



The State of New Hampshire
Department of Environmental Services



74

Robert R. Scott, Commissioner

August 27, 2019

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

REQUESTED ACTION

Approve Winmiir Condominium Association's request to perform the following work on Lake Winnepesaukee in Tuftonboro. File # 2019-01727. This project will not have significant impact on or adversely affect the values of Lake Winnepesaukee.

Dredge 66 cubic yards of material from 2,350 square feet of lake bed adjacent to, and within the slips provided by, a major docking system on an average of 568 linear feet of shoreline frontage along Lake Winnepesaukee in Winter Harbor in Tuftonboro.

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 Folsom Design Group dated July 19, 2019 and received by the NH Department of Environmental Services (NHDES) on July 19, 2019.
2. 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.
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. Temporary controls shall be removed once the area has been stabilized.
4. 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 until suspended particles have settled and the water at the work site has returned to normal clarity.
5. This permit shall not preclude the NHDES from taking any enforcement or revocation action if the NHDES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.
6. All activities shall be in accordance with the Shoreland Water Quality Protection Act, 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.
7. Work shall be carried out in a time and manner to avoid disturbances to migratory waterfowl breeding and nesting areas.
8. Work authorized shall be carried out such that there are no discharges in or to spawning or nursery areas during spawning seasons. Impacts to such areas shall be avoided or minimized to the maximum extent practicable during all other times of the year.


EXPLANATION

The NHDES approved this project on July 25, 2019. The NHDES supported its decision with the following findings:

1. This is a major impact project per Administrative Rule Env-Wt 303.02(g), removal of more than 20 cubic yards of material from public waters.
2. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
3. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
4. In accordance with RSA 482-A:8, the NHDES finds that the requirements for a public hearing do not apply as the permitted project is not of substantial public interest, and will not have a significant impact on, nor adversely affect, the values of Lake Winnepesaukee, as identified under RSA 482-A:1.
5. The approved dredge will maintain the ability to navigate and secure watercraft within the existing major docking facility.

Application file documents are being forwarded to the Governor and the 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.

Respectfully submitted,



Robert R. Scott
Commissioner

STATE COPY

WETLANDS PERMIT APPLICATION

Water Division/ Wetlands Bureau

Land Resources Management

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



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

COMPLETE

JUN 12 2019

2019-01-15-257

3174

73210-00

LAND RESOURCES MANAGEMENT

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:

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 document, attached to the application.

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 within which wetland impacts occur.

ADDRESS: **68 Governor Wentworth Hwy** TOWN/CITY: **Tuftonboro**

TAX MAP: **51** BLOCK: **1** LOT: **9** UNIT: _____

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

LOCATION COORDINATES (if known): **043°37'07"N -071°16'24"W** Latitude/Longitude 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:

Dredge 66 cubic yards from 2,350 sq. ft. of lake bed adjacent to a major docking system and attach 30 linear feet of skirting to the docking system to create a barrier to sand migration on an average of 568 feet of frontage along Lake Winnepesaukee in Tuftonboro

5. SHORELINE FRONTAGE:

N/A This does not have shoreline frontage. **SHORELINE FRONTAGE: 568**

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 (Env-Wt 101.89).

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 Webpage.

Permit Type	Permit Required	File Number	Permit Application Status
Alteration of Terrain Per RSA 485-A:17	<input type="checkbox"/> YES <input 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 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 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 type="checkbox"/> NO	_____	<input type="checkbox"/> APPROVED <input type="checkbox"/> PENDING <input type="checkbox"/> DENIED

7. NATURAL HERITAGE BUREAU & DESIGNATED RIVERS:

See www.des.nh.gov for required attachments document for instructions to complete a & b below.

a. Natural Heritage Bureau File ID: **NHB 19 - 1281**

b. This project is within a Designated River corridor. The project is within 1/4 mile of: _____; and date a copy of the application was sent to the Local River Management Advisory Committee: Month: ___ Day: ___ Year: ___

N/A - This project is not within a Designated River corridor.

8. APPLICANT INFORMATION (Desired permit holder)

LAST NAME, FIRST NAME, M.I.:		
TRUST / COMPANY NAME: Winmill Condominium Association	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. PROPERTY OWNER INFORMATION (If different than applicant)

LAST NAME, FIRST NAME, M.I.: Winmill Condominium Association		
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.

10. AUTHORIZED AGENT INFORMATION


LAST NAME, FIRST NAME, M.I.: Folsom, Shane P.	COMPANY NAME: Folsom Design Group of Wolfeboro	
MAILING ADDRESS: PO Box 548		
TOWN/CITY: Wolfeboro Falls	STATE: NH	ZIP CODE: 03896
EMAIL or FAX: fdgwolfeboro@hotmail.com	PHONE: 603-715-2823	

ELECTRONIC COMMUNICATION: By initialing here **spf**, I hereby authorize NHDES to communicate all matters relative to this application electronically.

11. PROPERTY OWNER SIGNATURE
See the Instructions & Required Attachments document for clarification on the below statement.

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 National Historic Preservation Act (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 NHDES 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 NHDES correspondence. NHDES will not forward returned

 Property Owner Signature	LOUIS ZAJAC Print name legibly	5/5/2019 Date
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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 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 be reviewed in the standard review time frame.

13. 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.

			
	Print name legibly	Town/City	Date

DIRECTIONS FOR TOWN/CITY CLERK

per RSA 482-A:51

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.

14. 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 completed.
Intermittent Streams: lined/footage distance of disturbance is measured along the thread of the channel.
Perennial Streams/Rivers: the total linear/footage distance is calculated by summing the lengths of disturbance to the channel and each bank.

JURISDICTIONAL AREA	PERMANENT		TEMPORARY	
	Sq. Ft.	Lin. Ft.	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 channel	/	<input type="checkbox"/> ATF	/	<input type="checkbox"/> ATF
Perennial Stream / River channel	/	<input type="checkbox"/> ATF	/	<input type="checkbox"/> ATF
Lake / Pond	2,350 / 200	<input type="checkbox"/> ATF	/ 250	<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		<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
Vernal Pool		<input type="checkbox"/> ATF		<input type="checkbox"/> ATF
TOTAL	2,350 / 200		/ 250	

15. 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) 2,600 sq. ft. X \$0.20 = \$ 520.00

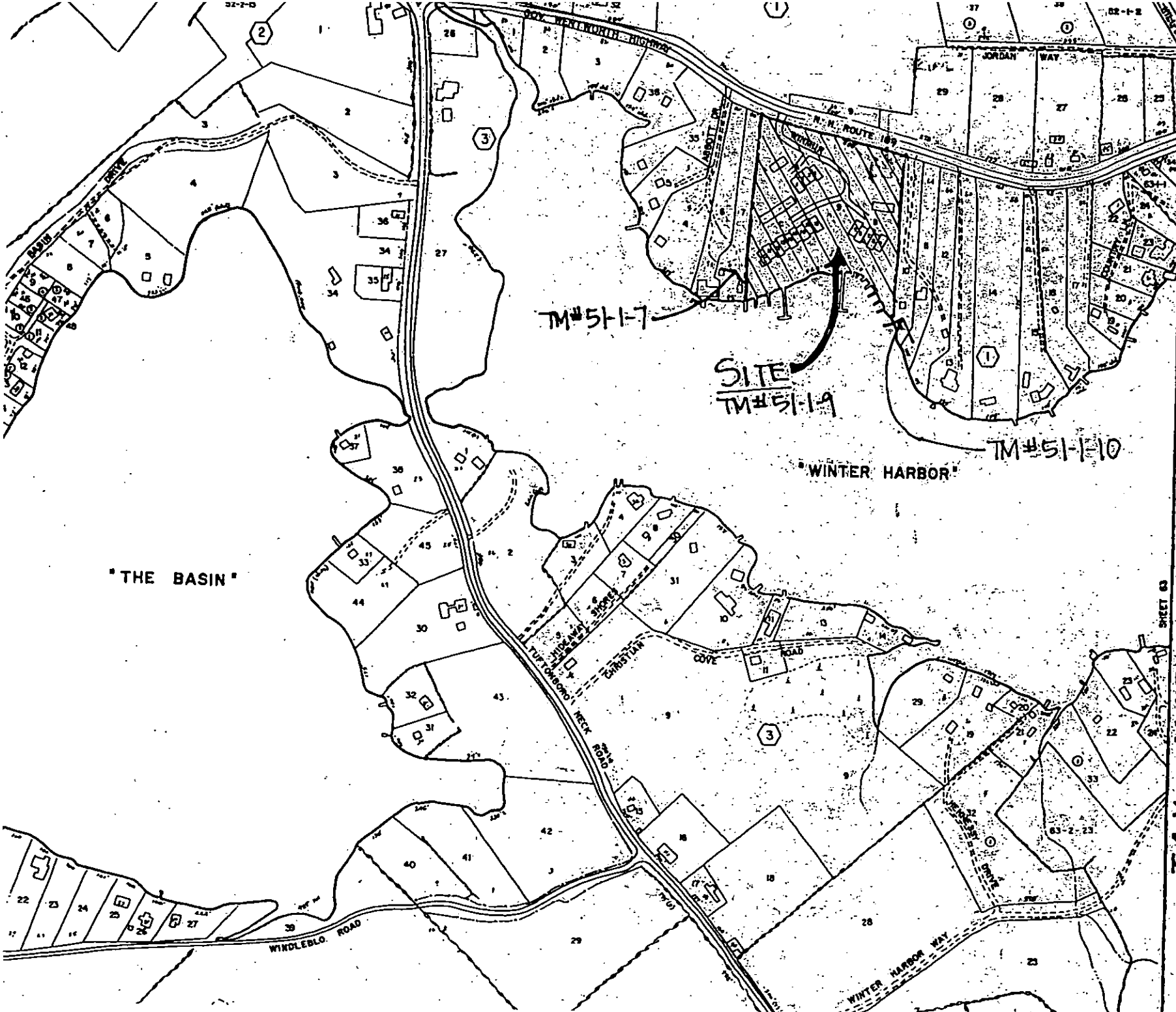
Temporary (seasonal) docking structure: sq. ft. X \$1.00 = \$

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

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

Total = \$

The Application Fee is the above calculated Total or \$200, whichever is greater. **\$ 520.00**



N. H. STATE PLANE
COORDINATE SYSTEM

TAX MAP
UPTONBORO, N.H.

FEET 1" = 200'
METERS 1" = 200'

BY SUSAN H. RAMSBOTHAM MELVIN VILLAGE, NH

SHEET 63

N.H.

UPTONBORO, N.H.

BY SUSAN H. RAMSBOTHAM MELVIN VILLAGE, NH

TM#51-17

SITE
TM#51-19

TM#51-10

"WINTER HARBOR"

"THE BASIN"

02-7-D

0

02-1-E

2

3

1

37

0

0

02-1-E

3

4

5

6

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USGS MAP





NEW HAMPSHIRE NATURAL HERITAGE BUREAU
NHB DATACHECK RESULTS LETTER

To: Shane Folsom
P.O. Box 548
Wolfeboro Falls, NH 03896

From: NH Natural Heritage Bureau

Date: 5/1/2019 (valid for one year from this date)

Re: Review by NH Natural Heritage Bureau of request submitted 4/26/2019

NHB File ID: NHB19-1281 **Applicant:** Shane Folsom

Location: Tuftonboro
Tax Maps: 50-1-9

Project Description: Dredge 66 cubic yards from 2,350 sq. ft. of lake bed adjacent to a major docking system and attach 30 linear feet of skirting to the docking system to prevent sand migration.

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.

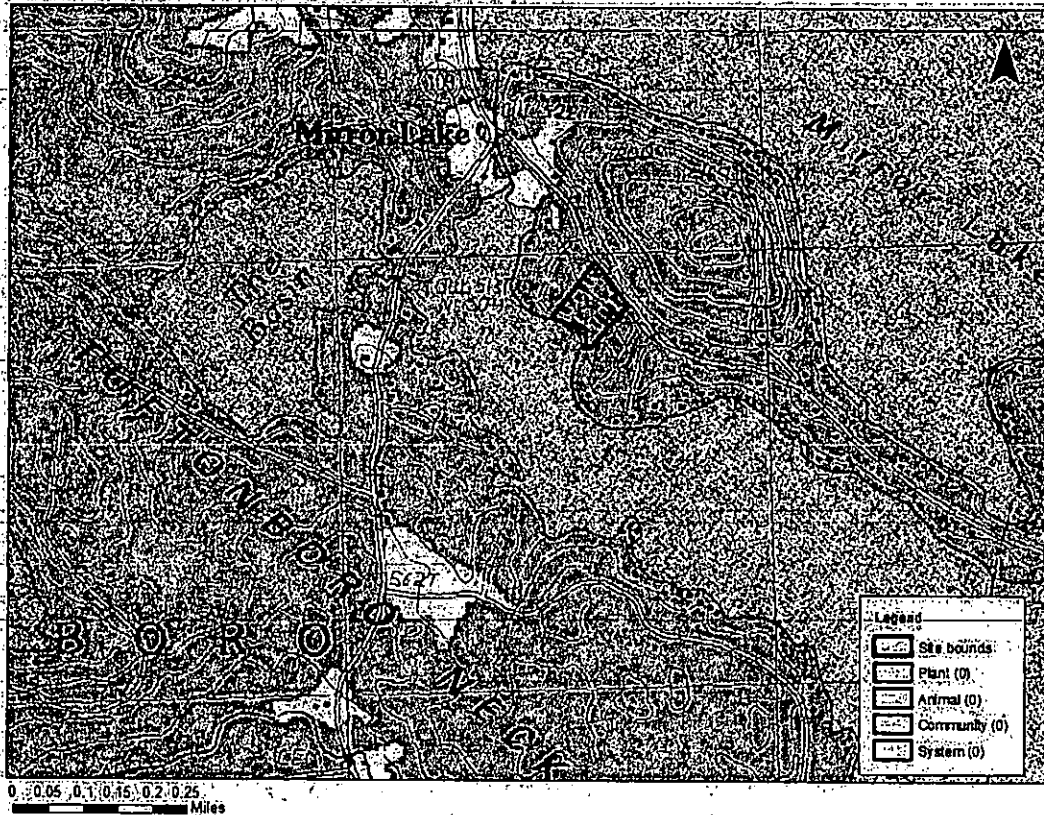
It was determined that, although there was a NHB record (e.g., rare wildlife, plant, and/or natural community) present in the vicinity, we do not expect that it will be impacted by the proposed project. This determination was made based on the project information submitted via the NHB Datacheck Tool on 4/26/2019, and cannot be used for any other project.



NEW HAMPSHIRE NATURAL HERITAGE BUREAU
NHB DATA CHECK RESULTS LETTER

MAP OF PROJECT BOUNDARIES FOR: NHB19-1281

NHB19-1281





FOLSOM DESIGN GROUP

P.O. Box 548, WOLFEBORO FALLS, NEW HAMPSHIRE 03896

TELEPHONE: (603) 715-2853 (603)369-7819 (CELL)

E-MAIL: FDGWOLFEBORO@HOTMAIL.COM

WWW.FOLSOMDESIGNGROUP.COM

April 24, 2019

Re: Winmiir Condominium Association, Tm# 51-1-9, 68 Governor Wentworth Hwy
Tuftonboro, NH

ABUTTERS LIST

Owner of Record

Tm # 51-1-9,

Winmiir Condominium Association

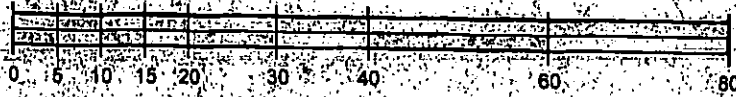
Tm # 51-1-7

Loon Harbor Revocable Trust

Tm # 51-1-10

Walter W. & Candice C. Wiseman Living Trust

SCALE 1" = 20'



VERTICAL BOARDS

PREVIOUSLY ADDED TO PREVENT SAND MIGRATION FROM THE BEACH AREA

EXISTING PERMANENT DOCK

LIMITS OF DREDGING

TO BE DREDGED
 2,350 SQ. FT. OF
 TOTAL AREA TO BE IMPACTED
 66 CU. YDS OF MATERIAL
 TO BE REMOVED
 DREDGE TO ELEV. 501.32
 200' ALONG THE SHORE

LAKE WINNIPESAUKEE
 LEGAL FULL EL. 504.32

LIMITS OF DREDGING

EXISTING PERMANENT DOCK

CONC. PAD

CONC. PAD

CONC. PAD

BEACH (SAND)

4" DRAIN OUTFALL

WOOD WALKWAY

8" CMP

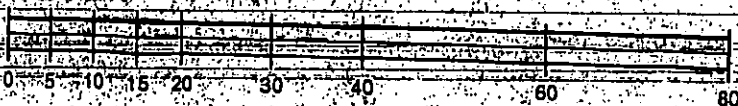
24" CMP

PROPERTY LINE (APPROXIMATE)

PROPOSED CONDITIONS

SHEET 2 REVISED 7-19-19

SCALE 1" = 20'



VERTICAL BOARDS
PREVIOUSLY ADDED TO PREVENT
SAND MIGRATION FROM THE
BEACH AREA

4" DRAIN
OUTFALL

BEACH
(SAND)

SECURE AT SHORE

WOOD WALKWAY

EXISTING
PERMANENT
DOCK

TURBIDITY CURTAIN TO BE
SECURED AT THE LAKE BOTTOM AND
AT THE SHORE BEFORE CONSTRUCTION
250' OF CURTAIN TO BE UTILIZED
SEE DETAIL PROVIDED

LIMITS OF DREDGING

TO BE DREDGED
2,350 SQ. FT. OF
TOTAL AREA TO BE IMPACTED
66 CU YDS OF MATERIAL
TO BE REMOVED
DREDGE TO ELEV. 501.32
200' ALONG THE SHORE

NOTE:

NO CONSTRUCTION TO BE PERFORMED WITHOUT
TURBIDITY CURTAIN IN PLACE.
MATERIAL REMOVED WILL BE PLACED AT REAR OF
PROPERTY OUTSIDE OF THE 250' SETBACK FROM
SHORE. NO MATERIAL TO BE PLACED WITHIN THE
STATES JURISDICTION.

LIMITS OF DREDGING

EXISTING
PERMANENT
DOCK

CONC.
PAD

CONC.
PAD

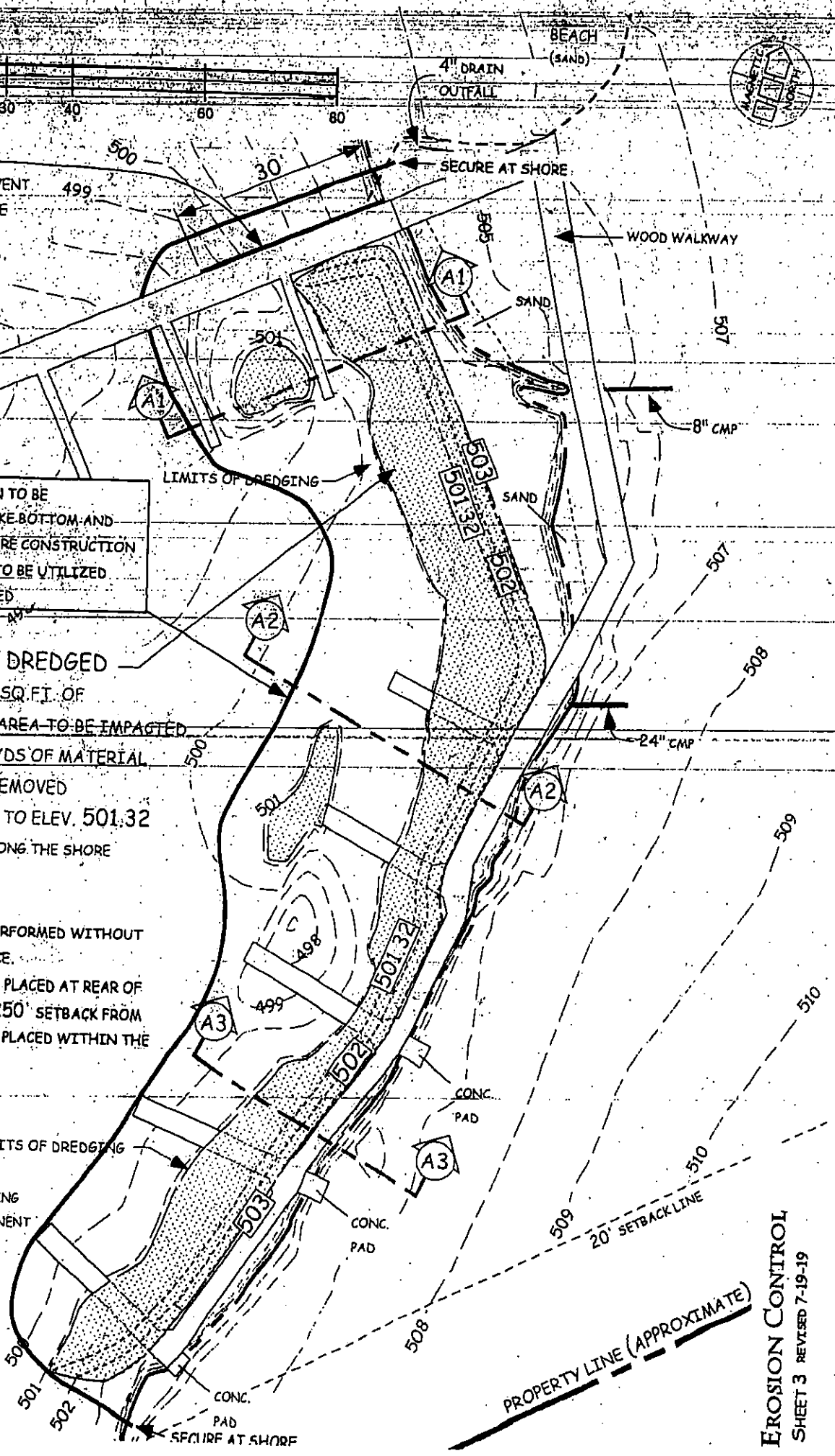
CONC.
PAD

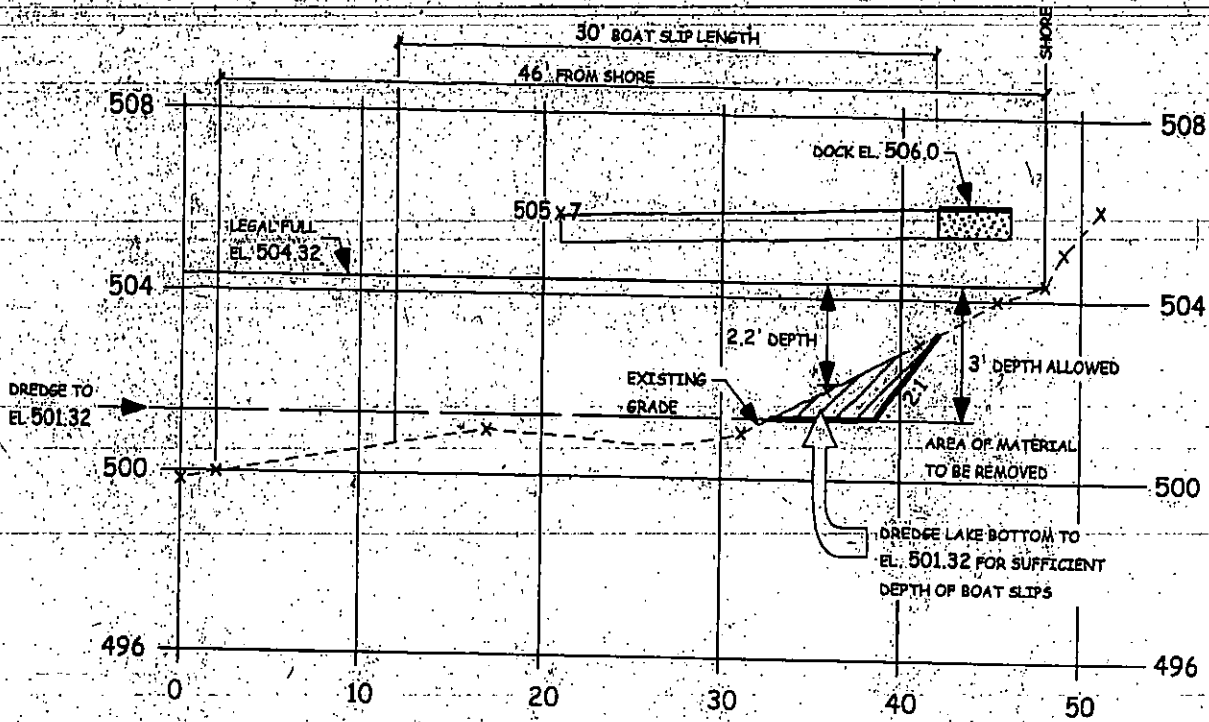
SECURE AT SHORE


PROPERTY LINE (APPROXIMATE)

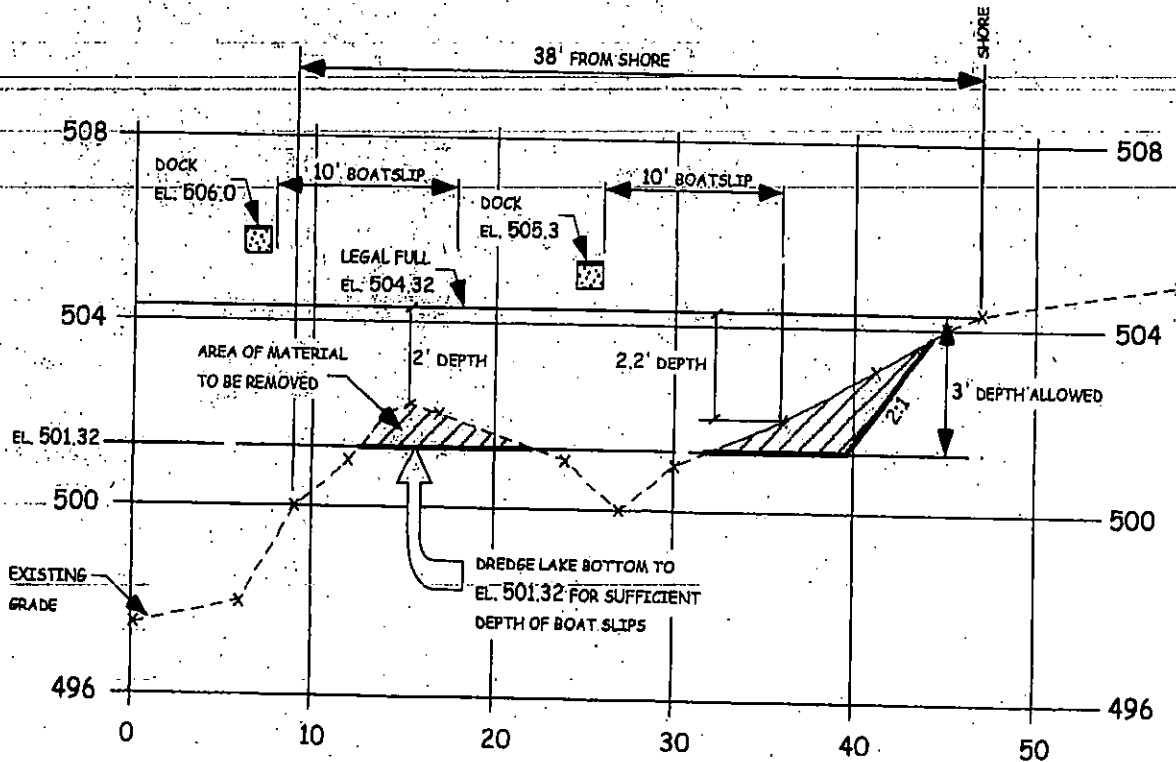
EROSION CONTROL
SHEET 3 REVISED 7-19-19


RECEIVED
JUL 19 2019
NHDES
LAND RESOURCES MANAGEMENT





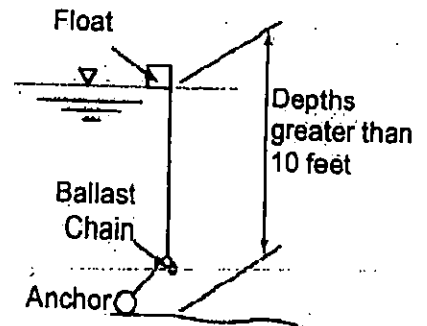
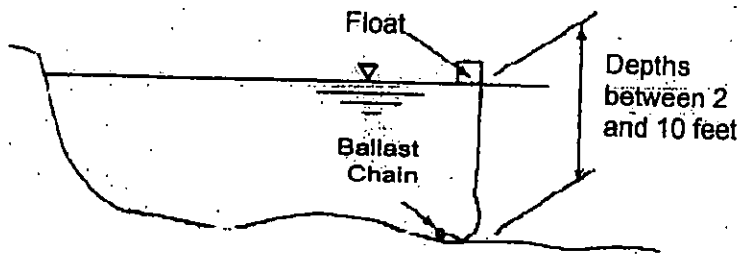
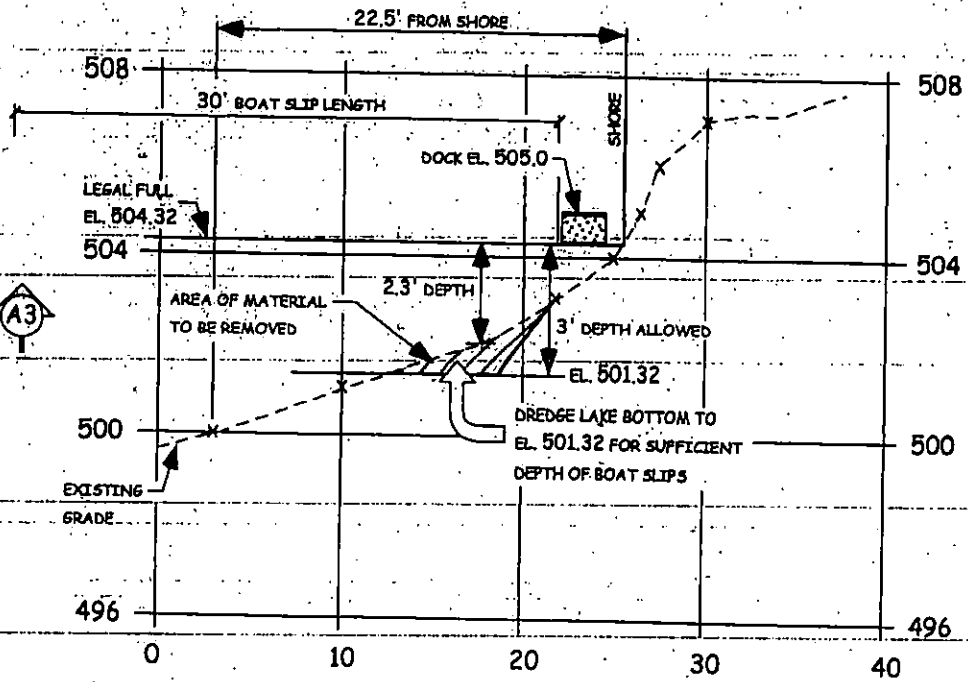
CROSS SECTION 
HORIZONTAL 1" = 10'
VERTICAL 1" = 4'



CROSS SECTION 
HORIZONTAL 1" = 10'
VERTICAL 1" = 4'

WILSON
JUL 1961
SHEET 4

CROSS SECTION
 HORIZONTAL 1" = 10'
 VERTICAL 1" = 4'



Deep Turbidity Curtain

NO SCALE

RECEIVED
 JUL 19 2019
 LAND