

Wetlands Bureau Decision Report

Decisions Taken
07/21/2008 to 07/27/2008

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

**2007-01453 THE PRESERVE AT WEST BEDFORD LLC
BEDFORD Unnamed Wetland**

Requested Action:

Proposal to dredge and fill approximately 38,680 sq. ft. of wetlands and associated streams for access to a proposed 59-lot subdivision.

Conservation Commission/Staff Comments:

Time extension issued on 2/15/08

APPROVE PERMIT:

Dredge and fill approximately 43,526 sq. ft. of forested, scrub-shrub and emergent wetlands and associated intermittent streams for upgrades of a town road and construction of additional subdivision access roads and driveways for a proposed 59-lot residential subdivision. Work in wetlands consists 26 wetlands impact areas consisting of open bottom box culverts, box culverts, RCP culverts and associated grading, culvert headwalls, inlet and outlet protection, roadway filling and side slope grading. The applicant is providing Compensatory Mitigation in the form of a 83-acre upland buffer preservation parcel with conservation restrictions.

With Conditions:

1. All work shall be in accordance with plans by Bedford Design Consultants, LLC revision dated April 7, 2008, as received by DES on May 23, 2008 and "Bottomless Box Culvert" detail sheet revision dated July 15, 2008, as received by DES on July 15, 2008 and narratives by Gove Environmental Services, Inc., dated June 2007 as received by DES on June 26, 2007 and revised narratives dated May 22, 2008 as received by DES on May 23, 2008.
2. This permit is contingent on approval by the DES Alteration of Terrain Program.
3. This permit is contingent on approval by the DES Subsurface Systems Bureau.
4. Work shall be done during low flow.
5. This permit is contingent on review and approval, by the DES Wetlands Bureau, of final stream diversion plan. The plans shall detail the timing and method of stream flow diversion during construction, and show temporary siltation/erosion/turbidity control measures to be implemented.
6. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
7. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
8. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.
9. The deed which accompanies the sales transaction for each of the lots in the subdivision shall contain condition #8 of this approval.
10. This permit shall not be effective until it has been recorded with the Hillsborough 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.
11. Any new materials used within the bed and banks of the stream channel and wetlands of the proposed open bottom box culverts located at wetlands "Impact Area" #5 and #26 shall be similar to the natural stream and wetland substrate and shall not include angular rip-rap.
12. A post-construction report shall be prepared by a Certified Wetlands Scientist ("CWS"). The report shall document the status of box culvert installation and stream channel wetland bed restoration with photographs and narratives and be submitted to the Wetlands Bureau within 60 days of the completion of construction.
13. The applicant's CWS shall coordinate with the United States Environmental Protection Agency (USEPA) on the placement, construction and monitoring requirements of the proposed vernal pool construction before the start of site or access road construction. A copy of all reports and applicable documents shall be submitted to the DES Wetlands Bureau, Attn: Wetlands Bureau File# 2007-01453.
14. At least 72 hours prior to the start of construction, a pre-construction meeting shall be held with NHDES Land Resources

Management Program staff at the project site or at the DES Office in Concord, NH to review the conditions of this wetlands permit and the DES Alteration of Terrain Permit. It shall be the responsibility of the permittee to schedule the pre-construction meeting, and the meeting shall be attended by the permittee, his/her professional engineer(s), wetlands scientist(s), and the contractor(s) responsible for performing the work.

15. There shall be no excavation or operation of construction equipment in flowing water.

16. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.

17. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.

18. Proper headwalls shall be constructed within seven days of culvert installation.

19. 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.

20. 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.

21. 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.

22. 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).

23. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid. Faulty equipment shall be repaired immediately.

24. 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.

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

Compensatory Mitigation

Upland buffer preservation:

26. This permit is contingent upon the transfer of 83-acre "Conservation Easement Area" parcel to the Town of Bedford, as depicted on plans received by DES May 23, 2008.

27. The permit is contingent transfer of the 83-acre "Conservation Easement Area" parcel to the Town of Bedford and review and approval by the DES Wetlands Mitigation Coordinator of the conservation restrictions to be placed on the conservation parcel. The parcel ownership transfer and conservation restriction language shall be completed and approved by DES before the start of any site and road construction.

28. The conservation restrictions to be placed on the conservation area parcel shall be written to run with the land, and both existing and future property owners shall be subject to this easement.

29. The plan noting the conservation easement parcel with a copy of the final conservation restriction language shall be recorded with the Registry of Deeds Office for each appropriate lot. A copy of the recording from the County Registry of Deeds Office shall be submitted to the DES Wetlands Bureau prior to the start of construction.

30. The applicant shall prepare a report summarizing existing conditions within the conservation area. Said report shall contain photographic documentation of the easement area, and shall be submitted to the DES and the grantee prior to construction to serve as a baseline for future monitoring of the easement area.

31. The conservation easement parcel area shall be surveyed by a licensed surveyor, and marked by monuments [stakes] prior to construction.

32. The Wetlands Bureau shall be notified of the placement of the easement monuments to coordinate on-site review of their location prior to construction.

33. 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.

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

With Findings:

1. This is a major impact project per Administrative Rule Env-Wt 303.02(c) Projects that involve alteration of nontidal wetlands, nontidal surface waters, and banks adjacent to

nontidal surface waters in excess of 20,000 square feet in the aggregate

2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a), Requirements for Application Evaluation, has been considered in the design of the project.
5. The applicant has provided a 83-acre upland buffer preservation area with conservation restrictions as compensatory mitigation for impacts to wetlands and surface waters resulting from the proposed project.
6. The preservation parcel contains wetlands and surface waters with similar functions and values of those impacted by the proposed project.
7. The Town of Bedford has given permission for the proposed work on the town road contingent on approval by the Town Planning Board and Town Council.
8. The Town of Bedford Conservation Commission has recommended approval of the proposed project.
9. The conservation parcel will be transferred to the Town of Bedford and will be subject to conservation restrictions approved by DES.
10. The proposed conservation easement parcel abuts existing conservation lands.
11. The United States Environmental Protection Agency (USEPA) submitted comments regarding the need for a vernal pool survey.
12. The applicant's agent conducted a vernal pool survey of the property.
13. The New Hampshire Fish and Game Department and USEPA inspected the site April 23, 2008.
14. Concerns were raised regarding a vernal pool along Pulpit Road and buffers on two tributaries to Pulpit Brook.
15. Site constraints do not allow for Pulpit Road to be shifted away from the vernal pool.
16. The applicant has revised the lot lines to provide larger buffers to the Pulpit Brook tributaries.
17. The applicant has proposed to create vernal pools on the property to offset any potential impacts to a vernal pools located along the proposed upgraded section of Pulpit Road.
18. DES Staff conducted a field inspection of the proposed project on June 16, 2008. Field inspection determined that a majority of the proposed wetland impacts are within wetlands and seasonal streams degraded by the existing class VI road that passes through the proposed impact areas. Many of the proposed crossing will replace existing under sized culverts, and provide more appropriate wetland crossings. Additionally, the new associated drainage structures will provide for detention and treatment of stormwater runoff.
19. A waiver has been submitted in accordance with Administrative Rule Part Env-Wt 204 to address work in wetlands that is within 20 feet of an abutting property per Administrative Rule Env-Wt 304.04.
20. The applicant attempted to obtain and agreements from the affected abutters but was unable to receive responses from all abutters with 20-feet of the proposed impacts in wetlands.
21. The applicant has received permission from a majority of the abutters within 20-feet of the wetland impacts.
22. DES has not received any objections regarding the proposed project from the adjacent abutters or others.
23. The proposed wetland impacts are within an existing non-maintained town road.
24. The proposed work in wetlands is down slope of the affected property owners.
25. The proposed road upgrade will address ongoing erosion and wetland impacts located at the site.
26. The permit is conditioned that it does not convey a property right, nor authorize any injury to property of other, nor invasion of rights of others.
27. Based on findings #19 through #26 the waiver request was approved.
28. In accordance with RSA 428-A:8, DES finds that the requirements for a public hearing do not apply because the proposed wetlands impacts will not have a significant impact on or adversely affect the values of the resource, as identified under RSA 482-A:1.

2007-02778 HEBRON, TOWN OF
HEBRON Cockermonth River

Requested Action:

Dredge and fill a total of 3555 square feet of bed and bank of the Cockermonth River for replacement of an existing bridge further described as follows: Temporarily impact 2127 square feet for construction access and temporary bridge placement for continued access and permanently impact 1428 square feet for installation of new abutments and rip-rap to protect the abutments from scour.

APPROVE PERMIT:

Dredge and fill a total of 3555 square feet of bed and bank of the Cockermonth River for replacement of an existing bridge further described as follows: Temporarily impact 2127 square feet for construction access and temporary bridge placement for continued access and permanently impact 1428 square feet for installation of new abutments and rip-rap to protect the abutments from scour.

With Conditions:

1. All work shall be in accordance with plans by Holden Engineering Plan Titled "site Plan and Details" Sheet 13 dated October 2005, and revised through April 29, 2008, as received by the Department on May 6, 2008, and plans titled "Grading Plan and Stone Fill Sections" dated June 17, 2008, as received by the Department on June 24, 2008.
2. Copies of all the recorded easements for work within Wetlands jurisdiction shall be submitted to the NH DES Wetlands Bureau prior to the start of construction.
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. This permit is contingent on review and approval, by the DES Wetlands Bureau, of final stream diversion/erosion control plans and details. Those plans shall detail the timing and method of stream flow diversion during construction, timing and methods of removal for the existing structure and show temporary siltation/erosion/turbidity control measures to be implemented including construction type.
6. All activities shall be in accordance with the Comprehensive Shoreland Protection Act, per RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland after July 1, 2008.
7. The applicant shall notify in writing the DES Wetlands Bureau, the Conservation Commission of their intention to commence construction no less than five (5) business days prior to the commencement of construction.
8. 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.
9. Appropriate siltation/erosion controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
10. 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.
11. No equipment shall enter the water, unless written agreement from NH DES has been received for the work activity.
12. Extreme precautions shall be taken within riparian areas to limit unnecessary removal of vegetation during access road construction and areas cleared of vegetation to be revegetated within three days of the completion of this project.
13. The Permittee shall monitor the weather and will not commence work within flowing water, including the installation of cofferdams, when rain is in the forecast.
14. 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.
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. 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.
17. No work within the confined area shall proceed until the cofferdam is fully effective, and water flow is controlled.
18. Temporary cofferdams shall be entirely removed immediately following construction.
19. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
20. Work shall be conducted in a manner so as to minimize turbidity and sedimentation.
21. Areas from which vegetation has been cleared to gain access to the site shall be replanted with like native species.
22. The applicant shall notify DES Wetlands Bureau in writing within twenty-four (24) hours of an erosion event resulting in sediment entering a wetland or surface water.
23. 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.

- 24. 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.
- 25. 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.
- 26. Silt fencing must be removed once the area is stabilized.

With Findings:

- 1. This is a major impact project per Administrative Rule Env-Wt 303.02(i), projects that alter the course of or disturb 200 or more linear feet of an intermittent or perennial nontidal stream or river channel or its banks.
- 2. The proposal is to replace an existing red listed single lane bridge with a standard two lane bridge that will support appropriate loads.
- 3. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
- 4. The applicant has demonstrated that the proposed bridge will not detain stream flows or unreasonably affect downstream properties.
- 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 that the downstream wetland will be able to attenuate the additional flows from the increased bridge opening.
- 7. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a), Requirements for Application Evaluation, has been considered in the design of the project.
- 8. The applicant has provided a larger hydrologic opening with the new bridge structure than the existing bridge structure.
- 9. The proposed structure will remove 600 cubic yards from the flood plain and will place 550 cubic yards of fill within the flood plain.
- 10. The Q50 and the Q100 elevation of the proposed structure are below the levels of the existing structure.
- 11. The applicant has reduced the amount of rip rap to that required to protect the abutments from scour.
- 12. The applicant has proposed to biostabilize and revegetate the area of the proposed temporary access bridge location.
- 13. The applicant is not required to provide mitigation in accordance with Env-Wt 302.03(c)(2)c and d, as the project includes rip rap only to protect the bridge structure and the additional stabilization is by biostabilization.
- 14. The applicant has provided letters from three of the four affected abutters in accordance with Env-Wt 304.04(a) and RSA 482-A.
- 15. Condition 2 of the approval requires that all signed and recorded easements be provided prior to the start of construction.
- 16. The applicant has addressed the concerns of the abutter on lot 17-30 to the best of their ability.
- 17. 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 riverine resource, as identified under RSA 482-A:1.

2008-00800 TWEEN RIVERS FARM LLC, C/O PICKERING MARINE
DOVER Fresh Creek

Requested Action:

Construct a tidal docking structure consisting of a 4' x 20' permanent pier connecting to a 3' x 30' ramp connecting to a 20' x 10' float and associated float stop, overall structure length 58', providing one under-sized slip (as defined by RSA 482-A:2, VIII (a)), on 713' of frontage on Fresh Creek.

Inspection Date: 07/15/2008 by Dori A Wiggin

APPROVE PERMIT:

Construct a tidal docking structure consisting of a 4' x 20' permanent pier connecting to a 3' x 30' ramp connecting to a 20' x 10' float and associated float stops, overall structure length 58', providing one under-sized slip (as defined by RSA 482-A:2, VIII (a)), on 713' of frontage on Fresh Creek.

With Conditions:

- 1. All work shall be in accordance with plans by Pickering Marine, dated 5/13/2008, as received by the Department on 5/16/2008.
- 2. Any future work in jurisdiction as specified in RSA 482-A on this property will require a new application and approval by the

Department of Environmental Services ("DES") Wetlands Bureau.

3. This permit shall not be effective until recorded at the Strafford 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. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain in until 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 this tidal docking structure consisting of a 4' x 20' permanent pier connecting to a 3' x 30' ramp connecting to a 20' x 10' float and associated float stops, overall structure length 58', providing one under-sized slip (as defined by RSA 482-A:2, VIII (a)), on 713' of frontage on Dover Tax Map N, Lot 2, on Fresh Creek shall be the only dock structure on this water frontage and all portions of the dock shall be at least 20 ft. from abutting property lines or the imaginary extension of those lines into the water.
7. Work shall be done during low tide.
8. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to surface waters and wetlands.
9. Work shall be conducted in a manner that avoids excessive discharges of sediments to fish spawning areas.

With Findings:

1. This is a major impact project per Administrative Rule Wt 303.02(a), projects in sand dunes, tidal wetlands, or bogs, except for the repair of existing structures pursuant to Wt 303.04(v).
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01. There is currently no docking structure on the property to provide access to the water.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03. The permanent pier is constructed to cross the vegetated tidal resource. The ramp and floats are seasonal, and the structure is the minimum length necessary to reach usable water on the Piscataqua River, and is consistent or shorter than docks recently approved in the immediate vicinity.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(a) and (c), Requirements for Application Evaluation, has been considered in the design of the project. The species of concern reported by the NH Natural Heritage Bureau for the project vicinity are located away from the project area, specifically the bald eagle location is on a particular point of land over one mile from this site; the vegetative community reported, low brackish tidal riverbank marsh is located on the opposite downstream shore and is not expected to be affected by the project. This project has been reviewed by the Pease Development Authority Division of Ports and Harbors which determined that the project would have no negative effect on navigation, per letter dated 6/3/2008; and the dock is located greater than 20 feet off the abutting property lines.
5. The Dover Conservation Commission intervened on the application, but did not report further.
6. This application has received review of the federal PGP Joint Processing Meeting on 6/25/2008, and deemed eligible as proposed by the National Marine Fisheries ("NMFS").
7. This dock is consistent with other tidal dock approvals in the seacoast.
8. DES staff field inspection on 7/15/2008 found that the site is accurately represented in the application.

-Send to Governor and Executive Council-

MINOR IMPACT PROJECT

2007-02598 HARRINGTON, PAUL
MANCHESTER Merrimack River

Requested Action:

Dredge and fill approximately 75 linear ft. (894 sq. ft.) of bank of the Merrimack River for repair, stabilization and restoration of a failing slope resulting from recent flood events. The proposed work consists of a combination of approximately 420 sq. ft. of riprap

bank stabilization and bioengineering techniques on the upper slope which includes the use of "BIOD-ROLL", "BIOD-OLF" soil lifts and plantings with dogwood and willow live stakes/whips. Additionally, the top of bank will be planted with a 10 ft. wide native woodland buffer. In addition to the bank stabilization work an existing 4 ft. x 15 ft. stairway/walkway on the bank with a 3 ft. x 7 ft. anchoring pad with seasonal dock consisting of 4 ft. x 16 ft. floating platform with a 6 ft. x 12 ft. end will be re-installed "in-kind".

APPROVE PERMIT:

Dredge and fill approximately 75 linear ft. (1,420 sq. ft.) of bank of the Merrimack River for repair, stabilization and restoration of a failing slope resulting from recent flood events. The proposed work consists of a combination of approximately 420 sq. ft. of riprap bank stabilization and bioengineering techniques on the upper slope which includes the use of "BIOD-ROLL", "BIOD-OLF" soil lifts and plantings with dogwood and willow live stakes/whips. Additionally, the top of bank will be planted with a 10 ft. wide native woodland buffer. In addition to the bank stabilization work an existing 4 ft. x 15 ft. stairway/walkway on the bank with a 3 ft. x 7 ft. anchoring pad with seasonal dock consisting of 4 ft. x 16 ft. floating platform with a 6 ft. x 12 ft. end will be re-installed "in-kind".

With Conditions:

1. All work shall be in accordance with plans and narratives by CLD Consulting Engineers, plan sheets 2, 3 and 4 of 4 entitled "Bank Restoration and Stabilization Plan", revision dated June 2008, as received by DES on June 27, 2008 and narratives dated April 14, 2008, as received by DES on April 17, 2008 and narratives dated June 27, 2008, as received by DES on June 27, 2008.
2. Work shall be done during low flow.
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 by certified mail, return receipt requested, prior to construction.
4. A follow-up report with photographic documentation shall be filed with the DES Wetlands Bureau within 60 days of the completion of work and after one full growing season.
5. Planted vegetation shall have at least 75% successful establishment after one growing seasons, or it shall be replanted and re-established until it is replicated in a manner satisfactory to the DES Wetlands Bureau.
6. No equipment shall enter the adjacent surface water (i.e., equipment shall work from the bank and top of bank).
7. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized.
8. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
9. All work shall be conducted in a manner so as to minimize turbidity and sedimentation to surface waters and wetlands.
10. All in-stream work shall be conducted in a manner that minimizes the duration of construction in the river. In-stream work shall not exceed five (5) consecutive days in total unless specifically authorized by the DES Wetlands Bureau.
11. Discharge from dewatering of work areas shall be to sediment basins that are located in uplands and lined with hay bales or other acceptable sediment trapping liners.
12. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
13. Material shall be dewatered in sedimentation basins located outside of the jurisdiction of the DES Wetlands Bureau. The dewatering area shall be lined with siltation and erosion controls to prevent runoff from entering jurisdictional areas.
14. Extreme precautions shall be taken to limit unnecessary removal of vegetation within riparian areas or woodland buffer.
15. Erosion control structures must be removed once the area is stabilized.
16. Construction equipment shall be inspected daily for leaking fuel, oil, and hydraulic fluid. Faulty equipment shall be repaired immediately.
17. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each operator shall be trained in its use.
18. 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.
19. 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 303.02(1), projects that alter the course or disturb less than 200 linear feet of intermittent or perennial noontide stream or river channel or its banks.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided

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

4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
5. The stabilization is needed to repair erosion damage from storm events and to protect the existing infrastructure on the property.
7. The applicant has provided evidence that demonstrates the existing house and deck were constructed before June 15, 1998. The Merrimack River was added to the Comprehensive Shoreland Protection Act (CSPA) on June 15, 1998 which demonstrates that the structures are in compliance with the CSPA.
8. The applicant has reduced the amount of proposed rip-rap, added soil lifts, bio-rolls and native plantings to the lower and upper bank slope and provided a 10 ft. wide native vegetative buffer at the top of the bank.
9. The New Hampshire Fish and Game Department (NHFG) submitted comments regarding the proposed project and concerns with impacts to wintering bald eagles and brook floater mussels.
10. The applicant has revised the plans per NHFG concerns.
11. The NHFG reviewed the changes and has approved the amended design.
12. The applicant has provided written agreements from affected abutters within 20-feet of the property line in accordance with Administrative Rule Env-Wt 304.04.
13. The existing stairs and anchoring pad are on the bank and above the reference line of the river.
14. The existing seasonal dock includes a ramp to get to the dock platform end that runs parallel to the shoreline.

2007-02891 PATNODE, BARBARA
SURRY Unnamed Wetland

Requested Action:

Dredge and fill 9,100 sq. ft. of palustrine forested wetlands for road access to a 20-lot subdivision on ± 67.5 acres.

Conservation Commission/Staff Comments:

Reponse to electronic file folder

APPROVE PERMIT:

Dredge and fill 9,100 sq. ft. of palustrine forested wetlands for road access to a 20-lot subdivision on ± 67.5 acres.

With Conditions:

1. All work shall be in accordance with plans by SVE Associates dated December 17, 2007, and revised through April 15, 2008 as received by the Department on May 05, 2008.
2. This permit is contingent on approval by the DES Alteration of Terrain Program.
3. This permit is contingent on approval by the DES Subsurface Systems Bureau.
4. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.
5. The deed which accompanies the sales transaction for each of the lots in this subdivision shall contain condition # 4 of this approval.
6. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau.
7. This permit in upon the establishment of vernal pool buffers in accordance with plans by SVE Associates dated December 17, 2007, and revised through July 21, 2008.
8. This permit is contingent upon receipt of a report, including photographs, documenting the installation of permanent signs indicating the boundaries of the vernal pool buffers.
9. Work shall be done during low flow conditions.
10. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to surface waters and wetlands.
11. 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.
12. Orange construction fencing shall be placed at the limits of construction within or directly adjacent to wetlands or surface waters to prevent accidental encroachment on wetlands.
13. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.

14. Proper headwalls shall be constructed within seven days of culvert installation.
15. Culverts shall be laid at original grade.
16. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).
17. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

With Findings:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(h), projects involving less than 20,000 square feet of alteration in the aggregate in nontidal wetlands, nontidal surface waters, or banks adjacent to nontidal surface waters which exceed the criteria of Env-Wt 303.04(f).
2. No comments were submitted from the New Hampshire Fish and Game (NHFG), Nongame and Endangered Wildlife Program or the New Hampshire Natural Heritage Bureau (NHB).
3. In correspondence dated December 26, 2007, the Surry Conservation Commission expressed multiple concerns related to the project. Concerns included project impacts on water quality and wetlands, drainage for impervious surfaces excluding the road, culvert sizing, accuracy of the wetland delineation, and impacts to wildlife.
4. In correspondence dated February 19, 2008, the Department of the Army, New England District, Corps of Engineers (ACOE) stated the project was ineligible for authorization under the New Hampshire Programmatic General Permit (PGP) because the NH Division of Historic Resources (NHDHR) expressed concerns based on the absence of a survey to identify and evaluate any cultural resources on the project that are eligible for the National Register of Historic Places.
5. In correspondence dated February 25, 2008, the Department of the Army, New England District, Corps of Engineers (ACOE) stated the project was ineligible for authorization under the New Hampshire Programmatic General Permit (PGP) because the Environmental Protection Agency (EPA) expressed concerns related to the project. Concerns include the absence of a vernal pool survey and Appendix B report.
6. In correspondence dated February 06, 2008 the NHDHR requested a full Phase I (IA and IB).
7. In correspondence dated April 28, 2008, the Applicant's Agent indicated the project has been discussed with the Surry Conservation Commission and reiterated the wetlands onsite were delineated by a NH Certified Wetland Scientist.
8. In correspondence dated May 22, 2008, NHDHR stated based on the information provided to NHDHR it has been determined that there are no known properties of archeological significance within the area of the project area.
9. In email correspondence dated July 22, 2008, the EPA indicated if the DES Wetlands Bureau will condition approval on the requested vernal pool buffers and permanent signage the application is eligible for approval under the PGP.
10. The applicant has agreed to the vernal pool buffer conditions suggested by the EPA.
11. This permit is contingent upon the establishment of vernal pool buffers in accordance with plans by SVE Associates dated December 17, 2007, and revised through July 21, 2008.
12. This permit is contingent upon receipt of a report, including photographs, documenting the installation of permanent signs indicating the locations of the vernal pool buffers.
13. The DES Alteration of Terrain Bureau issued approval for the project on May 13, 2008, WPS-8133.
14. The applicant has received written consent from the owners of lot 68 (Tax Map 5B), 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).
15. The applicant has provided a waiver request per Env-Wt 204.03, to waive the written abutter permission requirement for project activities within 20 feet of the tax map/lot 5B/69 abutting property line, as required by Env-Wt 304.04.
16. The proposed impacts within 20 feet of tax map/lot 5B/69 are for road access to the proposed project and are within a 50-foot right-of-way.
17. The waiver request states the applicant has discussed the project with the property owners of tax map/lot 5B/69 and that the owners made requests to allow for the required permission, including the relocation of a stone wall, revision of deed language and landscaping. The applicant has agreed to the requested items. The agent has provided plans noting these items and the planning board has listed these items as a condition of approval.
18. There will be no adverse effect to the environment or natural resources of the state, public health, or public safety; or on abutting properties that is more significant than that which would result from complying with the Env-Wt 304.04.
19. The waiver is granted in accordance with Env-Wt 204.04(b), as strict compliance with the rule will provide no benefit to the public and will cause an operational or economic hardship to the applicant.
20. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.

21. 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.
22. 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.

2008-00101 SCANLON, THOMAS
MEREDITH Lake Winnepesaukee

Requested Action:

Permanently remove an existing docking structure and install two 6 ft x 4 ft concrete pads and install two 6 ft x 40 ft seasonal docks connected by a 6 ft x 12 seasonal walkway, install a 12 ft x 28 ft seasonal canopy and two PWC lifts in the western slip on an average of 164 ft of frontage on Lake Winnepesaukee, in Meredith.

Conservation Commission/Staff Comments:

Con Com has no comments

APPROVE PERMIT:

Permanently remove an existing docking structure and install two 6 ft x 4 ft concrete pads and install two 6 ft x 40 ft seasonal docks connected by a 6 ft x 12 seasonal walkway, install a 12 ft x 28 ft seasonal canopy and two PWC lifts in the western slip on an average of 164 ft of frontage on Lake Winnepesaukee, in Meredith.

With Conditions:

1. All work shall be in accordance with plans by The Dock Doctors, as received by DES on July 23, 2008 and dock location plans received on June 30, 2008
2. This permit will 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. This shall be the only structure on this water frontage and all portions of the dock shall be at least 20 ft from abutting property lines or the imaginary extension of those lines into the water.
4. The seasonal piers shall be removed from the lake for the non-boating season.
5. No portion of the piers shall extend more than 40 feet from the shoreline at full lake elevation.
6. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
7. The concrete pads shall be completely located behind and above the natural undisturbed shoreline and full lake elevation of 504.32.
8. Canopies shall be of seasonal construction type with a flexible fabric cover and shall be removed for the non-boating season.
9. PWC lifts shall be of seasonal construction type which shall be removed for the non-boating season.
10. All activities shall be in accordance with the Comprehensive Shoreland Protection Act, per RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland after July 1, 2008.

With Findings:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(d), construction or modification of any docking system that exceeds the design and construction criteria discussed at Env-Wt 402.01 for minimum impact docks classified under Env-Wt 303.04.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has an average of 164 feet of shoreline frontage along Lake Winnepesaukee.
5. A maximum of 3 slips may be permitted on this frontage per Rule Env-Wt 402.12, Frontage Over 75'.
6. The proposed docking facility will provide 3 slips as defined per RSA 482-A:2, VIII and therefore meets Rule Env-Wt 402.12.

2008-00109 BISHOP, DONALD
CAMPTON Unnamed Stream Wetlands

Requested Action:

Dredge and fill approximately 1488 sq. ft. of wetlands for construction of an 2200 ft. access road and a driveway access to a proposed 11-lot subdivision.

Conservation Commission/Staff Comments:

Con-Com signed off application.

APPROVE PERMIT:

Dredge and fill approximately 1572 sq. ft. (includes approximately 36 ft. of perennial stream and 70 ft. of intermittent stream) of wetlands for construction of an approximately 2200 ft. access road and a driveway access to a proposed 11-lot subdivision. Work in wetlands consists of: "WDA 1" installation of 60 in. x 36 in. x 36 ft. squash culvert in an un-named perennial stream, embedded with natural stream bed material, associated grading and headwalls, "WDA 2" installation of a 24 in. x 36 ft. plastic culvert in an intermittent stream with associated grading and headwalls and "WDA 3" installation of a 24 in. x 34 ft. plastic culvert in an intermittent stream with associated grading and headwalls.

With Conditions:

1. All work shall be in accordance with plans by Mountain Mapping, subdivision plan dated January 2008, as received by DES on January 25, 2008, plan sheets 1 and 2 of 2, revision dated April 2008 and plan sheet "Cross Sections and Profiles Construction Details" dated May 2008, as received by DES on June 26, 2008.
2. This permit is contingent on approval by the DES Alteration of Terrain Program.
3. This permit is contingent on approval by the DES Subsurface Systems Bureau. The existing DES Subsurface Systems Bureau permit shall be amended to reflect any changes from the original approval, Subdivision Approval #38760.
4. The applicant shall protect and establish a permanent buffer on vernal pools as described in submitted Vernal Pool Report by A & D Klumb Environmental, dated June 6, 2008, as received by DES on June 26, 2008. The recommended buffer shall be located, established and demarcated in the field by permanent monuments before the start of site construction activities or land clearing.
5. Each lot in the subdivision shall be further evaluated by a New Hampshire Certified Wetland Scientist ("CWS") for additional wetlands and surface waters before the sale or development of each of the lots in the subdivision. Site plans shall be updated with any additional wetlands or surface water boundaries located on each lot. Updated plans shall be submitted to the DES Wetlands Bureau, Attn: File #2008-00109.
6. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.
7. The deed which accompanies the sales transaction for each of the lots in this subdivision shall contain condition #5 and #6 of this approval.
8. This permit shall not be effective until it has been recorded with the Grafton 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.
9. Work shall be done during low flow.
10. 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.
11. 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.
12. Any new materials used within the bed and banks of the stream channels and embedded culverts shall be similar to the natural stream substrate and shall not include angular rip-rap.
13. A post-construction report shall be prepared by a CWS. The report shall document the culvert installation with photographs and narratives and be submitted to the Wetlands Bureau within 60 days of the completion of construction.
14. There shall be no excavation or operation of construction equipment in flowing water.
15. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
16. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
17. Proper headwalls shall be constructed within seven days of culvert installation.

18. 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.
19. 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.
20. 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.
21. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).
22. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid. Faulty equipment shall be repaired immediately.
23. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each operator shall be trained in its use.

With Findings:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(1), Projects that alter the course of or disturb less than 200 linear feet of an intermittent or perennial nontidal stream or river channel or its banks and do not meet the criteria for minimum impact under Env-Wt 303.04(n). For intermittent streams, this distance shall be measured along the thread of the channel. For perennial streams or rivers, the total disturbance shall be calculated by summing the lengths of disturbances to the channel and the banks.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
5. A similar subdivision configuration and wetlands impacts were previously approved by DES (DES Wetlands Bureau File # 89-2182 and DES Subdivision approval # 38760) in 1990.
6. Work in wetlands directly adjacent to Beaver Brook Road is within the existing right-of-way for the subdivision access.

2008-00311 ESSON, BEVERLY
ALTON Lake Winnepesaukee

Requested Action:

Amend permit to allow a larger concrete pad to anchor the seasonal pier.

APPROVE AMENDMENT:

Amend permit to read: Remove two existing 6 ft x 30 ft seasonal docking structures and install two 6 ft x 40 ft seasonal docks in the same location on 441 ft of frontage in Alton on Lake Winnepesaukee.

With Conditions:

1. All work shall be in accordance with revised plans as received by DES on July 21, 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. 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. Seasonal docks shall be removed from the lake for five months during the non-boating season.
6. No portion of the docks shall extend more than 40 feet from the shoreline at full lake elevation.
7. Concrete anchoring pads shall be completely landward of the normal high water mark elevation.
8. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(d) seasonal docking system with no more than 4 boat 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.

**2008-00535 RAGUE, KURT
GILMANTON Unnamed Stream**

Requested Action:

Dredge and fill 1044 square feet along 71 linear feet of intermittent stream for access in the subdivision of approximately 36 acres into 4 lots.

APPROVE PERMIT:

Dredge and fill 1044 square feet along 71 linear feet of intermittent stream for access in the subdivision of approximately 36 acres into 4 lots.

With Conditions:

1. All work shall be in accordance with plans by Varney Engineering dated April 26, 2007, and revised through June 23, 2008 as received by the Department on July 3, 2008 and Subdivision Plans by Harold E. Johnson Inc dated May 15, 2006, and revised through October 1, 2007 as received by the Department on April 3, 2008.
2. This permit is contingent on approval by the DES Alteration of Terrain.
3. This permit is contingent on approval by the DES Subsurface Systems Bureau.
4. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback except for lot 415-29-02.
5. The deed which accompanies the sales transaction for each lot except 415-29-02 in this subdivision shall contain condition #4 of this approval.
6. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the recorded permit shall be submitted to the DES Wetlands Bureau.
7. Work shall be done during periods of non-flow.
8. Appropriate siltation/erosion controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized.
9. Proper headwalls shall be constructed within seven days of culvert installation.
10. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
11. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
12. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
13. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.
14. Silt fencing must be removed once the area is stabilized.

With Findings:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(l); Projects that alter the course of or disturb less than 200 linear feet of an intermittent or perennial nontidal stream or river channel or its banks and do not meet the criteria for minimum impact under Env-Wt 303.04(n).
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided

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

4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
5. The applicant has provided a concept for access to the remaining lot which meets the requirements of Env-Wt 304.09(c).

2008-00623 BUTLER, CAROLINE
ALTON Lake Winnepesaukee

Requested Action:

Permanently remove a 4 ft x 28 ft seasonal pier, install a 6 ft x 40 ft seasonal pier anchored by a 6 ft x 4 ft concrete pad and remove 8 cu yd of abandoned crib debris from 192 sq ft of lakebed on an average of 76 ft of frontage on Lake Winnepesaukee, in Alton.

Conservation Commission/Staff Comments:

Con Com has no concerns

APPROVE PERMIT:

Permanently remove a 4 ft x 28 ft seasonal pier, install a 6 ft x 40 ft seasonal pier anchored by a 6 ft x 4 ft concrete pad and remove 8 cu yd of abandoned crib debris from 192 sq ft of lakebed on an average of 76 ft of frontage on Lake Winnepesaukee, in Alton.

With Conditions:

1. All work shall be in accordance with plans and cross sections by Watermark Navigation as revised July 9, 2008, and received by DES on July 15, 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. This shall be the only structure on this water frontage and all portions of the docking structure shall be at least 20 ft from abutting property lines or the imaginary extension of those lines into the water except as authorized in writing by the owner of the property identified as Alton tax map 38, lot 52.
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 40 feet lakeward from the shoreline at full lake elevation.
6. All removed crib material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
7. The lakebed contours in areas impacted by the crib material removal shall be consistent with the contours of the adjacent lakebed.
8. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
9. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(g), removal of 8 cu yd of material 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. The Applicant has provided a signed notarized waiver of the setback from the affected abutter.

2008-00794 RYAN, GEORGE
TILTON Unnamed Pond Drainage Swale

Requested Action:

Approve the after the fact impacts of 2256 square feet to unnamed wetlands, and the bed and bank of Ice House Pond further described as follows: Retain 1684 square feet of fill to repair the existing eroded dam, and 254 square feet of rip rap within the eroded drainage swale and remove 318 square feet of sediment below the high water line of Ice House Pond to original elevations.

APPROVE AFTER THE FACT:

Approve the after the fact impacts of 2256 square feet to unnamed wetlands, and the bed and bank of Ice House Pond further described as follows: Retain 1684 square feet of fill to repair the existing eroded dam, and 254 square feet of rip rap within the eroded drainage swale and remove 318 square feet of sediment below the high water line of Ice House Pond to original elevations.

With Conditions:

1. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
2. This permit is contingent on approval by the DES Dam Safety Program.
3. This permit is contingent on approval by the NH Department of Transportation for work within their right of way.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(x) Maintenance, repair, or replacement of a nondocking structure such as a culvert, headwall, bridge, dam, residential utility line, or rip-rap slope of less than 50 linear feet.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.
5. The application was signed by the existing owner.
6. The Conservation Commission who holds the Conservation Easement supports the application per their letter dated May 20, 2008.

MINIMUM IMPACT PROJECT

**2007-00188 MOUSSEAU, TAMMY
ALTON Unnamed Wetland**

Requested Action:

Confirm emergency authorization issued on February 2, 2007 to dredge 80 linear feet of stream channel to redirect flows back into natural channel.

Conservation Commission/Staff Comments:

The conservation commission has no objections to the permit.

CONFIRM EMERGENCY AUTHORIZATION:

Dredge 80 linear feet of stream channel to redirect flows back into natural channel.

With Conditions:

1. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.

With Findings:

1. This project is classified as a minor impact project per Rule Env-Wt 303.04(1); Projects that alter the course of or disturb less than 200 linear feet of an intermittent or perennial nontidal stream or river channel or its banks and do not meet the criteria for minimum impact under Env-Wt 303.04(n).
2. The project was necessary to contain flows from flowing onto the abutting property and the public roadway.
3. Emergency authorization for this work was issued by DES Wetlands Bureau Staff on February 2, 2007.
4. Review of the application submitted pursuant the emergency authorization indicates that work has been completed in accordance with the emergency authorization.

2007-00848 BRINTNALL, ISABEL & DAVID VICTOR
WEBSTER Tributary To Winnepocket Lake

Requested Action:

Amend permit to change crossing 3 from a 24-foot x 5-foot span x 2 foot high rigid frame bridge to a 24-foot x 5-foot span x 2.5 foot high open bottom precast arch and include 199 square feet of temporary impact for construction.

APPROVE AMENDMENT:

Dredge and fill a total of 1165 square feet, 966 square feet of permanent impact and 199 ft of temporary impact, along an existing logging road including installation of a 20 foot x 12-inch CPP pipe, a 20-foot x 15-inch CPP pipe and a 24-foot x 5-foot span x 2.5 foot high open bottom precast arch in three separate crossing locations for access to a single family structure.

With Conditions:

1. All work shall be in accordance with plans by Mark Moser dated July 7, 2006, and revised through May 7, 2008, 2008, as received by the Department on May 12, 2008.
2. This permit is contingent on restoration of 905 square feet of fill permitted under 1998-01164.
3. This permit is contingent on approval by the DES Subsurface Systems Bureau.
4. Any construction initiated after April 1, 2008, shall be compliant with the Comprehensive Shoreland Protection Act, RSA 483-B:5-a as effective at the time construction is initiated and may require an additional permit from the Department.
5. 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.
6. This permit is contingent on review and approval, by the DES Wetlands Bureau, of final stream diversion/erosion control plans. Those plans shall detail the timing and method of stream flow diversion during construction, and show temporary siltation/erosion/turbidity control measures to be implemented.
7. Work shall be done during low flow.
8. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
9. Appropriate siltation/erosion controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
10. 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.
11. No equipment shall enter the water.
12. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
13. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
14. Proper headwalls shall be constructed within seven days of culvert installation.
15. The existing driveway to be abandoned shall have any gravel removed and shall be scarified and planted with a native seed mix in order to promote vegetative growth in the upland areas.
16. Restoration areas shall be regraded to original contours.
17. All material removed during restoration activities shall be removed down to the level of the original hydric soils.
18. Mulch within the restoration areas shall be straw.
19. Seed mix within the restoration area shall be a wetland seed mix appropriate to the area and shall be applied in accordance with manufacturers specifications. The receipt and contents of the wetland mix shall be supplied to NHDES within 10 days of

application.

20. A post-construction report documenting the status of the restored jurisdictional area, and the abandoned driveway including photographs shall be submitted to the Wetlands Bureau within 60 days of the completion of construction.

21. 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:

The Department reaffirms findings 1-4 of the original application:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(z) Installation of a culvert or bridge and associated fill to permit vehicular access to a piece of property for a single family building lot.
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.

2008-00398 MOORE, JAMES
JAFFREY Tributary To Cheshire Pond

Requested Action:

Dredge and fill 929 sq. ft. of palustrine forested wetlands to install a 24-inch x 20-foot culvert for driveway access to s single family residence.

APPROVE PERMIT:

Dredge and fill 929 sq. ft. of palustrine forested wetlands to install a 24-inch x 20-foot culvert for driveway access to s single family residence.

With Conditions:

1. All work shall be in accordance with plans by Monadnock Septic Design, LLC dated February 01, 2008, as received by the Department on June 26, 2008.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. All activities shall be in accordance with the Comprehensive Shoreland Protection Act, per RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland after July 1, 2008.
4. 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.
5. Work shall be done during low flow conditions.
6. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to surface waters and wetlands.
7. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
8. Orange construction fencing shall be placed at the limits of construction within or directly adjacent to wetlands or surface waters to prevent accidental encroachment on wetlands.
9. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
10. Proper headwalls shall be constructed within seven days of culvert installation.
11. Culverts shall be laid at original grade.
12. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).
13. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface

waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(f), alteration of less than 3,000 square feet of wetlands.
2. The applicant has received written consent from the owner of lot 7 (Tax Map 245), 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).
3. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
4. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
5. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

**2008-00741 SMITH, PERRY
MOULTONBOROUGH Unnamed Wetland**

Requested Action:

Dredge and fill a total of 440 square feet including 20.5 linear feet of intermittent stream for access to a proposed single family residence.

APPROVE PERMIT:

Dredge and fill a total of 440 square feet including 20.5 linear feet of intermittent stream for access to a proposed single family residence.

With Conditions:

1. All work shall be in accordance with plans by Ames Associates dated April 2008, as received by the Department on May 8, 2008.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.
4. Work shall be done during periods of non-flow.
5. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
6. Appropriate siltation/erosion controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
7. Native material removed from the streambed during culvert installation, shall be stockpiled separately and reused to emulate a natural channel bottom within the culvert. Any new materials used must be similar to the natural stream substrate and shall not include angular rip-rap.
8. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
9. Dredged material not used for the recreation of the stream channel shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
10. Proper headwalls shall be constructed within seven days of culvert installation.
11. 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.
12. Silt fencing must be removed once the area is stabilized.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(n), projects that alter the course of or disturb less than 50 linear feet, measured along the thread of the channel, of an intermittent nontidal stream channel or its banks provided construction is performed during periods of non-flow.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided

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

4. The applicant has 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.

**2008-00799 FERRICK, CHRISTINE & J FITZPATICK
MOULTONBOROUGH Lake Kanasatka**

Requested Action:

Install a 6 ft x 25 ft seasonal dock accessed by a 6 ft x 16 ft seasonal walkway in a "T" configuration, anchored by a 6 ft x 3 ft concrete pad on an average of 90 ft of frontage on Lake Kanasatka, in Moulronborough.

APPROVE PERMIT:

Install a 6 ft x 25 ft seasonal dock accessed by a 6 ft x 16 ft seasonal walkway in a "T" configuration, anchored by a 6 ft x 3 ft concrete pad on an average of 90 ft of frontage on Lake Kanasatka, in Moulronborough.

With Conditions:

1. All work shall be in accordance with plans by Watermark Marine Construction dated April 30, 2008, as received by DES on May 15, 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. This shall be the only docking structure on this water frontage and all portions of the structure shall be at least 20 ft from abutting property lines or the imaginary extension of those lines into the water.
4. The seasonal docking structure shall be removed from the lake for the non-boating season.
5. No portion of the docking structure shall extend more than 22 feet from the shoreline at full lake elevation.
6. The concrete pad shall be located completely landward of the normal high water line, Elevation 515.
7. All activities shall be in accordance with the Comprehensive Shoreland Protection Act, per RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland after July 1, 2008.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(a), construction of a 2 slip seasonal pier.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01. 3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has an average of 90 feet of shoreline frontage along Lake Wentworth.
5. A maximum of 2 slips may be permitted on this frontage per Rule Env-Wt 402.12, Frontage Over 75'.
6. The proposed docking facility will provide 1 slip as defined per RSA 482-A:2, VIII and therefore meets Rule Env-Wt 402.12.

**2008-01063 SUNRISE LAKE VILLAGE DISTRICT, JOE CURTIN
MIDDLETON Sunset Lake**

Requested Action:

Repair within existing dam footprint a total of 317 linear ft. of Sunrise Lake dam by installing concrete cutoff walls with footings and toe drains on downstream side; conduct recontouring to repair earthen berm; install temporary coffer dams, and temporary access gravel and geotextile placed adjacent to dam in dry lake bed during drawdown for equipment access; total temporary impacts 12,421 sq. ft.

Inspection Date: 08/03/2007 by Dori A Wiggin

APPROVE PERMIT:

Repair within existing dam footprint a total of 317 linear ft. of Sunrise Lake dam by installing concrete cutoff walls with footings and toe drains on downstream side; conduct recontouring to repair earthen berm; install temporary coffer dams, and temporary access gravel and geotextile placed adjacent to dam in dry lake bed during drawdown for equipment access; total area of temporary impact 12,421 sq. ft.

With Conditions:

1. All work shall be in accordance with revised plans by NHDES Dam Bureau Maintenance Section dated 7/16/2008, received by DES Wetlands Bureau on 7/18/2008.
2. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
3. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.
4. Silt fencing must be removed once the area is stabilized.
5. 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.
6. Unconfined work within the river, exclusive of work associated with installation of a cofferdam, shall be done during periods of low flow.
7. 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.
8. 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.
9. Temporary cofferdams and temporary access impacts shall be entirely removed immediately following construction and appropriately restored.
10. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
11. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
12. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
13. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.
14. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
15. Work shall be done during drawdown.
16. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid prior to entering surface waters or wetlands.
17. Faulty equipment shall be repaired prior to entering jurisdictional areas.
18. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each operator shall be trained in its use.
19. All refueling of equipment shall occur outside of surface waters or wetlands during construction.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(x), maintenance or repair of an existing non-docking structure such as a dam. The addition of the cutoff walls and toe drains represent present-day technology to properly repair the dam, and will be located within the existing footprint of the dam, and as such, do not represent new environmental impacts that exceed the intent of the minimum impact repair Rule.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01. The earthen berm of this high hazard dam is currently leaking in certain locations, and is required to be repaired in response to a Letter of Deficiency issued by the NH DES Dam Bureau.
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 permanent work to repair the dam is within the same footprint at the original dam footprint. Temporary access and coffer dam impacts will be removed and restored upon completion of the project.

4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project. There were no species of concern reported by the NH Heritage Bureau for the project vicinity.

5. The Middleton Conservation Commission did not report.

FORESTRY NOTIFICATION

**2008-01307 MERRIMACK, TOWN OF
MERRIMACK Unnamed Stream**

COMPLETE NOTIFICATION:

Merrimack Tax Map 5A & 5B, Lot# 9, 63, 64 & 10

**2008-01308 THIBODEAU, JEFF
MASON Unnamed Stream**

**2008-01309 CURTIS, THOMAS
MILFORD Unnamed Stream**

COMPLETE NOTIFICATION:

Milford Tax Map 5, Lot# 26 & 35

**2008-01310 H & H INVESTMENTS LLC, DONALD HARDWICK
ORANGE Unnamed Stream**

COMPLETE NOTIFICATION:

Orange Tax Map 4, Lot# 18

**2008-01312 H & H INVESTMENTS LLC, DONALD HARDWICK
ALEXANDRIA Unnamed Stream**

COMPLETE NOTIFICATION:

Alexandria Tax Map 410, Lot# 16-1, 16-2, 18

**2008-01313 BRENTWOOD, TOWN OF
BRENTWOOD Unnamed Stream**

COMPLETE NOTIFICATION:

Brentwood Town Forest Tax Map 211, Lot# 4

2008-01314 **BEARISTO, CHRISTOPHER**
BARNSTEAD Unnamed Stream

COMPLETE NOTIFICATION:
Barnstead Tax Map 3, Lot# 53 & 53-1

2008-01315 **HALL, GARDNER**
PLYMOUTH Unnamed Stream

COMPLETE NOTIFICATION:
Plymouth Tax Map 8, Lot# 1

2008-01316 **BAYROOT LLC - MOXIE TREE FARM, C/O WAGNER FOREST M**
ERROL Unnamed Stream

COMPLETE NOTIFICATION:
Errol Tax Map R4, Lot# 5

2008-01364 **CARPENTER, RAYMOND**
MEREDITH Unnamed Stream

COMPLETE NOTIFICATION:
Mereidith Tax Map R22, Lot# 1

2008-01367 **COTTER, JULIA & JOHN BRYANT**
PITTSFIELD Unnamed Stream

COMPLETE NOTIFICATION:
Pittsfield Tax Map R6, Lot# 9

2008-01368 **DIAL, BEVERLY**
HANOVER Tunis Brook

COMPLETE NOTIFICATION:
Hanover Tax Map 14, Lot# 15

2008-01369 **PANNACCHIO, ANTHONY**
CANAAN Unnamed Stream

COMPLETE NOTIFICATION:
Canaan Tax Map 4, Lot# 9

2008-01371 **QUINN, KENNETH**
TEMPLE Unnamed Stream

COMPLETE NOTIFICATION:

Templet Tax Map 2, Lot# 48

2008-01381 ANDREWS, LINDA SPRING
CANAAN Unnamed Stream

COMPLETE NOTIFICATION:

Canaan Tax Map 1N, Lot# 9B

2008-01383 OWL BROOK CAMP TRUST, STEPHEN LAMBERT
HOLDERNESS Unnamed Stream

COMPLETE NOTIFICATION:

Holderness Tax Map 221, Lot# 5

EXPEDITED MINIMUM

2008-00962 DRIFTWOOD CONDOMINIUM ASSOCIATION, BOARD OF DIRECT
LACONIA Paugus Bay

Requested Action:

Repair an existing 26 ft x 52 ft permanent docking structure with 12 piles on Lake Winnepesaukee, Laconia.

Conservation Commission/Staff Comments:

Con Com signed Exp Application

APPROVE PERMIT:

Repair an existing 26 ft x 52 ft permanent docking structure with 12 piles on Lake Winnepesaukee, Laconia.

With Conditions:

1. All work shall be in accordance with plans dated June 27, 2008, as received by DES on June 30, 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 the DES later determines that these "existing structures" were not previously permitted or grandfathered.
4. Repair shall maintain existing size, location and configuration.
5. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, maintained during construction, and shall remain until the area is stabilized.
6. Work authorized shall be carried out such that discharges in spawning or nursery areas during spawning seasons shall be avoided, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
7. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding areas and spawning areas shall be avoided.
8. 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.

9. All activities shall be in accordance with the Comprehensive Shoreland Protection Act, per RSA 483-B.

With Findings:

1. This project is classified as a minimum impact project per Rule Env-Wt 303.04(v), repair of existing docking structures with no change in size, location or configuration.
2. The placement of piles is less impacting than the repair of the existing cribs.

**2008-01190 NATIONAL GRID, DAN CRETU
LACONIA Durkee Brook**

Requested Action:

Dredge and fill a total of 4 square feet within the bank of Durkee Brook for the installation of a gas main.

APPROVE PERMIT:

Dredge and fill a total of 4 square feet within the bank of Durkee Brook for the installation of a gas main.

With Conditions:

1. All work shall be in accordance with plans by CLD Consulting Engineers dated June 2008, as received by the Department on June 30, 2008.
2. All activities shall be in accordance with the Comprehensive Shoreland Protection Act, per RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland after July 1, 2008.
3. 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.
4. The Applicant shall obtain easements from affected landowners outside of the existing right-of-way and shall supply copies of the recorded easements to DES Wetlands File No. 2008-01190 prior to construction.
5. Any future work 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.
6. Work shall be done during low flow.
7. Work authorized shall not occur in fish spawning or nursery areas during the reproductive season, or within waterfowl nursery areas during the critical nesting period.
8. 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.
9. 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.
10. No equipment shall enter the water.
11. All work shall be done from the top of the bank.
12. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
13. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(o), projects deemed minimum impact by the department based on the degree of environmental impact.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application

Evaluation, has been considered in the design of the project.

2008-01228 **MOLIN, JENNIFER**
FREEDOM **Ossipee Lake**

Requested Action:

Restore 269 sq ft of shoreline by installing approximately 60 linear ft of natural stone and re-vegetating shoreward on Ossipee Lake, Freedom.

Conservation Commission/Staff Comments:

Con Com signed Exp Application

APPROVE PERMIT:

Restore 269 sq ft of shoreline by installing approximately 60 linear ft of natural stone and re-vegetating shoreward on Ossipee Lake, Freedom.

With Conditions:

1. All work shall be in accordance with plans by B H Keith Associates dated March 17, 2008, as received by DES on July 02, 2008.
2. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
3. 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(m) projects that disturb less than 50 linear feet, measured along the shoreline, of a lake or pond or its bank and do not meet the criteria of Env-Wt 303.03 or Env-Wt 303.02.

2008-01229 **VINCENT, CAROL**
MOULTONBOROUGH **Lake Winnepesaukee**

Requested Action:

Construct a 10 ft x 18 ft perched beach with 3 ft wide access stairs on Lake Winnepesaukee, Moultonborough.

Conservation Commission/Staff Comments:

Con Com signed Exp Application

APPROVE PERMIT:

Construct a 10 ft x 18 ft perched beach with 3 ft wide access stairs on Lake Winnepesaukee, Moultonborough.

With Conditions:

1. All work shall be in accordance with plans as received by DES on July 03, 2008.
2. Dredged or excavated material shall be placed outside of the DES Wetlands Bureau jurisdiction.
3. 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.
4. The steps installed for access to the water shall be located completely landward of the normal high water line.
5. No more than 4 cu. yds. of sand may be used and all sand shall be located above the normal high water line.
6. This permit shall be used only once, and does not allow for annual beach replenishment.
7. The permittee shall provide appropriate diversion of surface water runoff to prevent erosion of beach area.
8. Revegetation of trees, shrubs and ground covers representing the density and species diversity of the existing stand of vegetation removed for this project shall begin at a distance no greater than 5 feet landward from the beach area.

- 9. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.
- 10. All activities shall be in accordance with the Comprehensive Shoreland Protection Act, per RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland after July 1, 2008.

With Findings:

- 1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(d), construction of a beach.

2008-01288 PRATT, ESTATE OF JANE
SUTTON Blaisdell Lake

Requested Action:

Repair 160 linear feet of existing retaining wall on Blaisdell Lake, Sutton.

Conservation Commission/Staff Comments:

Con Com signed Exp Application

APPROVE PERMIT:

Repair 160 linear feet of existing retaining wall on Blaisdell Lake, Sutton.

With Conditions:

- 1. All work shall be in accordance with plans by McCourt Engineering dated June 2008, as received by DES on July 14, 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. Area shall be regraded to original contours following completion of work.
- 4. Dredged material and wall debris shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
- 5. Repair shall maintain existing size, location and configuration.
- 6. This permit does not allow for the removal of any trees or stumps on the frontage.
- 7. No equipment shall operate on the lakebed or in any areas of the Departments jurisdiction.
- 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. 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. All activities shall be in accordance with the Comprehensive Shoreland Protection Act, per RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland after July 1, 2008.

With Findings:

- 1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(c), repair of existing retaining walls that is performed "in the dry" during drawdown of waters and that results in no change in height, length, location, or configuration.

2008-01297 BLAKELOCK, DAVID
MEREDITH Lake Winnepesaukee

Requested Action:

Repair a 6 ft x 30 ft permanent dock supported by a 8 ft x 6 ft crib, repair a 5 ft x 44 ft permanent wharf supported by three 5 ft x 8 ft cribs on Lake Winnepesaukee, Meredith.

Conservation Commission/Staff Comments:
Con Com signed Exp Application

APPROVE PERMIT:

Repair a 6 ft x 30 ft permanent dock supported by a 8 ft x 6 ft crib, repair a 5 ft x 44 ft permanent wharf supported by three 5 ft x 8 ft cribs on Lake Winnepesaukee, Meredith.

With Conditions:

1. All work shall be in accordance with plans as received by DES on July 15, 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. Repair shall maintain existing size, location and configuration.
4. 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.
5. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, maintained during construction, and shall remain until the area is stabilized.
6. Work authorized shall be carried out such that discharges in spawning or nursery areas during spawning seasons shall be avoided, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
7. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding areas and spawning areas shall be avoided.
8. 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.
9. All activities shall be in accordance with the Comprehensive Shoreland Protection Act, per RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland after July 1, 2008.

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.

TRAILS NOTIFICATION

**2008-01372 NH DRED - TRAILS BUREAU
BERLIN Unnamed Stream**

COMPLETE NOTIFICATION:
Berlin Jericho Mtn State Park Tax Map 401, Lot# 1

**2008-01374 NH DRED - TRAILS BUREAU
BERLIN Unnamed Stream**

COMPLETE NOTIFICATION:
Berlin Jericho Mtn State Park Tax Map 407, Lot# 9

**2008-01375 NH DRED - TRAILS BUREAU
BERLIN Unnamed Stream**

COMPLETE NOTIFICATION:
Berlin Jericho Mtn State Park Tax Map 410, Lot# 1

LAKES-SEASONAL DOCK NOTIF

2008-01286 THERRIAULT JR, CHARLES
BARRINGTON Long Pond

COMPLETE NOTIFICATION:
Barrington, NH Tax Map 103 Lot 25
Long Pond

2008-01340 FISHER, BRIAN
DEERFIELD Pleasant Lake

COMPLETE NOTIFICATION:
Deerfield, NH Tax Map 205 Lot 68
Pleasant Lake

2008-01341 CARTER, JAMES & DEBB
ACWORTH Crescent Lake

COMPLETE NOTIFICATION:
Acworth, NH Tax Map 201 Lot 16
Crescent Lake

2008-01342 WHITNEY, PETER
OSSIPEE Duncan Lake

COMPLETE NOTIFICATION:
Ossipee, NH Tax Map 56 Lot 5
Duncan Lake

2008-01353 KUSTER, ANN/BRADFORD
HEBRON Newfound Lake

COMPLETE NOTIFICATION:
Hebron, NH Tax Map 6 Lot 3
Newfound Lake

ROADWAY MAINTENANCE NOTIF

2008-01343 AMHERST, TOWN OF
AMHERST Unnamed Stream

COMPLETE NOTIFICATION:
Replace existing 12" culvert with 15" ADS plastic culvert

2008-01344 AMHERST, TOWN OF
AMHERST Unnamed Stream

COMPLETE NOTIFICATION:
Replace existing 12" culvert with 15" ADS plastic culvert

2008-01345 AMHERST, TOWN OF
AMHERST Unnamed Stream

COMPLETE NOTIFICATION:
Replace existing 18" culvert with 18" ADS plastic culvert

2008-01346 AMHERST, TOWN OF
AMHERST Unnamed Stream

COMPLETE NOTIFICATION:
Replace existing 12" culvert with 18" ADS plastic culvert

2008-01347 AMHERST, TOWN OF
AMHERST Unnamed Stream

COMPLETE NOTIFICATION:
Replace 4 existing culverts; 3 existing 12" replaced by 12" and 1 existing 12" replaced by 15" culverts

2008-01354 NH DEPT OF TRANSPORTATION
MIDDLETON Unnamed Stream

COMPLETE NOTIFICATION:
Replace 24" culvert in kind

2008-01355 BEDFORD, TOWN OF
BEDFORD Unnamed Stream

COMPLETE NOTIFICATION:
Replace 5 existing culverts on Holbrook Road

2008-01356 **BEDFORD, TOWN OF**
BEDFORD **Unnamed Stream**

COMPLETE NOTIFICATION:
Replace 9 existing culverts

2008-01357 **BEDFORD, TOWN OF**
BEDFORD **Unnamed Stream**

COMPLETE NOTIFICATION:
Replace 4 existing culverts on King Road

2008-01358 **BEDFORD, TOWN OF**
BEDFORD **Unnamed Stream**

COMPLETE NOTIFICATION:
Replace 5 existing culverts

2008-01359 **BEDFORD, TOWN OF**
BEDFORD **Unnamed Stream**

COMPLETE NOTIFICATION:
Replace 14 existing culverts on North Amherst Road

2008-01360 **BEDFORD, TOWN OF**
BEDFORD **Unnamed Stream**

COMPLETE NOTIFICATION:
Replace 3 existing culverts on Tirrell Hill Road

2008-01361 **BEDFORD, TOWN OF**
BEDFORD **Unnamed Stream**

COMPLETE NOTIFICATION:
Replace 2 existing culverts on Blackbird Drive

2008-01362 **BEDFORD, TOWN OF**
BEDFORD **Unnamed Stream**

COMPLETE NOTIFICATION:
Replace 3 existing culverts on Whippoorwill Drive

2008-01366 **BEDFORD, TOWN OF**
BEDFORD **Unnamed Stream**

COMPLETE NOTIFICATION:

Replace 6 existing culverts

PERMIT BY NOTIFICATION

2008-00739 PAYNE, MARILYN
NORTHWOOD Northwood Lake

Requested Action:

Repair/replace existing retaining wall.

PBN IS COMPLETE:

Repair/replace existing retaining wall.

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.

2008-00996 OCONNELL, JOHN
WOLFEBORO Lake Wentworth

Requested Action:

Repair 100 linear ft of rip-rap on Lake Wenworth, in Wolfeboro.

PBN IS COMPLETE:

Repair 100 linear ft of rip-rap on Lake Wenworth, in Wolfeboro.

With Findings:

1. The Applicant provided photographic evidence of the pre-existing rip-rap conditions on July 21, 2008.

2008-01179 FOURNIER, PAULINE & B PASSALACQUA
WOLFEBORO Lake Wentworth

Requested Action:

Repair 62 linear ft of rip-rap along Lake Wentworth in Wolfeboro.

PBN IS COMPLETE:

Repair 62 linear ft of rip-rap along Lake Wentworth in Wolfeboro.

With Findings:

1. The Wetlands Bureau received photographic evidence of the pre-existing rip-rap conditions on July 21, 2008.

2008-01194 LONGFIELD, CHARLES & SUSAN
MADISON Silver Lake

Requested Action:

Repair/replace 22 linear ft of retaining wall on 172 ft of frontage in Madison on Silver Lake.

PBN IS COMPLETE:

Repair/replace 22 linear ft of retaining wall on 172 ft of frontage in Madison on Silver Lake.

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.

2008-01261 CLARK, ELROY
MEREDITH Lake Winnepesaukee

Requested Action:

Install a 6 ft x 40 ft dock hinged to a 2 ft x 7 ft concrete pad.

PBN IS COMPLETE:

Install a 6 ft x 40 ft dock hinged to a 2 ft x 7 ft concrete pad.

With Findings:

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

2008-01262 ALTON, TOWN OF
ALTON Lake Winnepesaukee

Requested Action:

Repair existing boat ramp.

PBN IS COMPLETE:

Repair existing boat ramp.

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.

CSPA PERMIT

2008-01234 NATIONAL GRID, DAN CRETU
LACONIA Winnisquam Lake

Requested Action:

Excavation within the protected shoreland to install a gas main under US rt. 3 in Laconia.

APPROVE PERMIT:

Excavation within the protected shoreland to install a gas main under US rt. 3 in Laconia.

With Conditions:

1. All work shall be in accordance with building plans by CLD Consulting Engineers dated June 2008 and received by DES on July 3, 2008.
2. There shall be no increase in impervious surface proposed within the protected shoreland.
3. The project, as specified on building plans by CLD Consulting Engineers, dated June 2008 and received by the Department of Environmental Services ("DES") on July 3, 2008, will comply with applicable criteria of all administrative rules and RSA 483-B during and after construction.
4. 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.
5. 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.
6. 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.
7. Any fill used shall be clean sand, gravel, rock, or other suitable material.

2008-01322 GAGE, JEREMIAH & KASARA
DOVER Fresh Creek

Requested Action:

Construct a proposed primary structure located within jurisdiction of the Comprehensive Shoreland Protection Act (CSPA) on property with approximately 470 ft of frontage on Fresh Creek in Dover.

APPROVE PERMIT:

Construct a proposed primary structure located within jurisdiction of the Comprehensive Shoreland Protection Act (CSPA) on property with approximately 470 ft of frontage on Fresh Creek in Dover.

With Conditions:

1. All work shall be in accordance with plans by Civilworks dated April 2008 and received by DES on July 16, 2008.
2. No more than 6.3% of the total area of the lot within the protected shoreland shall be covered by impervious surfaces.
2. All activities associated with the completion of the project shall be conducted in a manner that complies with the applicable criteria outlined in Administrative Rules Chapter Env-Wq 1400 and RSA 483-B.
4. 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.
5. 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.
6. 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.
7. Any fill used shall be clean sand, gravel, rock, or other suitable material.
8. The permittee shall coordinate with the NH Department of Fish and Game to assess and mitigate the project's effect on Bald Eagle habitat.
9. The permittee shall coordinate with the NH Natural Heritage Bureau to assess and mitigate the project's effect on sensitive plant species and/or natural communities.

With Findings:

1. The project should not impact sensitive species of wetlands vegetation identified by the NH Natural Heritage Bureau as there are no wetland impacts proposed.

CSPA PERMIT W/VARIANCE

2008-01178 BONENFANT, GEORGE
NORTHWOOD Bow Lake

Requested Action:

Impact 1,100 sq ft to replace an existing septic system with a proposed leach field within 75 ft of the reference line and excavate 794 sq ft to construct a new foundation and replace an existing nonconforming primary structure within the existing footprint on property with approximately 92 ft of shoreline frontage on Bow Lake in Northwood.

Inspection Date: 08/16/2008 by Thomas Gilbert

APPROVE PERMIT:

Impact 1,100 sq ft to replace an existing septic system with a proposed leach field within 75 ft of the reference line and excavate 794 sq ft to construct a new foundation and replace an existing nonconforming primary structure within the existing footprint on property with approximately 92 ft of shoreline frontage on Bow Lake in Northwood.

With Conditions:

1. All work shall be in accordance with plans by Farwell Engineering Services, LLC dated June 24, 2008 and received by DES on June 27, 2008.
2. This approval includes a variance of the minimum setback for the leaching portion of septic systems set forth in RSA 483-B:9, V, (C), (2). This permit shall not be effective until the attached Variance Approval has been recorded with the appropriate Registry of Deeds office by the Permittee. A copy of the recorded Variance Approval shall be submitted to the DES Wetlands Bureau by certified mail, return receipt requested, prior to construction.
3. No more than 14% of the area of the lot within the protected Shoreland shall be covered by impervious surfaces.
4. All activities conducted in association with the completion of this shall be conducted in a manner that complies with applicable criteria of all administrative rules and RSA 483-B during and after construction.
5. This permit is contingent upon approval of the proposed septic system by the NH Subsurface Systems Bureau.
6. 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.
7. 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.
8. 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.
9. Any fill used shall be clean sand, gravel, rock, or other suitable material.

With Findings:

1. The location of the proposed septic system is within the 75 ft septic setback to surface waters and, therefore, fails to conform to the minimum setback for the leaching portion of septic systems set forth in RSA 483-B:9, V, (C), (2).
2. In accordance with RSA 483-B:9, V(g), "the commissioner shall have the authority to grant variances from the minimum standards of this section. Such authority shall be exercised subject to the criteria which govern the grant of a variance by a zoning board of adjustment under RSA 674:33, I (b)."
3. The proposed leach field will be setback at least 66 ft from the reference line, which is the greatest possible setback on the property.
4. Compliance with the septic setback would prohibit the property owner from replacing the existing out dated septic system with a new improved septic system.

5. The new septic system will improve the protection of the waterbody and therefore issuing the variance of the setback is consistent with the intent of the statute.
6. The proposed project will not adversely affect the public or private rights of others.
7. Granting the variance will be consistent with the public interest as the existing septic system is outdated and a potential health hazard.
8. Granting the variance will do substantial justice by allowing the property owner to maintain and enjoy a significant property right while upholding the spirit of the CSPA and preserving the private rights and interests of the public.
9. The replacement of the non-conforming primary structure within the existing footprint meets the criteria of RSA 483-B:11, I and does not require a redevelopment waiver.
10. The applicant has proposed to reduce the total amount of impervious surface on the lot by approximately 3% by removing the existing driveway and constructing a smaller driveway in a new location.