



The State of New Hampshire
DEPARTMENT OF ENVIRONMENTAL SERVICES



Thomas S. Burack, Commissioner

October 26, 2015

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

REQUESTED ACTION

Approve 5 Lakerim Realty LLC's request to perform the following work on Lake Winnepesaukee, in Alton. File # 2015-01543. This project will not have significant impact on or adversely affect the values of Lake Winnepesaukee.

Repair approximately 101 linear ft. of retaining wall at the waterline, install 2 seasonal personal watercraft lifts, and replace a 6 ft. x 33 ft. permanent pier with a 6 ft. x 40 ft. seasonal pier anchored by a concrete pad on an average of 328 ft. of shoreline 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 Varney Engineering LLC revision dated August 24, 2015, as received by the NH Department of Environmental Services (DES) on August 31, 2015.
2. This permit is not valid and effective until it has been recorded with the Belknap County Registry of Deeds office by the applicant. Prior to starting work under this permit, the permittee shall submit a copy of the recorded permit to the DES 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 Admin. Rules Env-Wq 1400 during and after construction.
4. Only those structures shown on the approved plans shall be installed or constructed along this frontage. All portions of the structures shall be at least 20 ft. from the abutting property lines or the imaginary extension of those lines into the water.
5. Appropriate siltation and erosion controls shall be in place prior to construction, shall be maintained during construction, and shall remain in place until the area is stabilized. Temporary controls shall be removed once the area has been stabilized.
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 water at the work site has returned to normal clarity.

DES Web site: 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

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7. No portion of the pier shall extend more than 40 ft. from the shoreline at full lake elevation (Elev. 504.32 ft.).
8. All seasonal structures, including watercraft lifts, shall be removed for the non-boating season.
9. The repairs to the retaining wall shall maintain the size, location and configuration of the pre-existing structures.

EXPLANATION

The DES Wetlands Bureau approved this project on September 24, 2015. 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 docking facilities providing 5 or more slips.
2. The applicant has an average of 328 ft. of frontage along Lake Winnepesaukee.
3. A maximum of 5 slips may be permitted on this frontage per Rule Env-Wt 402.13, Frontage Over 75 ft.
4. The modified docking facilities will provide 5 slips as defined per RSA 482-A:2, VIII and therefore meets Rule Env-Wt 402.13.
5. The removal of a non-conforming permanent dock and installation of a conforming seasonal dock does not add slips to this frontage and is less environmentally impacting. Therefore, the requirements of Rule Env-Wt 402.21, Modification of Existing Structures have been met.
6. The plans submitted indicate the wall will be repaired in the same footprint, thus addressing the local Conservation Commission concerns.

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

TSB/CGA/lsl



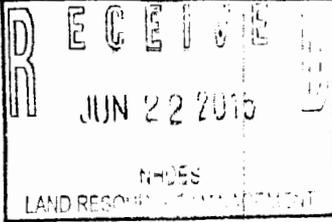
WETLANDS PERMIT APPLICATION

Water Division/ Wetlands Bureau
Land Resources Management

Check the status of your application: <http://des.nh.gov/onestop>



RSA/Rule: Env-Wq 100-900



COMPLETE
JUN 22 2015

2015-01543
4737
\$ 523.20
Emk

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: 2 Grammys Way #5

TOWN/CITY: Alton

TAX MAP: 38

BLOCK:

LOT: 55-1

UNIT: 5

USGS TOPO MAP WATERBODY NAME: Lake Winnepesaukee

NA

STREAM WATERSHED SIZE:

NA

LOCATION COORDINATES (If known):

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.

Plan is to replace a deteriorated mortar rubble masonry wall, replace a 6'x30' permanent dock with a seasonal 6'x40' dock, install a dock anchor, and two water craft lifts.325.

4. SHORELINE FRONTAGE

NA This lot has no shoreline frontage.

SHORELINE FRONTAGE: 328.5'

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...

6. NATURAL HERITAGE BUREAU & DESIGNATED RIVERS:

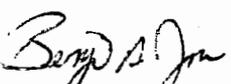
See the Instructions & Required Attachments document for instructions to complete a & b below.

a. Natural Heritage Bureau File ID: NHB 14 - 4239

b. Designated River the project is in 1/4 miles of: _____ ; and
date a copy of the application was sent to Local River Advisory Committee: Month: ___ Day: ___ Year: _____

NA _____

7. APPLICANT INFORMATION (Desired permit holder)

LAST NAME, FIRST NAME, M.I.: Jones, Ben			
TRUST / COMPANY NAME: 5 Lakerim Realty LLC		MAILING ADDRESS: PO Box 10	
TOWN/CITY: Rochester		STATE: NH	ZIP CODE: 03866-0010
EMAIL or FAX: benjones@stewart.com		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.: Varney, Thomas W.		COMPANY NAME: Varney Engineering LLC	
MAILING ADDRESS: 93 Powdermill Road			
TOWN/CITY: Alton		STATE: NH	ZIP CODE: 03809
EMAIL or FAX: twvarney@tds.net		PHONE: 603-875-7110	
ELECTRONIC COMMUNICATION: By initialing here <u>twv</u> , I hereby authorize DES to communicate all matters relative to this application electronically			
9. 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 copy of the application materials to the NH State Historic Preservation Officer. I authorize DES 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. 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		Benjamin A. Jones Print name legibly	6/11/15 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
- Has no objection to permitting the proposed work.

 Authorized Commission Signature	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. 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 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	Lisa Noyes Print name legibly	Alton Town/City	6/19/15 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, sign and accept the applications **only** if the Conservation Commission signature has been received;
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 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.

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	/ 108 <input type="checkbox"/> ATF	416 / <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	<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	/ 108	416 /

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) 416 sq. ft. X \$0.20 = \$ 83.20

Temporary (seasonal) docking structure: 240 sq. ft. X \$1.00 = \$ 240.00

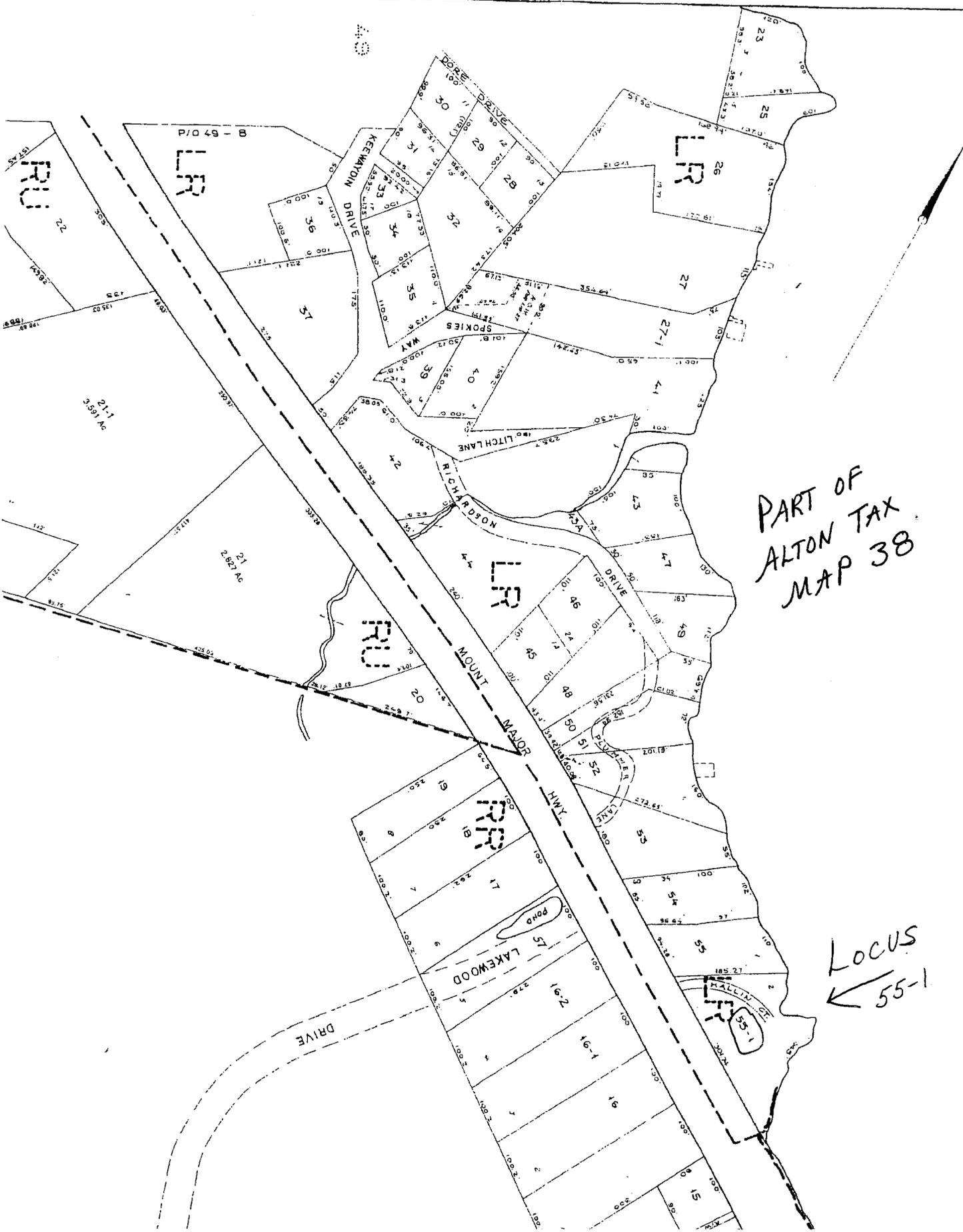
Permanent docking structure: sq. ft. X \$2.00 = \$

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

Total = \$ 523.20

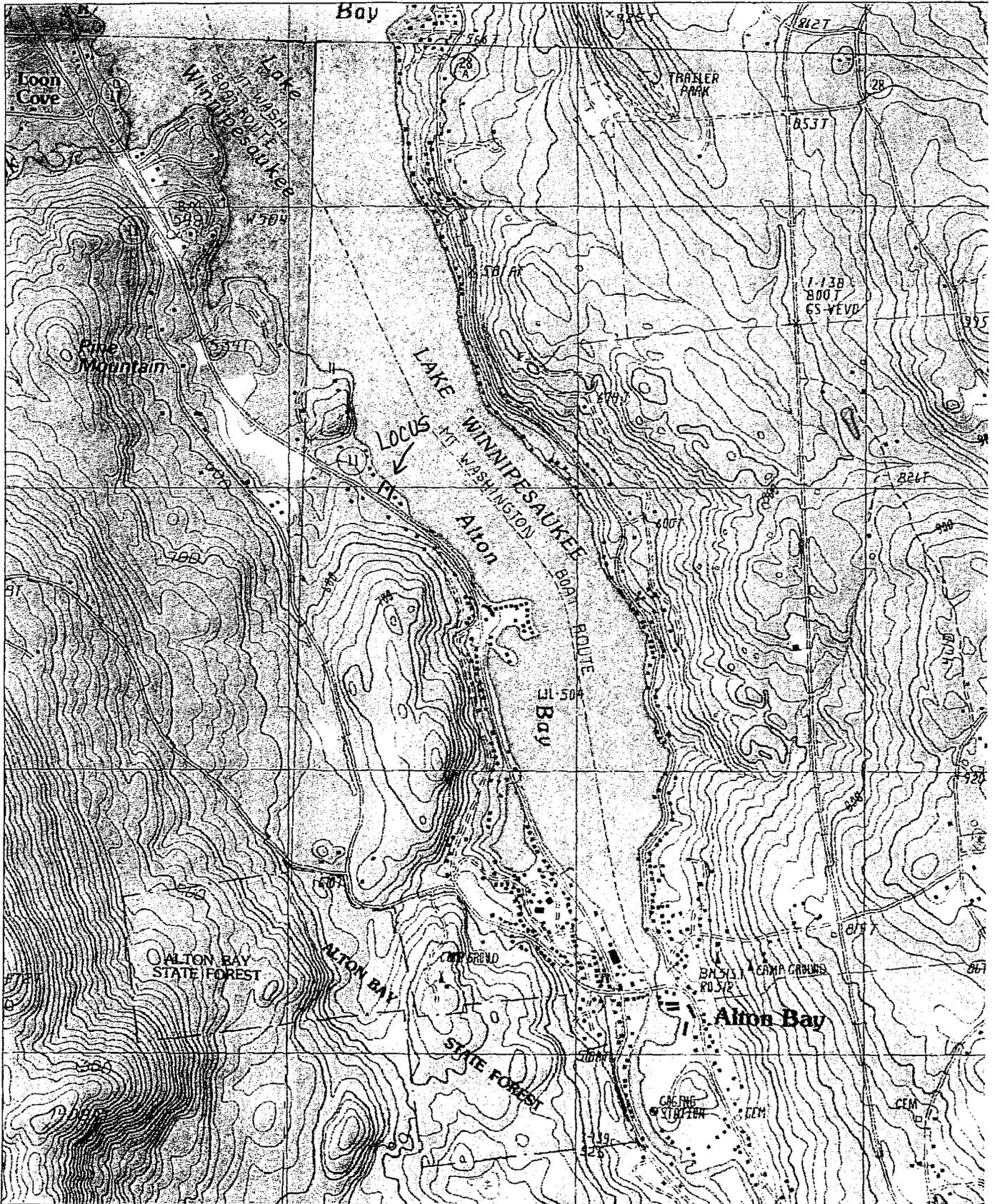
The Application Fee is the above calculated Total or \$200, whichever is greater = \$

FILE # 2015-01543



PART OF
ALTON TAX
MAP 38

LOCUS
← 55-1



0 0.5 Mi
0 2000 Ft

Map provided by MyTopo.com

2 GRAMMYS WAY #5
ALTON, NH

P12
126



New Hampshire Natural Heritage Bureau

To: Thomas Varney
93 Powder Mill Road
Alton, NH 03809

Date: 11/3/2014

From: NH Natural Heritage Bureau

Re: Review by NH Natural Heritage Bureau of request dated 11/3/2014

NHB File ID: NHB14-4239

Applicant: Thomas Varney

Location: Tax Map(s)/Lot(s): 38/55/1/5
Alton

Project Description: Replace retaining wall, extend the dock, and install two jet
ski lifts

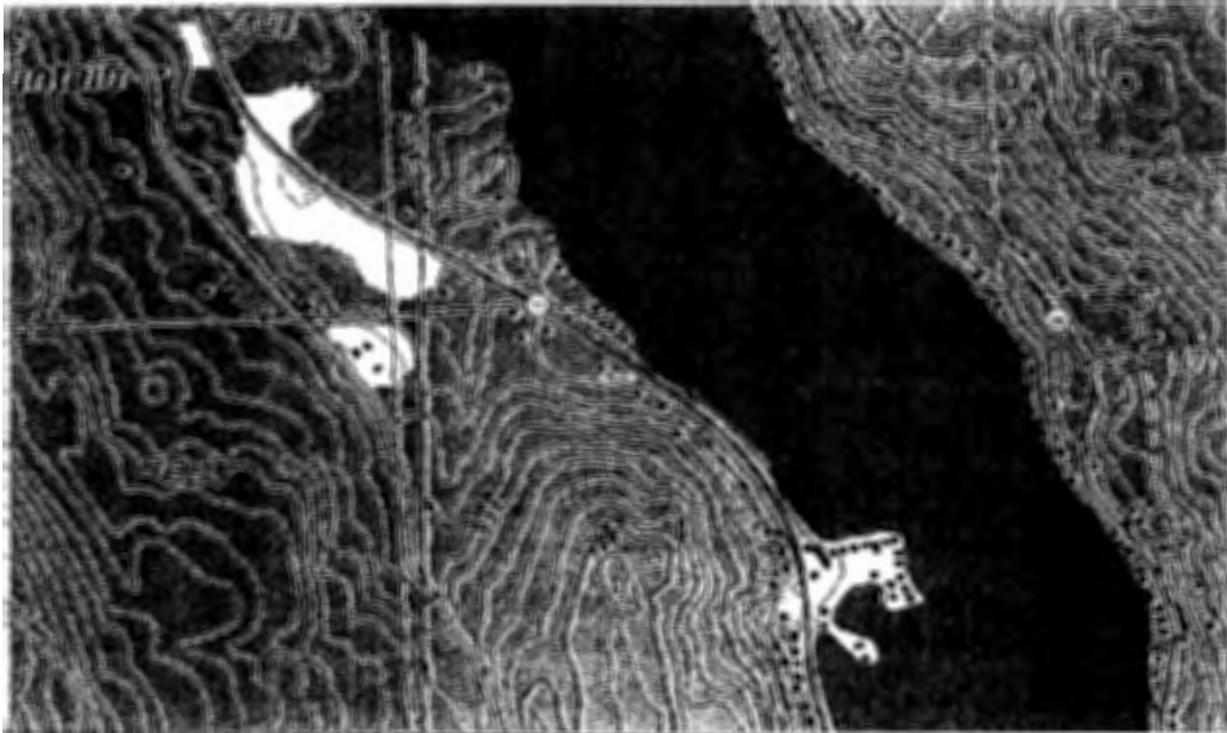
The NH Natural Heritage database has been checked for records of rare species and exemplary natural communities near the area mapped below. The species considered include those listed as Threatened or Endangered by either the state of New Hampshire or the federal government. We currently have no recorded 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 11/2/2015.



MAP OF PROJECT BOUNDARIES FOR NHB FILE ID: NHB14-4239



Abutters List

5 Lakerim Realty LLC

Map 38, Lot 55-1-5
2 Grammys Way #5 Alton, NH

Map 38, Lot 55
Donald & Sherry Dumais
[REDACTED]
Alton Bay, NH 03810

~~Map 38, Lot 54
John Harris
[REDACTED]
Pelham, NH 03076~~

Map 38, Lot 55-1-2
Church Family Irrevocable Trust 2014
Timothy Church Trustee
[REDACTED]
Manchester, NH 03104

Map 38, 55-1-3
Carla Bickford
[REDACTED]
Alton Bay, 03810

Map 38, Lot 55-1-4
Thomas McKay
[REDACTED]
Gilford, NH 03249

FILE # 2015-01543