

Wetlands Bureau Decision Report

Decisions Taken
05/21/2007 to 05/27/2007

DISCLAIMER:

This document is published for information purposes only and does not constitute an authorization to conduct work. Work in jurisdiction may not commence until the applicant has received a posting permit.

Decisions are subject to appeal, and are reviewed by the federal agencies for compliance with Section 404 of the Federal Clean Water Act.

APPEAL:

I. Any affected party may ask for reconsideration of a permit decision in accordance with RSA 482-A:10,II within 20 days of the Department's issuance of a decision. Requests for reconsideration should:

- 1) describe in detail each ground for complaint. Only grounds set forth in the request for reconsideration can be considered at subsequent levels of appeal;
- 2) provide new evidence or information to support the requested action;
- 3) Parties other than the applicant, the town, or contiguous abutters must explain why they believe they are affected; and
- 4) Be mailed to the DES Wetlands Bureau, PO Box 95, Concord, NH 03302-0095.

II. An appeal of a decision of the department after reconsideration may be filed with the Wetlands Council in accordance with RSA 482-A:10, IV within 30 days of the department's decision. Filing of the appeal must:

- 1) be made by certified mail to Brian Fowler, Chairperson, Wetlands Council, PO Box 95, Concord, NH 03302-0095 (a copy should also be sent to the DES Wetlands Bureau);
- 2) contain a detailed description of the land involved in the department's decision; and
- 3) set forth every ground upon which it is claimed that the department's decision is unlawful or unreasonable.

MAJOR IMPACT PROJECT

**2005-02450 NH DEPT OF TRANSPORTATION
OSSIPPEE Youngs Brook**

Requested Action:

Replace a 9 ft. (w) x 5 ft. (h) x 27 ft. stone box culvert with a 9 ft. (w) x 5 ft. (h) x 50 ft. pre-cast box culvert recessed into the stream for a natural bottom impacting 3,350 sq. ft. of channel and banks (450 sq. ft. temporary). NHDOT project #2005-M307-1.

Conservation Commission/Staff Comments:

Project is also in the Town of Wolfeboro and the Con Comm report was received on 11/6/06 and acknowledged on 11/07/06 - NP

Inspection Date: 02/08/2007 by Gino E Infascelli

APPROVE PERMIT:

Replace a 9 ft. (w) x 5 ft. (h) x 27 ft. stone box culvert with a 9 ft. (w) x 5 ft. (h) x 50 ft. pre-cast box culvert recessed into the stream for a natural bottom impacting 3,350 sq. ft. of channel and banks (450 sq. ft. temporary).

With Conditions:

1. All work shall be in accordance with plans by NHDOT dated 3/1/05 as received by the Department on Oct. 4, 2006.
2. Dredged material shall be placed out of the DES Wetlands Bureau jurisdiction.
3. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.
4. Construction equipment shall not be located within surface waters.
5. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
6. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).
7. Extreme precautions to be taken within riparian areas to limit unnecessary removal of vegetation during road construction and areas cleared of vegetation to be revegetated as quickly as possible.
8. There shall be no further alteration to wetlands or surface waters without amendment of this permit.
9. Proper headwalls shall be constructed within seven days of culvert installation.
10. Work shall be done during low flow.
11. The culvert shall be recessed and constructed with a natural bottom per the Inter-Department memo of October 2, 2006.

With Findings:

1. This is a major impact project per Administrative Rule Env-Wt 303.02(i), alteration of more than 200 linear feet of channel and banks
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01. 3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a), Requirements for Application Evaluation, has been considered in the design of the project.
5. DES Staff conducted a field inspection of the proposed project on February 8, 2007. Field inspection determined the iron beams in the stone culvert have significant deterioration, the existing shoulders of the road are very limited, there are no other structures in the area to prevent road widening at this location and the improvement will result in a safer travelway.
6. DES Staff finds that this project will not have a significant impact on these riverine resources and are not at areas of substantial public interest where issues have been raised pursuant to RSA 482-A:1. Therefore, a public hearing is not required.

2006-00098 SCHOOL ADMINISTRATIVE UNIT 28
WINDHAM Unnamed Wetland

Requested Action:

Request permit amendment to add 5,554 sq. ft. of fill to the side slopes of the access roadway determined to be necessary to properly stabilize the roadbed.

The area of the existing conservation easement will be increased by 55,540 sq. ft. to compensate for the additional wetlands impacts.

Conservation Commission/Staff Comments:

Minutes of the 1/12/06 meeting of the Windham Conservation Commission state that a motion that the Commission has no objection to this DES application was made and passed unanimously.

Inspection Date: 03/31/2006 by Frank D Richardson

APPROVE AMENDMENT:

Dredge and fill a total of 70,472 sq. ft. of palustrine forested, scrub-shrub, and emergent wetlands, including a portion of a perennial stream, to construct an access roadway (impacting 58,502 sq. ft.) and the new Windham High School facility with appurtenant parking and drainage structures (impacting 11,970 sq. ft.) on a 118.6 acre parcel of land.

A Conservation Easement on 12.82 acres of land along a perennial tributary to Cobbett's Pond will provide compensatory mitigation for wetlands impacts. 55,540 sq. ft. of land will be added to the Conservation Easement to compensate for additional 5,554 sq. ft. of impact required for roadway construction increasing the Conservation Easement area to 14.16 acres.

With Conditions:

1. All work shall be in accordance with plans by Appledore Engineering, Inc. dated November 30, 2005 and January 16, 2006 with revisions for the preservation of the historic bridge dated 3/24/06 and road extension layout dated 5/1/06, as received by the Department on January 17, 2006 and May 08, 2006 respectively.
 - 1a. Approved amendment to increase fill total by 5,554 sq. ft. for roadway stabilization shall be in accordance with plans by Appledore Engineering, Inc. dated April 17, 2007 as received by the Department on April 30, 2007.
2. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.
3. This permit is contingent on approval by the DES Site Specific Program.
4. This permit is contingent on approval by the DES Subsurface Systems Bureau.
5. At least 48 hours prior to the start of construction, a pre-construction meeting shall be held with NHDES Land Resources Management Program staff at the project site or at the DES Office in Concord, N.H. to review the conditions of this wetlands permit and the NHDES Site Specific Permit. It shall be the responsibility of the permittee to schedule the pre-construction meeting, and the meeting shall be attended by the permittee, the professional engineer(s), wetlands scientist(s), and the contractor(s) responsible for performing the work.
6. Record approved plan with conservation easement for each appropriate lot within 30 days from receipt of this decision and submit a certified receipt from the Rockingham County Registry of Deeds to the DES Wetlands Bureau.
7. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
8. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
9. Exceptional precautions shall be taken to protect and preserve the ecological integrity of the vernal pool identified during the field inspection on March 31, 2006, located nearby wetland impact area R-4, from any despoliation during construction of this project and thereafter.
10. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
11. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
12. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
13. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized

within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.

- 14. Proper headwalls shall be constructed within seven days of culvert installation.
- 15. Culvert outlets shall be properly rip rapped.
- 16. Work shall be done during low flow.
- 17. DES Wetlands Bureau Southeast Region staff shall be notified in writing prior to commencement of work and upon its completion.

LAND RESOURCES PRESERVATION:

- 1. This permit is contingent upon the execution of a conservation easement on 14.16 acres of land as depicted on plans and described in narrative received April 24, 2006 and amended plan received April 30, 2007.
- 2. The conservation easement to be placed on the preservation area shall be written to run with the land, and both existing and future property owners shall be subject to this easement.
- 3. The plan noting the conservation easement with a copy of the final easement language shall be recorded with the Registry of Deeds Office for each appropriate lot. A copy of the recording from the Rockingham County Registry of Deeds Office shall be submitted to the DES Wetlands Bureau prior to the start of construction.
- 4. The applicant shall prepare a report summarizing existing conditions within the conservation area. Said report shall contain photographic documentation of the easement area, and shall be submitted to the DES and the grantee prior to construction to serve as a baseline for future monitoring of the easement area.
- 5. The conservation easement area shall be surveyed by a licensed surveyor, and marked by monuments prior to construction.
- 6. The Wetlands Bureau shall be notified of the placement of the easement monuments to coordinate on-site review of their location prior to construction.
- 7. There shall be no removal of the existing vegetative undergrowth within the easement area and the placement of fill, construction of structures, and storage of vehicles or hazardous materials is prohibited.
- 8. Activities in contravention of the conservation easement shall be construed as a violation of RSA 482-A, and those activities shall be subject to the enforcement powers of the Department of Environmental Services (including remediation and fines).

With Findings:

- 1. This is a major impact project per Administrative Rule Env-Wt 303.02(c),to: Dredge and fill a total of 70,472 sq. ft. of palustrine wetlands, including a portion of a perennial stream, to construct an access roadway and the new Windham High School facility on a 118.6 acre parcel of land.
- 2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01. 3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
- 4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a), Requirements for Application Evaluation, has been considered in the design of the project.
- 5. DES Staff conducted a field inspection of the proposed project on March 31, 2006. A bright, warm sunny early spring day. Persons present with DES staff included Richard Roach (ACOE) and Jim Gove & Luke Hurley (GES). Spent nearly two hours on site, viewed vernal pools areas needing protection, wetland impact areas and 'London Bridge' an old stone causeway across a ravine which will not be impacted as originally proposed. Revised plans locate the new roadway away from this original crossing. Wetlands impacts areas not significant given the scope of work and demonstrated need for the project. The proposed Conservation Easement will compensate for unavoidable wetlands impacts.
- 6. The public hearing is waived with the finding that the project impacts will not significantly impair the resources of this palustrine wetland ecosystem.

2006-02001 WHITTEMORE SHORES CONDO. ASSOC
BRIDGEWATER Newfound Lake

Requested Action:

Construct a 116 ft of retaining wall to perch an existing beach, replenish with 45 cubic yards of sand, improve 200 ft of drainage swale on the landward edge of the beach to reduce runoff over the beach, and replace rocks which have fallen from a small groin, on Newfound Lake, Bristol.

Conservation Commission/Staff Comments:

No comments from Con Com by October 24, 2006

APPROVE PERMIT:

Construct a 116 ft of retaining wall to perch an existing beach, replenish with 45 cubic yards of sand, improve 200 ft of drainage swale on the landward edge of the beach to reduce runoff over the beach, and replace rocks which have fallen from a small groin, on Newfound Lake, Bristol.

With Conditions:

1. All work shall be in accordance with plans as received by DES on April 16, 2007.
2. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.
3. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
4. Work shall be done during drawdown.
5. Dredged or excavated material shall be placed outside of the DES Wetlands Bureau jurisdiction.
6. Stone placed along the beach front for the purpose of retaining sand shall be placed above and/or landward of those rocks currently located along the normal high water line (Elevation 584.12). Those rocks existing at the normal high water line shall remain otherwise undisturbed such that the natural shoreline remains identifiable.
7. No more than 45 cu yd of sand may be used and all sand shall be located above the normal high water line.
8. This permit shall be used only once, and does not allow for annual beach replenishment.
9. The permittee shall provide appropriate diversion of surface water runoff to prevent erosion of beach area.
10. Revegetation of trees, shrubs and ground covers representing the density and species diversity of the existing stand of vegetation removed for this project shall begin at a distance no greater than 5 feet landward from the beach area.
11. Existing rocks which have fallen shall be used for repair of the groin. No rocks may be added to this structure.
12. The repair of the groin shall not expand the existing footprint.
13. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This is a major impact project per Administrative Rule Env-Wt 303.02(o), replenishment of a beach that does not meet the criteria for minimum impact under Env-Wt 303.04(aa), or minor impact under Env-Wt 303.03(f).
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01. 3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a), Requirements for Application Evaluation, has been considered in the design of the project.
5. The public hearing is waived with the finding that the project impacts will not significantly impair the resources of Newfound Lake.

2006-02404 KOPRIVA, GREGORY
WOLFEBORO Lake Winnepesaukee

Requested Action:

Permanently remove a 4 ft x 58 ft 6 in permanent dock, a 5 ft 10 in x 50 ft 6 in permanent dock, the westerly breakwater, 60 sq ft of the easterly breakwater, and a 50 sq ft concrete structure. Construct a 6 ft x 40 ft piling dock connected to a 4 ft x 30 ft piling dock by a 4 ft x 12 permanent walkway in an "h" configuration, and repair 15 linear ft of retaining wall on an average of 100 Lake Winnepesaukee, Wolfeboro.

Conservation Commission/Staff Comments:

Con Com did not sign Exp Application

APPROVE PERMIT:

Permanently remove a 4 ft x 58 ft 6 in permanent dock, a 5 ft 10 in x 50 ft 6 in permanent dock, the westerly breakwater, 60 sq ft of the easterly breakwater, and a 50 sq ft concrete structure. Construct a 6 ft x 40 ft piling dock connected to a 4 ft x 30 ft piling dock by a 4 ft x 12 permanent walkway in an "h" configuration, and repair 15 linear ft of retaining wall on an average of 100 Lake Winnepesaukee, Wolfeboro.

With Conditions:

1. All work shall be in accordance with plans by R C Brown dated May 08, 2007, as received by the Department on May 09, 2007.
2. This permit shall not be effective until it has been recorded with the County Registry of Deeds office by the Permittee. A copy of the recorded permit shall be submitted to the DES Wetlands Bureau by certified mail, return receipt requested, prior to construction.
3. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement action or revocation action if the DES later determines that these "existing structures" were not previously permitted or grandfathered.
4. Repairs to the structures as approved may be conducted, as necessary, throughout the duration of this permit provided that the permittee notifies the Wetlands Bureau and Conservation Commission, in writing, of the proposed start and completion date prior to performing any repair.
5. Repairs shall maintain existing size, location and configuration.
6. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, maintained during construction, and shall remain until the area is stabilized.
7. This permit does not allow for any maintenance dredging.
8. The two existing piling docks, westerly breakwater, and specified portion of the easterly breakwater shall be completely removed prior to the construction of the proposed docking structure.
9. This permit does not allow for any work to the existing shoreline other than the repair of 15 linear feet of retaining wall.
10. This permit does not allow for any sand to be placed on the frontage.
11. All materials associated with the structures to be removed shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
12. The approved docking structure shall not extend more than 40 ft lakeward at full lake elevation of 504.32.
13. The minimum clear spacing between piles shall be 12 feet.
14. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This is a major impact project per Administrative Rule Env-Wt 303.02(d), modification of any docking system that is associated with a breakwater.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01. 3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The proposed project is less impacting and less square feet of impact than the existing docking structure, therefore, the 3 slip docking structure meets the requirements of Env-Wt 402.20.
5. The applicant has an average of 97 feet of shoreline frontage along Lake Winnepesaukee.
6. A maximum of 2 slips may be permitted on this frontage per Rule Env-Wt 402.12, Frontage Over 75'.
7. The existing docking facilities provide at least 4 slips as defined per RSA 482-A:2 VIII.
8. The proposed docking facility will provide 3 slips as defined per RSA 482-A:2, however it a reduction from the number of slips currently provided and therefore meets the requirements of Env-Wt 402.20.

-Send to Governor and Executive Council-

2006-02637 SPRINGFIELD POINT NIRVANA LLC
WOLFEBORO Lake Winnepesaukee

Requested Action:

Applicant requests to construct a 4 ft x 30 ft cantilevered dock attached to a non-conforming breakwater accessed by a 4 ft x 8 ft permanent walkway, construct a 6 ft x 55 ft seasonal dock attached to a non-conforming 9 ft x 43 ft permanent crib dock by a 6 ft x 12 ft seasonal walkway in a "U" shaped configuration, install 2 seasonal boatlifts, and a 15 ft x 40 ft seasonal canopy over the center slip on an average of 233 ft of frontage on Lake Winnepesaukee, Wolfeboro.

Conservation Commission/Staff Comments:

Con Com questions dock length and canopy dimensions

NHI and NH Fish and Game will not be submitting comments

DENY PERMIT:

Applicant requests to construct a 4 ft x 30 ft cantilevered dock attached to a non-conforming breakwater accessed by a 4 ft x 8 ft permanent walkway, construct a 6 ft x 55 ft seasonal dock attached to a non-conforming 9 ft x 43 ft permanent crib dock by a 6 ft x 12 ft seasonal walkway in a "U" shaped configuration, install 2 seasonal boatlifts, and a 15 ft x 40 ft seasonal canopy over the center slip on an average of 233 ft of frontage on Lake Winnepesaukee, Wolfeboro.

With Findings:

Standards for Approval

1. In accordance with RSA 482-A:3, Excavating and Dredging Permits, "[n]o person shall excavate, remove, fill, dredge or construct any structures in or on any bank, flat, marsh, or swamp, or in an adjacent to any waters of the state without a permit from the department."
2. This project is classified as a major impact per Rule Wt 303.02(d), construction or modification of major docking system.
3. A maximum of 4 boat slips may be permitted on 232 feet of frontage per Rule Wt 402.14, Frontage Over 75'.
4. In accordance with Rule Wt 402.22, Modification of Existing Structures, "The department shall not approve any change in size, location or configuration of existing structures unless the applicant demonstrates that and the department finds the modification to be less of an environmental impact or provides for less boat slips and less constructed surface area over public submerged lands than the current configuration."
5. In accordance with Rule Wt 402.05, Permanent Docks, (a) Subject to (b) below, an application for a permanent dock shall be approved only when an applicant establishes that: (1) The proposed dock will be located on a lake of over 1,000 acres; and (2) The proposed site for the dock is exposed to radial fetch of at least 1 mile between compass headings 300 to 360 or 0 to 30 degrees, or a radial fetch of at least 2 miles between compass headings 31 to 299 as measured from true north.
6. In accordance with Rule Wt 302.04(a), Requirements for Application Evaluation, the applicant is required to demonstrate "the need for the proposed impact."

Findings of Fact

7. On October 05, 2006, the Wetlands Bureau received an application for impacts, on the lot identified as Wolfeboro tax map 258, lot 16,(the "Lot") to construct a permanent 6 ft x 55 ft piling supported dock connected to a non-conforming 9 ft x 43 ft permanent crib dock by a 6 ft x 12 ft permanent walkway with 2 boatlifts and a 15 ft x 40 ft seasonal canopy over the center slip and construct a 4 ft x 30 ft permanent cantilevered dock on an non-conforming breakwater accessed by a 4 ft x 8 ft walkway on 232 ft of frontage on Lake Winnepesaukee.
8. On October 25, 2006, the Department received comments from the local Conservation Commission questioning whether the dock length and canopy dimensions met NH DES guidelines.
9. On December 18, 2006, the Department issued a Request for More Information letter that informed the Applicant that pursuant to Env-Wt 402.05, any new docking structure must be of seasonal construction.
10. The December 18, 2006, Request for More Information letter also stated the existing breakwater does not meet the requirements of 402.06, and therefore any modification to the non-conforming breakwater must address Env-Wt 402.20.
11. The December 18, 2006, Request for More Information letter stated that the proposed project failed to meet the requirements of Env-Wt 402.20 .
12. On January 18, 2007, the Department conducted a field inspection of the site. The field inspection supported the requests in the Request for More Information letter dated December 18, 2006.
13. On April 17, 2007 the Department received a fax copy of information replying to the Request for More Information letter, with a follow up copy via US Mail on April 19, 2007. The information submitted included a plan showing a permanent 6 ft x 55 ft seasonal dock connected to a non-conforming 9 ft x 43 ft permanent dock by a 6 ft x 12 ft seasonal walkway with 2 boatlifts and a 15 ft x 40 ft seasonal canopy over the center slip and construct a 4 ft x 30 ft permanent cantilevered dock on an non-conforming breakwater accessed by a 4 ft x 8 ft walkway on 232 ft of frontage on Lake Winnepesaukee.

Rulings in Support of the Decision

14. The applicant has failed to show that the proposed modification is less environmentally impacting or provides for fewer boat slips and less construction surface area over public submerged lands than the current configuration, as required per Env-Wt 402.20.
15. The applicant failed to submit the information as required by Env-Wt 402.05 in support of the proposed permanent dock.
16. The applicant failed to submit an explanation of need for the proposed impacts as required by Env-Wt 302.04, therefore the application is denied.

**2007-00304 MOUNTVIEW PROPERTY OWNERS ASSOC OF FREEDOM INC
FREEDOM Ossipee Lake**

Requested Action:

Retain 250 cubic yards of sand placed on an existing sloped beach and regrade area to direct stormwater away from the beach on Ossipee Lake, Freedom.

APPROVE AFTER THE FACT:

Retain 250 cubic yards of sand placed on an existing sloped beach and regrade area to direct stormwater away from the beach on Ossipee Lake, Freedom.

With Conditions:

1. All work shall be in accordance with plans by Land Technical Service Corp dated November 2006, as received by DES on February 14, 2007.
2. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement or revocation action if the DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.
3. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
4. Dredged or excavated material shall be placed outside of the DES Wetlands Bureau jurisdiction.
5. Full lake elevation of 410 shall be staked out prior to the placement of sand.
6. Sand shall be placed above and/or landward of the normal high water line (Elevation 410). No sand shall be placed below elevation 410.
7. No more than 250 cu. yds. of sand may be used and all sand shall be located above the normal high water line.
8. This permit shall be used only once, and does not allow for annual beach replenishment.
9. The permittee shall provide appropriate diversion of surface water runoff to prevent erosion of beach area.
10. Revegetation of trees, shrubs and ground covers representing the density and species diversity of the existing stand of vegetation removed for this project shall begin at a distance no greater than 5 feet landward from the beach area.
11. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This is a major impact project per Administrative Rule Env-Wt 303.02(o), replenishment of a beach that does not meet the criteria for minimum impact under Env-Wt 303.04(d) or Env-Wt 303.04(aa) or minor impact under Env-Wt 303.03(f).
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01. 3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a), Requirements for Application Evaluation, has been considered in the design of the project.
5. DES Staff conducted a field inspection of the proposed project on March 06, 2007. Field inspection determined the proposal to regrade and recontour the beach would be an improvement to facilitate controlling runoff from carrying the sediments from the beach to the waterbody.
6. The public hearing is waived with the finding that the project impacts will not significantly impair the resources of Ossipee Lake.

MINOR IMPACT PROJECT

**2005-00362 NH DEPT OF TRANSPORTATION
CHICHESTER Marsh Pond**

Requested Action:

Provide additional through lanes, add sidewalks, improve intersection, relocate drainage and stabilize shoulders impacting 15,523 sq. ft. of palustrine and riverine wetlands (675 sq. ft. temporary).

Conservation Commission/Staff Comments:

Cons. Comm. requests outlet be installed with a suitable sediment trap.

Inspection Date: 04/22/2005 by Gino E Infascelli

APPROVE AMENDMENT:

Provide additional through lanes, add sidewalks, improve intersection, relocate drainage and stabilize shoulders impacting 15,523 sq. ft. of palustrine and riverine wetlands (675 sq. ft. temporary). NHDOT project #13922.

With Conditions:

1. All work shall be in accordance with plans (1-17) by NHDOT Bureau of Highway Design dated 02/07, as received by the Department on March 16, 2007.
2. This permit is contingent upon the submission of a project specific stream diversion and erosion control plans to the DES Wetlands Bureau. Those plans shall detail the timing and method of stream flow diversion during construction, and shall show the temporary siltation, erosion and turbidity control measures to be implemented.
3. Dredged material shall be placed out of the DES Wetlands Bureau jurisdiction.
4. Construction equipment shall not be located within surface waters.
5. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; and c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
6. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.
7. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
8. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
9. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Matting and pinning shall stabilize slopes steeper than 3:1.
10. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).
11. Extreme precautions to be taken within riparian areas to limit unnecessary removal of vegetation during road construction and areas cleared of vegetation to be revegetated as quickly as possible.
12. There shall be no further alteration to wetlands or surface waters without amendment of this permit.
13. Standard precautions shall be taken to prevent import or transport of soil or seed stock from nuisance, invading species such as purple loosestrife or Phragmites.
14. The impacts associated with the temporary work shall be restored immediately following construction.

With Findings:

1. This is a minor impact project per Administrative Rule Wt 303.03(e), alteration of less than 20,000 sq. ft. of non-tidal wetlands.
2. The overall project impacts have been reduced as shown in the amended plans.

2006-01302

WATSON, JAMES

LACONIA Lake Winnepesaukee

Requested Action:

Remove an existing 8 ft x 8 ft "L" section of seasonal dock and a 4 ft x 16 ft seasonal dock extension and construct a 4 ft 6 in x 16 ft extension to an existing 4 ft 6 in x 40 ft permanent dock, install a seasonal boatlift with a 14 ft x 30 ft seasonal canopy in the northerly slip, install 2 seasonal PWC lifts in the southerly slip adjacent to the dock, install 4 ft wide access from the dock to the waterbody on 100 ft of frontage on Lake Winnepesaukee, Laconia.

Conservation Commission/Staff Comments:

Con Com submitted comments that were placed in PBN submitted 5 days earlier, 2006-1031.

NH NHI and NH Fish and Game will not be submitting comments

APPROVE RECONSIDERATION:

Remove an existing 8 ft x 8 ft "L" section of seasonal dock and a 4 ft x 16 ft seasonal dock extension and construct a 4 ft 6 in x 16 ft extension to an existing 4 ft 6 in x 40 ft permanent dock, install a seasonal boatlift with a 14 ft x 30 ft seasonal canopy in the northerly slip, install 2 seasonal PWC lifts in the southerly slip adjacent to the dock, install 4 ft wide access from the dock to the waterbody on 100 ft of frontage on Lake Winnepesaukee, Laconia.

With Conditions:

1. All work shall be in accordance with plans by Watermark Marine Construction dated December 17, 2006, revision date of April 16, 2007, as received by the Department on May 02, 2007.
2. This permit shall not be effective until it has been recorded with the County Registry of Deeds office by the Permittee. A copy of the recorded permit shall be submitted to the DES Wetlands Bureau by certified mail, return receipt requested, prior to construction.
3. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement action or revocation action if the DES later determines that these "existing structures" were not previously permitted or grandfathered.
4. Repairs to these structures may be conducted, as necessary, throughout the duration of this permit provided that the permittee notifies the Wetlands Bureau and Conservation Commission, in writing, of the proposed start and completion date prior to performing any repair.
5. Repairs shall maintain existing size, location and configuration.
6. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, maintained during construction, and shall remain until the area is stabilized.
7. This permit does not allow for maintenance dredging.
8. The dock shall not extend more than 56 ft lakeward at full lake elevation of 504.32.
9. The minimum clear spacing between piles shall be 12 feet.
10. Canopies shall be of seasonal construction type with a flexible fabric cover which shall be removed for the non-boating season.
11. The seasonal boatlift shall be of seasonal construction type which shall be removed for the non-boating season.
12. The seasonal PWC lifts shall be of seasonal construction type which shall be removed for the non-boating season.
13. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(d), construction of any docking system that exceeds the design and construction criteria for minimum impact docks classified under Env-Wt 303.04.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01. 3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.

4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
5. The applicant has an average of 100 feet of shoreline frontage along Lake Winnepesaukee.
6. A maximum of 2 slips may be permitted on this frontage per Rule Env-Wt 402.12, Frontage Over 75'.
7. The proposed docking facility will provide 2 slips as defined per RSA 482-A:2, VIII and therefore meets Rule Env-Wt 402.12.

**2006-02624 WASHINGTON, TOWN OF
WASHINGTON Unnamed Stream**

Requested Action:

Dredge and fill 190 square feet (30 linear feet) of Lovell Brook to replace an undersized 24-inch x 30-foot CMP with a 5-foot x 30-foot embedded CMP at Lovell Brook Road; and dredge and fill 580 square feet (30 linear feet) of an unnamed perennial stream to replace an undersized 30-inch x 30-foot CMP with a 6-foot x 30-foot embedded CMP at Half Moon Pond Road. Culvert replacements are required to avoid road washouts at these two (2) town road crossings.

APPROVE PERMIT:

Dredge and fill 190 square feet (30 linear feet) of Lovell Brook to replace an undersized 24-inch x 30-foot CMP with a 5-foot x 30-foot embedded CMP at Lovell Brook Road; and dredge and fill 580 square feet (30 linear feet) of an unnamed perennial stream to replace an undersized 30-inch x 30-foot CMP with a 6-foot x 30-foot embedded CMP at Half Moon Pond Road. Culvert replacements are required to avoid road washouts at these two (2) town road crossings.

With Conditions:

1. All work shall be in accordance with plans by Darrow Civil Engineering, PLLC dated February 26, 2007, and March 06, 2007, as received by the DES Wetlands Bureau on April 24, 2007.
2. The proposed toe walls shall be embedded in manner that maintains the existing elevation of the streambed.
3. Culverts shall be embedded in a manner that maintains the existing elevation of the streambed.
4. Work shall be done during low flow conditions.
5. In the event there is flow at the time of construction, a stream diversion plan shall be submitted to the DES Wetlands Bureau prior to construction. Those plans shall detail the timing and method of stream flow diversion during construction, and show temporary siltation/erosion/turbidity control measures to be implemented.
6. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
7. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to wetlands and surface waters.
8. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
9. Prior to commencing work on a substructure located within surface waters, a cofferdam shall be constructed to isolate the substructure work area from the surface waters.
10. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of twenty (20) feet of undisturbed vegetated buffer.
11. Work within the stream, inclusive of work associated with installation of a cofferdam, shall be done during periods of low flow. High flows can be caused by seasonal runoff or precipitation; the permittee shall monitor local forecasts to review weather conditions.
12. No work within the confined area shall proceed until the cofferdam is fully effective, and water flow is controlled.
13. Temporary cofferdams shall be entirely removed immediately following construction.
14. Proper headwalls shall be constructed within seven (7) days of culvert installation.
15. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).
16. Native material removed from the streambed during culvert installation, shall be stockpiled separately and reused to emulate a natural channel bottom within the culvert. Any new materials used must be similar to the natural stream substrate and shall not include angular riprap.
17. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid.

18. Within three (3) days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
19. Areas from which vegetation has been cleared to gain access to the site shall be replanted with like native species.
20. The applicant shall notify DES Wetlands Bureau in writing within twenty-four (24) hours of an erosion event resulting in sediment entering a wetland or surface water.
21. A post-construction report documenting the status of the completed project shall be submitted to the DES Wetlands Bureau within sixty (60) days of the completion of construction.

With Findings:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(l), alteration of less than 200 linear feet of an intermittent stream.
2. The existing culverts installation dates are unknown.
3. The culverts failed during the October 2005 floods.
4. The Washington Conservation Commission signed the minimum impact expedited application.
5. The NHFG Nongame and Endangered Wildlife Program indicated the presence of wood turtle and eastern brook trout in the project vicinity and recommend the installation of open-bottomed box culverts that are 1.2 times the bankfull width or bridges to allow for aquatic species passage, also the use of smooth bore plastic culverts is not recommended at this location as a result of the increased sediment in the stream.
6. The applicant has provided embedded CMP culverts that are greater than 1.2 times the top-of-bank width at both stream crossings.
7. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
8. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
9. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.

**2006-02919 NH DEPT OF TRANSPORTATION, DISTRICT ONE
JEFFERSON Unnamed Stream**

Requested Action:

Impact 5,550 sq. ft. of stream to dredge 1,800 sq. ft. of sediment in the channel (3,750 sq. ft. temporary) to provide relief of ice dams, which add to roadway flooding.

Conservation Commission/Staff Comments:

Cons. Comm. - no comments

APPROVE PERMIT:

Impact 5,550 sq. ft. of stream to dredge 1,800 sq. ft. of sediment in the channel (3,750 sq. ft. temporary) to provide relief of ice dams, which add to roadway flooding. NHDOT project #M108-0603.

With Conditions:

1. All work shall be in accordance with plans by NHDOT Maintenance District 1 dated 10/26/06, as received by the Department on November 8, 2006.
2. Dredged material shall be placed out of the DES Wetlands Bureau jurisdiction immediately after dewatering.
3. The berm adjacent to the stream shall be lowered to allow ice to access the floodplain above the normal stream bank elevation.
4. The woody shrubs removed to lower the adjacent berm shall be stockpiled and reinstalled for stabilization at the top of bank.
5. Construction equipment shall not be located within surface waters.
6. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; and c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
7. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction,

and shall remain until the area is stabilized.

8. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).
9. There shall be no further alteration to wetlands or surface waters without amendment of this permit.
10. Standard precautions shall be taken to prevent import or transport of soil or seed stock from nuisance, invading species such as purple loosestrife or Phragmites.
11. Work shall be done during low flow.

With Findings:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(l), alteration of less than 200 linear feet of stream.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01. 3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
5. DES Staff conducted a field inspection of the proposed project on May 24,2005. Field inspection determined that the roadway floods due to the overtopping of the brook banks upstream of the bridge due to the constriction in the brook downstream of the bridge including the sediment in the brook and berms constructed adjacent to the brook that prevent the ice and water accessing the floodplain.
6. The conditions of approval require the project include removal of the berm in the project area to alleviate flooding of the road.

**2007-00140 NH DEPT OF TRANSPORTATION
WARREN Berry Brook**

Requested Action:

Replace and extend a 42 in. x 27 in. x 20 ft. squash pipe with a 42 in. x 27 in. x 30 ft. squash pipe recessed into the stream and replace the headers impacting 216 sq. ft. (120 sq. ft. temporary) of brook.

Conservation Commission/Staff Comments:

Cons. Comm. - no comment

APPROVE PERMIT:

Replace and extend a 42 in. x 27 in. x 20 ft. squash pipe with a 42 in. x 27 in. x 30 ft. squash pipe recessed into the stream and replace the headers impacting 216 sq. ft. (120 sq. ft. temporary) of brook. NHDOT project # M202-5.

With Conditions:

1. All work shall be in accordance with plans by NHDOT District 2 as received by the Department on January 16, 2007.
2. Dredged material shall be placed out of the DES Wetlands Bureau jurisdiction.
3. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.
4. Construction equipment shall not be located within surface waters.
5. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
6. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).
7. Extreme precautions to be taken within riparian areas to limit unnecessary removal of vegetation during road construction and areas cleared of vegetation to be revegetated as quickly as possible.
8. There shall be no further alteration to wetlands or surface waters without amendment of this permit.
9. Proper headwalls shall be constructed within seven days of culvert installation.

10. Work shall be done during low flow.

With Findings:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(l), alteration of less than 200 linear feet of banks and channel.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.

2007-00199 Z-VENTURES
SUTTON Unnamed Wetland

Requested Action:

Dredge and fill 4,815 square feet of forested wetlands and 145 linear feet of intermittent stream for access to an 18-lot subdivision on ± 132 acres; and dredge and fill 6,569 square feet of offsite wetlands along King Hill Road (an existing town road) for proposed road upgrades. Proposed subdivision impacts are further described as follows: dredge and fill 387 square feet of forested wetlands for road grading; and dredge and fill 1,590 square feet of forested wetlands associated with two (2) intermittent stream crossings to install a 4-foot x 2-foot x 50-foot embedded box culvert and a 4-foot x 2-foot x 55-foot embedded box culvert for common driveway access to two (2) proposed lots; and dredge and fill 2,838 square feet of forested wetlands to install a 4-foot x 2-foot x 30-foot embedded box culvert for driveway access to a single lot.

APPROVE PERMIT:

Dredge and fill 4,815 square feet of forested wetlands and 145 linear feet of intermittent stream for access to an 18-lot subdivision on ± 132 acres; and dredge and fill 6,569 square feet of offsite wetlands along King Hill Road (an existing town road) for proposed road upgrades. Proposed subdivision impacts are further described as follows: dredge and fill 387 square feet of forested wetlands for road grading; and dredge and fill 1,590 square feet of forested wetlands associated with two (2) intermittent stream crossings to install a 4-foot x 2-foot x 50-foot embedded box culvert and a 4-foot x 2-foot x 55-foot embedded box culvert for common driveway access to two (2) proposed lots; and dredge and fill 2,838 square feet of forested wetlands to install a 4-foot x 2-foot x 30-foot embedded box culvert for driveway access to a single lot.

With Conditions:

1. All work shall be in accordance with plans by RCS Designs dated September 16, 2005, and revised through December 06, 2006, as received by the DES Wetlands Bureau on January 24, 2007; and plans dated January 8, 2007, and revised through April 04, 2007, as received by the DES Wetlands Bureau on April 19, 2007; and plans by Eckman Engineering, LLC dated August 2005, and revised through March 06, 2007, and February 8, 12 & 19, 2007; and plans dated December 2005, and revised through March 6, 2007; and plans dated February 12, 2007; and plans dated March 06, 2007, as received by the DES Wetlands Bureau on April 19, 2007; and Subdivision Plans by Eckman Engineering, LLC dated September 2005, as received by the DES Wetlands Bureau on January 24, 2007.
2. This permit is contingent on approval by the DES Alteration of Terrain Program.
3. This permit is contingent on approval by the DES Subsurface Systems Bureau.
4. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.
5. The deed which accompanies the sales transaction for each of the lots in this subdivision shall contain condition # 4 of this approval.
6. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau.
7. Work shall be done during low flow conditions.
8. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
9. Orange construction fencing shall be placed at the limits of construction within or directly adjacent to wetlands or surface waters to prevent accidental encroachment on wetlands.

10. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to wetlands and surface waters.
11. Proper headwalls shall be constructed within seven days of culvert installation.
12. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).
13. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid.
14. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
15. Dewatering of work areas or of dredge materials, if required, shall be conducted in a manner so as to prevent turbidity.
16. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of twenty (20) feet of undisturbed vegetated buffer.
17. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
18. Areas from which vegetation has been cleared to gain access to the site shall be replanted with like native species.

With Findings:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(h), alteration of less than 20,000 square feet of wetlands.
2. No comments were submitted from the NHFG Nongame and Endangered Wildlife Program or the Natural Heritage Bureau.
3. In a letter dated March 02, 2007, the Sutton Conservation Commission offered support for the proposed project.
4. The Environmental Protection Agency (EPA) requested a vernal pool survey, function and value assessment, and mitigation.
5. The project proposes stormwater treatment consisting of underdrains and grass/stone lined roadside ditches (roadside ditches adjacent to wetlands will be grass lined) to replace the functions and resources of the 6,569 square feet of King Hill Road ditch wetland impact, and meets Env-Wt 801.01.
6. The proposed project includes a 300-foot corridor along Lion's Brook.
7. The proposed crossings include box culverts with natural type bed materials.
8. The applicant's agent provided evidence, including wetland delineation, function and value assessment, and soil report that concluded no vernal pools survey exist onsite.
9. In a May 11, 2007, phone conversation the Army Corps of Engineers (ACOE) indicated the EPA and ACOE have reviewed the supplemental project information and do not have any objections to the proposed project.
10. In a letter dated May 09, 2007, the Town of Sutton approved the proposed King Hill Road upgrades.
11. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01. 12. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
13. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.

2007-00411 WHITE MOUNTAIN SAU # 35
BETHLEHEM Unnamed Wetland

Requested Action:

Fill 5,400 square feet of wetland to expand an existing high school (Profile School) with additional parking, driveways, and buildings. In addition, 1,282 square feet of previously filled wetland will be restored as part of the project.

Inspection Date: 09/10/2003 by Craig D Rennie

APPROVE PERMIT:

Fill 5,400 square feet of wetland to expand an existing high school (Profile School) with additional parking, driveways, and buildings. In addition, 1,282 square feet of previously filled wetland will be restored as part of the project.

With Conditions:

1. All work shall be in accordance with plans by H.E. Bergeron dated January 5, 2007, as received by DES on May 9, 2007.

2. This permit is contingent on approval by the DES Alteration of Terrain Program.
3. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
4. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
5. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
6. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
7. Proper headwalls shall be constructed within seven days of culvert installation.
8. Culvert outlets shall be protected in accordance with the DES Best Management Practices for Urban Stormwater Runoff Manual (January 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August 1992).
9. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
10. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
11. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.
12. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).

With Findings:

1. This project is classified as a Minor Project per NH Administrative Rule Env-Wt 303.03(h), as wetland impacts are less than 20,000 square feet.
2. The need for the proposed impacts has been demonstrated by the applicant per Rule Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Rule Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Rule Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
5. DES Staff conducted a field inspection of the proposed project on September 10, 2003. Field inspection determined that the wetland areas that are proposed to be impacted are of low value as the area has been previously impacted from mowing and past ditching.
6. DES held a pre-application meeting with the applicant's agents on October 27, 2003 to discuss ways of avoiding wetland impacts with the school expansion.

**2007-00556 BELLEAU LAKE PROPERTY OWNERS ASSOCIATION, BRUCE RI
EAST WAKEFIELD Belleau Lake**

Requested Action:

Install 2 seasonal docks with the following dimensions, dock #1, 4 ft x 24 ft, dock #2, 6 ft x 24 ft, on an average of 470 ft of frontage on Belleau Lake, Wakefield.

Conservation Commission/Staff Comments:

Con Com signed Exp application

APPROVE PERMIT:

Install 2 seasonal docks with the following dimensions, dock #1, 4 ft x 24 ft, dock #2, 6 ft x 24 ft, on an average of 470 ft of frontage on Belleau Lake, Wakefield.

With Conditions:

1. All work shall be in accordance with plans as received by DES on March 22, 2007.
2. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the recorded permit shall be submitted to the DES Wetlands Bureau by certified mail, return receipt requested, prior to installation.
3. These shall be the only structures on this water frontage and all portions of the docking structures shall be at least 20 ft from abutting property lines or the imaginary extension of those lines into the water.
4. Seasonal piers shall be removed from the lake for the non-boating season.
5. No portion of the piers shall extend more than 24 feet from the shoreline at full lake elevation.
6. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(d), construction of any docking system that provides for 4 boatslips.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01. 3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has an average of 470 feet of shoreline frontage along Belleau Lake.
5. A maximum of 7 slips may be permitted on this frontage per Rule Env-Wt 402.12, Frontage Over 75'.
6. The proposed docking facility will provide 4 slips as defined per RSA 482-A:2, VIII and therefore meets Rule Env-Wt 402.12.

MINIMUM IMPACT PROJECT

**2005-03035 TRANSCANADA HYDRO NORTHEAST INC
HINSDALE Connecticut River**

Requested Action:

Maintenance dredge silt and woody debris from the trash racks and draft tubes of a hydroelectric dam and construct temporary sheet-pile cofferdams, temporarily impacting approximately 2,930 square feet of the bed of the Connecticut River, in preparation for the future replacement of four turbine generating units.

APPROVE AMENDMENT:

Maintenance dredge silt and woody debris from the trash racks and draft tubes of a hydroelectric dam and construct temporary sheet-pile cofferdams, temporarily impacting approximately 2,930 square feet of the bed of the Connecticut River, in preparation for the future replacement of four turbine generating units.

With Conditions:

1. All work shall be in accordance with plans by Hatch Acres Corporation dated December 8, 2005, as received by the DES Wetlands Bureau on December 23, 2005 and the narrative entitled "Vernon Hydroelectric Station Project Description" by TransCanada and The Louis Berger Group, Inc., as received by the DES Wetlands Bureau on February 6, 2006.
2. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.
3. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
4. Dredging shall remove only material down to the base of the dam and not impact the river bed.
5. Extreme caution should be taken to avoid releases of turbidity to the river during dredging.
6. Dredged material shall be dewatered in settling basins that are located outside of the jurisdiction of the DES Wetlands Bureau and lined with acceptable sediment trapping liners.

7. Prior to commencing work on the dam, cofferdams shall be constructed to isolate the work area from the river. Once a cofferdam is fully effective, confined work can proceed without restriction.
8. Dredging and cofferdam construction shall be done so as not to impede fish migrations or interfere with fish spawning areas.
9. Discharge from dewatering of work areas shall be to settling basins that are located outside of the jurisdiction of the DES Wetlands Bureau and lined with acceptable sediment trapping liners.
10. Temporary cofferdams, sandbags, and hay bales shall be entirely removed immediately following construction completion. Except that the single horizontal structural support of the upstream cofferdam that is attached to the base of the dam shall be left in place.
11. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid prior to entering surface waters or wetlands.
12. Faulty equipment shall be repaired prior to entering jurisdictional areas.
13. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each operator shall be trained in its use.
14. All refueling of equipment shall occur outside of surface waters or wetlands during construction.

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(1), temporary cofferdams and other water control devices constructed in flowing water or adjacent to dams in conjunction with the repair or maintenance of existing structures. Temporary cofferdams means temporary watertight enclosures built in the water and pumped dry to expose the bottom so that construction may be undertaken. All such work shall be designed and supervised by a professional engineer and shall be removed upon completion of repair and/or maintenance. Except that the single horizontal structural support of the upstream cofferdam that is attached to the base of the dam shall be left in place.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01. For approximately 13 years, four turbine generating units in the hydroelectric dam have been either retired or been in disrepair due to their age and outdated design. Maintenance dredging of silt and woody debris from the trash racks and draft tubes of the dam and construction of temporary sheet-pile cofferdams is being conducted in preparation for replacement of the four turbine generating units.
3. Future impacts associated with the turbine generating unit replacement project will be addressed in a separate application to the DES Wetlands Bureau.
4. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the DES Wetlands Bureau's jurisdiction per Wt 302.03.
5. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.
6. Silt and woody debris have accumulated in front of the trash racks and in the draft tubes of the dam and must be removed before cofferdams can be installed. Typically, the woody debris is removed by a trash rake; however, the debris is encased in silt due to four of the turbine generating units being out of service for approximately 13 years.
7. On the upstream side of the dam, the silt will be removed using a barge and crane-mounted clam shell bucket. The clam shell will be used to remove the silt and woody debris and deposit the material into dumpsters on the barge. Adjacent generating units will be shut down to eliminate flow reducing the opportunity for silt to drift. This process will only remove material down to the base of the dam. Divers will be directing the operation to ensure that the clam shell removes only the debris in front of the trash racks and does not dredge the river bed. The dewatered material will be transported to an approved landfill.
8. On the downstream side of the dam, the silt will be removed from the draft tubes using a dredging pump. The silt will be deposited into a settling basin and the dewatered material will be transported to an approved landfill.
9. Temporary cofferdams will be installed to maintain the work site in a dewatered condition for future replacement of the four turbine generating units. The cofferdams will be removed following construction completion.
10. The applicant intends to install the cofferdams no later than June 1, 2006 to avoid migratory fish passage periods.
11. The proposed cofferdams will be installed on the concrete footing at the base of the dam and attached to concrete piers and not the river bed.
12. The cofferdam design will be vertical steel sheet piles supported by horizontal steel wales and vertical struts. The upper sections of the structures at the head water side will be supplemented with sand bags as required. Sealing of the cofferdams at the toe of the sheet piles will be achieved with grout bags and tremie concrete. Sealing of the sheet piles against existing concrete walls will be achieved by timber lath and PVC sheeting.
13. Any inflow into the work area will be pumped to a settling basin constructed at the downstream side of the dam above the existing fishway. The basin will serve as a temporary settling pond for water pumped out from the work area and as a temporary

storage area for associated sediments and construction debris. Water will seep from the settling basin, through a containing filter fabric, through secondary hay bales installed in the fishway, and back to the river. Material deposited in the settling basin will be periodically transported to an approved landfill.

14. Upon removal of the settling basin, hay bales will remain in place so that any material that may escape is contained. Hay bales will be removed when all material is contained.

15. The Connecticut River Joint Commissions has no objections to the applicant's proposal.

16. The Nongame and Endangered Wildlife Program of the NH Fish and Game Department (NHFGD) identified that the proposed project has the potential to impact anadromous fish that use the Connecticut River and an active bald eagle nest approximately 1,125 feet downstream of the dam. To minimize impacts to these species, NHFGD originally requested that active construction occur within the river between November 1 and April 1. On January 25, 2006, the applicant met with the US Fish and Wildlife Service (USFWS) and NHFGD to address potential wildlife impacts. The parties concluded that disturbance and excessive noise from construction activities should be minimal and the original date restrictions were removed.

17. The applicant has consulted with the USFWS and the NHFGD to determine a satisfactory construction schedule that should not affect passage for both up and downstream migratory fish.

**2006-01087 ALTON, TOWN OF
ALTON Tributary To Sunset Lake**

Requested Action:

Confirm Emergency Authorization issued on May 15, 2006, to replace an existing 36-inch culvert with the same to make Alton Shores Road passable.

CONFIRM EMERGENCY AUTHORIZATION:

Replace an existing 36-inch culvert with the same to make Alton Shores Road passable.

With Conditions:

1. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.

With Findings:

1. This project is classified as a Minimum impact project per Rule Env-Wt 303.04(x) Maintenance, repair, or replacement of a nondocking structure such as a culvert, headwall, bridge, dam, residential utility line, or rip-rap slope of less than 50 linear feet.
2. The project was necessary to make Alton Shores Road passable after a flooding event.
3. Emergency authorization for this work was issued by DES Wetlands Bureau Staff on May 15, 2006.
4. Review of the report submitted pursuant the emergency authorization indicates that work in jurisdiction has been completed in accordance with the emergency authorization.

**2006-02112 WARD, JAMES
WINDHAM Unnamed Wetland**

Requested Action:

Dredge and fill a 2,108 sq. ft. isolated wetland area of poorly drained soil, determined not to be a vernal pool, for the development of a residential house-lot on a 1.14 acre parcel of land.

Conservation Commission/Staff Comments:

The Windham Conservation Commission intervened on the application. No follow-up report or comments were received.

APPROVE PERMIT:

Dredge and fill a 2,108 sq. ft. isolated wetland area of poorly drained soil, determined not to be a vernal pool, for the development

of a residential house-lot on a 1.14 acre parcel of land.

With Conditions:

1. All work shall be in accordance with plans by Kenneth C. Walsh dated June 20, 2006, as received by DES on August 15, 2006.
2. NH DES Southeast Region staff shall be notified in writing prior to commencement of work and upon its completion.
3. This permit is contingent on approval by the DES Subsurface Systems Bureau.
4. There shall be no further alteration of wetlands for lot development, driveways, culverts, septic setback or other construction activities.
5. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.

With Findings:

1. This isolated wetland was determined not to be a vernal pool by Timothy J. Winnings, NH Certified Wetland Scientist No. 068.

**2006-02400 CLARK, MATTHEW
NEWBURY Lake Sunapee**

Requested Action:

Amend permit to provide for a change in roof height.

Conservation Commission/Staff Comments:

No comments from Con Com by Nov 27, 2006

APPROVE AMENDMENT:

Repair an existing 21 ft 7 in x 31 ft 2 slip boathouse and increase the inside two slips, one to 7 ft 5 in wide and one to 9 ft wide, supported by a 6 ft x 31 ft crib supported permanent dock and a 6 ft x 31 ft crib supported permanent dock, and change the roof height to no more than 8 ft 6 inches above the deck elevation with no increase to the outside dimensions on Lake Sunapee, Newbury.

With Conditions:

1. All work shall be in accordance with plans by Richard Green dated December 07, 2006, as received by the Department on December 12, 2006, and amendment request dated May 01, 2007 and received by the Department on May 03, 2007.
2. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the recorded permit shall be submitted to the DES Wetlands Bureau, by certified mail, return receipt requested, prior to construction.
3. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement action or revocation action if the DES later determines that these "existing structures" were not previously permitted or grandfathered.
4. Additional expedited minimum impact applications shall be accepted for the subject property for a period of 12 months only if the applicant demonstrates by plan that the additional project(s) are wholly unrelated or separate from the original application and when considered with the original application are not classified as minor or major.
5. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
6. Repair shall maintain existing size, location and configuration.
7. Appropriate siltation and erosion controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
8. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
9. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(v), maintenance, repair, and replacement in-kind of existing docking structures.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.

2006-03043 RHEINGOLD, JOYCE
SUNAPEE Lake Sunapee

Requested Action:

Repair an existing 12 ft 6 in x 23 ft 6 in dug-in boathouse and change the boatslip from 8 ft x 19 ft to 10 ft x 22 ft with no change in outside dimensions or use, on 110 ft of shoreline on Lake Sunapee, in Sunapee.

Conservation Commission/Staff Comments:

Con Com recommends approval of application

APPROVE PERMIT:

Repair an existing 12 ft 6 in x 23 ft 6 in dug-in boathouse and change the boatslip from 8 ft x 19 ft to 10 ft x 22 ft with no change in outside dimensions or use, on 110 ft of shoreline on Lake Sunapee, in Sunapee.

With Conditions:

1. All work shall be in accordance with plans by CLD Consulting Engineers dated October 2006, as received by DES on April 20, 2007.
2. This permit shall not be effective until it has been recorded with the County Registry of Deeds office by the Permittee. A copy of the recorded permit shall be submitted to the DES Wetlands Bureau by certified mail, return receipt requested, prior to construction.
3. Repair shall maintain existing size, location and configuration of all outside dimensions and the foundation.
4. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
5. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
6. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This project is classified as a minimum impact project per Rule Env-Wt 303.04(v), repair of existing docking structures with no change in size, location or configuration.

2007-00220 FOSS, DEBORAH
RYE Unnamed Wetland

Requested Action:

Dredge and fill 900 sq. ft. of previously impacted wetlands (currently mown lawn over hydric soils) to develop a single family residential lot with drainage improvements and plantings of native wetlands species to enhance 2,000 sq. ft. of the remaining wetland area on this 0.43 acre parcel of land.

Conservation Commission/Staff Comments:

The Rye Conservation Commission has inspected the site and reports: "The Commission feels that the proposal will enhance the area with the drainage improvements and restoration and does not object to the application."

APPROVE PERMIT:

Dredge and fill 900 sq. ft. of previously impacted wetlands (currently mown lawn over hydric soils) to develop a single family residential lot with drainage improvements and plantings of native wetlands species to enhance 2,000 sq. ft. of the remaining wetland area on this 0.43 acre parcel of land.

With Conditions:

1. All work shall be in accordance with plans by Altus Engineering, Inc. dated January 24, 2007, as received by DES on January 29, 2007.
2. DES Wetlands Bureau Southeast Region staff shall be notified in writing prior to commencement of work and upon its completion.
3. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for other construction activities.
4. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
5. Wetland enhancement area shall have at least 75% successful establishment of wetlands vegetation after two (2) growing seasons, or it shall be replanted and re-established until a functional wetland is replicated in a manner satisfactory to the DES Wetlands Bureau.

2007-00301 GOYETTE, ADRIENNE
WINDHAM Unnamed Wetland

Requested Action:

Retain 1,052 sq. ft. of wetland impacts by performing on-site restoration and enhancement of the site to reestablish the functions and values of the wetland while maintaining the desired landscape perspective on a 3.16 acre parcel of land.

Conservation Commission/Staff Comments:

The Windham Conservation Commission reviewed this application at their March 22, 2007 meeting and have no objections to the project. Recommend that landscaping blocks remain in place as area is stabilized.

APPROVE AFTER THE FACT:

Retain 1,052 sq. ft. of wetland impacts by performing on-site restoration and enhancement of the site to reestablish the functions and values of the wetland while maintaining the desired landscape perspective on a 3.16 acre parcel of land.

With Conditions:

1. All work shall be in accordance with plans by J.M. Gray & Associates, Inc. dated January 17, 2007, as received by DES on February 14, 2007.
2. DES Wetlands Bureau Southeast Region staff shall be notified in writing prior to commencement of work and upon its completion.
3. There shall be no further alteration of wetlands for lot development, driveways, culverts, septic setback or other construction activities.
4. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.

2007-00459 CENTERVIEW HOLLOW LAND CO LLC
DANVILLE Unnamed Wetland

Requested Action:

Dredge and fill a total of 2,820 sq. ft. of palustrine forested/ scrub-shrub wetlands, including a box culvert crossing of a seasonal stream, to construct a roadway to access a 16-lot residential subdivision on a 47.65 acre parcel of land.

Conservation Commission/Staff Comments:

The Danville Conservation Commission has reviewed this application and supports the change in design recommended by NH Fish & Game Dept to install a box culvert in the seasonal stream.

APPROVE PERMIT:

Dredge and fill a total of 2,820 sq. ft. of palustrine forested/ scrub-shrub wetlands, including a box culvert crossing of a seasonal stream, to construct a roadway to access a 16-lot residential subdivision on a 47.65 acre parcel of land.

With Conditions:

1. All work shall be in accordance with plans by Gregsak Engineering, Inc. dated Jan. 14, 2005, as received by DES on March 09, 2007.
2. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
3. This permit is contingent on approval by the DES Alteration of Terrain Program.
4. This permit is contingent on approval by the DES Subsurface Systems Bureau.
5. This permit shall not be effective until it has been recorded with the Rockingham County Registry of Deeds office by the Permittee. A copy of the recorded permit shall be submitted to the DES Wetlands Bureau by certified mail, return receipt requested, prior to construction.
6. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
7. Culvert outlets shall be protected in accordance with the DES Best Management Practices for Urban Stormwater Runoff Manual (January 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August 1992).
8. NH DES Southeast Region staff shall be notified in writing prior to commencement of work and upon its completion.

FORESTRY NOTIFICATION

2007-01006 ALLEY, ROYCE
ROCHESTER Unnamed Stream

COMPLETE NOTIFICATION:
Rochester Tax Map 215, Lot# 25

2007-01007 MEADOWSEND TIMBERLANDS LTD
DEERING Unnamed Stream

COMPLETE NOTIFICATION:
Deering Tax Map 214, Lot# 15

2007-01036 MORL, JOSEPH
CONWAY Unnamed Stream

COMPLETE NOTIFICATION:
Conway Tax Map 279, Lot#12

2007-01038 NEWMAN, ROGER & MARGOT
PIKE Unnamed Stream

COMPLETE NOTIFICATION:
Pike Tax Map 419, Loy# 6, 8, 9

2007-01041 OLIVARIAN SCHOOL, JAY WOLTER
HAVERHILL Unnamed Stream

COMPLETE NOTIFICATION:
Haverhill Tax Map 421, Lot3 48

2007-01042 KAYMAN COVELL, DARRYN
LYNDEBOROUGH Unnamed Stream

COMPLETE NOTIFICATION:
Lyndeborough Tax Map 207, Lot# 30

2007-01050 FRANZEN, WILLIAM
RICHMOND Unnamed Stream

COMPLETE NOTIFICATION:
Richmond Tax Map R13, Lot# 24A

2007-01051 MITTORTON, SUSAN
WESTMORELAND Unnamed Stream

COMPLETE NOTIFICATION:
Westmoreland Tax Map 14, Lot# 57

2007-01074 WILKINS TRUST, GERALD & ELEANOR
MONT VERNON Unnamed Stream

COMPLETE NOTIFICATION:
Mont Vernon Tax MAp 2, Lot# 36

2007-01075 DEMERITT, CAROL
CANDIA Unnamed Stream

COMPLETE NOTIFICATION:
Candia Tax Map 414, Lot# 80

EXPEDITED MINIMUM

2006-02892 SALMON MEADOW REALTY TRUST
MOULTONBOROUGH Lake Winnepesaukee

Requested Action:
Dredge out 7 cu yards of material to attain a 3 ft of water depth for a boatslip in front of an existing indicated area paralleling the

shoreline, install retaining wall, rip-rap 89 linear ft of shoreline, replace 4 pilings at dock paralleling the shoreline, install 3 new pilings paralleling the shoreline and repair/replace concrete shoreline structure on 215 ft of frontage in Moultonborough on Lake Winnepesaukee.

APPROVE PERMIT:

Dredge 7 cu yards of material to attain a 3 ft water depth for an existing boatslip paralleling the shoreline, install retaining wall, rip-rap 89 linear ft of shoreline, replace 4 pilings at dock paralleling the shoreline, install 3 new pilings paralleling the shoreline and repair/replace concrete shoreline structure on 215 ft of frontage in Moultonborough on Lake Winnepesaukee.

With Conditions:

1. All work shall be in accordance with plans by Diversified Marine Construction revised May 16, 2007, as received by DES on May 17, 2007.
2. This permit shall not be effective until it has been recorded with the appropriate County Registry of Deeds office by the Permittee. A copy of the recorded permit shall be submitted to the DES Wetlands Bureau by certified mail, return receipt requested, prior to construction.
3. Dredged material shall be placed outside DES Wetlands Bureau jurisdiction.
4. No more than 7 cu yd of material shall be dredged from the lakebed and dredge shall not attain levels deeper than elevation 501.32 as measured from the normal high water elevation.
5. Retaining wall shall be constructed landward of the shoreline defined by the elevation of normal high water so as not to create land in public water.
6. Work shall be conducted in a manner that avoids excessive discharges of sediments to fish spawning areas.
7. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.
8. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to surface waters and wetlands and avoids excessive discharges of sediments to fish spawning areas.
9. Rip-rap shall be located landward of the shoreline at the normal high water, where practical, and shall not extend more than 2 feet lakeward of that line at any point.
10. Should any new wall and/or replacement wall fail within a 6 year period from date of completion, the landowner shall file a new application for retaining wall replacement with stamped plans prepared by a certified professional in erosion and sediment control and the site may be subject to further NHDES evaluation and requests.
11. New tie-off piles shall be spaced 12 ft center on center.
12. Unnecessary removal of vegetation is strictly prohibited.
13. Dock repair/replacement shall be constructed with "in-kind" dimensions, location, and configuration.
14. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(k), projects that disturb between 50 and 200 linear ft, measured along the shoreline, of a lake or pond or its bank and do not meet the criteria of Wt 303.02.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01. 3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.

2007-00799 ROCCO, JOSEPH & MARY ANN
LYNDEBOROUGH Detention Pond

Requested Action:

Maintenance dredge 1,620 square feet of an existing pond.

APPROVE PERMIT:

Maintenance dredge 1,620 square feet of an existing pond.

With Conditions:

1. All work shall be in accordance with plans by Meridian Land Services, Inc. dated February 23, 2007, as received by the Department on April 23, 2007.
2. All work shall be done in frozen/low water conditions.
3. There shall be no impacts to the bed or banks of Stony Brook.
4. Work shall not cause violations (sedimentation and turbidity) of surface water quality standards, in accordance with Env-Ws 1700.
5. Appropriate erosion, siltation and turbidity controls shall be installed prior to construction, shall be maintained during construction, and shall remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
6. Machinery shall not be located within surface waters, where practicable.
7. Machinery shall be staged and refueled in upland areas.
8. Dredged spoils shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
9. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of twenty (20) feet of undisturbed vegetated buffer.
10. Within three calendar days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(k), maintenance dredging of a manmade pond.
2. No comments were submitted from the NHFG Nongame and Endangered Wildlife Program or the Natural Heritage Bureau.
3. The Lyndeborough Conservation Commission signed the Minimum Impact Expedited Application.
4. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
5. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
6. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

2007-00832 LEVITSKY, MARY JO
WOODSTOCK Unnamed Wetland

Requested Action:

Dredge and fill approximately 250 sq. ft. of forested wetlands (temporary impacts) for installation of a water line to two proposed condominium units.

Conservation Commission/Staff Comments:

The Conservation Commission signed the Minimum Impact Expedited application.

APPROVE PERMIT:

Dredge and fill approximately 250 sq. ft. of forested wetlands (temporary impacts) for installation of a water line to two proposed condominium units.

With Conditions:

1. All work shall be in accordance with the plan sheet titled "Wetlands Permit Application Plan for Snow King Condominium", by Sabourn Surveying Inc., as received by DES on April 25, 2007.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. This permit is contingent on approval by the Town of Woodstock for work conducted in wetlands within 20 feet of the Town

road (Snow King Road) right of way and on Town property. A written agreement shall be sent the DES Wetlands Bureau File No. 2007-832 prior to the commencement of work.

4. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.
5. Work shall be done during low flow.
6. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
7. Orange construction fencing shall be placed at the limits of construction adjacent to wetlands to prevent accidental encroachment on wetlands.
8. The restoration of the temporary wetlands impact shall be completed within 72 hours following the installation of the water line.
9. The wetlands impact area shall be regraded to original contours following completion of work.
10. The wetlands impact area shall be seeded with native wetlands plant species and mulched with straw.
11. The temporary wetlands impact area shall have at least 75% successful establishment of wetlands vegetation after one growing season, or it shall be replanted and re-established until a functional wetland is replicated in a manner satisfactory to the DES Wetlands Bureau.
12. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
13. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
14. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(f), Projects involving alteration of less than 3,000 sq. feet in swamps or wet meadows.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01. 3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

2007-00834 LATASSA, M PHYLLIS
WOODSTOCK Unnamed Wetland

Requested Action:

Dredge and fill approximately 722 sq. ft. of forested wetlands (temporary impacts) for installation of a water line to one lot of a two lot subdivision (lot line adjustment).

Conservation Commission/Staff Comments:

The Conservation Commission signed the Minimum Impact Expedited Application.

APPROVE PERMIT:

Dredge and fill approximately 722 sq. ft. of forested wetlands (temporary impacts) for installation of a water line to one lot of a two lot subdivision (lot line adjustment).

With Conditions:

1. All work shall be in accordance with plans by Sabourn Surveying Inc., dated January 2007, as received by DES on April 25, 2007.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.
4. Work shall be done during low flow.
5. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction,

- and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
6. Orange construction fencing shall be placed at the limits of construction adjacent to wetlands to prevent accidental encroachment on wetlands.
 7. The restoration of the temporary wetlands impact shall be completed within 72 hours following the installation of the water line.
 8. The wetlands impact area shall be regraded to original contours following completion of work.
 9. The wetlands impact area shall be seeded with native wetlands plant species and mulched with straw.
 10. The temporary wetlands impact area shall have at least 75% successful establishment of wetlands vegetation after one growing season, or it shall be replanted and re-established until a functional wetland is replicated in a manner satisfactory to the DES Wetlands Bureau.
 11. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
 12. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
 13. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(f), Projects involving alteration of less than 3,000 sq. feet in swamps or wet meadows.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01. 3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

2007-00917 HALL, JOHN
RYE Atlantic Ocean

Requested Action:

Repair and reconstruct approximately 2,080 sq. ft. of an existing stone rip-rap slope along 208 linear feet of shoreline frontage, adding stone as necessary, to restore shoreline armor to condition existing prior to nor'easter storm damage of April 16-19, 2007.

Conservation Commission/Staff Comments:

The Rye Conservation Commission recommends approval of the project.

Inspection Date: 04/24/2007 by Frank D Richardson

APPROVE PERMIT:

Repair and reconstruct approximately 2,080 sq. ft. of an existing stone rip-rap slope along 208 linear feet of shoreline frontage, adding stone as necessary, to restore shoreline armor to condition existing prior to nor'easter storm damage of April 16-19, 2007.

With Conditions:

1. All work shall be in accordance with plans by John R. Hall II dated 30 April 2007, as received by DES on May 07, 2007.
2. Repairs and reconstruction shall maintain preexisting size, location and configuration of stone rip-rap shoreline armor.
3. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
4. DES Wetlands Bureau Southeast Region staff shall be notified in writing prior to commencement of work and upon its completion.

GOLD DREDGE

2006-00569 DEARBORN, DENNIS
(ALL TOWNS) Unnamed Stream

Conservation Commission/Staff Comments:
cc: Bath Con Comm

APPROVE PERMIT:
Gold Dredge

2007-01082 DEARBORN, DENNIS
(ALL TOWNS) Unnamed Stream

Conservation Commission/Staff Comments:
cc: Bath Con Comm

2007-01083 DEARBORN, VIRGINIA
(ALL TOWNS) Unnamed Stream

Conservation Commission/Staff Comments:
cc: Bath Con Comm

LAKES-SEASONAL DOCK NOTIF

2007-01068 ARMSTRONG REV TRUST, LAWRENCE & JANE
WASHINGTON Half Moon Pond

COMPLETE NOTIFICATION:
Washington, NH Tax map 12 lot 29
Half Moon Pond

2007-01070 SMALL, SALLY
HANCOCK Lake Nubanusit

COMPLETE NOTIFICATION:
Hancock, NH Tax map U14 lot 13
Lake Nubanusit

2007-01077 PAGNIUCCI, DAVID
MUNSONVILLE Granite Lake

COMPLETE NOTIFICATION:

Munsonville, NH Tax map 138 lot 11
Granite Lake

2007-01080 GALE, ALFREDA
MOULTONBOROUGH Wakondah Pond

COMPLETE NOTIFICATION:
Moultonborough, NH Tax map 85 lot 8
Wakondah Pond

ROADWAY MAINTENANCE NOTIF

2007-01108 NH DEPT OF TRANSPORTATION
HUDSON Unnamed Stream

COMPLETE NOTIFICATION:
Conduct roadside ditch maintenance approximately 25' south along Webster Street @ the intersections of Route 3A (AKA-ELM St)Hudson. Including the cleaning of a 12"RCP on the Eastern side of Webster Street.

2007-01109 BCEP SOLID WASTE
PITTSFIELD Unnamed Stream

COMPLETE NOTIFICATION:
Culvert Replacement & Repaving Activity

2007-01110 NH DEPT OF TRANSPORTATION
PELHAM Unnamed Stream

COMPLETE NOTIFICATION:
Conduct roadside ditch maintenance approximately 150' along Route 128 & cleaning the out let of the South East 15"RCP & cleaning of the North East 12"RCP inlet and outlet

2007-01111 NH DEPT OF TRANSPORTATION
SANBORNTON Unnamed Stream

COMPLETE NOTIFICATION:
Replacing a 15 inch by 28 foot highway culvert with a new 15 inch by 28 foot CMP

2007-01112 NH DEPT OF TRANSPORTATION
CONCORD Unnamed Stream

COMPLETE NOTIFICATION:
Roadside ditch maintenance including cleaning the outlet of 18-inch diameter RCP using BMP's 1,5,7,8 through 10 and 12

PERMIT BY NOTIFICATION

**2007-00970 HAMILTON, SCOTT & AMY
BENTON Unnamed Stream**

Requested Action:

Dredge and fill approximately 460 sq. ft. of intermittent stream and associated wetlands for access to a single family building lot. Work in wetlands consists of the installation of a 18 in. x 30 ft. plastic culvert, associated headwalls, grading and filling. In addition, a 15 in. x 20 ft. plastic drainage culvert will be installed in a non-wetland area.

PBN IS COMPLETE:

Dredge and fill approximately 460 sq. ft. of intermittent stream and associated wetlands for access to a single family building lot. Work in wetlands consists of the installation of a 18 in. x 30 ft. plastic culvert, associated headwalls, grading and filling. In addition, a 15 in. x 20 ft. plastic drainage culvert will be installed in a non-wetland area.

With Findings:

- 1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(z).

**2007-01034 NH SPEEDWAY INC
LOUDON Gues Meadow Brook**

Requested Action:

Repair and replace existing 4 foot x 80 foot culvert, in kind.

PBN IS COMPLETE:

Repair and replace existing 4 foot x 80 foot culvert, in kind.

**2007-01058 BECK, ANDREW/KRISTEN
WOLFEBORO Lake Winnepesaukee**

Requested Action:

Replenish beach, and repair beach retaining walls.

PBN IS COMPLETE:

Replenish beach, and repair beach retaining walls.

With Findings:

- 1. This project is classified as a minimum impact project per Rule Env-Wt 303.04(v), repair of existing docking structures with no change in size, location or configuration.