



#### The State of New Hampshire

## **Department of Environmental Services**

#### Robert R. Scott, Commissioner



October 4, 2022

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

#### REQUESTED ACTION

Approve the NH Department of Transportation's (NHDOT) request to perform the following work on Lake Winnipesaukee in Alton Bay pursuant to NH Department of Environmental Services (NHDES) Wetlands Bureau permit #2022-01775, and in accordance with RSA 482-A:3. No comments were submitted by the Alton Bay Conservation Commission regarding the project as proposed. There are no abutters to this property.

Install a 6 foot x 60 foot seasonal pier accessed by a 14 foot x 14 foot landing and access stairs along NHDOT owned frontage supporting Route 11, along Lake Winnipesaukee in Alton Bay.

NHDES imposed the following conditions as part of this approval:

- In accordance with Env-Wt 307.16, all work shall be done in accordance with revised plans dated May 11, 2022, by the Collins Norris Family Trust, as received by the NH Department of Environmental Services (NHDES) on June 28, 2022.
- 2. This permit is not valid until the effective date of the lease agreement for the frontage executed between the applicant and the owner, the NH Department of Transportation.
- This permit shall not be effective until it has been recorded in the Belknap County Registry of Deeds for property owned by Norris Family Trust located at 66-68 Spring Street, Alton Tax Map 36, Lot 15 and a copy of the recorded permit has been provided to the department as required pursuant to RSA 482-A:3, and Env-Wt 314.02.
- 4. 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 as required to maintain compliance with Env-Wt 314.02 and Env-Wt 513.12.
- 5. All seasonal structures shall be removed for the non-boating season as required per Env-Wt 513.22.
- 6. The use of this structure shall be limited to the docking and securing of watercraft as required to comply with Env-Wt 307.09.
- 7. The seasonal dock shall be removed from the water prior to applying any paint, stain, or other preservative coating, and not returned to the water until after such coating is dry as required per Env-Wt 513.22(b)(4).
- 8. All development activities associated with any project shall be conducted in compliance with applicable requirements of RSA 483-B and Env-Wq 1400 during and after construction as required pursuant to RSA 483-B:3.

His Excellency, Governor Christopher T. Sununu and The Honorable Council Page 2 of 2

- Work authorized shall be carried out in accordance with Env-Wt 307 such that appropriate turbidity
  controls are in place to protect water quality and that appropriate turbidity controls shall remain until
  suspended particles have settled and water at the work site has returned to normal clarity.
- 10. No activity shall be conducted in such a way as to cause or contribute to any violation of surface water quality standards specified in RSA 485-A:8 or Env-Wq 1700.
- 11. Pursuant to RSA 482-A:14, RSA 482-A:14-b, and RSA 482-A:14-c, NHDES is authorized to take appropriate compliance actions should it be determined that, based upon additional information which becomes available, any of the structures depicted as "existing" on the plans submitted by or on behalf of the permittee were not previously permitted or grandfathered.

#### **EXPLANATION**

NHDES approved this project on August 26, 2022. NHDES supported its decision with the following findings:

- 1. This is a major impact project per Administrative Rule Env-Wt 513.25(c), installation of a docking structure resulting in more than 4 boatslips along the frontage.
- 2. A property located at 66-68 Spring Street, Alton Tax Map 36, Lot 15 is owned by the Collins Norris Family Trust ("the Applicant").
- 3. The Applicant applied for, and the New Hampshire Department of Transportation approved, a 5 year lease, starting August 1, 2021, and running to July 31, 2026, for use of 20 feet of frontage along Lake Winnipesaukee in order to install the requested a 6 foot x 60 foot seasonal dock and construct a 14 foot x 14 foot landing with water access stairs.
- 4. In accordance with 513.11(a)(1) seasonal docks shall have a deck width of 6 feet and deck length of 40 feet, as measured from normal high water mark.
- 5. The applicant has provided the NHDES with evidence demonstrating how a standard 40 foot length would propose safety concerns to neighboring structures as required by Env-Wt 513.08(b).
- 6. The NHDES has accepted the evidence of the physical hardship and approved the extension of a seasonal pier beyond that permissible under Env-Wt 513.11(a)(1).
- 7. The NHDES finds that because the project is not of significant public interest and will not significantly impair the resources of Lake Winnipesaukee a public hearing under RSA 482-A:8 is not required.
- 8. No concerns were received from abutters, nor the local Conservation Commission related to the project.
- 9. The NHDES finds that the project as proposed and conditioned meets the requirements of RSA 482-A and the Wetlands Program Code of Administrative Rules Chapters Env-Wt 100 900. No waivers of RSA 482-A or the Wetlands Program Code of Administrative Rules Chapters Env-Wt 100 900 were requested or approved under this permit action.

NHDES Wetlands Bureau permit #2022-01775 application documents are enclosed for review by the Governor and the Executive Council in consideration of this request and in accordance with RSA 482-A:3, II(a), as it is a major project located in New Hampshire public waters.

We respectfully request your approval of this item.

Robert R. Scott Commissioner



# STANDARD DREDGE AND FILL WETLANDS PERMIT APPLICATION

# Water Division/Land Resources Management Wetlands Bureau

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

**APPLICANT'S NAME: Collins Norris Family Trust** 

TOWN NAME: Alton Bay NH

DECEIVE	1
M - JUN 17 2022	
NITED TO THE LAND RESUUDING MANAGEME	117

## COMPLETE

JUN 28 2022

Ce# 20937429-0 Ce# \$ 1,198.40 RS

A person may request a waiver of the requirements in Rules Env-Wt 100-900 to accommodate situations where strict adherence to the requirements would not be in the best interest of the public or the environment but is still in compliance with RSA 482-A. A person may also request a waiver of the standards for existing dwellings over water pursuant to RSA 482-A:26, III(b). For more information, please consult the

	ease use the , the Natural Heritage Bureau (NHB)	.1.
::	or other sources to assist in identifying key features such as:  Coastal areas, designated rivers or designated prime wetlands	, the
На	s the required planning been completed?	Xes No
Do	bes the property contain a PRA? If yes, provide the following information:	Yes No
•	Does the project qualify for an Impact Classification Adjustment (e.g. NH Fish and Game Department (NHF&G) and NHB agreement for a classification downgrade) or a Project-Type Exception (e.g. Maintenance or Statutory Permit-by-Notification (SPN) project)? See Env-Wt 407.02 and Env-Wt 407.04.	☐ Yes ⊠ No
50	Protected species or habitat?  o If yes, species or habitat name(s): o NHB Project ID #:	☐ Yes ⊠ No
•	Bog?	☐ Yes ⊠ No
•	Floodplain wetland contiguous to a tier 3 or higher watercourse?	☐ Yes ⊠ No
•	Designated prime wetland or duly-established 100-foot buffer?	☐ Yes 🏻 No
•	Sand dune, tidal wetland, tidal water, or undeveloped tidal buffer zone?	☐ Yes ⊠ No
ls t	he property within a Designated River corridor? If yes, provide the following information:	☐ Yes ⊠ No
•	Name of Local River Management Advisory Committee (LAC):	
•	A copy of the application was sent to the LAC on Month: Day: Year:	뮗

TO 1	
For dredging projects, is the subject property contaminated?  • If yes, list contaminant: N/A	☐ Yes ⊠ No
Is there potential to impact impaired waters, class A waters, or outstanding resource waters?	Yes No
For stream crossing projects, provide watershed size (see or Stream Stats):  N/A	
SECTION 2 - PROJECT DESCRIPTION (Env-Wt 311.04(i))	
Provide a brief description of the project and the purpose of the project, outlining the scope of wo and whether impacts are temporary or permanent. DO NOT reply "See attached"; please use the s below.	ork to be performed pace provided
Purpose To come into compliance with NH DOT Route 11, Alton Bay state reclemation project. This project relocate our dock 85 feet south of its present location. This relocation will put us in compliance wit received a 5 year renewable lease to use state land to relocate our dock in 2021. See attached copattached e-mail communication from Alan Hanscom et al.	th NHDOT. We
Brief Description	
NHDES, NHDOT and the Attorney Generals office held a meeting on January 5, 2022 to review our The decision from that meeting was that we place a floating 6' X 60' removeable dock in the agreed attached detailed plan.	
We seek to place this removeable 6' x 60' floating dock, approximately a 14' x 14' platform for the and a set of stairs to access the new location. The approved location is NH State DOT land leased to approximately 20 feet of land located between the Mertens, Shea, Dolan property and the McKinn property. See attached State DOT-ROW lot plans project number 1832HA provided area maps with highlighted.	o us and is ey, O'Toole
Impacts The dock is removeable, the stairs and sitting area will be built on top of the land requiring no exca filling. See attached photos of screw and post securing devices. The only change to the shore line willow tree, utilizing the stump to assist in securing the removeable floating dock and platform. See NHDOT Highway District 3, Alan G. Hanscom, PE with permission for removal of the Willow tree.	will be removal of a
SECTION 3 - PROJECT LOCATION	- 4
Separate wetland permit applications must be submitted for each municipality within which wetlan	nd impacts occur.
ADDRESS: Rt 11 Alton Bay, statae owned land identified on DOT-ROW lot plans project number 183	32HA attached
TOWN/CITY: Alton Bay	
TAX MAP/BLOCK/LOT/UNIT: mount major highway Alton Bay see DOT-ROW lot plans proj # 1832H.	A attached
US GEOLOGICAL SURVEY (USGS) TOPO MAP WATERBODY NAME:  N/A	388
(Optional) LATITUDE/LONGITUDE in decimal degrees (to five decimal places): * North	*5
* West	

or (603) 271-2147 NHDES Wetlands Bureau, 29 Hazen Drive, PO Box 95, Concord, NH 03302-0095

SECTION 4 - APPLICANT (DESIRED PERMIT HO If the applicant is a trust or a company, then of	OLDER) INFORMATION (Envi- complete with the trust or co-	Wt 311.04(a))	
NAME: Collins Norris Family Trust		18	
MAILING ADDRESS			
TOWN/CITY: . Town / Tow		STATE:	ZIP CODE:
EMAIL ADDRESS:		65	1=
FAX:	PHONE:	*** ***	<i>2</i> 0 §
ELECTRONIC COMMUNICATION: By initialing he to this application electronically.	nere: PAC, I hereby authorize	NHDES to communica	ite all matters relativ
SECTION 5 - AUTHORIZED AGENT INFORMATI	ION (Env-Wt 311.04(c))		3
LAST NAME, FIRST NAME, M.I.:		360	
COMPANY NAME:			
MAILING ADDRESS:	£ 6.8	<b>桂</b>	
TOWN/CITY:		STATE:	ZIP CODE:
EMAIL ADDRESS:	144 BEFR R 5445 <sup>12</sup> - 8 5		
FAX:	RHONE:		4 42 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1
ELECTRONIC COMMUNICATION: By initialing he to this application electronically.  SECTION 6 - PROPERTY OWNER INFORMATION		NHDES to communic	
If the owner is a trust or a company, then comp	plete with the trust or compa	cant) (Env-Wt 311.04 ny information.	<b>1(b))</b> - 15 - 15 - 15 - 15 - 15 - 15 - 15 - 15
NAME: NH Department of Transportation		* *	5
MAILING ADDRESS: PO Box 483			
TOWN/CITY: Concord		STATE: NH	ZIP CODE: 03302
MAIL ADDRESS: alan.g.hanscom@dot.nh.gov	8		
AX: 603-524-8027	PHONE: 603-524-66	67	
LECTRONIC COMMUNICATION: By initialing he o this application electronically.			all matters relative
(A)		32	

14	
SECTION 7 - RESOURCE-SPECIFIC CRITERIA ESTABLISHED IN Env-Wt 400, Env-Wt 500, Env-Wt 600, Env-Wt 700, OR Env-Wt 900 HAVE BEEN MET (Env-Wt 313.01(a)(3))	
Describe how the resource-specific criteria have been met for each chapter listed above (please attach information about stream crossings, coastal resources, prime wetlands, or non-tidal wetlands and surface waters):	
N/A See Darlene Forst email communication dated 10/4/21. Also see Steve LaBonte email communication dated 9/28/21 both attached	
FC SO	
88	
	5
SECTION 8 - AVOIDANCE AND MINIMIZATION	
Impacts within wetland jurisdiction must be avoided to the maximum extent practicable (Env-Wt 313.03(a)).* Any project with unavoidable jurisdictional impacts must then be minimized as described in the and the	
. For minor or major projects, a functional assessment of all wetlands on the project site is required (Env-Wt 311.03(b)(10)).*	
Please refer to the application checklist to ensure you have attached all documents related to avoidance and minimization, as well as functional assessment (where applicable). Use the , or your own avoidance and minimization narrative.	e
*See Env-Wt 311.03(b)(6) and Env-Wt 311.03(b)(10) for shoreline structure exemptions.	
SECTION 9 - MITIGATION REQUIREMENT (Env-Wt 311.02)	
If unavoidable jurisdictional impacts require mitigation, a mitigation must occur at least 30 d but not more than 90 days prior to submitting this Standard Dredge and Fill Permit Application.	ays
Mitigation Pre-Application Meeting Date: Month: Day: Year:	
(X) N/A - Mitigation is not required)	
SECTION 10 - THE PROJECT MEETS COMPENSATORY MITIGATION REQUIREMENTS (Env-Wt 313.01(a)(1)c)	
Confirm that you have submitted a compensatory mitigation proposal that meets the requirements of Env-Wt 800 for all permanent unavoidable impacts that will remain after avoidance and minimization techniques have been exercise to the maximum extent practicable: \( \subseteq \) I confirm submittal.	
(X) N/A – Compensatory mitigation is not required)	2

#### SECTION 11 - IMPACT AREA (Env-Wt 311.04(g))

For each jurisdictional area that will be/has been impacted, provide square feet (SF) and, if applicable, linear feet (LF) of impact, and note whether the impact is after-the-fact (ATF; i.e., work was started or completed without a permit).

For intermittent and ephemeral streams, the linear footage of impact is measured along the thread of the channel. *Please note, installation of a stream crossing in an ephemeral stream may be undertaken without a permit per Rule Env-Wt 309.02(d), however other dredge or fill impacts should be included below.* 

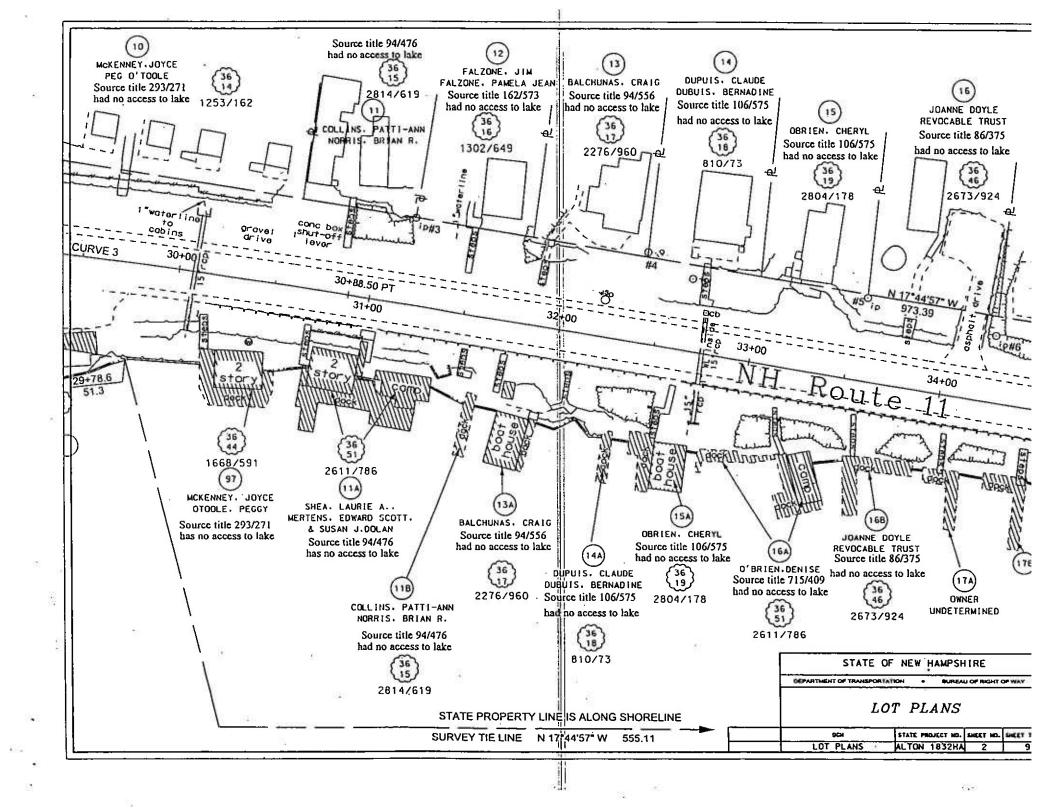
For perennial streams/rivers, the linear footage of impact is calculated by summing the lengths of disturbances to the channel and banks.

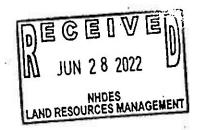
Permanent impacts are impacts that will remain after the project is complete (e.g., changes in grade or surface materials). Temporary impacts are impacts not intended to remain (and will be restored to pre-construction conditions) after the project is completed.

JURISDICTIONAL AREA		PERMANENT			TEMPORARY		
		SF	LF	ATF	SF	LF	ATF
Wetlands	Forested Wetland		<u> </u>				
	Scrub-shrub Wetland						
	Emergent Wetland				5376	9	
	Wet Meadow		lii.				
š	Vernal Pool						
	Designated Prime Wetland						
	Duly-established 100-foot Prime Wetland Buffer						
er	Intermittent / Ephemeral Stream				20		
rface Water	Perennial Stream or River						T T
	Lake / Pond				12 E		
- <u>T</u> -	Docking - Lake / Pond		*** * * * * * * * * * * * * * * * * * *		7 1	44.70 E	Ā
	=Docking=River						
	Bank - Intermittent Stream					3	Π.
Banks	Bank - Perennial Stream / River						$\overline{\Box}$
8	Bank / Shoreline - Lake / Pond		(2)			14	一一
	Tidal Waters		ŷ.				<del>- H</del>
	Tidal Marsh			. 🗆			
Tidal	Sand Dune						
ĭĔ	Undeveloped Tidal Buffer Zone (TBZ)		25				一一
À	Previously-developed TBZ						Ħ
	Docking - Tidal Water						T T
	TOTAL			,X		*	
SEC	TION 12 - APPLICATION FEE (RSA 482-A:3, I)		<del></del>			*6	
	MINIMUM IMPACT FEE: Flat fee of \$400.		······································			H	
	NON-ENFORCEMENT RELATED, PUBLICLY-FUND	DED AND SU	JPERVISED	RESTORATION	N PROJEC	TS REGARDI	ESS OF
	MPACT CLASSIFICATION: Flat fee of \$400 (refe	r to RSA 48	2-A:3. 1(c)	for restrictio	ns)	13, NEGARDE	.C33 OF
	MINOR OR MAJOR IMPACT FEE: Calculate using						
							\$ 78.40
	Seasonal do	cking struct	ture: 360	SF		× \$2.00 =	\$ 720.0
	Permanent do	cking struct	ture: .	· SF		× \$4.00 =	\$
Projects proposing shoreline structures (including docks) add \$400 = \$40					\$ 400.0		
s			8	6)		Total =	\$ 1198.4

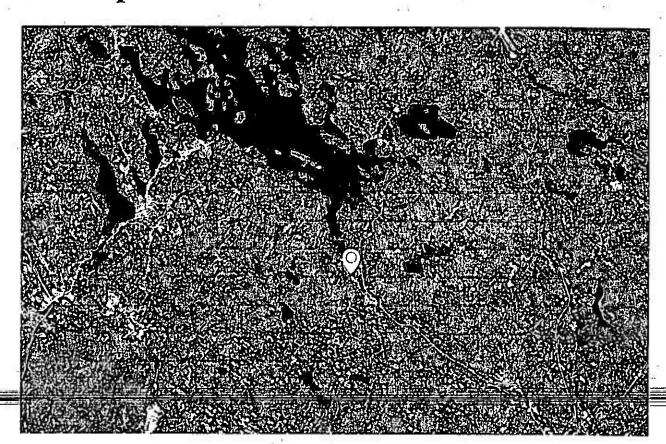
The application fee for minor or major impact is the above calculated total or \$400, whichever is greater = \$ 1198.4								
SECTION 13 - PROJECT CLASSIFICATION (Env-Wt 306.05)								
Indicate the project classification.								
☐ Minimum Impact Project       ☐ Minor Project       ☒ Major Project								
SECTION 14 - REQUIRED CERTIFICATIONS (Env-Wt 311.11)								
Initial each	Initial each box below to certify:							
Initials: pac  To the best of the signer's knowledge and belief, all required notifications have been provided.								
Initials: pac								
Initials: pac	practice in New Hampshire, refer the matter to the joint board of licensure and certification established by RSA 310-A:1.  The signer is subject to the penalties specified in New Hampshire law for falsification in official matters, currently RSA 641.							
¥	Department to inspect the site of	the proposed proj ill projects, where t	nunicipal conservation commission a ect, except for minimum impact fore he signature shall authorize only the	estry SPN				
Initials: pac	Initials:							
SECTION 1	5 - REQUIRED SIGNATURES (Env-Wt 311	.04(d); Env-Wt 31	1.11)					
SIGNATURE	(OWNER):	PRINT NAME LEGII see attached letter	DATE: 6/16/2022					
SIGNATURE	(APPLICANT) IF DIFFERENT FROM OWNER):	PRINT NAME LEGII Patti-Ann Collilns	DATE: 6/16/2022					
SIGNATURE	(AGENT, IF APPLICABLE):	PRINT NAME LEGII N/A	BLY:	DATE:				
SECTION 16 - TOWN / CITY CLERK SIGNATURE (Env-Wt 311.04(f))								
As required by RSA 482-A:3, I(a)(1), 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.								
<u> </u>	Y CLERK SIGNATURE:		PRINT NAME LEGIBLY:					

The application fee for minor or major impact is the above calculated total or \$400, whichever is greater =							
SECTION 13 - PROJECT CLASSIFICATION (Env-Wt 306.05)							
Indicate the project classification.							
☐ Minimum Impact Project ☐ Minor Project ☑ Major Project							
SECTION 1	4 - REQUIRED CERTIFICATIONS	S (Env-Wt	311.11)		34		
Initial each	box below to certify:				¥3		
Initials: pac	× ×						
Initials: . pac?							
Initials: pac	practice in New Hampshire, refer the matter to the initial bound of the						
	<ul> <li>The signer-is subject to the penalties specified in New Hampshire law for falsification in official matters, currently RSA 641.</li> <li>The signature shall constitute authorization for the municipal conservation commission and the Department to inspect the site of the proposed project, except for minimum impact forestry SPN projects and minimum impact trail projects, where the signature shall authorize only the Department to inspect the site pursuant to RSA 482-A:6, II.</li> </ul>						
Initials: pac If the applicant is not the owner of the property, each property owner signature shall constitute certification by the signer that he or she is aware of the application being filed and does not object to the filing.							
SECTION 15	- REQUIRED SIGNATURES (En	v-Wt 311.	.04(d); Env-Wt 3	311.11)			
SIGNATURE (	OWNER):		PRINT NAME LEG		. Hanscom	DATE: 6/16/2022	
SIGNATURE (	PRINT NAME LEGIBLY: Patti-Ann Collins  DATE: 6/16/2022						
	IGNATURE (AGENT, IF APPLICABLE):  PRINT NAME LEGIBLY: N/A  DATE:						
SECTION 16 - TOWN / CITY CLERK SIGNATURE (Env-Wt 311.04(f))							
As required by RSA 482-A:3, I(a)(1), 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: apa Ingham Dep	rty	¥n	PRINT NAM			
	J						





# **USGS Map**



# Legends

### **Dataset Details**

# **Map Credits**

• Source: Esri, Maxar, Earthstar Geographics, and the GIS User Community

# **Print Disclaimer**

Disclaimer: The suggestions and illustrations included in this map are intended to support scientific research; however, they do not guarantee the safety of an individual or structure. The contributors and sponsors of this product do not assume liability for any injury, death, property damage, or other effects because of using this map. This map must not be used for navigation or precise spatial analysis. Any use of trade, product, or firm names is for descriptive purposes only and does not imply endorsement by the U.S. Government. Powered by TerriaJS. https://terria.io/

Printed from https://maps.usgs.gov/map/ on Tue Jun 28 2022 07:36:15 GMT-0400 (Eastern Daylight Time)

#### New Hampshire Natural Heritage Bureau NHB DataCheck Results Letter

To: PATTIANN DR COLLINS

68 spring street PO Box 405

Alton bay, NH 03810-0405

From: NH Natural Heritage Bureau

Date: 5/11/2022 (This letter is valid through 5/11/2023)

Re: Review by NH Natural Heritage Bureau of request dated 5/11/2022

Permit Type: Shoreland Standard Permit

NHB ID: NHB22-1695

Applicant: PATTIANN DR COLLINS:

Location: Alton

Tax Map: 36, Tax Lot: 15 Address: 68 spring street

Proj. Description: This spring we will be adding a new floating 6'x60' foot dock approximately 85 feet

south of my current dock. I will also be installing a deck approximately 13' x 13' to

attach the dock to.

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.

Based on the information submitted, no further consultation with the NH Fish and Game Department pursuant to Fis 1004 is required.

# New Hampshire Natural Heritage Bureau NHB DataCheck Results Letter

