The State of New Hampshire
Department of Environmental Services

Robert R. Scott, Commissioner

April 5, 2021

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

REQUESTED ACTION

Approve Chris Peterson'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 #2020-02219. This project will not have significant impact on, or adversely affect, the values of Lake Winnipesaukee.

Construct a 6 foot x 40 foot seasonal pier attached to shore by a steel header and accessed by 6 foot wide stairs constructed over the bank, and install 3 seasonal boatlifts along an average of 182 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 plans as received by the NH Department of Environmental Services (NHDES) on January 26, 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. All seasonal structures, including watercraft lifts, shall be removed for the non-boating season as required per Env-Wt 513.22.
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. 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).

9. 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.
10. Pursuant to RSA 483-B:9, V, (a)(2)(d)(v), 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).
11. Work authorized shall be carried out in accordance with Env-Wt 307 such that appropriate turbidity controls are in place to protect water quality, that no turbidity escapes the immediate dredge area, and that appropriate turbidity controls shall remain until suspended particles have settled and water at the work site has returned to normal clarity.
12. 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 February 25, 2021. The NHDES supported its decision with the following findings:

1. This is a major impact project per Administrative Rule Env-Wt 513.24, (c) (3), (3) the installation of docking structure adjacent to or attached to a breakwater.
2. Per Rule Env-Wt 311.06(h), the municipal conservation commission did provide comments on the proposed project raising concerns to the number and location of the proposed personal water craft lifts and the proposed crib supported dock not being the least-impacting alterative docking structure along the frontage.
3. The proposed seasonal pier and watercraft lifts are associated with a breakwater located to the southwest supporting a dry storage boathouse with associated dock surfaces.
4. The proposed seasonal pier and watercraft lifts have no association with the breakwater located to the northeast.
5. In accordance with Env- Wt 513.06, (a), (5), the applicant provided a revised plan that shows the footprint of all proposed personal watercraft lifts within existing and proposed legal boat slips in accordance with Env-Wt 513.21, (a), (2).
6. The Applicant has an average of 182 feet of frontage along Lake Winnipesaukee, in Wolfeboro.
7. A maximum of 3 slips can be permitted on 182 feet of shoreline frontage pursuant to Env-Wt 513.12, Frontage Requirements for Private and Non-commercial Docking Structures.
8. The proposed seasonal pier and watercraft lifts in combination with the breakwater, dry storage boathouse and associated dock surfaces located to the southwest will provide 3 slips as defined per RSA 482-A:2, VIII and therefore meets the requirement of Rule Env-Wt 513.12.
9. 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.

10. The Department 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

NEW HAMPSHIRE DEPARTMENT OF Environmental Services

EDGE 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: Chris Peterson TOWN NAME: Wolfeboro

RECEIVED Administrative SEP 02 2020 OnNHDES LAND RESOURCES MANAGEMENT	INCOMPLETE Administrative SEP 03 2020 Only	COMPLETE Administrative SEP 14 2020 Use Only	File No.: 2020-02219
			Check No.: 1965
			Amount: $1,744.00
			Initials: LSL

A person may request a waiver to 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. 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 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
Does the property contain a PRA? If yes, provide the following information:	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 #:	No
• Bog?	No
• Floodplain wetland contiguous to a tier 3 or higher watercourse?	No
• Designated prime wetland or duly-established 100-foot buffer?	No

• Sand dune, tidal wetland, tidal water, or undeveloped tidal buffer zone?	**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:	**No**
For dredging projects, is the subject property contaminated? • If yes, list contaminant:	**No**
Is there potential to impact impaired waters, class A waters, or outstanding resource waters?	**No**
For stream crossing projects, provide watershed size (se Wetland Permit Planning Tool or Stream Stats):	

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.

The purpose of this permit is to add an additional crib dock to home site with approximately 183' of shoreline frontage to provide 2 additional boat slips to the current 1 boat slip on the property [env-wt 402.13] .

Crib design is necessary because of continuous granite outcroppings on all of Clark Point. Impacts will be minimized by use of turbidity curtains. Only 2 6'x6' cribs are anticipated, and access dock along shore will have minimum impact, except posts resting on ledge, to support cross dock.

SECTION 3 - PROJECT LOCATION
Separate wetland permit applications must be submitted for each municipality within which wetland impacts occur.

Address; 161 Clark Road
TOWN/CITY: Wolfeboro

TAX MAP/BLOCK/LOT/UNIT: 242/006		
US GEOLOGICAL SURVEY (USGS) TOPO MAP WATERBODY NAME: Lake Winnipesaukee N/A		
(Optional) LATITUDE/LONGITUDE in decimal degrees (to five decimal places): ° North ° 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: Chris Peterson		
MAILING ADDRESS:		
TOWN/CITY:	STATE:	ZIP:
EMAIL address:		
FAX:	PHONE:	
ELECTRONIC COMMUNICATION: By initialing here: CP I hereby authorize NHDES to communicate all matters relative to t		
SECTION 5 - AUTHORIZED AGENT INFORMATION (Env-Wt 311.04(c)) **N/A**		
LAST NAME, FIRST NAME, M.I.:		
COMPANY NAME:		
MAILING ADDRESS:		
TOWN/CITY:	**STATE:**	**ZIP CODE:**
EMAIL ADDRESS:		
FAX:	**PHONE:**	
ELECTRONIC COMMUNICATION: By initialing here [ ], 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:		
MAILING ADDRESS:		
TOWN/CITY:	**STATE:**	**ZIP CODE:**
EMAIL ADDRESS:		
FAX:	**PHONE:**	
ELECTRONIC COMMUNICATION: By initialing here [ ], 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):

There are no stream crossings of prime wetlands or tidal wetlands involved. Only surface water for dock construction

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 that you have attached all documents related to avoidance and minimization, as well as functional assessment (where applicable). You can 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						
	Docking - Lake / Pond	336					
	Docking - River						
Banks	Bank - Intermittent Stream						
	Bank - Perennial Stream / River						
	Bank / Shoreline - Lake / Pond						
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):		**SF**	× $0.40 = **$**
Seasonal docking structure:		**SF**	× **$2.00 = $**
Permanent docking structure:		336	× $4.00 = 1,334
Projects proposing shoreline structures (including docks) add $400 = 400			
			Total = **$1744**
The application fee for minor or major impact is the above calculated total or $400, whichever is greater = 1,744			

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:	**To the best of the signer's knowledge and belief, all required notifications have been provided.**
Initials:	**The information submitted on or with the application is true, complete, and not misleading to the best of the signer's knowledge and belief.**
Initials:	**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.

Initials:	
CP	**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: Chris Peterson	DATE: 8/31/20
SIGNATURE (APPLICANT, IF DIFFERENT FROM OWNER):	PRINT NAME LEGIBLY:	DATE:
SIGNATURE (AGENT, IF APPLICABLE):	PRINT NAME LEGIBLY:	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:	PRINT NAME LEGIBLY: Patricia M. Waterman
TOWN/CITY: Wolfeboro	DATE: 8/31/2020

DIRECTIONS FOR TOWN/CITY CLERK:

Per RSA 482-A:3, I(a)(1)

1. **IMMEDIATELY sign the original application form and four copies in the signature space provided above.**
2. **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.**
3. **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.**
4. **Retain one copy of the application form and one complete set of attachments and make them reasonably accessible for public review.**

DIRECTIONS FOR APPLICANT:

Submit the 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 at the address at the bottom of this page. Make check or money order payable to "Treasurer, - State of NH".

3
2.05 Ac
4
0.71 Ac
Davis Smith
6
1.18 AcC
Chris Peterson
7
0.37 AcC
Rachelle Clayborne
8
0.28 Ac
9
0.30 Ac
10
0.30 Ac
11
0.25 Ac
22
0.26 Ac
23
0.52 AcC
24
0.17 AcC
CLARK
LEWANDO
William Pesavento
260(S)
157
100
152
209(S)
108(S)
100
141(S)
127(S)
409.56
80
124(S)
108
196.5
80
193.7
61.0
50
150.36
150
150
50.00
250
75
60.00
157
36.58
41.60
74.53
150
150.00
180
74.22
190.28
155.27
75
75
77.30

WOLFEBORO QUADRANGLE
NEW HAMPSHIRE
TOPOGRAPHIC SERIES

(MELVIN VILLAGE) (TUFTONBORO) (OSSIPEE)

071° 14' 01.56" W 043° 35' 48.94" N

071° 11' 18.29" W 043° 35' 48.94" N

(WEST ALTON) (SANBORNVILLE)

043° 32' 59.37" N 071° 14' 01.56" W

(ALTON)

043° 32' 59.37" N 071° 11' 18.29" W

(GILMANTON IRONWORKS) (FARMINGTON)

Declination

MN GN

GN 1.52° W
MN 15.40° W

SCALE 1:24000

0 — 1 MILE

0 — 1000 YARDS

0 — 1 KILOMETER

CONTOUR INTERVAL 20 FEET
NATIONAL GEODETIC VERTICAL DATUM 1929

Produced by MyTopo Terrain Navigator
Topography based on USGS 1:24,000 Maps

North American 1983 Datum (NAD83)
Transverse Mercator Projection

To place on the predicted North American 1927 move the projection lines 9M N and 39M E

Peterson
161 Clark Rd
Wolfeboro

New Hampshire Natural Heritage Bureau

To: chris peterson
po box 886
wolfeboro, NH 03894

Date: 8/21/2020

From: NH Natural Heritage Bureau

Re: Review by NH Natural Heritage Bureau of request dated 8/21/2020

NHB File ID: NHB20-2540

Applicant: chris peterson

Location: Tax Map(s)/Lot(s): 242/6
Wolfeboro

Project Description: build a 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 8/20/2021.

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: NHB20-2540

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

15 foot Abutters List Report

Wolfeboro, NH
August 28, 2020

Subject Property:

Parcel Number: 242-006-000
CAMA Number: 242-006-000
Property Address: 161 CLARK ROAD

Mailing Address: PETERSON CHRISTOPHER R RVCBL T
PETERSON CHRISTOPHER TRUSTEE
161 CLARK ROAD
WOLFEBORO, NH 03894

Abutters:

Parcel Number: 242-004-000
CAMA Number: 242-004-000
Property Address: 151 CLARK ROAD

Mailing Address: FOGARTY DENNIS B TRUST FOGARTY DENNIS B TRUSTEE

Parcel Number: 242-007-000
CAMA Number: 242-007-000
Property Address: 163 CLARK ROAD

Mailing Address: CLEBORNE ROCKWELL J TRUST
CLEBORNE ROCKWELL J TRUSTEE

Lake Winnipesaukee

Full Lake Shoreline 504.32

This Site Supports 3 Boatslips On 180 ft Average Frontage Under Env-Wt 402.13

This Site Meets The Criteria For Permanent Dock Construction Under Env-Wt 402.06

Approx. Limits Of Crib Remains And Toe Of Slope Of Rocks

5 ft x 32 ft +/- Rock Filled Crib Under Dock Section - Balance Under Rock Fill Support

Existing Rock Breakwater "Slumped" In to Lake

Tip-Up Dock Section Over Crib Remains

Rock Fill Under

20'-0"

Setback Line

39'

6'

40'

3 seasonal boat lifts proposed

Approx. Limits Of 3 ft Depth Contour Adj. To Full Lake

35'

14'+/-

11'+/-

turbidity curtain

EXPOSED LEDGE

EXPOSED LEDGE

a linear 6' steel header will be attached to existing ledge.

access stairs - proposed

Existing 24'-3" x 16'-4" Boathouse With Rock Fill Support Under

Approx. Limits Of Rock Breakwater - Scanned & Traced From Site Sketch By Norway Plains 10/2016 Details Not Mapped

20'-0"

Setback Line

Neighbor's Dockage Not Mapped

CLEBORNE TRUST P/L

FOGARTY TRUST P/L

180 ft +/- Straight Line Frontage
183 ft +/- Shoreline Frontage
181.5 ft +/- Average Frontage

Base Details Of This Plan Were Scanned & Traced From A Site Sketch By Norway Plains 10/2016 Details Not Mapped - This is Not A Survey...

FRONT ELEVATION

① Plan shows existing boat house with proposed 6'x40' seasonal tipup dock in yellow - with 3 seasonal boat lifts and stairs (proposed)

② a turbidity curtain or float boom will be installed prior to work.

WATERMARK MARINE CONSTRUCTION
Laconia, Gilford & Sanbornton, NH
(603) 293-4000/Fax (603) 524-6100
On The Web: www.dockmaster.com

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PETERSON PROPERTY
Wolfeboro, NH
8/27/18 1" = 20'