

WOLFEBORO CONSERVATION COMMISSION

November 10, 2014

MINUTES

Members Present: Dan Coons, Chairman, Randy Tetreault, Vice-Chairman, Gary Mason, Ed Roundy, Lenore Clark, Art Slocum, Members.

Members Absent: Gail Antonucci, Member, Sarah Silk, Alternate.

Staff Present: Lee Ann Keathley, Secretary.

Chairman Coons opened the meeting at 6:35 PM at the Wolfeboro Public Library.

Consideration of Minutes

October 13, 2014

Correction: Page 1, 4th paragraph; change "Public Library" to "Town Offices"

It was moved by Ed Roundy and seconded by Lenore Clark to approve the October 13, 2014 Wolfeboro Conservation Commission minutes as amended. All members voted in favor. The motion passed.

Dredge & Fill Minutes

October 13, 2014

Correction: Page 1, Members Present; strike "Gary Mason" & add "Randy Tetreault, Vice-Chairman, Lenore Clark, Ed Roundy"

It was moved by Ed Roundy and seconded by Lenore Clark to approve the October 13, 2014 Wolfeboro Conservation Commission Dredge & Fill minutes as amended. All members voted in favor. The motion passed.

Discussion Items

A. Ryefield Marsh; Beaver Trapping

Dan Coons stated he received a report from Marie Donahue of a beaver dam located in the culvert at Ryefield Marsh noting the water is about to go over the road. He stated he conducted a site visit and noted the dam is not impacting the water level.

B. Bill Rae Conservation Area

Dan Coons stated he inspected the path and bridge; noting both are in good condition. He stated there was no trash along the lake.

Ed Roundy stated he was at the site over the weekend and observed four canoes at the property.

C. Towns Garden Intern

Ed Roundy stated he would conduct an evaluation interview with Randy Spiller and present the information to the Commission at the December meeting. He stated the Food Pantry Garden volunteers are interested in having an intern again next summer and will coordinate such with the Director of the Agriculture program.

Old Business

Jeff Taylor, Vegetation Control Services

Dan Coons stated he contacted Jeff Taylor and is awaiting a response.

Whiteface Mountain

Ed Roundy stated the Land Bank is making some effort with regard to trail development at Whiteface Mountain; noting Jim Bean is going to look at improving the top of the trail.

Other Business

87 Rocky Shore Road Revocable Trust

NHDES Wetland Application

The Commission reviewed the response letter from White Mountain Survey & Engineering to NHDES' Request For More Information, see attached.

Randy Tetreault questioned how the location of the proposed boathouse was previously disturbed and/or impacted; noting the shoreland was not previously disturbed. He questioned how the boathouse placement affects the house placement. He questioned the reference in the letter to RSA 483-B:9II (b).

Art Slocum stated the applicant has not provided any information to support their proposal except to state the statute.

Dan Coons stated the Commission was not aware of the existing conditions at the time of their review.

Dan Coons read the statute as follows;

483-B:9 Minimum Shoreland Protection Standards.

I. The standards in this section are designed to minimize shoreland disturbance so as to protect the public waters, while still accommodating reasonable levels of development in the protected shoreland. Development outside the protected shoreland shall conform to local zoning and local ordinances and shall not be subject to standards established in this chapter.

II. Within the protected shoreland the following restrictions shall apply:

(a) The establishment or expansion of salt storage yards, automobile junk yards, and solid or hazardous waste facilities shall be prohibited.

(b) Primary structures shall be set back behind the primary building line which is 50 feet from the reference line.

(c) A water dependent structure, meaning one which is a dock, wharf, pier, breakwater, or other similar structure, or any part thereof, built over, on, or in the waters of the state, shall be constructed only as approved by the department, pursuant to RSA 482-A.

(d) No fertilizer shall be applied to vegetation or soils located within 25 feet of the reference line of any public water. Beyond 25 feet, slow or controlled release fertilizer, as defined by rules adopted by department, may be used.

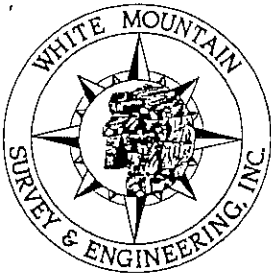
It was moved by Lenore Clark and seconded by Art Slocum to adjourn the November 10, 2014 Conservation Commission meeting. All members voted in favor. The motion passed.

There being no further business before the Commission, the meeting adjourned at 7:26 PM.

Respectfully Submitted,

Lee Ann Keathley

Lee Ann Keathley



WHITE MOUNTAIN SURVEY & ENGINEERING, INC.

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October 29, 2014

NHDES Wetlands Bureau
ATTN: Dale Keirstead
PO Box 95
Concord, NH 03302-0095

Re: Request For More Information
File #2014-02002
87 Rocky Shore Road Revocable Trust
87 Rocky Shore Road, Wolfeboro
Tax Map 227, Lot 21

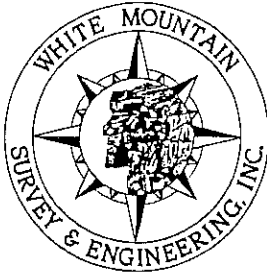
Dear Dale,

This letter has been prepared in response to your Request For More Information dated September 24, 2014. I have also included the following materials to aid in your review of the proposed project:

- Copy of NHDES Request For More Information, 87 Rocky Shore Road Revocable Trust, File # 2014-02002 dated 9/24/2014
- Copy of Letter from the Wolfeboro Conservation Commission to NHDES dated 8/22/2014
- Copy of Letter from James F. Rines to NHDES, File # 2014-02002 dated 9/24/2014
- Plan Set, Proposed Waterfront Structures for 87 Rocky Shore Road Revocable Trust revised thru 10/22/2014
- Plan Set, Shoreland Redevelopment for 87 Rocky Shore Road Revocable Trust revised thru 10/22/2014

For clarity, I will address your requests in the order of your letter:

1. As stated in the letter to you from James F. Rines dated September 24, 2014, the location of the proposed boathouse was sited as close to the southern property line as possible given Env-Wt 304.04(a) and Env-Wt 402.04 which require that all work take place at least 20 feet from an abutting property line. The selected location is also an area that has previously been altered for shorefront use. As the Conservation Commission points out in its letter, construction of the boathouse will likely require blasting of ledge and siting the boathouse any further south would not provide enough room for this work to be accomplished without encroaching on that setback. If the proposed boathouse was moved further north, it would alter a portion of the shoreline that



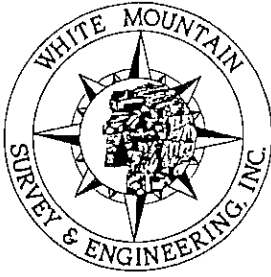
has not been altered making the selected location the least impacting alternative. Relocation to the north would also cause the reference line to be altered in such a way that the house currently under construction would be in violation of NH RSA 483-B:9 II(b).

2. On October 9, 2014, a White Mountain Survey & Engineering, Inc. field crew was sent to the property to locate the limits of the disturbed area and the included copy of the Shoreland Redevelopment Plan set has been revised to show this limit of disturbance. The following table lists the areas of approved impacts versus what was impacted as of that date:

Region	Approved Disturbed Area (SF)	Disturbed Area as of 10/9/2014 (SF)	Area of Disturbed Outside of Approved (SF)
Waterfront Buffer	2,406	837	39
Woodland Buffer	21,091	20,112	272
Remainder in SWQPA	10,912	15,295	4,383

Contrary to the Conservation Commission's letter, impacts to the Waterfront and Woodland Buffers have not exceeded any allowable percentage and the areas of disturbance outside of what is currently approved in the buffers is less than 2%. Note that the disturbed areas within the Waterfront and Woodland Buffers are less than what is currently approved. Although the table demonstrates that portions of the property have been disturbed outside of what was approved by NDES Shoreland Impact Permit 2014-01034, primarily the area between the proposed driveway, the southern property line and Rocky Shore Road, which is landward of the Natural Woodland Buffer, other areas proposed to be impacted have not yet been impacted. Per a conversation with the contractor, Jonathan Lovering, all of the trees designated on the approved plan set within the Waterfront Buffer to remain are still there and were there when the limits of disturbance was located. A revised plan set has been sent simultaneously to the NHDES Shoreland Program and Town of Wolfeboro with these materials to amend the state and municipal Shoreland permits.

3. As the plan set illustrates, the site is subject to extremely long fetch distances of up to nine miles so both a breakwater and dock are necessary to provide adequate protection for watercraft docked on the site. A single cantilevered dock constructed off of the breakwater would be ideal if it provided protection to the allowed number of slips allowed. Per Env-Wt 402.13 the site is allowed up to four boat slips and the limitations on the size of the boathouse only allows for two boats to be docked inside, which leaves two slips to be docked outside. A single cantilevered dock off of the breakwater would not achieve this by itself so an additional finger would be required which would be an increase the square footage of dock within the public waters over the single finger that is proposed. Additionally, a "T" shaped dock off of the proposed breakwater would require approaching boats to cross directly in front of the proposed boathouse and southern property line. Moving the breakwater to the north would relieve these issues but



increase the overall area of impact to the property by disturbing new areas presently undisturbed. Locating the proposed docks and boathouse in close proximity to one another reduces the overall impact within the Waterfront Buffer and the portion of the reference subject to regular boat activity.

After consultation with Paul Goodwin of Watermark Marine Construction, the proposed breakwater has been revised by increasing the slope of the faces of the breakwater to reduce the overall footprint and volume of material forward of the reference line. As the revised plan set demonstrates, the new design reduces the footprint of the breakwater from 1,242 square feet (existing) to 554 square feet (proposed) and volume of material forward of the reference line from 125 cubic yards to 93 cubic yards, reductions of 55% and 25% respectively. The permanent reduction of the footprint and volume of these materials can only be viewed as a benefit to both the lake and the property owner even if there are temporary impacts required to achieve this.

Per your letter, I believe that you have all of the information that you need to make a final determination of the project. Thank you for your time taken to review this project.

Respectfully,

White Mountain Survey & Engineering, Inc.

DAVID R. AITON

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Cc: Jon Lovering
Wolfeboro Conservation Commission
Wolfeboro Board of Selectmen
Wolfeboro Planning & Development Office