

GRC



The State of New Hampshire  
**Department of Environmental Services**

Robert R. Scott, Commissioner

150



August 8, 2024

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

**REQUESTED ACTION**

Approve Winnepesaukee Pavilion Condominium Association's request to perform the following work on Lake Winnepesaukee in Alton pursuant to NH Department of Environmental Services (NHDES) Wetlands Bureau permit #2024-01246, and in accordance with RSA 482-A:3. No comments were submitted by the Alton Conservation Commission regarding the project as proposed.

Reface approximately 338 linear feet of retaining wall with 4 inch thick timbers on frontage along Lake Winnepesaukee in Alton.

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 April 19, 2024 by North Wing Design and Permit LLC, as received by the NH Department of Environmental Services (NHDES) on May 7, 2024.
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, 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.
3. 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 June 26, 2024. NHDES supported its decision with the following findings:

1. This is a major impact project per Administrative Rule Env-Wt 514.07(c), refacing approximately 338 linear feet of retaining wall where the minimum and minor impact criteria are not met because the work will not be conducted in the dry.
2. The NHDES finds that because the project is not of significant public interest and will not significantly impair the resources of Lake Winnepesaukee a public hearing under RSA 482-A:8 is not required.
3. No concerns were received from abutters nor the local Conservation Commission related to the project.

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

29 Hazen Drive • PO Box 95 • Concord, NH 03302-0095

NHDES Main Line: (603) 271-3503 • Subsurface Fax: (603) 271-6683 • Wetlands Fax: (603) 271-6588

TDD Access: Relay NH 1 (800) 735-2964

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

4. 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 - 1000. No waivers of RSA 482-A or the Wetlands Program Code of Administrative Rules Chapters Env-Wt 100 - 1000 were requested or approved under this permit action.

NHDES Wetlands Bureau permit #2024-01246 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.

A handwritten signature in black ink, appearing to read "Robert R. Scott", is written over a solid horizontal line.

Robert R. Scott  
Commissioner



**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: Winnepesaukee Pavilion Condo. Assoc. (Attn: Carl Vercollone)

TOWN NAME: Alton

		Administrative Use Only	File No.: <u>2024-01246</u>
			Check No.: <u>1193</u>
			Amount: <u>441.60</u>
			Initials: <u>CV</u>

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.

<b>SECTION 1 - REQUIRED PLANNING FOR ALL PROJECTS (Env-Wt 306.05; RSA 482-A:3, I(d)(2))</b> Please use the <u>Wetland Permit Planning Tool (WPPT)</u> , the Natural Heritage Bureau (NHB) <u>DataCheck Tool</u> , the <u>Aquatic Restoration Mapper</u> , or other sources to assist in identifying key features such as: <u>priority resource areas (PRAs)</u> , <u>protected species or habitats</u> , coastal areas, designated rivers, or designated prime wetlands.	
Has the required planning been completed?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Does the property contain a PRA? If yes, provide the following information:	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
<ul style="list-style-type: none"> <li>Does the project qualify for an Impact Classification Adjustment (e.g. NH Fish and Game Department (NHFG) 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.</li> </ul>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
<ul style="list-style-type: none"> <li>Protected species or habitat?               <ul style="list-style-type: none"> <li>If yes, species or habitat name(s):</li> <li>NHB Project ID #: <u>NHB24-1401</u></li> </ul> </li> </ul>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Bog?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Floodplain wetland contiguous to a tier 3 or higher watercourse?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Designated prime wetland or duly-established 100-foot buffer?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Sand dune, tidal wetland, tidal water, or undeveloped tidal buffer zone?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Is the property within a Designated River corridor? If yes, provide the following information:	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
<ul style="list-style-type: none"> <li>Name of Local River Management Advisory Committee (LAC):</li> <li>A copy of the application was sent to the LAC on Month: Day: Year:</li> </ul>	

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

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

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

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):

**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 project proposes placing and fastening stacked 4"x8" timbers between driven pilings and existing wall along 338'-0" of shoreline (104 ft<sup>2</sup>). No excavation or work to existing wall is proposed.

**SECTION 3 - PROJECT LOCATION**

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

ADDRESS: 18 Mount Major Highway

TOWN/CITY: Alton

TAX MAP/BLOCK/LOT/UNIT: #034-037-000

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

(Optional) LATITUDE/LONGITUDE in decimal degrees (to five decimal places):  
43.471264° North  
71.235380° West

<b>SECTION 4 - APPLICANT (DESIRED PERMIT HOLDER) INFORMATION (Env-Wt 311.04(a))</b>		
If the applicant is a trust or a company, then complete with the trust or company information.		
NAME: Winnepesaukee Pavilion Condominium Association (Attn: Carl Vercollone)		
MAILING ADDRESS: 25 Cerulean Way		
TOWN/CITY: [REDACTED]	STATE: [REDACTED]	ZIP CODE: [REDACTED]
EMAIL ADDRESS: N/A		
FAX: N/A	PHONE: N/A	
ELECTRONIC COMMUNICATION: By initialing here <u>N/A</u> , I hereby authorize NH DES to communicate all matters relative to this application electronically.		
<b>SECTION 5 - AUTHORIZED AGENT INFORMATION (Env-Wt 311.04(c))</b>		
<input type="checkbox"/> N/A		
LAST NAME, FIRST NAME, M.I.: Irving, Jamie C.		
COMPANY NAME: North Wing Design and Permit, LLC		
MAILING ADDRESS: PO Box 613		
TOWN/CITY: Meredith	STATE: NH	ZIP CODE: 03253
EMAIL ADDRESS: info@northwingdeslgn.com		
FAX: N/A	PHONE: 603-832-4851	
ELECTRONIC COMMUNICATION: By initialing here <u>JCI</u> , I hereby authorize NHDES to communicate all matters relative to this application electronically.		
<b>SECTION 6 - PROPERTY OWNER INFORMATION (IF DIFFERENT THAN APPLICANT) (Env-Wt 311.04(b))</b>		
If the owner is a trust or a company, then complete with the trust or company information.		
<input checked="" type="checkbox"/> Same as applicant		
NAME:		
MAILING ADDRESS:		
TOWN/CITY:	STATE:	ZIP CODE:
EMAIL ADDRESS:		
FAX:	PHONE:	
ELECTRONIC COMMUNICATION: By initialing here <u>N/A</u> , I hereby authorize NH DES 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 currently no resource-specific criteria established in chapter Env-Wt 500. There are no resource specific criteria to meet with regards to proposed work herein.

This project proposes no work involving stream crossings, coastal resources, or prime wetlands.

**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)

lrm@des.nh.gov or (603) 271-2147

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www.des.nh.gov

**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/ivers, 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			<input type="checkbox"/>			<input type="checkbox"/>
	Scrub-shrub Wetland			<input type="checkbox"/>			<input type="checkbox"/>
	Emergent Wetland			<input type="checkbox"/>			<input type="checkbox"/>
	Wet Meadow			<input type="checkbox"/>			<input type="checkbox"/>
	Vernal Pool			<input type="checkbox"/>			<input type="checkbox"/>
	Designated Prime Wetland			<input type="checkbox"/>			<input type="checkbox"/>
	Duly-established 100-foot Prime Wetland Buffer			<input type="checkbox"/>			<input type="checkbox"/>
Surface Water	Intermittent / Ephemeral Stream			<input type="checkbox"/>			<input type="checkbox"/>
	Perennial Stream or River			<input type="checkbox"/>			<input type="checkbox"/>
	Lake / Pond			<input type="checkbox"/>			<input type="checkbox"/>
	Docking - Lake / Pond			<input type="checkbox"/>			<input type="checkbox"/>
	Docking - River			<input type="checkbox"/>			<input type="checkbox"/>
Banks	Bank - Intermittent Stream			<input type="checkbox"/>			<input type="checkbox"/>
	Bank - Perennial Stream / River			<input type="checkbox"/>			<input type="checkbox"/>
	Bank / Shoreline - Lake / Pond	104 ft <sup>2</sup>	< 338 ft	<input type="checkbox"/>			<input type="checkbox"/>
Tidal	Tidal Waters			<input type="checkbox"/>			<input type="checkbox"/>
	Tidal Marsh			<input type="checkbox"/>			<input type="checkbox"/>
	Sand Dune			<input type="checkbox"/>			<input type="checkbox"/>
	Undeveloped Tidal Buffer Zone (TBZ)			<input type="checkbox"/>			<input type="checkbox"/>
	Previously-developed TBZ			<input type="checkbox"/>			<input type="checkbox"/>
	Docking - Tidal Water			<input type="checkbox"/>			<input type="checkbox"/>
<b>TOTAL</b>		<b>104 ft<sup>2</sup></b>	<b>&lt; 338 ft</b>				

**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):	104 ft <sup>2</sup>	x \$0.40 =	\$41.60
Seasonal docking structure:		x \$2.00 =	\$0.00
Permanent docking structure:		x \$4.00 =	\$0.00
Projects proposing shoreline structures (including docks) add \$400 =			\$400.00
Total =			\$441.60

The application fee for minor or major impact is the above calculated total or \$400, whichever is greater = \$441.60

irm@des.nh.gov or (603) 271-2147

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**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: <i>CV</i>	To the best of the signer's knowledge and belief, all required notifications have been provided.
Initials: <i>CV</i>	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: <i>CV</i>	<p>The signer understands that:</p> <ul style="list-style-type: none"> <li>The submission of false, incomplete, or misleading information constitutes grounds for NHDES to: <ol style="list-style-type: none"> <li>Deny the application.</li> <li>Revoke any approval that is granted based on the information.</li> <li>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.</li> </ol> </li> <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: N/A	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): <i>Carl Vercollone</i>	PRINT NAME LEGIBLY: Carl Vercollone	DATE: 05/01/24
SIGNATURE (APPLICANT, IF DIFFERENT FROM OWNER): <i>Carl Vercollone</i>	PRINT NAME LEGIBLY: Carl Vercollone	DATE: 05/01/24
SIGNATURE (AGENT, IF APPLICABLE): <i>J.C. Irving</i>	PRINT NAME LEGIBLY: Jamie C. Irving	DATE: 05/01/24

**SECTION 16 - TOWN / CITY CLERK SIGNATURE (Env-Wt 311.04(f))**

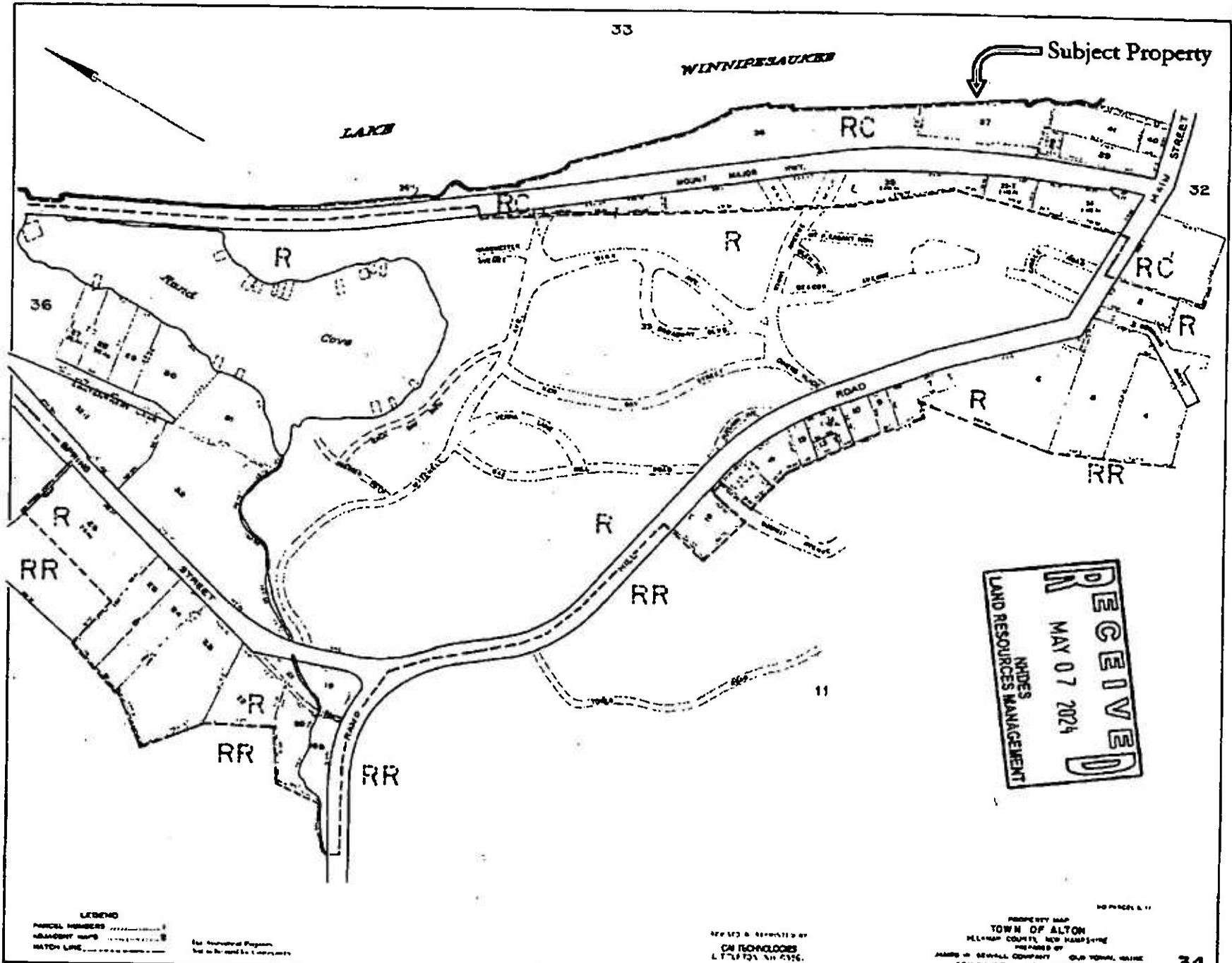
As required by RSA 482-A:3, I(a)(1), I hereby certify that the applicant has filed four application forms, four detailed plans, and four USGS location maps with the town/city indicated below.

TOWN/CITY CLERK SIGNATURE: <i>Jennifer L. Collins</i>	PRINT NAME LEGIBLY: Jennifer L. Collins
TOWN/CITY: <i>Atton</i>	DATE: <i>5.2.2024</i>

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

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

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**LEGEND**  
 PARCEL NUMBERS  
 BOUNDARY MAP  
 MATCH LINE

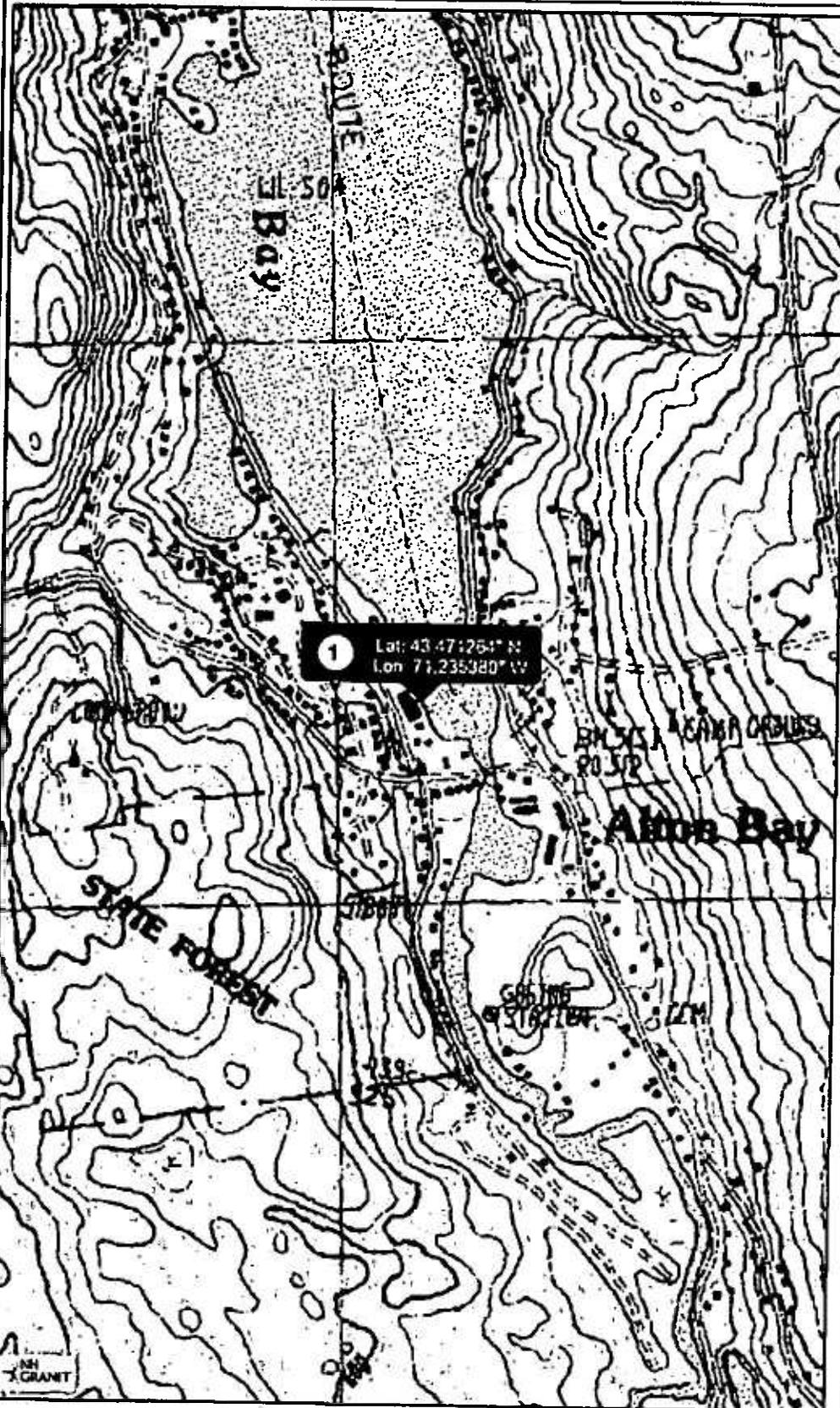
For Additional Pages,  
 See to be bound to Town records

PREPARED & REPRODUCED BY  
 CH. THORNTON  
 L. 1717 701, NH 0316

NO PAGE 2 OF 11  
 PROPERTY MAP  
 TOWN OF ALTON  
 ALLHAMPTON COUNTY, NEW HAMPSHIRE  
 PREPARED BY  
 JAMES W. SEWELL COMPANY, OLD TOWN, MAINE  
 SCALE 1 INCH = 400 FEET

**RECEIVED**  
 MAY 07 2024  
 NHDES  
 LAND RESOURCES MANAGEMENT

# Winnepesaukee Pavilion Condominium Association



## Legend

- State
- County
- City/Town

**RECEIVED**  
MAY 07 2024  
NHDES  
LAND RESOURCES MANAGEMENT

Map Scale

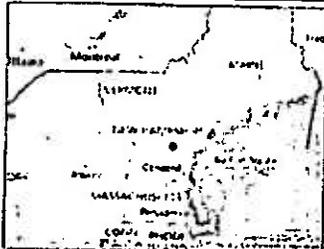
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Map Generated: 3/20/2024

## Notes

Winnepesaukee Pavilion Condo. Assoc.  
18 Mount Major Highway, Alton  
TMA #034-037-002  
Geographic Coordinates:  
Latitude: 43.47264° N  
Longitude: 71.235380° W



NH GRANIT

New Hampshire Natural Heritage Bureau  
NHB DataCheck Results Letter

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To: Jamie Irving  
PO Box 613  
Meredith, NH 03253

From: NH Natural Heritage Bureau

Date: 5/2/2024 (This letter is valid through 5/2/2025)

Re: Review by NH Natural Heritage Bureau of request dated 5/2/2024

Permit Types: Standard Dredge & Fill - Minor  
General Permit

NHB ID: NHB24-1401

Applicant: Jamie Irving

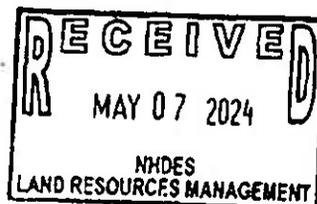
Location: Alton  
Tax Map: 034, Tax Lot: 037-000  
Address: 18 Mount Major Highway

Proj. Description: This project proposes placing and fastening stacked 4"x8" timbers between driven pilings and existing wall along 338'-0" of shoreline. No excavation or work to existing wall is proposed.

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.



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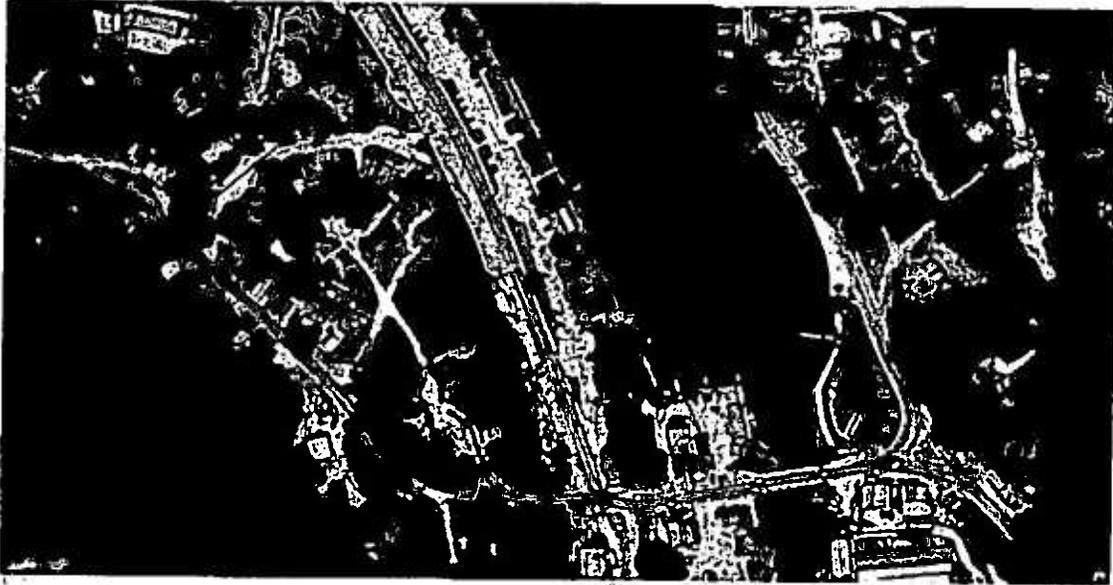
Department of Natural and Cultural Resources  
Division of Forests and Lands  
(603) 271-2214 fax: 271-6488

DNCR/NHB  
172 Pembroke Rd.  
Concord NH 03301

New Hampshire Natural Heritage Bureau  
NHB DataCheck Results Letter

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MAP OF PROJECT BOUNDARIES FOR: NHB24-1401



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

DNCR/NHB  
172 Pembroke Rd.  
Concord NH 03301

**ABUTTER LIST**

**OWNER:** Winnepesaukee Pavilion Condominium Association (Attn: Carl Vercollone)  
**SITE:** 18 Mount Major Highway, Alton  
**TM/L:** #034-037-000

**TM/L:**  
#034-041-000

**OWNER:**  
IWI Properties, Inc.

#034-038-000

New State Realty Management, Inc.

#034-036-000

Town of Alton  
Post Office Box 659  
1 Monument Square  
Alton, NH 03809

9589 0710 5270 1172 1400 34

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MAY 2 - 2024

New State Realty Management, Inc.

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MAY 2 - 2024

IWI Properties, Inc.

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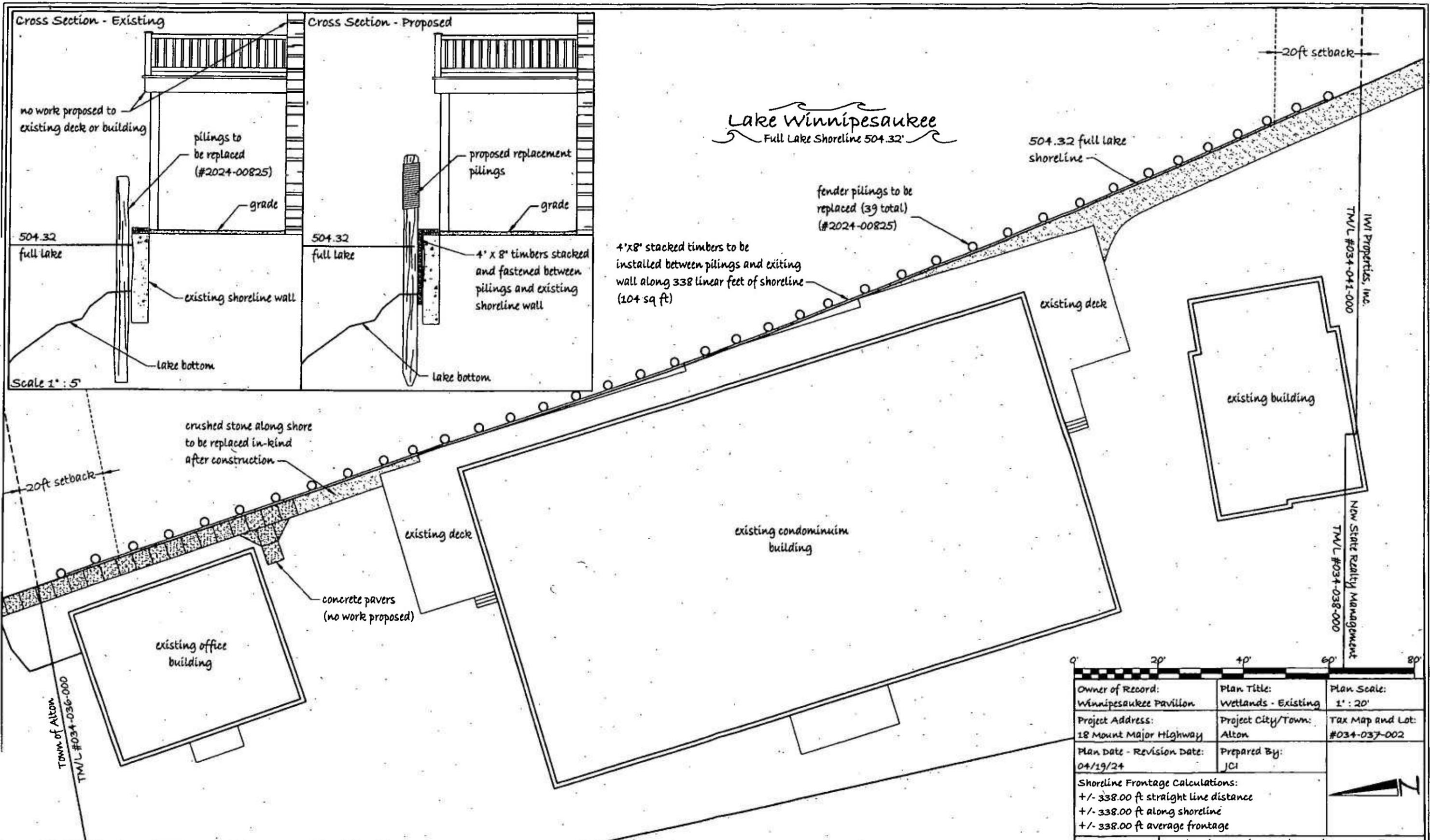
Certified Mail Fee  
\$

Additional Services & Fees (check box, add fee)  
 Return Receipt by First-Class Mail<sup>®</sup>  
 Return Receipt by Registered Mail<sup>®</sup>  
 Certified Mail Restricted Delivery<sup>®</sup>  
 Signature Required<sup>®</sup>  
 Restricted Delivery<sup>®</sup>

Postmark  
MAY 2 - 2024

Town of Alton  
Post Office Box 659  
1 Monument Square  
Alton, NH 03809

**RECEIVED**  
MAY 07 2024  
NHDES  
LAND RESOURCES MANAGEMENT



The baseline details of this plan were scanned from a survey by Richard D. Bartlett and Associates, dated 09/13/05. This is not a survey plan and is to be used only for the purposes of a NH DES Wetlands Bureau permit application package.

Owner of Record: Winnepesaukee Pavilion	Plan Title: Wetlands - Existing	Plan Scale: 1" : 20'
Project Address: 18 Mount Major Highway	Project City/Town: Alton	Tax Map and Lot: #034-037-002
Plan Date - Revision Date: 04/19/24	Prepared By: JCI	
Shoreline Frontage Calculations: +/- 338.00 ft straight line distance +/- 338.00 ft along shoreline +/- 338.00 ft average frontage		

North Wing Design and Permit, LLC  
Post Office Box 613  
Meredith, NH 03253  
Web: [www.northwingdesign.com](http://www.northwingdesign.com)  
E-mail: [info@northwingdesign.com](mailto:info@northwingdesign.com)  
Phone: 603-832-4851