

Wetlands Bureau Decision Report

Decisions Taken
06/11/2007 to 06/17/2007

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

**2005-01290 LIBERTY MUTUAL GROUP, ANTHONY LEONARD
DOVER Unnamed Wetland**

Requested Action:

Amend Compensatory Mitigation-Land Resource Preservation permit condition language to reflect pooled mitigation by Liberty Mutual, to now provide mitigation for application 2006-2753, City of Dover. The additional mitigation is to compensate for the Indian Brook Drive improvements related to the Liberty Mutual facility expansion.

Inspection Date: 07/22/2005 by Frank D Richardson

APPROVE AMENDMENT:

Dredge and fill a total of 42,167 sq. ft. of palustrine forested wetlands, containing a perennial stream, being a tributary to the Cocheco River, for the purpose of constructing a new 86,250 sq. ft. office building with appurtenant roadways, parking, drainage structures and landscaping at the existing 225-acre Liberty Mutual business campus.

With Conditions:

1. All work shall be in accordance with plans by Vanasse Hangen Brustlin, Inc. dated May 25, 2005, as received by the Department on June 09, 2005.
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. The permittee shall coordinate with the NH Division of Historic Resources to assess and mitigate the project's affect on historic resources.
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 Pease Field Office in Portsmouth, 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 or designated area within 30 days from receipt of this decision and submit a certified receipt from the Strafford 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 until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
9. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
10. 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.
11. 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.
12. 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.
13. Silt fencing must be removed once the area is stabilized.
14. 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).
15. Work shall be done during low flow.
16. DES Coastal Region staff shall be notified in writing prior to commencement of work and upon its completion.

COMPENSATORY MITIGATION: Land resources preservation

1. This permit is contingent upon the execution of a conservation easement on 9.8 acres as described in the "Mitigation Measures" narrative contained in the wetlands application (pp. 12-15) and depicted on plans received June 09, 2005.
 - 1a. Amend conservation easement to include an additional 6.5 acre tract to bring the total conservation easement area to 16.3 acres.
 - 1b. On February 15, 2006 the Department received the "Conservation Easement Deed" together with the "Conservation Easement Baseline Report" including the "Conservation Easement Plan", dated February 1, 2006, submitted by Vanasse Hangen Brustlin, Inc. and hereby, through this permit amendment, the Department acknowledges acceptance of these documents as being in compliance with the conditions set forth below.
 - 1c. Amended: Pursuant to an agreement by Liberty Mutual dated 4/30/2007 as received by DES on 5/1/2007, Liberty Mutual agrees to pool the mitigation provided herein, 16.3 acres of preservation, to provide mitigation for the City of Dover application 2006-2753. Application 2006-2753 represents 8,270 sq. ft. of impact to improve Indian Brook Drive to accomodate the increase in traffic associated with the Liberty Mutual expansion. The total impact amount of the two projects to be mitigated for is 50,437 sq. ft. The total mitigation needed is 11.6 acres.
2. The conservation easements to be placed on the preservation areas 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 Strafford 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. Pursuant to an agreement by Liberty Mutual dated 4/30/2007 as received by DES on 5/1/2007, Liberty Mutual agrees to pool the mitigation provided herein, 16.3 acres of preservation, to provide mitigation for the City of Dover application 2006-2753. Application 2006-2753 represents 8,270 sq. ft. of impact to improve Indian Brook Drive to accomodate the increase in traffic associated with the Liberty Mutual expansion. The total impact amount of the two projects to be mitigated for is 50,437 sq. ft. The total preservaton mitigation needed to compensate for 50,437 sq. ft. of impact per Env-Wt 803.05 Compensatory Mitigation Ratios, is 11.6 acres, 4.7 acres less than the total 16.3 acres Liberty has provided.

2005-02209 PARK AVENUE CORPORATION
DOVER Piscataqua River

Requested Action:

Amend permit to relocate dock on property frontage.

Conservation Commission/Staff Comments:

Inspection Date: 03/31/2006 by Dori A Wiggin

DENY PERMIT-INSUFFICIENT & UNTIMELY RESP:

Amend permit to relocate dock on property frontage.

With Findings:

1. A request for additional information dated 2/9/2007, addressed to the applicant, requested written documentation from the

property owner authorizing the applicant to apply for this amendment request. This letter clearly identified changes made to RSA 482-A:3 in 2003, requiring the applicant to submit additional information to DES within 120 days of the request, no later than 6/9/2007.

2. Pursuant to RSA 482-A, XIV(b), if the requested additional information is not received by DES within 120 days of the request, DES shall deny the application.
3. DES did not receive the requested additional information within the 120 days and therefore the application has been denied.

-Send to Governor and Executive Council-

2005-02424 FARINA, PAUL & CHERIE
NORTHWOOD Bow Lake

-Send to Governor and Executive Council-

2006-00335 PORTSMOUTH, CITY OF
PORTSMOUTH North Mill Pond

Requested Action:

Impact 1,250 sq. ft. in the developed upland tidal buffer zone and bank of the North Mill Pond to install a stormwater outfall and associated winged headwall; fill 400 sq. ft. in the inter-tidal wetland of North Mill Pond to install rip rap associated with outfall stabilization.

APPROVE PERMIT:

Impact 1,250 sq. ft. in the developed upland tidal buffer zone and bank of the North Mill Pond to install a stormwater outfall and associated winged headwall; fill 400 sq. ft. in the inter-tidal wetland of North Mill Pond to install rip rap associated with outfall stabilization.

Requested Action:

Impact 1,250 sq. ft. in the developed upland tidal buffer zone and bank of the North Mill Pond to install a stormwater outfall and associated winged headwall; fill 400 sq. ft. in the inter-tidal wetland of North Mill Pond to install rip rap associated with outfall stabilization.

DENY PERMIT-INSUFFICIENT & UNTIMELY RESP:

Impact 1,250 sq. ft. in the developed upland tidal buffer zone and bank of the North Mill Pond to install a stormwater outfall and associated winged headwall; fill 400 sq. ft. in the inter-tidal wetland of North Mill Pond to install rip rap associated with outfall stabilization.

With Findings:

1. A request for additional information dated 5/9/2006, requesting written permission from the property owner (Boston & Maine Corp.) documenting authorization to conduct work on the property was addressed to the applicant or agent of record. This letter clearly identified changes made to RSA 482-A:3 in 2003, requiring the applicant to submit additional information to DES within 120 days of the request, or by 9/9/2006.
2. DES granted the applicant an additional 120 days to the response deadline, extending it to 1/9/2007.
3. Pursuant to RSA 482-A, XIV(b), if the requested additional information is not received by DES within 120 days of the request, DES shall deny the application.
4. DES did not receive the requested additional information within the first or second 120-day period, or within the six months since, and therefore the application has been denied.

-Send to Governor and Executive Council-

**2006-02063 SOUTH POINT SANDS INVESTMENTS, WEETAMORE SHORES CO
OSS�PEE Lake Ossipee**

Requested Action:

Construct two docking structures each consisting of three, 6 ft x 20 ft seasonal docks connected by a 6 ft x 62 ft seasonal walkway in a "W" configuration accessed by a 6 ft x 34 ft seasonal walkway, and construct three individual 6 ft x 40 ft seasonal docks on an average of 3,100 ft of frontage on Ossipee Lake, in Ossipee.

Conservation Commission/Staff Comments:

Con Com would like to know which type of construction materials will be used.

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

Inspection Date: 12/06/2006 by Dale R Keirstead

APPROVE PERMIT:

Construct two docking structures each consisting of three, 6 ft x 20 ft seasonal docks connected by a 6 ft x 62 ft seasonal walkway in a "W" configuration accessed by a 6 ft x 34 ft seasonal walkway, and construct three individual 6 ft x 40 ft seasonal docks on an average of 3,100 ft of frontage on Ossipee Lake, in Ossipee.

With Conditions:

1. All work shall be in accordance with plans by Horizons Engineering dated February 2007, revision date April 2007, as received by DES on May 09, 2007 and dock plans dated April 2007, as received by the Department on May 07, 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. All seasonal piers shall be removed from the lake for the non-boating season.
5. No portion of the three single 6 ft x 40 ft piers shall extend more than 40 feet from the shoreline at full lake elevation.
6. No portion of the two "W" shaped piers shall extend more than 60 feet from the shoreline at full lake elevation.
7. 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 major project per Rule Env-Wt 303.02(d), construction of a major docking facility.
2. The applicant has an average of 3100 feet of frontage along Ossipee Lake.
3. A maximum of 42 slips may be permitted on this frontage per Rule Env-Wt 402.12, Frontage Over 75'.
4. The proposed docking facility will provide 26 slips as defined per RSA 482-A:2, VIII and therefore meets Rule Env-Wt 402.12.
5. Public hearing is waived based on field inspection, by NH DES staff, on December 06, 2006, with the finding that the project impacts will not significantly impair the resources of Ossipee Lake.

-Send to Governor and Executive Council-

**2006-02766 GEOGHEGAN, ANDREW
TUFTONBORO Lake Winnepesaukee**

Requested Action:

Remove 60 sq ft from the existing permanent docking structure and add a 2 ft by 27 ft permanent dock finger to the existing breakwater docking facility, construct a 4 ft by 40 ft seasonal dock on the westerly side of the property and construct a 196 sq ft perched beach with less than 10 cubic yards of sand on Lake Winnepesaukee, Tuftonboro.

Inspection Date: 03/21/2007 by Dale R Keirstead

APPROVE PERMIT:

Remove 60 sq ft from the existing permanent docking structure and add a 2 ft by 27 ft permanent dock finger to the existing breakwater docking facility, construct a 4 ft by 40 ft seasonal dock on the westerly side of the property and construct a 196 sq ft perched beach with less than 10 cubic yards of sand on Lake Winnepesaukee, Tuftonboro.

With Conditions:

1. All work shall be in accordance with plans by New Hampshire Environmental revision dated May 05, 2007, as received by the Department on May 08, 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. 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.
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. Seasonal pier shall be removed from the lake for the non-boating season.
6. No portion of the seasonal pier shall extend more than 40 feet from the shoreline at full lake elevation.
7. Dredged or excavated material shall be placed outside of the DES Wetlands Bureau jurisdiction.
8. 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 504.32). Those rocks existing at the normal high water line shall remain otherwise undisturbed such that the natural shoreline remains identifiable.
9. The steps installed for access to the water shall be located completely landward of the normal high water line.
10. No more than 10 cu. yds. of sand may be used and all sand shall be located above the normal high water line.
11. This permit shall be used only once, and does not allow for annual beach replenishment.
12. The permittee shall provide appropriate diversion of surface water runoff to prevent erosion of beach area.
13. 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.
14. 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 major project per Rule Env-Wt 303.02(d), construction or modification of major docking system defined by Env-Wt 101.52, and any dock adjacent or attached to a breakwater.
2. The applicant has an average of 401 feet of shoreline frontage along Lake Winnepesaukee.
3. A maximum of 6 slips may be permitted on this frontage per Rule Env-Wt 402.12 Frontage Over 75'.
4. The proposed docking facility will provide 4 slips as defined per Rule Env-Wt 101.09 Boat slip, and therefore meets Rule Env-Wt 402.12.
5. Public hearing is waived based on field inspection, by NH DES staff, on March 21, 2007, with the finding that the project impacts will not significantly impair the resources of Lake Winnepesaukee.
6. Field inspection on March 21, 2007, found the proposed dock modifications will not significantly change the existing conditions of the site and are the least impacting alternative.

-Send to Governor and Executive Council-

2006-03130 LUNGING ISLAND TRUST, RAY RANDALL
RYE Atlantic Ocean

Requested Action:

Construct a permanent 6 ft. x 100 ft. timber pier on pilings, having a 6 foot clearance between the deck and intertidal zone, with a 3 ft. x 40 ft. seasonal ramp to a 10 ft. x 20 ft. seasonal float on 3,000 +/- linear feet of shoreline frontage on Lunging Island, Isles of Shoals.

Conservation Commission/Staff Comments:

The Rye Conservation Commission has reviewed this application and "... has no objections ..."

APPROVE PERMIT:

Construct a permanent 6 ft. x 100 ft. timber pier on pilings, having a 6 foot clearance between the deck and intertidal zone, with a 3 ft. x 40 ft. seasonal ramp to a 10 ft. x 20 ft. seasonal float on 3,000 +/- linear feet of shoreline frontage on Lunging Island, Isles of Shoals.

With Conditions:

1. All work shall be in accordance with plans by Pickering Marine Corporation dated 12/8/06, as received by DES on December 07, 2006.
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 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.
4. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).
5. The decking of the dock shall have a minimum of 6 feet clearance from the surface of the tidal marsh and shall have 3/4-inch spacing between the decking planks.
6. The seasonal ramp and float shall be removed from tidal waters during the non-boating season.
7. DES Wetlands Bureau Southeast Region staff shall be notified in writing prior to commencement of work and upon its completion.

With Findings:

1. This is a major impact project per Administrative Rule Env-Wt 303.02(a), projects in tidal wetlands.
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) and (c), Requirements for Application Evaluation, has been considered in the design of the project.
5. NH Division of Ports and Harbors Chief Harbormaster has "... examined the proposed site and found that the project would have no negative effect on navigation ..."
6. The public hearing is waived with the finding that the project impacts will not significantly impair the resources of this marine rocky shore ecosystem.

-Send to Governor and Executive Council-

**2007-00538 WINDJAMMER REALTY TRUST, CHARLIE KELLAR
MEREDITH Lake Winnepesaukee**

Requested Action:

Repair and existing previously permitted 72 linear ft of breakwater in an "L" shaped configuration with a 4 ft x 30 ft cantilevered dock and a 4 ft x 30 ft crib dock accessed by a 4 ft x 45 ft cantilevered walkway in an "F" configuration, and install a 3 piling ice cluster east of the docking structure on Lake Winnepesaukee, Meredith.

Conservation Commission/Staff Comments:

Con Com has no objections to requested repair

APPROVE PERMIT:

Repair and existing previously permitted 72 linear ft of breakwater in an "L" shaped configuration with a 4 ft x 30 ft cantilevered dock and a 4 ft x 30 ft crib dock accessed by a 4 ft x 45 ft cantilevered walkway in an "F" configuration, and install a 3 piling ice cluster east of the docking structure on Lake Winnepesaukee, Meredith.

With Conditions:

1. All work shall be in accordance with plans by Watermark Marine Construction dated March 13, 2007, as received by DES on March 19, 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 to replace or repair existing structures shall not preclude the 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. These structures as described and depicted on the plan shall be the only structures on this water frontage no additional structures including but not limited to lifts, canopies, walkways, or stairs, may be installed or constructed on the frontage without additional permitting by the Department.
5. Repair shall maintain existing size, location and configuration.
6. Existing rocks which have fallen shall be used for repair. No Additional rocks may be brought on site.
7. Appropriate siltation, erosion, and turbidity controls shall be in place prior to construction, maintained during construction, and shall remain until the area is stabilized.
8. Work authorized shall be carried out such that discharges in spawning or nursery areas during spawning seasons shall be avoided, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
9. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding areas and spawning areas shall be avoided.
10. 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 a docking facility 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 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 117 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 docking facility provides 2 slips as defined per RSA 482-A:2, VIII and therefore meets Rule Env-Wt 402.12.
8. Public hearing is waived with the finding that the project impacts will not significantly impair the resources of Lake Winnepesaukee.

-Send to Governor and Executive Council-

MINOR IMPACT PROJECT

2005-03053 MOONEY, MARK
BELMONT Unnamed Stream

Requested Action:

Dredge and fill 3624 square feet including 150 linear feet of intermittent stream for access to the subdivision of 23.93 acres into 32 condominium units.

APPROVE PERMIT:

Dredge and fill 3624 square feet including 150 linear feet of intermittent stream for access to the subdivision of 23.93 acres into 32 condominium units.

With Conditions:

1. All work shall be in accordance with plans by Holden Engineering and Surveying dated November 21, 2005, and revised through May 9, 2007, as received by the Department on May 15, 2007.
2. This permit is contingent on approval by the DES Alteration of Terrain.
3. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.
4. The deed which accompanies the sales transaction for each of the lots in this subdivision shall contain condition #3 of this approval.
5. 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.
6. Work shall be done during periods of non-flow.
7. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
8. Appropriate siltation/erosion controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized.
9. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
10. During the installation of the open bottom structure care shall be taken to minimize the disruption of the natural stream bottom. If the area is disturbed the stream channel shall be recreated to emulate the preexisting condition. Any new materials used must be similar to the natural stream substrate and shall not include angular rip-rap
11. Proper headwalls shall be constructed within seven days of culvert installation.
12. 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.
13. 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.
14. 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.
15. Silt fencing must be removed once the area is stabilized.
16. 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 is a minor impact project per Administrative Rule Env-Wt 303.03(h), projects involving less than 20,000 square feet of alteration in the aggregate in nontidal wetlands, nontidal surface waters, or banks adjacent to nontidal surface waters which exceed the criteria of Env-Wt 303.04(f) and Env-Wt 303.03(l), projects that alter the course of or disturb less than 200 linear feet of an intermittent or perennial nontidal stream or river channel or its banks and do not meet the criteria for minimum impact under Env-Wt 303.04(n).
2. The proposed impacts are for access to the proposed subdivision units.
3. The for utility line impacts must be permanent as the town requires access to the utilities.
4. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01. 5. The applicant has provided an open bottom box culvert over the intermittent stream crossing.
6. The applicant has provided headwalls on the culvert crossing to minimize the length of the crossing.
7. 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.
8. The applicant has crossed the wetlands in the narrowest locations possible.
9. The applicant is proposing to upgrade the existing crossing location in their design.
10. 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.
11. The Belmont Conservation Commission did not comment on this application.

2006-01600 **NOYES TRUST, JOHN**
LACONIA **Unnamed Wetland**

Requested Action:

Dredge and fill a total of 4564 square feet along 169 linear feet of intermittent and perennial stream bank and forested wetland for access to 336 proposed condominium units on 83.94 acres.

APPROVE PERMIT:

Dredge and fill a total of 4564 square feet along 169 linear feet of intermittent and perennial stream bank and forested wetland for access to 336 proposed condominium units on 83.94 acres.

With Conditions:

1. All work shall be in accordance with plans by Holden Engineering and Surveying dated April 27, 2006, and revised through March 6, 2007, as received by the Department on April 9, 2007.
2. This permit is contingent on approval by the DES Alteration of Terrain.
3. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.
4. The deed which accompanies the sales transaction for each of the lots in this subdivision shall contain condition #3 of this approval.
5. 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.
6. 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, NH 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, his/her professional engineer(s), wetlands scientist(s), and the contractor(s) responsible for performing the work.
7. Work within the bank of the perennial stream shall be done during low flow.
8. No rip rap shall be placed below the high water line on the perennial stream.
9. Work within the intermittent stream shall be done during periods of non-flow.
10. Appropriate siltation/erosion controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized.
11. All dredged or excavated material and construction related debris shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
12. Proper headwalls shall be constructed within seven days of culvert installation.
13. Area of temporary impact shall be regraded to original contours following completion of work.
14. 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.
15. 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.
16. Silt fencing must be removed once the area is stabilized.
17. 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).
18. 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(h), projects involving less than 20,000 square feet of alteration in the aggregate in nontidal wetlands, nontidal surface waters, or banks adjacent to nontidal surface waters which exceed the criteria of Env-Wt 303.04(f) and Env-Wt 303.03(l), projects that alter the course of or disturb less than 200 linear feet of an intermittent or perennial nontidal stream or river channel or its banks and do not meet the criteria for minimum impact under Env-Wt 303.04(n).
2. The proposed impact areas are for access to the buildable upland areas and connector roads for public safety as required by the City of Laconia.
3. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01. 4. The applicant has provided

open bottom box culverts over the intermittent stream.

5. The applicant has provided a timber bridge structure over the large forested wetland crossing.
6. 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.
7. The applicant has provided a 35 foot no cut buffer in accordance with the City of Laconia's provisions.
8. The applicant has provided 52.22 acres of conservation open space with the largest highest quality wetland system within it.
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.
10. DES Staff conducted a field inspection of the proposed project on May 24, 2007. Field inspection determined the bank of Langley Brook is lined by an historic retaining wall in the location of the proposed impact. In addition the area of the proposed velocity reduction structure is currently a gravel parking area.
11. No rip rap is proposed below the normal high water line.
12. The applicant has provided a waiver request per Env-Wq 1410.04, to waive Rule Env-Wq 1405.03(b), for the construction of a velocity reduction structure.
13. The waiver is granted in accordance with Env-Wq 1410.04(2), as strict compliance with the rule will provide no benefit to the public and will cause an operational or economic hardship to the applicant.
14. There will be no adverse effect to the environment or natural resources of the state, public health, or public safety; or on abutting properties that is more significant than that which would result from complying with the Rule Env-Wq 1405.03(b).
15. The proposed structure location is required to have a positive outlet gravity flow of treated stormwater into Langley Brook. Relocating the structure outside of the setback would result in an outlet elevation lower than the adjacent elevation of the brook.
16. The proposed structure will protect the resources by reducing the velocity of the treated stormwater prior to discharge into Langley Brook.
17. The proposed structure will be planted with sod and small shrubs which is an improvement over the existing gravel parking area that currently exists.
18. There will be no adverse effect to the environment or natural resources of the state, public health, or public safety; or on abutting properties that is more significant than that which would result from complying with the Rule Env-Wq 1405.03(b).

2006-02042 WELTON OF BROOKFIELD, BENNETT & MCWHIRTER LLC
BROOKFIELD Unnamed Wetland

Requested Action:

Dredge and fill a total of 5,100 sq. ft. of wetlands to finish construction of two roadway crossings for a 17-lot subdivision on approximately 47.6 acres, including 1,350 sq. ft. of impact to install an 18" x 30' culvert; and 3,750 sq. ft. of impact to install an 18" x 30' culvert.

APPROVE PERMIT:

Dredge and fill a total of 5,100 sq. ft. of wetlands to finish construction of two roadway crossings for a 17-lot subdivision on approximately 47.6 acres, including 1,350 sq. ft. of impact to install an 18" x 30' culvert; and 3,750 sq. ft. of impact to install an 18" x 30' culvert.

With Conditions:

1. All work shall be in accordance with revised plans by Fernstone Associates dated 7/29/2006 and 5/17/2007, as received by the Department on 8/9/2006, and on 5/18/2007, respectively.
2. This permit is contingent on approval by the DES Site Specific Program.
3. This permit is contingent on approval by the DES Subsurface Systems Bureau.
4. 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.
5. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.
6. The deed which accompanies the sales transaction for each of the lots in this subdivision shall contain condition #5 of this approval.
7. 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).

8. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
9. 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.
10. Silt fencing must be removed once the area is stabilized.
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 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).
16. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
17. Work shall be done during low flow.

With Findings:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(h), projects involving alteration of less than 20,000 sq. ft. of non-tidal wetlands in the aggregate.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01. The project represents a completion of a project that was originally permitted in 1989 under file 89-230. The subdivision was approved by DES and the Town of Brookfield in 1989 and is still valid. The roadbed was installed throughout the subdivision in 1990.
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. The finished road will be placed upon the initial road bed fill. Proper culverts which were not installed initially will be installed under this permit.
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. No species of concern were reported by the NH Heritage Bureau.
5. The Brookfield Conservation Commission did not report.

2006-02567 SADDLE BROOK REALTY LLC
MERRIMACK Unnamed Wetland

Requested Action:

Dredge and fill approximately 3,100 sq. ft. of forested wetlands for access(a common driveway) to two relocated lots of a previously approved 9-lot (includes one 28.321 open space lot) residential subdivision. Two lots along the northeast corner of the open space lot will be relocated to the edge of the main subdivision and within the previous open space lot. The previous lots will now be part of the open space lot. Work in wetlands consists of installation of a 36 in. x 40 ft. ADS plastic culvert, associated filling and grading, headwalls and inlet and outlet protection.

Conservation Commission/Staff Comments:

Conservation Commission submitted comments in support of the proposed project.

APPROVE PERMIT:

Dredge and fill approximately 3,100 sq. ft. of forested wetlands for access(a common driveway) to two relocated lots of a previously approved 9-lot (includes one 28.321 open space lot) residential subdivision. Two lots along the northeast corner of the open space lot will be relocated to the edge of the main subdivision and within the previous open space lot. The previous lots will now be part of the open space lot. Work in wetlands consists of installation of a 36 in. x 40 ft. ADS plastic culvert, associated filling and grading, headwalls and inlet and outlet protection.

With Conditions:

1. All work shall be in accordance with plans by Granite State Surveying Inc., plan sheet 1 and 2 of 2, dated September 18, 2006 and plan sheets C1 through C5 by Toth Engineering, PLLC and Granite State Surveying Inc., dated September 6, 2006, as received by DES on September 26, 2006.
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. The deed which accompanies the sales transaction for each of the lots in this subdivision shall contain condition #3 of this approval.
5. 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.
6. Straw shall be utilized during construction and for stabilization in place of hay (if proposed/applicable).
7. The proposed culvert inlet and outlet protection areas with wetlands shall consist of embedded round stone or natural wetland and stream bed materials (i.e., no rip-rap) within the natural flow path.
8. Work shall be done during low flow.
9. 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.
10. Dredged material shall be placed outside of the jurisdiction of 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. Proper headwalls shall be constructed within seven days of culvert installation.
13. Orange construction fencing shall be placed at the limits of construction adjacent prevent accidental encroachment on wetlands.
14. 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.
15. 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.
16. 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.
17. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid. Faulty equipment shall be repaired immediately.
18. 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.

With Findings:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(h), Projects that involve less than 20,000 sq. ft. of alteration in the aggregate in nontidal wetlands, nontidal surface waters, or banks of nontidal surface waters which exceed the criteria of Env-Wt 303.04(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 Conservation Commission approved the proposed project with the condition that straw be used in place of hay in order to reduce the chance of introducing invasive plant species to the site.
6. This approval is conditioned on the use of only straw.
7. The proposed lot relocation should reduce potential non-direct impacts to the large wetland complex within the open space lot by removing the two lots from the upper edge of the large wetland area and by removing the need for approximately 614 feet of subdivision roadway that would have drained to the large wetland complex.
8. The revised lot layout provided a small increase in the size of the open space lot.
9. The new lot layout groups all of the building lots to one side of the open space lot and the large wetland complex.
10. The previous subdivision plan included an access easement located adjacent to the new crossing which would have required

wetlands impacts to utilize.

11. The New Hampshire Fish and Game Department did not submit comments regarding the proposed project.

**2006-02753 DOVER, CITY OF
DOVER Unnamed Wetland Headwaters Of Indian Brook**

Requested Action:

Dredge and fill 8,270 sq. ft. of wetlands associated with an expansion of roadway capacity at the Exit 9 Spaulding Turnpike ramps and on Indian Brook Drive.

Application includes pooling mitigation provided under permit 2005-1290 for Liberty Mutual, which consisted of 16.3 acres in conservation easement for 42,167 sq. ft. of impact, for facility expansion. The proposed roadway expansion is to support additional traffic resulting from the Liberty Mutual expansion, therefore, Liberty Mutual has agreed to pool their mitigation to cover the additional 8,270 sq. ft. of related impact.

APPROVE PERMIT:

Dredge and fill 8,270 sq. ft. of wetlands associated with an expansion of roadway capacity at the Exit 9 Spaulding Turnpike ramps and on Indian Brook Drive.

Application includes pooling mitigation provided under permit 2005-1290 for Liberty Mutual, which consisted of 16.3 acres in conservation easement for 42,167 sq. ft. of impact, for facility expansion. The proposed roadway expansion is to support additional traffic resulting from the Liberty Mutual expansion, therefore, Liberty Mutual has agreed to pool their mitigation to cover the additional 8,270 sq. ft. of related impact.

With Conditions:

1. All work shall be in accordance with plans by VHB Inc., dated 6/6/2006, as received by DES on 10/18/2006.
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. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
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. Construction equipment shall be "power-washed" before being used in the area to minimize the likelihood of spreading invasive species seeds into the project area per the recommendation of the NH Heritage Bureau for protection of the state-threatened pale green orchid.
7. To assess that the population of the pale green orchid is not negatively impacted the population shall be monitored for two years, in late June or early July, following project completion, with updated rare plant reporting forms to be sent to the NHHB following each survey, with copies to DES.
8. 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.
9. 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.
10. 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.
11. Silt fencing must be removed once the area is stabilized.
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. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.

Land Resources Preservation:

1. This permit is contingent upon pooled mitigation supplied by Liberty Mutual Insurance Company through its conservation easement on a total of 16.3 acres, which was for 42,167 sq. ft. of wetlands impact under file 2005-1290. The total wetlands impact to be mitigated for between the two projects is 50,437 sq. ft. The total preservation needed to mitigate for this impact is 11.6 acres. The mitigation provided by Liberty Mutual under permit 2005-1290 exceeds the requirement for both projects combined by 4.7 acres.

With Findings:

1. This is a major impact project per Administrative Rule Env-Wt 303.02(m), any project that is related to other permits in the wetlands area in a manner such that if the proposed action were considered to be in a single application the combined impact would be major. The total wetlands impact of this project combined with the related Liberty Mutual project is 50,437 sq. ft. The project is also classified as major per Env-Wt 303.02(k), projects in a wetland that has a species present that is listed as state-threatened.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01. Roadway expansion is necessary to accommodate increased traffic flows resulting from the expansion of the Liberty Mutual facility.
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. The applicant has confined the impact to fill at the edge of the wetland associated with grading of the new ramp. The applicant has further minimized impacts by pooling mitigation with Liberty Mutual. The project is a result of Liberty Mutual's expansion, therefore Liberty Mutual has agreed, per letter dated 4/30/2007, as received by DES on 5/1/2007, to provide mitigation for the increase in impact, through pooling of Liberty's preservation of 16.3 acres previously executed under permit 2005-1290. The total mitigation ratio requirement of area to be provided for the two projects is 11.6 acres.
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. One species of concern, the State-threatened pale green orchid, was reported by the NH Heritage Bureau ("NHHB"). The NHHB made specific recommendations regarding the protection of this species which have been incorporated into the permit conditions.
5. The Dover Conservation Commission recommends approval of the project.

2006-02831 NH FISH & GAME DEPARTMENT
GILMANTON Manning Lake

Requested Action:

Remove an existing 20 ft x 50 ft asphalt boat ramp and construct a 12 ft x 60 ft concrete boat ramp in the same location on Manning Lake, Gilmanton.

Conservation Commission/Staff Comments:

11/17/06 Con Comm report received 11/20/06 -np

APPROVE PERMIT:

Remove an existing 20 ft x 50 ft asphalt boat ramp and construct a 12 ft x 60 ft concrete boat ramp in the same location on Manning Lake, Gilmanton.

With Conditions:

1. All work shall be in accordance with plans by Fay Spofford and Thorndike LLC dated November 25, 2002, revision date March 22, 2007, as received by DES on May 18, 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. Appropriate siltation/erosion/turbidity controls, including a turbidity curtain, shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.
4. Upland and bank areas landward of the boat ramp shall not be disturbed by regrading or filling, to minimize the potential for erosion of materials into Manning Lake.
5. There shall be no cutting of trees or removal of any stumps from the bank except for the area within which construction of the ramp will take place.

6. The ramp approach shall be crowned so that drainage is directed away from the slope of the ramp.
7. The boat ramp shall be utilized indefinitely as a public access to Manning Lake and shall not change in use.
8. 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(h), projects involving less than 20,000 square feet of alteration in nontidal surface waters.
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.

2006-03026 GILBERT, RICK & JOHN MCQUADE
LACONIA Lake Winnepesaukee

Requested Action:

Construct a 6 ft by 33 ft permanent piling supported dock, install two seasonal boatlifts adjacent to the dock and install two personal watercraft lifts on an average of 208 ft of frontage on Lake Winnepesaukee, in Laconia.

Conservation Commission/Staff Comments:

Con Com has numerous concerns

APPROVE PERMIT:

Construct a 6 ft by 33 ft permanent piling supported dock, install two seasonal boatlifts adjacent to the dock and install two personal watercraft lifts on an average of 208 ft of frontage on Lake Winnepesaukee, in Laconia.

With Conditions:

1. All work shall be in accordance with plans by Folsom Design Group dated November 06, 2006, revision date April 02, 2007, as received by DES 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 33 ft lakeward at full lake elevation of 504.32.
9. The minimum clear spacing between piles shall be 12 feet.
10. Boatlifts and personal watercraft lifts shall be of seasonal construction type which shall be removed for the non-boating season.
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 minor impact project per Administrative Rule Env-Wt 303.03(d), construction of a 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 208 feet of shoreline frontage along Lake Winnepesaukee.
6. A maximum of 3 slips may be permitted on this frontage per Rule Env-Wt 402.12, Frontage Over 75'.
7. The proposed docking facility will provide 3 slips as defined per RSA 482-A:2, VIII and therefore meets Rule Env-Wt 402.12.

2007-00472 KOPRIVA, GREGORY
WOLFEBORO Lake Winnepesaukee

Requested Action:

Permanently remove an existing non-conforming docking structure and concrete foundation, construct a 6 ft x 6 ft concrete pad with an attached 6 ft x 40 ft seasonal dock on 90 ft of frontage on Lake Winnepesaukee, in Wolfeboro.

Conservation Commission/Staff Comments:

Con Com signed Exp Application

APPROVE PERMIT:

Permanently remove an existing non-conforming docking structure and concrete foundation, construct a 6 ft x 6 ft concrete pad with an attached 6 ft x 40 ft seasonal dock on 90 ft of frontage on Lake Winnepesaukee, in Wolfeboro.

With Conditions:

1. All work shall be in accordance with plans by R C Brown dated February 08, 2007, revision date April 29, 2007, as received by DES on May 07, 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. The existing docking facility shall be completely removed prior to the construction of any new structure on the frontage.
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. This shall be the only structure on this water frontage and all portions of the dock shall be at least 20 ft from abutting property lines or the imaginary extension of those lines into the water.
7. Seasonal pier shall be removed from the lake for the non-boating season.
8. No portion of the pier shall extend more than 40 feet from the shoreline at full lake elevation.
9. Work shall be done during drawdown.
10. This permit does not allow for the placement of any sand on the frontage.
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 minor impact project per Administrative Rule Env-Wt 303.03(d), as it involves the removal of a permanent pier.
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.
5. The applicant has an average of 90 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.

2007-00501 CNL INCOME LOON MOUNTAIN LLC
LINCOLN Unnamed Pond Pemigewasset River

Requested Action:

Temporarily impact 4,500 square feet within the bed of Connector Pond and 850 square feet within an unnamed perennial stream (impacting 60 linear feet) to complete the construction of the previously approved snowmaking system for the Loon Mountain Ski Area.

Inspection Date: 08/17/2001 by Craig D Rennie

APPROVE PERMIT:

Temporarily impact 4,500 square feet within the bed of Connector Pond and 850 square feet within an unnamed perennial stream (impacting 60 linear feet) to complete the construction of the previously approved snowmaking system for the Loon Mountain Ski Area.

With Conditions:

1. All work shall be in accordance with plans by Horizons Engineering dated February 2007, as received by DES on March 14, 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. Wetlands and streams shall be restored to a stable condition and shall be restored to the same as or better than pre-construction conditions.
4. All in-stream work shall be conducted during low flow conditions and in a manner so as to minimize turbidity.
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. 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.
7. 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 Minor Project per Administrative Rule Env-Wt 303.03(h), as impacts are less than 20,000 square feet.
2. The project was previously approved under Wetlands Bureau file #2001-00146; however, the permit expired before completion of the project.
3. Under permit #2001-00146, the wetland impacts that have been completed include: 1,090 square feet within a palustrine forested wetland, 2,000 square feet within an intermittent stream (50 linear feet), and 26,130 square feet within the bed and banks of the East Branch of the Pemigewasset River (300 linear feet). The impacts that have not been completed include: 16,800 square feet within the bed of Connector Pond and 850 square feet within an unnamed perennial stream (60 linear feet).
4. Due to a reconfiguration of the pump station intake structure within Connector Pond, the impacts will be 4,500 square feet, which is a reduction of 12,300 square feet from what was previously approved (16,800 square feet within Connector Pond).
5. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01. 6. 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.
7. DES Staff inspected the site on August 17, 2001 and reviewed all temporary impact areas as proposed in the application.

2007-00505 **VAN ETTEN, JUSTIN**
MEREDITH Lake Winnepesaukee

Requested Action:

Replace two concrete anchoring pads supporting two 6 ft x 40 ft seasonal docks, replace recessed dock access steps, replace concrete fill with natural rocks on natural rocky shoreline and restore, repair 14 linear ft of retaining wall, repair existing breakwater and rebuild nonconforming 8 ft x 10 ft deck on 113 ft of frontage in Meredith on Lake Winnepesaukee.

APPROVE PERMIT:

Replace two concrete anchoring pads supporting two 6 ft x 40 ft seasonal docks, replace recessed dock access steps, replace concrete fill with natural rocks on natural rocky shoreline and restore, repair 14 linear ft of retaining wall, repair existing breakwater and rebuild nonconforming 8 ft x 10 ft deck on 113 ft of frontage in Meredith on Lake Winnepesaukee.

With Conditions:

1. All work shall be in accordance with plans by NH Environmental Consultants LLC as received by the Department on March 14, 2007.
2. The replacement of the wall, breakwater, concrete anchoring supports, and dock access steps shall maintain existing length, height and configuration.
3. The new retaining wall shall be located within the footprint of the previously existing wall and shall not encroach further in the water than the existing wall.
4. The volume of rock used to replace the concrete fill along shoreline shall be no great than that of the concrete removed.
5. Only existing rocks shall be used for breakwater restoration. No addition rocks shall be brought on site for this purpose.
6. 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.
7. Work authorized shall be carried out such that discharges shall be avoided in spawning or nursery areas during spawning seasons, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
8. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding and nesting areas shall be avoided.
9. 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.
10. Dated photographic documentation of the replacement wall shall be submitted to the Wetlands Bureau as a notification of completion of the project.
11. Replacement wall shall not reflect or re-direct currents towards adjacent wetlands or structures, or otherwise contribute to erosion.
12. 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 to 200 linear feet, measured along the shoreline, of a lake or pond or its bank.
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.

**2007-00555 TALBOT, NANCY/RONALD
HENNIKER Unnamed Wetland**

Requested Action:

Dredge and fill 833 square feet of intermittent stream to install a 24-inch x 60-foot HDPE culvert for common driveway access and dredge and fill 1,180 square feet of palustrine forested and emergent wetlands associated with an unnamed perennial stream to install a 10-foot x 3.5-foot x 50-foot arch culvert for road access to a 14-lot subdivision on ± 50 acres.

APPROVE PERMIT:

Dredge and fill 833 square feet of intermittent stream to install a 24-inch x 60-foot HDPE culvert for common driveway access and dredge and fill 1,180 square feet of palustrine forested and emergent wetlands associated with an unnamed perennial stream to install a 10-foot x 3.5-foot x 50-foot arch culvert for road access to a 14-lot subdivision on ± 50 acres.

With Conditions:

1. All work shall be in accordance with plans by H.L. Turner Group, Inc. dated November 22, 2006, and revised though March 19, 2007, as received by the Department on March 22, 2007, and plans dated November 22, 2006, as received by the Department on March 22, 2007.
2. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.
3. The deed which accompanies the sales transaction for each of the lots in this subdivision shall contain condition # 2 of this approval.
4. 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.
5. This permit is contingent on approval by the DES Alteration of Terrain Program.
6. This permit is contingent on approval by the DES Subsurface Systems 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. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to wetlands and surface waters.
10. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
11. Proper headwalls shall be constructed within seven days of culvert installation.
12. The intermittent stream culvert shall be laid at grade.
13. 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).
14. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid.
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.
19. Post-construction photographs documenting the status of the completed perennial stream construction 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), projects that alter the course or disturb less than 200 linear feet of an intermittent or perennial nontidal stream or its banks and do not meet the criteria for minimum impact under Env-Wt 303.04(n).
2. The project proposes a 10-foot open bottom span for a perennial stream with an approximate 8-foot top-of-bank width.
3. The project proposes a cluster subdivision with 20.8 acres of open space.
4. In a letter dated April 06, 2007, the Henniker Conservation Commission stated, "We have no objections to the proposed dredge and fill permit application."
5. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01. 6. 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.
7. 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.

2007-00568 **NELSON FARM**
BRADFORD Lake Massasecum

Requested Action:

Replace 52 linear ft of existing retaining wall "in-kind" and restore 1392 sq ft of shoreline along two properties in Bradford having a combined 562 ft of frontage on Lake Massasecum.

APPROVE PERMIT:

Replace 52 linear ft of existing retaining wall "in-kind" and restore 1392 sq ft of shoreline along two properties in Bradford having a combined 562 ft of frontage on Lake Massasecum.

With Conditions:

1. All work shall be in accordance with plans by RCS design as received by the Department on March 22, 2007.
2. Replacement wall shall maintain existing length, height and configuration.
3. The new retaining wall shall not encroach further into the lakebed than the pre-existing wall.
4. 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.
5. Work authorized shall be carried out such that discharges shall be avoided in spawning or nursery areas during spawning seasons, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
6. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding and nesting areas shall be avoided.
7. 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.
8. Dated photographic documentation of the replacement wall shall be submitted to the Wetlands Bureau as a notification of completion of the project.
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 minor impact project per Administrative Rule Env-Wt 303.03(j), repair or replacement of existing retaining walls that requires work in the water, but no change in height, length, location, or configuration.
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.

**2007-00599 CALHOUN, ROBERT
TUFTONBORO Lake Winnepesaukee**

Requested Action:

Retain a 6 ft by 31 ft 8 in crib supported dock connected to a 6 ft x 33 crib supported dock by a 4 ft x 12 ft walkway in a "U" shaped configuration, construct a 14 ft x 30 ft seasonal canopy over the center slip on an average of 301 ft of frontage on Whortleberry Island, Lake Winnepesaukee, in Tuftonboro.

Conservation Commission/Staff Comments:

Con Com submitted comments abouts length of docks

APPROVE PERMIT:

Retain a 6 ft by 31 ft 8 in crib supported dock connected to a 6 ft x 33 crib supported dock by a 4 ft x 12 ft walkway in a "U" shaped configuration, construct a 14 ft x 30 ft seasonal canopy over the center slip on an average of 301 ft of frontage on Whortleberry Island, Lake Winnepesaukee, in Tuftonboro.

With Conditions:

1. All work shall be in accordance with plans by Beckwith Builders dated March 23, 2007, as received by DES on March 28, 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. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, maintained during construction, and shall remain until the area is stabilized.
 4. Work authorized shall be carried out such that discharges in spawning or nursery areas during spawning seasons shall be avoided, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
 5. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding areas and spawning areas shall be avoided.
 6. Canopies shall be of seasonal construction type with a flexible fabric cover which shall be removed for the non-boating season.
 7. 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 a 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 submitted water depths to support the need for the additional length of the docking system.
5. The applicant has an average of 301 feet of shoreline frontage along Lake Winnepesaukee.
6. A maximum of 5 slips may be permitted on this frontage per Rule Env-Wt 402.12, Frontage Over 75'.
7. The proposed docking facility will provide 3 slips as defined per RSA 482-A:2, VIII and therefore meets Rule Env-Wt 402.12.

2007-00613 PAUL, ALLAN & LORRANE
CENTER HARBOR Squam Lake

Requested Action:

Construct a 6 ft x 37 ft piling dock with two 6 ft x 24 ft piling fingers docks in an "F" shaped configuration, install one 3 pile ice cluster, two tie off piles, and a 3 ft x 3 ft set of steps in the bank on an average of 305 ft of frontage on Squam Lake, in Center Harbor.

Conservation Commission/Staff Comments:

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

APPROVE PERMIT:

Construct a 6 ft x 37 ft piling dock with two 6 ft x 24 ft piling fingers docks in an "F" shaped configuration, install one 3 pile ice cluster, two tie off piles, and a 3 ft x 3 ft set of steps in the bank on an average of 305 ft of frontage on Squam Lake, in Center Harbor.

With Conditions:

1. All work shall be in accordance with plans by New Hampshire Environmental dated March 13, 2007, as received by the Department on March 27, 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. 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.
4. Repairs shall maintain existing size, location and configuration.
5. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, maintained during construction, and shall remain until the area is stabilized.
6. This permit does not allow for maintenance dredging.
7. The dock shall not extend more than 38 ft lakeward at full lake elevation of 562.5.
8. The minimum spacing of support piles shall be 12 feet as measured center to center.

9. Any modifications or amendments to this permit shall require a new application to be filed with the Department.
10. 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 claddified 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 an average of 305 feet of shoreline frontage along Squam Lake.
5. A maximum of 5 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.

2007-00614 GEMBERLING, RICHARD
ALTON Lake Winnepesaukee

Requested Action:

Remove existing seasonal dock and install a "U-shaped" docking facility consisting of two 6 ft x 30 permanent pile supported docks connected by a 6 ft x 24 ft walkway on 350 ft of frontage on Barndoor Island in Alton on Lake Winnepesaukee.

APPROVE PERMIT:

Remove existing seasonal dock and install a "U-shaped" docking facility consisting of two 6 ft x 30 permanent pile supported docks connected by a 6 ft x 24 ft walkway on 350 ft of frontage on Barndoor Island in Alton on Lake Winnepesaukee.

With Conditions:

1. All work shall be in accordance with revised plans by Winipesaukee Marine Construction dated as received by the Department on June 13, 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 registered permit shall be submitted to the DES Wetlands Bureau prior to construction.
3. These shall be the only structures on this water frontage and all portions of the structures shall be at least 20 ft from abutting property lines or the imaginary extension of those lines into the water.
4. No portion of the docking facility shall extend more than 30 feet from the shoreline at full lake elevation.
5. Unnecessary removal of vegetation shall be prohibited.
6. This permit does not allow for maintenance dredging.
7. 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.
8. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, maintained during construction, and shall remain until the area is stabilized.
9. Work authorized shall be carried out such that discharges in spawning or nursery areas during spawning seasons shall be avoided, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
10. Work authorized shall be carried out in a time and manner such that there will be no disturbance to migratory waterfowl breeding areas or fish spawning areas.
11. Pilings shall be spaced a minimum of 12 feet apart as measured center to center.
12. Footpath or walkway accessing the docking system shall not exceed a 6 ft width.
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 a docking facility that provides no more than 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 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 property is located on an island accessible only by boat.

2007-00626 SCHMIDT, RICHARD
MEREDITH Lake Winnepesaukee

Requested Action:

Permanently remove an existing 5 ft x 50 ft seasonal pier and install two 6 ft x 3 ft concrete pads to anchor two 6 ft x 40 ft seasonal piers connected by a 6 ft x 12 ft seasonal walkway in a "U" shaped configuration, install a 14 ft x 30 ft seasonal canopy, a seasonal boatlift, and 2 personal watercraft lifts on an average of 232 ft of frontage on Lake Winnepesaukee, in Meredith.

Conservation Commission/Staff Comments:

Con Com has no objections

APPROVE PERMIT:

Permanently remove an existing 5 ft x 50 ft seasonal pier and install two 6 ft x 3 ft concrete pads to anchor two 6 ft x 40 ft seasonal piers connected by a 6 ft x 12 ft seasonal walkway in a "U" shaped configuration, install a 14 ft x 30 ft seasonal canopy, a seasonal boatlift, and 2 personal watercraft lifts on an average of 232 ft of frontage on Lake Winnepesaukee, in Meredith.

With Conditions:

1. All work shall be in accordance with plans by Watermark Marine Construction dated February 14, 2007, as received by DES on March 30, 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. This shall be the only structure on this water frontage and all portions of the dock shall be at least 20 ft from abutting property lines or the imaginary extension of those lines into the water.
4. The seasonal structures shall be removed from the lake for the non-boating season.
5. No portion of the piers shall extend more than 40 feet from the shoreline at full lake elevation.
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. The concrete anchor pads shall be located landward of the natural undisturbed shoreline.
8. The access stairs shall be located over the bank with no excavation for the construction of the stairway.
9. Canopies shall be of seasonal construction type with a flexible fabric cover which shall be removed for the non-boating season.
10. 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 or modification of any docking system that exceeds the design and construction criteria discussed 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 plans submitted by the applicant state that the property has an average of 232 feet of shoreline frontage along Lake Winnepesaukee.
5. A maximum of 3 slips may be permitted on this frontage per Rule Env-Wt 402.12, Frontage Over 75'.
6. The proposed docking facility will provide 3 slips as defined per RSA 482-A:2, VIII and therefore meets Rule Env-Wt 402.12.

2007-00663 TRUE VALUE LAND & HOMES LLC, BRIAN COSSAN
NEW DURHAM Unnamed Wetland

Requested Action:

Dredge and fill a total of 9,350 sq. ft. of wetlands over 4 locations to construct a roadway for a 27-lot Open Space Conservation Subdivision on 63 acres, including: 3,575 sq. ft. of impact and install a 4' x 3' x 40' box culvert to cross an intermittent stream; 1,925 sq. ft. of impact and install a 18" x 45' culvert; 2,300 sq. ft. of impact and install a 24" x 45' culvert; and 1,550 sq. ft. of impact and install a 18" x 45' culvert.

APPROVE PERMIT:

Dredge and fill a total of 9,350 sq. ft. of wetlands over 4 locations to construct a roadway for a 27-lot Open Space Conservation Subdivision on 63 acres, including: 3,575 sq. ft. of impact and install a 4' x 3' x 40' box culvert to cross an intermittent stream; 1,925 sq. ft. of impact and install a 18" x 45' culvert; 2,300 sq. ft. of impact and install a 24" x 45' culvert; and 1,550 sq. ft. of impact and install a 18" x 45' culvert.

With Conditions:

1. All work shall be in accordance with revised plans by Norway Plains and Associates, Inc. dated 3/17/2007, as received by the Department on 4/3/2007.
2. This permit is contingent on approval by the DES Site Specific Program.
3. This permit is contingent on approval by the DES Subsurface Systems Bureau.
4. 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.
5. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.
6. The deed which accompanies the sales transaction for each of the lots in this subdivision shall contain condition #5 of this approval.
7. 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).
8. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
9. 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.
10. Silt fencing must be removed once the area is stabilized.
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 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).
16. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
17. Work shall be done during low flow.

With Findings:

1. This is a minor impact project per Administrative Rule Wt 303.03(h), projects involving alteration of less than 20,000 sq. ft. of non-tidal wetlands impact in the aggregate.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01. Wetlands must be crossed at some locations on this property in order to reach buildable uplands.
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 Wt 302.03. The wetland crossings have been located at the narrowest locations. The applicant has received relief from the town in order to use cul-de-sacs instead of a loop road in order to minimize impact, and has proposed an Open Space Conservation subdivision. The applicant has further provided a wildlife habitat

assessment and vernal pool survey, and has designed the project to avoid fragmentation of habitat and corridors. No vernal pools were found on the site.

4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project. The NH Heritage Bureau reported one species of concern, the common loon, as being present on a pond approximately 1/2 mile away off-site. NH Fish & Game provided an email dated 2/9/2007 stating that the project was not expected to impact the species.

5. The New Durham Conservation Commission did not report.

MINIMUM IMPACT PROJECT

2005-01937 KAB REALTY MANAGEMENT LLC
DOVER Unnamed Wetland Cocheco River

Requested Action:

Amend original permit to fill 1,094 sq. ft. of wetland for the construction of a driveway for a 13-unit condominium development on 1.41 acres with the following change: fill an additional 40 sq. ft. of wetland adjacent to Unit 5 to construct a slope.

Conservation Commission/Staff Comments:

Conservation Commission signed the expedited application.

Inspection Date: 10/06/2005 by David A Price

APPROVE AMENDMENT:

Amend original permit to fill 1,094 sq. ft. of wetland for the construction of a driveway for a 13-unit condominium development on 1.41 acres with the following change: fill an additional 40 sq. ft. of wetland adjacent to Unit 5 to construct a slope.

With Conditions:

1. All work shall be in accordance with plans by Trittech Engineering Corporation dated August 18, 2005, as received by the Department on August 22, 2005 and revised plan WM-1 dated June 5, 2007 as received by the Department on June 7, 2007.
2. There shall be no further alteration to wetlands or surface waters without amendment of the wetlands permit.
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. 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 and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).
netting and pinning on slopes steeper than 3:1.
5. 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
6. 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.
7. 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.
8. Silt fencing must be removed once the area is stabilized.

With Findings:

1. This is a minimum project pursuant to Administrative Rule Wt 303.04(f), projects involving alteration of less than 3,000 sq. ft.

of wetland.

2. Carex EcoSciences, LLC prepared a wetland evaluation of the small isolated wetland proposed for impact. Carex EcoSciences, LLC summarized that the wetland has minimal functions primarily because of its relatively small area, limited functions of flood storage, sediment/toxicant retention, and nutrient removal/transformation.

2006-00460 GREER, THOMAS & KELLIE
EAST WAKEFIELD Pine River Pond

Requested Action:

Request reconsideration of the Department's March 7, 2007 decision to deny an amendment of permit to allow an additional 16 linear feet of retaining wall along the shoreline.

Conservation Commission/Staff Comments:

Received Petition for Appeal on 7/17/07 from Atty. Thomas K. MacMillan on behalf of Thomas & Kellie Greer. - np
Con Com has not submitted comments
NH NHI and NH Fish and Game will not be submitting comments

Inspection Date: 02/12/2007 by Dale R Keirstead

DENY RECONSIDERATION:

Deny reconsideration of the Department's March 7, 2007 decision to deny an amendment of permit to allow an additional 16 linear feet of retaining wall along the shoreline.

With Findings:

Standards for Approval

1. In accordance with RSA 482-A:10, II Appeals, "a request for reconsideration shall be filed with the department within 20 days of issuance of the department's decision or order."
2. By statute, the Department has no discretion to waive or extend this deadline.

Findings of Fact

3. The Department issued its decision on the applicant's request to amend permit to add 16 linear feet of retaining wall along the shoreline by way of a letter dated and mailed on March 12, 2007.
4. The deadline to make a request for reconsideration of the Department's decision was April 01 , 2007.
5. The Motion for Reconsideration, dated March 30, 2007 was received by the Department on April 03, 2007, 22 days after the issuance of the Department's decision.

Ruling in Support of the Decision

6. The department did not receive a timely request for reconsideration therefore the decision stands as issued.

2006-03060 LOVENBURY, PETER
DUNBARTON Unnamed Wetland Unnamed Stream

Requested Action:

Remove 608 square feet of dredge spoils from within a jurisdictional wetland and retain 2388 square feet of previously dredged pond area and stream enhancement.

APPROVE AFTER THE FACT:

Remove 608 square feet of dredge spoils from within a jurisdictional wetland and retain 2388 square feet of previously dredged pond area and stream enhancement.

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.
2. Approximately 608 square feet of wetland shall be restored in accordance with the Restoration Plan submitted to DES on March 23, 2007, by Wetland Consulting Services.
3. The restoration shall be completed under dry conditions and no later than July 30, 2007.
4. All material removed during work activities shall be removed down to the level of the original hydric soils.
5. All material removed during work activities shall be placed out of DES's jurisdiction.
6. Mulch within the restoration area shall be straw.
7. Seed mix within the restoration area shall be a wetland seed mix appropriate to the area and shall be applied in accordance with manufacturer's specifications. The receipt and contents of the wetland mix shall be supplied to NHDES within 10 days of application.
8. The restoration shall be done according to the Restoration Plan and as conditioned by this Restoration Plan Approval. Any changes or alterations to the Restoration Plan must be requested in writing and approved by DES in writing prior to implementing any such changes or alterations.
9. All persons involved in restoration activities on the Property shall have read and become familiar with the provisions of the Restoration Plan and this Restoration Plan Approval prior to beginning restoration work on the Property. A copy of the Restoration Plan and this Restoration Plan Approval shall be kept posted at the Property during the time restoration work continues on the Property.
10. No machinery shall enter DES jurisdictional areas on the Property during the restoration.
11. Siltation, erosion and turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.
12. All steps shall be taken during the restoration necessary to ensure that no water quality violations occur on the Property.
13. Within three days following the last activity in the restoration area or where restoration activities are suspended for more than 3 days, all soils exposed by restoration activities shall be stabilized by seeding and mulching.
14. An initial monitoring report with photographs shall be provided to DES no later than August 15, 2007. The initial monitoring report shall include, but not be limited to, documentation of erosion control deployment, construction sequencing, restoration activities and status of restoration at time of initial monitoring report. Photographs should depict all stages of restoration sequencing.
15. DES reserves its right to revoke this after-the-fact approval should restoration not be completed as specified in this approval.

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 square feet in swamps or wet meadows that are not in prime wetlands or do not meet the requirements of Env-Wt 303.02(k), provided that no previous department permit has placed restrictions on the property of the applicant and Env-Wt 303.04(n), projects that alter the course of or disturb less than 50 linear feet, measured along the thread of the channel, of an intermittent nontidal stream channel or its banks provided construction is performed during periods of non-flow.
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 construction of these shallow ponds has enhanced the functions and values of the wetlands and diversified the wetland community.
5. 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.
6. The applicant has agreed to restore and remove the dredge spoils that were originally placed within wetlands jurisdiction.

2007-00137 **TAYLOR, ARTHUR**
ROCHESTER **Unnamed Wetland**

Requested Action:

Dredge and fill a total of 2,970 sq. ft. of wetlands to construct two roadway crossings and a driveway crossing for a 18-lot subdivision on 16.46 acres, including 210 sq. ft. of impact for roadbed fill at the entrance to the subdivision; 235 sq. ft. of impact

and installation of 12" x 22' culvert for a driveway crossing; and 2,525 sq. ft. of impact and installation of a 24" x 48' culvert for a second roadway crossing.

APPROVE PERMIT:

Dredge and fill a total of 2,970 sq. ft. of wetlands to construct two roadway crossings and a driveway crossing for a 18-lot subdivision on 16.46 acres, including 210 sq. ft. of impact for roadbed fill at the entrance to the subdivision; 235 sq. ft. of impact and installation of 12" x 22' culvert for a driveway crossing; and 2,525 sq. ft. of impact and installation of a 24" x 48' culvert for a second roadway crossing.

With Conditions:

1. All work shall be in accordance with revised plans by Norway Plains Associates, Inc. dated 5/18/2007, as received by the Department on 5/21/2007.
2. This permit is contingent on approval by the DES Site Specific Program.
3. 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.
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 #6 of this approval.
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. 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 shall remain until the area is stabilized.
9. Silt fencing must be removed once the area is stabilized.
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 20 feet of undisturbed vegetated buffer.
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 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).
16. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
17. Work shall be done during low flow.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(f), alteration of less than 3,000 sq. ft. of swamps or wet meadows, and per Env-Wt 303.04(m), projects which disturb less than 50 ft. of intermittent streams.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01. The applicant must cross wetlands at some locations on the property to access buildable uplands.
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. The applicant is following the path of a permitted forestry road, and not creating additional disturbance. Revised plans increase road culvert size to improve aquatic species passage.
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. No species of concern were reported for the project.

5. The Rochester Conservation Commission did not report.

2007-00559 ELLSTEIN, LARY AND CAROLE
HAMPTON Atlantic Ocean

Requested Action:

Impact a total of 1,238 square feet within the 100-foot tidal buffer zone to include temporarily impacting 356 square feet for the excavation of the boundary wall, 818 square feet of impact for the construction of a patio and boundary wall, removal of the existing porch and house will impact 64 square feet, and reconstruct a single family dwelling on 0.12 acres with approximately 50-feet of shoreline frontage on the Atlantic Ocean.

Conservation Commission/Staff Comments:

The Hampton Conservation Commission did not sign the Minimum Impact Expedited Application.

APPROVE PERMIT:

Impact a total of 1,238 square feet within the 100-foot tidal buffer zone to include temporarily impacting 356 square feet for the excavation of the boundary wall, 818 square feet of impact for the construction of a patio and boundary wall, removal of the existing porch and house will impact 64 square feet, and reconstruct a single family dwelling on 0.12 acres with approximately 50-feet of shoreline frontage on the Atlantic Ocean.

With Conditions:

1. All work shall be in accordance with plans by R.B. Holmes dated January 16, 2007, as received by DES on March 29, 2007.
2. DES staff and the Hampton Conservation Commission shall be notified in writing prior to commencement of work and upon its completion.
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. The surface of the patio shall be constructed of a permeable material (eco-paver or equivalent)only.
5. The applicant must obtain permission from the Hampton Board of Selectmen to temporarily impact the town land to build the retaining wall.
6. The area of temporary impact will be restored to its original state and dune grass planted with the approval of the Board of Selectmen.
7. The equipment to build the wall shall remain on the applicant's property during construction.
8. 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.
9. Due to the occurrence of the Piping plover (*Charadrius melodus*) in the vicinity of the project site during the breeding season (March 15- September 1) construction may be halted until chicks have fledged.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(b) Projects in previously-developed upland areas within 100 feet of the highest observable tide line.
2. The applicant wishes to reconstruct the existing dwelling, therefore the need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The impacts will occur within previously developed tidal buffer zone, thereby 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.
5. The Hampton Conservation Commission commented on the project with stipulations noted in the permit conditions.
6. The NH Fish and Game Dept., Nongame and Endangered Wildlife Program (NHFG), identified the Piping plover (*Charadrius melodus*) as a State endangered, Federally threatened species occurrence within the vicinity of the project.
7. DES conditioned the permit to include language regarding the aforementioned NHFG species.

2007-00596 EATON, CHARLES
GILFORD Unnamed Wetland

Requested Action:

Dredge and fill 1096 square feet including installation of a 24-inch x 34 foot culvert for driveway access to a proposed duplex.

APPROVE PERMIT:

Dredge and fill 1096 square feet including installation of a 24-inch x 34 foot culvert for driveway access to a proposed duplex.

With Conditions:

1. All work shall be in accordance with plans by Steven J Smith and Associates Inc dated November 1, 2006, and revised through February 9, 2007, as received by the Department on March 28, 2007.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. 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.
4. Work shall be done during periods of non-flow.
5. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
6. Appropriate siltation/erosion 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. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
8. Proper headwalls shall be constructed within seven days of culvert installation.
9. 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.
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).

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 square feet in swamps or wet meadows that are not in prime wetlands or do not meet the requirements of Env-Wt 303.02(k), provided that no previous department permit has placed restrictions on the property of the applicant.
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.

2007-00603 JOSEPH POISSON, PAUL
WILTON Unnamed Wetland

Requested Action:

Dredge and fill 2,350 square feet of forested wetland for the construction of a driveway and installation of two (2) 18-inch by 20-foot culverts for access to buildable uplands on a single family residential lot on 7.517 acres

APPROVE PERMIT:

Dredge and fill 2,350 square feet of forested wetland for the construction of a driveway and installation of two (2) 18-inch by 20-foot culverts for access to buildable uplands on a single family residential lot on 7.517 acres

With Conditions:

1. All work shall be in accordance with plans by Todd Land Use Consultants dated December 13, 2006, as received by DES on

March 3, 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. Work shall be done during seasonal low flow conditions.
4. Proper headwalls shall be constructed within seven days of culvert installation.
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. 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), alteration of less than 3,000 square feet of forested wetland.
2. The applicant wishes to access buildable uplands, therefore the need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The proposed crossing will utilize an existing woods road, thereby 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.
5. In accordance with Env-Wt 304.04, the applicant received written concurrence from those abutters who's property line is within 20-feet of the proposed wetland impact.

2007-00605 SPRAGUE ENERGY CORP
NEWINGTON Piscataqua River

Requested Action:

Repair existing berthing cells by recoating cells and replacing the cells' downstream fender system. Total impact 50 square feet.

APPROVE PERMIT:

Repair existing berthing cells by recoating cells and replacing the cells' downstream fender system. Total impact 50 square feet.

With Conditions:

1. All work shall be in accordance with plans by Appledore Marine Engineering Inc. dated March 2007, as received by DES on March 28, 2007.
2. Repair shall maintain existing size, location and configuration.
3. 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 is a minimum impact project per Administrative Rule Env-Wt 303.04(v), repair or replacement in-kind of existing docking structures that meet the criteria of Env-Wt 303.04(v)(1)-(3).
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01. The repairs represent normal and necessary maintenance for 50 year old berthing cells which secure large ocean-going vessels at Sprague Avery Lane Marine Terminal on the Piscataqua River.
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. There were no species of concern reported by the NH Natural Heritage Bureau for this project.

5. The Newington Conservation Commission did not report on this project.

2007-00606 SPRAGUE ENERGY CORP
NEWINGTON Piscataqua River

Requested Action:

Repair Manifold Platform including encase 29 steel pilings in structural concrete jackets; replace in-kind existing timber fender system; replace deteriorated steel bracing; and perform miscellaneous concrete spall repairs.

APPROVE PERMIT:

Repair Manifold Platform including encase 29 steel pilings in structural concrete jackets; replace in-kind existing timber fender system; replace deteriorated steel bracing; and perform miscellaneous concrete spall repairs.

With Conditions:

1. All work shall be in accordance with plans by Appledore Marine Engineering Inc. dated March 2007, as received by DES on 3/28/2007.
2. Repair shall maintain existing size, location and configuration.
3. 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 is a minimum impact project per Administrative Rule Env-Wt 303.04(v), repair or replacement in-kind of existing docking structures that meet the criteria of Env-Wt 303.04(v)(1)-(3).
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01. The repairs represent normal and necessary maintenance for 50+/- year old manifold platform that supports the hose tower, operations shed, product piping, and various mechanical and electrical systems utilized in the distribution of liquid and dry bulk materials between large ocean-going vessels and shore at Sprague River Road Marine Terminal on the Piscataqua River.
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. There were no species of concern reported by the NH Natural Heritage Bureau for this project.
5. The Newington Conservation Commission did not report.

2007-00689 VEASIE, JAY & SHARON
JEFFERSON Unnamed Wetland

Requested Action:

Dredge and fill 1000 square feet of wet meadow and seasonal stream including installation of 18-inch x 20 foot culverts for access to a proposed single family residence.

APPROVE AFTER THE FACT:

Dredge and fill 1000 square feet of wet meadow and seasonal stream including installation of 18-inch x 20 foot culverts for access to a proposed single family residence.

With Conditions:

1. 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.

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 square feet in swamps or wet meadows that are not in prime wetlands or do not meet the requirements of Env-Wt 303.02(k), provided that no previous department permit has placed restrictions on the property of the applicant and Administrative Rule Env-Wt 303.04(n), projects that alter the course of or disturb less than 50 linear feet, measured along the thread of the channel, of an intermittent nontidal stream channel or its banks provided construction is performed during periods of non-flow.
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.
5. Applications received after the work is completed shall be subject to the same review as given any other application, per Rule Env-Wt 302.05.

2007-00696 JONES, BRADFORD
ALTON Unnamed Wetland

Requested Action:

Dredge and fill 2475 square feet of palustrine wetland for access in the subdivision of 80.67 acres into 15 single family residential lots and two residual lots of 33 acres and 22.6 acres.

APPROVE PERMIT:

Dredge and fill 2475 square feet of palustrine wetland for access in the subdivision of 80.67 acres into 15 single family residential lots and two residual lots of 33 acres and 22.6 acres.

With Conditions:

1. All work shall be in accordance with plans by Jones and Beach Engineers Inc dated, and revised through March 29, 2007 as received by the Department on April 6, 2007.
2. This permit is contingent on approval by the DES Alteration of Terrain.
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 on the single family residential lots (Lots 1-9, and 11-16).
5. The deed which accompanies the sales transaction for each of the single family residential lots (Lots 1-9, and 11-16) in this subdivision shall contain condition #4 of this approval.
6. Any further alteration of areas on lots 10 or 17 that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
7. The deed which accompanies the sales transaction for lots 10 and 17 in this subdivision shall contain condition #6 of this approval.
8. 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.
9. Work shall be done during periods of non-flow.
10. Appropriate siltation/erosion controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized.
11. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
12. Proper headwalls shall be constructed within seven days of culvert installation.
13. 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).

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

- square feet in swamps or wet meadows that are not in prime wetlands or do not meet the requirements of Env-Wt 303.02(k), provided that no previous department permit has placed restrictions on the property of the applicant.
2. The proposed wetland impacts are for access to the buildable upland areas in this proposed residential subdivision.
 3. The proposed impact areas are necessary to meet the Town of Alton's turn radius requirements.
 4. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
 5. The road can not be moved further to the west due to the existing on site topography.
 6. The roadway must meet the minimum setback distances to the existing residence on the proposed lot 5.
 7. 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.
 8. The proposed impact areas 1 and 2 are adjacent to the existing gravel driveway servicing the existing residence.
 9. The proposed impact areas 1 and 3 are within man created wetlands.
 10. All of the proposed impact areas are within isolated wetland systems.
 11. 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.
 12. The Alton Conservation Commission has recommended approval of this project.
 13. The applicant has delineated the wetlands on the residual lots and if they are further subdivided a new application and permitting will be required.

**2007-00728 RAYMOND DPW, TOWN OF
RAYMOND Fordham Brook**

Requested Action:

Replace existing storm damaged (washed out) 7-foot diameter corrugated metal culvert which carried Old Bye Road over Fordway Brook with a new 12 ft. x 8 ft. concrete box culvert with headwalls and wing walls. Add stone rip-rap armor for embankment stabilization and outlet velocity reduction impacting a total of 1,250 sq. ft.

Conservation Commission/Staff Comments:

No report received from the Raymond Conservation Commission. Note: This is a Town of Raymond roadway project and a follow-up application to an emergency authorization issued 4/17/2007 for a culvert blow-out.

APPROVE PERMIT:

Replace existing storm damaged (washed out) 7-foot diameter corrugated metal culvert which carried Old Bye Road over Fordway Brook with a new 12 ft. x 8 ft. concrete box culvert with headwalls and wing walls. Add stone rip-rap armor for embankment stabilization and outlet velocity reduction impacting a total of 1,250 sq. ft.

With Conditions:

1. All work shall be in accordance with plans by Altus Engineering, Inc. dated May 21, 2007, as received by DES on May 24, 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. 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).
4. Work shall be done during low flow.
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; 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 remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
7. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid prior to entering surface waters or wetlands.
8. Faulty equipment shall be repaired prior to entering jurisdictional areas.

9. 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.
10. All refueling of equipment shall occur outside of surface waters or wetlands during construction.
11. NH DES Wetlands Bureau Southeast Region staff shall be notified in writing prior to commencement of work and upon its completion.

FORESTRY NOTIFICATION

2007-00984 HENDRICK, RICHARD
ORFORD Unnamed Stream

COMPLETE NOTIFICATION:
Orford Tax Map 8-31, Lot# 75A, 75B, 77

2007-01221 BAYROOT LLC - MOXIE TREE FARM, C/O WAGNER FOREST M
WENTWORTHS LOCA Unnamed Stream

COMPLETE NOTIFICATION:
Wentworth Location Tax Map 218, Lot# 1

2007-01291 PARKER JR, STANLEY
LISBON Unnamed Stream

COMPLETE NOTIFICATION:
Lisbon Tax Map R32, Lot# 9

2007-01293 PLUM CREEK MAINE TIMBERLANDS LLC
CAMBRIDGE Unnamed Stream

COMPLETE NOTIFICATION:
Cambridge Tax Map 1619, Lot# 1.2

2007-01295 RUGGIERO, MARTIN
MASON Unnamed Stream

COMPLETE NOTIFICATION:
Mason Tax Map L, Lot# 11-1

2007-01297 PENNY ROYAL LAND HOLDINGS LLC
NORTHFIELD Unnamed Stream

COMPLETE NOTIFICATION:
Northfield Tax Map R2, Lot# 51 & 52

2007-01298 LAMSON, MARCIA
MONT VERNON Unnamed Stream

COMPLETE NOTIFICATION:
Mont Vernon Tax Map 6, Lot# 57 & 57-1

2007-01299 SCHWAEGLER, BRUCE
ORFORD Unnamed Stream

COMPLETE NOTIFICATION:
Orford Tax Map 7-32, Lot# 28

2007-01303 CRORY, DAVID
SANDWICH Unnamed Stream

COMPLETE NOTIFICATION:
Sandwich Tax Map R11, Lot# 13

EXPEDITED MINIMUM

2007-00639 ARCIERI, ROBERT & GAIL
BRIDGEWATER Newfound Lake

Requested Action:
Repair and/or replace existing retaining wall on 100 ft of frontage in Bridgewater on Newfound Lake.

Conservation Commission/Staff Comments:
Please contact abutter Robert Finlayson at 239-793-4913. (after June 1 number would be 239-571-2781) during the review of the project. wants to know if wall could be pulled back off his property.

APPROVE PERMIT:
Repair and/or replace existing retaining wall on 100 ft of frontage in Bridgewater on Newfound Lake.

- With Conditions:
1. All work shall be in accordance with revised plans by Fernstone Associates, as received by DES on June 4, 2007.
 2. This permit shall not be effective until it has been recorded with the appropriate Registry of Deeds Office by the Permittee. A copy of the recorded permit shall be submitted to the DES Wetlands Bureau prior to installation.
 3. Replacement retaining wall shall not come closer to the water than the existing wall.
 4. Retaining wall height change is for safety purposes only and will not result in change of the existing grade behind the existing retaining wall.
 5. 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.
 6. Work authorized shall be carried out such that discharges shall be avoided in spawning or nursery areas during spawning seasons, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.

7. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding and nesting areas is completely avoided.
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. Dated photographic documentation of the replacement wall shall be submitted to the Wetlands Bureau as a notification of completion of the project.
10. Shall 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 site may be subject to further NHDES evaluation and requests.
11. Wall shall not reflect or re-direct currents towards adjacent wetlands or structures, or otherwise contribute to erosion.
12. The existing pier shall be removed from Wetlands Jurisdiction prior to installation of the proposed 6 ft x 40 ft seasonal pier.
13. Dock access stairs shall not exceed a 6 ft width.
14. Dock shall not extend more than 40 ft from the normal high water mark elevation.
15. Seasonal dock shall be removed from the lakebed for 5 months during the non-boating season.
16. This permit does not allow for maintenance dredging.
17. All retaining wall and patio portions extending over abutting property lines shall be completely removed and restabilized with appropriate ground covering vegetation.
18. 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(c) "in-kind" replacement of existing retaining wall(s).
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.
5. Indicated height change shall not create grade change, and its designated use is strictly for safety issues.

2007-00640 BRAMANTE, FRANK
BARNSTEAD Halfmoon Lake

Requested Action:

Replace an existing wooden docking structure with an aluminum docking structure.

DENY PERMIT:

Replace an existing wooden docking structure with an aluminum docking structure.

With Findings:

Standards for Approval:

1. In accordance with Rule Env-Wt 505.01(h) applications shall include an accurate drawing with clearly dimensioned to document existing site conditions and show the impact of the proposed activity on areas in the Department's jurisdiction.
2. In accordance with RSA 482-A:3 XIV.(c)(1). Where the Department requests additional information pursuant to RSA 482-A:3 XIV. (b), the department shall, within 30 days of the department's receipt of the information, approve or deny the application, in whole or in part.
3. In accordance with Rule Env-Wt 501.04 (f) After-the-fact applications shall not be expedited.
4. Pursuant to Rule Env-Wt 402.04(a)(3), seasonal docks shall be designed and placed in the water so as to not obstruct navigation.

Findings of Fact:

5. April 5, 2007, the Department received a Minimum Impact Expedited Application for the replacement of a 3 ft x 60 ft seasonal dock attached to an 8 ft x 10 ft 3 in deck and installation of a seasonal personal watercraft lift located on property identified as Barnstead Tax Map 44, Lot 7.
6. On May 2, 2007, the Department requested more information including dimensions of all existing and proposed structures on the frontage, the location of the structures relative to fixed points on the shoreline, distances from the structures to property lines and indication of the normal high water mark elevation in relation to shoreline structures.
7. On May 25, 2007 the Department received a response to the Request for More Information letter including plans.
8. Photographs submitted to the file show that the plans as received by the Department on May 25, 2007, do not accurately portray dimensions of the existing structures to be replaced.
9. The Applicant clearly states that the dock was expanded and its configuration was modified in 2003 without a permit.
10. The 60 ft long dock is located between 21 ft 7 in to 26 ft from the abutting property identified as Barnstead Tax Map 44, Lot 6.
6. The shoreline contour of these two properties is concave in shape.
11. Pursuant to RSA 482-A:3, Standard application fees for shoreline structure impacts shall be calculated as follows: \$100 filing fee plus the following impact fees; \$1.00 per sq ft for permanent structures, \$.50 per sq ft for seasonal structures, and \$.10 per sq ft for dredge or fill.
12. The applicant submitted \$100 and did not submit the additional calculated impact fee of \$120.

Ruling in support of the Decision:

13. The 60 ft long dock located between 21 ft 7 in to 26 ft from the abutting property identified as Barnstead Tax Map 44, Lot 6, given the concave nature of the shoreline, poses navigational obstruction to the abutting property and, therefore, is not compliant with Rule Env-Wt 402.04(a)(3).
14. The proposed dock, could be relocated on the frontage to minimize navigational obstruction pursuant to Rule Env-Wt 402.04(a)(3).
15. The applicant failed to submit the remaining impact fee of \$120 for standard review.
16. Applicant failed to provide accurate plans, as requested on May 2, 2007, showing the existing site conditions as required per Rule Env-Wt 505.01(h) and therefore this application has been denied.

2007-00703 WALPOLE, TOWN OF
WALPOLE Houghton & Mad Brook

Requested Action:

Temporary impacts along approximately 490 linear feet of Houghton Brook and 170 linear feet of Mad Brook to restore their banks, increase safety and to stop erosion, for three DSR sites. All impacts areas will be repaired, seeded, and mulched as the project is completed. The work area is approximately 420 feet in length on Houghton Brook and 10 feet in width and includes impacts associated with the construction of a Gabion wall and associated rip rap. The work area is approximately 170 feet in length and 5 feet in width on Mad Brook and includes impacts associated with the construction of a Gabion wall and associated rip rap. The sites are marked by NRCS engineer at DSR #56, DSR #55, and DSR #48, as identified by the Town of Walpole and qualified by a federal agency's multidisciplinary team to be funded as part of the USDA-NRCS Emergency Watershed Protection (EWP) program in response to the October 2005 flooding.

APPROVE AMENDMENT:

Temporary impacts along approximately 490 linear feet of Houghton Brook and 170 linear feet of Mad Brook to restore their banks, increase safety and to stop erosion, for three DSR sites. All impacts areas will be repaired, seeded, and mulched as the project is completed. The work area is approximately 420 feet in length on Houghton Brook and 10 feet in width and includes impacts associated with the construction of a Gabion wall and associated rip rap. The work area is approximately 170 feet in length and 5 feet in width on Mad Brook and includes impacts associated with the construction of a Gabion wall and associated rip rap. The sites are marked by NRCS engineer at DSR #56, DSR #55, and DSR #48, as identified by the Town of Walpole and qualified by a federal agency's multidisciplinary team to be funded as part of the USDA-NRCS Emergency Watershed Protection (EWP) program in response to the October 2005 flooding.

With Conditions:

1. All work shall be in accordance with drawings and narratives by the USDA Natural Resources Conservation Service (NRCS) entitled "Streambank Stabilization", Town of Walpole, DSR Site #56, DSR Site #55 and DSR Site #48 and Construction Specifications 2,5, 6, 8, 11, 21, 23, 24, 61, 64, and 95 submitted in support of the permit application as received by the DES Wetlands Bureau on April 13, 2007 and narrative by NRCS titled "Streambank Stabilization" as received by the DES Wetlands Bureau on April 13, 2007.
2. Prior to commencing work, the applicant shall submit a final "Pollution Control Plan" to the DES Wetlands Bureau for review and approval.
3. The applicant shall obtain temporary construction easements or written agreements from affected landowners prior to the start of work.
4. The applicant shall notify the DES Wetlands Bureau, the Town Board of Selectman and the Town Conservation Commission of the start work, notification shall be given at least 5 days prior to the start of work.
5. A finalized plan set and follow-up report with photographic documentation shall be filed with the DES Wetlands Bureau within 14 days of the completion of work.
6. Work shall be inspected by NRCS to ensure that appropriate protective measures are properly implemented, including those outlined in the plans and documents supporting this permit application and the conditions of this authorization.
7. All work shall be conducted in a manner so as to minimize turbidity and sedimentation to surface waters and wetlands.
8. All in-stream work shall be conducted in a manner that minimizes the duration of construction in the river. In-stream work shall not exceed five (5) consecutive days in total unless specifically authorized by the DES Wetlands Bureau.
9. The permittee and/or their contractor shall monitor the weather and shall not commence work within flowing water, including the installation of cofferdams, when rain is forecast.
10. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized.
11. Discharge from dewatering of work areas shall be to sediment basins that are located in uplands and lined with hay bales or other acceptable sediment trapping liners.
12. Material shall be dewatered in sedimentation basins located outside of the jurisdiction of the DES Wetlands Bureau. The dewatering area shall be lined with siltation and erosion controls to prevent runoff from entering jurisdictional areas.
13. There shall be no excavation or filling conducted in flowing water.
14. Extreme precautions shall be taken to limit unnecessary removal of vegetation within riparian areas.
15. Cleared areas that will be revegetated shall be replanted with similar native (noninvasive) species.
16. Erosion control structures must be removed once the area is stabilized.
17. Temporary structures installed to isolate the work area and channel flow through the work area during construction shall be entirely removed immediately following construction.
18. Construction equipment shall be inspected daily for leaking fuel, oil, and hydraulic fluid prior to entering or working near surface waters or wetlands.
19. Faulty equipment shall be repaired prior to entering or working near jurisdictional areas.
20. 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.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(t), restoration of altered or degraded wetlands.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. 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.
4. This stabilization sites were identified by the Town of Walpole following the October 2005 flooding and qualified by a multi-disciplinary team from the USDA-NRCS to be funded as part of the Emergency Watershed Protection (EWP) program.
5. The shoreline stabilization sites were identified by the Town because of the ongoing erosion and potential threat to adjacent and downstream infrastructure and property.
6. There were no Natural Heritage Bureau or New Hampshire Fish & Game threatened, endangered or species of special concern or exemplary natural communities identified through a data review of the project.

Requested Action:

Repair in kind, an existing docking facility consisting of a 10 ft x 40 ft dock supported by a 10 ft x 47 ft crib connected to a 9 ft x 40 ft dock supported by a 9 f x 44 ft crib supported by a 4 ft x 31 ft walkway, repair an existing 40 ft x 20 ft permanent roof over the center slip, on Lake Winnepesaukee, Alton.

Conservation Commission/Staff Comments:

Con Com signed Exp Application

APPROVE PERMIT:

Repair in kind, an existing docking facility consisting of a 10 ft x 40 ft dock supported by a 10 ft x 47 ft crib connected to a 9 ft x 40 ft dock supported by a 9 f x 44 ft crib supported by a 4 ft x 31 ft walkway, repair an existing 40 ft x 20 ft permanent roof over the center slip, on Lake Winnepesaukee, Alton.

With Conditions:

1. All work shall be in accordance with plans by Island Support Services, as received by DES on June 04, 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 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.
4. Repair shall maintain existing size, location and configuration.
5. This permit to replace or repair existing structures shall not preclude the DES from taking any enforcement action or revocation action if the DES later determines that these "existing structures" were not previously permitted or grandfathered.
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. Work authorized shall be carried out such that discharges in spawning or nursery areas during spawning seasons shall be avoided, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
8. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding areas and spawning areas shall be avoided.
9. 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.
10. 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.

**2007-00987 DERRY DPW, TOWN OF
DERRY Unnamed Stream**

Requested Action:

Impact approximately 200 square feet within the bed and banks of an intermittent stream for the replacement of two (2) existing culverts with two (2) 30-inch RCP culverts, headwalls, and rip rap aprons beneath Kendall Pond Road for safe vehicular passage.

Conservation Commission/Staff Comments:

The Derry Conservation Commission signed the Minimum Impact Expedited Application.

APPROVE PERMIT:

Impact approximately 200 square feet within the bed and banks of an intermittent stream for the replacement of two (2) existing

culverts with two (2) 30-inch RCP culverts, headwalls, and rip rap aprons beneath Kendall Pond Road for safe vehicular passage.

With Conditions:

1. All work shall be in accordance with plans dated March 28, 2007, as received by DES on May 10, 2007.
2. DES staff shall be notified in writing prior to commencement of work and upon its completion.
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. Work shall be done during seasonal low flow conditions.
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. 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).
7. Proper headwalls shall be constructed within seven days of culvert installation.
8. 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(j) Projects located within the right-of-way of a public road that do not impact bogs, marshes, sand dunes, tidal wetlands, or undisturbed tidal buffer zone, prime wetlands or do not meet the requirements of Env-Wt 303.02(k).
2. The existing culverts beneath Kendall Pond Road are in disrepair and otherwise compromised, therefore the need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The culverts will be replaced in-kind, thereby 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.

**2007-00996 MOULTONBOROUGH, TOWN OF
MOULTONBOROUGH Unnamed Wetland**

Requested Action:

Dredge and fill 530 square feet including installation of a 12-inch x 24-foot culvert for bike path construction.

APPROVE PERMIT:

Dredge and fill 530 square feet including installation of a 12-inch x 24-foot culvert for bike path construction.

With Conditions:

1. All work shall be in accordance with plans by HE Bergeron Engineers dated April 2, 2007, as received by the Department on May 14, 2007.
2. Any future work on this property or within the Right-of-Way 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. Work shall be done during periods of non-flow.
4. Appropriate siltation/erosion 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.
5. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
6. Proper headwalls shall be constructed within seven days of culvert installation.
7. 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.
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).

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 square feet in swamps or wet meadows that are not in prime wetlands or do not meet the requirements of Env-Wt 303.02(k), provided that no previous department permit has placed restrictions on the property of the applicant.
2. The applicant is unable to provide a cross walk at the intersection of Highway Garage Road and Moultonborough Neck Road as it would not meet Department of Transportation Standards.
3. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
4. The applicant is unable to utilize the existing snowmobile path as it would interfere with the existing business on tax map 135, lot 3.
5. The applicant is crossing the wetland at the headwaters and at the narrowest point possible.
6. 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.
7. 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.
8. The applicant has provided a signed easement with the property owners of map 135, lot 3 for the proposed bike path construction.
9. The proposed impact of 530 square feet for the construction of a bike path will have no impact on the threatened or endangered species as identified in the letter from Natural Heritage Bureau on July 10, 2006.

2007-01026 BRADLEY, PAMELA
DURHAM Unnamed Wetland

Requested Action:

Maintenance dredge 325 sq. ft. of accumulated silt and remove two trees from drainage swale.

APPROVE PERMIT:

Maintenance dredge 325 sq. ft. of accumulated silt and remove two trees from drainage swale.

With Conditions:

1. All work shall be in accordance with plans by Groover Septic Design dated 5/8/2007, as received by DES on 5/16/2007.
2. 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.
3. Area shall be regraded to original contours following completion of work.
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. Work authorized shall be carried out such that discharges shall be avoided in spawning or nursery areas during spawning seasons, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
6. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding and nesting areas shall be avoided.
7. No fill shall be done to achieve septic setback and no dredging shall take place that would contradict the DES Subsurface Systems Bureau rules.
8. No fill shall be done for lot development.
9. No fill shall take place in Atlantic white cedar swamps.
10. 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.
11. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(k), maintenance dredging of non-tidal drainage ditches.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01. The swale has silted in over time and the two trees are now blocking the flow.
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. The swale will be recontoured and revegetated.
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.

2007-01027 MOUNTAIN REACH DEV GROUP LLC, RICHARD REEVES
GOSHEN Unnamed Pond

Requested Action:

Dredge and fill 200 square feet of man-made pond for dry hydrant installation and temporarily impact 600 square feet for work space; required by Goshen Fire Department for proposed Mountain Reach 26-Unit Condominium Development on 29.1 acres.

APPROVE PERMIT:

Dredge and fill 200 square feet of man-made pond for dry hydrant installation and temporarily impact 600 square feet for work space; required by Goshen Fire Department for proposed Mountain Reach 26-Unit Condominium Development on 29.1 acres.

With Conditions:

1. All work shall be in accordance with plans by Eckman Engineering, LLC dated April 19, 2007, as received by the Department on May 16, 2007.
2. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.
3. 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.
4. Work shall be done during low flow conditions.
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. 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. No work within the confined area shall proceed until the cofferdam is fully effective, and water flow is controlled.
12. Temporary cofferdams shall be entirely removed immediately following construction.
13. 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.
14. Area of temporary impact shall be regraded to original contours following completion of work.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(w), excavation of less than 200 square feet within the bed or bank of surface water for dry hydrant installation.
2. The applicant submitted subdivision materials in accordance with Env-Wt 304.09.
3. No additional onsite jurisdictional impacts are proposed for the 26-unit condominium development.
4. There is no pond inlet/outlet.

- 5. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
- 6. 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.
- 7. 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.

2007-01062 PICARD, ROLAND
WINCHESTER Unnamed Stream

Requested Action:

Dredge and fill 200 square feet of forested wetland for the construction of a shared drive and install a 18"x20' culvert for access to two (2) single family residential lots.

Conservation Commission/Staff Comments:

The Winchester Conservation Commission signed the Minimum Impact Expedited Application.

APPROVE PERMIT:

Dredge and fill 200 square feet of forested wetland for the construction of a shared drive and install a 18"x20' culvert for access to two (2) single family residential lots.

With Conditions:

- 1. All work shall be in accordance with plans by Forest Designs dated December 7, 2006, as received by DES on May 21, 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. Work shall be done during seasonal low flow condition.
- 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. Proper headwalls shall be constructed within seven days of culvert installation.
- 6. 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), alteration of less than 3,000 square feet of forested wetland.
- 2. The impacts are necessary to access a single family residential dwelling, therefore the need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
- 3. The impacts will occur at the narrowest portion of wetland, thereby 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.

GOLD DREDGE

2007-01269 VOPELAK, RICHARD
(ALL TOWNS) Unnamed Stream

Conservation Commission/Staff Comments:

cc: Bath Con Comm

2007-01271 LARSON, BERT
(ALL TOWNS) Unnamed Stream

Conservation Commission/Staff Comments:

cc: Bath Con Comm

2007-01273 KIMBERLIN, BONNIE
(ALL TOWNS) Unnamed Stream

Conservation Commission/Staff Comments:

cc: Bath Con Comm

TRAILS NOTIFICATION

2007-01200 LEBANON CONSERVATION COMMISSION
LEBANON Unnamed Wetland

COMPLETE NOTIFICATION:

Lebanon Tax Map 22, Lot# 1

2007-01296 UNH OFFICE OF WOODLANDS & NATURAL AREAS, STEVE EIS
DURHAM Unnamed Stream

COMPLETE NOTIFICATION:

Durham Tax Map M13, Lot# UNH

LAKES-SEASONAL DOCK NOTIF

2007-01259 TERRY, WILLIAM
OSSIPEE Ossipee Lake

COMPLETE NOTIFICATION:

Ossipee, NH Tax map 51 Lot 14

Ossipee Lake

2007-01261 JANSSON, RICHARD
FREEDOM Ossipee Lake

COMPLETE NOTIFICATION:
Freedom, NH Tax map 24 Lot 6-1
Ossipee Lake

**2007-01262 SCOTT, KIMBERLY
EAST WAKEFIELD Balch Lake**

COMPLETE NOTIFICATION:
East Wakefield, NH Tax map 42 Lot 8
Balch Lake

**2007-01281 HICKEY, MICHAEL & LISA
NEWBURY Chalk Pond**

COMPLETE NOTIFICATION:
Newbury, NH Tax map 44 Lot 29A Block 4
Chalk Pond

**2007-01282 KRAUSS, ELIZABETH
WOLFEBORO Wentworth Lake**

COMPLETE NOTIFICATION:
Wolfeboro, NH Tax map 166 Lot 19
Wentworth Lake

SHORELAND VARIANCE / WAIV

**2006-02185 SLEEPER, DAVID
MEREDITH**

Requested Action:
Raze an existing primary structure with a ridgeline height of approximately 10 ft and 5 in and a footprint of approximately 653 sq ft within the primary building setback (the "Setback"), providing approximately 653 sq ft of living space. Build a new primary structure that shall have a ridgeline height of approximately 26 ft 9 in and a footprint of approximately 52 square feet within the Setback, providing approximately 104 sq ft of living space on property with approximately 190 feet of frontage on Lake Winnepesaukee in Meredith, NH.

Inspection Date: 05/02/2007 by Thomas Gilbert

APPROVE CSPA WAIVER:
Raze an existing primary structure with a ridgeline height of approximately 10 ft and 5 in and a footprint of approximately 653 sq ft within the primary building setback (the "Setback"), providing approximately 653 sq ft of living space. Build a new primary structure that shall have a ridgeline height of approximately 26 ft 9 in and a footprint of approximately 52 square feet within the Setback, providing approximately 104 sq ft of living space on property with approximately 190 feet of frontage on Lake

Winnepesaukee in Meredith, NH.

With Conditions:

1. All work shall be conducted in accordance with building plans, stormwater control plans, and landscaping plans by David M. Dolan Associates, P.C. dated April 4, 2007 and received by the Department of Environmental Services ("DES") on April 12, 2007.
2. This approval shall not be effective until it has been recorded at the Carroll County Registry of Deeds and a copy of the recorded waiver is sent to DES by certified mail, return receipt requested.
3. Unnecessary removal of vegetation within the shoreland during construction shall be prohibited.
4. All planted vegetation shall be native and consistent with surrounding natural vegetation on the property and surrounding properties. Planting invasive or exotic species is strictly prohibited.
5. All proposed vegetation shall be planted by July 1 of the year of the projects completion. Plantings shall have a 90% survival success rate by October 31 of the year of the projects completion. An initial monitoring report shall be submitted to DES by November 15 of the year of the projects completion documenting the success of the plantings.
6. There shall be no substitutions made for the plant species specified on the approved plan without prior written approval from DES.
7. The Applicant shall file a deed restriction with the Carroll County Registry of deeds prohibiting the construction or installation of any new structures within the 50 Setback.
8. The contractor/owner 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. 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.
10. A copy of this waiver shall be posted on site during construction in a prominent location visible to inspecting personnel.
11. This waiver does not exempt the owner from obtaining any other necessary local, state or federal permits or approvals.
12. The owner shall maintain compliance with all other requirements of the Comprehensive Shoreland Protection Act, RSA 483-B.1.

With Findings:

1. The existing structure, as identified on the Town of Moultonborough Tax Map 160 Lot 44 is located within the 50 ft Setback to public waters and, therefore, fails to conform to the setback restriction set forth in RSA 483-B:9, II, of the Comprehensive Shoreland Protection Act ("CSPA").
2. The existing structure is located approximately 29 ft from the reference line, has a ridgeline height of approximately 15 ft, and occupies approximately 843 sq ft within the Setback, 593 sq ft of which is living space.
3. The proposed structure shall be located approximately 30 ft from the reference line, have a ridgeline height of approximately 27 ft 4 in, and shall occupy approximately 1,056 sq ft within the Setback, 933 square feet of which shall be living space.
4. In accordance with RSA 483-B:11, II, the commissioner shall review proposals which are more nearly conforming than the existing structures, and may waive some of the standards specified in RSA 483-B:9, so long as there is at least the same degree of protection provided to the public waters and the proposal is "more nearly conforming." More nearly conforming "means a proposal for significant changes to the location or size of the existing structures that bring the structures into greater conformity, or a proposal for changes to other aspects of the property, including but not limited to stormwater management, wastewater treatment or traffic volume or flow, or both types of proposal which significantly improve wildlife habitat or resource protection."
5. The Applicant has proposed to remove 100 sq ft of wooden patio and 380 sq ft of gravel walkway within the Setback.
6. The Applicant has proposed to install vegetated berms around the existing beach to prevent stormwater from eroding beach sand into the lake.
7. The Applicant has proposed to plant native vegetation including Mountain Laurel and Swamp Azalea along the lake side portion of the proposed structure and within the proposed berms, creating a total of approximately 500 square feet of vegetation.
8. The Applicant proposes to install stormwater controls consisting of a 3 foot wide pea stone buffer around the proposed structure for stormwater infiltration.
9. The Applicant's proposal will reduce the total impervious surface within the Setback by approximately 267 square feet, will increase the setback of the primary structure to the reference line, and improve stormwater management using native plantings and a pea stone buffer around the proposed.
10. The Applicant's proposal provides at least the same degree of protection to the public waters.
11. The Applicant's proposal is more nearly conforming and meets the requirements of RSA 483-B:11, II. Therefore, the waiver is

approved.

**2007-00082 VASSIL, CHARLES/LINDA
BRISTOL Newfound Lake**

Requested Action:

Raze an existing primary structure with a ridgeline height of approximately 26 ft 6 in and a footprint of approximately 675 sq ft within the primary building setback (the "Setback"), providing approximately 1155 sq ft of living space with the Setback and build a proposed primary structure with a ridgeline height of approximately 26 ft 6 in and a footprint of approximately 720 sq ft within the Setback, and shall provide approximately 1440 sq ft of living space within the Setback on property with approximately 136 feet of frontage on Newfound Lake in Bristol.

Inspection Date: 02/28/2007 by Thomas Gilbert

APPROVE CSPA WAIVER:

Raze an existing primary structure with a ridgeline height of approximately 26 ft 6 in and a footprint of approximately 675 sq ft within the primary building setback (the "Setback"), providing approximately 1155 sq ft of living space with the Setback and build a proposed primary structure with a ridgeline height of approximately 26 ft 6 in and a footprint of approximately 720 sq ft within the Setback, and shall provide approximately 1440 sq ft of living space within the Setback on property with approximately 136 feet of frontage on Newfound Lake in Bristol.

With Conditions:

1. All work shall be conducted in accordance with building plans, stormwater control plans, and landscaping plans by David M. Dolan Associates, P.C. dated April 4, 2007 and received by the Department of Environmental Services ("DES") on April 12, 2007.
2. This approval shall not be effective until it has been recorded at the Carroll County Registry of Deeds and a copy of the recorded waiver is sent to DES by certified mail, return receipt requested.
3. Unnecessary removal of vegetation within the shoreland during construction shall be prohibited.
4. All planted vegetation shall be native and consistent with surrounding natural vegetation on the property and surrounding properties. Planting invasive or exotic species is strictly prohibited.
5. All proposed vegetation shall be planted by July 1 of the year of the projects completion. Plantings shall have a 90% survival success rate by October 31 of the year of the projects completion. An initial monitoring report shall be submitted to DES by November 15 of the year of the projects completion documenting the success of the plantings.
6. There shall be no substitutions made for the plant species specified on the approved plan without prior written approval from DES.
7. The Applicant shall file a deed restriction with the Carroll County Registry of deeds prohibiting the construction or installation of any new structures within the 50 Setback.
8. The contractor/owner 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. 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.
10. A copy of this waiver shall be posted on site during construction in a prominent location visible to inspecting personnel.
11. This waiver does not exempt the owner from obtaining any other necessary local, state or federal permits or approvals.
12. The owner shall maintain compliance with all other requirements of the Comprehensive Shoreland Protection Act, RSA 483-B.1.

With Findings:

1. The existing structure, as identified on the Town of Moultonborough Tax Map 160 Lot 44 is located within the 50 ft Setback to public waters and, therefore, fails to conform to the setback restriction set forth in RSA 483-B:9, II, of the Comprehensive Shoreland Protection Act ("CSPA").
2. The existing structure is located approximately 29 ft from the reference line, has a ridgeline height of approximately 15 ft, and

occupies approximately 843 sq ft within the Setback, 593 sq ft of which is living space.

3. The proposed structure shall be located approximately 30 ft from the reference line, have a ridgeline height of approximately 27 ft 4 in, and shall occupy approximately 1,056 sq ft within the Setback, 933 square feet of which shall be living space.
4. In accordance with RSA 483-B:11, II, the commissioner shall review proposals which are more nearly conforming than the existing structures, and may waive some of the standards specified in RSA 483-B:9, so long as there is at least the same degree of protection provided to the public waters and the proposal is "more nearly conforming." More nearly conforming "means a proposal for significant changes to the location or size of the existing structures that bring the structures into greater conformity, or a proposal for changes to other aspects of the property, including but not limited to stormwater management, wastewater treatment or traffic volume or flow, or both types of proposal which significantly improve wildlife habitat or resource protection."
5. The Applicant has proposed to remove 100 sq ft of wooden patio and 380 sq ft of gravel walkway within the Setback.
6. The Applicant has proposed to install vegetated berms around the existing beach to prevent stormwater from eroding beach sand into the lake.
7. The Applicant has proposed to plant native vegetation including Mountain Laurel and Swamp Azalea along the lake side portion of the proposed structure and within the proposed berms, creating a total of approximately 500 square feet of vegetation.
8. The Applicant proposes to install stormwater controls consisting of a 3 foot wide pea stone buffer around the proposed structure for stormwater infiltration.
9. The Applicant's proposal will reduce the total impervious surface within the Setback by approximately 267 square feet, will increase the setback of the primary structure to the reference line, and improve stormwater management using native plantings and a pea stone buffer around the proposed.
10. The Applicant's proposal provides at least the same degree of protection to the public waters.
11. The Applicant's proposal is more nearly conforming and meets the requirements of RSA 483-B:11, II. Therefore, the waiver is approved.

2007-00131 CITY OF DOVER
DOVER Cocheco River

Requested Action:

Encroachment of approximately 15 feet toward public waters for the construction of a window bay area on an existing non-conforming structure for a river exhibit portion of a proposed childrens museum on property with approximately 140 feet of frontage on the Cocheco River in the downtown area of Dover.

Inspection Date: 03/08/2007 by Thomas Gilbert

APPROVE CSPA WAIVER:

Encroachment of approximately 15 feet toward public waters for the construction of a window bay area on an existing non-conforming structure for a river exhibit portion of a proposed childrens museum on property with approximately 140 feet of frontage on the Cocheco River in the downtown area of Dover.

With Conditions:

1. All work shall be conducted in accordance with proposed landscape and erosion control plans dated January 3, 2007 and recieved by the department on January 18, 2007, with amendenments made on proposed plumbing plans designed by ARQ Architects dated February 2007 and received by the department on February 22, 2007 and proposed site plans designed by ARQ Architects dated January 3, 2007 and received by the department on January 18, 2007.
2. This approval shall not be effective until it has been recorded at the appropriate County Registry of Deeds and a copy of the recorded waiver is sent to the department by certified mail, return receipt requested.
3. Unnecessary removal of vegetation within the shoreland during construction shall be prohibited.
4. All planted vegetation shall be native and consistent with surrounding natural vegetation on the property and surrounding properties. Planting invasive or exotic species is strictly prohibited.
5. All proposed vegetation shall be planted by July 1, 2007. Plantings shall have a 90% survival success rate by October 31, 2007. An initial monitoring report shall be submitted by November 15, 2007 documenting the success of the plantings.
6. There shall be no substitutions made for the plant species specified on the approved plan without prior written approval from DES.

8. The contractor/owner 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. 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.
10. A copy of this waiver shall be posted on site during construction in a prominent location visible to inspecting personnel.
11. This waiver does not exempt the owner from obtaining any other necessary local, state or federal permits or approvals.
12. The owner shall maintain compliance with all other requirements of the Comprehensive Shoreland Protection Act, RSA 483-B.1.

With Findings:

1. The existing non-conforming structure, as identified on the City of Dover Tax Map 23, Lot 15, is located within the 50 foot primary building setback to public waters and therefore fails to conform to the setback restriction set forth in RSA 483-B:9, II, of the Comprehensive Shoreland Protection Act (CSPA).
2. The existing non-conforming primary structure is located approximately 27 feet and 6 inches from the reference line at its closest point, and occupies approximately 1402 square feet within the primary building setback.
3. The proposed primary structure shall be located approximately 26 feet and 5 inches from the reference line at its closest point, and shall occupy approximately 1378 square feet within the primary building setback.
4. In accordance with RSA 483-B:11, II, the commissioner shall review proposals which are more nearly conforming than the existing structures, and may waive some of the standards specified in RSA 483-B:9, so long as there is at least the same degree of protection provided to the public waters and the proposal is "more nearly conforming." More nearly conforming "means a proposal for significant changes to the location or size of the existing structures that bring the structures into greater conformity, or a proposal for changes to other aspects of the property, including but not limited to stormwater management, wastewater treatment or traffic volume or flow, or both types of proposal which significantly improve wildlife habitat or resource protection."
6. The applicant has proposed to remove approximately 24 square feet of impervious surface within the primary building setback and add approximately 159 square feet of pervious pavers.
7. The applicant has proposed to plant approximately 2026 square feet of native vegetation in non-vegetated open space along the river side. A mix of native ferns, Joe Pye Weed, Lowbush Blueberry, Grey Dogwood, Boneset, Blue Flag Iris, and Juniper are proposed to provide better erosion and stabilization control. A perennial Rye grass mix and A New England Conservation/Wildlife seed mix is to be used to provide a permanent cover of grasses, forbs, legumes and wildflowers for erosion control and wildlife habitat value.
8. The applicant has proposed to install stormwater control measures consisting of roof drains to send stormwater to a water collection cistern and used as non-potable water for toilets and irrigation for plantings.
9. The applicant's proposal includes a stormwater control plan and a landscaping plan with native plantings. Based on these findings, the applicant's proposal provides at least the same degree of protection to the public waters.
10. The applicant's proposal is more nearly conforming and meets RSA 483-b:11, II, therefore the waiver is approved.

2007-00132 68 BLACKS LANDING TRUST, DAVID & AGNES ROBAR TTEES
MOULTONBOROUGH Lake Winnepesaukee

Requested Action:

Raze an existing non-conforming primary structure that occupies approximately 843 square feet within the primary building setback and build a proposed non-conforming structure that shall occupy approximately 1,056 square feet within the primary building setback on property with approximately 107 feet of frontage on Lake Winnepesaukee in Moultonborough, NH.

Inspection Date: 02/27/2007 by Thomas Gilbert

APPROVE CSPA WAIVER:

Raze an existing non-conforming primary structure that occupies approximately 843 square feet within the primary building setback and build a proposed non-conforming structure that shall occupy approximately 1,056 square feet within the primary building setback on property with approximately 107 feet of frontage on Lake Winnepesaukee in Moultonborough, NH.

With Conditions:

1. All work shall be conducted in accordance with proposed septic plans designed by Presby Environmental Inc. dated August 15, 2006 and received by the Department of Environmental Services "DES" on October 23, 2006, and landscape plans designed by Ronald C. LeBlanc dated January 9, 2007 and received by DES on January 10, 2007.
2. This approval shall not be effective until it has been recorded at the Belknap County Registry of Deeds and a copy of the recorded waiver is sent to DES by certified mail, return receipt requested.
3. Unnecessary removal of vegetation within the shoreland during construction shall be prohibited.
4. All planted vegetation shall be native and consistent with surrounding natural vegetation on the property and surrounding properties. Planting invasive or exotic species is strictly prohibited.
5. All proposed vegetation shall be planted by July 1, 2007. Plantings shall have a 90% survival success rate by October 31, 2007. An initial monitoring report shall be submitted to DES by November 15, 2007 documenting the success of the plantings.
6. There shall be no substitutions made for the plant species specified on the approved plan without prior written approval from DES.
7. The contractor/owner 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).
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. A copy of this waiver shall be posted on site during construction in a prominent location visible to inspecting personnel.
10. This waiver does not exempt the owner from obtaining any other necessary local, state or federal permits or approvals.
11. The owner shall maintain compliance with all other requirements of the Comprehensive Shoreland Protection Act, RSA 483-B.1.

With Findings:

1. The existing non-conforming structure, as identified on the Town of Salem Tax Map 28 Lot 5077 is located within the 50 foot primary building setback to public waters, and therefore fails to conform to the setback restriction set forth in RSA 483-B:9, II, of the Comprehensive Shoreland Protection Act "CSPA".
2. The existing non-conforming primary structure is located approximately 14 feet from the reference line and occupies approximately 800 square feet within the primary building setback.
3. The proposed primary structure will occupy approximately 1200 square feet within the primary building setback
5. In accordance with RSA 483-B:11, II, the commissioner shall review proposals which are more nearly conforming than the existing structures, and may waive some of the standards specified in RSA 483-B:9, so long as there is at least the same degree of protection provided to the public waters and the proposal is "more nearly conforming." More nearly conforming "means a proposal for significant changes to the location or size of the existing structures that bring the structures into greater conformity, or a proposal for changes to other aspects of the property, including but not limited to stormwater management, wastewater treatment or traffic volume or flow, or both types of proposal which significantly improve wildlife habitat or resource protection."
6. The applicant has proposed to remove 2 existing non-conforming primary structures occupying approximately 800 square feet.
7. The applicant has proposed to remove 2 existing sheds from the property occupying approximately 180 square feet.
8. The applicant has proposed to plant native vegetation around the proposed structure and along the shoreline. A mix of 8 Blue Iris, 7 Juniper, 12 Rhododendron and 1 Red Dogwood are proposed to provide better erosion and stabilization control.
9. The applicant proposes to remove approximately 254 square feet of impervious surface.
10. The applicant has proposed to upgrade the existing sewer system to a trade marked "Enviro Septic" brand septic system.
11. The applicant's proposal provides at least the same degree of protection to the public waters.
12. The applicant's proposal is more nearly conforming and meets the requirements of RSA 483-B:11, II. Therefore, the waiver is approved.

2007-00436
PITTSBURG

SHALLOW, DAN

Requested Action:

Variance to RSA 483-B (V)(d)(2)(A) for a condominium conversion of 4 structures on a lot with 480 feet of shoreline frontage on Lake Francis in Pittsburg.

Inspection Date: 04/25/2007 by Thomas Gilbert

APPROVE CSPA VARIANCE:

Variance to RSA 483-B (V)(d)(2)(A) for a condominium conversion of 4 structures on a lot with 480 feet of shoreline frontage on Lake Francis in Pittsburg.

With Conditions:

1. All work shall be conducted in accordance with plans by Land Technical Service Corp., dated February 2007 and received by the department on March 19, 2007.
2. This variance shall not be effective until it has been recorded at the appropriate county registry of deeds office by the Permittee. A copy of the registered approval shall be submitted to the DES Wetlands Bureau by certified mail, return receipt requested, prior to construction.
3. A copy of this variance shall be posted in a prominent location on site during construction, visible to inspecting personnel.
4. This variance does not convey a property right, nor authorize any injury to property of others, nor invasion of rights of others.
5. This variance is contingent upon approval of the septic system by the DES Subsurface Systems Bureau.
6. This variance does not exempt the owner from obtaining any other necessary local, state or federal permits or approvals.
7. The owner shall maintain compliance with all other requirements of the Comprehensive Shoreland Protection Act, RSA 483-B.

With Findings:

1. The septic system is proposed to be installed within the septic setback to Lake Wentworth in Wolfeboro and therefore fails to conform to a minimum standard set forth in RSA 483-B:9, V of the Comprehensive Shoreland Protection Act.
2. In accordance with RSA 483-B:9, V(g), "the commissioner shall have the authority to grant variances from the minimum standards of this section. Such authority shall be exercised subject to the criteria which govern the grant of a variance by a zoning board of adjustment under RSA 674:33, I(b)."
3. The septic setback would prohibit the property owner from replacing the existing septic holding tank with a new improved septic system.
4. The installation of a new improved septic system will better protect the public waterbody and therefore be consistent with the intent of the statute.
5. The proposed project will not adversely affect the public or private rights of others.
6. The applicant has proposed to locate the proposed structure 1.7 feet further back from the reference line, bringing it to 50.1 feet from the reference line, outside the primary building setback.
7. Granting the variance will be consistent with the public interest as the existing septic system is outdated and a potential health hazard.
8. Granting the variance will do substantial justice by allowing the property owner to maintain and enjoy a significant property right while upholding the spirit of the CSPA and preserving the private rights and interests of the public.

2007-00463 KITTREDGE, DAVID
CLARKSVILLE Lake Francis

Requested Action:

Expansion of an existing primary structure with a ridgeline height of approximately 21 ft 9 in, a footprint of approximately 640 sq ft providing approximately 480 sq ft of living space to a proposed structure with a ridgeline height of approximately 21 ft 9 in, a footprint of approximately 892 sq ft and shall provide approximately 684 sq ft of living space on property with approximately 190 feet of frontage on Lake Francis in Clarksville.

Conservation Commission/Staff Comments:

Land is leased by the state.
Spoke to Mark Stevens, project is OK.

Inspection Date: 04/25/2007 by Thomas Gilbert

APPROVE CSPA WAIVER:

Expansion of an existing primary structure with a ridgeline height of approximately 21 ft 9 in, a footprint of approximately 640 sq ft providing approximately 480 sq ft of living space to a proposed structure with a ridgeline height of approximately 21 ft 9 in, a footprint of approximately 892 sq ft and shall provide approximately 684 sq ft of living space on property with approximately 190 feet of frontage on Lake Francis in Clarksville.

With Conditions:

1. All work shall be conducted in accordance with building plans, stormwater control plans, and landscaping plans by David M. Dolan Associates, P.C. dated April 4, 2007 and received by the Department of Environmental Services ("DES") on April 12, 2007.
2. This approval shall not be effective until it has been recorded at the Carroll County Registry of Deeds and a copy of the recorded waiver is sent to DES by certified mail, return receipt requested.
3. Unnecessary removal of vegetation within the shoreland during construction shall be prohibited.
4. All planted vegetation shall be native and consistent with surrounding natural vegetation on the property and surrounding properties. Planting invasive or exotic species is strictly prohibited.
5. All proposed vegetation shall be planted by July 1 of the year of the projects completion. Plantings shall have a 90% survival success rate by October 31 of the year of the projects completion. An initial monitoring report shall be submitted to DES by November 15 of the year of the projects completion documenting the success of the plantings.
6. There shall be no substitutions made for the plant species specified on the approved plan without prior written approval from DES.
7. The Applicant shall file a deed restriction with the Carroll County Registry of deeds prohibiting the construction or installation of any new structures within the 50 Setback.
8. The contractor/owner 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. 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.
10. A copy of this waiver shall be posted on site during construction in a prominent location visible to inspecting personnel.
11. This waiver does not exempt the owner from obtaining any other necessary local, state or federal permits or approvals.
12. The owner shall maintain compliance with all other requirements of the Comprehensive Shoreland Protection Act, RSA 483-B.1.

With Findings:

1. The existing structure, as identified on the Town of Moultonborough Tax Map 160 Lot 44 is located within the 50 ft Setback to public waters and, therefore, fails to conform to the setback restriction set forth in RSA 483-B:9, II, of the Comprehensive Shoreland Protection Act ("CSPA").
2. The existing structure is located approximately 29 ft from the reference line, has a ridgeline height of approximately 15 ft, and occupies approximately 843 sq ft within the Setback, 593 sq ft of which is living space.
3. The proposed structure shall be located approximately 30 ft from the reference line, have a ridgeline height of approximately 27 ft 4 in, and shall occupy approximately 1,056 sq ft within the Setback, 933 square feet of which shall be living space.
4. In accordance with RSA 483-B:11, II, the commissioner shall review proposals which are more nearly conforming than the existing structures, and may waive some of the standards specified in RSA 483-B:9, so long as there is at least the same degree of protection provided to the public waters and the proposal is "more nearly conforming." More nearly conforming "means a proposal for significant changes to the location or size of the existing structures that bring the structures into greater conformity, or a proposal for changes to other aspects of the property, including but not limited to stormwater management, wastewater treatment or traffic volume or flow, or both types of proposal which significantly improve wildlife habitat or resource protection."
5. The Applicant has proposed to remove 100 sq ft of wooden patio and 380 sq ft of gravel walkway within the Setback.
6. The Applicant has proposed to install vegetated berms around the existing beach to prevent stormwater from eroding beach sand into the lake.
7. The Applicant has proposed to plant native vegetation including Mountain Laurel and Swamp Azalea along the lake side portion of the proposed structure and within the proposed berms, creating a total of approximately 500 square feet of vegetation.

8. The Applicant proposes to install stormwater controls consisting of a 3 foot wide pea stone buffer around the proposed structure for stormwater infiltration.
9. The Applicant's proposal will reduce the total impervious surface within the Setback by approximately 267 square feet, will increase the setback of the primary structure to the reference line, and improve stormwater management using native plantings and a pea stone buffer around the proposed.
10. The Applicant's proposal provides at least the same degree of protection to the public waters.
11. The Applicant's proposal is more nearly conforming and meets the requirements of RSA 483-B:11, II. Therefore, the waiver is approved.

2007-00583 C & A EXQUISITE HOME BUILDERS LLC
GILFORD Winnepesaukee

Requested Action:

Raze an existing primary structure with a ridgeline height of approximately 20 ft and a footprint of approximately 567 sq ft within the primary building setback (the "Setback"), providing approximately 694 sq ft of living space and build a proposed primary structure that shall have a ridgeline height of approximately 42 ft and a footprint of approximately 517 sq ft within the Setback and shall provide approximately 1188 sq ft of living space within the Setback on property with approximately 100 ft of frontage on Lake Winnepesaukee in Gilford.

Inspection Date: 05/02/2007 by Thomas Gilbert

APPROVE CSPA WAIVER:

Raze an existing primary structure with a ridgeline height of approximately 20 ft and a footprint of approximately 567 sq ft within the primary building setback (the "Setback"), providing approximately 694 sq ft of living space and build a proposed primary structure that shall have a ridgeline height of approximately 42 ft and a footprint of approximately 517 sq ft within the Setback and shall provide approximately 1188 sq ft of living space within the Setback on property with approximately 100 ft of frontage on Lake Winnepesaukee in Gilford.

With Conditions:

1. All work shall be conducted in accordance with building plans, stormwater control plans, and landscaping plans by David M. Dolan Associates, P.C. dated April 4, 2007 and received by the Department of Environmental Services ("DES") on April 12, 2007.
2. This approval shall not be effective until it has been recorded at the Carroll County Registry of Deeds and a copy of the recorded waiver is sent to DES by certified mail, return receipt requested.
3. Unnecessary removal of vegetation within the shoreland during construction shall be prohibited.
4. All planted vegetation shall be native and consistent with surrounding natural vegetation on the property and surrounding properties. Planting invasive or exotic species is strictly prohibited.
5. All proposed vegetation shall be planted by July 1 of the year of the projects completion. Plantings shall have a 90% survival success rate by October 31 of the year of the projects completion. An initial monitoring report shall be submitted to DES by November 15 of the year of the projects completion documenting the success of the plantings.
6. There shall be no substitutions made for the plant species specified on the approved plan without prior written approval from DES.
7. The Applicant shall file a deed restriction with the Carroll County Registry of deeds prohibiting the construction or installation of any new structures within the 50 Setback.
8. The contractor/owner 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. 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.
10. A copy of this waiver shall be posted on site during construction in a prominent location visible to inspecting personnel.
11. This waiver does not exempt the owner from obtaining any other necessary local, state or federal permits or approvals.
12. The owner shall maintain compliance with all other requirements of the Comprehensive Shoreland Protection Act, RSA 483-B.1.

With Findings:

1. The existing structure, as identified on the Town of Moultonborough Tax Map 160 Lot 44 is located within the 50 ft Setback to public waters and, therefore, fails to conform to the setback restriction set forth in RSA 483-B:9, II, of the Comprehensive Shoreland Protection Act ("CSPA").
2. The existing structure is located approximately 29 ft from the reference line, has a ridgeline height of approximately 15 ft, and occupies approximately 843 sq ft within the Setback, 593 sq ft of which is living space.
3. The proposed structure shall be located approximately 30 ft from the reference line, have a ridgeline height of approximately 27 ft 4 in, and shall occupy approximately 1,056 sq ft within the Setback, 933 square feet of which shall be living space.
4. In accordance with RSA 483-B:11, II, the commissioner shall review proposals which are more nearly conforming than the existing structures, and may waive some of the standards specified in RSA 483-B:9, so long as there is at least the same degree of protection provided to the public waters and the proposal is "more nearly conforming." More nearly conforming "means a proposal for significant changes to the location or size of the existing structures that bring the structures into greater conformity, or a proposal for changes to other aspects of the property, including but not limited to stormwater management, wastewater treatment or traffic volume or flow, or both types of proposal which significantly improve wildlife habitat or resource protection."
5. The Applicant has proposed to remove 100 sq ft of wooden patio and 380 sq ft of gravel walkway within the Setback.
6. The Applicant has proposed to install vegetated berms around the existing beach to prevent stormwater from eroding beach sand into the lake.
7. The Applicant has proposed to plant native vegetation including Mountain Laurel and Swamp Azalea along the lake side portion of the proposed structure and within the proposed berms, creating a total of approximately 500 square feet of vegetation.
8. The Applicant proposes to install stormwater controls consisting of a 3 foot wide pea stone buffer around the proposed structure for stormwater infiltration.
9. The Applicant's proposal will reduce the total impervious surface within the Setback by approximately 267 square feet, will increase the setback of the primary structure to the reference line, and improve stormwater management using native plantings and a pea stone buffer around the proposed.
10. The Applicant's proposal provides at least the same degree of protection to the public waters.
11. The Applicant's proposal is more nearly conforming and meets the requirements of RSA 483-B:11, II. Therefore, the waiver is approved.

ROADWAY MAINTENANCE NOTIF

**2007-01268 NH DEPT OF TRANSPORTATION
KENSINGTON Unnamed Stream**

COMPLETE NOTIFICATION:
Replace 30"CMP with 30"CMP

**2007-01270 NH DEPT OF TRANSPORTATION
CENTER HARBOR Unnamed Stream**

COMPLETE NOTIFICATION:
Cleaning out the outlet ends of three highway drainage culverts on Route 3/25 in Center Harbor

**2007-01272 TOWN OF NEW IPSWICH
NEW IPSWICH Unnamed Stream**

COMPLETE NOTIFICATION:

Removal of roadway materials which have encroached wetlands area. Materials to be removed from jurisdictional area and roadside to be topsoil and seeded to prevent future erosion

**2007-01294 HILL TOP MHP
RAYMOND Unnamed Stream**

COMPLETE NOTIFICATION:

Replace 12" Di culvert with 12" HDPE
Reshape existing rip-rap roadside ditch

**2007-01306 WARNER, TOWN OF
WARNER Unnamed Stream**

COMPLETE NOTIFICATION:

Replace 15" x 30' culvert crushed in center of Old Warner Lane with 15" x 30' plastic culvert

**2007-01308 NHDOT, BUR OF HIGHWAY DESIGN
WARNER Unnamed Stream**

COMPLETE NOTIFICATION:

Replace two (2) separate 12" CMP pipes with 15" R.C. pipes with 15" R.C. end sections at the outlets. New pipes are to be placed at the same locations,elevations,and limits as the existing.

PERMIT BY NOTIFICATION

**2007-01069 29 LAKE ST BAYSIDE DOCK ASSOC
WOLFEBORO Lake Winnepesaukee**

Requested Action:

Repair existing docking facility in-kind.

Conservation Commission/Staff Comments:

file expired prior to response review and therefore was "approved by default".

PBN IS COMPLETE:

Repair existing docking facility in-kind.

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.
2. PBN revised plans got default approval because 10 days passed.

2007-01113 DEFEO, STEVE
STRAFFORD Bow Lake

Requested Action:

Install a 6 ft x 40 ft seasonal dock

PBN IS COMPLETE:

Install a 6 ft x 40 ft seasonal dock

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(a) installation of seasonal dock.

2007-01207 DUGAS COLLITON LLC
ALTON Lake Winnepesaukee

Requested Action:

Repair/replace existing docks in-kind.

PBN IS COMPLETE:

Repair/replace existing docks in-kind.

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.

2007-01210 WILLIM, DONALD
WAKEFIELD Pine River Pond

Requested Action:

Repair rock riprap, boat launch ramp and beach.

PBN DISQUALIFIED:

Repair rock riprap, boat launch ramp and beach.

With Findings:

1. PBN is disqualified because they are proposing rip-rap stabilization and replenishment below the normal high water mark elevation.

2007-01264 FARMER TRUST, RALPH
LYME Connecticut River

Requested Action:

Install a "T-shaped" dock on the Connecticut River.

PBN DISQUALIFIED:

Install a "T-shaped" dock on the Connecticut River.

With Findings:

- 1. Pursuant to Env-Wt 402.04, nonstandard configured docks on rivers and streams do not qualify for the PBN process.

2007-01274 BERG, EUGENE
LITCHFIELD Merrimack River

Requested Action:

Install a nonstandard seasonal docking structure on in Litchfield on the Merrimack River.

PBN DISQUALIFIED:

Install a nonstandard seasonal docking structure on in Litchfield on the Merrimack River.

With Findings:

- 1. Project is in a wetland that has been identified by Natural Heritage Inventory - Department of Resources and Economic Development as an exemplary natural community, and/or that has documented occurrences of state or federally listed Endangered or Threatened species. Pursuant to Rule Env-Wt 303.02(k) this is classified as a Major project and therefore does not qualify for PBN review.
- 2. Pursuant to Rule Env-Wt 402.04(b)(3), nonstandard seasonal dock configurations shall not qualify for PBN review.

SHORELAND RULE WAIVER

2007-00402 LAJOIE, DAVE
EAST WAKEFIELD Province Lake

Requested Action:

Addition of a second floor to an existing primary structure with a ridgeline height of approximately 22 ft, approximately 1100 sq ft of living space within the primary building setback (the "Setback") and occupying approximately 1100 sq ft within the Setback to a proposed structure with a ridgeline height of approximately 26 ft 6 in, approximately 2036 sq ft of living space within the Setback and occupying approximately 1089 sq ft within the Setback on a .61 acre lot on Province Lake in East Wakefield.

Inspection Date: 04/12/2007 by Thomas Gilbert

APPROVE CSPA WAIVER:

Addition of a second floor to an existing primary structure with a ridgeline height of approximately 22 ft, approximately 1100 sq ft of living space within the primary building setback (the "Setback") and occupying approximately 1100 sq ft within the Setback to a proposed structure with a ridgeline height of approximately 26 ft 6 in, approximately 2036 sq ft of living space within the Setback and occupying approximately 1089 sq ft within the Setback on a .61 acre lot on Province Lake in East Wakefield.

With Conditions:

- 1. All work shall be conducted in accordance with building plans, stormwater control plans, and landscaping plans by David M. Dolan Associates, P.C. dated April 4, 2007 and received by the Department of Environmental Services ("DES") on April 12, 2007.
- 2. This approval shall not be effective until it has been recorded at the Carroll County Registry of Deeds and a copy of the recorded waiver is sent to DES by certified mail, return receipt requested.
- 3. Unnecessary removal of vegetation within the shoreland during construction shall be prohibited.
- 4. All planted vegetation shall be native and consistent with surrounding natural vegetation on the property and surrounding

properties. Planting invasive or exotic species is strictly prohibited.

5. All proposed vegetation shall be planted by July 1 of the year of the projects completion. Plantings shall have a 90% survival success rate by October 31 of the year of the projects completion. An initial monitoring report shall be submitted to DES by November 15 of the year of the projects completion documenting the success of the plantings.
6. There shall be no substitutions made for the plant species specified on the approved plan without prior written approval from DES.
7. The Applicant shall file a deed restriction with the Carroll County Registry of deeds prohibiting the construction or installation of any new structures within the 50 Setback.
8. The contractor/owner 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. 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.
10. A copy of this waiver shall be posted on site during construction in a prominent location visible to inspecting personnel.
11. This waiver does not exempt the owner from obtaining any other necessary local, state or federal permits or approvals.
12. The owner shall maintain compliance with all other requirements of the Comprehensive Shoreland Protection Act, RSA 483-B.1.

With Findings:

1. The existing structure, as identified on the Town of Moultonborough Tax Map 160 Lot 44 is located within the 50 ft Setback to public waters and, therefore, fails to conform to the setback restriction set forth in RSA 483-B:9, II, of the Comprehensive Shoreland Protection Act ("CSPA").
2. The existing structure is located approximately 29 ft from the reference line, has a ridgeline height of approximately 15 ft, and occupies approximately 843 sq ft within the Setback, 593 sq ft of which is living space.
3. The proposed structure shall be located approximately 30 ft from the reference line, have a ridgeline height of approximately 27 ft 4 in, and shall occupy approximately 1,056 sq ft within the Setback, 933 square feet of which shall be living space.
4. In accordance with RSA 483-B:11, II, the commissioner shall review proposals which are more nearly conforming than the existing structures, and may waive some of the standards specified in RSA 483-B:9, so long as there is at least the same degree of protection provided to the public waters and the proposal is "more nearly conforming." More nearly conforming "means a proposal for significant changes to the location or size of the existing structures that bring the structures into greater conformity, or a proposal for changes to other aspects of the property, including but not limited to stormwater management, wastewater treatment or traffic volume or flow, or both types of proposal which significantly improve wildlife habitat or resource protection."
5. The Applicant has proposed to remove 100 sq ft of wooden patio and 380 sq ft of gravel walkway within the Setback.
6. The Applicant has proposed to install vegetated berms around the existing beach to prevent stormwater from eroding beach sand into the lake.
7. The Applicant has proposed to plant native vegetation including Mountain Laurel and Swamp Azalea along the lake side portion of the proposed structure and within the proposed berms, creating a total of approximately 500 square feet of vegetation.
8. The Applicant proposes to install stormwater controls consisting of a 3 foot wide pea stone buffer around the proposed structure for stormwater infiltration.
9. The Applicant's proposal will reduce the total impervious surface within the Setback by approximately 267 square feet, will increase the setback of the primary structure to the reference line, and improve stormwater management using native plantings and a pea stone buffer around the proposed.
10. The Applicant's proposal provides at least the same degree of protection to the public waters.
11. The Applicant's proposal is more nearly conforming and meets the requirements of RSA 483-B:11, II. Therefore, the waiver is approved.

2007-00527 MASAILO, LOUISE
WOLFEBORO Lake Wentworth

Requested Action:

Relocation of a portion of an existing primary structure that occupies approximately 1043 sq ft within the primary building setback ("the Setback") creating a proposed primary structure that shall occupy approximately 1071 sq ft within the Setback on a lot with

approximately 126 feet of frontage on Lake Wentwork in Wolfeboro.

Inspection Date: 05/02/2007 by Thomas Gilbert

APPROVE CSPA WAIVER:

Relocation of a portion of an existing primary structure that occupies approximately 1043 sq ft within the primary building setback ("the Setback") creating a proposed primary structure that shall occupy approximately 1071 sq ft within the Setback on a lot with approximately 126 feet of frontage on Lake Wentwork in Wolfeboro.

With Conditions:

1. All work shall be conducted in accordance with building plans, stormwater control plans, and landscaping plans by David M. Dolan Associates, P.C. dated April 4, 2007 and received by the Department of Environmental Services ("DES") on April 12, 2007.
2. This approval shall not be effective until it has been recorded at the Carroll County Registry of Deeds and a copy of the recorded waiver is sent to DES by certified mail, return receipt requested.
3. Unnecessary removal of vegetation within the shoreland during construction shall be prohibited.
4. All planted vegetation shall be native and consistent with surrounding natural vegetation on the property and surrounding properties. Planting invasive or exotic species is strictly prohibited.
5. All proposed vegetation shall be planted by July 1 of the year of the projects completion. Plantings shall have a 90% survival success rate by October 31 of the year of the projects completion. An initial monitoring report shall be submitted to DES by November 15 of the year of the projects completion documenting the success of the plantings.
6. There shall be no substitutions made for the plant species specified on the approved plan without prior written approval from DES.
7. The Applicant shall file a deed restriction with the Carroll County Registry of deeds prohibiting the construction or installation of any new structures within the 50 Setback.
8. The contractor/owner 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. 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.
10. A copy of this waiver shall be posted on site during construction in a prominent location visible to inspecting personnel.
11. This waiver does not exempt the owner from obtaining any other necessary local, state or federal permits or approvals.
12. The owner shall maintain compliance with all other requirements of the Comprehensive Shoreland Protection Act, RSA 483-B.1.

With Findings:

1. The existing structure, as identified on the Town of Gilford Tax Map 242A Lot 242-2 is located within the 50 ft Setback to public waters and, therefore, fails to conform to the setback restriction set forth in RSA 483-B:9, II, of the Comprehensive Shoreland Protection Act ("CSPA").
2. The existing structure is located approximately 29 ft from the reference line, has a ridgeline height of approximately 20 ft and a footprint of approximately 567 sq ft within the Setback, providing approximately 694 sq ft of living space within the Setback.
3. The proposed structure shall be located approximately 30 ft from the reference line, have a ridgeline height of approximately 42 ft and a footprint of approximately 517 sq ft within the Setback, providing approximately 1188 sq ft of living space within the Setback.
3. The proposed structure shall be located approximately 30 ft from the reference line, have a ridgeline height of approximately 27 ft 4 in, and shall occupy approximately 1,056 sq ft within the Setback, 933 square feet of which shall be living space.
4. In accordance with RSA 483-B:11, II, the commissioner shall review proposals which are more nearly conforming than the existing structures, and may waive some of the standards specified in RSA 483-B:9, so long as there is at least the same degree of protection provided to the public waters and the proposal is "more nearly conforming." More nearly conforming "means a proposal for significant changes to the location or size of the existing structures that bring the structures into greater conformity, or a proposal for changes to other aspects of the property, including but not limited to stormwater management, wastewater treatment or traffic volume or flow, or both types of proposal which significantly improve wildlife habitat or resource protection."
5. The Applicant has proposed to remove 100 sq ft of wooden patio and 380 sq ft of gravel walkway within the Setback.

6. The Applicant has proposed to install vegetated berms around the existing beach to prevent stormwater from eroding beach sand into the lake.
7. The Applicant has proposed to plant native vegetation including Mountain Laurel and Swamp Azalea along the lake side portion of the proposed structure and within the proposed berms, creating a total of approximately 500 square feet of vegetation.
8. The Applicant proposes to install stormwater controls consisting of a 3 foot wide pea stone buffer around the proposed structure for stormwater infiltration.
9. The Applicant's proposal will reduce the total impervious surface within the Setback by approximately 267 square feet, will increase the setback of the primary structure to the reference line, and improve stormwater management using native plantings and a pea stone buffer around the proposed.
10. The Applicant's proposal provides at least the same degree of protection to the public waters.
11. The Applicant's proposal is more nearly conforming and meets the requirements of RSA 483-B:11, II. Therefore, the waiver is approved.