

Wetlands Bureau Decision Report

Decisions Taken
05/12/2008 to 05/18/2008

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

**2002-01268 FALLS WAY GREENLAND LLC, FRANK CATAPANO
GREENLAND Unnamed Wetland**

Requested Action:

Approve name change to: Falls Way aGreenland, LLC, c/o Frank Catapano, 123 Water St. Unit 4SE, Exeter, NH 03833 per request received 5/12/2008. Previous owner: Endicott General Partnership.

Conservation Commission/Staff Comments:

Rec'd 3/30/04 - Greenland Conservation Commission's petition of appeal dated 3/28/04, re: Endicott General Partnership, c/o Malcolm McNeill, Atty., McNeil, Taylor & Gallo, P.A., Dover NH - copies made for Dori and J. Patterson sent messenger mail

Inspection Date: 08/13/2002 by Dori A Wiggin

Inspection Date: 08/13/2002 by David A Price

APPROVE NAME CHANGE:

Fill a total of 42,350 sq. ft. of palustrine wetlands for roadway crossings at 12 locations, including 4,000 square feet for the construction of a 100 linear foot bridge, for a 79-lot subdivision on 212 acres. Approval includes, as mitigation, the preservation of a total of approximately 106 acres, consisting of approximately 27 acres of upland and approximately 79 acres of wetland, to be placed in conservation easement and held by the Town of Greenland; and, creation of 24,829 sq. ft. (one 10,890 sq. ft. area, and one 13,939 sq. ft. area) of flood plain scrub/shrub and emergent marsh wetlands constructed as compensation for wetland impacts within the 100 year flood plain; and, execution of the Atlantic White Cedar Management Plan as prepared by Carex Ecosystems dated 12/6/02, rec'd by DES 12/6/02.

With Conditions:

1. All work shall be in accordance with plans by Beals Associates PLLC dated 3/10/03 for driveway locations; as received by the Department on 3/18/03, and per bridge plan by Beals Associates entitled "Plan and Profile P2" dated 11/12/03, received by DES 11/18/03.
2. This permit is contingent upon submission of, and approval by DES of, revised plans depicting the following:
 - a. Elimination of the road design for the September Drive access, except for such portion outside of wetlands jurisdiction as may be necessary to ensure sufficient road frontage and/or driveway access for lot 1. As noted in the DES decision on reconsideration, DES is willing to consider a proposal, complete with an appropriate showing of need, to construct the September Drive access within the five-year period of this permit, and will not consider such a proposal to be a "further wetlands impact" under Wt 304.09(c). The right-of-way depiction on the plan may remain, and this area may be designated as "potential future emergency access location";
 - b. Replacement of culvert drainage structures with open-bottomed con-span structures, designed in accordance with appropriate drainage calculations, with a minimum vertical clearance of 2 feet, and elimination of associated outlet rip rap, to allow wildlife movement and minimize artificial conditions in wetlands, in the following locations: at station 4+00 between lots 8 and 21; at station 3+00 between lots 28 and 31; and, at station 8+00 between lots 19 and 21.
3. This permit is contingent upon submission of, and approval by DES of, revised Conservation Easement plans depicting the placement of lots 19, 22, and 23 into conservation to further protect wetland and vernal pool resources in these locations; and addition of the 50' upland buffer on lots 15, 16, 17, 18, 24, 26, 27, 28, 29, 36 to protect sensitive wetland resources at these locations.
4. This permit is contingent on approval or sign off by the DES Dam Safety Program.
5. This permit is contingent on approval by the DES Site Specific Program.
6. This permit is contingent on approval by the DES Subsurface Systems Bureau.
7. This permit is contingent upon submission of restoration plans for areas where wells are proposed to be installed in the natural buffer area of the conservation easement, to prevent any impacts as a result of well installation.
8. Restoration of temporary well installation impact areas shall have at least 75% successful establishment of buffer vegetation after two (2) growing seasons, or they shall be replanted and re-established until a functional vegetated buffer is replicated in a manner satisfactory to the DES Wetlands Bureau.

9. Coastal staff shall be notified in writing prior to commencement of work and upon completion.
10. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
11. All designated filter strip areas are to remain natural and untouched, with the exception of enhancement plantings, however no grading or artificial construction of the filter strip shall occur.
12. Dredged material shall be placed out of any area that is within the jurisdiction of the DES Wetlands Bureau.
13. Construction shall be inspected by a qualified wetland scientist, erosion control specialist, or professional engineer to insure that appropriate protective measures are properly implemented, including those outlined in the plans and documents supporting this permit application and the conditions of this authorization.
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. Dewatering of work areas shall be discharged to sediment basins located in uplands and lined with hay bales or other acceptable sediment trapping liners. De-watering water shall be discharged away from water bodies, on stable surfaces, in a non-erosive manner. Additionally, all turbid trench de-watering discharged within one-hundred (100) feet of any water body shall be discharged through a filter bag.
16. All in-stream work shall be conducted during low flow conditions and in a manner so as to minimize turbidity.
17. All in-stream work shall be conducted in a manner so as to minimize the duration of construction in the watercourse. The NHDES Wetlands Bureau shall be notified in writing where in-stream construction exceeds 48 continuous hours.
18. Stream banks shall be restored to a stable condition and shall be restored to the same as or better than pre-construction conditions.
19. The applicant shall notify NHDES Wetlands Bureau in writing within twenty-four (24) hours of an erosion event resulting in sediment entering a wetland or surface water.
20. 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.
21. 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.
22. 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.
23. 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.
24. 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.

Land Resources Preservation:

1. This permit is contingent upon demonstration by the applicant that the Greenland Conservation Commission (or other appropriate town or suitable entity) is willing to accept the conservation easement deeds.
2. This permit is contingent upon submission of, and approval by DES of, revised Conservation Easement plans depicting the placement of lots 19, 22, and 23 into conservation to further protect wetland and vernal pool resources in these locations; and addition of the 50' upland buffer on lots 15, 16, 17, 18, 24, 26, 27, 28, 29, 36 to protect sensitive wetland resources at these locations. This plan shall include revised mitigation acreage totals, based on the changes described herein, for each element of the mitigation. Draft conservation easement language shall be submitted to the Wetlands Bureau and local Conservation Commission for review and approval.
3. This permit is contingent upon the execution of the final conservation easement approved by DES as described in this approval and revised according to condition 2 above.
4. 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.
5. The deed which accompanies the sales transaction for each of the lots in this subdivision shall contain condition #4 of the Land Resources Preservation section of this approval.
6. 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.

7. The final conservation easement plan approved by DES for each appropriate lot within 10 days from receipt of this decision and submit a certified receipt from the Rockingham County Registry of Deeds to the DES Wetlands Bureau.
8. The applicant shall prepare a report summarizing existing conditions within the conservation area. The report shall contain photographic documentation of the easement area, and shall be submitted to the DES and the grantee prior to construction to serve as a baseline for future monitoring of the easement area.
9. The applicant shall submit seasonal monitoring reports monitoring the health of the vernal pool area over 5 years post-development to assure that the vernal pool located adjacent to the wetlands crossing for the access from Breakfast Hill Rd. is thriving with the 80' minimal buffer area.
10. The conservation easement area shall be surveyed by a licensed surveyor, and marked by monuments [stakes] prior to construction.
11. 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.
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.
12. 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).
13. This permit is contingent upon full implementation of the Atlantic White Cedars Management Plan prepared by Carex Ecosystems dated 12/6/02 as received by DES on 12/6/02.

Wetland construction:

1. This permit is contingent upon the creation of 24,829 sq. ft. of wetlands in accordance with plans received.
2. The schedule for construction of the mitigation area shall coincide with site development unless otherwise considered and authorized by the Wetlands Bureau to occur subsequent to site construction.
3. The mitigation area shall be properly constructed, monitored, managed in accordance with approved final mitigation plans, and the entire mitigation area shall be preserved from future development.
4. Wetland soils from areas vegetated with purple loosestrife shall not be used in the wetland creation site. In other areas the permittee considers spreading the spoils, the potential for the establishment of the invasive species should be considered to limit its further establishment.
5. Wetland creation and enhancement 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.
6. Wetland creation and enhancement areas shall be properly constructed, landscaped, monitored and remedial actions taken that may be necessary to create functioning wetland areas similar to those of the wetlands destroyed by the project. Remedial measures may include replanting, relocating plantings, removal of invasive species, changing soil composition and depth, changing the elevation of the wetland surface, and changing the hydraulic regime.
7. The permittee shall designate a qualified professional who will have the responsibility to assure that the mitigation area is constructed in accordance with the mitigation plan, that monitoring is accomplished in a timely fashion, and remedial measures are taken if necessary. The Wetlands Bureau shall be notified of the designated professional prior to the start of work and if there is a change of status during the project.
8. The permittee shall monitor the initial construction of the mitigation area to assure the work is accomplished in accordance with the plan, and that the necessary soil, water and vegetation is present upon completion of work. Site monitoring shall include a plan for removing invasive species and shall be reviewed by the Wetlands Bureau prior to implementation.
9. The permittee shall conduct a follow-up inspection after the first growing season, to review the success of the mitigation area and schedule remedial actions if necessary. A report outlining these follow-up measures and a schedule for completing the remedial work shall be submitted by December 1 of that year. Similar inspections, reports and remedial actions shall be undertaken in at least the second and third years following the initial completion of each mitigation site.
10. After at least five full growing seasons, the permittee shall delineate the wetlands within the mitigation site and document the delineation with data forms and depict the delineation as an overlay of the final as-built plans.
11. 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.

With Findings:

1. This permit transfer is issued in accordance with NH Administrative Rule Env-Wt 502.02.

2007-02039 MARINUCCI, JOE
MOULTONBOROUGH Lake Winnepesaukee

Requested Action:

Permanently remove two 6 ft x 40 seasonal docks connected by a seasonal walkway and construct a breakwater, in an "L" configuration, with a 16 ft gap at the shoreline, and three, 4 ft x 30 ft piers accessed by a 6 ft x 30 ft walkway on an average of 199 ft of frontage on Lake Winnepesaukee, Moultonborough.

Conservation Commission/Staff Comments:

No Con Com comments by Oct 06, 2007.

Plan not to scale or dimensioned, therefore it is impossible to calculate impact areas and volumes.

Inspection Date: 10/19/2007 by Darlene Forst

DENY PERMIT:

Permanently remove two 6 ft x 40 seasonal docks connected by a seasonal walkway and construct a breakwater, in an "L" configuration, with a 16 ft gap at the shoreline, and three, 4 ft x 30 ft piers accessed by a 6 ft x 30 ft walkway on an average of 199 ft of frontage on Lake Winnepesaukee, Moultonborough.

With Findings:

Standards for Approval

1. In accordance with RSA 482-A:3, I Excavating and Dredging Permits, "[n]o person shall excavate, remove, fill, dredge or construct any structures in or on any bank, flat, marsh, or swamp, or in an adjacent to any waters of the state without a permit from the department."
2. In accordance with RSA 482-A:3, XIV, (b) "any request for additional information shall specify that the applicant submit such information as soon as practicable and shall notify the applicant that if the requested information is not received within 120 days of the request, the department shall deny the application."
3. In accordance with RSA 482-A:3, XIV, (c), (3) where the Department requests additional information pursuant to subparagraph (b), the Department shall, within 30 days of the Department's receipt of the information, extend the time for response for good cause and with the written agreement of the Applicant.

Finding of Fact

1. On August 27, 2007, the Wetlands Bureau received an application for impacts, on the lot identified as Moultonborough tax map 263, lot 71, (the "Lot") to permanently remove two 6 ft x 40 seasonal docks connected by a seasonal walkway and construct a breakwater, in an "L" configuration, with a 16 ft gap at the shoreline, and three, 4 ft x 30 ft piers accessed by a 6 ft x 30 ft walkway on an average of 199 ft of frontage on Lake Winnepesaukee, Moultonborough.
2. On October 19, 2007, the Wetlands Bureau conducted a field inspection of the site. Field inspection found the area which was subject to a prior enforcement restoration approval has not been maintained as required in the restoration approval, and the existing seasonal piers did not exhibit any apparent damage from wave action.
3. On November 08, 2007, the Wetlands Bureau sent a Request for More Information letter. This letter requested the applicant submit several items, including but not limited to, all the information as required by Env-Wt 402.06, Breakwaters, including section(c), a signed, notarized permission letter for the portion of the breakwater to be located within the abutters setback from the affected abutter as required per RSA 482-A:3, XIII, the information as required by Env-Wt 302.04, and a construction sequence to complete the application.

4. Pursuant to RSA 482-A, the Request for More Information letter should have had a deadline date of 120 days from the date of the letter for the applicant to respond and submit the requested information. The correct date should have been March 07, 2008. The letter incorrectly stated that the deadline for response was May 07, 2008. The letter allowed 181 days for response, 61 days more than the law allows. The error was discovered on or about, March 07, 2008.
5. The Department waited until the May 07, 2008 date specified for response to the Request for More Information, for the requested information to be submitted, and to take an action on the application.
6. The applicant submitted a request for an extension via fax on May 07, 2008. The request included a copy of the same plan submitted with the original application on August 27, 2007, with the abutter setback line re-drawn, no other information requested in the Request for More Information letter was submitted.
7. The information submitted on May 07, 2008, does not provide the requested information in the Request for More Information letter dated November 08, 2007.

Rulings in Support of Denial

1. The Department has not found that there is not good cause to extend the deadline for response to the November 08, 2007 Request for More Information letter.
2. Pursuant to RSA 482-A:3,XIV(b), the applicant has failed to provide the information requested and, therefore, the application is denied.

2007-02863 ZAJAC, LOU
TUFTONBORO Lake Winnepesaukee

Requested Action:

The Applicant requests reconsideration of the March 14, 2008 denial to remove three finger piers, and add a "T-section" to an existing "T-shaped" dock on 290 ft of frontage in Tuftonboro on Lake Winnepesaukee based on revised plans submitted.

APPROVE RECONSIDERATION:

Reconsider and approve application to: Remove two 4 ft x 20 ft piers and one 3 ft x 20 ft pier, extend the main pier in a major docking facility to final dimensions of 5 ft x 169 ft and add two 3 ft x 21 ft finger piers at the lakeward end to provide deeper water in 4 slips within an existing private community docking facility on 290 ft of frontage in Tuftonboro on Lake Winnepesaukee.

With Conditions:

1. All work shall be in accordance with plans by Luke Freudenberg as received by DES on April 7, 2008.
2. The 3 piers designated for removal shall be completely removed from the frontage prior to the installation of any new structure on the frontage and shall not be reinstalled at any time.
3. This permit shall not be effective until it has been recorded with the appropriate County Registry of Deeds office by the Permittee. A copy of the recorded permit shall be submitted to the DES Wetlands Bureau by certified mail, return receipt requested, prior to construction.
4. This permit does not authorize dredging for any purpose.
5. Work authorized shall be carried out such that discharges shall be avoided in spawning or nursery areas during spawning seasons, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
6. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding and nesting areas shall be avoided.
7. The unnecessary removal of vegetation is prohibited.
8. Appropriate siltation, erosion, and turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.
9. 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.
10. This permit does not authorize the deposition of sand for any purpose.
11. No portion of the docks shall extend more than 169 ft lakeward of the normal high water line.
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 major project per Rule Env-Wt 303.02(d), Modification to a major docking facility.
2. The applicant has an average of 290 feet of frontage along Lake Winnepesaukee.
3. The Applicant is proposing to remove 3 piers providing 6 boat slips and install a "T" providing 4 slips at the lakeward end of the existing docking facility.
4. The proposed modifications will result in a 2 slip reduction in the total number of slips provided on the frontage.
5. The proposed relocation of the boat slips is a less impacting solution to providing deeper water within the slips than dredging the slips in their current location.
6. The proposed modification provides fewer slips on the frontage and is less impacting than dredging to provide water depth and, therefore, the project meets the requirements of Rule Env-Wt 402.20.

2008-00066 MARSH, MICHAEL
GREENLAND Great Bay

Requested Action:

Install a total of 4,000 sq. ft. of stone rip-rap along 400 linear feet of severely eroded shoreline to prevent further degradation and loss of soil and trees due to high storm wave and wind energy at this location on 950 feet of frontage on Great Bay.

Conservation Commission/Staff Comments:

"After a full review, the [Greenland Conservation] Commission found no problems with the application and recommended the applicant move forward with the reclamation as presented in the application."

Inspection Date: 11/15/2007 by Frank D Richardson

APPROVE PERMIT:

Install a total of 4,000 sq. ft. of stone rip-rap along 400 linear feet of severely eroded shoreline to prevent further degradation and loss of soil and trees due to high storm wave and wind energy at this location on 950 feet of frontage on Great Bay.

With Conditions:

1. All work shall be in accordance with plans by Pickering Marine Corporation dated 1/4/08, as received by DES on January 16, 2008.
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. 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. Work shall be done from the upland during periods of low tide.
6. 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 major impact project per Administrative Rule Env-Wt 303.02(b), projects within 100 feet of the highest observable tide line that alter any bank, ...
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01. 3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a)and (c), 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 November 15, 2007. Field inspection determined: This site, because of the north/northeast facing shoreline being subject to considerable fetch, takes the brunt of storms causing considerable wave action to be generated across Great Bay and impacting this shoreline. Because of the severe shoreline erosion experienced in

the past, vegetative stabilization and/or bioengineering options are not appropriate for this site. Stone rip-rap is the only feasible alternative to prevent further degradation and loss of trees along this shoreline.

2008-00301 BRESNAHAN, JOSEPH
ALTON

Requested Action:

Fill 900 sq ft to construct a 58 linear ft dog-legged configured breakwater with a 12 ft gap at the shoreline, construct a 6 ft x 35 ft cantilevered walkway connected to a 4 ft x 30 ft cantilevered dock and a 2 ft x 30 ft finger dock, and install two tie off pilings on 131 ft of frontage in Alton on Lake Winnepesaukee.

Inspection Date: 05/14/2008 by Chris T Brison

APPROVE PERMIT:

Fill 900 sq ft to construct a 58 linear ft dog-legged configured breakwater with a 12 ft gap at the shoreline, construct a 6 ft x 35 ft cantilevered walkway connected to a 4 ft x 30 ft cantilevered dock and a 2 ft x 30 ft finger dock, and install two tie off pilings on 131 ft of frontage in Alton on Lake Winnepesaukee.

With Conditions:

1. All work shall be in accordance with plans by Folsom Design & Construction Management dated February 19, 2008, as received by the Department on February 27, 2008.
2. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to construction.
3. Appropriate siltation and erosion controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.
4. Work authorized shall be carried out such that discharges in spawning or nursery areas during spawning seasons shall be avoided, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
5. All portions of the proposed structures, including the breakwater toe of slope, shall be at least 20 ft from the abutting property lines or the imaginary extension of those lines into the water.
6. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate work area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
7. No portion of breakwater as measured at normal full lake shall extend more than 50 feet from normal full lake shoreline.
8. The breakwater shall not exceed 3 feet in height (Elev 507.32) over the normal high water line (Elev 504.32).
9. The width as measured at the top of the breakwater (Elev 507.32) shall not exceed 3 feet.
10. This permit does not authorize maintenance dredging activities.
11. This permit does not authorize sand deposition and/or beach construction.
12. The gap between the breakwater and shoreline shall be maintained at a distance of 12 ft.
13. Rocks may not remain stockpiled on the frontage for a period longer than 60 days. Rocks shall not be stockpiled with 20 ft of any property line or the extension of any property line over the water.
14. Photos showing that all construction materials have been removed from the temporary stockpile area shall be submitted to the Bureau upon completion of the docking facility.
15. This facility is permitted with the condition that future proposed maintenance dredging, if needed, shall not be permitted more frequently than once every 6 years, and that a new permit shall be required for each dredge activity.
16. The owner understands and accepts the risk that if this facility requires dredging to maintain a minimum slip depth of 3 feet, more frequently than once every 6 years, or is shown to have an adverse impact on abutting frontages, it shall be subject to removal.
17. The breakwater shall have an irregular face to dissipate wave energy.
18. Support pilings shall be spaced a minimum of 12 ft apart as measured center to center.
19. 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), construction 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. The applicant has an average of 131 feet of shoreline frontage along Lake Winnepesaukee.
4. A maximum of 2 slips may be permitted on this frontage per Rule Env-Wt 402.12 Frontage Over 75'.
5. The proposed docking facility will provide 2 slips as defined per RSA 482-A:2 and, therefore, meets Rule Env-Wt 402.12.
6. Public hearing is waived based on field inspection, by NH DES staff, on May 14,2008 , with the finding that the project impacts will not significantly impair the resources of Lake Winnepesaukee.
7. Field inspection on May 14, 2008 found no obvious evidence of sand migration along this shoreline.

-Send to Governor and Executive Council-

2008-00339 HEBB, LAWRENCE & JANET
ALTON Lake Winnepesaukee

Requested Action:

Rework an existing "L-shaped" breakwater to incorporate two 12 inch culverts to promote water movement,repair the "F-shaped" cantilevered and piling supported docking system, dredge 32 cubic yards of sand from a 650 square foot area, and repair 25 linear ft of rip-rapped shoreline on an average of 100 linear ft of frontage on Barndoor Island, Lake Winnepesaukee, in Alton.

Inspection Date: 05/15/2008 by Chris T Brison

APPROVE PERMIT:

Rework an existing "L-shaped" breakwater to incorporate two 12 inch culverts to promote water movement,repair the "F-shaped" cantilevered and piling supported docking system, dredge 32 cubic yards of sand from a 650 square foot area, and repair 25 linear ft of rip-rapped shoreline on an average of 100 linear ft of frontage on Barndoor Island, Lake Winnepesaukee, in Alton.

With Conditions:

1. All work shall be in accordance with plans as received by the Department on March 4, 2008.
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 registered permit shall be submitted to the DES Wetlands Bureau prior to construction.
3. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, maintained during construction, and shall remain until the area is stabilized.
4. Work authorized shall be carried out such that discharges in spawning or nursery areas during spawning seasons shall be avoided, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
5. Work shall be carried out in a time and manner such that there will be no disturbance to migratory waterfowl breeding areas or fish spawning areas.
6. 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.
7. 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.
8. Future repairs shall maintain permitted size, location and configuration.
9. All construction related material and debris shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
10. This permit does not authorized beach sand replenishment landward and/or lakeward of the normal high water mark elevation.
11. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This is a major impact project per Administrative Rule Env-Wt 303.02(g) dredge more than 20 cubic yards of rock, gravel, sand,

mud, or other materials from public waters.

2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a), Requirements for Application Evaluation, has been considered in the design of the project.
5. In accordance with RSA 428-A:8, DES finds that the requirements for a public hearing do not apply as the permitted project is not of substantial public interest, and will not have a significant impact on or adversely affect the values of the resource, as identified under RSA 482-A:1.
6. DES Staff conducted a field inspection of the proposed project on May 14, 2008. Field inspection determined that site is prone to sand migration.
7. The installation of the culverts is intended to promote subsurface water currents and restore a more natural sand drift pattern along this shoreline.

-Send to Governor and Executive Council-

2008-00346 DUMONT, KEVIN
CANDIA Unnamed Pond

Requested Action:

Dredge 23,560 sq. ft. of palustrine emergent and scrub-shrub wetlands dominated by invasive species (cat-tails and purple loosestrife) to expand an existing pond to increase the capacity of the pond to provide a water source adequate for fire suppression needed at this location.

Conservation Commission/Staff Comments:

No report or comments received from the Candia Conservation Commission. The Candia Fire Department submitted a letter strongly supporting the need for the enlarged capacity of a fire suppression pond in this location.

APPROVE PERMIT:

Dredge 23,560 sq. ft. of palustrine emergent and scrub-shrub wetlands dominated by invasive species (cat-tails and purple loosestrife) to expand an existing pond to increase the capacity of the pond to provide a water source adequate for fire suppression needed at this location.

With Conditions:

1. All work shall be in accordance with plans by Fraggie Rock Environmental Services dated 2/15/08, as received by DES on March 07, 2008.
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. NH DES Wetlands Bureau Southeast Region staff shall be notified in writing prior to commencement of work and upon its completion.
4. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
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. Work shall be done during low flow conditions.
7. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid prior to entering surface waters or wetlands.
8. Faulty equipment shall be repaired prior to entering jurisdictional areas.
9. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each operator shall be trained in its use.
10. All refueling of equipment shall occur outside of surface waters or wetlands during construction of the pond.

With Findings:

1. This is a major impact project per Administrative Rule Env-Wt 303.02(c).
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 Candia Fire Department submitted a letter strongly supporting the need for the enlarged capacity of a fire suppression pond in this location.
6. No compensatory wetlands mitigation is required for this project due to the demonstrated need for the increased capacity of this fire suppression pond and the low value wetlands dominated by invasive species that are being impacted.

MINOR IMPACT PROJECT

**2006-00272 GIOVINELLI, STEVEN & LISA
DEERFIELD Unnamed Wetland Hartford Brook**

Requested Action:

Approve name change to: Steven & Lisa Gioninelli, 1465 Hooksett Rd. # 195, Hooksett Nh 03106 per request received 5/14/2008.
Previous owner Jennifer L Comer.

Conservation Commission/Staff Comments:
Conservation Commission did not report.

APPROVE NAME CHANGE:

Dredge and fill a total of 5,851 square feet of wetlands to construct two driveway crossings to access a single family house lot, including: 3,015 square feet of impact to install a 24" x 39' culvert in a wet meadow; and 2,836 square feet of impact to install a 36" x 60" x 29' open bottom box culvert to cross a perennial stream.

With Conditions:

1. All work shall be in accordance with revised plans by RSL Layout and Design, Inc. dated 3/14/2006, as received by the Department on 3/15/2006.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.
4. This permit is contingent upon receipt and DES approval of stream diversion/ dewatering plan for work at crossing locations which involve perennial streams.
5. 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).
6. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
7. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.
8. Silt fencing must be removed once the area is stabilized.
9. 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.

10. Unconfined work within the river, exclusive of work associated with installation of a cofferdam, shall be done during periods of low flow.
11. Cofferdams shall not be installed during periods of high flow, whether due to seasonal runoff or precipitation. Once a cofferdam is fully effective, confined work can proceed without restriction.
12. 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.
13. Temporary cofferdams shall be entirely removed immediately following construction.
14. 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.
15. 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.
16. 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.
17. 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.
18. Proper headwalls shall be constructed within seven days of culvert installation.
19. 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).
20. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
21. Work shall be done during low flow.

With Findings:

1. This permit transfer is issued in accordance with NH Administrative Rule Env-Wt 502.02.

2007-02404 WORTHEN, DAVID
WILTON Unnamed Pond

Requested Action:

Dredge approximately 5,534 square feet of palustrine forested wetlands for pond construction.

APPROVE PERMIT:

Dredge approximately 4,889 square feet of palustrine forested wetlands for pond construction.

With Conditions:

1. All work shall be in accordance with plans by Monadnock Septic Design, LLC, dated May 09, 2007, and revised through March 11, 2008, as received by the Department on April 17, 2008.
2. All work shall be done in during low flow conditions.
3. Appropriate erosion/siltation controls shall be installed prior to construction, shall be maintained during construction, and shall remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
4. 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.
5. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to wetlands and surface waters.
6. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
7. There shall be no excavation or operation of construction equipment in flowing water.
8. Machinery shall be staged and refueled in upland areas.
9. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a

minimum of twenty (20) feet of undisturbed vegetated buffer.

10. Work shall not cause violations (sedimentation and turbidity) of surface water quality standards, in accordance with Env-Ws 1700.

11. Within three calendar days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

With Findings:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(e), construction of a pond with less than 20,000 square feet of impact in a wetland or surface waters, which does not meet the criteria of Env-Wt 303.04(p).
2. The proposed pond dredge will impact very poorly drained soils.
3. The proposed pond dredge impacts were reduced from approximately 5,534 square feet to approximately 4,889 square feet.
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.

**2007-02495 CHASE, HEBERT
CLAREMONT Sugar River**

Requested Action:

Dredge and fill approximately 150 square feet of the Sugar River to repair a failing building foundation wall.

APPROVE PERMIT:

Dredge and fill approximately 150 square feet of the Sugar River to repair a failing building foundation wall.

With Conditions:

1. All work shall be in accordance with plans by M&W Soils Engineering, Inc. dated October 01, 2007, as received by the DES Wetlands Bureau on October 16, 2007, and construction sequence as received by the DES Wetlands Bureau on April 01, 2008.
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. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B as it exists at the time of construction.
4. Work shall be done during annual low flow conditions and during the months of May through September. No in-stream work shall occur after October 1 unless a waiver of this condition is issued by the DES Wetlands Bureau in consultation with the NH Department of Fish and Game Department.
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. 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.
7. There shall be no excavation or operation of construction equipment in flowing water.
8. No equipment shall enter the river, equipment shall work from the bank and top of the bank.
9. Unconfined work within the river, exclusive of work associated with installation of a cofferdam, shall be done during periods of low flow.
10. Cofferdams shall not be installed during periods of high flow, whether due to seasonal runoff or precipitation. Once a cofferdam is fully effective, confined work can proceed without restriction.
11. 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.

- 12. Temporary cofferdams shall be entirely removed immediately following construction.
- 13. 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.
- 14. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
- 15. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid. Faulty equipment shall be repaired immediately.
- 16. 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.
- 17. All refueling of equipment shall occur outside of surface waters or wetlands during construction.
- 18. A post-construction report documenting the status of the project area with photographs shall be submitted to the Wetlands Bureau within 60 days of the completion of construction.

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 a river channel or its banks.
- 2. No comments were submitted from the NHFG Nongame and Endangered Wildlife Program or the Natural Heritage Bureau.
- 3. In correspondence dated March 21, 2008 the Claremont Conservation Commission stated they have no objections to the project.
- 4. In correspondence dated April 24, 2008, the Vermont Public Service Corporation, who owns flowage rights to the Sugar River, gave permission for the proposed wall repairs.
- 5. The applicant has received written consent from the owner of Lot 17 (Tax Map 120), abutters to the property on which project activities will take place, for work within 20 feet of their property lines, in accordance with Env-Wt 304.04(a).
- 6. The area is a highly urbanized section of the river. The river bank to be repaired consists of building foundations and a rock retaining wall. The bank area upstream and downstream of project consists of building foundations.
- 7. There is no vegetation associated with the proposed repair area.
- 8. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01. 9. 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.
- 10. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.

2007-02864 BAE SYSTEMS
LITCHFIELD Unnamed Wetland

Requested Action:

Temporary impacts to 15,790 sq. ft. of palustrine forested/ scrub-shrub wetlands to remove standing woody vegetation, while leaving the root systems in place, to provide a 10 foot wide path along the inside perimeter of the security fence surrounding this BAE Systems facility for maintenance and inspections.

Conservation Commission/Staff Comments:

No report or comments were received from the Litchfield Conservation Commission.

APPROVE PERMIT:

Temporary impacts to 15,790 sq. ft. of palustrine forested/ scrub-shrub wetlands to remove standing woody vegetation, while leaving the root systems in place, to provide a 10 foot wide path along the inside perimeter of the security fence surrounding this BAE Systems facility for maintenance and inspections.

With Conditions:

- 1. All work shall be in accordance with plans by Meridian Land Services, Inc. dated September 26, 2006, as received by DES on

December 06, 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. Area shall be regraded to original contours (to eliminate logging skidder rutting) and planted with a wetland seed mix following completion of work .
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. Work shall be done during low flow conditions.
6. NH DES 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(h), temporary impacts to 15,790 sq. ft. of palustrine forested/ scrub-shrub wetlands
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.

2008-00032 HEBERT REVOC LIVING TRUST, MARIE
ALTON Lake Winnepesaukee

Requested Action:

Repair an existing 25 ft 10 in x 43 ft 1 in boathouse and an existing crib and piling supported pier extending 38 ft from shore measuring 19 ft 6 in wide at the shoreline and 26 ft wide at the lakeward end, and reconfigure the pier along the south boathouse wall to be 6 ft in width along the full length of the boathouse on property having an average of 485 ft of frontage on Lake Winnepesaukee, in Alton.

APPROVE PERMIT:

Repair an existing 25 ft 10 in x 43 ft 1 in boathouse and an existing crib and piling supported pier extending 38 ft from shore measuring 19 ft 6 in wide at the shoreline and 26 ft wide at the lakeward end, and reconfigure the pier along the south boathouse wall to be 6 ft in width along the full length of the boathouse on property having an average of 485 ft of frontage on Lake Winnepesaukee, in Alton.

With Conditions:

1. All work shall be in accordance with plans by Watermark Marine Construction dated December 6, 2007, as received by DES on January 9, 2008.
2. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
3. This permit shall not be effective until it has been recorded with the county Registry of Deeds office by the Permittee. A copy of the recorded permit shall be submitted to the DES Wetlands Bureau prior to construction.
4. The boathouse shall be a single-story structure; ridgeline not to exceed 17 ft in height above the surface of the adjacent docks.
5. All construction related debris shall be placed outside of the areas under the jurisdiction of the DES Wetlands Bureau.
6. 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 water at the work site has returned to normal clarity.
7. Repairs shall maintain the existing size, location, and configuration of the structures.
8. 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.
9. Work authorized shall be carried out such that discharges in spawning or nursery areas during spawning seasons shall be avoided, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
10. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding areas and spawning areas

shall be avoided.

11. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(d), alteration of a permanent 3 slip docking facility.
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 proposed modifications to the docking facility will result in a 16 sq ft reduction in surface area over public submerged lands and, therefore meets the requirements of Rule Env-Wt 402.20, Modification of Existing Structures.

2008-00191 PAUL, ALLAN & LORRANE
CENTER HARBOR Squam Lake

Requested Action:

Dredge 18 cu yd from 338 sq ft of lakebed and excavate 1224 sq ft of bank along 34 linear ft of shoreline to construct a 28 ft x 32 ft, 2-slip dug-in boathouse and construct a 6 ft x 40 ft piling supported dock on 302 ft of frontage in Center Harbor on Squam Lake.

APPROVE PERMIT:

Dredge 18 cu yd from 338 sq ft of lakebed and excavate 1224 sq ft of bank along 34 linear ft of shoreline to construct a 28 ft x 32 ft, 2-slip dug-in boathouse and construct a 6 ft x 40 ft piling supported dock on 302 ft of frontage in Center Harbor on Squam Lake.

With Conditions:

1. All work shall be in accordance with revised plans by Folsom Design Group dated February 22, 2008, as received by DES on February 26, 2008.
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 prior to construction.
3. The owner shall file a restrictive covenant in the appropriate registry of deeds limiting the use of the boathouse to the storage of boats and boating-related accessories. A copy of the recorded covenant permit shall be submitted to the DES Wetlands Bureau by certified mail, return receipt requested, prior to construction.
4. 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.
5. The boathouse shall be a single-story structure; ridgeline not to exceed 20 ft in height (Elev. 582.5) above normal high water (Elev. 562.5).
6. Dewatering of work areas and dredged materials shall be discharged to sediment basins located in uplands and lined with hay bales or other acceptable sediment trapping liner.
7. All dredged and excavated material and construction related debris shall be placed outside of the areas under the jurisdiction of the DES Wetlands Bureau.
8. Appropriate siltation and erosion controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.
9. 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 water at the work site has returned to normal clarity.
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. This facility is permitted with the condition that future maintenance dredging, if needed, shall not be permitted more frequently than once every 6 years, and that a new permit shall be required for each dredge activity.
12. The owner understands and accepts the risk that if this facility requires dredging to maintain a minimum slip depth of 3 feet, more frequently than once every 6 years, or is shown to have an adverse impact on abutting frontages, it shall be subject to removal.

13. This approval shall not allow the construction of any boathouse if, in the event that a new primary structure is constructed on the property prior to the construction of the proposed boathouse, the dredge associated with the construction of the boathouse would result in the distance from the primary structure to the surface water within the boathouse being less than 50 ft as required per RSA 483-B:9 II.
14. No new primary structure shall be constructed on the property within 50 ft of the reference line which is defined as Elevation 562.5. Construction of the dredged inlet for the boathouse will result in the relocation of the reference line.
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. No more than 18 cubic yards shall be dredged lakeward of the pre-existing normal high water mark.
17. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(d) construction of a permanent docking facility providing 4 slips.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01. 3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
5. The applicant has an average of 302 feet of shoreline frontage along Squam Lake.
6. A maximum of 5 slips may be permitted on this frontage per Rule Env-Wt 402.12, Frontage Over 75'.
7. The proposed docking facilities will provide 4 slips as defined per RSA 482-A:2, VIII and therefore meets Rule Env-Wt 402.12.

2008-00266 SILVERSTEIN, MARTIN
MOULTONBOROUGH Lake Winnepesaukee

Requested Action:

Remove existing 4 ft x 60 ft seasonal dock and install a "U-shaped" docking facility consisting of two 6 ft x 60 ft hinged seasonal docks connected by a 6 ft x 12 ft walkway, anchored by two 4 ft x 6.5 ft concrete pads, install two personal watercrafts in the most southerly boat slip, and install a 14 ft x 30 ft seasonal canopy and seasonal boatlift within the center boatslip on 187 ft of frontage in Moultonborough on Lake Winnepesaukee.

APPROVE PERMIT:

Remove existing 4 ft x 60 ft seasonal dock and install a "U-shaped" docking facility consisting of two 6 ft x 60 ft hinged seasonal docks connected by a 6 ft x 12 ft walkway, anchored by two 4 ft x 6.5 ft concrete pads, install two personal watercrafts in the most southerly boat slip, and install a 14 ft x 30 ft seasonal canopy and seasonal boatlift within the center boatslip on 187 ft of frontage in Moultonborough on Lake Winnepesaukee.

With Conditions:

1. All work shall be in accordance with plans by NH Environmental Consultants LLC as received by the Department on February 20, 2008.
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 registered permit shall be submitted to the DES Wetlands Bureau prior to construction.
3. Work authorized shall be carried out such that discharges shall be avoided in spawning or nursery areas during spawning seasons, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
4. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding and nesting areas shall be avoided.
5. This permit does not authorize maintenance dredging.
6. This permit does not authorize sand deposition.
7. This permit does not authorize retaining wall or rip-rap construction within Wetlands jurisdiction.
8. No portion of the docks shall extend more than 60 feet from the shoreline at the normal high water mark.

9. Concrete anchoring pad shall be completely landward and above the normal high water mark elevation.
10. All portions of the docking facility (docks, seasonal canopy, boatlift, etc) must be removed from the lakebed for 5 months during the non-boating season.
11. The unnecessary removal of vegetation is prohibited.
12. 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.
13. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(d) construction of a docking facility exceeding minimum qualification.
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.

**2008-00378 HOPEWELL, JONATHAN
BROOKFIELD Kingswood Lake**

Requested Action:

Construct a 6 ft x 30 ft seasonal dock attached to a 3 ft x 7 ft concrete pad on an average of 200 ft of frontage on Kingsbury Lake, in Brookfield.

Conservation Commission/Staff Comments:

No Con Com comments by 05/15/08

APPROVE PERMIT:

Construct a 6 ft x 30 ft seasonal dock attached to a 3 ft x 7 ft concrete pad on an average of 200 ft of frontage on Kingsbury Lake, in Brookfield.

With Conditions:

1. All work shall be in accordance with plans by Folsom Design and Construction Management dated February 04, 2008, as received by DES on March 12, 2008.
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 installation.
3. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
4. The seasonal pier shall be removed from the lake for the non-boating season.
5. No portion of the pier shall extend more than 30 feet from the shoreline at full lake elevation.
6. The concrete anchoring pad shall be located entirely above and behind the natural undisturbed shoreline.
7. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(d), construction of a dock.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01. 3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has an average of 200 feet of shoreline frontage along Kingswood Lake.

5. A maximum of 3 slips may be permitted on this frontage per Rule Env-Wt 402.12, Frontage Over 75'.
6. The proposed docking facility will provide 2 slips as defined per RSA 482-A:2, VIII and therefore meets Rule Env-Wt 402.12.
7. The previously existing permanent dock was completely removed in 2007. The proposed seasonal dock is less impacting than the previously existing permanent dock.

MINIMUM IMPACT PROJECT

2006-01265 SIDMORE, PHIL & EVELYN
DURHAM Little Bay

Requested Action:

Amend original permit to impact a total of 2,720 sq. ft. in the developed upland tidal buffer zone to replace existing (1,200 sq. ft.) dwelling with new dwelling in existing and expanded (600 sq. ft. landward) footprint, and addition of a 10' x 60' section to a 8' x 40' section (920 total sq. ft.) farmer's porch on two sides, respectively, of the dwelling located toward the highest observable tide line with the following change: impact an additional 300 sq. ft. of developed upland tidal buffer zone to construct a fence.

APPROVE AMENDMENT:

Amend original permit to impact a total of 2,720 sq. ft. in the developed upland tidal buffer zone to replace existing (1,200 sq. ft.) dwelling with new dwelling in existing and expanded (600 sq. ft. landward) footprint, and addition of a 10' x 60' section to a 8' x 40' section (920 total sq. ft.) farmer's porch on two sides, respectively, of the dwelling located toward the highest observable tide line with the following change: impact an additional 300 sq. ft. of developed upland tidal buffer zone to construct a fence.

With Conditions:

1. All work shall be in accordance with plans by Phil and Evelyn Sidmore dated 5/18/2006, as received by the Department on 5/22/2006 (structure construction plans); and per planting plan by Phil and Evelyn Sidmore dated 7/24/2006, as received by the Department on 7/26/2006; and per plan by Phil and Evelyn Sidmore dated 5/13/2008, as received by the Department on 5/13/2008 (fence plan).
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
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. 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.
6. Construction of the swimming pool shown on plan copies is out of the jurisdiction of the wetlands statute, RSA 482-A, however shall require coordination with DES with respect to determination as an accessory structure and its compliance with the requirements of RSA 483-B, the Comprehensive Shoreland Protection Act.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(b), projects in the previously developed upland areas within 100 feet of the highest observable tide line that are not major or minor as defined in Env-Wt 303.02 or Env-Wt 303.03 respectively.
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. The project uses the existing footprint as the basis for construction; the dwelling expansion is away from the resource, with only a 10' wide porch extension toward the highest observable tide line.
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.

- a. Relative to RSA 483-B, the Comprehensive Shoreland Protection Act ("CSPA"), the existing dwelling is greater than 50' from the reference line, and therefore conforms to the primary building setback. Reconstruction and expansion involves construction landward of the existing structure; and construction of a porch of less than 12' of width toward the reference line, both of which comply with the CSPA.
- b. The applicant has submitted a planting plan which will enhance the vegetated buffer function of the shoreline.
- c. The application has been reviewed by the US National Marine Fisheries Service, and found to represent no adverse impacts to essential fish habitat.
- d. No species of concern relative to this project were reported by the NH Natural Heritage Inventory.

2007-01574 CLOUGH, ALDEN
SUNAPEE Unnamed Wetland Trask Brook

Requested Action:

Dredge and fill 548 square feet of scrub-shrub wetlands associated with Trask Brook to install a third culvert (80-inch x 40-foot steel) and riprap in an existing private road.

APPROVE PERMIT:

Dredge and fill 368 square feet of scrub-shrub wetlands associated with Trask Brook to install a third culvert (80-inch x 40-foot steel) and riprap in an existing private road.

With Conditions:

- 1. All work shall be in accordance with plans by Beaver Tracks, LLC as received by the Department on April 16, 2008.
- 2. Work shall be done during low flow conditions.
- 3. 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.
- 4. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to wetlands and surface waters.
- 5. There shall be no excavation or operation of construction equipment in flowing water.
- 6. 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.
- 7. 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.
- 8. 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.
- 9. No work within the confined area shall proceed until the cofferdam is fully effective, and water flow is controlled.
- 10. Temporary cofferdams shall be entirely removed immediately following construction.
- 11. Culverts shall be laid at original grade.
- 12. Proper headwalls shall be constructed within seven days of culvert installation.
- 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 prior to entering jurisdictional areas.
- 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.
- 16. All refueling of equipment shall occur outside of surface waters or wetlands during construction.
- 17. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

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 of wetlands.
2. In a letter dated July 05, 2007, the Sunapee Conservation Commission stated they support and approve the project.
3. No comments were submitted from the NHFG Nongame and Endangered Wildlife Program or the Natural Heritage Bureau.
4. The existing culverts cannot sufficiently handle flows and have washed out multiple times.
5. Permission was sought but not obtained to remove deposited sediment on an abutting property that resulted from the road wash-out(s).
6. The applicant has received written consent from the owners of lots 46, 81, and 82 (Tax Map 238), abutters to the property on which project activities will take place, for work within 20 feet of their property lines, in accordance with Env-Wt 304.04(a) and owners of the properties on which project activities will occur.
7. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
8. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
9. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.

2007-02611 NEEDLEMAN, STEWART
MOULTONBOROUGH Lake Winnepesaukee

Requested Action:

Restore 14 linear ft of shoreline with bio-stabilization methods, repair and perch existing 325 sq ft beach with 46 linear ft of retaining wall and replenish with 10 cubic yards of sand, and implement planting plan on 161 ft on frontage in Moultonborough on Lake Winnepesaukee.

APPROVE PERMIT:

Restore 14 linear ft of shoreline with bio-stabilization methods, repair and perch existing 325 sq ft beach with 46 linear ft of retaining wall and replenish with 10 cubic yards of sand, and implement planting plan on 161 ft on frontage in Moultonborough on Lake Winnepesaukee.

With Conditions:

1. All work shall be in accordance with revised plans by Beckwith Builders as received by DES on April 28, 2008.
2. The planting of invasive species is strictly prohibited.
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. All planted vegetation and bio-stabilization methods shall be maintained. Vegetation shall be replaced within one year of mortality with more appropriate species if the originally planted species is deemed inappropriate for environmental conditions.
5. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to surface waters and wetlands.
6. Work shall be conducted in a manner that avoids excessive discharges of sediments to fish spawning areas.
7. Stone placed along the beach front for the purpose of retaining sand shall be placed above and/or landward of those rocks currently located along the normal high water line (Elevation 504.32). Those rocks existing at the normal high water line shall remain otherwise undisturbed such that the natural shoreline remains identifiable.
8. The steps installed for access to the water shall be located completely landward of the normal high water line.
9. No more than 10 cu yd of sand may be used and all sand shall be located above the normal high water line.
10. This permit shall be used only once, and does not allow for annual beach replenishment.
11. The permittee shall provide appropriate diversion of surface water runoff to prevent erosion of beach area.
12. The unnecessary removal of vegetation is prohibited.
13. This permit does not authorize maintenance dredging activities.
14. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(d), construction of a beach
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01. 3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.
5. The applicant provided justification to waive Rule Env-Wt 1409.03 and located trees 50 ft from the project area.

**2007-02790 HARVEY, PAUL
NEW DURHAM Merrymeeting Lake**

Requested Action:

Remove existing concrete dock and construct a crib supported dock with same dimensions, configuration and location on 150 ft of frontage in New Durham on Merrymeeting Lake.

APPROVE PERMIT:

Remove existing concrete dock and construct a crib supported dock with same dimensions, configuration and location on 150 ft of frontage in New Durham on Merrymeeting Lake.

With Conditions:

1. All work shall be in accordance with plans by Paul Harvey as received by the Department on May 13, 2008.
2. This permit shall not be effective until it has been recorded with the appropriate Registry of Deeds Office by the Permittee. A copy of the recorded permit shall be submitted to the DES Wetlands Bureau prior to installation.
3. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, maintained during construction, and shall remain until the area is stabilized.
4. Work authorized shall be carried out such that discharges shall be avoided in spawning or nursery areas during spawning seasons, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
5. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl, particularly loons', breeding and nesting areas shall be avoided.
6. Repair shall maintain existing size, location and configuration.
7. This permit does not allow for maintenance dredging.
8. This permit to replace or repair existing structures shall not preclude the Department of Environmental Services from taking any enforcement action or revocation action if the Department of Environmental Services later determines that these "existing structures" were not previously permitted or grandfathered.
9. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(v) replacement or repair of structures in-kind.
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

**2008-00744 BLAKELY HOAR TRUST, D.
FRANKLIN Unnamed Stream**

COMPLETE NOTIFICATION:
Franklin Tax Map 11, 28, 69, Lot# 401, 402, 403

**2008-00745 PIKE INDUSTRIES INC
FARMINGTON Unnamed Stream**

COMPLETE NOTIFICATION:
Farmington Tax Map R20, lot# 15

**2008-00755 KENNARD, MICHAEL & JUDITH
NOTTINGHAM Unnamed Stream**

COMPLETE NOTIFICATION:
Nottingham Tax Map 11, Lot# 9

**2008-00756 SPNH
DANBURY Unnamed Stream**

COMPLETE NOTIFICATION:
Danbury Tax Map 413, Lot# 6

**2008-00757 SIGMAN, ROBERT
WILMOT Unnamed Stream**

COMPLETE NOTIFICATION:
Wilmot Tax Map 9, Lot# 17

EXPEDITED MINIMUM

**2003-02057 JASINKAS, FRANCIS G & JUNE O
LAKEPORT Opechee Bay**

Requested Action:
Approve name change to: Francis G. & June O. Janiskas, 136 Franklin St., Lakeport NH 03246 per request received 5/15/2008.
Previous owner: Jeffrey Keith

Conservation Commission/Staff Comments:
Con. Com. signed application.

APPROVE NAME CHANGE:

Repair 49 linear ft of rip rapped shoreline by resetting existing rocks on an average of 128 ft of frontage on Opechee Bay.

With Conditions:

1. All work shall be in accordance with plans by Richard Keith, as received by the Department on September 22, 2003.
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 registered permit shall be submitted to the DES Wetlands Bureau prior to construction.
3. 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.
4. 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.
5. Existing rocks which have fallen shall be used for repair. No Additional Rocks.
6. Additional expedited minimum impact applications shall be accepted for the subject property for a period of 12 months only if the applicant demonstrates by plan that the additional project(s) are wholly unrelated or separate from the original application and when considered with the original application are not classified as minor or major.
7. Work authorized shall be carried out such that discharges shall be avoided in spawning or nursery areas during spawning seasons, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
8. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding and nesting areas shall be avoided.
9. Repair shall maintain existing size, location and configuration.
10. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to surface waters and wetlands.
11. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement action or revocation action if the DES later determines that these "existing structures" were not previously permitted or grandfathered.
12. Work shall be done during drawdown.
13. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This permit transfer is issued in accordance with NH Administrative Rule Env-Wt 502.02.

**2008-00509 GOURLEY, RICHARD
LAKEPORT Paugus Bay**

Requested Action:

Stabilize 23 linear feet of shoreline under an existing 18 ft x 36 ft boathouse with no change or alteration of the boathouse or associated docking structures on property having 60 feet of frontage on Lake Winnepesaukee, in Laconia.

Conservation Commission/Staff Comments:

Con Com did not sign Exp Application but submitted comments stating they had no concerns

APPROVE PERMIT:

Stabilize 23 linear feet of shoreline under an existing 18 ft x 36 ft boathouse with no change or alteration of the boathouse or associated docking structures on property having 60 feet of frontage on Lake Winnepesaukee, in Laconia.

With Conditions:

1. All work shall be in accordance with plans by Douglas R Gourley dated March 2008, as received by DES on April 04, 2008.
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. Repairs to the shoreline shall maintain existing size, location and configuration of structures.
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. 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), repair of existing structures.
2. The Department is waiving the requirements of section Env-Wt 404 for the proposed repair of the bank supporting the existing boat house.
3. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.

**2008-00520 LEVESQUE, PAUL & SCOTT
NASHUA Unnamed Wetland**

Requested Action:

Temporary impact to 64 sq. ft. of an isolated palustrine forested/ scrub-shrub wetland to install ground wires associated with the construction of three radio transmission antennas.

Conservation Commission/Staff Comments:

The Nashua Conservation Commission approved this minimum impact expedited application at their April 1, 2008 meeting.

APPROVE PERMIT:

Temporary impact to 64 sq. ft. of an isolated palustrine forested/ scrub-shrub wetland to install ground wires associated with the construction of three radio transmission antennas.

With Conditions:

1. All work shall be in accordance with plans by Hayner/Swanson, Inc. dated 27 February, 2008 (last revised 03/28/08), as received by DES on April 07, 2008.
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. Area shall be regraded to original contours following completion of work.
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. Work shall be done during low flow.
6. NH DES Wetlands Bureau Southeast Region staff and the Nashua Conservation Commission shall be notified in writing prior to commencement of work and upon its completion.

**2008-00569 BRONSON, CYNTHIA
SANBORNTON Unnamed Pond**

Requested Action:

Maintenance dredge approximately 2625 square feet of existing man made pond.

APPROVE PERMIT:

Maintenance dredge approximately 2625 square feet of existing man made pond.

With Conditions:

1. All work shall be in accordance with plans by James Bronson, as received by the Department on April 14, 2008.
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. Additional expedited minimum impact applications shall be accepted for the subject property for a period of 12 months only if the applicant demonstrates by plan that the additional project(s) are wholly unrelated or separate from the original application and

when considered with the original application are not classified as minor or major.

4. Work shall be done during drawdown and no flow shall escape the pond area.
5. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate work area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
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. No equipment shall enter the water.
8. All work shall be done from the top of the bank.
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. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
11. Maintenance dredge shall maintain original size, location and configuration.
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(k); Maintenance dredging, when necessary to provide continued usefulness of nontidal drainage ditches, man-made ponds, and spillways.

2008-00657 WIGHT, JOAN
NEWBURY Lake Sunapee

Requested Action:

Repair a 19 ft. 6 in. x 10 ft. crib and a 11 ft. 3 in. x 24 ft. crib in an "L" configuration impacting 465 sq. ft. of lake bottom and reconstruct the 16 ft. 10 in. x 8 ft. seasonal canopy to three 6 in. x 6 in. posts on the southerly side of the docking structure on Lake Sunapee, Newbury.

Conservation Commission/Staff Comments:
Con Com signed Exp Application

APPROVE PERMIT:

Repair a 19 ft. 6 in. x 10 ft. crib and a 11 ft. 3 in. x 24 ft. crib in an "L" configuration impacting 465 sq. ft. of lake bottom and reconstruct the 16 ft. 10 in. x 8 ft. seasonal canopy to three 6 in. x 6 in. posts on the southerly side of the docking structure on Lake Sunapee, Newbury.

With Conditions:

1. All work shall be in accordance with plans as received by DES on April 28, 2008.
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 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.
4. Repairs to these structures may be conducted, as necessary, throughout the duration of this permit provided that the permittee notifies the Wetlands Bureau and Conservation Commission, in writing, of the proposed start and completion date prior to performing any repair.
5. Existing rocks which have fallen shall be used for repair. No Additional Rocks.
6. Repair shall maintain existing size, location and configuration.
7. This permit does not allow for maintenance dredging.

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. Work authorized shall be carried out such that discharges in spawning or nursery areas during spawning seasons shall be avoided, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
10. Work shall be carried out in a time and manner such that there will be no disturbance to migratory waterfowl breeding areas or fish spawning areas.
11. 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.

GOLD DREDGE

2008-00775 BOUCHER, REGINA
(ALL TOWNS) Unnamed Stream

Conservation Commission/Staff Comments:
cc: Bath Con Comm

2008-00777 BOUCHER, ALBERT
(ALL TOWNS) Unnamed Stream

Conservation Commission/Staff Comments:
cc: Bath Con Comm

2008-00778 DUPREY, JAMIE
(ALL TOWNS) Unnamed Stream

Conservation Commission/Staff Comments:
cc: Bath Con Comm

2008-00779 CARLE, CHARLES
(ALL TOWNS) Unnamed Stream

Conservation Commission/Staff Comments:
cc: Bath Con Comm

2008-00780 LUFKIN, MARK
(ALL TOWNS) Unnamed Stream

Conservation Commission/Staff Comments:
cc: Bath Con Comm

2008-00781 THOMPSON, WILLIAM
(ALL TOWNS) Unnamed Stream

Conservation Commission/Staff Comments:
cc: Bath Con Comm

2008-00797 LARSON, BERT
(ALL TOWNS) Unnamed Stream

Conservation Commission/Staff Comments:
cc: Bath Con Comm

LAKES-SEASONAL DOCK NOTIF

2008-00729 HARRINGTON, JOHN & CHRISTINE
WAKEFIELD Balch Pond

COMPLETE NOTIFICATION:
Wakefield, NH Map 94 Lot 14
Balch Pond

2008-00730 SMITH, DAVID
GILFORD Lake Winnepesaukee

COMPLETE NOTIFICATION:
Gilford, NH Tax Map 222 Lot 38
Lake Winnepesaukee

2008-00731 SIEBERT REVOCABLE TRUST, LEAH
TUFTONBORO Lake Winnepesaukee

COMPLETE NOTIFICATION:
Tuftonboro, NH Tax Map 63 Lot 1-7
Lake Winnepesaukee

2008-00761 SCANLON, EMMETT
NEW LONDON Messer Pond

COMPLETE NOTIFICATION:
New London, NH Tax Map 105 Lot 21
Messer Pond

2008-00762 LACY, BRIAN & ELAINE
CANAAN Canaan Street Lake

COMPLETE NOTIFICATION:
Canaan, NH Tax map I-E Lot 30
Canaan Street Lake

ROADWAY MAINTENANCE NOTIF

**2008-00769 NH DEPT OF TRANSPORTATION
NEWINGTON Unnamed Stream**

COMPLETE NOTIFICATION:
Replace 15" culvert on Newington Road 100' north of Hodgon

PERMIT BY NOTIFICATION

**2008-00671 DUMOUCHEL, EILEEN
ALTON Lake Winnepesaukee**

Requested Action:
install boatlifts.

PBN IS COMPLETE:
install boatlifts.

With Findings:
1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(ac) install boatlifts.

**2008-00701 WAKEFIELD, TOWN OF
WAKEFIELD Unnamed Wetland Stream**

Requested Action:
Install temporary coffer dam, and repair two existing culverts by slip-lining, total wetlands impact 800 sq. ft.

Conservation Commission/Staff Comments:
Conservation Commission signed PBN.

PBN IS COMPLETE:
Install temporary coffer dam, and repair two existing culverts by slip-lining, total wetlands impact 800 sq. ft.

**2008-00746 WOODHAVEN TRUST, TIM SULLIVAN TTEE
ALTON Lake Winnepesaukee**

Requested Action:

Repair existing structures.

PBN IS COMPLETE:

Repair existing structures.

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.

2008-00771 BARSTOW TRUST, ANNE
WOLFEBORO Lake Winnepesaukee

Requested Action:

Replenish existing beach with 6 cubic yards of sand.

PBN IS COMPLETE:

Replenish existing beach with 6 cubic yards of sand.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(aa) replenish existing beach with no more than 10 cubic yards of sand.

CSPA PERMIT

2008-00607 KNISLEY, JARED/WANDA
NEW IPSWICH Flood Control #14

Requested Action:

Construct a 4 bedroom duplex and gravel parking area within the protected shoreland impacting no more than 13,323 sq ft of a 2.56 acre lot adjacent to Pond Flood Control Dam Site #14.

Inspection Date: 05/09/2008 by Thomas Gilbert

APPROVE PERMIT:

Construct a 4 bedroom duplex and gravel parking area within the protected shoreland impacting no more than 13,323 sq ft of a 2.56 acre lot adjacent to Pond Flood Control Dam Site #14.

With Conditions:

1. All work shall be conducted in accordance with building plans by David M. O'hara & Associates dated April 7, 2008 and received by DES on April 21, 2008.
2. Orange construction fencing shall be placed at the limits of areas to be disturbed to prevent accidental encroachment upon protected shorelands.
3. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and

remain in place until all disturbed surfaces are stabilized.

4. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
5. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
6. Any fill used shall be clean sand, gravel, rock, or other suitable material.
7. Within three days of final grading or temporary suspension of work, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
8. The planting invasive or exotic species is strictly prohibited.
9. The contractor/owner responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).
10. All work on this property shall be conducted in a manner that meets all of the requirements of the Comprehensive Shoreland Protection Act, RSA 483-B(see attached fact sheet).

With Findings:

1. The proposed impervious surfaces, as depicted on building plans by David M. O'hara & Associates dated April 7, 2008 and received by DES on April 21, 2008, shall occupy no more than 5% of the total lot size.
2. The project should have no adverse impacts upon vegetation identified as sensitive species by the NH Natural Heritage Bureau as there are no wetland impacts proposed.