APR07'21 AM10:05 RCVD

The State of New Hampshire

Department of Environmental Services

Robert R. Scott, Commissioner

84

April 5, 2021

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

REQUESTED ACTION

Approve Ann Romney's request to perform work on Lake Winnipesaukee in Wolfeboro as outlined below. This request is pursuant to New Hampshire Department of Environmental Services (NHDES) file #2020-02993. This project will not have significant impact on, or adversely affect, the values of Lake Winnipesaukee.

Install a 6 foot x 24 foot crib supported wharf to the west of an existing 48 linear foot of breakwater, in an "dogleg" configuration, with a 6 foot gap at the shoreline protecting an existing 55 foot by 67 foot dug in boathouse on an average of 293 feet of frontage along Lake Winnipesaukee in Wolfeboro.

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

1. In accordance with Env-Wt 307.16, all work shall be done in accordance with the revised plans revision dated February 11, 2021 by Beckwith Builders, as received by the NH Department of Environmental Services (NHDES) on February 16, 2021.
2. This permit shall not be effective until it has been recorded in the Carrol County Registry of Deeds 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.
3. 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.
4. Only those structures shown on the approved plans shall be installed or constructed along this frontage as required per Env-Wt 513.22, (a).
5. All portions of the docking structures shall be located at least 20 feet from the abutting property lines and no watercraft shall be secured to the docking facility such that it crosses over the imaginary extension of the property lines over the surface water as required by RSA 482-A:3, XIII.
6. No portion of the wharf shall extend more than 6 feet from the shoreline at full lake elevation (Elev. 504.32) pursuant to Env-Wt 513.22, (a).
7. The use of this structure shall be limited to the docking and securing of watercraft as required to comply with Env-Wt 307.09.

8. Owners of permanent docking structures which are not maintained so as to be structurally sound and usable for their intended purpose shall remove those docking structures in accordance with Env-Wt 513.22(c), to prevent hazards to public safety, navigation, and recreation.
9. Crib material shall be timber, concrete, or other non-toxic material, and of such size and spacing as necessary to completely contain the ballast as required per Env-Wt 513.15, (g), (4).
10. 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.
11. No agitating or heating device shall be installed for the purpose of inhibiting the formation of ice in proximity to the approved structures unless it has been registered with the municipal clerk of the town in which such device shall be operated pursuant to RSA 270:34 Registration Required.
12. Pursuant to RSA 270:33, Heating, Agitating, or Other Devices in Public Waters; Safety Hazard, no agitating or heating device installed in accordance with RSA 270:34 shall inhibit or prevent the natural formation of ice in such a manner as to impede either the ingress or egress to or from the ice from any property other than that of the owner of the device.
13. 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

The NHDES approved this project on March 05, 2021. The NHDES supported its decision with the following findings:

1. This is a major impact project per Administrative Rule Env-Wt 513.25(c)(3), the dock is proposed adjacent to a breakwater.
2. The applicant has an average of 293 feet of frontage along Lake Winnipesaukee.
3. A maximum of 4 slips may be permitted on this frontage per Rule Env-Wt 513.12, Frontage Requirements for Private and Non-commercial Docking Structures.
4. The proposed docking facility will provide 4 slips as defined per RSA 482-A:2, VIII, and therefore meets Rule Env-Wt 513.12.
5. 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.
6. No concerns were received from abutters nor the local Conservation Commission related to the construction of a crib supported pier.
7. 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.

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.

We respectfully request your approval of this item.

Robert R. Scott
Commissioner

NHDES-W-06-012

STANDARD DREDGE AND FILL WETLANDS PERMIT APPLICATION

Water Division/Land Resources Management
Wetlands Bureau

Check the Status of your Application

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

APPLICANT'S NAME: Ann Romney **TOWN NAME:** Wolfeboro

RECEIVED NOV 23 2020 NHDES AND RESOURCES MANAGEMENT

Administrative Use Only	Administrative Use Only COMPLETE NOV 24 2020	Administrative Use Only	File No: 2020-02998
			Check No: 1898
			Amount: $1,538.00
			Initials:

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 Waiver Request Form.

SECTION 1 - REQUIRED PLANNING FOR ALL PROJECTS (Env-Wt 306.05; RSA 482-A:3, I(d)(2)) Please use the Wetland Permit Planning Tool (WPPT), the Natural Heritage Bureau (NHB) DataCheck Tool, the Aquatic Restoration Mapper, or other sources to assist in identifying key features such as priority resource areas (PRAs), protected species or habitats, coastal areas, designated rivers, or designated prime wetlands.	
Has the required planning been completed?	☒ Yes ☐ No
Does 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
• Protected species or habitat? o If yes, species or habitat name(s): o NHB Project ID #: NHB20-3105	☐ 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
Is the property within a Designated River corridor? If yes, provide the following information: • Name of Local River Management Advisory Committee (LAC): • A copy of the application was sent to the LAC on Month: Day: Year:	☐ Yes ☒ No

For dredging projects, is the subject property contaminated? • If yes, list contaminant:	☐ 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 WPPT 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 work to be performed, and whether impacts are temporary or permanent. DO NOT reply "See attached"; please use the space provided below.

This is a permanent impact project to construct a 4' x 24' crib dock and a 675 sq ft perched beach. There is currently a 3-slip boathouse on the frontage, and 4 slips are allowed, so the proposal is to add a single-slip dock situated parallel to the shore so as to provide only one additional slip. The beach will be accessed via the existing walkway to the boathouse, while the new dock will be accessed via a new 370-sq ft walkway.

SECTION 3 - PROJECT LOCATION

Separate wetland permit applications must be submitted for each municipality within which wetland impacts occur.

ADDRESS: 89 Claflin Lane

TOWN/CITY: Wolfeboro

TAX MAP/BLOCK/LOT/UNIT: Tax Map 243 Lot 23

US GEOLOGICAL SURVEY (USGS) TOPO MAP WATERBODY NAME: Lake Winnipesaukee
☐ N/A

(Optional) LATITUDE/LONGITUDE in decimal degrees (to five decimal places): 43.569332° North
-71.208520° West

SECTION 4 - APPLICANT (DESIRED PERMIT HOLDER) INFORMATION (Env-Wt 311.04(a))
If the applicant is a trust or a company, then complete with the trust or company information.

NAME: Romney, Ann

MAILING ADDRESS: _____

TOWN/CITY: _____ STATE: ___ ZIP CODE: ___

EMAIL ADDRESS: [redacted]

FAX: [redacted] PHONE: [redacted]

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

SECTION 5 - AUTHORIZED AGENT INFORMATION (Env-Wt 311.04(c))
☒ N/A

LAST NAME, FIRST NAME, M.I.: Beckwith, Jason

COMPANY NAME: Beckwith Builders Inc

MAILING ADDRESS: 44 Libby Street

TOWN/CITY: Wolfeboro STATE: NH ZIP CODE: 03894

EMAIL ADDRESS: jason@beckwithbuilders.com

FAX: [redacted] PHONE: 603 569 6829

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

SECTION 6 - PROPERTY OWNER INFORMATION (IF DIFFERENT THAN APPLICANT) (Env-Wt 311.04(b))
If the owner is a trust or a company, then complete with the trust or company information.
☒ Same as applicant

NAME: [redacted]

MAILING ADDRESS: [redacted]

TOWN/CITY: [redacted] STATE: [redacted] ZIP CODE: [redacted]

EMAIL ADDRESS: [redacted]

FAX: [redacted] PHONE: [redacted]

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

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):

All of the information listed in Env-Wt 311.09 (b) & (c), Required Resource-Specific Information, for projects affecting non tidal surface water shoreline and projects located within the protected shoreland is shown on the attached plan, including the general shape of the shoreline, length of frontage (272 feet average), normal high water elevation (reference line), the footprint of all existing and proposed structures on the subject property, the intended use of each proposed structure, the distance from existing and proposed work to abutting property lines, and the total disturbed area within the protected shoreland.

Resource-specific criteria being met by this project as shown on the attached plans includes the following:

1. The beach is less than 900 sq ft and located entirely behind the reference line.
2. The beach is perched above the reference line, has a flat surface, and is surrounded by stone walls, all of which prevent the sand from washing into the lake.
3. The beach and dock are located over 20 feet from property lines.
4. The dock is a crib dock due to the presence of ledge along this section of shoreline.
5. The dock is situated parallel to the shoreline because only one additional slip is allowed on this frontage, and orienting it perpendicular would result in 2 slips.
6. The 5'x6' cribs are proposed no closer than 12 ft apart.

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 Wetlands Best Management Practice Techniques For Avoidance and Minimization and the Wetlands Permitting: Avoidance, Minimization and Mitigation Fact Sheet. 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 Avoidance and Minimization Checklist, the Avoidance and Minimization Narrative, or your own avoidance and minimization narrative.

**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 pre-application meeting must occur at least 30 days but not more than 90 days prior to submitting this Standard Dredge and Fill Permit Application.

Mitigation Pre-Application Meeting Date: Month: ☐ Day: ☐ Year: ☐

(☒ 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 exercised to the maximum extent practicable: ☐ I confirm submittal.

(☒ N/A – Compensatory mitigation is not required)

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						
	Scrub-shrub Wetland						
	Emergent Wetland						
	Wet Meadow						
	Vernal Pool						
	Designated Prime Wetland						
	Duly-established 100-foot Prime Wetland Buffer						
Surface Water	Intermittent / Ephemeral Stream						
	Perennial Stream or River						
	Lake / Pond	96			375		
	Docking - Lake / Pond						
	Docking - River						
Banks	Bank - Intermittent Stream						
	Bank - Perennial Stream / River						
	Bank / Shoreline - Lake / Pond	675+425			410		
Tidal	Tidal Waters						
	Tidal Marsh						
	Sand Dune						
	Undeveloped Tidal Buffer Zone (TBZ)						
	Previously-developed TBZ						
	Docking - Tidal Water						
TOTAL							

SECTION 12 - APPLICATION FEE (RSA 482-A:3, I)

☐ **MINIMUM IMPACT FEE**: Flat fee of $400.

☐ **NON-ENFORCEMENT RELATED, PUBLICLY-FUNDED AND SUPERVISED RESTORATION PROJECTS, REGARDLESS OF IMPACT CLASSIFICATION:** Flat fee of $400 (refer to RSA 482-A:3, 1(c) for restrictions).

☒ **MINOR OR MAJOR IMPACT FEE:** Calculate using the table below:

Permanent and temporary (non-docking):	1885 SF	× $0.40 =	$ 754
Seasonal docking structure:	SF	× $2.00 =	$
Permanent docking structure:	96 SF	× $4.00 =	$ 384
Projects proposing shoreline structures (including docks) add $400 =			$ 400
		Total =	$ 1538

The application fee for minor or major impact is the above calculated total or $400, whichever is greater = $ 1538

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 box below to certify:

Initials:	
JB	To the best of the signer's knowledge and belief, all required notifications have been provided.
JB	The information submitted on or with the application is true, complete, and not misleading to the best of the signer's knowledge and belief.
JB	The signer understands that: • The submission of false, incomplete, or misleading information constitutes grounds for NHDES to: 1. Deny the application. 2. Revoke any approval that is granted based on the information. 3. If the signer is a certified wetland scientist, licensed surveyor, or professional engineer licensed to 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. • 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.
JB	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 (Env-Wt 311.04(d); Env-Wt 311.11)

SIGNATURE (OWNER):	PRINT NAME LEGIBLY:	DATE:
SIGNATURE (APPLICANT, IF DIFFERENT FROM OWNER):	PRINT NAME LEGIBLY:	DATE:
SIGNATURE (AGENT, IF APPLICABLE): Jason Beckwith	PRINT NAME LEGIBLY: Jason Beckwith	DATE: 11/17/20

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:	PRINT NAME LEGIBLY: Patricia M. Waterman
TOWN/CITY: Wolfeboro	DATE: 11/17/2020

I hereby authorize Beckwith Builders, Inc., to act as my agent for the purpose of filing any and all land use permit applications (including but not limited to NHDES shoreland & wetlands) or other building-related permit applications (including but not limited to town water & sewer, town building permit, town driveway permit, utilities permits) for my properties located at Claflin Ln. and Greenleaf Drive, Wolfeboro, NH (TM 243 Lots 01 and 23). Beckwith Builders, Inc. may sign such applications on my behalf.

Ann Romney

Ann Romney

11/28/2016

Date

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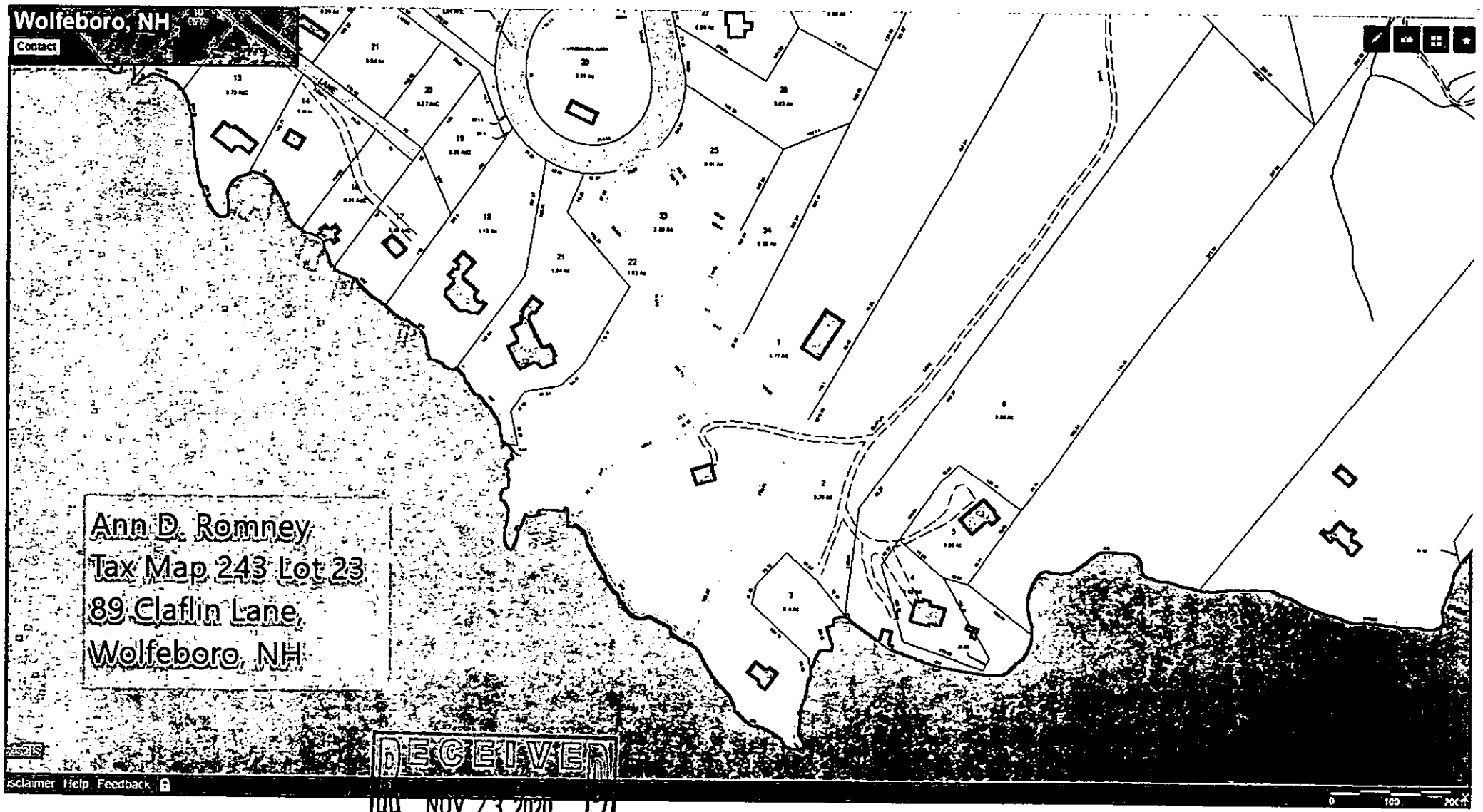
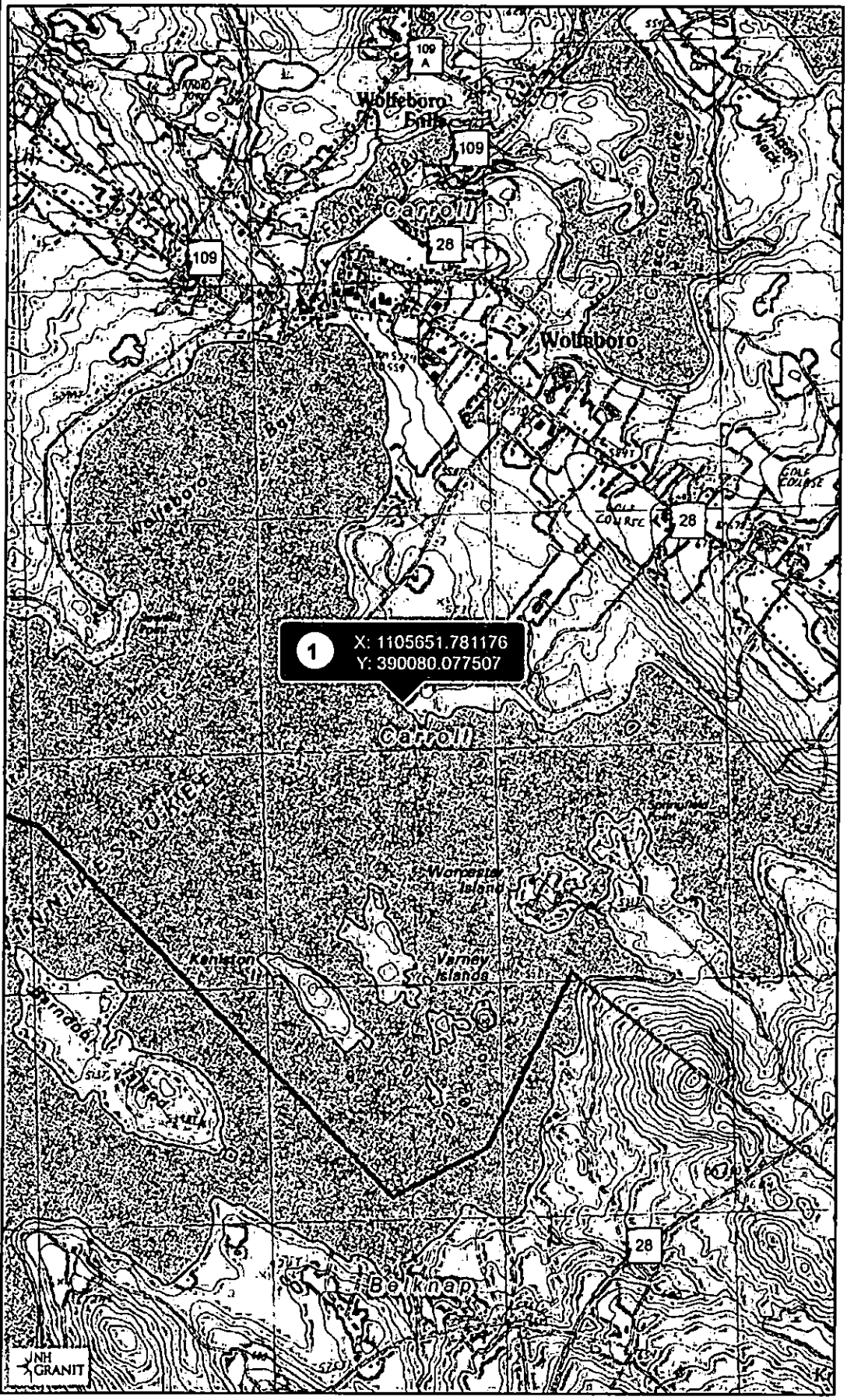
NOV 23 2020
NHDES
LAND RESOURCES MANAGEMENT



RECEIVED
NOV 23 2020
NHDES
LAND RESOURCES MANAGEMENT

USGS MAP



Legend

- State
- County
- City/Town

Map Scale

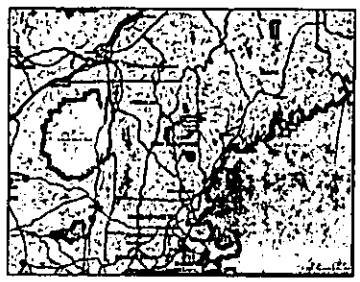
1: 24,000

© NH GRANIT, www.granit.unh.edu

Map Generated: 10/6/2020

Notes

89 Claflin Lane, Wolfeboro NH



New Hampshire Natural Heritage Bureau

To: Joanne Coppinger
25 Hauser Estates Road
Moultonborough, NH 03254

Date: 10/13/2020

From: NH Natural Heritage Bureau

Re: Review by NH Natural Heritage Bureau of request dated 10/13/2020

NHB File ID: NHB20-3105

Applicant: Joanne Coppinger

Location: Tax Map(s)/Lot(s): 243 / 23
Wolfeboro

Project Description: Construct a perched beach and single-slip dock.

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.

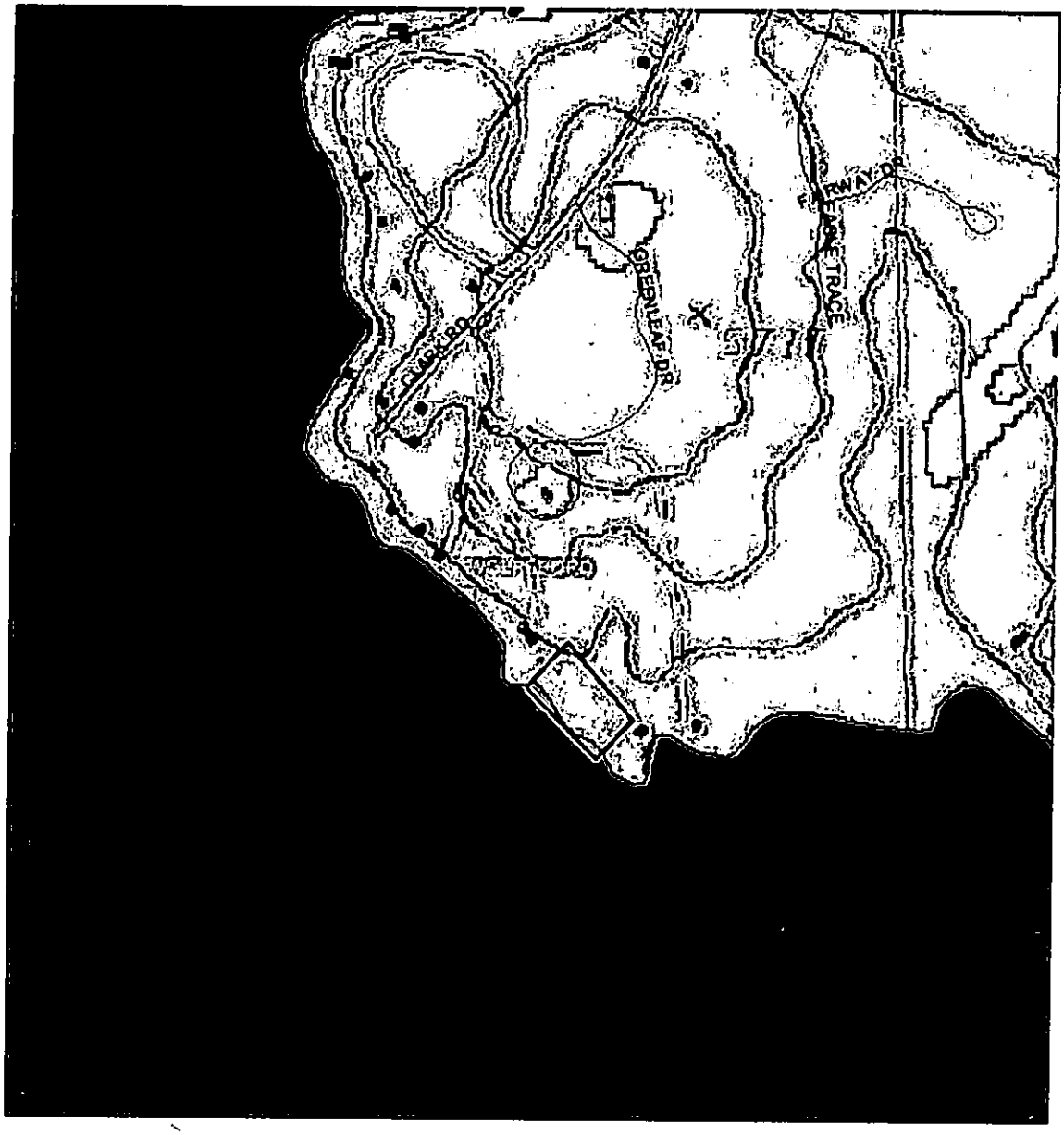
This report is valid through 10/12/2021.

RECEIVED
NOV 23 2020
NHDES
LAND RESOURCES MANAGEMENT

Department of Resources and Economic Development
Division of Forests and Lands
(603) 271-2214 fax: 271-6488

DRED/NHB
172 Pembroke Road
Concord NH 03301

MAP OF PROJECT BOUNDARIES FOR NHB FILE ID: NHB20-3105



Department of Resources and Economic Development
Division of Forests and Lands
(603) 271-2214 fax: 271-6488

DRED/NHB
172 Pembroke Road
Concord NH 03301

ABUTTERS LIST

SUBJECT PROPERTY: Tax Map 243 Lot 23, 89 Claflin Lane, Wolfeboro, NH

Owner: Ann D. Romney

Abutters:

Tax Map 243 Lot 22, 27 Greenleaf Drive:
Ann D. Romney

Tax Map 243 Lot 21, 25 Greenleaf Drive:
Romney Realty Trust
Romney Taggart & Jennifer TRTS

Tax Map 243 Lot 20, Greenleaf Drive:
Greenleaf Lot Owners Assoc
c/o Ron Barlett Treasurer

Tax Map 243 Lot 25, Greenleaf Drive:
Ann D. Romney

Tax Map 243 Lot 24, Greenleaf Drive:
Greenleaf Lot Owners Assoc
c/o Ron Barlett Treasurer

Tax Map 250 Lot 1, 87 Claflin Lane
Ann D. Romney

Tax Map 250 Lot 2, 91 Claflin Lane
Livingston Amy E
Livingston Kathryn C

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LAND RESOURCES MANAGEMENT

BECKWITH BUILDERS, INC.
Unique Builders for a Unique Environment

EXISTING CONDITIONS
SCALE: 1" = 20'

Lake Winnipesaukee

TAX MAP 243 LOT 22
ANN B. ROMNEY
1.95 ACRES

TAX MAP 243 LOT 23
ANN B. ROMNEY
2.89 ACRES

HOUSE UNDER CONSTRUCTION PER WETLAND PERMIT (2006-00803)

EXISTING GARAGE

LEDGE

BEACH

PROPOSED 6'x24' PERMANENT CRIB DOCK (Erected parallel to shore as opposed to perpendicular because only one additional slip is allowed.)

HIGHES RESTRICTED LINE

LIMIT OF HIGHES WETLAND BUFFER (110' FROM RESTRICTED LINE)

UTILITY VAULT

UTILITY BOX

CLARK LANE

Lake Winnipesaukee

PROPOSED CONDITIONS
SCALE: 1" = 20'

END VIEW
CRIB SUPPORTED DOCK DETAIL
SCALE: 1" = 4'

FRONT VIEW
CRIB SUPPORTED DOCK DETAIL
SCALE: 1" = 4'

LOCUS
USGS: 1" = 2000'

ATTACHED BEACH SECTION A-A
SCALE: 1" = 4'

TREE SCORING PER HIGHES REGULATIONS & TOWN OF WOLFBORO

CONSTRUCTION NOTES:

BEACH CONSTRUCTION SEQUENCE:

Accessory Structure
Allowable: 1,000 + 2,317.5 = 2317.5 SqFt

Existing Accessory Structures
Boathouse: 1,043 SqFt
Beach Volleyball Court: 1281 SqFt

Total: 3324 SqFt

NOTES:

LEGEND:

BECKWITH BUILDERS

PLAN FOR:
HIGHES WETLAND PERMIT
ROMNEY PROJECT
49 Clarke Lane
Wolfeboro, NH

SCALE AS NOTED

OWNER OF RECORD: TAX MAP 243 LOT 23
Ann B. Romney

1 of 1
SHEET NUMBER