

Wetlands Bureau Decision Report

Decisions Taken
12/28/2009 to 01/03/2010

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 30 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

2008-01400 BENTON, THOMAS
WOLFEBORO Lake Winnepesaukee

Requested Action:

Amend permit to combine two different drainage flows the driveway roadway intersection.

Conservation Commission/Staff Comments:

Con Com recommends the shoreline be kept as natural as possible

APPROVE AMENDMENT:

Repair an existing "L" shaped 55 ft breakwater to previously permitted dimensions, add a 4 ft x 27 ft piling supported finger dock, add 3 tie off piles, dredge 2 cubic yards from 150 sq ft of lakebed, reduce an existing landing to 10 ft x 6 ft dimensions, rip rap 150 linear feet of shoreline and stabilize 150 feet of shoreline with bio-stabilization methods, install 335 ft of culvert and outflow structure on an average of 150 ft of frontage on Lake Winnepesaukee, Wolfeboro.

With Conditions:

1. All work shall be in accordance with plans by White Mountain Survey Co revision dated December 26, 2008, as received by DES on February 06, 2009 and amendment plans by White Mountain Survey Co revision dated October 22, 2009, as received by DES on October 26, 2009.
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 the structures represented as "existing" were not previously permitted or grandfathered.
4. Appropriate siltation, erosion, and turbidity controls shall be in place prior to construction, maintained during construction, and shall remain until the area is stabilized.
5. The repairs shall maintain the size, location and configuration of the pre-existing structures.
6. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
7. This permit does not allow for the temporary stockpile of rip rap material in any areas of the Departments jurisdiction.
8. Rip rap shall not extend up slope more than 4 feet in elevation from full lake elevation of 504.32 or lakeward more than 2 feet from full lake elevation.
9. Work shall be done during low flow.
10. All construction related debris shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
11. This permit does not allow for the removal of any trees or stumps from the frontage.
12. 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.
13. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding areas and spawning areas shall be avoided.
14. 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 major project per Rule Env-Wt 303.02(j), construction or modification of a breakwater.
2. The applicant has an average of 150 feet of shoreline frontage along Lake Winnepesaukee.
3. A maximum of 3 slips may be permitted on this frontage per Rule Env-Wt 402.13 Frontage Over 75'.
4. The proposed docking facility will provide 2 slips as defined per Rule Env-Wt 101.09 Boat slip, and therefore meets Rule Env-Wt 402.13.
5. Public hearing is waived based on several field inspections by NH DES staff, with the finding that the project impacts will not significantly impair the resources of Lake Winnepesaukee.
6. Several field inspections found no obvious evidence of sand migration along this shoreline.

7. The proposed drainage structures are necessary to correct erosion and slope failure problems along the frontage.

-Send to Governor and Executive Council-

2009-02441 KNIGHTON, WILLIAM
MOULTONBOROUGH Lake Winnepesaukee

Requested Action:

Dredge 54 cubic yards from 1750 sq ft, 7 cubic yards from 231 sq ft, 3 cubic yards from 246 sq ft, repair a 14 ft 10 in x 20 ft 4 in boathouse, repair a 18 ft 6 in x 37 ft 10 in boathouse, repair a 16 ft 4 in x 88 ft 4 in boathouse and all associated supports on Lake Winnepesaukee, Moultonborough.

Conservation Commission/Staff Comments:

No Con Com comments as of Dec 29, 2009

APPROVE PERMIT:

Dredge 54 cubic yards from 1750 sq ft, 7 cubic yards from 231 sq ft, 3 cubic yards from 246 sq ft, repair a 14 ft 10 in x 20 ft 4 in boathouse, repair a 18 ft 6 in x 37 ft 10 in boathouse, repair a 16 ft 4 in x 88 ft 4 in boathouse and all associated supports on Lake Winnepesaukee, Moultonborough.

With Conditions:

1. All work shall be in accordance with plans by Folsom Design and Construction Management dated September 09, 2009, as received by DES on October 13, 2009.
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. The repairs shall maintain the size, location and configuration of the pre-existing structures.
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 the structures represented as "existing" were not previously permitted or grandfathered.
5. All construction related debris shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
6. Appropriate siltation and erosion controls shall be in place prior to construction, maintained during construction, and shall remain until the area is stabilized.
7. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
8. Work authorized shall be carried out such that discharges in spawning or nursery areas during spawning seasons shall be avoided, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
9. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding areas and spawning areas shall be avoided.
10. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
11. This permit does not allow for any impacts on the frontage for dewatering of dredged materials.
12. All activities shall be in accordance with the Comprehensive Shoreland Protection Act, 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.

With Findings:

1. This is a major impact project per Administrative Rule Env-Wt 303.02(g), removal of more than 20 cubic yards or rock, gravel, sand, mud, or other 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. DES Staff conducted a field inspection of the proposed project several times during the last couple of years. Field inspection determined the need for the proposed project.

5. In accordance with RSA 428-A:8, DES finds that the requirements for a public hearing do not apply as the permitted project is not of substantial public interest, and will not have a significant impact on or adversely affect the values of Lake Winnepesaukee.

-Send to Governor and Executive Council-

MINOR IMPACT PROJECT

2009-00233 CONATY, WILLIAM & SUE
SUNAPEE Lake Sunapee

Requested Action:

Applicant requests reconsideration of the Department's April 9, 2009 decision to deny the application for permit to expand an existing non-conforming docking structure.

Conservation Commission/Staff Comments:

Con Com submitted comments with no concerns

DENY RECONSIDERATION:

Reaffirm decision to deny the expansion of the existing, non-conforming 8 ft x 37 ft 3 in crib pier on an average of 200 ft of frontage on Lake Sunapee

With Findings:

Grounds for Reconsideration

1. The Appellant states that "the Bureau denied our permit application without the typical RFMI letter addressing issues and concerns."
2. The Appellant maintains that the project as originally proposed is the least impacting alternative method of providing 3 boat slips on the frontage.
3. The Appellant maintains that the project is similar to other projects which were approved, three of which are specifically noted, and should be reviewed in a similar manner to those projects.
4. The Appellant submitted a request for a waiver of Rule Env-Wt 402.21, Modification of Existing Structures, pursuant to Rule Part Env-Wt 204.
5. The Appellant maintains that the use of the existing dock as access to the proposed structure minimizes impacts associated with the new structure.

Standards for Approval

1. Pursuant to RSA 482-A:10, II, Appeals, "A request for reconsideration of a department decision under RSA 482-A:3 shall be filed with the department within 30 days of issuance of the department's decision. The request for reconsideration shall describe in detail each ground for the request for reconsideration."
2. Pursuant to RSA 482-A:10, III, Appeals, "On reconsideration, the department shall receive and consider any new and additional evidence presented, and shall make findings of fact and rulings of law in support of its decision after reconsideration."
3. Pursuant to RSA 482-A:3, XIV, (a), " In processing an application for permits under this chapter, except for a permit by notification, the department shall:... (2)Within 75 days of the issuance of a notice of administrative completeness ... request any additional information that the department is permitted by law to require to complete its evaluation of the application, together with any written technical comments the department deems necessary."
4. In accordance with Rule Env-Wt 302.03, (a), (2), Avoidance, Minimization, and Mitigation, the applicant shall submit a statement describing the impact of the proposed project design and provide evidence which demonstrates that any unavoidable

impacts have been minimized.

5. In accordance with Rule Env-Wt 401.01, Purpose, "The purpose of this chapter is to protect the public trust and other interests of the state of New Hampshire, by: (a) Establishing requirements for the design and construction of structures in order to prevent unreasonable encroachment on surface waters of the State; (b) Preserving the integrity of the surface waters of the state by requiring all structures to be constructed so as to insure safe navigation, minimize alterations in prevailing currents, minimize the reduction of water area available for public use, avoid impacts that would be deleterious to fish and wildlife habitat, and avoid impacts that might cause erosion to abutting properties."

6. In accordance with Rule Env-Wt 204.01, (a), Purpose, the purpose of these rules is to establish the procedures and criteria for granting waivers to rules to accommodate those situations where strict adherence to the rules would not be in the best interest of the public or the environment.

7. Pursuant to Env-Wt 204.04, (2), Criteria, a request for a waiver shall be granted if granting the request is consistent with the intent and purpose of the rule being waived or strict compliance with the rule will provide no benefit to the public and will cause an operational or economic hardship to the applicant.

8. In accordance with Rule Env-Wt 402.06 "Permanent Docks, an application for a permanent dock shall be approved only when an applicant establishes that the proposed site for the dock is exposed to a design fetch of at least 1 mile between compass headings 245 to 340 degrees, or a design fetch of at least 2 miles between compass headings 341 to 0 or 0 to 244 degrees, as measured from true north."

9. In accordance with Rule Env-Wt 402.03 (a), Dimensions, approvable standard dimensions for a permanent dock shall not exceed a deck width of 6 feet and deck length of 30 feet in lakes and ponds of 1,000 acres or more.

10. Pursuant to Rule Env-Wt 402.13 Frontage Over 75', "To lessen congestion, improve public safety and navigation, protect neighboring property values, provide sufficient area for construction of facilities, provide adequate area for boat maneuvering, and protect health, safety, and general welfare, there shall be a minimum of 75' of shoreline frontage on the property for the first 2-slip structure and an additional 75' of shoreline frontage on the property for each additional boating slip or securing location on a structure for non-commercial use"

11. In accordance with RSA 482-A:2, VIII, Definitions, on water bodies 10,000 acres in size or less, "Boat slip" means "a volume of water 20 feet long, 6 feet wide, and 3 feet deep as measured at normal high water and located adjacent to a structure to which a watercraft may be secured."

12. Pursuant to Rule Env-Wt 402.21, Modification of Existing Structures, the department shall not approve any change in size, location, or configuration of an existing structure unless the applicant demonstrates, and the department finds, that the modification is less environmentally-impacting or provides for fewer boat slips and less construction surface area over public submerged lands than the current configuration.

13. This project is classified as a minor impact per Rule Env-Wt 303.03(d), construction or modification of any permanent docking facility that provides fewer than 5 slips.

Findings of Fact

1. On February 23, 2009, the Wetlands Bureau received an application to retain a seasonal boat lift and canopy, add a second seasonal lift and 2 personal watercraft lifts, and construct a new seasonal pier and walkway to be connected to an existing crib pier on property more particularly identified as Sunapee tax map 128, lot 66 (the "Property").
2. The existing crib pier fails to conform to the dimension limits set in Rule Env-Wt 402.02 and the site is not exposed to sufficient fetch to justify the construction of a permanent crib pier as established in Rule Env-Wt 402.06.
3. The addition of the seasonal pier and walkway to the existing crib pier would add 1 slip to the facility and increase the square feet of construction surface area over public submerged lands by 216 sq ft.
4. On April 9, 2009 the Department denied the application for permit to add seasonal sections to the existing non-conforming pier with the finding that the "proposal to expand the existing non-conforming crib pier fails to meet the criteria of Rule Env-Wt 402.21 and, therefore is not approvable."
5. On April 29, 2009 the Department received a Request for Reconsideration of the Department's decision to deny the application.
6. On June 8, 2009 the Department notified the Appellant that additional time would be needed to process the Request for Reconsideration in accordance with RSA 482-A:10, III.
7. The purpose of the Appellant's statement in the Request for Reconsideration that the Department denied the application in 56 days without issuing a Request for More Information letter is unclear. The Department agrees with the statement but notes there is no requirement that the Department issue such a letter prior to denying an application. The Department also notes that the completion of the review of the application was well within the 75 days allowed under RSA 482-A:3, XIV.
8. The Appellant states in the Request for Reconsideration that a conforming, U-shaped, 3 slip docking facility, if constructed,

would cover 558 sq ft of lakebed and would result in a greater coverage area over public waters than the 517 sq ft that would be result from the project as proposed.

9. The "conforming," U-shaped, 3 slip docking facility used as an example by the Appellant does not incorporate the requirements of Rule Env-Wt 302.03, (a), (2), Avoidance, Minimization, and Mitigation in its design.

10. A conforming, h-shaped, 3-slip docking facility, designed in accordance with the requirements of Rule Env-Wt 302.03, (a), (2), Avoidance, Minimization, and Mitigation, would only cover 465 sq ft of public waters. A conforming docking facility would impact 52 fewer sq ft than the project as proposed.

11. The Appellant fails to acknowledge that during the non-boating season, a conforming, seasonal, docking facility would result in 0 sq ft of impact to public waters and would not require use of any method of ice protection which may destabilize ice conditions and impact public safety during the non-boating season.

12. The Department was aware of each of the files specifically noted in the Request for Reconsideration and finds that none of them are truly similar to this project and this property and therefore they are not relevant to the Department's final decision on this application.

13. There is no apparent reason that a conforming structure constructed on this frontage must require additional impacts to the bank for access.

14. Granting the request for a waiver of Rule Env-Wt 402.21 to allow modifications which would expand the non-conforming structure would not be consistent with the intent and purpose of the rule.

15. Adherence to the strict requirements of Rule Env-Wt 402.21 would benefit the public in that it could remove an obstacle from the public trust during the non-boating season.

Ruling in Support of the Decision

1. The Appellant has failed to show that the project as proposed meets the requirement for a waiver of Rule Env-Wt 402.21, as outlined in Rule Env-Wt 204.04. The request for a waiver of the rule is denied.

2. The project as proposed is more impacting than the construction of a conforming, 3 slip seasonal, h-shape structure, designed in accordance with the requirements of Rules Env-Wt 302.03, (a), (2) and Env-Wt 401.01 and, therefore, is not approvable.

3. The Department's decision to deny this project is made in accordance with the Wetlands Program Administrative Rules in effect at the time of the application in consideration of the characteristics of the site and structures specifically involve in the application. The Department's decision to deny this application is not incongruent with its decisions relative to the applications cited in the Request for Reconsideration by the Appellant as there are significant differences in characteristics of each of the applications cited.

2009-00365 SUNAPEE FAMILY TRUST, JESSICA SQUIRES TTEE NEW LONDON Lake Sunapee

Requested Action:

The Applicant requests reconsideration based on revised plans and the request for a waiver of Rule Env-Wt 402.21, Modification of Existing Structures.

Conservation Commission/Staff Comments:

Con Com signed Exp Application

APPROVE RECONSIDERATION:

Construct a 6 ft x 28 ft seasonal dock extending for an existing 12 ft x 12 ft permanent dock supported by a 12 ft x 8 ft crib on an average of 344 ft of frontage on Lake Sunapee, in Sunapee.

With Conditions:

1. All work shall be in accordance with plans by Watermark Marine Construction dated April 20, 2009 as received by DES on April 27, 2009.

2. The 12 ft x 12 ft deck shall be removed prior to the construction of any additional docks on this frontage.

3. This permit does not allow dredging for any purpose.

4. 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.

5. This shall be the only docking 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.
6. The seasonal pier shall be removed from the lake for the non-boating season.
7. No portion of the docking structure shall extend more than 40 feet from the shoreline at full lake elevation.
8. All activities shall be in accordance with the Comprehensive Shoreland Protection Act, 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.

With Findings:

1. This project is classified is a minor impact project per Rule Env-Wt 303.03,(d), construction or modification of a permanent docking structure providing less than 5 boat slips.
2. The Applicant has requested a waiver of Rule Env-Wt 402.21, Modification of Existing Structures, in accordance with Rule Env-Wt 204.04, Criteria.
3. The Applicant maintains that the use of the non-conforming structure is less impacting than the alternative structures that could be constructed on this amount of frontage and, therefore, the project meets the criteria of Rule Env-Wt 204.04.
4. The proposal only meets the criteria of Rule Env-Wt 204.04 if the structures that might otherwise be constructed under the rules are not constructed. Therefore, the permit has been conditioned such that the existing non-conforming deck must be removed before any additional docking structures are built.

FORESTRY NOTIFICATION

2009-02896 TOMMILA, JOHN
FITZWILLIAM Unnamed Stream

COMPLETE NOTIFICATION:
Fitzwilliam Tax Map 14, Lot# 25-37

2009-02972 PHELPS, JOHN
CLAREMONT Unnamed Stream

COMPLETE NOTIFICATION:
Claremont Tax Map 131, Lot# 246

2009-03020 NH DRED
WARNER Unnamed Stream

COMPLETE NOTIFICATION:
Warner Tax Map 8, Lot# 24 P1-527

2009-03030 OTTENBERG TRUST, ELISE
MOULTONBOROUGH Unnamed Stream

COMPLETE NOTIFICATION:
Moultonboro Tax Map 25, Lot# 1

2009-03031 **BROOKS, CARL**
CARROLL **Unnamed Stream**

COMPLETE NOTIFICATION:
Carroll Tax Map 419, Lot# 15

2009-03034 **ROYLE, CARYL**
CARROLL **Unnamed Stream**

COMPLETE NOTIFICATION:
Carroll Tax Map 203, Lot# 55

2009-03035 **NH DRED**
NOTTINGHAM **Unnamed Stream**

COMPLETE NOTIFICATION:
Nottingham Tax Map 76, Lot# 2

2009-03036 **NH DRED**
WARNER **Unnamed Stream**

COMPLETE NOTIFICATION:
Warner Tax Map 14, Lot# 43

2009-03037 **MCKERLEY, SHIRLEY**
BOSCAWEN **Unnamed Stream**

COMPLETE NOTIFICATION:
Boscawen Tax Map 47, Lot# 6

2009-03044 **MIRANDA, FRANCES**
RUMNEY **Unnamed Stream**

COMPLETE NOTIFICATION:
Rumney Tax Map 4, Lot# 2-4

2009-03045 **MORIARTY, ALBERT**
HILL **Unnamed Stream**

COMPLETE NOTIFICATION:
Hill Tax Map R8, Lot# 20 & 21

2009-03046 **KELLOGG, STANLEY**
NEW IPSWICH **Unnamed Stream**

COMPLETE NOTIFICATION:
New Ipswich Tax Map 14A, Lot# 8

2009-03049 ROBERTS, NANCY
ROLLINSFORD Unnamed Stream

COMPLETE NOTIFICATION:
Rollinsford Tax Map 4, Lot# 13

2009-03050 VETTER, NORMAN/STACIA
ROCHESTER Unnamed Stream

COMPLETE NOTIFICATION:
Rochester Tax Map 247, Lot# 5

EXPEDITED MINIMUM

2009-02067 INDIAN CARRY LANDOWNERS ASSOCIATION, JOSEPH LOWRY
MOULTONBOROUGH Unnamed Stream

Requested Action:

Proposal to temporarily impact approximately 300 sq. ft. of perennial stream to replace failed twin 42" CMP culverts with twin 36" HDPE culverts.

Conservation Commission/Staff Comments:

1. The Conservation Commission signed the application waiving their right to intervene.

APPROVE PERMIT:

Impact (temporary) approximately 300 sq. ft. of perennial stream for "in-kind" replacement of failed twin 42 in. CMP culverts. Work includes installation of temporary cofferdams, removal of the existing culverts and installation of the new 42 in. CMP culverts.

With Conditions:

1. All work shall be in accordance with plans by Indian Carry Landowners' Association dated November 2009 and narratives dated November 30, 2009, as received by DES on December 4, 2009.
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. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
4. Proper headwalls shall be constructed within seven days of culvert installation.
5. There shall be no excavation or operation of construction equipment in flowing water.
6. Extreme precautions shall be taken within riparian areas to limit unnecessary removal of vegetation during access construction and areas cleared of vegetation to be revegetated within three days of the completion of this project.
7. Unconfined work within the stream, exclusive of work associated with installation of a cofferdam, shall be done during periods of low flow.
8. 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.

9. Prior to commencing work on a substructure located within surface waters, a cofferdam shall be constructed to isolate the substructure work area from the surface waters.
10. Temporary cofferdams shall be entirely removed immediately following construction.
11. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
12. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
13. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
14. Within three days of final grading or temporary suspension of work, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
15. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid prior to entering surface waters or wetlands. Faulty equipment shall be repaired immediately.
16. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each operator shall be trained in its use.
17. All refueling of equipment shall occur outside of surface waters or wetlands during construction.
18. All activities shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B.
19. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04 (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 project was revised to an "in-kind" replacement.
6. The applicant obtained permission from the adjacent abutters/landowners to conduct the repair work.

2009-02514 ABDALLAH CONSTRUCTION CORP
CHESTER Unnamed Wetland

Requested Action:

Impact a total of 585 square feet within the bed and banks of an intermittent stream to include 475 sq. ft. of permanent impact and 110 square feet of temporary impact to construct a common drive with one (1) crossing containing a 30-inch by 40-foot CPP culvert, headwalls, and riprap apron for access to four (4) individual single family residential lots as part of a 4-lot subdivision of 24.74 acres with 19.26 acres reserved as open space.

Conservation Commission/Staff Comments:

The Chester Conservation Commission signed the Minimum Impact Expedited Application.

APPROVE PERMIT:

Impact a total of 585 square feet within the bed and banks of an intermittent stream to include 475 sq. ft. of permanent impact and 110 square feet of temporary impact to construct a common drive with one (1) crossing containing a 30-inch by 40-foot CPP culvert, headwalls, and riprap apron for access to four (4) individual single family residential lots as part of a 4-lot subdivision of 24.74 acres with 19.26 acres reserved as open space.

With Conditions:

1. All work shall be in accordance with plans by Eric C. Mitchell & Assoc. Inc. dated March 4, 2008 and revised through October 5, 2009, as received by DES on December 2, 2009.
2. DES southeast region staff shall be notified in writing prior to commencement of work and upon its completion.
3. This permit is contingent on approval by the DES Subsurface Systems Bureau.
4. The deed which accompanies the sales transaction for each of the lots in this subdivision shall contain condition #11 of this approval.
5. This permit shall not be effective until it has been recorded with the Rockingham 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.
6. Additional expedited minimum impact applications shall be accepted for the subject property for a period of 12 months only if the applicant demonstrates by plan that the additional project(s) are wholly unrelated or separate from the original application and when considered with the original application are not classified as minor or major.
7. Work authorized shall be carried out such that discharges shall be avoided in spawning or nursery areas during spawning seasons, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
8. A 50-foot no cut buffer shall be maintained around the vernal pool adjacent to Lot 80-13.
9. Work shall be done during seasonal low flow conditions.
10. 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.
11. There shall be no further alteration of wetlands for lot development, driveways, culverts, for septic setback, or for any other construction related activities.
12. Topsoil in wetlands shall be stripped and segregated from subsoil during construction. Wetland topsoils shall be stockpiled separately from subsoils and shall be restored following backfill.
13. Proper headwalls shall be constructed within seven days of culvert installation.
14. The culvert outlet shall be properly rip rapped.
15. Within three days of final grading, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
16. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
17. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.
17. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid prior to entering surface waters or wetlands.
18. Temporary impacts within wetlands shall be restored to their pre-construction conditions including restoration of original grades, within 5 days of backfill.
19. Faulty equipment shall be repaired prior to entering jurisdictional areas.
20. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each operator shall be trained in its use.
21. 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(f), alteration of less than 3,000 square feet of forested wetland.
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.

2009-02720 LAKES REGION GOLF COURSES
ASHLAND Unnamed Pond

Requested Action:

Proposal to maintenance dredge 900 sq. ft. of sand/silt from an existing irrigation pond.

Conservation Commission/Staff Comments:

1. The Conservation Commission signed the application waiving their right to intervene.

APPROVE PERMIT:

Maintenance dredge 900 sq. ft. of sand/silt from an existing irrigation pond.

With Conditions:

1. All work shall be in accordance with plan by Mountain Mapping dated October 2008 and "Pond Cross Section Plan" and narratives, as received by DES on November 18, 2009.
2. Work shall be done during drawdown and low flow.
3. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
4. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
5. There shall be no excavation or operation of construction equipment in flowing water.
6. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
7. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
8. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
9. Within three days of final grading or temporary suspension of work, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
10. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid prior to entering surface waters or wetlands. Faulty equipment shall be repaired immediately.
11. 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.
12. All refueling of equipment shall occur outside of surface waters or wetlands during construction.
13. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(k) Maintenance dredging, when necessary to provide continued usefulness of nontidal drainage ditches, man-made ponds, and spillways.
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 PRLAC submitted comments regarding potential slit flow leaving the pond and entering the Pemigewasset River.
6. The applicant has responded and indicated that the work will be done when the pond is dewatered.
7. This approval is condition on proper site controls and drawdown of the pond.

PERMIT BY NOTIFICATION

**2009-01894 PEMIGEWASSET FISH & GAME CLUB, FRED ALLEN, PRES.
HOLDERNESS Unnamed Wetland**

Requested Action:

Proposal to impact 360 sq. ft. of wetlands for installation a culvert for access.

Conservation Commission/Staff Comments:

1. The Conservation Commission signed the PBN form waiving their right to intervene on the proposed project.

PBN IS COMPLETE:

PBN complete to impact 360 sq. ft. of wetlands for installation a 15 in. x 20 ft. interior corrugated plastic culvert for access to adjacent uplands.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 506.01(a)(8) The installation of a culvert or bridge and associated fill to permit vehicular access to a piece of property for a single family building lot or for noncommercial, recreational uses that meets the criteria in Env-Wt 303.04(z), Env-Wt 303.04(z) states: Installation of a culvert or bridge and associated fill to permit vehicular access to a piece of property for a single family building lot or for noncommercial recreational uses, provided:
 - (1) The total jurisdictional impact does not exceed 3,000 square feet;
 - (2) The roadway width at the crossing shall not exceed 20 feet;
 - (3) The fill width, measured at toe of roadway side slopes, shall be minimized, for example, by steepening the sideslopes and constructing walls, and not exceed 50 feet;
 - (4) Fill for any single wetland crossing shall not exceed 60 feet in length, measured along the centerline of the proposed access way; and
 - (5) Such projects shall be limited to crossings that:
 - a. Do not impact bogs, marshes, sand dunes, tidal wetlands, cedar swamps, or undisturbed tidal buffer zone;
 - b. Are not located in or adjacent to prime wetlands, as defined by Env-Wt 701.02 through Env-Wt 701.04;
 - c. Do not meet the criteria of Env-Wt 303.02(k); and
 - d. Cross stream channels less than 10 feet wide;
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.
5. The applicant's agent has addressed concerns of the New Hampshire Fish and Game, Nongame and Endangered Wildlife Program.
6. The applicant's agent has confirmed that the proposed crossing is outside of the 100 foot. prime wetland buffer and is not related to potential future development impacts.

2009-03041 **CALLAHAN, WILLIAM & JOAN**
LACONIA Lake Winnepesaukee

Requested Action:

Repair existing docking facilities and install a seasonal boatlift.

Conservation Commission/Staff Comments:

Con Com signed PBN

PBN IS COMPLETE:

Repair existing docking facilities and install a seasonal boatlift.

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

2009-00417 BOUDREAU, BRIAN
PITTSBURG Back Lake

Requested Action:

Impact an additional 544 sq ft to the already approved permit of impacting 896 sq ft for the purpose of constructing a garage and driveway.

APPROVE AMENDMENT:

Impact an additional 544 sq ft to the already approved permit of impacting 896 sq ft for the purpose of constructing a garage and driveway.

With Conditions:

1. All work shall be in accordance with plans by Brian Boudreau revised April 1, 2009 and received by the Department of Environmental Services ("DES") on April 6, 2009.
2. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands or areas to remain unaltered.
3. There shall be no impacts to native vegetation between 50' and 150' of the reference line associated with the proposed project in order to comply with RSA 483-B:9, V, (b), (2), (A), (ii).
4. 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.
5. 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.
6. 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.
7. No more than 19.0% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
8. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
9. 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.
10. Any fill used shall be clean sand, gravel, rock, or other suitable material.

2009-01565 PLYMOUTH VILLAGE WATER & SEWER DISTRICT
PLYMOUTH Pemigewasset River

Requested Action:

Impact 2985.5 sq. ft. for upgrades and site improvements to an existing waste water treatment plant.

DENY PERMIT:

Impact 2985.5 sq. ft. for upgrades and site improvements to an existing waste water treatment plant.

With Findings:

In accordance with RSA 483-B:5-b, V, (a), Permit Required; Exemption, "Within 30 days of receipt of an application for a permit or 75 days of receipt of an application for a permit that will require a variance of the minimum standard of RSA 483-B:9, V or a waiver of the minimum standards of RSA 483-B:9, Any request for additional information shall specify that the applicant submit such information as soon as practicable and notify the applicant that if all of the requested information is not received within 60 days of the request, the department shall deny the application."

2. On August 12, 2009 the Department issued a Request for More Information Letter to the Applicant notifying them that additional Information was required to complete their file.
3. The Department's letter specified that if the information requested was not received by October 11, 2009, their application would be denied.
4. The Applicant failed to submit the requested information by October 11, 2009 and, therefore, the application is denied in accordance with ROSA 483-B:5-b, V, (a).

2009-01600 LANDRY, JOSEPH
AUBURN Lake Massabesic

Requested Action:

Impact 548 sq. ft. for the installation of an above ground swimming pool with deck.

DENY PERMIT:

Impact 548 sq. ft. for the installation of an above ground swimming pool with deck.

With Findings:

1. In accordance with RSA 483-B:5-b, V, (a), Permit Required; Exemption, "Within 30 days of receipt of an application for a permit or 75 days of receipt of an application for a permit that will require a variance of the minimum standard of RSA 483-B:9, V or a waiver of the minimum standards of RSA 483-B:9, Any request for additional information shall specify that the applicant submit such information as soon as practicable and notify the applicant that if all of the requested information is not received within 60 days of the request, the department shall deny the application."
2. On August 17, 2009 the Department issued a Request for More Information Letter to the Applicant notifying them that additional Information was required to complete their file.
3. The Department's letter specified that if the information requested was not received by October 16, 2009, their application would be denied.
4. The Applicant failed to submit the requested information by October 16, 2009 and, therefore, the application is denied in accordance with RSA 483-B:5-b, V, (a).

2009-02875 BUELL, ROBERT
TUFTONBORO Lake Winnepesaukee

APPROVE PERMIT:

Impact 1213 sq. ft. to pour a concrete foundation to an existing cottage and porch.

With Conditions:

1. All work shall be in accordance with plans by Fernstone Associates dated October 12, 2009 and received by the Department of Environmental Services ("DES") on December 4, 2009.
2. No more than 11% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
3. The project as proposed will leave approximately 7,942 sq ft of the Natural Woodland Buffer beyond the primary building setback in an unaltered state. At least 7,942sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).

4. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
5. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
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. 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.

2009-02887 ANNIS, GEORGE
ALTON Lake Winnepesaukee

Requested Action:

Impact 2,295 sq ft to add a family room with deck onto existing dwelling.

APPROVE PERMIT:

Impact 2,295 sq ft to add a family room with deck onto existing dwelling.

With Conditions:

1. All work shall be in accordance with plans by Steven J. Smith and Associates dated December 1, 2009 and received by the Department of Environmental Services ("DES") on December 7, 2009.
2. No more than 19.7% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
3. The project as proposed will leave approximately 2,700 sq ft of the Natural Woodland Buffer beyond the primary building setback in an unaltered state. At least 675 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
4. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
5. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
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. 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.

2009-02889 SUNAPEE 2001 REALTY TRUST, JAMES NICHOL
SUNAPEE Lake Sunapee

Requested Action:

Impact 14,525 sq ft to replace existing 3,200 sq ft structure with a new 4,152 sq ft structure.

APPROVE PERMIT:

Impact 14,525 sq ft to replace existing 3,200 sq ft structure with a new 4,152 sq ft structure.

With Conditions:

1. All work shall be in accordance with plans by Blakeman Engineering, Inc. dated December 2, 2009 and received by the

Department of Environmental Services ("DES") on December 7, 2009.

2. No more than 16.1% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
3. The project as proposed will leave approximately 232 sq ft of the Natural Woodland Buffer beyond the primary building setback in an unaltered state. At least 2,692 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
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. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
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. 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.

2009-02890 DUNHAM, JEFF
WEST CHESTERFIELD Connecticut River

Requested Action:

Impact 4,850 sq ft to construct a retaining wall to stabilize slope.

APPROVE PERMIT:

Impact 4,850 sq ft to construct a retaining wall to stabilize slope.

With Conditions:

1. All work shall be in accordance with plans by Beck Engineering, PC dated November 20, 2009 and received by the Department of Environmental Services ("DES") on December 3, 2009.
2. No more than 11.8% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
3. The project as proposed will leave approximately 6,659 sq ft of the Natural Woodland Buffer beyond the primary building setback in an unaltered state. At least 7,209 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
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. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
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. 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.

2009-02913 DINGER, PETER
EFFINGHAM Province Lake

Requested Action:

Impact 9,272 sq ft to construct 3-car garage with additional paved parking, walk out patio, an enclosed porch, and retaining walls.

APPROVE PERMIT:

Impact 9,272 sq ft to construct 3-car garage with additional paved parking, walk out patio, an enclosed porch, and retaining walls.

With Conditions:

1. All work shall be in accordance with plans by Land Tech dated September 1, 2009 and received by the Department of Environmental Services ("DES") on December 10, 2009.
2. No more than 10.2% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
3. The project as proposed will leave approximately 5,325 sq ft of the Natural Woodland Buffer beyond the primary building setback in an unaltered state. At least 10,534 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
4. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
5. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
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. 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.

**2009-02914 BURBANK, RICHARD AND CLAUDETTE
MOULTONBOROUGH Lake Winnepesaukee**

Requested Action:

Impact 4,185 sq ft to construct new detached garage, expand driveway, and construct retaining walls.

APPROVE PERMIT:

Impact 4,185 sq ft to construct new detached garage, expand driveway, and construct retaining walls.

With Conditions:

1. All work shall be in accordance with plans by Ames Associates dated October 30, 2009 and received by the Department of Environmental Services ("DES") on December 9, 2009.
2. No more than 24.3% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
3. The project as proposed will leave approximately 1,480 sq ft of the Natural Woodland Buffer beyond the primary building setback in an unaltered state. At least 2,307 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
4. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
5. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
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. 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.

2009-02915 21 ROCKY RIDGE ROAD REALTY TRUST
WINDHAM Cobbetts Pond

Requested Action:

Impact approx. 2,430 sq ft to construct new garage, driveway, dry well, and site grading.

APPROVE PERMIT:

Impact approx. 2,430 sq ft to construct new garage, driveway, dry well, and site grading.

With Conditions:

1. All work shall be in accordance with plans by Benchmerk Engineering, Inc. dated November 26, 2009 and received by the Department of Environmental Services ("DES") on December 10, 2009.
2. No more than 30% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
3. The project as proposed will leave approximately 0 sq ft of the Natural Woodland Buffer beyond the primary building setback in an unaltered state. At least 306 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
4. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
5. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
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. 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.

2009-02916 BATTREAL, STEPHEN & SUSAN
SUNAPEE Mountain View Lake

Requested Action:

After the fact impacted 350 sq ft to construct accessory structures.

APPROVE PERMIT:

After the fact impacted 350 sq ft to construct accessory structures.

With Conditions:

1. All work shall be in accordance with plans by CLD Consulting Engineers dated November 1, 2009 and received by the Department of Environmental Services ("DES") on November 9, 2009.
2. No more than 22.7% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
3. The project as proposed will leave approximately 4,936 sq ft of the Natural Woodland Buffer beyond the primary building setback in an unaltered state. At least 2,779 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
4. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
5. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
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. 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.

2009-02918 HALEY AND LINDSEY CAMPBELL, TERESA
WAKEFIELD Pine River Pond

Requested Action:

Impact 4,896 sq ft to construct driveway.

APPROVE PERMIT:

Impact 4,896 sq ft to construct driveway.

With Conditions:

1. All work shall be in accordance with plans by Land Tech dated December 1, 2009 and received by the Department of Environmental Services ("DES") on December 11, 2009.
2. No more than 14.2% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
3. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
4. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
5. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
6. Any fill used shall be clean sand, gravel, rock, or other suitable material.
7. 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.