State of New Hampshire
DEPARTMENT OF ENVIRONMENTAL SERVICES
6 Hazen Drive, P.O. Box 95, Concord, NH 03302-0095
(603) 271-2147 FAX (603) 271-6588

Glen and Cynthia Reil
2300 Glasgo Rd
Griswold, CT 06351

LETTER OF DEFICIENCY
#SP-2004-09
August 9, 2004

RE: DES Wetlands File #2004-01230 North Rd, Wakefield

Dear Mr. and Mrs. Reil:

On July 21, 2004, personnel from the Department of Environmental Services ("DES") conducted an inspection of the above referenced property, identified as Wakefield Tax Map 41, Lot 9F, North Rd, Wakefield, New Hampshire (the "Property"). The purpose of this site inspection was to determine compliance with RSA 483-B, The Comprehensive Shoreland Protection Act. During the inspection the following deficiencies were noted:

1. Within the natural woodland buffer of the protected shoreland, a healthy, well-distributed stand of trees, saplings, shrubs, and groundcovers was not left in place.

2. Within an area measuring 150' along the shoreline of Balch Pond, by 150' from the shoreline, DES measured the recently cut stumps and "diameter at breast height" ("dbh") of the remaining trees. Calculations were conducted to convert the stump measurements to approximate dbh of the trees before they were cut. This information was then compared with the dbh of the remaining trees. DES has determined that the basal area of the stumps comprised approximately 8606.9 (in^2), whereas the basal area of the remaining trees comprise approximately 2162.8 (in^2). This information establishes that more than 50% of the basal area of trees has been removed from the property.

In response, you are requested to take the following actions:

1. Within 30 days of receipt of this Letter of Deficiency, submit a restoration plan to DES. The restoration plan should include replacement of native and naturalized saplings in the area within 150 feet of Balch Pond. Please submit the following with the restoration plan:

a. A plan with dimensions, drawn to scale, showing;
   i. existing conditions,
   ii. proposed conditions after restoration with native vegetation.

b. A detailed description of the proposed means of erosion and sediment controls and stabilization of the restoration area;

c. A detailed description of the proposed planting plan for the stabilization and revegetation of the restoration area. A plantings plan showing the number, type of plant species, proposed location of plantings, and diameters of the plant species at breast height. Saplings should be a minimum of 4-6 feet in height and all plantings should be

from the list of New Hampshire native and naturalized species. Saplings should be proposed in areas where trees were removed.

d. A description of the proposed construction sequence and methods for accomplishing the restoration, and time frame for completion.

2. Implement the restoration plan only after receiving written approval and as conditioned by DES.

RSA 483-B, CSPA, was enacted to protect and preserve the shorelands of the State to maintain the integrity and exceptional quality of the State's public waters. RSA 483-B and Env-Ws 1400-1409 establishes minimum standards for the future subdivision, use, and development of the shorelands within 250 feet of the state's public waters.

Issuance of this letter shall not preclude further enforcement by DES. Failure to comply with RSA 483-B will result in enforcement by DES, including but not limited to the issuance of fines, administrative orders, or referral to the New Hampshire Office of the Attorney General for prosecution of civil or criminal penalties. If an order is issued to you, it may also be recorded with the Registry of Deeds as an encumbrance against your property.

DES personnel may conduct another inspection at a later date to determine whether you have come into and are maintaining full compliance with the applicable statute and rules.

All documents submitted in response to this Letter of Deficiency should be addressed as follows:

Allyson Gourley, Shoreland Compliance Coordinator
Wetlands Bureau
Department of Environmental Services
29 Hazen Drive
PO Box 95
Concord, NH 03302-0095

Enclosed, for your information, are copies of fact sheets explaining the Comprehensive Shoreland Protection Act. Should you have any questions regarding this letter, or wish to arrange a meeting, please contact Allyson Gourley at (603) 271-6876.

Sincerely,

COPY

Collis G. Adams, CWS
Administrator
Wetlands Bureau

CERTIFIED MAIL # 7002 3150 0001 5411 0763

cc: Rene Pelletier, Manager, Land Resources Management Program
Gretchen R. Hamel, Administrator, DES Legal Unit
Wakefield Conservation Commission
Wakefield Board of Selectmen