



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



**Thomas S. Burack, Commissioner**

May 13, 2016

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

**REQUESTED ACTION**

Approve Bennett J. Walker's request to perform the following work on Lake Winnepesaukee, in Alton. File # 2016-00210. This project will not have significant impact on or adversely affect the values of Lake Winnepesaukee.

Fill 444 sq. ft. of lakebed to construct 37 linear ft. of straight breakwater beginning 6 ft. lakeward of the shoreline with a 6 ft. x 30 ft. cantilevered pier accessed by a 6 ft. x 6 ft. walkway and install a 6 ft. x 30 ft. seasonal pier on an average of 102 ft. of frontage on Rattlesnake Island, 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 Ambrose Marine dated January 11, 2016, and revised through March 9, 2016, as received by DES on March 17, 2016.
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 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 of Administrative Rules Env-Wq 1400 during and after construction.
4. This permit does not authorize the removal of trees or saplings within the waterfront buffer that would result in a tree and sapling point score below the minimum required per RSA 483-B:9, V, (a)(2)(D)(iv).
5. 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.
6. Work shall be carried out in a time and manner to avoid disturbances to migratory waterfowl breeding and nesting areas.
7. 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.
8. 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.
9. All excavated material and construction-related debris shall be placed outside of the areas subject to RSA 482-A. Any spoil material deposited within 250 ft. of any surface water shall comply with RSA-483-B.
10. The contractor responsible for completion of the work shall use techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).

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

11. No portion of breakwater as measured at normal full lake (Elev. 504.32 ft.) shall extend more than 43 ft. from normal full lake shoreline.
12. The breakwater shall not exceed 3 ft. in height (Elev. 507.32 ft.) over the normal high water line (Elev. 504.32 ft.).
13. The width as measured at the top of the breakwater (Elev. 507.32 ft.) shall not exceed 3 ft.
14. Rocks shall not remain stockpiled on the frontage for longer than 60 days.
15. Photos showing that all construction materials have been removed from the temporary stockpile area shall be submitted to the DES Wetlands program within 10 days of completing the docking facility.
16. 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.
17. 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.
18. Any subdivision of the property 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.
19. 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 ft. from the abutting property lines or the imaginary extension of those lines into the water.
20. All seasonal structures shall be removed for the non-boating season.

#### EXPLANATION

The DES Wetlands Bureau approved this project on April 14, 2016. 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 applicant has an average of 102 ft. 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 Department finds that a public hearing is not required because the project is not of significant public interest and its impacts will not significantly impair the resources of Lake Winnepesaukee.

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



# WETLANDS PERMIT APPLICATION

Water Division/ Wetlands Bureau

Land Resources Management

Check the status of your application: [www.des.nh.gov/onestop](http://www.des.nh.gov/onestop)



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

			File No: <b>2016-00210</b>
			Check No: <b>2852</b>
			Amount: <b>\$1,010.00</b>
			Initials: <b>Emk</b>

**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: **Rattlesnake Island**

TOWN/CITY: **Alton**

TAX MAP: **75**

BLOCK:

LOT: **69**

UNIT:

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.

**Construct a +/- 450 square foot break and cantilevered 6x30' dock. Also install a seasonal 6x40 dock resulting in a total of 2 slips along 101.75' of frontage on Lake Winnepesaukee.**

**4. SHORELINE FRONTAGE**

NA This lot has no shoreline frontage.

SHORELINE FRONTAGE: **101.75**

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 **16** - **0050**

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

NA

**7. APPLICANT INFORMATION (Desired permit holder)**

LAST NAME, FIRST NAME, M.I.: <b>Walker, Bennett</b>			
TRUST / COMPANY NAME:		MAILING ADDRESS: [REDACTED]	
TOWN/CITY: <b>Brookline</b>		STATE: <b>MA</b>	ZIP CODE: <b>02445</b>
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.:			
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.:		COMPANY NAME: <b>Ambrose Marine Construction</b>	
MAILING ADDRESS: <b>PO BOX 1323</b>			
TOWN/CITY: <b>Meredith</b>		STATE: <b>NH</b>	ZIP CODE: <b>03253</b>
EMAIL or FAX: <b>tobin@marinenh.com</b>		PHONE: <b>(603)279-4444</b>	
ELECTRONIC COMMUNICATION: By initialing here <b>TG</b> , 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:

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](http://www.nh.gov/nhdhr/review)) to the NH State Historic Preservation Officer (SHPO) at the NH Division of Historical Resources to be reviewed for the presence of historical/ archeological resources.
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 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 NHDES correspondence. NHDES will not forward returned mail.

 <b>attached separately</b> Property Owner Signature	Print name legibly	Date
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## 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.

	Lisa Noyes Print name legibly	Alton Town/City	1/19/16 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.

**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	450 /	/
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	240	240
Docking - River	<input type="checkbox"/> ATF	<input type="checkbox"/> ATF
Docking - Tidal Water	<input type="checkbox"/> ATF	<input type="checkbox"/> ATF
<b>TOTAL</b>	<b>690 /</b>	<b>240 /</b>

**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) 450 sq. ft. X \$0.20 = \$ 90

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

Permanent docking structure: 240 sq. ft. X \$2.00 = \$ 480

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

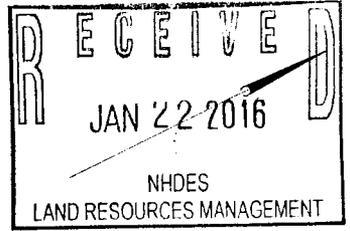
**Total = \$ 1010**

The Application Fee is the above calculated Total or \$200, whichever is greater = **\$ 1010**

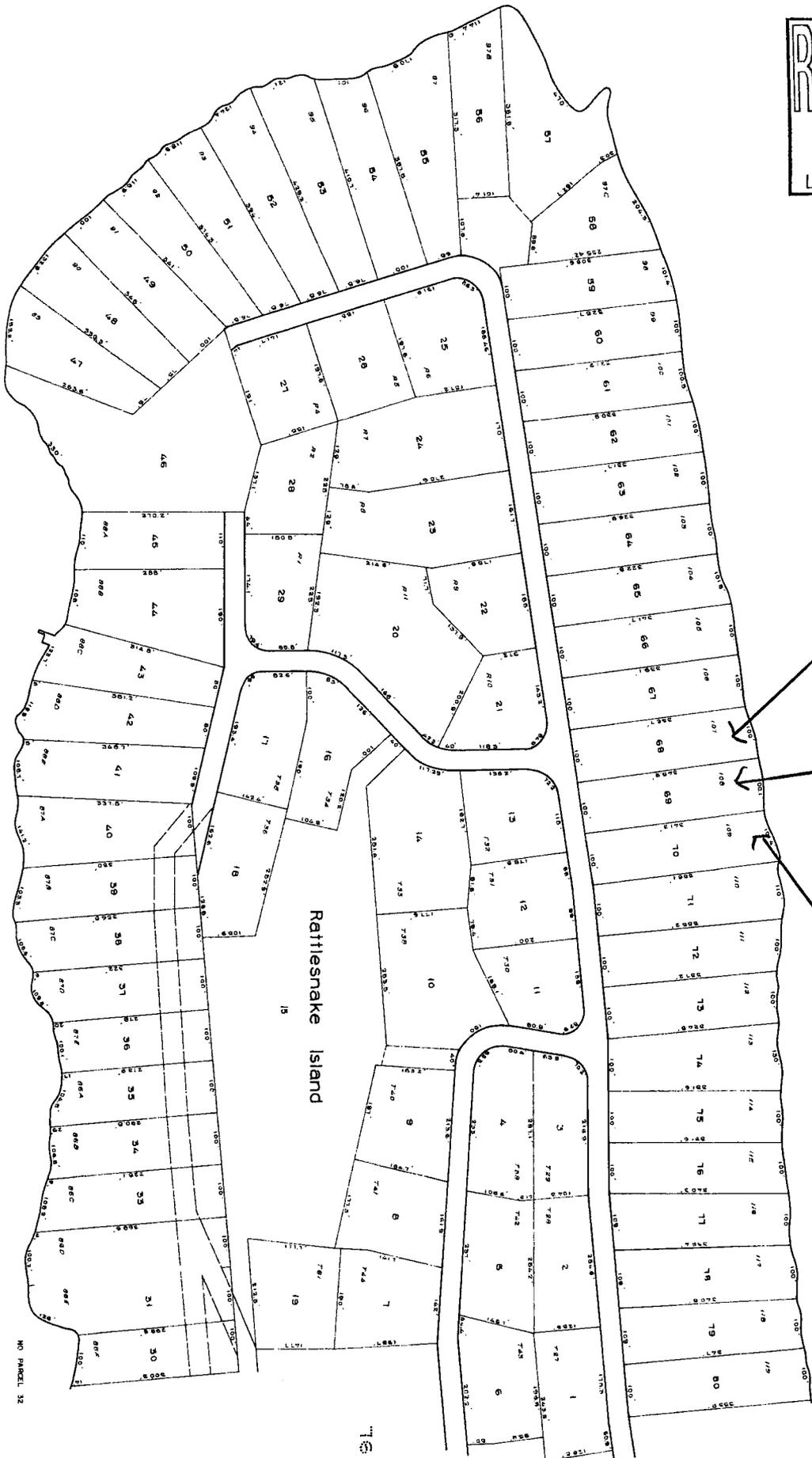
[shoreland@des.nh.gov](mailto:shoreland@des.nh.gov) or (603) 271-2147

NHDES Wetlands Bureau, 29 Hazen Drive, PO Box 95, Concord, NH 03302-0095

[www.des.nh.gov](http://www.des.nh.gov)



WALKER HAMILTONIANE ISLANDS, 1AK MAP ALTON) 45/69



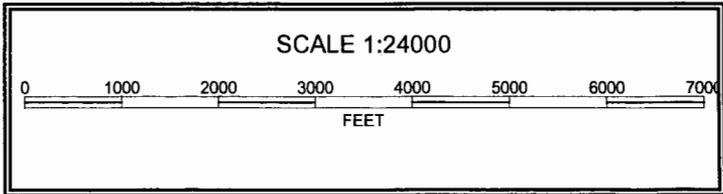
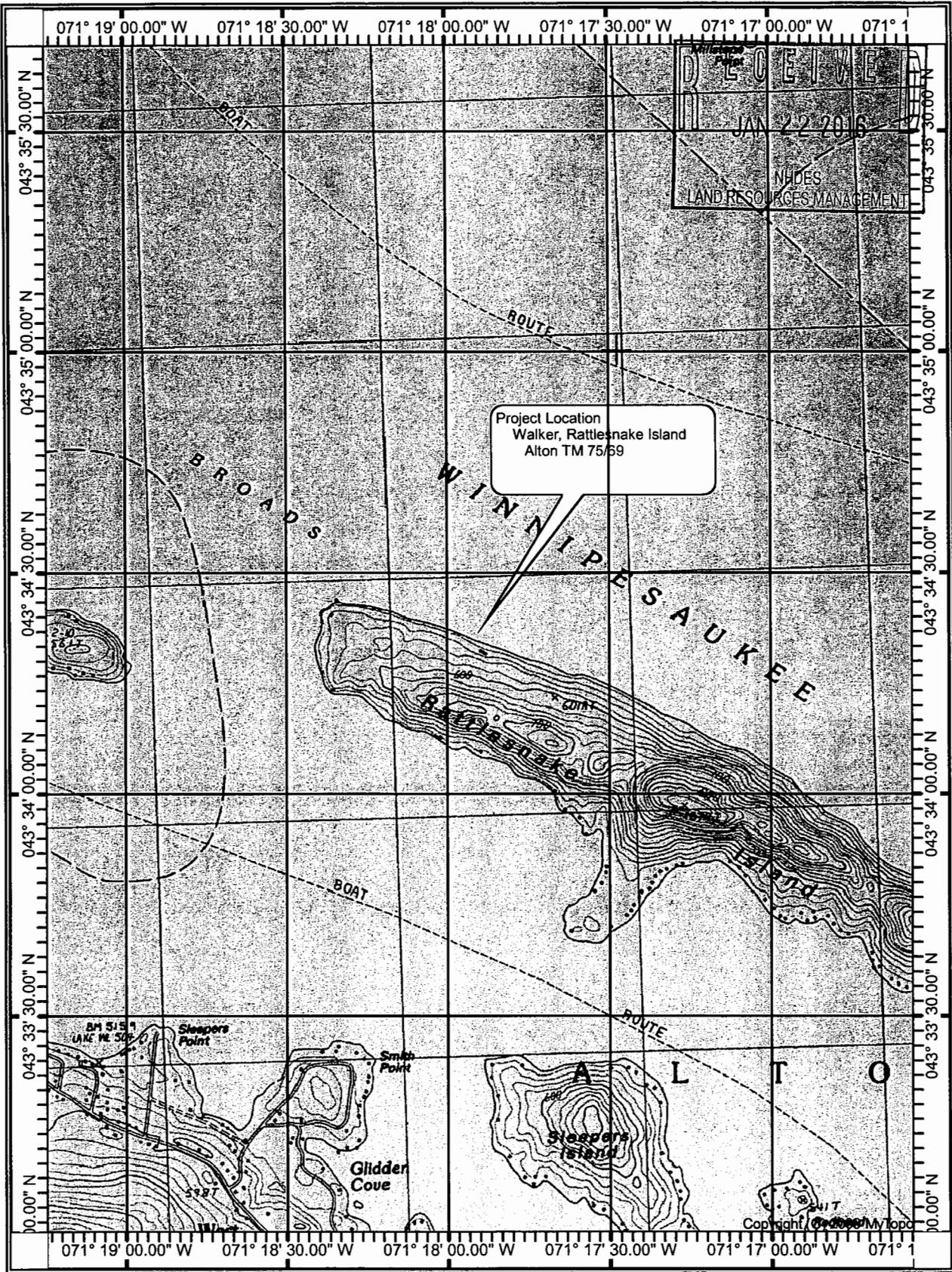
**LEGEND**  
 PANEL NUMBERS ..... 1  
 ADJACENT MAPS ..... 2  
 MATCH LINE ..... 2

For Assessment Purposes  
 Not to be used for Conveyance

LAKES

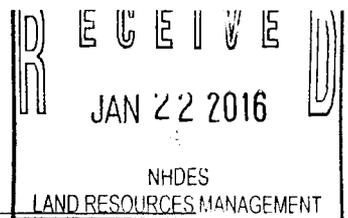
WINNIPESAUKEE  
 REVISED & REPRINTED BY  
 CN TECHNOLOGIES  
 LITTLETON NH 03561

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





New Hampshire Natural Heritage Bureau



To: Tobin Greer  
Box 1323  
Meredith, NH 03253

Date: 1/5/2016

From: NH Natural Heritage Bureau

Re: Review by NH Natural Heritage Bureau of request dated 1/5/2016

NHB File ID: NHB16-0050

Applicant: Tobin Greer

Location: Tax Map(s)/Lot(s): 75/69  
Alton

Project Description: Build a +/- 450 sf. breakwater and attached cantilevered dock along 102' of undeveloped frontage on Rattlesnake Island on Lake Winnepesaukee.

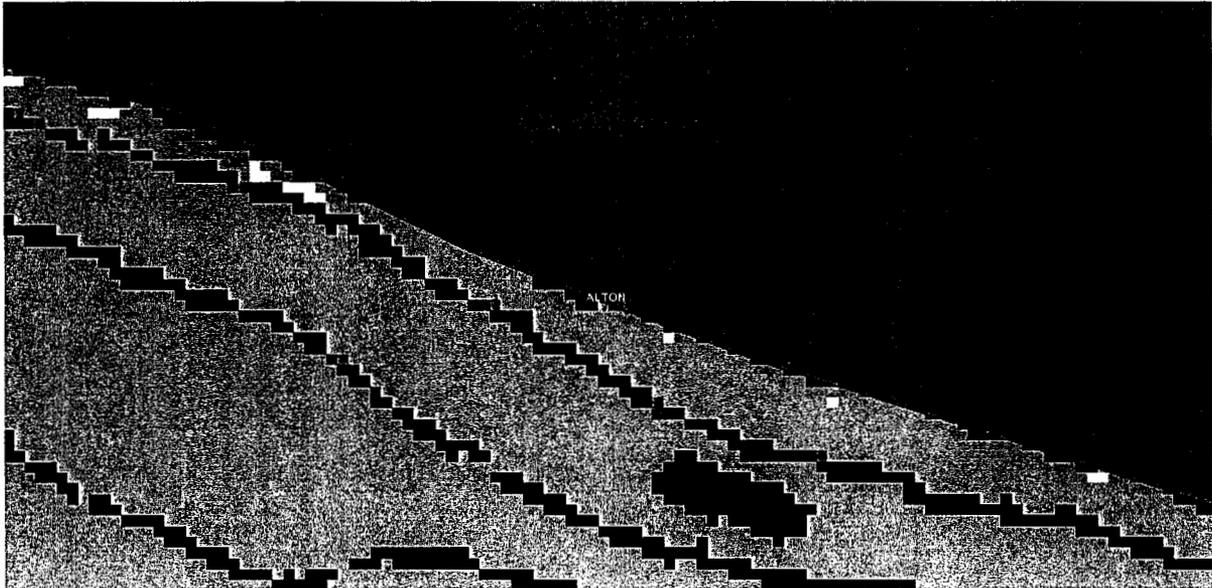
The NH Natural Heritage database has been checked for records of rare species and exemplary natural communities near the area mapped below. The species considered include those listed as Threatened or Endangered by either the state of New Hampshire or the federal government. We currently have no recorded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

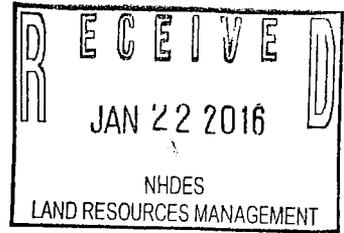
This report is valid through 1/4/2017.



MAP OF PROJECT BOUNDARIES FOR NHB FILE ID: NHB16-0050



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



Mailing Receipts  
 Walker  
 Alton Tax Map 75/69

6080 0925 0000 020E E102

**U.S. Postal Service™**  
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NAUGATUCK CT 06770 **OFFICIAL USE**

Postage	\$ 3.45	0253 02 Postmark Here  12/24/2015
Certified Fee	<del>\$0.00</del>	
Return Receipt Fee (Endorsement Required)	\$0.00	
Restricted Delivery Fee (Endorsement Required)	N/A	
Total Postage & Fees	\$ 3.94	

Sent To Newell  
 Street, Apt. No., or PO Box No. [REDACTED]  
 City, State, ZIP+4 Naugatuck, CT 06770

PS Form 3800, August 2006 See Reverse for Instructions

6180 0925 0000 020E E102

**U.S. Postal Service™**  
**CERTIFIED MAIL™ RECEIPT**  
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WOLFEBORO NH 03894 **OFFICIAL USE**

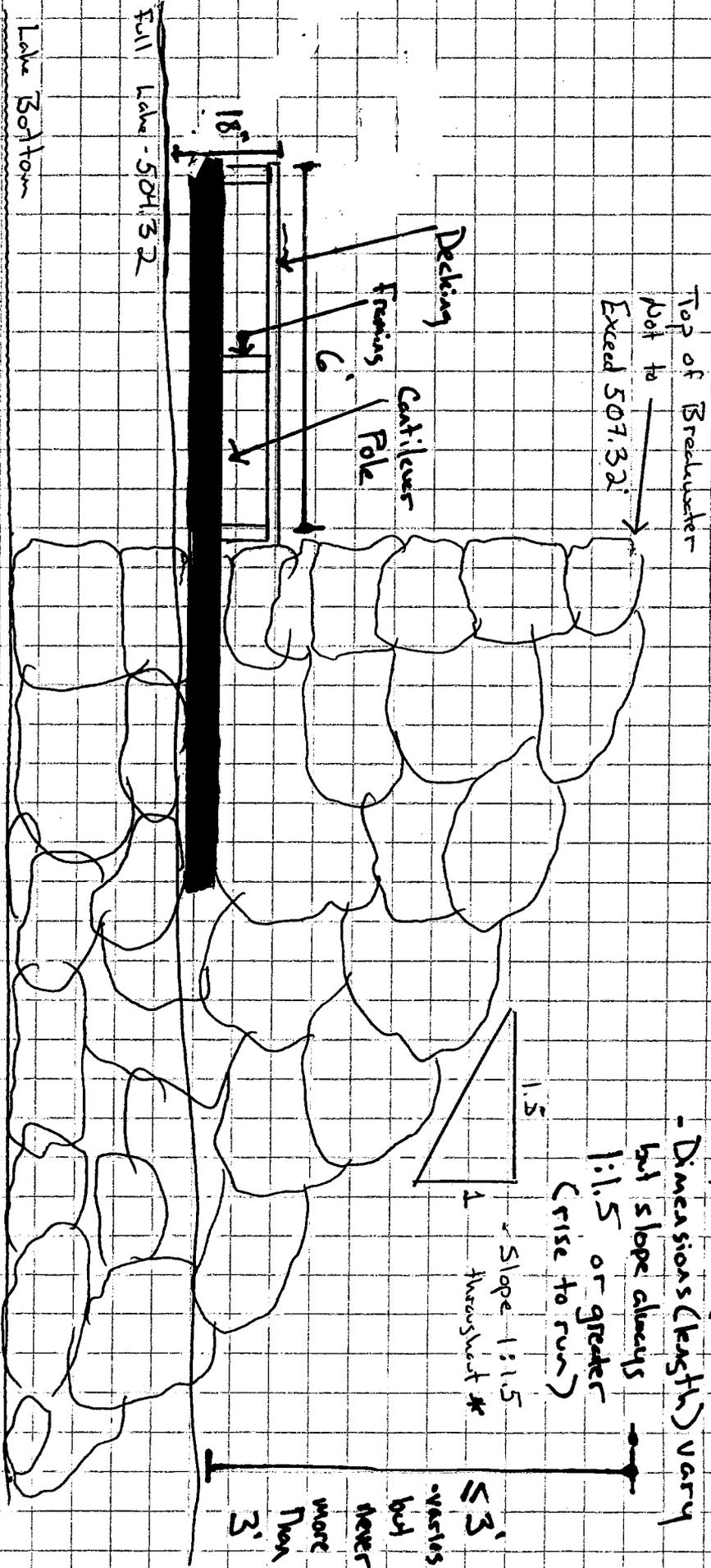
Postage	\$ 3.45	0253 02 Postmark Here  12/24/2015
Certified Fee	<del>\$0.00</del>	
Return Receipt Fee (Endorsement Required)	\$0.00	
Restricted Delivery Fee (Endorsement Required)	N/A	
Total Postage & Fees	\$ 3.94	

Sent To Hawes Rev. Trust  
 Street, Apt. No., or PO Box No. [REDACTED]  
 City, State, ZIP+4 Wolfboro, NH 03894

PS Form 3800, August 2006 See Reverse for Instructions

# Breakwater Profile

Walker  
 Rattlesnake Island (Unnumbered Lot)  
 Alton Tax Map 75/69  
 Adj. To Scale / Typical Dimensions



- Notes
- Height varies based on water depth but top of breakwater does not exceed 3' above full lake
  - Top of deck 18" above full lake
  - Dimensions (length) vary but slope always 1:1.5 or greater (rise to run)



≤ 3'  
 varies but never more than 3'