

**TOWN OF WOLFEBORO
CONSERVATION COMMISSION
DREDGE & FILL MEETING
APPROVED MINUTES
August 7, 2023**

Chair Lenore Clark opened the meeting at 10:00 am at the Wolfeboro Town Hall Annex conference room.

Members Present: Lenore Clark, Chair, Peter Foley, Brenda Jorett, Members.

**Galeucia Family Compound Trust
270 Sewall Road/Lake Winnepesaukee
Tax Map #241-28
Standard Dredge & Fill**

The applicant proposes to make necessary repair to an existing 21 LF section of a rock/mortar retaining wall "in-the-dry" along the frontage and repair an existing 547.4 SF crib supported grandfathered dock and adjacent 700 SF breakwater.

The Wolfeboro Conservation Commission noted no objection to the Galeucia Family Compound Trust Standard Dredge & Fill application, Tax Map #241-28.

**Allan & Felicity Freund QPR Trust
11 Poplar Island/Lake Wentworth
Tax Map #193-1
Standard Dredge & Fill**

The applicant proposes to remove an existing 3'x38.15' seasonal pier and provide two 6'x40' seasonal hinged piers.

The Wolfeboro Conservation Commission noted no objection to the Allan & Felicity Freund QPR Trust Standard Dredge & Fill application, Tax Map #193-1.

**LAFCAR Trust
33 Keniston Island/Lake Winnepesaukee
Tax Map #264-17
Standard Dredge & Fill**

The applicant proposes to replace an existing seasonal dock with a permanent u-shaped piling supported dock and lengthen an existing wharf dock to mitigate boating hazards and add a boat slip and repair and lengthen an existing breakwater.

The Wolfeboro Conservation Commission noted that the application does not appear to be administratively complete and were unable to locate the following information.

- 1. Env-Wt 311.05:a:19 ("Required Project Plans"), Proposed methods of erosion, siltation, sedimentation, and turbidity control and management, indicated graphically and labeled with the type of control and the contractor responsible for monitoring the controls if known at the time of the application;***
- 2. Env-Wt 311.06: c, A copy of the appropriate USGS map or updated data based on LiDAR at a scale of one inch equals 2,000 feet showing the location of the subject property and proposed project (Note: While a topographic map was included in both the electronic and hard copy versions we received, the electronic***

version shows an incorrect project location as compared to the tax map, and the hard copy lacks the project location completely);

- 3. Env-Wt 311.06:d, A narrative that describes the work sequence, including pre-construction through post-construction, and the relative timing and progression of all work;*
- 4. Env-Wt 311.06:g, The NHB memo containing the NHB identification number and results and recommendations from NHB as well as any written follow-up communications such as additional memos or email communications with either NHB or NHF&G (Note: An NHB report was included in the application, but the site bounds depicted on the electronic Map of Project Boundaries did not actually include the area where work is being proposed, and on the hard copy there were no project boundaries delineated at all)*
- 5. USACE Appendix B and required attachments (Per the Standard Application checklist NHDES-W-06-012).*

Per Env-Wt 311.04(g), 588 square feet of permanent lake impact from the two proposed docking structures was included in the table, but not the 300 square feet of permanent lake impact from the breakwater expansion (though such was calculated in the Application Fee).

The Commission acknowledges that the application we received was a copy, and it's possible that DES is in receipt of the above-referenced missing items since they have the original "clean copy." For example, the application we received contained two copies of the Avoidance & Minimization checklist. It may be that the second copy was inserted instead of the USACE checklist inadvertently.

Per Env-Wt 311.05:a:5 "Required Project Plans," the plan sheet should include "the name and professional license number of the individual responsible for each portion of the plan, such as the wetland delineation, the survey, and the engineering where licensed or certified." None was included herein so we question whether the plans were drawn by a licensed or certified professional. With this proposal classified as a "Major Project," that gives us pause. For example, the color photographs seem to show abutting neighbors' docks and boathouses in close proximity to the project area in both directions, although the drawings show the boundary line extensions as being well beyond the 20' setback. Without a survey, we cannot verify the accuracy of the measurements of proposed work in comparison with property line extension as depicted on the drawings. Because the drawings are so enlarged on the applicant's property, it is difficult to judge the areas of proposed work within the context of the neighboring properties.

We have no objection to the proposal to replace the single seasonal dock with the U-shaped permanent dock, as long as it will not interfere with the abutters' ability to navigate in and out of their slip which appears to be at a right angle to the location of the proposed dock, in close proximity (per the photograph). However, we don't believe the need to expand the breakwater has been demonstrated. We appreciate that the applicant included the DES map showing shorelines of Lake Winnepesaukee where breakwaters are allowed. However it was difficult to discern on an 8 1/2" x 11" black-and-white depiction, which showed the entire lake and was therefore "zoomed out" too far to see any detail. It would have been helpful if the project location and prevailing wind direction/fetch had been overlaid on the map. The property appears to be located on a more sheltered side of Keniston Island, protected somewhat by neighboring Barndoor Island to the southwest. Additionally, we could not ascertain whether the existing breakwater is actually a permitted or grandfathered structure, or is a naturally-occurring rocky outcrop of the shoreline as it appears in the photos. In either case, we question the permissibility of expanding such.

The Commission requests that if there is any lighting associated with the new docks, Wolfeboro's Dark Sky Ordinance pertaining to residential lighting be followed (Zoning Ordinance 175-53):

"Residential lighting. These provisions are intended to prevent private and public nuisances and protect property values. This section applies to existing and proposed single-family and duplex residential uses.

(1) Residential lighting uses shall not be used or maintained in such a fashion as to inhibit or interfere with the use and enjoyment of neighboring properties.

(2) Spotlights, floodlights and other bright security lighting shall be limited in such a fashion as not to direct light onto neighboring property. Security lighting using motion-detection switches is encouraged but continual lighting must be angled or shielded in such a fashion as not to produce glare onto neighboring property, particularly dwelling units.

(3) Accent lighting, low-wattage seasonal lighting and other fixtures commonly associated with residential uses are not intended to be prohibited by this section."

There being no further business before the Commission, the meeting was adjourned at 10:49 am.

Respectfully Submitted,

Lee Ann Hendrickson

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