



The State of New Hampshire
Department of Environmental Services

Clark B. Freise, Assistant Commissioner

56 J.A.M.



April 27, 2017

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

REQUESTED ACTION

Approve Doreen and Theodore Brown's request to perform the following work on Lake Winnepesaukee, in Alton. File # 2017-00068. This project will not have significant impact on or adversely affect the values of Lake Winnepesaukee.

Remove a 950 square foot, 48 foot long breakwater immediately abutting the shoreline and fill 850 square feet of lakebed to construct a 44 foot long breakwater with a 6 foot gap at the shoreline and repair an existing 4 foot x 30 foot piling pier, 5 foot x 13 foot wharf, three fender piling, and a 3-piling ice cluster on an average of 103 feet of frontage along Lake Winnepesaukee, on Rattlesnake Island, in Alton.

The Department imposed the following conditions as part of this approval:

1. All work shall be in accordance with plans by Ambrose Marine dated December 23, 2016 and received by the NHDES on January 12, 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. 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.
5. All construction-related debris and breakwater material not used in the construction of the new structure shall be placed outside of the areas subject to RSA 482-A.
6. No portion of breakwater as measured at normal full lake (Elev. 504.32) shall extend more than 50 feet from normal full lake shoreline.
7. The breakwater shall not exceed 3 feet in height (Elev. 507.32) over the normal high water line (Elev. 504.32).
8. The width as measured at the top of the breakwater (Elev. 507.32) shall not exceed 3 feet.
9. 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.

www.des.nh.gov

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

10. 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.
11. 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.
12. The repairs shall maintain the size, location, and configuration of the pre-existing structures.
13. This permit does not allow dredging for any purpose.
14. 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 March 28, 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 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 103 feet of shoreline frontage along Lake Winnepesaukee.
4. A maximum of 3 slips may be permitted on this frontage per Rule Env-Wt 402.13, Frontage Over 75'.
5. The proposed docking facility will provide 2 slips as defined per RSA 482-A:2, VIII and therefore meets Rule Env-Wt 402.13.
6. 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.
7. The proposed replacement of the existing structures will result in a 100 square foot reduction in the size of the breakwater.

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.


for Clark B. Freise
Assistant 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. WL 100-900

<div style="border: 2px solid black; padding: 5px; font-size: 2em; font-weight: bold; letter-spacing: 5px;">RECEIVED</div> <p style="text-align: center;">JAN 12 2017</p> <p style="text-align: center; font-size: 0.8em;">Only NHDES LAND RESOURCES MANAGEMENT</p>	<div style="border: 2px solid black; padding: 5px; font-size: 2em; font-weight: bold; letter-spacing: 5px;">COMPLETE</div> <p style="text-align: center;">JAN 12 2017</p> <p style="text-align: center; font-size: 0.8em;">Only</p>	<p style="font-size: 0.8em;">Administrative Use Only</p>	<p style="font-size: 0.8em;">File No. 2017-00068</p> <p style="font-size: 0.8em;">Check No. 2951</p> <p style="font-size: 0.8em;">Amount \$782.00</p> <p style="font-size: 0.8em;">Initials LSL</p>
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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: 878 Rattlesnake Island		TOWN/CITY: Alton	
TAX MAP: 76	BLOCK:	LOT: 69	UNIT:
USGS TOPO MAP WATERBODY NAME: Lake Winnepesaukee		<input type="checkbox"/> NA	STREAM WATERSHED SIZE: <input checked="" type="checkbox"/> NA
LOCATION COORDINATES (If known):		<input type="checkbox"/> Latitude/Longitude	<input type="checkbox"/> UTM <input type="checkbox"/> 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.

Modify existing breakwater by creating a 6 foot gap at the shore and extending tip of breakwater to the 50' reference line. Docks and fender piling will be repaired in kind.

5. SHORELINE FRONTAGE:

NA This does not have shoreline frontage. **SHORELINE FRONTAGE: 102.5**

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.

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 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 - 0052**

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

[REDACTED]

11/15/2005

11/15/2005

11/15/2005

11/15/2005

11/15/2005

11/15/2005

11/15/2005

11/15/2005

11/15/2005

I hereby certify that the information furnished on this application and in the
 accompanying documents is true and correct to the best of my knowledge and belief.
 I understand that this statement is a part of the application and that I may be
 held liable for any false or misleading information furnished by me.
 I understand that any false or misleading information furnished by me may
 result in the denial of my application, or the suspension or revocation of my
 license, or the imposition of any other penalty provided by law.
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 I understand that any false or misleading information furnished by me may
 result in the denial of my application, or the suspension or revocation of my
 license, or the imposition of any other penalty provided by law.

Devin D. Brown

11/15/2005

Signature

Date


I hereby certify that the information furnished on this application and in the
 accompanying documents is true and correct to the best of my knowledge and belief.
 I understand that this statement is a part of the application and that I may be
 held liable for any false or misleading information furnished by me.

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
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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.

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.

	Jennifer L. Collins Print name legibly	Alton Town/City	1/9/2017 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.

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 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	1083 /	/
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	<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	/	/

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) 880 sq. ft. X \$0.20 = \$ 176

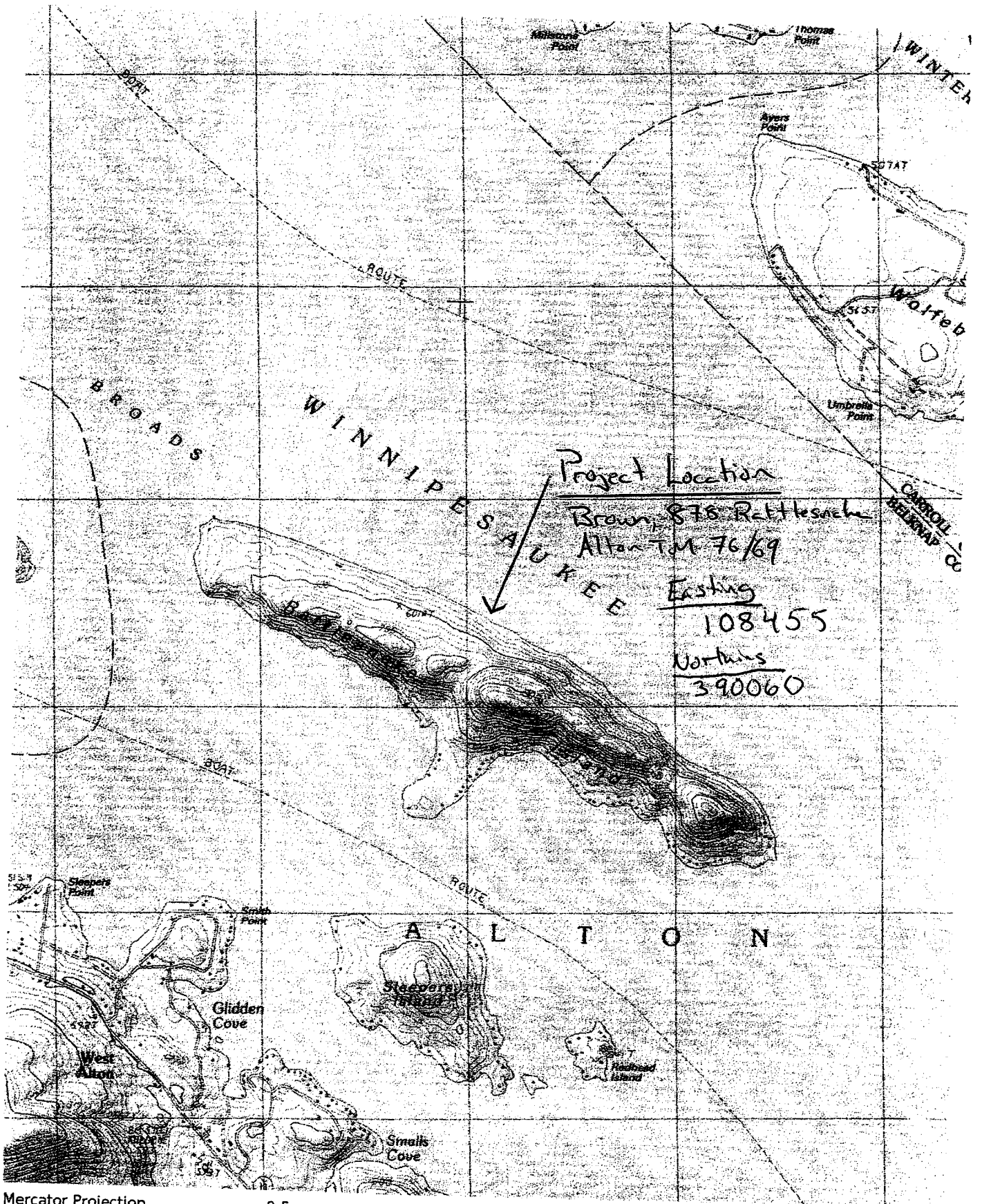
Temporary (seasonal) docking structure: sq. ft. X \$1.00 = \$

Permanent docking structure: 203 sq. ft. X \$2.00 = \$ 406

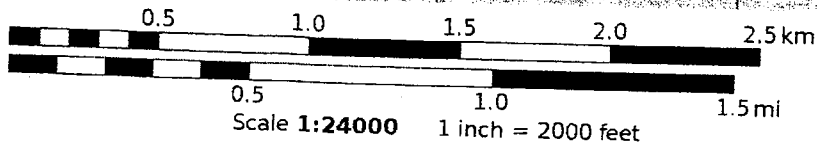
Projects proposing shoreline structures (including docks) add \$200 = \$ 200

Total = \$ 782

The Application Fee is the above calculated Total or \$200, whichever is greater = \$ 782



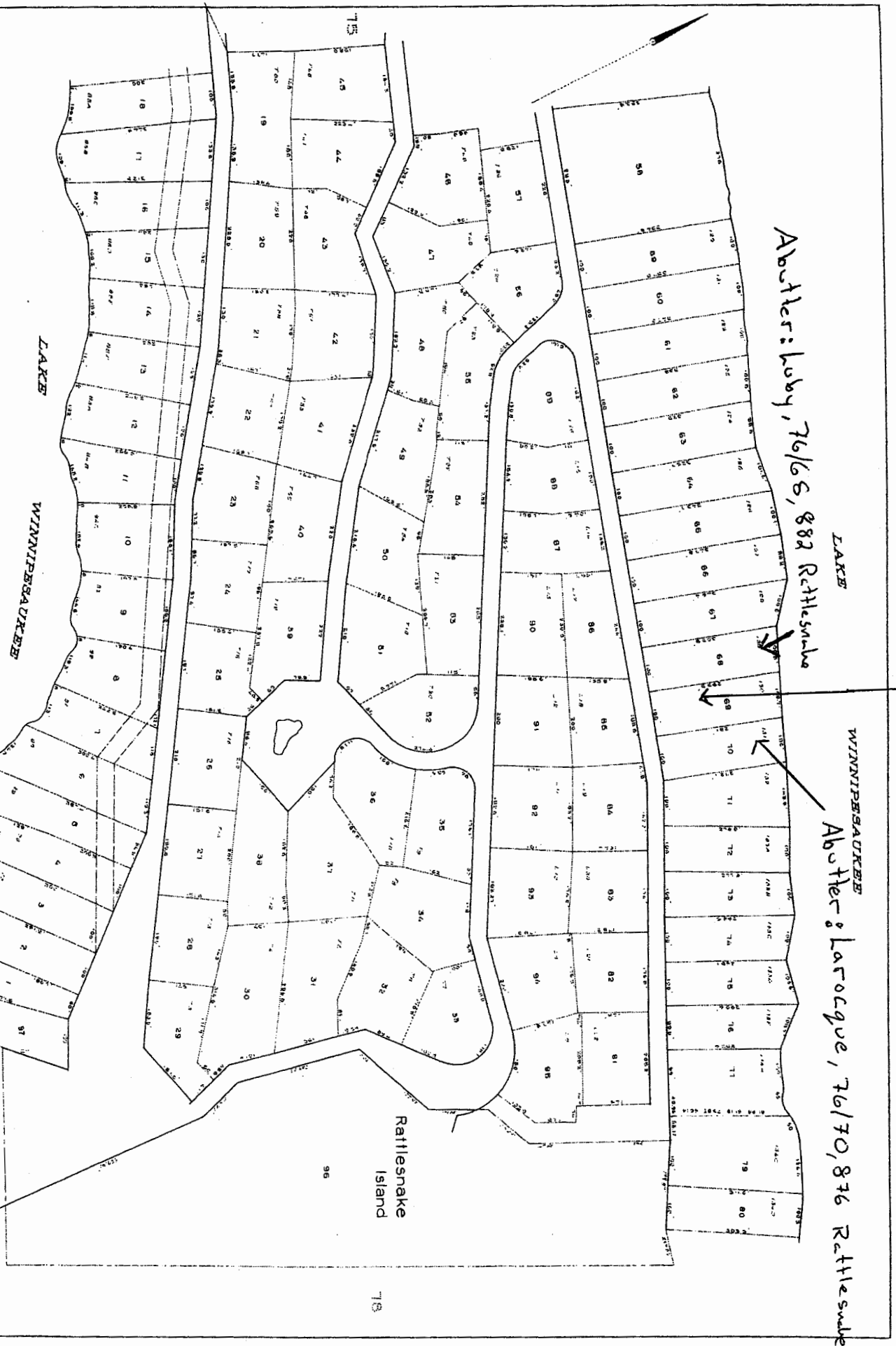
Mercator Projection
 WGS84
 USNG Zone 19TCJ
 CalTopo.com



Subject Parcel: Brown, 878 Rattlesnake, 76/69

Abther: Luby, 76/68, 882 Rattlesnake

Abther: Larocque, 76/70, 876 Rattlesnake



LEGEND
 PARCEL NUMBER
 ADJACENT MAPS
 MATCH LINE

REPRODUCED & REPRODUCED BY
 CA TECHNOLOGIES
 LITTLETON, CO 80120

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



New Hampshire Natural Heritage Bureau

To: Tobin Greer
Box 1323
Meredith, NH 03253

Date: 1/2/2017

From: NH Natural Heritage Bureau

Re: Review by NH Natural Heritage Bureau of request dated 1/2/2017

NHB File ID: NHB17-0052

Applicant: Tobin Greer

Location: Tax Map(s)/Lot(s): 76/69
Alton

Project Description: Reconstruct existing breakwater to comply with current regulations regarding length and creating gap at shoreline.

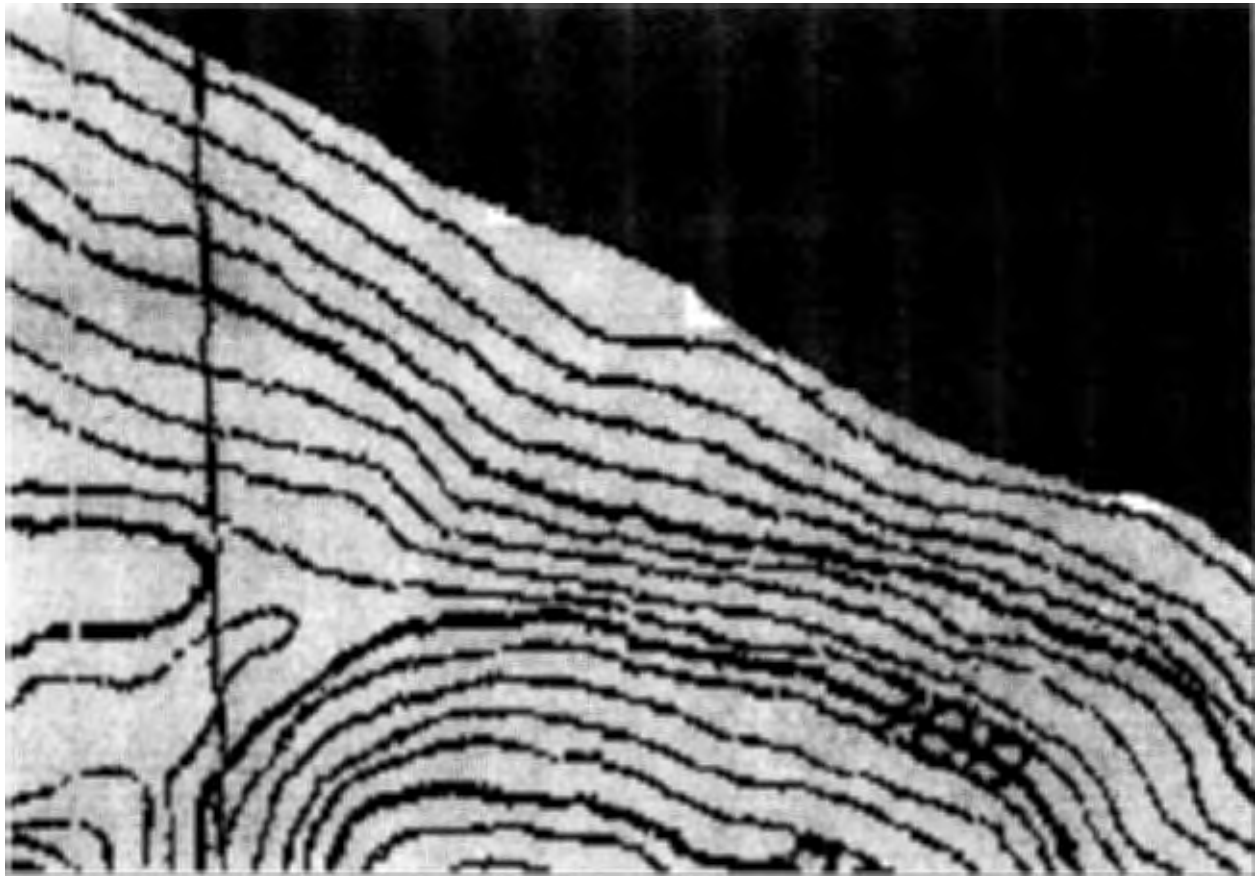
The NH Natural Heritage database has been checked for records of rare species and exemplary natural communities near the area mapped below. The species considered include those listed as Threatened or Endangered by either the state of New Hampshire or the federal government. We currently have no recorded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

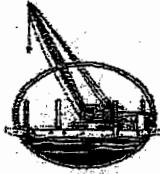
This report is valid through 1/1/2018.



MAP OF PROJECT BOUNDARIES FOR NHB FILE ID: NHB17-0052



Ambrose Marine Construction
PO box 1323
Meredith, NH 03253
603.279.4444
info@marinenh.com



Abutter List
Brown, 878 Rattlesnake Island
Alton Tax Map 76/69

Subject Property

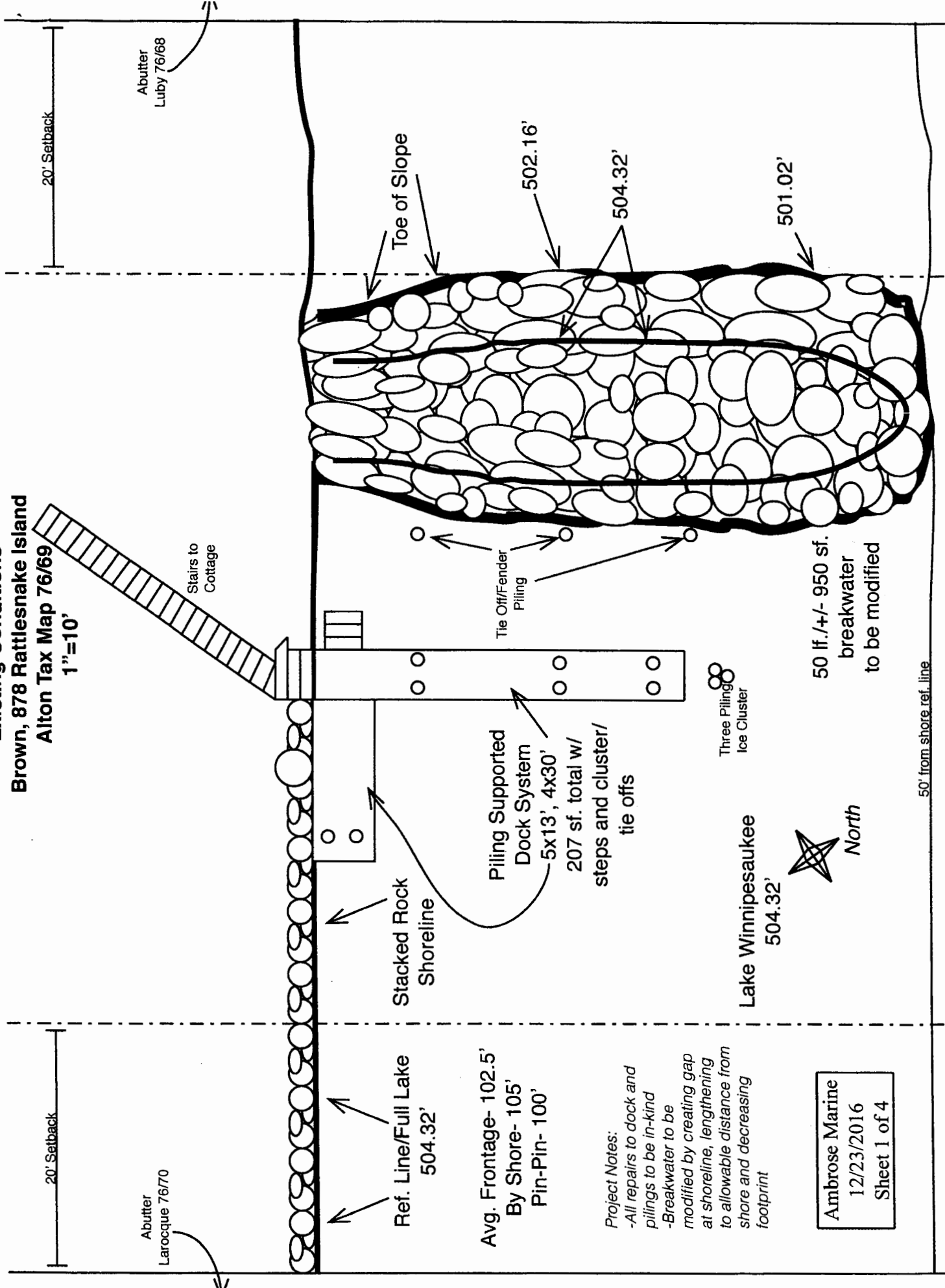
878 Rattlesnake Island, Alton Tax Map 76/69
Theodore & Doreen Brown
[REDACTED]
Lee, MA 01238

Abutters

- 1) 876 Rattlesnake Island, Alton Tax Map 76/70
Robert Larocque
[REDACTED]
Merrimack, NH 03054

- 2) 882 Rattlesnake Island, Alton Tax Map 76/68
Jeffrey and Desiree Luby
[REDACTED]
Wolfeboro Falls, NH 03896

Existing Conditions
Brown, 878 Rattlesnake Island
Alton Tax Map 76/69
1"=10'



Abutter
Larocque 76/70

20' Setback

Abutter
Luby 76/68

20' Setback

Ref. Line/Full Lake
504.32'

Avg. Frontage- 102.5'
By Shore- 105'
Pin-Pin- 100'

Project Notes:
 -All repairs to dock and pilings to be in-kind
 -Breakwater to be modified by creating gap at shoreline, lengthening to allowable distance from shore and decreasing footprint

Ambrose Marine
 12/23/2016
 Sheet 1 of 4

Stacked Rock
Shoreline

Piling Supported
Dock System
-5x13', 4x30'
207 sf. total w/
steps and cluster/
tie offs

Three Piling
Ice Cluster

Lake Winnepesaukee
504.32'

North

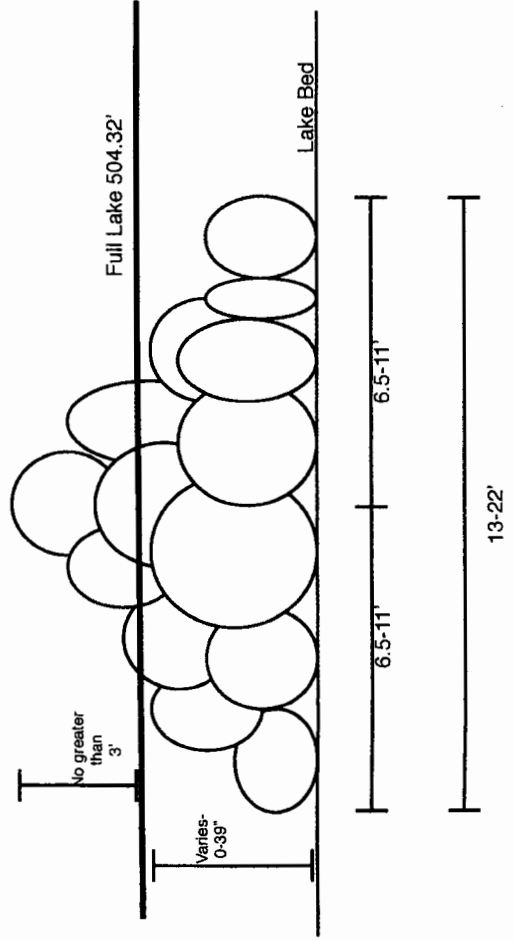
50 lf. +/- 950 sf.
breakwater
to be modified

50' from shore ref. line

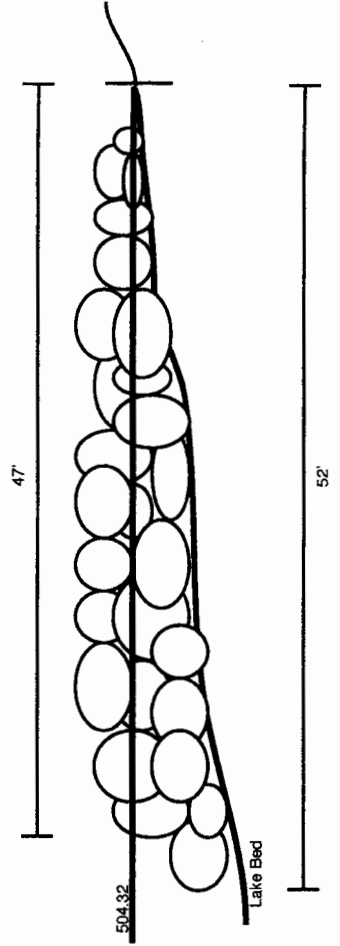
**Existing Cross Sections
Brown, 878 Rattlesnake Island
Alton Tax Map 76/69
Dimensioned, Not to Scale**

Ambrose Marine
12/23/2016
Sheet 2 of 4

Cross Section
Dimensions Vary Based on
Water Depth



Profile



**Proposed Conditions
Brown, 878 Rattlesnake Island
Alton Tax Map 76/69
1"=10'**

20' Setback

20' Setback

Abutter
Larocque 76/70

Abutter
Luby 76/68

Stairs to
Cottage

Ref. Line/Full Lake
504.32'

Avg. Frontage- 102.5'
By Shore- 105'
Pin-Pin- 100'

Stacked Rock
Shoreline

Piling Supported
Dock System
5x13', 4x30'
207 sf. total w/
steps and cluster/
tie offs

Tie Off/Fender
Piling

6'
gap

Toe of Slope

502.16'

504.32'

501.02'

Three Piling
Ice Cluster

Lake Winnepesaukee
504.32'



50 lf./+/- 850 sf.
breakwater

50' from shore ref. line

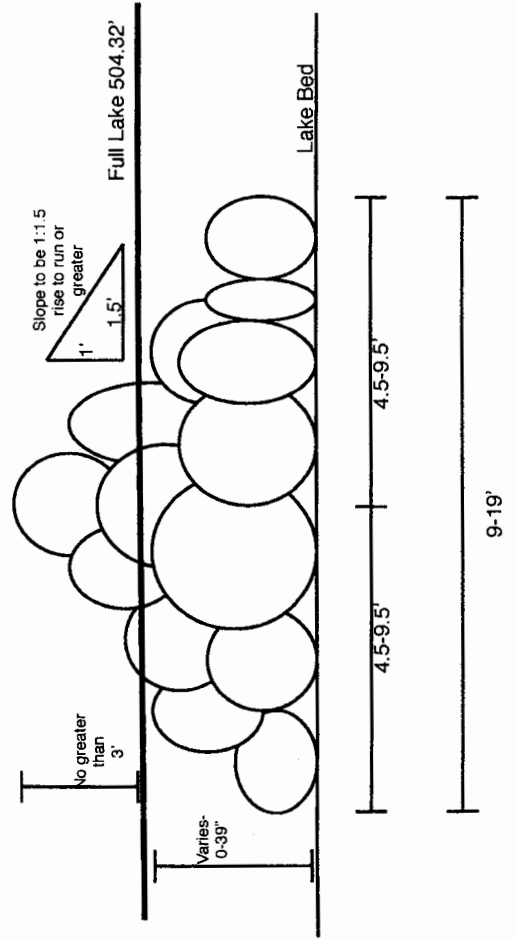
Project Notes:
-All repairs to dock and
pilings to be in-kind
-Breakwater to be
modified by creating gap
at shoreline, lengthening
to allowable distance from
shore and decreasing
footprint

Ambrose Marine
12/23/2016
Sheet 3 of 4

**Existing Cross Sections
Brown, 878 Rattlesnake Island
Alton Tax Map 76/69
Dimensioned, Not to Scale**

Ambrose Marine
12/23/2016
Sheet 4 of 4

**Cross Section
Dimensions Vary Based on
Water Depth**



Profile

