

# Wetlands Bureau Decision Report

Decisions Taken  
09/03/2007 to 09/09/2007

## **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 Lawrence E. Morse, 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**

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**2005-02505                    ONE BEMIS ROAD REALTY LLC, PETER KING  
HOOKSETT   Unnamed Wetland**

Requested Action:

Correct permit to change condition 2 of the existing permit to reflect the correct plan set.

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APPROVE AMENDMENT:

Dredge and fill 25,381 square feet of a wetland including rerouting of approximately 850 linear feet of intermittent stream for construction of two box stores. The application has been deemed eligible for payment into the Aquatic Resource Mitigation fund as the form of compensatory mitigation.

With Conditions:

With amended conditions:

1. All work shall be in accordance with plans by Rizzo Associates dated June 28, 2005, and revised through December 20, 2006, as received by the Department on December 29, 2006 and plans by Bohler Engineering sheets C1, through C12, ES1 through ES3 and D1-D4 dated May 20, 2005 and revised through December 11, 2006, as received by the Department January 8, 2007.
2. This permit is contingent upon the recreation of the stream system and plantings as illustrated on plans by Bohler Associates sheets M1 and M2 dated May 20, 2005, and revised through May 1, 2007 as received by the Department on June 14, 2007.
3. This permit is contingent on receipt by DES of a one time payment of \$77,636.00 dollars to the DES Aquatic Resource Mitigation (ARM) Fund. The payment shall be received by DES within 120 days of the date of the approval letter or the application will be denied.
4. This permit is contingent on approval by the DES Wastewater Engineering Bureau.
5. This permit is contingent on approval by the DES Site Specific Program.
6. This permit is contingent on approval of the NH Department of Transportation Driveway permit.
7. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.
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 registered permit shall be submitted to the DES Wetlands Bureau.
9. At least 48 hours prior to the start of construction, a pre-construction meeting shall be held with NHDES Water Division permitting staff at the project site or at the DES Office in Concord, N.H. to review the conditions of this wetlands permit and the NHDES Site Specific Permit. It shall be the responsibility of the permittee to schedule the pre-construction meeting, and the meeting shall be attended by the permittee, his/her professional engineer(s), wetlands scientist(s), and the contractor(s) responsible for performing the work.
10. All work shall be conducted during low water conditions, and there shall be no flow in the stream channel during construction of that area.
11. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
12. 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.
13. No portion of the swale within existing jurisdictional areas shall be paved.
14. No portion of the wetland within 20 feet of the property line shall be disturbed.
15. Proper headwalls shall be constructed within seven days of culvert installation.
16. 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).
17. 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.
18. 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.
19. 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.

20. Silt fencing must be removed once the area is stabilized.
21. 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).
22. A post-construction report documenting the status of the completed project with photographs shall be submitted to the Wetlands Bureau within 60 days of the completion of construction.
23. The permittee shall attempt to control invasive, weedy species such as purple loosestrife (*Lythrum salicaria*) and common reed (*Phragmites australis*) by measures agreed upon by the Wetlands Bureau if the species is found in the mitigation areas during construction and during the early stages of vegetative establishment.
24. The permittee shall submit a follow up monitoring report of the proposed creation restoration area after one full growing season, including possible remediation actions if necessary.

With Findings:

The Department Reaffirms findings 1-22 of the original approvals and makes the following additional findings:

23. This is a simple correction of plan dates as the previous permit had a typographical error.

**2006-01154                      GOFFSTOWN, TOWN OF**  
**GOFFSTOWN Whittle Brook**

Requested Action:

Amendment request to add a 24-inch ductile iron sleeve pipe for future water main work at "Bridge 1", change the outlet of the closed drainage system to the outlet side of "Bridge 1", remove the treatment swale from "Bridge 2", replace and upgrade two existing storm drain pipes on Merrill Road and Hillsdale Drive, extend the invert on the outlet side of "Bridge 3" and route the closed drainage to the downstream side of "Bridge 3".

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Conservation Commission/Staff Comments:

1. The New Hampshire Fish and Game Department (NHFGD) did not submit comments.
2. The Goffstown Conservation Commission had no objections to the proposed project.

APPROVE AMENDMENT:

Dredge and fill approximately 2,455 sq. ft., 363 linear. ft. (1,105 sq. ft., 272 linear. ft. permanent impacts and 1,350 sq. ft., 91 linear. ft. temporary impacts) of wetlands and surface waters located within Whittle Brook and Mountain Road. Work to include the replacement of two bridges with open bottom box culverts, rehabilitation of one bridge with a new "gunite/shotcrete liner", installation of a new 12 in. cast iron water main, wingwalls, associated grading and stormwater treatment structures.

With Conditions:

1. All work shall be in accordance with plans prepared by the Town of Goffstown, Department of Public Works, dated May 5, 2006, as received by the Department on May 12, 2006 and narratives by the Town of Goffstown, Department of Public Works, as received by the Department on May 12, 2006 and project changes as depicted on revised plans sheets 5 through 15 of 30, revision dated May 10, 2007, plan sheet 21 of 30, dated May 17, 2007, plans sheets 27 through 29 of 30, dated March 9, 2007, plan sheet 30 of 30, dated May 5, 2006, and narratives dated June 14, 2007, as received by the Department on June 21, 2007.
2. This permit is contingent on the Town of Goffstown obtaining construction easements from affected landowners outside of the existing road right-of-way. The Town shall supply copies of the recorded easements to DES Wetlands File No. 2006-01154 prior to the start of construction.
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. Work shall be done during low flow conditions.
5. This permit is contingent on review and approval, by the DES Wetlands Bureau, of final stream diversion/erosion control plans. Those plans shall detail the timing and method of stream flow diversion during construction, and show temporary siltation/erosion/turbidity control measures to be implemented.
6. The Permittee shall monitor the weather and will not commence work within flowing water, including the installation of cofferdams, when rain is in the forecast.

7. All in-stream work shall be conducted in a manner that minimizes the duration of construction in the watercourse. In-stream work shall not exceed five consecutive days in total unless specifically authorized in writing by the Wetlands Bureau.
8. There shall be no excavation or operation of construction equipment in flowing water.
9. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
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. Any native material removed from the streambed for installation of the new bridge footings shall be stockpiled separately and reused to emulate a natural channel bottom. Any new materials used within the stream channel must be similar to the natural stream substrate and shall not include angular rip-rap.
12. Temporary stream and wetlands impact areas shall be regraded to original contours.
13. Wetland restoration areas shall have at least 75% successful establishment of wetlands vegetation after one full growing season, or it shall be replanted and re-established until a functional wetland is replicated in a manner satisfactory to the DES Wetlands Bureau.
14. Follow-up monitoring reports shall be submitted to DES within 60-days following completion of the project and at the end of one full growing season following the completion of the project. The reports shall include narratives and photographs describing the status of the wetland/stream restoration areas. The reports shall be prepared by qualified professional.
15. Any areas from which vegetation has been cleared to gain access to the site shall be replanted with native species.
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).
17. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid prior near surface waters or wetlands. 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 major impact project per Administrative Rule Env-Wt 303.02(i); projects that alter the course of or disturb 200 or more linear feet of an intermittent or perennial nontidal stream or river channel or its banks.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01. 3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
5. The New Hampshire Fish and Game Department (NHFGD) did not submit comments.
6. The Goffstown Conservation Commission had no objections to the proposed project.
7. The proposed replacement bridges are approximately the same size as the existing bridges and both bridges will be open bottom structures with natural stream beds.
8. The permit is contingent on appropriate erosions, sediment and turbidity controls.
9. The project includes construction of a new stormwater treatment swale and catch basin sumps that will improve the quality of the current stormwater runoff entering Whittle Brook.
10. The Piscataquog River Local Advisory Committee (PRLAC) requested "consideration of the widening of the bridge spans to create a more natural flow and to protect the bridges from excess flows such as occurred this month".
11. The proposed bridge structures will have the same or larger hydrological opening than currently exists and will maintain a natural stream bed. Additionally, the proposal calls for removing accumulated sediment and adding stormwater treatment structures that should improve water quality.
12. The applicant stated that it was determined through a drainage analysis prepared for the NH Department of Transportation that all bridges passed the 50 year storm event.
13. The public hearing is waived with the finding that the project impacts will not significantly impair the resources of this riverine system.
14. The requested amendment redesigned the previously approved drainage structures and should not decrease water quality.
15. The existing drainage enters jurisdictional areas without stormwater treatment.

16. The proposed closed drainage system should improve water quality by the installation of catch basins with 3 foot sumps and a routine maintenance program.
17. The applicant has limited space for new stormwater treatment structures.

**2006-01384                      KENNETT COMPANY**  
**CONWAY   Unnamed Wetland**

Requested Action:

Dredge and fill 10,080 square feet of palustrine forested wetland to construct a Phase I residential subdivision with 29 lots; and dredge and fill an additional 12,930 square feet of wetlands to complete off-site town road improvements along Dolloff Hill Road, which includes upgrading an existing culvert within Page Randall Brook with a 15' x 24' bridge and installing a dry hydrant. Mitigate Phase I wetland impacts, as well as potential future Phase II and Phase III wetland impacts, by placing a conservation easement on 244.35 acres of undeveloped land, and by creating designated open-space areas on 125.05 acres of undeveloped land.  
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Conservation Commission/Staff Comments:

08/23/06 - HEB called to state that revised plans were forthcoming based on town modifications.

Inspection Date: 01/22/2007 by Craig D Rennie

APPROVE PERMIT:

Dredge and fill 10,080 square feet of palustrine forested wetland to construct a Phase I residential subdivision with 29 lots; and dredge and fill an additional 12,930 square feet of wetlands to complete off-site town road improvements along Dolloff Hill Road, which includes upgrading an existing culvert within Page Randall Brook with a 15' x 24' bridge and installing a dry hydrant. Mitigate Phase I wetland impacts, as well as potential future Phase II and Phase III wetland impacts, by placing a conservation easement on 244.35 acres of undeveloped land, and by creating designated open-space areas on 125.05 acres of undeveloped land.

With Conditions:

1. All work shall be in accordance with revised plans by H.E. Bergeron Engineers, Inc. dated June 12, 2007, as received by DES on August 9, 2007.
2. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback within the Phase I area as depicted on Conceptual Master Plan with a revised date of August 8, 2007.
3. The deed which accompanies the sales transaction for each of the lots within the Phase I area of the 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 recorded permit shall be submitted to the DES Wetlands Bureau by certified mail with a return receipt requested.
5. This permit is contingent on approval by the DES Alteration of Terrain Program.
6. Any further alterations within the Phase II and Phase III areas of this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
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. Work shall be done during low flow conditions.
9. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
10. Proper headwalls shall be constructed within seven days of culvert installation.
11. 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).
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. 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).

#### Land Preservation:

16. This permit is contingent upon the execution of a conservation easement on 244.35 acres of undeveloped land, as well as the designation of 125.05 acres of open space land as depicted on the Conservation/Open-Space Lands Plan as received by DES on August 9, 2007.

17. Wetland impacts associated with future phases shall not increase based on the amounts provided in the Conceptual Master Plan.

18. Development within the Open-Space Lands shall be restricted through conservation covenants to be placed on the areas to run with the land and be overseen by the Homeowner's Association. A copy of the deeds for the Open-Space Lands noting conservation restrictions shall be provided to DES Wetlands Bureau prior to construction.

19. 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.

20. The Conservation/Open-Space Lands 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 County Registry of Deeds Office shall be submitted to the DES Wetlands Bureau prior to the start of construction.

21. The conservation easement and open space areas shall be surveyed by a licensed surveyor, and marked by permanent monuments and/or signage every 100 feet along the boundary prior to construction.

22. 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.

23. As a component of potential future phases and future DES Wetlands Bureau applications, a monitoring report shall be submitted to the DES Wetlands Bureau noting conditions of the easement and open space lands and compliance to recorded documents.

24. Activities in contravention of the conservation easement shall be construed as a violation of RSA 482-A, and those activities shall be subject to the enforcement powers of the Department of Environmental Services (including remediation and fines).

#### With Findings:

1. This project is classified as a Major Project per NH Administrative Rule Env-Wt 303.02(c), as wetland impacts are greater than 20,000 square feet.

2. The property was previously approved by DES in 2003 to fill 24,433 square feet and clear 291,600 square feet of forested wetlands to construct an 18-hole golf course under DES file #2002-01415.

3. The golf course was never constructed and the owner is now seeking a planned residential development with considerably less overall wetland impact.

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

5. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.

6. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a), Requirements for Application Evaluation, has been considered in the design of the project.

7. On August 30, 2006, DES requested additional information from the applicant which included a request to provide a conceptual master plan for potential future phases of development.

8. The applicant provided a Conceptual Master Plan which depicts a potential Phase II and Phase III area. The cumulative wetland impacts for all phases of the project will be approximately 48,000 square feet (1.1 acres).

9. The applicant proposes to mitigate the Phase I wetland impacts, as well as potential future Phase II and Phase III wetland impacts, by placing a conservation easement on 244.35 acres of undeveloped land, and by creating designated open-space areas on 125.05 acres of undeveloped land. Of the property's 696.13 acres, the conservation easement and open-space areas represent 53% of the overall property (369.4 acres).

10. Based on the cumulative wetland impacts for all three (3) phases of the development (approximately 48,000 square feet), DES finds that the applicant has met the mitigation requirements of Chapter Env-Wt 800; and therefore, Phase II and Phase III as depicted on the Conceptual Master Plan will not require additional mitigation.

11. The applicant conducted a comprehensive vernal pool survey in the spring of 2007 and no vernal pools were identified.
12. DES Staff conducted a field inspection of the property on January 22, 2007. Field inspection determined that the applicant avoided large, high value wetland areas and planned road crossings in the narrowest of locations to reduce the overall impact of the project. In addition, DES staff inspected the areas proposed for preservation and found the wetlands and uplands to have extremely high functions and values, making the land preservation locations well planned.
13. Public hearing is not required with the finding that the project will not impact wetland areas that are considered to be of special value from a local, regional, or state perspective pursuant to Env-Wt 101.87.

**2007-00426                      RIDGEWOOD ASSOCIATION, DONALD JEAN  
KINGSTON Great Pond**

Requested Action:

Replenish an existing 40 ft x 120 ft association beach with 89 cubic yards of sand, and replenish a 34 ft x 35 ft association beach with 22 cubic yards of sand on 2400 ft of shoreline frontage in Kingston on Great Pond.

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Conservation Commission/Staff Comments:

Time extension to August 31, 2007

Inspection Date: 03/26/2007 by Chris T Brison

APPROVE PERMIT:

Replenish an existing 40 ft x 120 ft association beach with 89 cubic yards of sand, and replenish a 34 ft x 35 ft association beach with 22 cubic yards of sand on 2400 ft of shoreline frontage in Kingston on Great Pond.

With Conditions:

1. All work shall be in accordance with beach plans by Don Jean as received by the Department on July 6, 2007.
2. No more than 89 cu yds of sand may be used on the 40 ft x 120 ft beach and all sand shall be located above the normal high water line.
3. No more than 22 cu yds of sand may be used on the 34 ft x 35 ft beach and all sand shall be located above the normal high water line.
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. This permit shall be used only once, and does not allow for annual beach replenishment.
5. The permittee shall provide appropriate diversion of surface water runoff to prevent erosion of beach area.
6. Replenishments shall not result in any alterations in the configurations, dimensions and locations of the beaches.
7. 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.
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 major impact project per Administrative Rule Env-Wt 303.02(o) replenshment of a beach that does not meet the criteria for minor impact under Env-Wt 303.03(f)
2. No portion of the projects impacts shall be located below the water line, therefore, Governor and Council approval is not required for this major project.
3. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01. 4. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
5. 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.
6. DES Staff conducted a field inspection of the proposed project on March 26, 2007.

**2007-00590                      LOT 2 REALTY TRUST, KARL BANDTEL  
MOULTONBOROUGH   Squam Lake**

Requested Action:

Dredge 70 cubic yards of abandoned crib material from 594 sq ft of lakebed adjacent to an average of 489 ft of frontage on Squam Lake, in Moultonboro.

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Conservation Commission/Staff Comments:

No comments from the local Con Com by 06/12/07

Inspection Date: 08/29/2007 by Chris T Brison

APPROVE PERMIT:

Dredge 70 cubic yards of abandoned crib material from 594 sq ft of lakebed adjacent to an average of 489 ft of frontage on Squam Lake, in Moultonboro.

With Conditions:

1. All work shall be in accordance with plans by Folsom Design Group dated March 20, 2007, revision date August 01, 2007, as received by DES on August 13, 2007.
2. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement or revocation action if the DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.
3. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
4. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
5. Appropriate siltation and erosion controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
6. This permit does not allow for dredging of lakebed materials, only crib materials will be removed.
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 deemed to be a minimum impact project per Administrative Rule Env-Wt 303.04(o), as it will removal man-made structures an restore natural conditions.
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. DES Staff conducted a field inspection of the proposed project on August 29, 2007. Field inspection determined plans submitted accurately reflect the proposed project.
5. The public hearing is waived with the finding that the project impacts will not significantly impair the resources of Squam Lake.

**2007-00800                      RABUCK REVOCABLE TRUST, PAUL  
GILFORD   Lake Winnepesaukee**

Requested Action:

Removal a 10 ft x 10 ft gazebo from within the 20 ft accessory structure setback, retain the configuration of, and repair, the 45 ft breakwater and 6 ft x 25 ft cantilevered pier accessed by a 4 ft x 12 ft walkway, and replenish the existing 15 ft x 30 ft perched beach with 10 cubic yards of sand on 130 ft of frontage in Gilford on Lake Winnepesaukee.

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Inspection Date: 08/27/2007 by Chris T Brison

APPROVE PERMIT:

Removal a 10 ft x 10 ft gazebo from within the 20 ft accessory structure setback, retain the configuration of, and repair, the 45 ft breakwater and 6 ft x 25 ft cantilevered pier accessed by a 4 ft x 12 ft walkway, and replenish the existing 15 ft x 30 ft perched beach with 10 cubic yards of sand on 130 ft of frontage in Gilford on Lake Winnepesaukee.

With Conditions:

1. All work shall be in accordance with revised plans by Winnepesaukee Marine Construction dated August 3, 2007, as received by DES on August 9, 2007.
2. This permit shall not be effective until it has been recorded with the appropriate County Registry of Deeds office by the Permittee. A copy of the recorded permit shall be submitted to the DES Wetlands Bureau by certified mail, return receipt requested, prior to beach replenishment and gazebo relocation or removal.
3. Proposed gazebo relocation shall be no closer than 20 ft from the normal high water mark elevation 504.32 pursuant to Rule Env-Wq 1405.03.
4. If gazebo is to be relocated elsewhere else on the property, plans and photographic documentation shall be submitted to the Department within 30 days after relocation, showing new gazebo location as measured from property lines and the normal high water mark elevation.
5. Unnecessary removal of vegetation is prohibited.
6. Breakwater shall be maintained in its current configuration, location, and dimensions in accordance with plans as received August 9, 2007.
7. Breakwater repairs shall not cause breakwater to extend more than 50 ft from the normal high water mark elevation 504.32.
8. Breakwater repairs shall maintain the breakwater as having an irregular face to diffuse wave activity.
9. Breakwater repairs shall maintain a slope of 1:1.5, rise to run, or greater.
10. No breakwater repairs are permitted to encroach within 20 ft of the abutting property line setback extending over water.
11. No more than 10 cubic yards of sand shall be used for beach replenishment.
12. Areas disturbed by the gazebo removal shall be contained by proper erosions controls where necessary. Adequately installed erosion controls will not be removed until disturbed site becomes fully stabilized by planted native vegetation where necessary. Erosion controls shall be removed when site becomes stable.
13. After complete stabilization of the gazebo disturbed site, photographs shall be sent to the Department.
14. 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.
15. Repairs to existing docking system can be conducted for the duration of this permit after notifying the local conservation commission and the Department in writing describing the extent of repairs.
16. 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(j), modification of a breakwater.
2. The construction of a breakwater to provide safe docking at this site is justified in accordance with Rule Env-Wt 402.06, Breakwaters.
3. This property has a permit, #1995-00636, for a breakwater and cantilevered docking system. The system was not constructed in accordance with originally approved plans but does meet the current requirements for approval
4. The applicant has an average of 130 feet of shoreline frontage along Lake Winnepesaukee.
5. A maximum of 2 slips may be permitted on this frontage per Rule Env-Wt 402.12 Frontage Over 75'.
6. The docking facility provides 1 slip as defined per RSA 482-A:2 and, therefore, meets Rule Env-Wt 402.12.
7. Public hearing is waived based on field inspection, by NH DES staff, on August 27, 2007, with the finding that the project impacts will not significantly impair the resources of Lake Winnepesaukee.
8. Field inspection on August 27, 2007 found no obvious evidence of sand migration along this shoreline.

-Send to Governor and Executive Council-

**MINOR IMPACT PROJECT**

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**2005-01050                      DUV ENTERPRISES LLC  
CANAAN   Unnamed Wetland**

Requested Action:

Dredge and fill approximately 3,100 square feet and retain 15 square feet of palustrine forested wetlands impact for access to a 35-lot subdivision on ± 180 acres.

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APPROVE PERMIT:

Dredge and fill approximately 3,100 square feet and retain 15 square feet of palustrine forested wetlands impact for access to a 35-lot subdivision on ± 180 acres.

With Conditions:

1. All work shall be in accordance with plans by Blakeman Engineering, Inc. dated May 15, 2006, and revised through June 15, 2007, and Subdivision Plans dated April 11, 2006, and revised through June 15, 2007, as received by the Department on August 07, 2007.
2. This permit is contingent on approval by the DES Alteration of Terrain Program.
3. This permit is contingent on approval by the DES Subsurface Systems Bureau.
4. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.
5. The deed which accompanies the sales transaction for each of the lots in this subdivision shall contain condition # 4 of this approval.
6. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau.
7. Work shall be done during low flow conditions.
8. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to surface waters and wetlands.
9. 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.
10. Orange construction fencing shall be placed at the limits of construction within or directly adjacent to wetlands or surface waters to prevent accidental encroachment on wetlands.
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. Culverts shall be laid at original grade.
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. 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 minor impact project per Administrative Rule Env-Wt 303.03(h), alteration of less than 20,000 square feet of nontidal wetlands.
2. A complaint for activities on this parcel was received by the DES Wetlands Bureau on May 02, 2005.
3. DES enforcement staff conducted a field inspection of the site on May 02, 2005, during which an on-site report was issued requesting a Standard Dredge and Fill Application was submitted to the DES Wetlands Bureau by June 03, 2005.
4. The Standard Dredge and Fill Application was received May 22, 2006.
5. A certified wetland scientist confirmed the project will not impact any vernal pools and wetland delineation plans with vernal pools identified were submitted to the DES Wetlands Bureau.
6. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
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 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.

**2005-02177                      GOFFSTOWN, TOWN OF  
GOFFSTOWN Harry Brook**

Requested Action:

Amendment request to add a 24 in. x 40 ft. water main sleeve and include herbicide treatment of invasive plant species.

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APPROVE AMENDMENT:

Dredge and fill approximately 3,405 square feet (consisting of 2,205 square feet of temporary impact and 1,200 square feet of permanent impact) of riverine, palustrine forested, scrub-shrub and emergent wetlands within and adjacent to Harry Brook. Work within jurisdiction consists of removing the existing approximately 7 foot x 19 foot x 26 foot span jack arch bridge and bridge abutments and associated sediment and replacing with an approximately 8 foot x 19 foot x 33 foot pre-cast box culvert bridge, footings, wing walls, restoration of the stream bed and adjacent wetlands and restoration of adjacent wetlands dominated by Japanese knotweed and construction of a new vegetated treatment swale.

With Conditions:

1. All work shall be in accordance with plans and narratives prepared by the Town of Goffstown, Department of Public Works, Proposed Treatment Swale plan sheet, dated December 19, 2005, as received by the Department on December 29, 2005 and plan sheet 1 of 1 Erosion Control Detail, revision dated February 10, 2006, as received by the Department on February 21, 2006, plan sheet 1 of 1 Proposed Bridge Details, revision dated June 21, 2006, plan sheet 1 of 1 Japanese Knotweed Additional Temporary Wetland Impact, revision dated July 28, 2006 as received by the Department on August 4, 2006, narratives as received by the Department on September 14, 2005, revised narratives, dated December 23, 2005, as received by the Department on December 29, 2005 and revised narrative, dated July 28, 2006 as received by the Department on August 4, 2006 and plans revision dated April 18, 2007 and May 10, 2007 as received by Department on June 21, 2007.
2. This permit is contingent on the Town of Goffstown obtaining construction easements from affected landowners outside of the existing road right-of-way. The Town shall supply copies of the recorded easements to DES Wetlands File No. 2005-02177 prior to the start of construction.
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. Work shall be done during low flow conditions.
5. This permit is contingent on review and approval, by the DES Wetlands Bureau, of final stream diversion/erosion control plans. Those plans shall detail the timing and method of stream flow diversion during construction, and show temporary siltation/erosion/turbidity control measures to be implemented.
6. The Permittee shall monitor the weather and will not commence work within flowing water, including the installation of cofferdams, when rain is in the forecast.
7. All in-stream work shall be conducted in a manner that minimizes the duration of construction in the watercourse. In-stream work shall not exceed five consecutive days in total unless specifically authorized in writing by the Wetlands Bureau.
8. There shall be no excavation or operation of construction equipment in flowing water.
9. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
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. Any native material removed from the streambed for installation of the new bridge footings shall be stockpiled separately and reused to emulate a natural channel bottom. Any new materials used within the stream channel must be similar to the natural stream substrate and shall not include angular rip-rap.
12. Temporary wetland impact areas shall be regraded to original contours.
13. Wetland restoration areas shall have at least 75% successful establishment of wetlands vegetation after two (2) growing

seasons, or it shall be replanted and re-established until a functional wetland is replicated in a manner satisfactory to the DES Wetlands Bureau.

14. Follow-up monitoring reports shall be submitted to DES within 60-days following completion of the project and at the end of two consecutive growing season following the completion of the project. The reports shall include narratives and photographs describing the status of the wetland restoration areas. The reports shall be prepared by a qualified professional.

15. Any areas from which vegetation has been cleared to gain access to the site shall be replanted with native species.

16. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid prior to entering surface waters or wetlands. Faulty equipment shall be repaired prior to entering jurisdictional areas.

17. 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.

18. All refueling of equipment shall occur outside of surface waters or wetlands during construction.

With Findings:

1. This is a minor impact project per Administrative Rule Wt 303.03(1); 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 Wt 303.04(n).
2. The need for the proposed impacts has been demonstrated by the applicant per 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 Wt 302.03.
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.
5. The New Hampshire Fish and Game Department (NHFGD) identified that their records show the brook floater (*Alasmidonta varicose*) and bridled shiner (*Notropis bifrenatus*) occur near the project site. NHFGD stated that they do not expect any impacts to these species by the project if an appropriately sized bottomless culvert is used and appropriate sediment controls be installed during construction and maintained until all soils are stabilized.
6. The proposed replacement bridge is approximately the same size as the existing bridge and is an open bottom structure.
7. The permit is contingent on appropriate erosions, sediment and turbidity controls.
8. The project includes construction of a new stormwater treatment swale that will improve the quality of the current stormwater runoff entering Harry Brook.
9. The Piscataquog River Local Advisory Committee (PRLAC) submitted comments suggesting that the crossing must be at least bankfull width to avoid future impacts to adjacent wetlands, timing of the work must be between July 1 and September 15 to protect spawning and larval life stages of fish species and that herbicide used to control Japanese knotweed on the site must be prevented from entering adjacent wetlands.
10. The proposed bridge is approximately the same size as the existing bridge.
11. The proposed bridge construction will take place in the month of August.
12. The revised restoration plan for the Japanese knotweed areas will not use herbicide and proposes removal of the knotweed by hand and replanting with native plant species.
13. The proposed amendment is not a substantial design change and addresses the follow-up requirements to emergency authorization #2006-1144.
14. The proposed amendment does not include any additional jurisdictional impacts.

**2006-01159                      BELL FAMILY TRUST, FRANK  
TUFTONBORO   Unnamed Wetland**

Requested Action:

Dredge and fill 15,631 square feet of forested wetland for relocation of Bixby Shores Road. Mitigate for the proposed impacts by preserving 13.4 acres of land.

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APPROVE PERMIT:

Dredge and fill 15,631 square feet of forested wetland for relocation of Bixby Shores Road. Mitigate for the proposed impacts by preserving 13.4 acres of land.

With Conditions:

1. All work shall be in accordance with plans by Anderson Livingston Engineers Inc., dated May 12, 2004, and revised through February 8, 2007, as received by the Department on April 12, 2007.
2. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.
3. The applicant shall notify in writing the DES Wetlands Bureau, the Conservation Commission and the easement holder of their intention to commence construction no less than five (5) business days prior to the commencement of construction.
4. Work shall be conducted during low water conditions.
5. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands or the easement area.
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. Culvert lengths are not to exceed 26 feet per the cross sections provided on the approved plans.
9. Culvert diameters shall be sized to pass a 25-year storm event.
10. Proper headwalls shall be constructed within seven days of culvert installation.
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. Silt fencing must be removed once the area is stabilized.
15. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).

Mitigation Conditions:

16. This permit is contingent upon the execution of a conservation easement on 13.4 acres.
17. This permit is contingent upon receipt of easement plans indicating that the roadway right of way is the proposed footprint of the roadway and not a 50 foot right of way. These plans must be received and approved by DES prior to the recordation of the plans.
18. 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.
19. 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 County Registry of Deeds Office shall be submitted to the DES Wetlands Bureau prior to the start of construction.
20. Signs to indicate the location of and restrictions on the area shall be posted every 150 feet along the boundary of the conservation area prior to construction.
21. The conservation easement area shall be surveyed by a licensed surveyor, and marked by monuments [stakes] prior to construction.
22. The Wetlands Bureau shall be notified of the placement of the easement monuments to coordinate on-site review of their location prior to construction.
23. The roadway shall not be upgraded beyond it's current state and shall not be paved.
24. There shall be no removal of the existing vegetative undergrowth within the easement area except within the permitted roadway, and the placement of fill, construction of structures, and storage of vehicles or hazardous materials is prohibited.
25. Activities in contravention of the conservation easement shall be construed as a violation of RSA 482-A, and those activities shall be subject to the enforcement powers of the Department of Environmental Services (including remediation and fines).

With Findings:

1. This is a 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).
2. The proposal is to provide access to existing lakefront properties that are losing their current access due to land exchange.
3. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01. 4. The applicant has reduced

the width of the roadway and the permit is conditioned that there be no further expansion of the roadway in the future.

5. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
6. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
7. The applicant has provided a conservation easement that meets the ratios and size requirements of Env-Wt 804.02.
8. The applicant has provided a function and value assessment of the wetlands proposed to be impacted as well as those to be preserved.
9. The Tuftonborough Conservation Commission has not provided comments on this application.

**2006-02491                      WEST STREET KEENE LLC**  
**BEDFORD   Unnamed Wetland**

Requested Action:

Dredge and fill approximately 9,656 sq. ft. wetlands (including 300 linear ft. of intermittent stream) for access and parking for two proposed retail buildings and a fast food restaurant.

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Inspection Date: 01/03/2007 by William A Thomas, Cws

APPROVE PERMIT:

Dredge and fill approximately 2,375 sq. ft. (143 linear ft.) of intermittent stream and associated wetlands for access and parking for a proposed retail building and fast food restaurant. Work in wetlands includes installation of a 24 in. x 83 ft. RCP and associated inlet and outlet protection, headwalls, filling and grading for access and grading and filling for a section of retaining wall along the proposed parking area.

With Conditions:

1. All work shall be in accordance with plans by TFMoran Inc., plan sheets 2, 8 and 9 of 9, dated July 3, 2007 and plan sheets 1, 3, 4, 5, 6 and 7 of 9, revision dated August 7, 2007, as received by DES on August 9, 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. The no cut/disturb buffer between the project area and Tioga River (Patten Brook) shall be marked by permanent monuments prior to construction.
4. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands and surface waters.
5. Work shall be done during low flow.
6. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
7. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
8. 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.
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. 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. Faulty equipment shall be repaired immediately.
15. 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((1) 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 need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01. 3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
5. DES Staff conducted a field inspection of the proposed project on January 3, 2007. During the field inspection it was determined that the proposed intermittent stream impact area was of low functions and values the closer it got to South River Road. DES requested that the linear footage of intermittent stream impacts be significantly reduced.
6. The proposed project impacts have been reduced from 9,656 sq. ft. of wetlands impact which included approximately 300 linear ft. of intermittent stream impacts to 143 linear ft. (2,375 sq. ft.) of intermittent stream and associated wetlands impacts.
7. New Hampshire Fish and Game Department requested a 50 foot no cut/no disturb buffer on Tioga River (Patten Brook) and no stormwater treatment in the buffer area. The applicant has provided a buffer that ranges from 42 feet to 71 feet. The proposed stormwater detention and treatment will not be in the buffer area.

**2006-02984                      CROSS, MIRLE**  
**SWANZEY   Unnamed Wetland**

Requested Action:

Dredge and fill approximately 7,470 square feet of forested and scrub-shrub wetlands and approximately 170 linear feet of intermittent stream for road access and stormwater treatment for a proposed 25-lot subdivision on ± 213.22 acres.

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APPROVE PERMIT:

Dredge and fill approximately 7,470 square feet of forested and scrub-shrub wetlands and approximately 170 linear feet of intermittent stream for road access and stormwater treatment for a proposed 25-lot subdivision on ± 213.22 acres.

With Conditions:

1. All work shall be in accordance with plans by SVE Associates dated December 01, 2006, and revised through January 23, 2007, February 27, 2007, March 13, 2007, March 27, 2007, and May 14, 2007, as received by the Department on May 16, 2007.
2. This permit is contingent on approval by the DES Alteration of Terrain Program.
3. This permit is contingent on approval by the DES Subsurface Systems Bureau.
4. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.
5. The deed which accompanies the sales transaction for each of the lots in this subdivision shall contain condition # 4 of this approval.
6. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau.
7. Work shall be done during low flow conditions.
8. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to surface waters and wetlands.
9. 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.
10. Orange construction fencing shall be placed at the limits of construction within or directly adjacent to wetlands or surface

waters to prevent accidental encroachment on wetlands.

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. Culverts shall be laid at original grade.
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. 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 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.
2. NHFG Inter-Department Communication dated December 18, 2006, requested endangered species habitat surveys and suggested the open-space is placed in a conservation easement given documented bobcat and deer yard habitat.
3. In a letter dated January 15, 2007, the Swanzy Conservation Commission expressed concern for bobcat habitat fragmentation, open-space, existing deer year, existing trail, wetland delineation, ditch/intermittent stream fill, aesthetics, and expressed appreciation for the open-space.
4. In a letter dated June 25, 2007, NHFG stated the submitted rapid ecological assessment satisfies NHFG requests.
5. The applicant's agent has confirmed the project will not impact any vernal pools and there are no vernal pools in the area of development.
6. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
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 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.

**2006-03004                      SAVAGE, CHESTER**  
**JEFFERSON   Unnamed Wetland**

Requested Action:

Dredge and fill 7,387 sq. ft. of manmade drainage ditch and forested wetlands for construction of an access road for a proposed 13-lot residential subdivision on a 212 acre parcel. Restore 9,500 sq. ft. of forested wetlands impacted by previous logging operations conducted on the property.

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APPROVE PERMIT:

Dredge and fill 7,387 sq. ft. of manmade drainage ditch and forested wetlands for construction of an access road for a proposed 13-lot residential subdivision on a 212 acre parcel. Restore 9,500 sq. ft. of forested wetlands impacted by previous logging operations conducted on the property.

With Conditions:

1. All work shall be in accordance with plans and narratives by Horizons Engineering PLLC, plan sheets 3 through 9 of 9, dated March 2007, narratives dated April 9, 2007, and plan prepared by Colin F. Sutherland titled "Wetland Delineation Plan For: Chester C. Savage and Janet R. Savage", revision dated November 27, 2006, as received by DES on April 16, 2007 and plans by Horizons Engineering PLLC, sheet 1 and 2 of 2, revision dated August 2, 2007 and narratives by Lobdell Associates, Inc., dated August 1, 2007 and August 3, 2007, as received by DES on August 6, 2007.
2. This permit is contingent on approval by the DES Alteration of Terrain Program.
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 County Registry of Deeds office by the Permittee. A copy of

- the recorded permit shall be submitted to the DES Wetlands Bureau by certified mail, return receipt requested, prior to construction.
6. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
  7. Work shall be done during low flow.
  8. 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.
  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. 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).

Wetlands Restoration:

14. Wetlands Restoration shall be conducted in accordance with the Wetlands Restoration Plan prepared by Lobdell Associates, Inc., dated August 1, 2007 and the conditions of this permit.
15. Wetlands restoration areas shall be regraded to original contours.
16. Wetland restoration areas shall have at least 75% successful establishment of wetlands vegetation after one full growing season, or it shall be replanted and re-established until a functional wetland is replicated in a manner satisfactory to the DES Wetlands Bureau, Compliance Section.
17. A wetlands restoration monitoring report (narrative and photographs) prepared by a Certified Wetlands Scientist (CWS) shall be submitted to the DES Wetlands Bureau Compliance Section by November 1, 2007 and by November 1, 2008.
18. The wetland restoration areas shall be monitored for the presence of invasive plant species. If invasive plant species are found during the restoration monitoring period a control plan prepared by the CWS shall be submitted and approved by the DES Wetlands Bureau Compliance Section.

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).
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
5. DES Staff conducted a field inspection of the site on November 7, 2006. Non-permitted impacts to wetlands were identified.
6. The owner submitted an application to address the non-permitted impacts and for additional impacts and restoration for a proposed subdivision.
7. The applicant has proposed to restore 9,500 sq. ft. of impacted wetlands.
8. The applicant is required to submit wetland restoration monitoring reports to the DES Wetlands Bureau Compliance Section.
9. A majority of the proposed wetlands impacts are a manmade wetlands/drainage ditches that was created during previous logging operation. A new drainage swale will be constructed along the new subdivision road that will provide higher quality stormwater drainage and treatment.
10. The proposed project has received a permit from the DES Alteration of Terrain Program.
11. The United States Fish and Wildlife Service and Environmental Protection Agency submitted comments regarding the review for endangered species and a vernal pool survey.
12. The applicant's agent addressed the agency's concerns. The New Hampshire Natural Heritage Bureau was contacted and a vernal pool survey was conducted on the property.

13. No endangered, threatened or species of special concern were known to be on the property and the Certified Wetland Scientist working on the project did not find any vernal pools.

**2007-00088 TAMBOR, WADE & ADELE  
CONWAY Conway Lake**

Requested Action:

Construct a 6'x 60' seasonal docking structure on one lot and a 6'x 80' seasonal docking structure with perched beach on an adjacent lot.

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DENY PERMIT-INSUFFICIENT & UNTIMELY RESP:

Construct a 6'x 60' seasonal docking structure on one lot and a 6'x 80' seasonal docking structure with perched beach on an adjacent lot.

With Findings:

1. A request for additional information dated March 14, 2007, addressed to the applicant or agent of record, requiring the applicant to submit additional information to DES within 120 days of the request.
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. On June 12, 2007, B.H. Associates requested a time extension.
4. On July 20, 2007, Personnel granted a 30 day due date extension and the new due date was moved to August 12, 2007
5. DES did not receive the requested additional information by August 12, 2007, and therefore the application has been denied.

Requested Action:

Revised plans coming per pc with the agent on 3/1... should be 6 ft x 30 ft docks...

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**2007-00128 GOVE REALTY TRUST  
HAMPTON Tidal Buffer**

Requested Action:

Excavate, regrade and otherwise alter terrain within 1,325 sq. ft. of previously disturbed tidal buffer zone, having sand dune characteristics, to raze an existing house and construct a new dwelling with all portions of the new primary structure being more than 50 feet landward of the highest observable tide line.

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Conservation Commission/Staff Comments:

The Hampton Conservation Commission has expressed concerns and "...does not recommend the granting of this application [permit] ..." and lists reasons which have been addressed by the agent for the applicant and provided information supporting approval of the project which has been addressed in findings.

- Inspection Date: 07/22/2007 by Frank D Richardson
- Inspection Date: 05/16/2007 by Frank D Richardson
- Inspection Date: 04/22/2007 by Frank D Richardson

APPROVE PERMIT:

Excavate, regrade and otherwise alter terrain within 1,325 sq. ft. of previously disturbed tidal buffer zone, having sand dune characteristics, to raze an existing house and construct a new dwelling with all portions of the new primary structure being more than 50 feet landward of the highest observable tide line.

With Conditions:

1. All work shall be in accordance with plans by Jones & Beach Engineers, Inc. dated 6/01 (last revised 7/02), as received by the

DES on January 16, 2007 .

2. There shall be no further alteration of areas within NH DES Wetlands Bureau jurisdiction for lot development, driveways, outbuildings or any other construction activities whatsoever.
3. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).
4. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment into vegetated sand dune areas.
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. Unvegetated areas within the sand dune jurisdictional area on this lot between the new dwelling and the extant edge of sand dune/ highest observable tide line shall be planted with American Beachgrass.
7. Only indigenous native plant material shall be used in landscaping this lot.
8. NH DES Wetlands Bureau Southeast Region staff and the Hampton Conservation Commission shall be notified in writing prior to commencement of work and upon its completion.

With Findings:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(a).
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01. 3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
5. DES Staff conducted a field inspections of the proposed project on 04/22/2007, 05/16/2007 & 07/20/2007. Field inspections determined the project as proposed will not adversely affect the remaining sand dune characteristics of the lot.
6. This project will not compromise the integrity of the remaining sand dune in the environs and new plantings of American Beachgrass will stabilize unvegetated areas between the new dwelling and the extant edge of dune/ highest observable tide line.

**2007-00495 SALOIS, GERRY & SHARLENE  
LACONIA Lake Winnepesaukee**

Requested Action:

Remove an existing 6 ft x 40 ft seasonal pier and construct a 6 ft x 45 ft piling pier, with a permanent boatlift, a three piling ice cluster, two tie off pilings, and 2 personal watercraft lifts on an average of 120 ft of frontage in Paugus Bay, in Laconia.

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APPROVE PERMIT:

Remove an existing 6 ft x 40 ft seasonal pier and construct a 6 ft x 45 ft piling pier, with a permanent boatlift, a three piling ice cluster, two tie off pilings, and 2 personal watercraft lifts on an average of 120 ft of frontage in Paugus Bay, in Laconia.

With Conditions:

1. All work shall be in accordance with plans by Watermark Marine Construction dated February 27, 2007, as received by DES on August 23, 2007.
2. Area shall be regraded to original contours following completion of work.
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 recorded permit shall be submitted to the DES Wetlands Bureau by certified mail, return receipt requested, prior to installation.
4. Support pilings shall be spaced a minimum of 12 feet apart as measured center to center.
5. The seasonal personal watercraft lifts shall be removed from the lake for the non-boating season.
6. No portion of the pier shall extend more than 45 feet from the shoreline at full lake elevation.
7. 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.
8. These shall be the only structures on this water frontage and all portions of the docking structures shall be at least 20 ft from the abutting property lines or the imaginary extension of those lines into the water.
9. The pea stone shall be removed from 10 sq ft of the shoreline to the north of the beach area and this area shall be revegetated as

require per Condition #14 of previous Permit # 2003-00528 by April 15, 2008.

10. Unnecessary removal of vegetation within the shoreland during construction shall be prohibited.
11. 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.
12. 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 Rule Env-Wt 303.03(d), construction of a 2 slip permanent pier.
2. The site is exposed to an average fetch of 1.1 miles between compass headings 338 and 8, thus meeting the criteria of Rule Env-Wt 402.05, Permanent Piers.
3. The Laconia Conservation Commission submitted concerns related to the accuracy of the plans submitted and the failure of the applicant to revegetate areas of the shoreline after previously permitted beach modifications.
4. The Applicant has submitted revised plans which accurately represent the frontage.
5. The Conservation Commissions assertion that the applicant has not fully complied with the conditions of Permit #2003-00528 is accurate. However Permit #2003-00528 has not expired and in accordance with Condition #9 of this permit, the Applicant has until April 15, 2008 to complete the revegetation as required.

**2007-00546 HILLSIDE INN CONDO ASSOCIATION, LINNEA EVERETT  
HEBRON Newfound Lake**

Requested Action:

Replenish existing 22 ft x 100 ft beach on 1160 ft of frontage in Hebron on Newfound Lake.

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Inspection Date: 08/29/2007 by Chris T Brison

APPROVE PERMIT:

Replenish existing 22 ft x 100 ft beach on 1160 ft of frontage in Hebron on Newfound Lake.

With Conditions:

1. All work shall be in accordance with beach plans by Linnea Everett as received by the Department on August 16, 2007 and top view plans of association docks as recieved by the Department on August 17, 2007.
2. No more than 41 cubic yards of sand may be used to maintain a 6 inch depth and all sand shall be located above the normal high water line.
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. This permit shall be used only once, and does not allow for annual beach replenishment.
5. The permittee shall provide appropriate diversion of surface water runoff to prevent erosion of beach area.
6. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This is a major impact project per Administrative Rule Env-Wt 303.02(o) replenishment of a beach exceeding more than 20 cubic yards of sand.
2. All impacts associated with this project shall be located above the normal high water line and, therefore, does not require the approval of the Governor and Executive Council.
3. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
4. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
5. 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.
6. DES Staff conducted a field inspection of the proposed project on 8/29/2007. Field inspection determined replenishment is needed, and appropriate stormwater diversions were put in place.

7. The public hearing is waived with the finding that the project impacts will not significantly impair the resources of this wetland ecosystem.

**2007-00567                    MANCHESTER PARKS & RECREATION, CITY OF  
MANCHESTER    Drainage Swale**

Requested Action:

Dredge and fill approximately 2,095 sq. ft. of an intermittent stream and associated emergent wetlands (currently functioning as a historically impacted stormwater drainage swale) for construction of a stormwater retention area containing a created wetland swale and installation of new on site drainage structures. Work is being conducted to improve existing drainage issues experienced during storm events.

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Inspection Date: 08/21/2007 by William A Thomas, Cws

APPROVE PERMIT:

Dredge and fill approximately 2,095 sq. ft. of an intermittent stream and associated emergent wetlands (currently functioning as a historically impacted stormwater drainage swale) for construction of a stormwater retention area containing a created wetland swale and installation of new on site drainage structures. Work is being conducted to improve existing drainage issues experienced during storm events.

With Conditions:

1. All work shall be in accordance with plans by Dubois & King Inc., dated June 2007, as received by DES on July 10, 2007.
2. The proposed wetland swale shall be planted with a native wetland seed mix/plants.
3. A post-construction report documenting the status of the created wetland swale shall be submitted to the Wetlands Bureau within 60 days of the completion of construction.
4. Work shall be done during low flow.
5. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
6. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
7. 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.
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.

With Findings:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(1) 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 need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01. 3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
5. DES Staff conducted a field inspection of the proposed project on August 21, 2007. The proposed impact areas have limited function and values and currently function as stormwater swales that receive untreated stormwater from Mammoth Road.
6. The new stormwater structures, drainage improvements and created wetland drainage swale should increase function and values and improve the quality of the stormwater that currently leaves the site.

7. The proposed retention area should help alleviate onsite and offsite drainage issues.

**2007-00798                      RUSSETT REALTY TRUST**  
**GILFORD   Lake Winnepesaukee**

**Requested Action:**

Applicant requests reconsideration of the Department's July 26, 2007 decision to deny the installation of a permanent tie-off pile and repair existing nonconforming docking facility, by omitting the installation of a nonconforming permanent tie-off pile.

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**Conservation Commission/Staff Comments:**

8/13/07 Motion for Reconsideration rec'd from Robert C. Brown, Agent for Robert Ruggerio, Russet Realty Trust - np

**APPROVE RECONSIDERATION:**

Reconsider and approve permit to: Replace 3 fender pilings and 1 tie-off piling and repair 52 linear ft of wharf "in-kind" on an average of 75 ft of frontage in Gilford, on Lake Winnepesaukee.

**With Conditions:**

1. All work shall be in accordance with plans by R. C. Brown as received by the Department on August 27, 2007.
2. This permit is for repairs only. No new modifications or alternations to the existing docking facility, such as the installation of new tie-off pilings, are authorized under this permit.
3. 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 registered permit shall be submitted to the DES Wetlands Bureau prior to construction.
4. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, maintained during construction, and shall remain until the area is stabilized.
5. This permit does not allow for maintenance dredging.
6. 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.
7. Work 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.
8. 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.
9. This permit to replace or repair existing structures shall not preclude the DES from taking any enforcement action or revocation action if it later determines that any "existing structures" were not previously permitted or grandfathered in their current configuration.
10. Future repairs shall maintain permitted size, location and configuration.
11. All construction related material and debris shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
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 minimum impact project per Administrative Rule Env-Wt 303.04(v), in-kind maintenance/repair of existing docking structures.
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.

**2007-01052                      GREENFIELD, TOWN OF**  
**GREENFIELD   Rand Brook**

Requested Action:

Dredge and fill 2,203 square feet of Rand Brook to replace the failed Dodge Road 10.7-foot x 7.2-foot x 40-foot corrugated metal arch culvert with a 20-foot x 8-foot x 35-foot pre-cast concrete span and dry hydrant; and temporarily impact 1,360 square feet for work space.

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APPROVE PERMIT:

Dredge and fill 2,203 square feet of Rand Brook to replace the failed Dodge Road 10.7-foot x 7.2-foot x 40-foot corrugated metal arch culvert with a 20-foot x 8-foot x 35-foot pre-cast concrete span and dry hydrant; and temporarily impact 1,360 square feet for work space.

With Conditions:

1. All work shall be in accordance with plans by CLD dated April 2007, as received by the Department on August 08, 2007.
2. No riprap shall be placed in the streambed.
3. Materials used to emulate a natural channel bottom within the culvert, between wingwalls and beyond must be rounded and smooth stones similar to the natural stream substrate in up and downstream reaches and shall not include angular stone/riprap or gravel.
4. The Town shall obtain temporary construction easements from affected landowners outside of the existing road right-of-way and shall supply copies of the recorded easements to DES Wetlands File No. 2007-01052 prior to construction
5. Work shall be done during low flow conditions
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. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
8. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to wetlands and surface waters.
9. There shall be no excavation or operation of construction equipment in flowing water.
10. 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.
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 twenty (20) feet of undisturbed vegetated buffer.
12. Work within the stream, inclusive of work associated with installation of a cofferdam, shall be done during periods of low flow. High flows can be caused by seasonal runoff or precipitation; the permittee shall monitor local forecasts to review weather conditions.
13. No work within the confined area shall proceed until the cofferdam is fully effective, and water flow is controlled.
14. Temporary cofferdams shall be entirely removed immediately following construction.
15. Proper headwalls shall be constructed within seven days of culvert installation.
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).
17. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid.
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.
19. All refueling of equipment shall occur outside of surface waters or wetlands during construction.
20. Banks shall be restored to their original grades and to a stable condition within three days of completion of construction.
21. Areas from which vegetation has been cleared to gain access to the site shall be replanted with like native species.
22. 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.
23. Post-construction photographs documenting the status of the completed project shall be submitted to the DES Wetlands Bureau within sixty (60) days of the completion of construction.

With Findings:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(l), 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. No comments were submitted from the NHFG Nongame and Endangered Wildlife Program, the Natural Heritage Bureau, or the Greenfield Conservation Commission.
3. This permit is conditioned that no riprap/angular rock shall be placed in Rand Brook streambed.
4. This permit is contingent upon post-construction photographs documenting the status of the completed project to be submitted to the DES Wetlands Bureau within sixty (60) days of the completion of construction.
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.

**2007-01090 DVMD HOLDINGS INC, PRES DAVID DEVRIES  
WINDHAM Cobbett's Pond**

Requested Action:

Replace existing deteriorated 5 ft.X 95 ft. seasonal wooden wharf having four attached seasonal 4 ft.X 20 ft. finger docks with a new structure of the same dimensions in the same location; reconstruct 80 linear feet of existing stone wall maintaining shoreline contours; remove existing 800 sq. ft. perched beach area and revegetate area; regrade existing trail along frontage, with no tree removal, to provide for safe wheelchair access on 325 linear feet of shoreline frontage on Cobbetts Pond.

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Conservation Commission/Staff Comments:

The Windham Conservation Commission reviewed the project proposal and "... had no issues with the plan as proposed."

Inspection Date: 08/10/2007 by Frank D Richardson

APPROVE PERMIT:

Replace existing deteriorated 5 ft.X 95 ft. seasonal wooden wharf having four attached seasonal 4 ft.X 20 ft. finger docks with a new structure of the same dimensions in the same location; reconstruct 80 linear feet of existing stone wall maintaining shoreline contours; remove existing 800 sq. ft. perched beach area and revegetate area; regrade existing trail along frontage, with no tree removal, to provide for safe wheelchair access on 325 linear feet of shoreline frontage on Cobbetts Pond.

With Conditions:

1. All work shall be in accordance with plans by Benchmark Engineering, Inc. dated February 17, 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/or further permitting by the Bureau.
3. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).
4. 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.
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. Repairs and reconstruction shall maintain existing size, location and configuration.
7. Existing rocks which have fallen from the wall shall be used for repair. Additional rocks may be added as needed for bank stabilization provided existing shoreline contour is maintained.
8. No trees shall be removed for the regrading of the existing trail.
9. 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.

10. NH 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 minor impact project per Administrative Rule Env-Wt 303.03(a),(d)&(j).
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
5. DES Staff conducted a field inspection of the proposed project on August 10, 2007. Field inspection determined the project as proposed will not significantly change existing conditions on this shoreline frontage and will provide safer pedestrian access to the water.
6. Existing multi-slip docking system to be upgraded does not exceed boat slip/ frontage ratio. Existing beach, which is now on a steep slope and subject to erosion, will be removed and planted with indigenous shrub vegetation. Existing trail along shoreline will be improved with minimum impact to existing conditions, require no tree removal and will provide safer pedestrian access.

**2007-01289                      ANDOVER, TOWN OF**  
**ANDOVER Highland Lake**

Requested Action:

Dredge and fill a total of 1687 square feet for dam reconstruction and repair further described as follows: Temporarily impact 1290 square feet within the bed and banks of Highland Lake and Sucker Brook for construction access, and dam repair, and permanently impact 395 square feet for installation of a fence and rip rap along 63 linear feet of shoreline on Highland Lake, Andover.

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APPROVE PERMIT:

Dredge and fill a total of 1687 square feet for dam reconstruction and repair further described as follows: Temporarily impact 1290 square feet within the bed and banks of Highland Lake and Sucker Brook for construction access, and dam repair, and permanently impact 395 square feet for installation of a fence and rip rap along 63 linear feet of shoreline on Highland Lake, Andover.

With Conditions:

1. All work shall be in accordance with plans by Dubois and King dated August 3, 2007, as received by the Department on August 7, 2007.
2. This permit is contingent on approval by the DES Dam Safety Program.
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. The applicant shall notify in writing the DES Wetlands Bureau, the Conservation Commission of their intention to commence construction no less than five (5) business days prior to the commencement of construction.
5. Work shall be done during drawdown.
6. No work shall occur between May 15 through August 15.
7. 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.
8. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
9. No equipment shall enter the water.
10. 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.
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. Work within the stream, inclusive of work associated with installation of a cofferdam, shall be done during periods of low flow. High flows can be caused by seasonal runoff or precipitation; the permittee shall monitor local forecasts to review weather conditions.
13. No work within the confined area shall proceed until the cofferdam is fully effective, and water flow is controlled.
14. Temporary cofferdams shall be entirely removed immediately following construction.
15. 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.
16. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
17. Area of temporary impact shall be regraded to original contours following completion of work.
18. 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 minor impact project per Administrative Rule Env-Wt 303.03(k), projects that disturb between 50 and 200 linear feet, measured along the shoreline, of a lake or pond or its bank and do not meet the criteria of Env-Wt 303.02.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01. 3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
5. The applicant has provided signed copies of the easements with the abutting property owners indicating agreement with the proposed impacts.

**2007-01375                      BLACKWATCH PROPERTIES LLC, THOMAS MARKEY III**  
**SEABROOK   Blackwater River/salt Marsh/atlantic Ocean**

Requested Action:

Temporarily impact 1,960 square feet with the previously disturbed 100-foot tidal buffer zone for the installation of a gas line.

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Conservation Commission/Staff Comments:

No comments were received from the Seabrook Conservation Commission.

APPROVE PERMIT:

Temporarily impact 1,960 square feet with the previously disturbed 100-foot tidal buffer zone for the installation of a gas line.

With Conditions:

1. All work shall be in accordance with plans by Millennium Engineering, Inc. dated May 7, 2007, as received by DES on June 15, 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. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).
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. 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. Area shall be regraded to original contours following completion of work.

With Findings:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(b) Projects that involve work within 50 feet of a saltmarsh that do not meet the criteria of Env-Wt 303.02.
2. The applicant wishes to connect the existing dwelling to the gas utility line, therefore the need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The impacts will be temporary in nature, therefore, 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 NH Natural Heritage Bureau (NHNHB) has identified natural communities, plant species, and vertebrate species within the vicinity of the project. DES review of this application finds that the NHNHB identified species will not be impacted as a result of this project as the impacts are temporary.

**2007-01417                      CARDIGAN LAND ENTERPRISES LLC**  
**PLYMOUTH   Unnamed Wetland**

Requested Action:

Dredge and fill 1484 square feet for access in the subdivision of 21.7 acres into 4 single family residential lots.

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APPROVE PERMIT:

Dredge and fill 1484 square feet for access in the subdivision of 21.7 acres into 4 single family residential lots.

With Conditions:

1. All work shall be in accordance with plans by Cardigan Mountain Land Services dated June 19, 2007, as received by the Department on June 21, 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 recorded permit shall be submitted to the DES Wetlands Bureau.
5. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
6. Work shall be done during periods of non-flow.
7. Appropriate siltation/erosion controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized.
8. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
9. Proper headwalls shall be constructed within seven days of culvert installation.
10. 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).
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. Silt fencing must be removed once the area is stabilized.
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).

With Findings:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(1), 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 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.

**MINIMUM IMPACT PROJECT**

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**2007-00228                      RICH, JON & TRACEY BENOIT**  
**BELMONT   Unnamed Wetland**

**Requested Action:**

Retain 230 square feet of impact including the 15-inch x 24 foot culvert for access to an existing animal barn and paddock and impact an additional 34 square feet for installation of rip rap aprons.

\*\*\*\*\*

**APPROVE PERMIT:**

Retain 230 square feet of impact including the 15-inch x 24 foot culvert for access to an existing animal barn and paddock and impact an additional 34 square feet for installation of rip rap aprons.

**With Conditions:**

1. All work shall be in accordance with plans by Bryan L Bailey Associates Inc dated February 2006, received by the Department on April 10, 2007, and revisions by Turtle Pond Ent. dated August 8, 2007, as received by the Department on August 8, 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 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. Proper headwalls shall be constructed at the culvert inlet and outlet.
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. 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(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 provided a waiver request per Env-Wt 204.03, to waive the requirements of Env-Wt 304.09(c) of the original permit 2000-02057.
5. The applicant has demonstrated that it is unreasonable to limit access to the buildable uplands on the other side of the wetlands.
6. It would be an economic hardship for the owner to lose the access to the existing barn and paddock area.

7. 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 Env-Wt 304.09(c).
8. The waiver is granted in accordance with Env-Wt 204.04(b), as strict compliance with the rule will provide no benefit to the public and will cause an operational or economic hardship to the applicant.

**2007-00458                      UGO, PAUL**  
**FRANCONIA   Unnamed Wetland**

Requested Action:

Dredge and fill approximately 18,750 sq. ft. of poorly drained forested wetlands to construct a 24,000 sq. ft. wildlife pond that includes 4 vegetated zones.

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APPROVE PERMIT:

Dredge and fill approximately 18,750 sq. ft. of poorly drained forested wetlands to construct a 24,000 sq. ft. wildlife pond that includes 4 vegetated zones.

With Conditions:

1. All work shall be in accordance with plans and narratives submitted/by Lobdell Associates, Inc., "Figure 4 Pond Location on Lot 11", "Figure 5 Paul Ugo Pond" and "Figure 6 Paul Ugo Dugout Pond Cross-Section A-A", and narrative "Attachment A", as received by DES on March 9, 2007, Request for More Information response narrative, dated June 29, 2007, as received by DES on July 10, 2007 and "Figure 7 Vegetative Zones", as received by DES on August 10, 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. A New Hampshire Certified Wetland Scientist (CWS) shall monitor the pond construction to assure the pond is constructed in compliance with the approved plans (figures and narratives).
4. The CWS shall prepare and submit a follow-up monitoring report within 60-days of the completion of the project.
5. Work shall be done during low flow.
6. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
7. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
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. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
10. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
11. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(p) Construction of a pond with less than 20,000 sq. ft. of wetlands impact, provided:
  - (1) None of the wetlands have very poorly drained soil as defined in Env-Ws 1002.84;
  - (2) There are no streams into or out of the proposed pond site;
  - (3) The project is not located in prime wetlands; and
  - (4) The project does not meet the requirements of Env-Wt 303.02(k)
2. 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.
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. The applicant's agent submitted a plan (Subdivision Plan of Land for Notchway Place, dated October 2003, received by DES on July 10, 2007) depicting wetland boundaries and stamped by a New Hampshire Certified Wetland Scientist (CWS).

**2007-01709 UGO ENTERPRISES INC  
LISBON Unnamed Wetland**

Requested Action:

Dredge and Fill approximately 2360 sq. ft. of forested wetlands, remove and re-install an 18 in. culvert for road construction to facilitate access to a proposed single family residence.

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APPROVE PERMIT:

Dredge and Fill approximately 2360 sq. ft. of forested wetlands, remove and re-install an 18 in. culvert for road construction to facilitate access to a proposed single family residence.

With Conditions:

1. All work shall be in accordance with plan entitled: Driveway Plan for Lisbon Tax Map 48, Lot 11, Prepared by Headwaters Hydrology PLLC, dated July 18, 2007, as received by the Department on July 23, 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. 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. Culvert outlets shall be protected in accordance with the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).
8. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(f); Projects involving alteration of less than 3,000 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.

**2007-01983 JACKSON SKI TOURING FOUNDATION  
JACKSON Unnamed Wetland Ellis River**

Requested Action:

Dredge and fill 5,210 square feet of wetlands to improve drainage and surface conditions on an existing cross-country ski trail with nine (9) individual wetland crossings.

\*\*\*\*\*

APPROVE PERMIT:

Dredge and fill 5,210 square feet of wetlands to improve drainage and surface conditions on an existing cross-country ski trail with nine (9) individual wetland crossings.

With Conditions:

1. All work shall be in accordance with revised plans by H.E. Bergeron Engineers, Inc. dated August 17, 2007, as received by DES on August 21, 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. 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.
4. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
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 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(y), as each of the nine trail crossings is less than 3,000 square feet.
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.

**2007-01986 JACKSON SKI TOURING FOUNDATION  
JACKSON Unnamed Wetland**

Requested Action:

Dredge and fill 2,950 square feet of wetlands to improve drainage and surface conditions on an existing cross-country ski trail (Yodel Trail) with three (3) individual wetland crossings.

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APPROVE PERMIT:

Dredge and fill 2,950 square feet of wetlands to improve drainage and surface conditions on an existing cross-country ski trail (Yodel Trail) with three (3) individual wetland crossings.

With Conditions:

1. All work shall be in accordance with revised plans by H.E. Bergeron Engineers, Inc. dated August 17, 2007, as received by DES on August 21, 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. 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.
4. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
5. 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).
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(y), as each of the three trail crossings is less than 3,000 square feet of impact.
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.

**FORESTRY NOTIFICATION**

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**2007-01875                      FARRELL, JOHN**  
**BARRINGTON   Unnamed Stream**

COMPLETE NOTIFICATION:  
Barrington Tax Map 246, Lot# 17

**2007-01876                      DARTMOUTH COLLEGE, TRUSTEES OF**  
**LYME   Unnamed Stream**

COMPLETE NOTIFICATION:  
Lyme Tax Map 414, Lot# 58

**2007-01888                      GUARALDI, LEONARD**  
**WEST LEBANON   Unnamed Stream**

COMPLETE NOTIFICATION:  
West Lebanon Tax Map 159, Lot# 1

**2007-01890                      CAMEROTA, DANIEL**  
**ACWORTH   Unnamed Stream**

COMPLETE NOTIFICATION:  
Acworth Tax Map 215, Lot# 1

**2007-01891                      ANDERSON, HARMONY**  
**STRAFFORD   Unnamed Stream**

COMPLETE NOTIFICATION:  
Strafford Tax Map 16, Lot# 24 & 25

**2007-01894**                    **AMERICAN LEGION, POST #13**  
**GREENVILLE** Unnamed Stream

COMPLETE NOTIFICATION:  
Greenville Tax Map 2, Lot# 43

**2007-01895**                    **KINGS ARROW REALTY TRUST**  
**FITZWILLIAM** Unnamed Stream

Requested Action:  
Fitzwilliam Tax Map 3, Lot# 32-4  
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**2007-01896**                    **MARTIN, THOMAS & LAUREL**  
**SALISBURY** Unnamed Stream

COMPLETE NOTIFICATION:  
Salisbury Tax Map 230, Lot# 12

**2007-01897**                    **PELHAM, TOWN OF**  
**HUDSON** Unnamed Stream

COMPLETE NOTIFICATION:  
Hudson Tax Map 226, Lot# 1

**2007-01898**                    **PELHAM, TOWN OF**  
**PELHAM** Unnamed Stream

Requested Action:  
Pelham Tax Map 26, Lot# 2-79  
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**2007-01899**                    **PELHAM, TOWN OF**  
**PELHAM** Unnamed Stream

COMPLETE NOTIFICATION:  
Pelham Tax Map 30, Lot# 11-254

**2007-01908**                    **CONANT, SUSAN**  
**RUMNEY** Unnamed Stream

COMPLETE NOTIFICATION:  
Rumney Tax Map 13, Lot# 3-9

**2007-01910**                    **HALL, GARDNER**  
**GROTON** Unnamed Stream

COMPLETE NOTIFICATION:

Groton Tax MAp 8, Lot# 1

**2007-01911                    GREEN ACRE WOODLANDS INC**  
**STRATFORD   Unnamed Stream**

COMPLETE NOTIFICATION:

Stratford Tax Map R2, Lot# 3

**2007-01923                    WARICK MANAGEMENT CO INC**  
**PITTSBURG   Unnamed Stream**

COMPLETE NOTIFICATION:

Pittsburg Tax Map C4, Lot# 286

**2007-01924                    PERRY STREAM LAND & TIMBER CO., INC.**  
**PITTSBURG   Unnamed Stream**

COMPLETE NOTIFICATION:

Pittsburg Tax Map C3 & 4, D4,5,6, Lot# 53

**2007-01925                    CONNER, WILLIAM & DONNA**  
**EFFINGHAM   Unnamed Stream**

COMPLETE NOTIFICATION:

Effingham Tax Map 416, Lot# 16, 17 & 18

**2007-01926                    LANDVEST INC**  
**GROTON   Unnamed Stream**

COMPLETE NOTIFICATION:

Groton Tax Map 4, Lot# 1

**2007-01927                    DARTMOUTH COLLEGE, TRUSTEES OF**  
**SEC COLL GRANT   Unnamed Stream**

COMPLETE NOTIFICATION:

Second College Grant Tax Map 1625, Lot# 4

**2007-01929                    LOUTREL, STEPHEN & ELIZABETH**  
**WARREN   Unnamed Stream**

COMPLETE NOTIFICATION:

Warren Tax Map 5, Lot# 2

**2007-01930**                    **YANKEE FOREST LLC**  
**MILAN**   **Unnamed Stream**

COMPLETE NOTIFICATION:  
Milan Tax Map 42, Lot# 02 Parcel R

**2007-01936**                    **NICOLAY, JEFF**  
**CHARLESTOWN**   **Unnamed Stream**

COMPLETE NOTIFICATION:  
Charlestown Tax Map 208, Lot# 6

**2007-01937**                    **VILLARD, KATHARINE**  
**NEW HAMPTON**   **Unnamed Stream**

COMPLETE NOTIFICATION:  
New Hampton Tax Map R4, Lot# 11 & 18

**2007-01938**                    **FARMINGTON FISH & GAME CLUB INC**  
**NEW DURHAM**   **Unnamed Stream**

COMPLETE NOTIFICATION:  
New Durham Tax Map 11, Lot# 5, 7A, 7B, 8A & 8B

**2007-01940**                    **BANCROFT, PETER & MARY**  
**LANGDON**   **Unnamed Stream**

COMPLETE NOTIFICATION:  
Langdon Tax Map 1, Lot# 3310-3

**2007-01941**                    **ROBINSON, FRANCIS/WENDY**  
**SANBORNTON**   **Unnamed Stream**

COMPLETE NOTIFICATION:  
Sanbornton Tax Map 20, Lot# 53

**2007-01943**                    **EDWARDS, HAROLD & MOIRA**  
**CANAAN**   **Unnamed Stream**

COMPLETE NOTIFICATION:  
Canaan Tax Map 16, Lot# 6

**2007-01967**                    **CAMPBELL, W PACKY**  
**FARMINGTON**   **Unnamed Stream**

COMPLETE NOTIFICATION:  
Farmington Tax Map R34, Lot# 1

**2007-01968**                    **KENNARD, MICHAEL & JUDITH**  
**NOTTINGHAM** Unnamed Stream

COMPLETE NOTIFICATION:  
Nottingham Tax Map 11, Lot# 9

**2007-01969**                    **LANDMARK LAND SALES LLC**  
**LEMPSTER** Unnamed Stream

COMPLETE NOTIFICATION:  
Lempaster Tax Map 10, Lot# 504,052

**2007-01970**                    **MCCABE, DONNA LEE**  
**HANCOCK** Unnamed Stream

COMPLETE NOTIFICATION:  
Hancock R7, Lot# 9A & 10

**2007-01971**                    **FORSYTH JR, DONALD**  
**CHESTER** Unnamed Stream

COMPLETE NOTIFICATION:  
Chester Tax Map 8, Lot# 15-1 & 39

**2007-01973**                    **RIESER/ MYERS, MARGARET/ MELISSA**  
**TAMWORTH** Unnamed Stream

COMPLETE NOTIFICATION:  
Tamworth Tax Map 416, Lot# 18

**2007-01974**                    **CAMPBELL, BARBARA**  
**HANCOCK** Unnamed Stream

COMPLETE NOTIFICATION:  
Hancock Tax Map R15, Lot# 18 & 19

**2007-01977**                    **ACHILLE REVOCABLE TRUST, JANET**  
**PETERBOROUGH** Unnamed Stream

COMPLETE NOTIFICATION:  
Peterboro Tax Map R10,11, Lot# 9

**2007-01978                    NORFOLK CORP  
CARROLL   Unnamed Stream**

COMPLETE NOTIFICATION:  
Carroll Tax Map 407, Lot# 60 & 66

**2007-01979                    NEW FORESTRY, LLC, C/O LANDVEST  
GOSHEN   Unnamed Stream**

COMPLETE NOTIFICATION:  
Goshen Tax Map 407, Lot# 1

**2007-01991                    CHAMPAGNE, ROY  
WARNER   Unnamed Stream**

COMPLETE NOTIFICATION:  
Warner Tax Map 4, Lot# 21

**2007-02022                    SWAIN BARRINGTON LLC, JACK FARRELL  
BARRINGTON   Unnamed Stream**

COMPLETE NOTIFICATION:  
Barrington Tax Map 212, Lot# 14

**EXPEDITED MINIMUM**

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**2007-01688                    CHESTERFIELD, TOWN OF  
CHESTERFIELD   Partridge Vrook**

Requested Action:  
Replace a failed 30-inch x 48-foot CMP culvert with a 36-inch x 55-foot ADS culvert along an unnamed stream at Westmoreland Road.

\*\*\*\*\*

APPROVE PERMIT:  
Replace a failed 30-inch x 48-foot CMP culvert with a 36-inch x 55-foot ADS culvert along an unnamed stream at Westmoreland Road.

With Conditions:  
1. All work shall be in accordance with plans by Bart Bevis, Chesterfield Road Agent, dated July 11, 2007, as received by the Department on July 26, 2007.  
2. The Department has determined that this project is in the vicinity of an impaired waterbody. Therefore stormwater runoff treatment for this project shall be designed and constructed so that the stormwater pollutant loads from the completed project are no greater than the stormwater pollutant loads that existed prior to the project for all pollutants causing impairment which are likely to

be in stormwater discharged from the completed project.

3. Work shall be done during low flow conditions.
4. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to surface waters and wetlands.
5. In the event there is flow at the time of construction a stream diversion plan shall be submitted to the department prior to construction. Those plans shall detail the timing and method of stream flow diversion during construction, and show temporary siltation/erosion/turbidity control measures to be implemented.
6. There shall be no excavation or operation of construction equipment in flowing water.
7. 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.
8. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
9. Proper headwalls shall be constructed within seven days of culvert installation.
10. Culverts shall be laid at the original grade of the existing stream channel.
11. Culverts shall not be perched.
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. 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(x), maintenance repair or replacement of an existing culvert.
2. Photographs illustrate a dry stream channel.
3. The slight culvert length extension is required to increase sideslopes.
4. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
5. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
6. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

**2007-01689                      CHESTERFIELD, TOWN OF**  
**CHESTERFIELD   Unnamed Stream**

Requested Action:

In-kind replacement of an existing failing 24-inch x 45-foot CMP culvert along Sucker Brook at Maple Road.

\*\*\*\*\*

APPROVE PERMIT:

In-kind replacement of an existing failing 24-inch x 45-foot CMP culvert along Sucker Brook at Maple Road.

With Conditions:

1. All work shall be in accordance with plans by Bart Bevis, Chesterfield Road Agent, dated July 10, 2007, as received by the Department on July 26, 2007.
2. Work shall be done during low flow conditions.
3. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to surface waters and wetlands.
4. In the event there is flow at the time of construction a stream diversion plan shall be submitted to the department prior to construction. Those plans shall detail the timing and method of stream flow diversion during construction, and show temporary siltation/erosion/turbidity control measures to be implemented.
5. There shall be no excavation or operation of construction equipment in flowing water.
6. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is

stabilized.

7. 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. Culverts shall be laid at the original grade of the existing stream channel.
10. Culverts shall not be perched.
11. 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).
12. 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(x), maintenance, repair or replacement on a non-docking structure.
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.

**2007-01804                      SCARPETTI, JOCELYN**  
**MANCHESTER Merrimack River**

Requested Action:

Repair 80 linear ft. of dry laid stone retaining wall along the Merrimack River.

\*\*\*\*\*

APPROVE PERMIT:

Repair 80 linear ft. of dry laid stone retaining wall along the Merrimack River.

With Conditions:

1. All work shall be in accordance with "Existing Conditions Plan" by David M. O'Hara and Associates, dated June 21, 2007, "Profile of Existing Retaining Wall" plan by Schauer Environmental Consultants, L.L.C., dated June 25, 2007, as received by DES on August 7, 2007.
2. Work shall be done during drawdown.
3. Repair shall maintain existing size, location and configuration.
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. 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).
8. The Department has determined that this project is in the vicinity of an impaired waterbody. Therefore stormwater runoff treatment for this project shall be designed and constructed so that the stormwater pollutant loads from the completed project are no greater than the stormwater pollutant loads that existed prior to the project for all pollutants causing impairment which are likely to be in stormwater discharged from the completed project.
9. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid. Faulty equipment shall be repaired immediately.
10. 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 (x) Maintenance, repair, or replacement of a nondocking structure such as a culvert, headwall, bridge, dam, residential utility line, or rip-rap slope of less than 50 linear feet.
2. The 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.

**2007-01873                      SPINNAKER COVE YACHT CLUB**  
**LACONIA   Lake Winnepesaukee**

Requested Action:

Repair and maintain existing tie off piles located in a major 142 slip docking facility on Lake Winnepesaukee, Laconia.  
 \*\*\*\*\*

Conservation Commission/Staff Comments:  
 Con Com signed Exp Application

APPROVE PERMIT:

Repair and maintain existing tie off piles located in a major 142 slip docking facility on Lake Winnepesaukee, Laconia.

With Conditions:

1. All work shall be in accordance with plans by Lakes Region Marine dated December 08, 1998, as verified by Lynn LeClair on August 22, 2007, as received by DES on August 22, 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 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. Repairs shall maintain existing size, location and configuration of all structures.
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. 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.
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 minimum impact project per Rule Env-Wt 303.04(v), repair of existing docking structures with no change in size, location or configuration.

**2007-02065                      ALSTEAD, TOWN OF**  
**ALSTEAD   Warren Brook**

Requested Action:

Restore and stabilize 1,150 linear ft. (bed and banks) of Warren Brook with riprap, native boulders and plantings. The site is identified by NRCS engineer's as DSR 30R7 and identified by the Town of Alstead and qualified by a federal agency multidisciplinary team to be funded as part of the USDA-NRCS Emergency Watershed Protection (EWP) program in response to the October 2005 flooding.  
 \*\*\*\*\*

**APPROVE PERMIT:**

Restore and stabilize 1,150 linear ft. (bed and banks) of Warren Brook with riprap, native boulders and plantings. The site is identified by NRCS engineer's as DSR 30R7 and identified by the Town of Alstead and qualified by a federal agency 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 by the USDA Natural Resources Conservation Service (NRCS) entitled "Streambank Stabilization, Town of Alstead, DSR Site # 30R7", dated August 23, 2007 and Construction Specifications 2, 5, 6, 8, 11, 21, 23, 61 and 95 and Material Specifications 523 and 592 submitted in support of the permit application, as received by the DES Wetlands Bureau on August 29, 2007.
2. Work shall be done during low flow.
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 Town Board of Selectman and the Town Conservation Commission prior to the start of work.
5. Work shall be inspected by NRCS to ensure the appropriate protective measures are properly implemented, including those outlined in the plans and documents supporting this permit application and the conditions of this authorization.
6. All work shall be conducted in a manner so as to minimize turbidity and sedimentation to surface waters and wetlands.
7. 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.
8. 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.
9. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized.
10. Extreme precautions shall be taken to limit unnecessary removal of vegetation within riparian areas.
11. Erosion control structures shall be removed once the work areas are stabilized.
12. Construction equipment shall be inspected for leaking fuel, oil and hydraulic fluid prior to entering or working near surface waters or wetlands.
13. Faulty equipment shall be repaired prior to entering or working near jurisdictional areas.
14. 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 provided the project.
2. On August 21, 2007 the Alstead Conservation Commission and the Cold River Local Advisory Committee when NRCS presented its remedial action plans to be taken along the Warren Brook as remediation for the 2005 rain event.
3. The Alstead Conservation Commission have reviewed the project plans and has not objections to the application submission for the Cold River NRCS remediation plan.
4. This project has been identified by the Town of Alstead and qualified by a federal agency multidisciplinary team to be funded as part of the USDA-NRDS Emergency Watershed Protection (EWP) program in response to the October 2005 flooding.
5. The NH DES recognizes the time frame limits to the funding of this project.

**TRAILS NOTIFICATION**

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**2007-01901                      VAPPI TRUST, JEAN  
MOULTONBOROUGH   Shannon Brook**

**COMPLETE NOTIFICATION:**

Moultonboro Tax Map 90, Lot# 4

**LAKES-SEASONAL DOCK NOTIF**

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**2007-02049                      FRANCOEUR, KENNETH**  
**WAKEFIELD Belleau Lake**

COMPLETE NOTIFICATION:  
Wakefield, NH Tax map 71 Lot 92  
Belleau Lake

**2007-02068                      KEATING, KAROL**  
**MEREDITH Waukewan Lake**

COMPLETE NOTIFICATION:  
Meredith, NH Tax map S26 Lot 62  
Waukewan Lake

**ROADWAY MAINTENANCE NOTIF**

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**2007-02073                      NHDOT**  
**WARNER Unnamed Stream**

COMPLETE NOTIFICATION:  
replace and clean inlet and outlet a failing 12-inch diameter corrugated metal pipe (CMP) that is causing pavement voids on Pumpkin Hill, in Warner NH and replace with a 12-inch diameter CMP using BMP's 2 through 13 as appropriate

**2007-02074                      NHDOT**  
**BOW Unnamed Stream**

COMPLETE NOTIFICATION:  
Conduct roadside ditch maintenance including stabilizing undermined catch basin and associated underdrain culvert. Cleaning inlet to basin using BMP's 1,5,7,8 through 10 and 12 as appropriate

**2007-02075                      NHDOT**  
**NORTHWOOD Unnamed Stream**

COMPLETE NOTIFICATION:  
Replace 15" CMP

**2007-02076**                    **NHDOT**  
**PELHAM**   **Unnamed Stream**

**COMPLETE NOTIFICATION:**

Conduct roadside ditch maintenance approximately 30' alone Roue 128 & Cleaning the inlet of a 30" RCP on the Rt. 128

**2007-02077**                    **NHDOT**  
**KENSINGTON**   **Unnamed Stream**

**COMPLETE NOTIFICATION:**

Replace 36" CMP,extend outlet 10',replace headwall and stabilize embankment all at the outlet end

**2007-02078**                    **NHDOT**  
**CONCORD**   **Unnamed Stream**

**COMPLETE NOTIFICATION:**

Replace 12" CMP, stabilize washed out area

**2007-02079**                    **TOWN OF AUBURN**  
**AUBURN**   **Unnamed Stream**

**COMPLETE NOTIFICATION:**

The work includes replacement of a 30" diameter RCP culvert with a 30" diameter HDPE culvert which crosses an access road to Town land off Priscilla Lane. The original RCP culvert was destroyed during the flooding in the Spring of 2007 and was removed

**2007-02080**                    **NHDOT**  
**NEW BOSTON**   **Unnamed Stream**

**COMPLETE NOTIFICATION:**

Repair failing headwall on NH Route 136 in New Boston using BMP's 2 though 13 as appropriate

**PERMIT BY NOTIFICATION**

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**2007-01661**                    **PREWITT, JEANNE**  
**TUFTONBORO**   **Lake Winnepesaukee**

**Requested Action:**

Replace failed crib and docking structure.

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**PBN IS COMPLETE:**

Replace failed crib and docking structure.

**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.

**2007-02051                      HOWLAND, ROGER**  
**ALTON   Lake Winnepesaukee**

Requested Action:

Repair in-kind ice damaged crib dock

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PBN IS COMPLETE:

Repair in-kind ice damaged crib dock

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.

**2007-02052                      CULLETON, JAMES**  
**TUFTONBORO   Lake Winnepesaukee**

Requested Action:

Repair existing piling supported dock in-kind.

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PBN IS COMPLETE:

Repair existing piling supported dock 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.

**2007-02053                      DEER PARK BEACH ASSOCIATION**  
**MEREDITH   Lake Winnisquam**

Requested Action:

Replenish existing association beach.

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PBN IS COMPLETE:

Replenish existing association beach.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(aa) Replenish existing beach.