

Wetlands Bureau Decision Report

Decisions Taken
01/04/2010 to 01/10/2010

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

2009-02443 NH SPEEDWAY INC
CANTERBURY Unnamed Wetland

Requested Action:

Proposal to impact approximately 1,415 sq. ft. of wetlands for the installation of a 15 in. x approximately 65 ft. CPP culvert to connect recent drainage improvements, improve public safety and increase the existing operation area. Work in wetlands will consist of installation of the new culvert and associated backfilling and grading.

APPROVE PERMIT:

Fill approximately 1,415 sq. ft. of wetlands for the installation of a 15 in. x approximately 65 ft. CPP culvert to connect recent drainage improvements, improve public safety and increase the existing operation area. Work in wetlands will consist of installation of the new culvert and associated backfilling and grading.

With Conditions:

1. All work shall be in accordance with plans by Stoney Ridge Environmental, LLC and Richard D. Bartlett & Associates, LLC dated October 5, 2009 and narratives as received by DES on October 18, 2009.
2. This permit is contingent on approval by the DES Alteration of Terrain Program.
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. 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.
5. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
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. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid. Faulty equipment shall be repaired immediately.
8. 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.
9. 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.
10. 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.

With Findings:

1. This is a major impact project per Administrative Rule Env-Wt 303.02(m)Any project that is related to other applications or permits in the wetlands area or wetlands complex in a manner such that if the proposed action were considered to be in a single application the combined impact would be considered major.
2. This project is not considered maintenance of existing structures that would potentially qualify as a minimum impact project.
3. The project is within a portion of the existing hospitality and media location area at the facility that is located within the Town of Canterbury along Loudon Town boundary. The recent Wetlands Bureau approval File #2009-00482 was for adjacent work located within the Town of Loudon and is related to this proposal because it was conducted within the last 5 years and is considered by DES as part of the previously approved project to make drainage improvements, address public safety and upgrade the existing commercial facility.
4. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01. 5. The impact area is a small isolated drainage area that connects the existing closed drainage system within the hospitality and media location.
6. DES conducted a field inspection of the proposed impact area on November 19, 2009. Field inspection determined that due to the location of the proposed impact area and its relative small size that its main function and value is to convey storm flow through

the adjacent drainage system.

- 7. The mitigation approval for Wetlands Bureau File #2009-00482 is adequate for the additional wetlands impact.
- 8. DES has not received any comments in opposition to the proposed impact.
- 9. 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 palustrine wetland.

MINOR IMPACT PROJECT

**2005-02540 TUCCI, RALPH
PITTSFIELD Unnamed Wetland Suncook River & Kelly Brook**

Requested Action:

Proposal to amend permit to include an additional 1,497 sq. ft. of wetlands impact not included in the previous submittal, which is needed for access to the new bridge.

APPROVE AMENDMENT:

Retain a total of 5566 square feet of palustrine forested wetland and stream impact for the construction of an interior road system for agricultural use.

With Conditions:

- 1. All work shall be in accordance with plans By Schauer Environmental Services dated May 22, 2006, and revised through January 13, 2009, as received by the Department on January 16, 2009 and revised plan dated July 30, 2009, as received by the Department on December 7, 2009.
- 2. Restoration work shall be in accordance with plans by Schauer Environmental Services Restoration of Impact B2 as approved and conditioned by the Department.
- 3. This permit is contingent on completion of the restoration, per a Restoration Plan Approval issued by the DES Wetlands Bureau, Compliance Section, of the unpermitted impacts.
- 4. This permit is contingent on approval by the DES Alteration of Terrain Program.
- 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.

With Findings:

The Department again reaffirms findings 1-5 of the original approval:

- 1. This is a minor impact project per Administrative Rule Env-Wt 303.03(h), projects involving less than 20,000 square feet of alteration in the aggregate in nontidal wetlands, nontidal surface waters, or banks adjacent to nontidal surface waters which exceed the criteria of Env-Wt 303.04(f).
- 2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
- 3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
- 4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
- 5. The applicant is working with the Department in order to come into complete compliance with RSA 482-A. This permit is part of the process to come into compliance with Administrative Order WD 05-031.

**2007-01329 TUTTLE, NATHANIEL
NEW IPSWICH**

Requested Action:

Deny permit application to retain 40 lin. ft. of stream impact for culvert installation for gravel pit access (after-the-fact).

DENY PERMIT-INSUFFICIENT & UNTIMELY RESP:

Deny permit application to retain 40 lin. ft. of stream impact for culvert installation for gravel pit access (after-the-fact).

With Findings:

1. A Notice of Administratively Incomplete Standard Dredge and Fill Application dated (September 01, 2009, addressed to the applicant or agent of record, clearly identified the requirement that the applicant to submit additional information to DES within 60 days of the notice.
2. Pursuant to RSA 482-A:3, XIV(a), if the requested additional information is not received by DES within 60 days of the request, DES shall deny the application.
3. DES did not receive the requested additional information within the 60 days and therefore the application has been denied.
4. DES Wetlands Bureau File No. 2007-01329, contains a pending enforcement investigation, in which an Administrative Order (No. 08-026 WD) was issued on May 09, 2008. This matter has been referred to DES Wetlands Bureau Enforcement Section.

**2008-02804 MOORE, MARK & INNA
NEWBURY Lake Sunapee**

Requested Action:

Applicant requests reconsideration of the Department's July 24, 2009, decision to deny the proposed docking facility expansion on the basis of a revised proposal.

Conservation Commission/Staff Comments:

No comments from the local Con Com by Feb 25, 2009

APPROVE RECONSIDERATION:

Reconsider and approve permit to: Remove a 2 ft x 16 ft section from an existing deck then construct a 6 ft x 30 ft piling pier and 10 ft x 6 ft walkway connected to an existing 6 ft x 30 ft crib pier extending from the remaining 22 ft x 10 ft deck located over the bank and surface water. Install a piling supported boat lift, seasonal boatlift, 2 seasonal personal watercraft lifts, and a 14 x 30 ft seasonal canopy on an average of 218 ft of frontage on Lake Sunapee, in Newbury.

With Conditions:

1. All work shall be in accordance with plans by Watermark Marine Construction as revised October 1, 2009, and received by DES on October 5, 2009.
2. No new structure may be constructed on this frontage until the 2 ft x 16 ft section of the deck is removed.
3. If at any time the 6 ft x 12 crib requires replacement the applicant shall replace it with piling supports unless it is shown that piling cannot be driven.
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 construction.
5. This permit to modify 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.
6. All construction related debris shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
7. Appropriate siltation, erosion, and turbidity controls shall be in place prior to construction, maintained during construction, and shall remain until the area is stabilized.
8. Work authorized shall be carried out such that discharges in spawning or nursery areas during spawning seasons shall be avoided, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
9. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding areas and spawning areas shall be avoided.
10. Seasonal structures shall be removed for the non-boating season.
11. Canopies shall be of seasonal construction type with a flexible fabric cover. The seasonal support frame shall be designed to be

removed for the non-boating season. The flexible fabric cover shall be removed during all seasons of non-use.

12. These shall be the only structures on this water frontage and all portions of the docking structure shall be at least 20 ft from the abutting property lines or the imaginary extension of those lines into the water.

13. 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 minor impact project per Administrative Rule Env-Wt 303.03(d), construction of a 3 slip permanent docking facility.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
5. The applicant has an average of 218 feet of shoreline frontage along Lake Sunapee.
6. A maximum of 3 slips may be permitted on this frontage per Rule Env-Wt 402.13, Frontage Over 75'.
7. The proposed docking facility will provide 3 slips as defined per RSA 482-A:2, VIII and therefore meets Rule Env-Wt 402.13.
8. The non-conforming portion of the deck which is over the public trust shall be removed.
9. Rule Env-Wt 402.21, Modification of Existing Structures, is waived in accordance with Rule Env-Wt 204.04, Criteria to allow the temporary retention of the crib support under the existing pier.

**2009-00184 GREENFIELD, TOWN OF
GREENFIELD Unnamed Wetland**

Requested Action:

Deny permit application to dredge and fill 2,374 sq. ft. and temporarily impact 380 sq. ft. of an unnamed perennial tributary to Otter Brook to replace a 40-inch x 25-foot CMP and 30-inch x 25-foot RCP with a 8-foot x 8-foot x 40-foot open bottom box culvert at Swamp Road; dredge and fill 794 sq. ft. and temporarily impact 112 sq. ft. of palustrine forested wetlands to replace a 12-inch x 25-foot HDPE culvert with a 12-inch x 40-foot HDPE culvert at Swamp Road; and dredge and fill 936 sq. ft. and temporary impact 204 sq. ft. of palustrine forested wetlands to replace three 18-inch x 30-foot RCP culverts (inlet)/18-inch x 35-foot HDPE culvert (outlet) with twin 24-inch x 40-foot HDPE culverts at Swamp Road.

DENY PERMIT-INSUFFICIENT & UNTIMELY RESP:

Deny permit application to dredge and fill 2,374 sq. ft. and temporarily impact 380 sq. ft. of an unnamed perennial tributary to Otter Brook to replace a 40-inch x 25-foot CMP and 30-inch x 25-foot RCP with a 8-foot x 8-foot x 40-foot open bottom box culvert at Swamp Road; dredge and fill 794 sq. ft. and temporarily impact 112 sq. ft. of palustrine forested wetlands to replace a 12-inch x 25-foot HDPE culvert with a 12-inch x 40-foot HDPE culvert at Swamp Road; and dredge and fill 936 sq. ft. and temporary impact 204 sq. ft. of palustrine forested wetlands to replace three 18-inch x 30-foot RCP culverts (inlet)/18-inch x 35-foot HDPE culvert (outlet) with twin 24-inch x 40-foot HDPE culverts at Swamp Road.

With Findings:

1. A request for additional information dated April 15, 2009, addressed to the applicant or agent of record, clearly identified the requirement that the applicant to submit additional information to DES within 60 days of the request.
2. On June 12, 2009, a timeframe review extension by mutual agreement was signed extending the applicants deadline to respond to the April 15, 2009, RFMI till July 15, 2009.
3. On July 14, 2009, a timeframe review extension by mutual agreement was signed extending the applicants deadline to respond to the April 15, 2009, RFMI till August 17, 2009.
4. On August 17, 2009, a timeframe review extension by mutual agreement was signed extending the applicants deadline to respond to the April 15, 2009, RFMI till September 18, 2009.
5. September 18, 2009, a timeframe review extension by mutual agreement was signed extending the applicants deadline to respond to the April 15, 2009, RFMI till October 23, 2009.
6. Pursuant to RSA 482-A:3, XIV(a), if the requested additional information is not received by DES within 60 days of the request,

DES shall deny the application.

7. DES did not receive the requested additional information within the 60 day timeframe review extension deadline and therefore the application has been denied.

2009-01273 BOISVERT, ARMAND
ANDOVER Sucker Brook

Requested Action:

Deny permit application to dredge and fill ± 1,800 sq. ft. of unnamed perennial stream (tributary to Sucker Brook) to replace a 36-in. culvert (Sam Hill Rd.) with a 36-in. culvert and two (2) 24-in. culverts and remove eroded road material from ± 250 lin. ft. of the stream channel.

DENY PERMIT-INSUFFICIENT & UNTIMELY RESP:

Deny permit application to dredge and fill ± 1,800 sq. ft. of unnamed perennial stream (tributary to Sucker Brook) to replace a 36-in. culvert (Sam Hill Rd.) with a 36-in. culvert and two (2) 24-in. culverts and remove eroded road material from ± 250 lin. ft. of the stream channel.

With Findings:

1. A request for additional information dated September 03, 2009, addressed to the applicant or agent of record, clearly identified the requirement that the applicant to submit additional information to DES within 60 days of the request.
2. Pursuant to RSA 482-A:3, XIV(a), if the requested additional information is not received by DES within 60 days of the request, DES shall deny the application.
3. DES did not receive the requested additional information within the 60 days and therefore the application has been denied.

2009-01366 ROCHESTER, CITY OF
ROCHESTER Unnamed Wetland

Requested Action:

Amend permit to reflect a design change eliminating 800 sq. ft. of wetlands impact in one location, and adding 780 sq. ft. of impact for a vehicle turnaround, reducing the permitted impact by 20 sq. ft.

APPROVE AMENDMENT:

Dredge and fill a total of 9,973 sq. ft. of wetlands to upgrade 900 linear feet of existing dirt road to provide satisfactory access to City of Rochester municipal water supply treatment facility and production well.

With Conditions:

1. AMENDED: All work shall be in accordance with plans by Wright-Pierce dated 5/14/2009, as received by DES on 6/30/2009, as amended per revised plans by Wright-Pierce dated 12/21/2009, and received by DES on 12/21/2009.
2. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
3. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
4. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
5. Within three days of final grading or temporary suspension of work, 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. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.

With Findings:

1. The amendment eliminates 800 sq. ft. of temporary impact in one location and adds 780 sq. ft. of permanent impact for a vehicle turnaround associated with the access road construction, resulting in a minimal difference in final approved impacts.
2. The Rochester Conservation Commission did not comment on the original application.

2009-01534 MILLS, RICHARD & DONNA
MEREDITH Lake Winnepesaukee

Requested Action:

The Appellant requests reconsideration of the Department's November 20, 2009 decision to deny the request for a 3 slip permanent docking structure.

DENY RECONSIDERATION:

Reaffirm the decision to deny the request for a 3 slip permanent docking structure.

With Findings:

Grounds for Reconsideration

1. The Appellant has submitted revised plans of the frontage.
2. The Appellant has submitted additional photographs of wave action and cites the prior approval of permanent docking facilities on frontage leased from the Department of Transportation to the south of the Appellant's proposed project as evidence in support of the need for a permanent docking 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. 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.
4. Pursuant to Rule Env-Wt 302.04, (a), (1), Requirements for Application Evaluation, for any major or minor project, the applicant shall demonstrate the need for the proposed impact by plan and example.
5. Pursuant to Rule Env-Wt 302.04 (a), (2), Requirements for Application Evaluation, for any major or minor project, the applicant shall demonstrate by plan and example that the alternative proposed by the applicant is the one with the least impact to wetlands or surface waters on site.
6. Pursuant to Rule Env-Wt 302.04, (d) Requirements for Application Evaluation, the department shall not grant a permit if there is a practicable alternative that would have a less adverse impact on the area and environments under the department's jurisdiction;
7. 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 or the applicant documents the occurrence of 1 foot high waves as measured from trough to crest in water at least 3 feet deep, at the location of the proposed dock on at least 4 separate occasions, lasting 4 hours each, between the dates of May 15 and October 15.
8. Pursuant to Rule Env-Wt 501.02, (a), Additional Data Requirements, the applicant shall submit a detailed and dimensioned, or scaled, drawing or drawings showing an overview of the property and proposed impact areas, and all existing and proposed structures and all other relevant features necessary to clearly define the project in relation to the property lines.
9. Pursuant to Rule Env-Wt 501.02, (c), Additional Data Requirements, in addition to the information required in (a), for projects affecting surface water shoreline, the applicant shall supply the general shape of the shoreline including the length of frontage, the full water body elevation, the footprint of all existing and proposed structures on the property, and the distance from existing and proposed work to abutting property lines.

10. The proposed project is classified as a minor impact project pursuant to Rule Env-Wt 303.03 (d) construction of a 3-slip, permanent docking facility.

Findings of Fact

1. On July 21, 2009, the DES Wetlands Bureau received an application to remove an existing seasonal pier and construct a 3-slip, piling supported docking facility with a seasonal canopy, two ice clusters, and 4 tie-off pilings on property identified as Meredith tax map U2, lot 11 (the "Property").
2. On November 20, 2009, the Department notified the Applicant, now the Appellant, of its decision to deny the application.
3. The Department's decision to deny the project was based on the failure of the site to meet the criteria for construction of a permanent docking facility and the failure to submit plans accurately portraying the existing and proposed conditions.
4. On December 20, 2009, the Department received an electronic copy of a Request for Reconsideration of the Department's November 20, 2009 decision to deny the application.
5. The plans submitted with the Request for Reconsideration indicate a footprint of the existing residence which does not match the structure that is visible in photographs of the site.
6. The plans submitted with the Request for Reconsideration indicate a second retaining wall set back from the shoreline which does not appear in photographs of that portion of the site.
7. The plans submitted with the Request for Reconsideration, when compared to photographs of the site, appear to indicate that the proposed new pier will disturb a previously undisturbed portion of the shoreline rather than utilize a disturbed portion of the frontage. There is no explanation in any of the file materials for the need to disturb additional areas.
8. The plans submitted with the Request for Reconsideration fail to indicate the top of bank in the area of the proposed docking facility location.
9. The construction sequence submitted with the Request for Reconsideration indicates the installation of a boatlift, however there is no boatlift shown on the plans submitted.
10. The photographs of wave activity submitted by the Appellant with the request for reconsideration do not meet the criteria of Rule Env-Wt 402.06.

Rulings in Support of the Decision

1. The permanent docking facility permitted to the south on frontage leased from the Department of Transportation was allowed on the basis that the steepness and height of the rail bed slope in combination with the depth of the water, made the use of a seasonal facility unsafe and impractical. The site of the proposed docking facility does not have the same issues of slope, ownership, and water depth as the location to the south. Therefore, the issuance of that approval is not justification for the approval of a permanent docking facility at this location.
2. The Appellant has failed to provide the documentation of wave activity required pursuant to Rule Env-Wt 402.06. Therefore, a permanent dock cannot be approved at this site.
3. The Appellant has failed to demonstrate the need for the proposed impacts by plan and example as required per Rule Env-Wt 302.04, (a), (1) and, therefore, the request for reconsideration is denied in accordance with Rule Env-Wt 302.04, (d).
4. The Appellant has failed to demonstrate by plan and example that the alternative proposed by the applicant is the one with the least impact to wetlands or surface waters on site as required per Rule Env-Wt 302.04, (a), (2) and, therefore, the request for reconsideration is denied in accordance with Rule Env-Wt 302.04, (d).
5. The Appellant has failed to provide plans that accurately show the existing and proposed conditions as required Rules Env-Wt 501.02, (a) and (c) and, therefore, the request for reconsideration is denied.

2009-02328 LEE, TOWN OF
LEE Lamprey River

Requested Action:

Impact 150 sq. ft. in the bank of the Lamprey river to install solid granite steps to provide canoe launch access to the river.

APPROVE PERMIT:

Impact 150 sq. ft. in the bank of the Lamprey river to install solid granite steps to provide canoe launch access to the river.

With Conditions:

1. All work shall be in accordance with plans by James MacCartney dated 6/9/2009, as received by DES on 9/28/2009.
2. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.
3. The 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. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
5. The work shall be confined to the existing disturbed pathway and no additional vegetation shall be removed.
6. 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.
7. Work shall be done during low flow.
8. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.

With Findings:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(1), projects that disturb less than 200 linear feet of a perennial stream.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01. There is currently no formal public recreational access to the Lamprey River in the vicinity.
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 proposal confines the stairs to the existing disturbed pathway adjacent to an existing gravel roadside parking pull-off, and will eliminated continued erosion from use of the unstabilized path.
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. The NH Natural Heritage Bureau reports in a memo dated 7/29/2009, that no impact is expected to the plant species of concern reported if the work is confined to the existing disturbed path, and no other existing vegetation is removed. NH Fish and Game Department stated in email dated 8/4/2009, that impacts to the wildlife species of concern reported are not expected if large stone without voids and fill were used. The proposal is for solid granite overlapping steps, properly bedded in the bank, with no voids or fill.
5. The Lee Conservation Commission filed the application on behalf of the Town of Lee.
6. The Lamprey River Advisory Committee received a copy of the application and did not comment to DES.

**2009-02365 GREENVILLE, TOWN OF
GREENVILLE Tributary To Souhegan River**

Requested Action:

Deny permit application to dredge and fill ± 640 sq. ft. of an unnamed perennial stream to replace twin plastic corrugated culverts at Richardson Rd. with an arch culvert.

DENY PERMIT-INSUFFICIENT & UNTIMELY RESP:

Deny permit application to dredge and fill ± 640 sq. ft. of an unnamed perennial stream to replace twin plastic corrugated culverts at Richardson Rd. with an arch culvert.

With Findings:

1. A request for additional information dated October 19, 2009, addressed to the applicant or agent of record, clearly identified the requirement that the applicant to submit additional information to DES within 60 days of the request.
2. Pursuant to RSA 482-A:3, XIV(a), if the requested additional information is not received by DES within 60 days of the request,

DES shall deny the application.

3. DES did not receive the requested additional information within the 60 days and therefore the application has been denied.

2009-02446 MEIER, RANDY & VIRGINIA
WHITEFIELD Unnamed Wetland

Requested Action:

Impact 3,297 square feet of wetlands for construction of an access drive to 4-lot subdivision. Work in wetlands consists of two wetlands crossings with a 18" diameter by 30' length HDPE culvert at each crossing.

APPROVE PERMIT:

Impact 3,297 square feet of wetlands for construction of an access drive to 4-lot subdivision. Work in wetlands consists of two wetlands crossings with a 18" diameter by 30' length HDPE culvert at each crossing.

With Conditions:

1. All work shall be in accordance with the plans by Connecticut Valley Designs, LLC. entitled Wetland Impact Plan dated September 10, 2009 as received by DES October 15, 2009.
2. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.
3. The deed which accompanies the sales transaction for each of the lots in this subdivision shall contain condition #2 of this approval.
4. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
5. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
6. Culverts shall be laid at original grade.
7. Proper headwalls shall be constructed within seven days of culvert installation.
8. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
9. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
10. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.
11. 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).

With Findings:

1. This is a minor project per 303.03 (h) Projects involving less than 20,000 square feet of alteration in the aggregate in nontidal wetlands, nontidal surface waters, or banks adjacent to nontidal surface waters which exceed the criteria of Env-Wt 303.04(f).
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
5. The applicant has provided plans that meet the requirements of Env-Wt 304.09 (a).
6. The project was reviewed by staff of the NH Natural Heritage Bureau and/or the Nongame and Endangered Species Program and it was determined that, although there was a NHB record (e.g., rare wildlife, plant, and/or natural community) present in the vicinity, they do not expect that it will be impacted by the proposed project.
7. No comments were submitted from the Whitefield Conservation Commission.

MINIMUM IMPACT PROJECT

**2006-02011 GILMANTON, TOWN OF
GILMANTON Unnamed Stream**

Requested Action:

Proposal to retain two culverts that were replaced in two perennial stream crossing due to storm damage. The culverts consist of one 42-inches x 30-feet and one 96-inches x 70-feet.

APPROVE AFTER THE FACT:

Approval to retain two culverts that were replaced in two perennial stream crossing due to storm damage. The culverts consist of one 42-inches x 30-feet and one 96-inches x 65-feet.

With Conditions:

1. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau before any work is conducted.
2. 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.

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 culverts were replaced due to storm damage causing sink holes within the roadway.
3. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
4. DES compliance staff inspected the site on September 30, 2009 and determined the sites are in compliance and no further action is required.
5. The applicant has reduced the length of culvert "B" to 65 feet.
6. The side slopes have been stabilized at culvert "A" and "B".

**2008-01562 RALO ENTERPRISES LLC
LACONIA Unnamed Stream**

Requested Action:

Emergency follow-up for replacement of an 18 in. storm drain culvert and associated headwall with a new 24 in. storm drain culvert and associated headwall.

CONFIRM EMERGENCY AUTHORIZATION:

Emergency follow-up confirmation for replacement of an 18 in. storm drain culvert and associated headwall with a new 24 in. storm drain culvert and associated headwall.

With Conditions:

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

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(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 approval is a follow-up to an emergency authorization issued by the department on August 12, 2008.
3. The construction type changes were considered minimal considering the function and values of the area as storm drain.
4. The department has not received any complaints regarding the drain replacement.
5. The Wetlands Bureau Compliance Section was able to locate the missing USGS map from a related file.

**2008-01796 THE FELLS
NEWBURY Unnamed Wetland**

Requested Action:

Withdraw application to dredge and fill \pm 2,749 sq. ft. of palustrine forested wetlands to construct a \pm 65,912 sq. ft. paved parking area for an existing trails area on a \pm 184 acre parcel.

WITHDRAW APPLICATION:

Withdraw application to dredge and fill \pm 2,749 sq. ft. of palustrine forested wetlands to construct a \pm 65,912 sq. ft. paved parking area for an existing trails area on a \pm 184 acre parcel.

With Findings:

1. A withdrawal request from the Agent was received on December 18, 2009. The request explains an error in the wetland delineation was discovered and as a result the proposal will be revised and resubmitted at a later date.

**2009-00047 NH DEPT OF TRANSPORTATION
ENFIELD Knox River**

Requested Action:

Remove approximately 55 ft. of granite roof slabs and replace with a pre-cast concrete slabs on a 6 ft. x 8 ft. x 120 ft. stone box culvert temporarily impacting 190 sq. ft. of riverine wetland.

Conservation Commission/Staff Comments:

Cons.Comm. - no comment

APPROVE PERMIT:

Remove approximately 55 ft. of granite roof slabs and replace with a pre-cast concrete slabs on a 6 ft. x 8 ft. x 120 ft. stone box culvert temporarily impacting 190 sq. ft. of riverine wetland. NHDOT project #M207-4.

With Conditions:

1. All work shall be in accordance with plans by NHDOT Maintenance District 2 dated 12-10-08 as received by the Department on Jan. 9, 2009.
2. Any dredged material shall be placed out of the DES Wetlands Bureau jurisdiction.
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. Construction equipment shall not be located within surface waters.
5. 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.
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. Extreme precautions to be taken within riparian areas to limit unnecessary removal of vegetation during road construction and areas cleared of vegetation to be revegetated as quickly as possible.
8. There shall be no further alteration to wetlands or surface waters without amendment of this permit.
9. Proper headwalls shall be constructed within seven days of culvert installation.

10. Work shall be done during low flow.

**2009-00672 NH NORTHCOAST CORP
WAKEFIELD Union Meadows Pond**

Requested Action:

Amend permit to now include replacement of existing failing stone culvert with a 8' wide x 21' long precast culvert.

APPROVE AMENDMENT:

Replace existing failing stone culvert with a 8' wide x 21' long pre-cast culvert, including dredge of accumulated sediment from outlet, for maintenance and repair of railroad culvert crossing of Union Meadow Pond.

With Conditions:

1. AMENDED: All work shall be in accordance with Blue Moon Environmental, Inc. dated March 2009, as received by DES on 4/14/2009, as amended according to revised plans by Phoenix Precast Products dated 10/16/2009, as received by DES on 12/3/2009.
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. 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. Unconfined work within the waterbody, exclusive of work associated with installation of a cofferdam, shall be done during periods of low flow.
4. 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.
5. Temporary cofferdams shall be entirely removed immediately following construction.
6. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
7. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
8. Work shall be done during low flow.
9. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid prior to entering surface waters or wetlands.
10. Faulty equipment shall be repaired prior to entering jurisdictional areas.
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.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(x), maintenance or repair of non-docking structures such as a culvert or headwall. The change to a larger culvert opening will be beneficial to the resource and does not exceed the intent of a minimum impact culvert replacement.
2. The Wakefield Conservation Commission was provided with a copy of the requested amendment and did not comment to DES.

**2009-02046 MAYNARD, DAVID
BARNSTEAD Locke Lake**

Requested Action:

Applicant requests to retain after the fact, a 5 ft x 10 ft dock accessing a 12 ft diameter octagon structure on Locke Lake, Barnstead.

Conservation Commission/Staff Comments:

Con Com did not submit comments to file by October 15, 2009

DENY AFTER THE FACT:

Deny applicant's request to retain after the fact, a 5 ft x 10 ft dock accessing a 12 ft diameter octagon structure on Locke Lake, Barnstead.

With Findings:

Standards for Approval

1. In accordance with RSA 482-A:3, Excavating and Dredging Permits, "[n]o person shall excavate, remove, fill, dredge or construct any structures in or on any bank, flat, marsh, or swamp, or in an adjacent to any waters of the state without a permit from the department."
2. In accordance with Env-Wt 302.04, (a), (1), Requirements for Application Evaluation, for any major or minor project, the applicant shall demonstrate the need for the proposed impact by plan and example.
3. In accordance with Env-Wt 302.04, (a), (2), Requirements for Application Evaluation, for any major or minor project, the applicant shall demonstrate by plan and example that alternative proposed by the applicant is the one with the least impact to wetlands or surface waters on site.
4. In accordance with Env-Wt 302.04, (d), (1), Requirements for Application Evaluation, the department shall not grant a permit if there is a practicable alternative that would have a less adverse impact on the area and environments under the department's jurisdiction.
5. In accordance with Env-Wt 402.01, (b), Configuration, approvable configurations shall include nonstandard configurations shaped like the letter L, T, F, or U.
6. In accordance with Env-Wt 402.02, Dimensions, on lakes less than 1,000 acres in size the standard dock width shall not exceed 6 ft.
7. In accordance with Env-Wt 204.04, 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

Findings of Fact

1. On April 6, 2009, the Wetlands Bureau received an after the fact Standard Dredge and Fill application to retain a 5 ft x 10 ft dock accessing a 12 ft diameter octagon structure on Locke Lake, in Barnstead.
2. On October 26, 2009, the Wetlands Bureau sent a Request for More Information letter to the applicant. The letter explained that the dock configuration was not approvable. The letter requested that pursuant to the approved restoration plan the Applicant "submit plans for a 4 ft x 24 ft seasonal dock on the frontage or submit a plan for a new seasonal docking structure which meets the current rules for dimensions and configuration."
3. The applicant submitted a response to the Request for More Information letter on December 10, 2009. The response included a request to retain the non-conforming 5 ft x 10 ft dock accessing a 12 ft diameter octagon structure.
4. The applicant could construct a nonstandard configuration such as a "T" or "L" shaped seasonal dock comprise of sections not wider than 6 ft which would safely provide access to the water body.

Rulings in Support of Denial

1. The Applicant failed to provide evidence that waiving Env-Wt 402.02 would be consistent with the intent and purpose of the rule and that the construction of a conforming "T" or "L" shaped structure would cause and operational hardship to the Applicant. Therefore in accordance with Env-Wt 204.04, the waiver request is denied.
2. The proposed docking structure is not the least impacting alternative, therefore in accordance with Env-Wt 302.04(d) and RSA 482-A:3,XIV, the application is denied.

2009-02627

CUMINGS, ALLEN

HAMPTON Tidal Buffer Zone

Requested Action:

Impact 1,000 sq. ft. within the previously developed upland tidal buffer zone for work associated with the replacement of the existing

septic tank and leach field with a new subsurface septic system including a new raised stone and pipe leach field bed.

Conservation Commission/Staff Comments:

"The [Hampton] Conservation Commission does not oppose the granting of the wetlands permit for this project based on the plan dated October 23, 2009 ..." (with recommendations for project specific permit conditions)

APPROVE PERMIT:

Impact 1,000 sq. ft. within the previously developed upland tidal buffer zone for work associated with the replacement of the existing septic tank and leach field with a new subsurface septic system including a new raised stone and pipe leach field bed.

With Conditions:

1. All work shall be in accordance with plans by Altus Engineering, Inc. dated October 23, 2009, as received by DES on October 30, 2009.
2. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and/or further permitting by the Bureau.
3. This permit is contingent on approval by the DES Subsurface Systems Bureau.
4. 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.
5. NH DES Wetlands Bureau Southeast Region staff and the Hampton Conservation Commission shall be notified in writing prior to commencement of work and upon its completion.
6. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
7. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
8. Following installation of the new septic system, all exposed soil areas not stabilized with stone rip-rap shall be planted with native salt tolerant vegetation.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(b), projects in previously developed upland areas within 100 feet of the highest observable tide line.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01. 3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

FORESTRY NOTIFICATION

2009-03033 WEEKS LANCASTER TRUST
LANCASTER Unnamed Stream

COMPLETE NOTIFICATION:
Lancaster Tax Map R26, lot# 1

2009-03047 COOK, GEORGE
JEFFERSON Unnamed Stream

COMPLETE NOTIFICATION:

Jefferson Tax Map/Lot# 10/45 & 48A, 19/6

2009-03048 PELLETIER, MARTIN

MASON Unnamed Stream

COMPLETE NOTIFICATION:

Mason Tax Map A, Lot# 26-3

2009-03051 FIFE, PETER

CANTERBURY Unnamed Stream

COMPLETE NOTIFICATION:

Canterbury Tax Map 215, Lot# 4

2009-03069 BARTLETT IRREVOC TRUST, RUSSELL BARTLETT

EPSOM Unnamed Stream

COMPLETE NOTIFICATION:

Epsom Tax Map R13, Lot#36-1

2009-03078 MURRAY, DOROTHY

NEW IPSWICH Unnamed Stream

COMPLETE NOTIFICATION:

New Ipswich Tax Map 8, Lot# 69-1

2009-03079 TWITCHELL HEIRS, C/O TOM CARNEY

MILAN Unnamed Stream

COMPLETE NOTIFICATION:

Milan Tax Map 42, Lot# 2

2009-03080 RIVERVAIL FARM REALTY TRUST

ERROL Unnamed Stream

COMPLETE NOTIFICATION:

Errol Tax Map R14, Lot# 1

2009-03082 GAVABEDIAN, MARTIN & BARBARA

TUFTONBORO Unnamed Stream

COMPLETE NOTIFICATION:

Tuftonboro Tax Map 32, Lot# 1 & 2

2010-00004 TUTTLE, KATHLEEN
DALTON Unnamed Stream

COMPLETE NOTIFICATION:
Dalton Tax Map 404, Lot# 24

2010-00005 AGUILERA, BARBARA
SUTTON Unnamed Stream

COMPLETE NOTIFICATION:
Sutton Tax Map 8, lot# 182,116

2010-00011 GORRELL, KENNETH
NORTHFIELD Unnamed Stream

COMPLETE NOTIFICATION:
Northfield Tax Map R15, Lot# 51

2010-00014 NH FISH & GAME DEPARTMENT
FRANKLIN Unnamed Stream

COMPLETE NOTIFICATION:
Franklin Tax Map/Lot# 72/7 & 73/13

ROADWAY MAINTENANCE NOTIF

2010-00009 ALTON HIGHWAY DEPT, TOWN OF
ALTON Unnamed Stream

PERMIT BY NOTIFICATION

2009-02999 PSNH
HOOKSETT Unnamed Wetland

Requested Action:
Proposal to temporarily impact 5056 sq. ft. of wetlands for installation of swamp mats for access and work areas to conduct maintenance activities on existing electrical utility transmission structures.

PBN IS COMPLETE:

PBN complete to temporarily impact 5056 sq. ft. of wetlands for installation of swamp mats for access and work areas to conduct maintenance activities on existing electrical utility transmission structures.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(af) Temporary impacts associated with the inspection, maintenance, and repair of existing utility lines within an existing utility right of way provided:
 - (1) Total jurisdictional impacts shall not exceed one acre;
 - (2) The equipment used shall be designed to have low ground contact pressure or placed on temporary swamp mats so as to minimize rutting of the soils;
 - (3) The work shall be conducted under low flow or low groundwater conditions, or during frozen ground conditions;
 - (4) Access routes through the right of way shall be designed to minimize impacts to jurisdictional areas;
 - (5) The equipment shall be operated and maintained to avoid spillage of oil, gas, or hydraulic fluids;
 - (6) Refueling of equipment shall occur a minimum of 100 feet away from wetland and surface waters or both;
 - (7) All temporary impacts to wetlands shall be regraded to original contours and stabilized within 72 hours following the completion of work and within 30 days of the start of work;
 - (8) Stream impacts shall be limited to intermittent stream beds less than 10 feet in width and shall be conducted during low flow conditions;
 - (9) No work shall be done in or adjacent to prime wetlands; and
 - (10) The project does not meet the criteria of Env-Wt 303.02(k).
2. The applicant addressed comments by New Hampshire Fish and Game, Nongame and Endangered Wildlife Program and the New Hampshire Natural Heritage Bureau.

**2009-03073 GALLAGHER, THELMA
MEREDITH Lake Winnisquam**

Requested Action:

In kind repair of existing retaining wall during drawdown on Lake Winnisquam, Meredith.

Conservation Commission/Staff Comments:

Con Com signed PBN form

PBN IS COMPLETE:

In kind repair of existing retaining wall during drawdown on Lake Winnisquam, Meredith.

With Findings:

Repair of existing retaining wall in accordance with Env-Wt 506.01 which meets the requirements or Env-Wt 303.04(c).

CSPA PERMIT

**2009-02923 BARKER, PAUL & JUDITH TRUSTEE
LYME Post Pond**

Requested Action:

Impact 228 sq ft to build porch, deck, and steps.

APPROVE PERMIT:

Impact 228 sq ft to build porch, deck, and steps.

With Conditions:

1. All work shall be in accordance with plans by Paul and Judith Barker dated December 12, 2009 and received by the Department of Environmental Services ("DES") on December 14, 2009.
2. No more than 6% 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 555 sq ft of the Natural Woodland Buffer beyond the primary building setback in an unaltered state. At least 5445 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.

2009-02928 CASTELLI, SHARON
MARLOW Village Pond

Requested Action:

Impact 5,482 sq ft to construct single family residence on lot with existing well and septic.

APPROVE PERMIT:

Impact 5,482 sq ft to construct single family residence on lot with existing well and septic.

With Conditions:

1. All work shall be in accordance with plans by E. J. Colburn Construction Corp. dated November 25, 2009 and received by the Department of Environmental Services ("DES") on December 14, 2009.
2. No more than 19.4% 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 6,458 sq ft of the Natural Woodland Buffer beyond the primary building setback in an unaltered state. At least 6,458 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.

**2009-02935 WESTVIEW CENTER PROPERTIES LLC, ALISON FRYE CABOT
CENTER HARBOR Squam Lake**

Requested Action:

Impact 2,595 sq ft to remove existing non-conforming residence and construct new residence.

APPROVE PERMIT:

Impact 2,595 sq ft to remove existing non-conforming residence and construct new residence.

With Conditions:

1. All work shall be in accordance with plans by Ames Associates dated October 1, 2009 and received by the Department of Environmental Services ("DES") on December 14, 2009.
2. All actions associated with the installation of the proposed septic system are contingent on approval by the DES Subsurface Systems Bureau."
3. No more than 17% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
4. The project as proposed will leave approximately 5,185 sq ft of the Natural Woodland Buffer beyond the primary building setback in an unaltered state. At least 2,465 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).
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. 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.
7. 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.
8. Any fill used shall be clean sand, gravel, rock, or other suitable material.
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.

**2009-02938 BALL, WILLIAM AND PAULINE
RINDGE Pool Pond**

Requested Action:

Impact 1,255 sq ft to construct a 780 sq ft garage on existing gravel driveway area.

APPROVE PERMIT:

Impact 1,255 sq ft to construct a 780 sq ft garage on existing gravel driveway area.

With Conditions:

1. All work shall be in accordance with plans by Forest Designs dated May 27, 2009 and received by the Department of Environmental Services ("DES") on December 14, 2009.
2. No more than 20% 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 11,054 sq ft of the Natural Woodland Buffer beyond the primary building setback in an unaltered state. At least 3,675 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.

**2009-02942 PARKINSON REV TRUST OF 1999, JANINE
MOULTONBOROUGH Lake Winnepesaukee**

Requested Action:

Impact 6,262 sq ft to construct new septic system for 8 cabins including shared leachfield and collection system with individual septic tanks, pump lines, and gravity lines.

APPROVE PERMIT:

Impact 6,262 sq ft to construct new septic system for 8 cabins including shared leachfield and collection system with individual septic tanks, pump lines, and gravity lines.

With Conditions:

- 1. All work shall be in accordance with plans by Joanne K. Coppinger dated December 1, 2009 and received by the Department of Environmental Services ("DES") on December 15, 2009.
- 2. All actions associated with the installation of the proposed septic system are contingent on approval by the DES Subsurface Systems Bureau.”
- 3. No more than 13.6% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
- 4. The project as proposed will leave approximately 13,070 sq ft of the Natural Woodland Buffer beyond the primary building setback in an unaltered state. At least 14,669 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).
- 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. 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.
- 7. 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.
- 8. Any fill used shall be clean sand, gravel, rock, or other suitable material.
- 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.

**2009-02943 POWIERZA, JAMES AND NANCY
WAKEFIELD Belleau Lake**

Requested Action:

Impact 3,100 sq ft to construct an addition to an existing garage.

APPROVE PERMIT:

Impact 3,100 sq ft to construct an addition to an existing garage.

With Conditions:

1. All work shall be in accordance with plans by Land Technical Services dated December 1, 2009 and received by the Department of Environmental Services ("DES") on December 15, 2009.
2. No more than 15.2% 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 489 sq ft of the Natural Woodland Buffer beyond the primary building setback in an unaltered state. At least 122 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.

2009-02945 RUSSELL, RICHARD
MOULTONBOROUGH Lake Winnepesaukee

Requested Action:

Impact 13,128 sq ft to construct a 5 bedroom single family dwelling with attached garage and septic system.

APPROVE PERMIT:

Impact 13,128 sq ft to construct a 5 bedroom single family dwelling with attached garage and septic system.

With Conditions:

1. All work shall be in accordance with plans by Associated Surveyors dated August 1, 2009 and received by the Department of Environmental Services ("DES") on December 15, 2009.
2. All actions associated with the installation of the proposed septic system are contingent on approval by the DES Subsurface Systems Bureau."
3. No more than 19.6% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
4. The project as proposed will leave approximately 9,635 sq ft of the Natural Woodland Buffer beyond the primary building setback in an unaltered state. At least 7,697 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).
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. 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.
7. 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.
8. Any fill used shall be clean sand, gravel, rock, or other suitable material.
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.

2009-02946 WHITTEN, DAVID
CAMPTON Pemigewasset River

Requested Action:

Impact 16,557 sq ft to construct a dwelling and driveway.

APPROVE PERMIT:

Impact 16,557 sq ft to construct a dwelling and driveway.

With Conditions:

1. All work shall be in accordance with plans by Schauer Environmental Consultants, LLC dated November 24, 2009 and received by the Department of Environmental Services ("DES") on December 15, 2009.
2. No more than 9.9% 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 23,445 sq ft of the Natural Woodland Buffer beyond the primary building setback in an unaltered state. At least 8,705 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.

**2009-02947 COLNES, JEFFREY
NEWINGTON Little Bay**

Requested Action:

Impact 18,960 sq ft to construct a single family residence with associated septic field, driveway and landscaping.

APPROVE PERMIT:

Impact 18,960 sq ft to construct a single family residence with associated septic field, driveway and landscaping.

With Conditions:

1. All work shall be in accordance with plans by Appledore Engineering Inc. dated December 11, 2009 and received by the Department of Environmental Services ("DES") on December 15, 2009.
2. All actions associated with the installation of the proposed septic system are contingent on approval by the DES Subsurface Systems Bureau."
3. No more than 6.1% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
4. The project as proposed will leave approximately 42,714 sq ft of the Natural Woodland Buffer beyond the primary building setback in an unaltered state. At least 25,126 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).
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. 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.
7. 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.

- 8. Any fill used shall be clean sand, gravel, rock, or other suitable material.
- 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.

**2009-02950 MAKSY, DEREK
MEREDITH Lake Winnepesaukee**

Requested Action:

Impact 1575 sq. ft. to replace an existing cottage with a new cottage using the same footprint.

APPROVE PERMIT:

Impact 1575 sq. ft. to replace an existing cottage with a new cottage using the same footprint.

With Conditions:

- 1. All work shall be in accordance with plans by Derek Maksy dated December 1, 2009 and received by the Department of Environmental Services ("DES") on December 15, 2009.
- 2. No more than 16.4% 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 668 sq ft of the Natural Woodland Buffer beyond the primary building setback in an unaltered state. At least 0 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.

**2009-02962 KEEFE, ELLEN & DAVID KENEPP
NEWMARKET Lamprey River**

Requested Action:

Impact 448 sq. ft. for the installation of an above ground 16 ft x 28 ft swimming pool with deck.

APPROVE PERMIT:

Impact 448 sq. ft. for the installation of an above ground 16 ft x 28 ft swimming pool with deck.

With Conditions:

- 1. All work shall be in accordance with plans by Pohopek Land Surveyors and Septic Designs, LLC dated December 2, 2009 and received by the Department of Environmental Services ("DES") on December 16, 2009.
- 2. No more than 14.8% 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 27,947 sq ft of the Natural Woodland Buffer beyond the primary building setback in an unaltered state. At least 13,973 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.

2009-02964 KIMBALL, ADAM & PAMELA
WASHINGTON Millen Lake

Requested Action:

Impact 10900 sq. ft. for the construction of a 1519 sq. ft. dwelling with deck and driveway.

APPROVE PERMIT:

Impact 10900 sq. ft. for the construction of a 1519 sq. ft. dwelling with deck and driveway.

With Conditions:

1. All work shall be in accordance with plans by Meridian Land Services, Inc dated December 2, 2009 and received by the Department of Environmental Services ("DES") on December 15, 2009.
2. No more than 10.6% 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 12,421 sq ft of the Natural Woodland Buffer beyond the primary building setback in an unaltered state. At least 12,421 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. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
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. 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.
7. 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.
8. Any fill used shall be clean sand, gravel, rock, or other suitable material.
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.

2009-02992 MURPHY, MICHAEL
WOLFEBORO Lake Wentworth

Requested Action:

Impact 5590 sq. ft. for the installation of a new foundation under an existing house in a new location.

APPROVE PERMIT:

Impact 5590 sq. ft. for the installation of a new foundation under an existing house in a new location.

With Conditions:

1. All work shall be in accordance with plans by Fernstone Associates dated December 14, 2009 and received by the Department of Environmental Services ("DES") on December 18, 2009.
2. All actions associated with the installation of the proposed septic system are contingent on approval by the DES Subsurface Systems Bureau."
3. No more than 16.5% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
4. At least 2,741 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).
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. 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.
7. 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.
8. Any fill used shall be clean sand, gravel, rock, or other suitable material.
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.

2009-02994 OMG HOLDINGS
RAYMOND Lamprey River

Requested Action:

Impact 1500 sq. ft. for the installation of a septic system and replace a water line.

APPROVE PERMIT:

Impact 1500 sq. ft. for the installation of a septic system and replace a water line.

With Conditions:

1. All work shall be in accordance with plans by Benchmark Engineering, Inc dated November 12, 2009 and received by the Department of Environmental Services ("DES") on December 18, 2009.
2. All actions associated with the installation of the proposed septic system are contingent on approval by the DES Subsurface Systems Bureau."
3. No more than 12% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
4. 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 0 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).
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. 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.
7. 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.
8. Any fill used shall be clean sand, gravel, rock, or other suitable material.
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.

2009-03003 JENSENS INCORPORATED
NASHUA Nashua River / Prime Wetland

Requested Action:

Impact 415 sq. ft. for the installation of a sewer and new water lines with the construction of a new pump station.

APPROVE PERMIT:

Impact 415 sq. ft. for the installation of a sewer and new water lines with the construction of a new pump station.

With Conditions:

1. All work shall be in accordance with plans by Hayner and Swanson dated November 2, 2009 and received by the Department of Environmental Services ("DES") on December 22, 2009.
2. No more than NA% 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 NA sq ft of the Natural Woodland Buffer beyond the primary building setback in an unaltered state. At least NA 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.

2009-03015 COLES, DAVID
SUNAPEE Lake Sunapee

Requested Action:

Impact 15,890 sq. ft. to remove an existing home and garage and replace with a new 3761 sq. ft. home, new septic system and site improvements.

APPROVE PERMIT:

Impact 15,890 sq. ft. to remove an existing home and garage and replace with a new 3761 sq. ft. home, new septic system and site improvements.

With Conditions:

1. All work shall be in accordance with plans by Blackeman Engineering dated December 18, 2009 and received by the Department of Environmental Services ("DES") on December 22, 2009.
2. All actions associated with the installation of the proposed septic system are contingent on approval by the DES Subsurface Systems Bureau.”
3. No more than 18.7% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
4. The project as proposed will leave approximately 4,960 sq ft of the Natural Woodland Buffer beyond the primary building setback in an unaltered state. At least 6,963 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).
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. 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.

- 7. 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.
- 8. Any fill used shall be clean sand, gravel, rock, or other suitable material.
- 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.

CSPA PERMIT W/VARIANCE

2009-00679 SOUTHERN DISTRICT YMCA, CAMP LINCOLN INC
KINGSTON Great Pond

Requested Action:

Impact 1,660 sq ft for the purpose of constructing a new retaining wall and stairway.

Inspection Date: 06/10/2009 by Raymond M Reimold

DENY PERMIT:

Impact 1,660 sq ft for the purpose of constructing a new retaining wall and stairway.

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 May 8, 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 July 7, 2009, their application would be denied.
- 4. On June 30, 2009 the Department's granted a 60 day extension to respond to the request for more information letter originally dated May 8, 2009 pursuant to RSA 483-B:5-b(V)(b)(3). As of June 30, 2009, if the information requested was not received by September 6, 2009, the application would be denied.
- 4. The Applicant failed to submit the requested information by September 6, 2009 and, therefore, the application is denied in accordance with RSA 483-B:5-b, V, (a).