructions and Required Attachment document. 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 (www.nh.gov/nhdcr/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. I authorize NHDES and the municipal conservation commission to inspect the site of the proposed project. 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. 			
<input checked="" type="checkbox"/>  Property Owner Signature		James C. Curvey Print name legibly	8/16/17 Date

SIGN

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	/	/
Lake / Pond	394 +/- /	/
Bank - Intermittent stream	/	/
Bank - Perennial stream / River	/	/
Bank - Lake / Pond	/	/
Tidal water	/	/
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	In Kind Repairs	<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	/	/

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) 394 sq. ft. X \$0.20 = \$ 78.80

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

Permanent docking structure: _____ sq. ft. X \$2.00 = \$

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

Total = \$ 278.80

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

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

RECEIVED
 AUG 23 2017
 NHDES
 LAND RESOURCES MANAGEMENT

21A

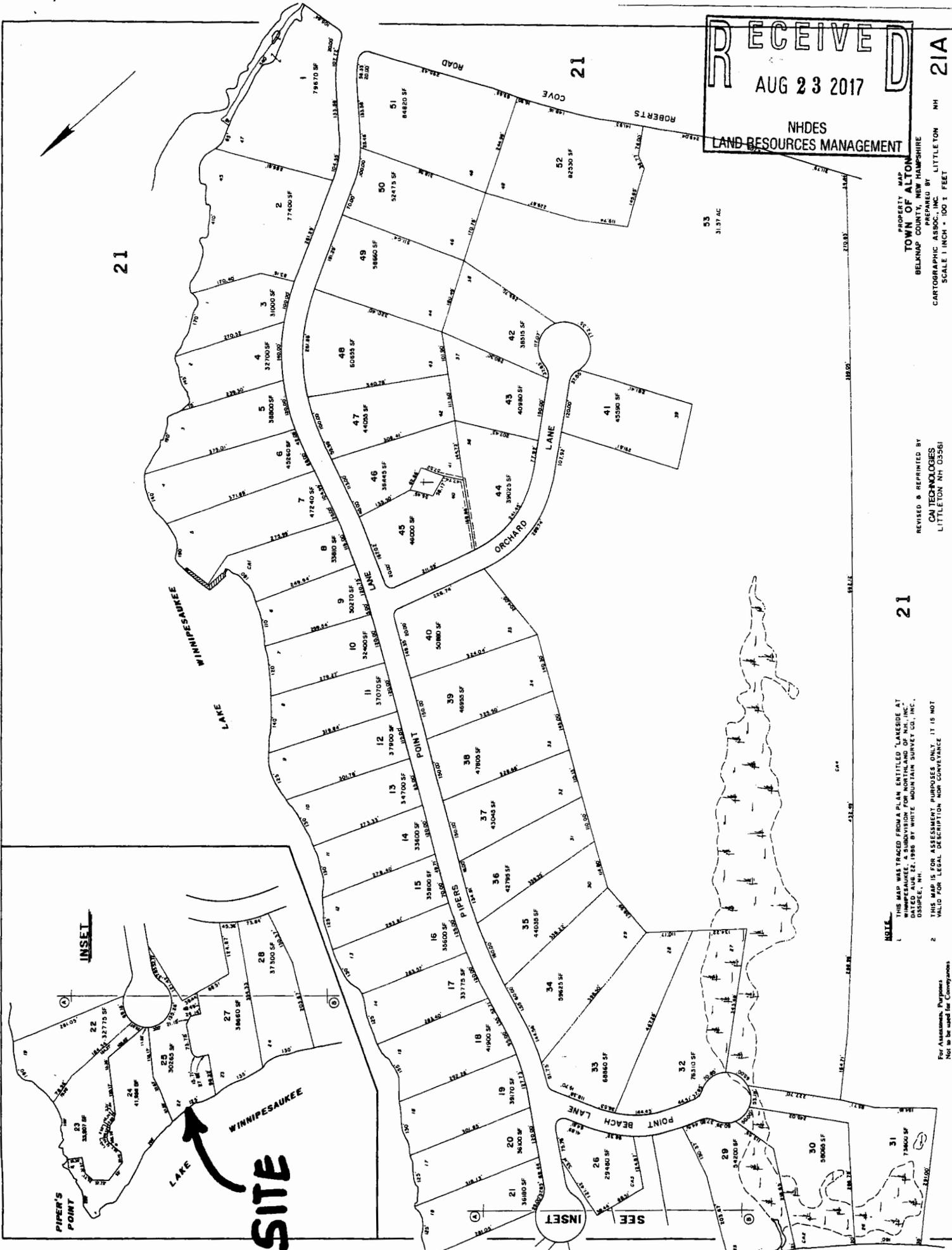
PROPERTY MAP
 TOWN OF ALTON
 BELKNAP COUNTY, NEW HAMPSHIRE
 PREPARED BY LITTLETON NH
 CARTOGRAPHIC ASSOCIATES, INC.
 SCALE 1"=60' ±

REVISED & REPRINTED BY
 CAT TECHNOLOGIES
 LITTLETON NH 03561

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NOTE
 1 THIS MAP WAS TRACED FROM A PLAN ENTITLED "LAKE SIDE AT PIPERS POINT" DATED AUG 22, 1988 BY WHITE MOUNTAIN SURVEY CO., INC., DORCHESTER, NH.
 2 THIS MAP IS FOR ASSESSMENT PURPOSES ONLY. IT IS NOT VALID FOR LEGAL DESCRIPTION NOR CONVEYANCE.

For Assessment Purposes
 Not to be used for Conveyance



Map by NH GRANIT



Legend

- State
- County
- City/Town

R E C E I V E D
AUG 23 2017
NHDES
LAND RESOURCES MANAGEMENT

Map Scale

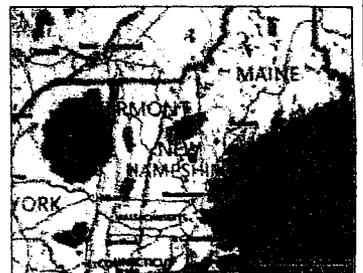
1: 10,000



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Map Generated: 8/1/2017

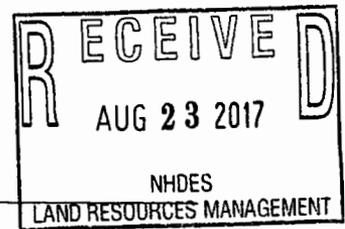
Notes



CURVEY 1998 ISSUE TRUST
Alton, NH



New Hampshire Natural Heritage Bureau



To: Paul Goodwin
Watermark Marine Construction
1218 Union Avenue
Laconia, NH 03246

Date: 8/1/2017

From: NH Natural Heritage Bureau

Re: Review by NH Natural Heritage Bureau of request dated 8/1/2017

NHB File ID: NHB17-2396

Applicant: Curvey 1998 Issue Trust

Location: Tax Map(s)/Lot(s): 21A-025-000
Alton

Project Description: maintenance dredge boatslip area adjacent to dockage
and haul spoils upland out of NHDES jurisdiction

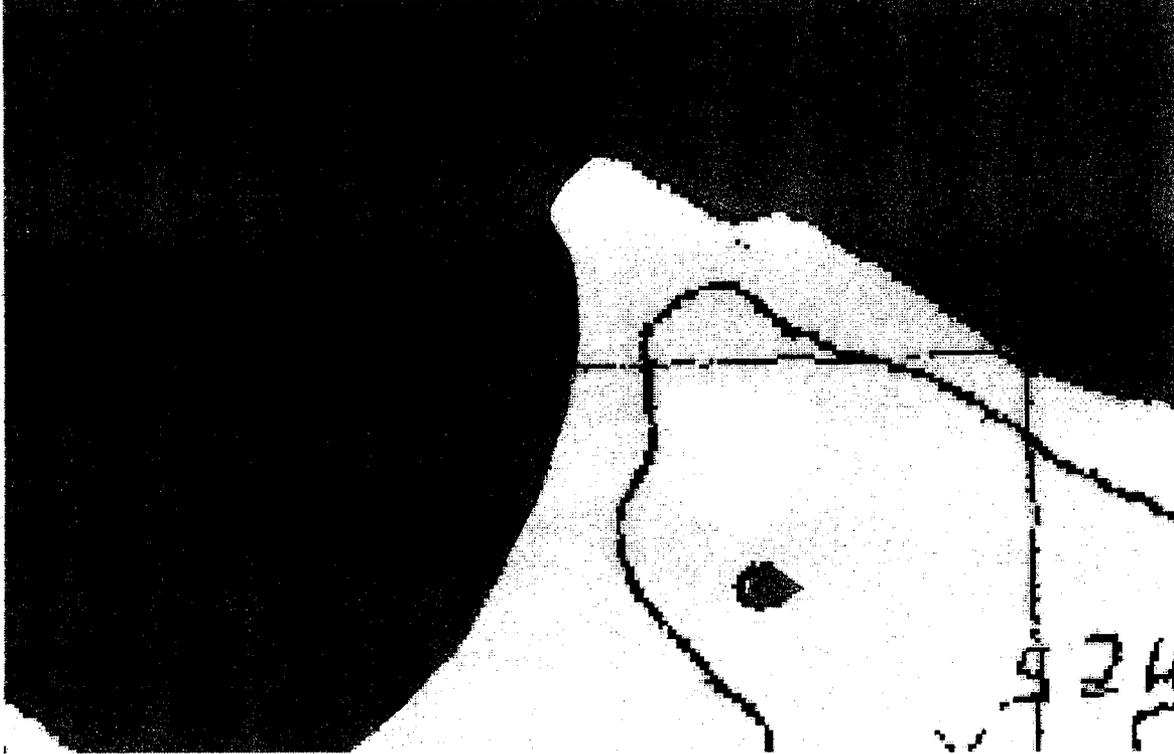
The NH Natural Heritage database has been checked for records of rare species and exemplary natural communities near the area mapped below. The species considered include those listed as Threatened or Endangered by either the state of New Hampshire or the federal government. We currently have no recorded 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.

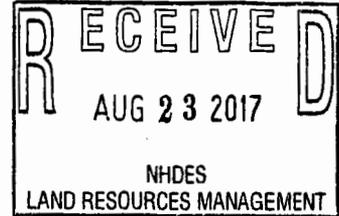
This report is valid through 7/31/2018.



MAP OF PROJECT BOUNDARIES FOR NHB FILE ID: NHB17-2396



ABUTTERS LIST



TML#21A-025-000 - SITE

TML#21A-027-000

Jeffrey M. Hirsch Rev. Trust
Hirsch Jeffrey & Debra Trustees
[REDACTED]
Kingston, NH 03848

TML#21A-026-000

Lakeside at Winnepesaukee Association
C/O Harvard Management Solutions Inc.
[REDACTED]
Gilford, NH 03249

TML#21A-024-000

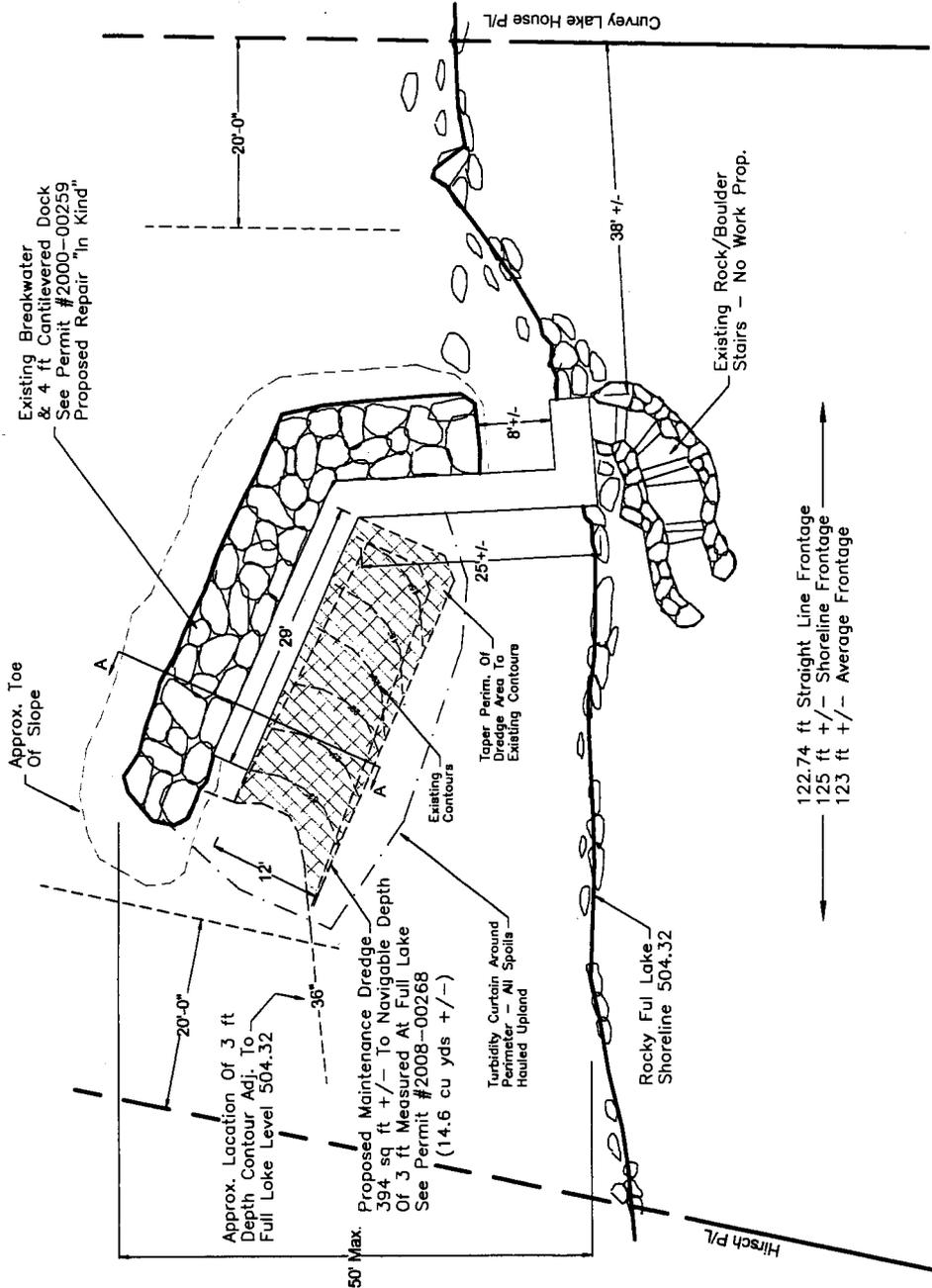
Curvey Lake House Qual. Per Res Trust
%: Curvey Family Office
[REDACTED]
Boston, MA 02210

Lake Winnepesaukee

Full Lake Shoreline 504.32

RECEIVED
 AUG 23 2017
 NHDES
 LAND RESOURCES MANAGEMENT

CURVEY 1998 TRUST
 130 Pipers Point Lane
 Alton, NH
 8/14/17 1" = 20'



122.74 ft Straight Line Frontage
 125 ft +/- Shoreline Frontage
 123 ft +/- Average Frontage

