

Wetlands Bureau Decision Report

Decisions Taken
03/15/2010 to 03/21/2010

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

**2007-02676 HENDERSON REVOC LIVING TRUST, CHRISTINE
EXETER Unnamed Wetland**

Requested Action:

Dredge and fill a total of 5,650 sq. ft. of palustrine forested wetlands to construct a 12 ft. wide gravel driveway with culvert crossings of intermittent streams to access a single family residence building site on a 9.512 acre parcel of land.

Conservation Commission/Staff Comments:

The Exeter Conservation Commission expressed several concerns about this project, being adjacent to designated prime wetlands, which have been addressed by the applicant and DES staff.

Inspection Date: 01/22/2010 by Frank D Richardson

APPROVE PERMIT:

Dredge and fill a total of 5,650 sq. ft. of palustrine forested wetlands to construct a 12 ft. wide gravel driveway with culvert crossings of intermittent streams to access a single family residence building site on a 9.512 acre parcel of land.

With Conditions:

1. All work shall be in accordance with plans by Jones & Beach Engineers, Inc. dated 12/21/05 (last revised 1/27/10), as received by DES on January 29, 2010.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. The DES Wetlands Bureau Southeast Region staff and the Exeter Conservation Commission shall be notified in writing prior to commencement of work and upon its completion.
4. There shall be no further alteration of wetlands or areas within Wetlands Bureau jurisdiction for lot development, driveways, culverts, septic setback or any other construction activities.
5. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
6. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
7. Work shall be done during low flow.
8. Culvert outlets shall be protected in accordance with the DES Best Management Practices for Urban Stormwater Runoff Manual (January 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August 1992).
9. The deed for Tax Map 104/lot# 76 having any portion thereof within the 100 foot Prime Wetland Buffer or Prime Wetland shall include the conditions of this permit.
10. The boundaries of the 100-foot prime wetland buffer shall be clearly marked with orange construction fencing prior to construction, shall be remain marked until construction is complete and the work area is fully stabilized.
11. The boundaries of the 100-foot prime wetland buffer shall be permanently and clearly marked with signs every 75 feet to indicate the location of and restrictions on the area.
12. Erosion controls shall be properly installed and maintained and the construction sequence shall be performed in accordance with the approved plans. It is the responsibility of the permittee to ensure that the erosion controls are adequate for the site.
13. There shall be no dredging, removal, or disturbance of any existing vegetative undergrowth within the remaining undisturbed 100-foot prime wetland buffer. The placement of fill, construction of structures, or storage of vehicles or hazardous materials is prohibited.
14. Any additional human activities within the 100-foot Prime Wetland Buffer without a wetlands permit may be considered in violation of RSA 482-A and may be subject to enforcement action by the Department of Environmental Services, including, but not limited to, the issuance of fines, administrative orders, or referral to the Department of Justice for the imposition of appropriate penalties.
15. A land resource professional shall inspect the project to insure compliance with approved plans and permit conditions prior to completion of the project. A post-construction report documenting the status of the completed project with photographs shall be submitted to the Wetlands Bureau and the Exeter Conservation Commission within 60 days of the completion of construction.

With Findings:

1. This is a major impact project per Administrative Rule Env-Wt 303.02(f), projects located in or adjacent to prime wetlands designated under RSA 482-A:15.
2. A prime wetlands public hearing was held on this application on March 20, 2009.
3. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01. 4. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
5. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a), Requirements for Application Evaluation, has been considered in the design of the project.
6. The applicant has performed due diligence in attempting to address the concerns of the Exeter Conservation Commission to assure that this project will have no adverse affect on the adjacent designated prime wetlands and the remaining undisturbed 100 foot prime wetlands buffer.
7. DES Staff conducted a field inspection of the proposed project on January 22, 2010 attended by members of the Exeter Conservation Commission and Planning Department. The driveway alignment was discussed where wetlands (intermittent streams) crossings had been minimized. DES Staff FDRichardson suggested that the compensatory flood storage area, requested to be constructed by the Conservation Commission, would serve no useful function and would likely be deleterious to the adjacent prime wetlands. FDR recommended removing this feature from the site plan.
8. The site plan by Jones & Beach Engineers, Inc. last revised 1/27/10 and received by the DES on January 29, 2010 deletes the compensatory flood storage area.
9. Based on the findings above, there is clear and convincing evidence this proposal will result in no significant loss of values to the prime wetlands as set forth in RSA 482-A:1, and the project meets the criteria set forth in Rule Env-Wt 703.01 Criteria for Approval.

2008-01253 LEE, DONALD
OSSIPEE Lake Ossipee

Requested Action:

Applicant request reconsideration of the Department's decision to deny the Applicant's request to dredge 260 cubic yards from 7440 square feet of lake bed in Ossipee Lake, Ossipee.

Conservation Commission/Staff Comments:

Con Com requests 40 day hold on July 03, 2008. No response by Sept 09, 2008.

DENY RECONSIDERATION:

Deny reconsideration and reaffirm the denial to dredge 260 cubic yards from 7440 square feet of lake bed in Ossipee Lake, in Ossipee.

With Findings:

Standards for Approval

1. In accordance with RSA 482-A:10, II "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. In accordance with RSA 482-A:10,III, "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".

Findings of Fact

1. On September 24, 2009, the Department issued a decision to deny the application to dredge 260 cubic yards from 7440 square

feet of lake bed in Ossipee Lake, in Ossipee.

2. On December 08, 2008, the Department received a letter from the Applicant requesting a Motion for Reconsideration of the decision of the Department to deny the application.
3. The request for reconsideration did not include any new information. It only contained the information already in the file at the time of the original decision.

Rulings in Support of the Decision

1. The appellant did not submit new information to the file for reconsideration or submit any information in support of the request for reconsideration. Therefore in accordance with RSA 482-A:10,III, the Department's reaffirms the decision to deny the project on the basis of the original findings.

2009-02113 MAUS, GERARD & SUSAN WOLFEBORO Lake Winnepesaukee

Requested Action:

Applicant requests reconsideration of the Department's January 17, 2010 decision to deny the application for impacts associated with the construction of a dug-in boathouse on the basis of additional information submitted.

APPROVE RECONSIDERATION:

Reconsider and approve permit to: Remove an existing 11 ft x 36 ft permanent pier and a 29 ft x 27 ft boathouse located over public waters, retain an existing 8.5 ft x 39 ft permanent pier, construct a 6 ft x 40 ft seasonal pier, dredge 25 cy yd from 293 sq ft of lakebed, place 9 cu yd of rip-rap in the lake bed and bank to stabilize side slopes, and impact 2, 449 sq ft of shoreland and bank for the construction of a 25 ft x 36 ft 2-slip, dug-in boathouse on an average of 341 ft of frontage on Lake Winnepesaukee in Wolfeboro.

With Conditions:

1. All work shall be in accordance with plans by White Mountain Survey Co, Inc. as revised February 18, 2010, and received by DES on February 18, 2010.
2. This permit shall not be effective until it has been recorded with the county Registry of Deeds office by the Permittee. A copy of the recorded permit shall be submitted to the DES Wetlands Bureau prior to construction.
3. The existing 11 ft x 36 ft permanent pier and a 29 ft x 27 ft boathouse located over public waters shall be completely removed from the jurisdiction of the Wetlands Bureau prior to the construction of any new docking structure on the frontage.
4. The owner shall file a restrictive covenant in the appropriate registry of deeds limiting the use of the boathouse to the storage of boats and boating-related accessories. A copy of the recorded covenant shall be submitted to the DES Wetlands Bureau by certified mail, return receipt requested, prior to construction.
5. 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.
6. The boathouse shall be a single-story structure; ridgeline not to exceed 20 ft in height (Elev. 524.32) above normal high water (Elev. 504.32).
7. Dewatering of work areas and dredged materials shall be discharged to sediment basins located in uplands and lined with hay bales or other acceptable sediment trapping liner.
8. All dredged and excavated material and construction related debris shall be placed outside of the areas under the jurisdiction of the DES Wetlands Bureau.
9. Appropriate siltation and erosion controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.
10. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area and shall remain until suspended particles have settled and water at the work site has returned to normal clarity.
11. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
12. This facility is permitted with the condition that future maintenance dredging, if needed, shall not be permitted more frequently

than once every 6 years, and that a new permit shall be required for each dredge activity.

13. The owner understands and accepts the risk that if this facility requires dredging to maintain a minimum slip depth of 2 feet, more frequently than once every 6 years, or is shown to have an adverse impact on abutting frontages, it shall be subject to removal.

14. 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 after July 1, 2008.

With Findings:

1. This project is classified as a major project per Rule Env-Wt 303.02(d), construction of a major docking facility and Rule Env-Wt 303.02(g), dredge of more than 20 cu yd of material from public water.
2. The applicant has an average of 341 feet of frontage along Lake Winnepesaukee.
3. A maximum of 5 slips may be permitted on this frontage per Rule Env-Wt 402.13, Frontage Over 75'.
4. The proposed docking facility will provide 5 slips as defined per RSA 482-A:2, VIII and therefore meets Rule Env-Wt 402.13.
5. Public hearing is waived based on field inspection, by NH DES staff, on November 3, 2009, with the finding that the project impacts will not significantly impair the resources of Lake Winnepesaukee.
6. The Applicant has submitted the information requested in writing by the Department on November 10, 2009.
7. The Applicant has submitted the appropriate filing fee for the impacts requested in the application.
8. The Applicant has provided the information necessary for the Department to determine that the issuance of a permit for this project would comply with the requirements and standards of RSA 483-B.
9. The Applicant has provided the information necessary for the Department to determine that the project should not adversely affect the ability of the abutting property owner to develop and utilize their property.

-Send to Governor and Executive Council-

2009-02757 PODMORE, BARRY
ALTON Lake Winnepesaukee

Requested Action:

Permanently remove an existing breakwater and "U" shaped docking system and fill 970 sq ft to construct 45 linear ft of breakwater, in an "I" configuration, with a 6 ft gap at the shoreline, and a 4 ft x 50 ft cantilevered pier, with a seasonal boatlift and a 10 ft x 20 ft seasonal canopy, and install a seasonal PWC lift adjacent to the shoreline, on an average of 105 ft of frontage on Lake Winnepesaukee, in Alton.

Conservation Commission/Staff Comments:

Con Com has no concerns

APPROVE PERMIT:

Permanently remove an existing breakwater and "U" shaped docking system and fill 970 sq ft to construct 45 linear ft of breakwater, in an "I" configuration, with a 6 ft gap at the shoreline, and a 4 ft x 50 ft cantilevered pier, with a seasonal boatlift and a 10 ft x 20 ft seasonal canopy, and install a seasonal PWC lift adjacent to the shoreline, on an average of 105 ft of frontage on Lake Winnepesaukee, in Alton.

With Conditions:

1. All work shall be in accordance with plans by Shane Folsom revision dated February 18, 2010, as received by the Department on February 22, 2010.
2. This permit shall not be effective until it has been recorded with the Belknap County Registry of Deeds office by the Permittee. A copy of the recorded permit shall be submitted to the DES Wetlands Bureau by certified mail, return receipt requested, prior to construction.
3. Appropriate siltation and erosion controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.
4. Work authorized shall be carried out such that discharges in spawning or nursery areas during spawning seasons shall be avoided, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.

5. These shall be the only structures on this water frontage and all portions of the structures, including the breakwater toe of slope, shall be at least 20 ft from the abutting property lines or the imaginary extension of those lines into the water.
6. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
7. No portion of breakwater as measured at normal full lake shall extend more than 50 feet from normal full lake shoreline.
8. The breakwater shall not exceed 3 feet in height(Elev. 507.32) over the normal high water line(Elev. 504.32).
9. The width as measured at the top of the breakwater(Elev. 507.32) shall not exceed 3 feet.
10. Rocks may not remained stockpiled on the frontage for a period longer than 60 days.
11. Photos showing that all construction materials have been removed from the temporary stockpile area shall be submitted to the Bureau upon completion of the docking facility.
12. This facility is permitted with the condition that future maintenance dredging, if needed, shall not be permitted more frequently than once every 6 years, and that a new permit shall be required for each dredge activity.
13. The owner understands and accepts the risk that if this facility requires dredging to maintain a minimum slip depth of 3 feet, more frequently than once every 6 years, or is shown to have an adverse impact on abutting frontages, it shall be subject to removal.
14. 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.
15. The boatlift and PWC lift shall be of seasonal construction type and shall be removed during all seasons of non-use.
16. All activities shall be in accordance with the Comprehensive Shoreland Protection Act, per RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland after July 1, 2008.

With Findings:

1. This project is classified as a major project per Rule Env-Wt 303.02(d), construction of a docking facility associated with a breakwater.
2. The applicant has an average of 105 feet of frontage along Lake Winnepesaukee.
3. A maximum of 2 slips may be permitted on this frontage per Rule Env-Wt 402.13, Frontage Over 75'.
4. The proposed docking facility will provide 2 slips as defined per RSA 482-A:2, VIII and therefore meets Rule Env-Wt 402.13.
5. Public hearing is waived based on field inspection, by NH DES staff, with the finding that the project impacts will not significantly impair the resources of Lake Winnepesaukee.
6. The proposed breakwater is replacing an existing breakwater on the frontage, the proposed breakwater and docking structure has less construction surface area over public submerged lands than the existing structure.

-Send to Governor and Executive Council-

**2009-02854 NH DEPT OF TRANSPORTATION
GREENLAND Unnamed Wetland**

Requested Action:

Widen road and modify drainage to provide safety improvements impacting 3,663 sq. ft. of palustrine and riverine wetlands.

Conservation Commission/Staff Comments:

Cons. Comm. recommended approval of original application

APPROVE PERMIT:

Widen road and modify drainage to provide safety improvements impacting 3,663 sq. ft. of palustrine and riverine wetlands.

NHDOT project #15618

With Conditions:

1. All work shall be in accordance with plans by NH Department of Transportation dated November 6, 2009, as received by the Department on February 24, 2010.
2. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B.

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. Work adjacent to the Winnicut River shall be done during low flow.
5. 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.
5. Appropriate siltation/erosion controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
6. Culvert outlets shall be protected in accordance with the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).
7. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
8. 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 major impact project per Administrative Rule Env-Env-Wt 303.02(), alteration of more than 200 linear feet of bank
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a), Requirements for Application Evaluation, has been considered in the design of the project.
5. NH Natural Heritage Bureau indicates the project is not likely to impact the recorded species.
6. The proposed project improves the public safety of the roadway.
7. In accordance with RSA 428-A:8, DES finds that the requirements for a public hearing do not apply as the permitted project is not of substantial public interest, and will not have a significant impact on or adversely affect the values of the riverine resource, as identified under RSA 482-A:1.

MINOR IMPACT PROJECT

**2005-00867 BROOKSIDE ROCHESTER SUBDIVISION LLC, ATTN ERIC GOL
ROCHESTER Unnamed Wetland**

Requested Action:

Dredge and fill a total of 7,200 sq. ft. of wetlands to install two roadway crossings in the final 21-lot phase of a 68-lot subdivision on 45.44 acres, including 6,100 sq. ft. of impact and installation of a 18" x 60' culvert, and 1,100 sq. ft. of crossing impact.

Compensatory mitigation for the combined total wetlands impact of 14,100 sq. ft. (including phase I, permit 2003-639 for 6,900 sq. ft., and this phase for 7,100 sq. ft.) will be completed through a payment to the Aquatic Resource Mitigation Fund of \$49,663.74 into the Salmon Falls - Piscataqua River watershed.

Conservation Commission/Staff Comments:
ARM Fund payment proposed - \$49,663.74.

DENY PERMIT:

Dredge and fill a total of 7,200 sq. ft. of wetlands to install two roadway crossings in the final 21-lot phase of a 68-lot subdivision on 45.44 acres, including 6,100 sq. ft. of impact and installation of a 18" x 60' culvert, and 1,100 sq. ft. of crossing impact.

Deny compensatory mitigation proposal of a payment to the Aquatic Resource Mitigation Fund of \$49,663.74.

With Findings:

1. The Department issued a permit to DJP Realty Trust on August 8, 2006 for the requested wetlands impact.
2. The original mitigation proposal included funds to be provided to the Strafford Rivers Conservancy as compensatory mitigation. This was an acceptable option as RSA 482-A:28 had not been adopted.
3. On March 23, 2009 the Department received a request for a name change and modification to the mitigation proposal.
4. In the March 2009 request, the applicant reviewed on-site options for mitigation and the department determined that the project was acceptable for payment to the Aquatic Resource Mitigation (ARM) Fund.
5. The Department's decision was issued in letter form and upon receipt of the ARM fund payment, the Department would issue a posting permit to Brookside Rochester Subdivision, LLC in accordance with Env-Wt 803.08(f).
6. The payment into the ARM fund was required to be deposited in the DES fund for the Salmon Falls-Piscataqua watershed per RSA 482-A:29 no later than February 1, 2010.
7. Per Rule Wt 806.05(b), if the applicant does not pay the full amount of the in-lieu fee payment within 120 days of the date of the notice, the department shall deny the application.
8. As of March 19, 2010 no payment has been received by the Department therefore the application is denied.

**2005-01928 NH DEPT OF TRANSPORTATION
HAMPSTEAD Johnsons Pond & Hoghill Brook**

Requested Action:

Amend permit request to install a 7 foot high x 8 foot wide x 60 foot long concrete box culvert embedded 1 foot below the brook bed.

APPROVE AMENDMENT:

Dredge and fill a total of 2002 square feet further described as follows: Temporarily impact 691 square feet for construction access and permanently impact 1311 square feet to replace the existing 4 foot high x 4 foot wide x 53 foot long culvert with a 7 foot high x 8 foot wide x 60 foot long culvert and install an 18 in. steel sleeve to accommodate a future water main impacting 1,123 sq. ft. of palustrine wetlands and riverine banks and channel (467 sq. ft. temporary). NHDOT project #15655.

With Conditions:

1. Culvert work shall be in accordance with plans by NHDOT Highway Design dated August 2009 as received by the Department on January 29, 2010.
2. Waterline work shall be in accordance with plans by NH DOT District 6 dated March 17, 2008 as received May 23, 2008.
3. This permit is contingent on review and written approval, by the DES Wetlands Bureau, of final stream diversion/erosion control plans. Those plans shall detail the timing and method of stream flow diversion during construction, and show temporary siltation/erosion/turbidity control measures to be implemented.
4. Unconfined work within the brook, exclusive of work associated with installation of a cofferdam, shall be done during periods of low flow.
5. 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.
6. Prior to commencing work on a substructure located within surface waters, a cofferdam shall be constructed to isolate the substructure work area from the surface waters.
7. Temporary cofferdams shall be entirely removed immediately following construction.
8. Construction equipment shall not be located within surface waters.
9. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; and c) set back as far as possible from wetlands and surface waters, in all cases with a

minimum of 25 feet of undisturbed vegetated buffer.

10. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
11. Native material removed from the streambed during culvert installation, shall be stockpiled separately and reused to emulate a natural channel bottom within the culvert. Any new materials used must be similar to the natural stream substrate and shall not include angular rip-rap.
12. All in-stream work shall be conducted in a manner that minimizes the duration of construction in the watercourse. In-stream work shall not exceed five consecutive days in total unless specifically authorized in writing by the Wetlands Bureau.
13. Extreme precautions shall be taken within riparian areas to limit unnecessary removal of vegetation during access road construction and areas cleared of vegetation to be revegetated within three days of the completion of this project.
14. The Permittee shall monitor the weather and will not commence work within flowing water, including the installation of cofferdams, when rain is in the forecast.
15. Work shall be conducted in a manner so as to minimize turbidity and sedimentation.
16. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each operator shall be trained in its use.
17. The applicant shall notify DES Wetlands Bureau in writing within twenty-four (24) hours of an erosion event resulting in sediment entering a wetland or surface water.
18. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
19. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
20. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Matting and pinning shall stabilize slopes steeper than 3:1.
21. 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).
22. There shall be no further alteration to wetlands or surface waters without amendment of this permit.
23. Standard precautions shall be taken to prevent import or transport of soil or seed stock from nuisance, invading species such as purple loosestrife or Phragmites.
24. A post-construction report documenting the status of the restored streambed and banks shall be submitted to the Wetlands Bureau within 60 days of the completion of construction.

With Findings:

The Department reaffirms findings 1-18:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(1), alteration of less than 200 linear feet of banks and channel of a perennial stream.
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. On August 19, 2005, the Dept. of Environmental Services (DES) received an application to extend the existing stone/concrete box culvert by 5 ft.
6. On January 19, 2006, the DES received an amended application to slipline the existing stone/concrete box culvert and extend by 5 ft.
7. On January 23, 2006, DES informed the applicant that the amended application changed the project to a minor impact category, the information needed to be submitted to the town and the NH Fish and Game Dept. (NHFG) for comment, as the amended plan would impact the natural stream bottom.
8. On October 19, 2006 the DES received a copy of a letter sent to the Selectmen and on October 24, 2006 a copy of a memo sent to the Division of Historic Resources.
9. On November 8, 2006 the DES sent notice explaining the need to notify all appropriate parties of the amendment and to address the Rules in Env-Wt 302.04(a).
10. On December 13, 2006 the DES received an updated application package.

11. On December 13, 2006 the DES sent a Request for More Information requesting the applicant to address the rules relative to impacts on fish and wildlife. A copy of the letter was sent to NHFG.
12. On December 18, 2006, the DES received a notice from NHFG that there was a Species of Special Concern and this information was forwarded to the applicant the same day.
13. On February 1, 2007 the DES received a revised application package.
14. On October 23, 2007 the DES sent notice that the NHFG was still concerned with the elimination of the natural stream bottom.
15. On March 27, 2008 the DES received an application (amendment 2) to install an open bottom culvert.
16. On April 22, 2008 the DES received a copy of a sign off sheet From the NH Division of Historical Resources indicating no known historic resources.
17. On April 22, 2008 the DES received a request from the Hampstead Area Water Company relative to adding a waterline installation to the application.
18. On July 2, 2008 the DES received notice that the amended plan and construction sequence including the waterline installation was also provided to the Hampstead Conservation Commission.
And makes the following additional findings:
19. Field inspection by DOT staff found the existing culvert to be 53 feet long not 42 feet as originally reported.
20. The proposed amendment was discussed at the Natural Resources Agency Meeting on August 19, 2009, there was general consensus that the proposed changes were acceptable.
21. The Fish and Game Department stated no concerns in regards to the Blandings Turtles in regards to the proposed amendment.

2009-02788 TILLOTSON CORPORATION
DIXVILLE Mud Brook Canal & Sugar Hill Brook

Requested Action:

Propose to impact 5,915 square feet of wetlands. Wetland impacts include the maintenance dredging of 1,340 square feet of a man-made diversion canal (Mud Pond Canal); dredge and fill 3,974 square feet for an access road to the canal; and dredge and fill 601 square feet (129 linear feet) for the replacement of existing diversion structures in Sugar Hill Brook, a perennial stream.

APPROVE PERMIT:

Impact 5,915 square feet of wetlands. Wetland impacts include the maintenance dredging of 1,340 square feet of a man-made diversion canal (Mud Pond Canal); dredge and fill 3,974 square feet for an access road to the canal; and dredge and fill 601 square feet (129 linear feet) for the replacement of existing diversion structures in Sugar Hill Brook, a perennial stream.

With Conditions:

1. All work shall be done in accordance with plans by Horizons Engineering LLC, entitled: Tillotson Rubber Company, Inc. Mud Pond Canal Maintenance Dredging & Sugar Hill Brook Diversion Structure Reconstruction (sheets 1-3 and 5-7 of 7) dated August 2009 as received by the Department on November 23, 2010; Mud Canal Maintenance Dredging (sheet 4 of 7) dated August 2009 and revised through March 15, 2010 and received by the Department on March 16, 2010.
2. The permittee shall coordinate with the NH Division of Historic Resources to assess and mitigate the project's effect on historic resources.
3. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, maintained during construction, and remain until the area is stabilized. Silt fencing must be removed once the area is stabilized.
4. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
5. 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.
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. Work within the stream, inclusive of work associated with installation of a cofferdam, shall be done during periods of low flow. High flows can be caused by seasonal runoff or precipitation; the permittee shall monitor local forecasts to review weather conditions.

8. No work within the confined area shall proceed until the cofferdam is fully effective, and water flow is controlled.
9. Temporary cofferdams shall be entirely removed immediately following construction.
10. Dredged material shall be placed out of any area that is within the jurisdiction of the DES Wetlands Bureau.
11. Extreme precautions shall be taken within riparian areas to limit unnecessary removal of vegetation during access road construction and areas cleared of vegetation to be revegetated within three days of the completion of this project.
12. Areas from which vegetation has been cleared to gain access to the site shall be replanted with like native species.
13. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid prior to entering surface waters or wetlands. Faulty equipment shall be repaired prior to entering jurisdictional areas.
14. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each operator shall be trained in its use.
15. All refueling of equipment shall occur outside of surface waters or wetlands during construction.
16. 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).
17. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
18. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
19. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.
20. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.

With Findings:

1. The project is classified as a Minor Project per NH 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 new water diversion structure will not change the flow or aquatic passage from the existing conditions.
6. Canal maintenance is necessary to maintain water flow and water quality to the Balsams Resort water supply, provide adequate hydroelectric power and fire protection for the property.
7. DES has issued similar permits for work conducted within the canal system under Wetlands Bureau files 2003-00413, and 2008-01792.

2009-02897 DUDDY, ROY
NORTHWOOD Northwood Lake

Requested Action:

Replace a total of 27 linear feet of wood retaining wall in 3 locations with a natural stone shoreline, remove a 5 ft x 8 ft concrete slab and install 5 ft wide access stairs to the waterbody, on Northwood Lake, Northwood.

Conservation Commission/Staff Comments:

Con Com submitted comments.

APPROVE PERMIT:

Replace a total of 27 linear feet of wood retaining wall in 3 locations with a natural stone shoreline, remove a 5 ft x 8 ft concrete slab

and install 5 ft wide access stairs to the waterbody, on Northwood Lake, Northwood.

With Conditions:

1. All work shall be in accordance with plans as received by DES on December 03, 2009.
2. Work shall be done during drawdown.
3. Repair shall maintain existing size, location and configuration.
4. The stairs shall not exceed 6 ft in width.
5. Retaining wall shall be constructed landward of the shoreline defined by the elevation of normal high water so as not to create land in public water.
6. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
7. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
8. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid prior to entering surface waters or wetlands.
9. Faulty equipment shall be repaired prior to entering jurisdictional areas.
10. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each operator shall be trained in its use.
11. All refueling of equipment shall occur outside of surface waters or wetlands.
12. All activities shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland.

With Findings:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(j), repair or replacement of existing retaining walls that requires work in the water, but that results in no change in height, length, location, or configuration.

**2009-03004 BAKIE BROTHERS DEVELOPMENT LLC, PETE
KINGSTON Unnamed Wetland**

Requested Action:

Dredge and fill 6,500 square feet of palustrine forested wetland for the construction of an access road and the installation of two (2) 18-inch culverts to gain access to uplands.

Conservation Commission/Staff Comments:

The Kingston Conservation Commission did not comment on the application.

Inspection Date: 03/05/2010 by Eben M Lewis

APPROVE PERMIT:

Dredge and fill 6,500 square feet of palustrine forested wetland for the construction of an access road and the installation of two (2) 18-inch culverts to gain access to uplands.

With Conditions:

1. All work shall be in accordance with the 'Wetland Crossing' plan by Cornerstone Survey Associates Inc. dated July 2009 and revised on 7/28/09 as received by DES on March 5, 2010.
2. DES Wetlands Bureau Southeast region staff shall be notified in writing prior to commencement of work and upon its completion.
3. 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.
4. Work shall be done during seasonal low flow conditions.

5. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
6. Proper headwalls shall be constructed within seven days of culvert installation.
7. Within three days of final grading or temporary suspension of work, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

With Findings:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(h) Projects involving less than 20,000 square feet of alteration in the aggregate in nontidal wetlands, nontidal surface waters, or banks adjacent to nontidal surface waters which exceed the criteria of Env-Wt 303.04(f);
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01. 3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
5. A memo from the NH Natural Heritage Bureau ("NHB") dated March 2, 2009 included with the application identified two (2) rare species in the vicinity of the project: Eastern Pond Mussel (*Ligumia nasuta*) and the State threatened Spotted Turtle (*Clemmys guttata*).
6. DES makes the following findings with respect to the aforementioned NHB memo: The Eastern Pond Mussel will not be adversely affected by the proposed project as the impacts do not occur within or adjacent to Great Pond. While the impacts do occur in an area where the Spotted Turtle may be found, DES finds that the Spotted Turtle will not be adversely affected by these impacts as the two (2) 18-inch culverts beneath the crossing will allow sufficient passage for the Spotted Turtle.
7. DES personnel conducted a field inspection of the proposed project on March 5, 2010. Field inspection determined the proposed impacts do in fact occur at the narrowest area of palustrine forested wetland to gain access to the uplands as represented in the plan provided with the application. This project will maintain the hydrological connection of the wetlands and not impound water on to the abutting property. DES noted that the restoration areas are thriving with hydrophytic vegetation.
8. This property had been subject to DES Wetlands Bureau compliance file no. 2006-03109. On July 29, 2009, DES issued a 'Letter of Compliance' to the applicant stating, in summary, the deficiencies described in a letter dated March 28, 2007 had been corrected.

2010-00062 KOVACS, AGNES
LACONIA Lake Winnisquam

Requested Action:

Remove a damaged 6 ft x 30 ft piling pier and construct a new 6 ft x 40 ft piling pier in the same location, relocate 2 tie-off pilings, one ice cluster, a seasonal boatlift and retain two previously permitted seasonal PWC lifts on an average of 101 ft of frontage on Lake Winnepesaukee, in Laconia.

APPROVE PERMIT:

Remove a damaged 6 ft x 30 ft piling pier and construct a new 6 ft x 40 ft piling pier in the same location, relocate 2 tie-off pilings, one ice cluster, a seasonal boatlift and retain two previously permitted seasonal PWC lifts on an average of 101 ft of frontage on Lake Winnepesaukee, in Laconia.

With Conditions:

1. All work shall be in accordance with plans by Watermark Marine Construction dated November 19, 2009, as received by DES on January 12, 2010.
2. This permit shall not be effective until it has been recorded with the county Registry of Deeds Office by the Permittee. A copy of the recorded permit shall be submitted to the DES Wetlands Bureau, by certified mail, return receipt requested, prior to construction.
3. The replacement shall maintain the location and configuration of the pre-existing pier.
4. This permit to replace or repair existing structures shall not preclude the DES from taking any enforcement action or revocation action if the DES later determines that the structures represented as "existing" were not previously permitted or grandfathered.

5. All construction related debris shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
6. Appropriate siltation, erosion, and turbidity controls shall be in place prior to construction, maintained during construction, and shall remain until the area is stabilized.
7. 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.
8. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding areas and spawning areas shall be avoided.
9. Seasonal structures shall be removed from the lake bed for the non-boating season.
10. This permit does not allow for dredging for any purpose.
11. 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), alteration of 2 slip, permanent docking facility.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01. 3. The Owner submitted photographs of wave activity meeting the current standard of Rule Env-Wt 402.06, Permanent Docks, to previous file #1999-02553.
4. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.

MINIMUM IMPACT PROJECT

2009-01519 BERKOWITZ, ELLIOTT & NANCY
SANDWICH Unnamed Wetland

Requested Action:

Proposal to dredge and fill 623 sq. ft. of wetlands for the construction of an access road and one driveway for a proposed 17-lot residential subdivision.

APPROVE PERMIT:

Dredge and fill 829 sq. ft. of wetlands for the construction of an access road and one driveway for a proposed 17-lot residential subdivision.

With Conditions:

1. All work shall be in accordance with plans by Moser Engineering, plan sheets 2, 3, 5, 7, 9, 10 (with revised 42 in. x 20 ft. embedded culvert), 11, 14, 16, 17 and 18 of 18 dated October 2008 and sheets 4, 6, 8, 12, 13, of 18 revision date of April 30, 2009, as received by DES on November 24, 2009 and "Wetlands Plan" by Hambrook Land Surveying, revision date of January 25, 2010, as received by DES on February 22, 2010.
2. This permit is contingent on approval by the DES Alteration of Terrain Program.
3. This permit is contingent on approval of the proposed restrictive covenants/deed restrictions and vernal pool buffers by the United States Environmental Protection Agency ("EPA").
4. The boundaries of the vernal buffers shall be marked/demarcated by signs as protected approximately every 50 feet. The boundaries shall be marked before any construction or land clearing starts on the property. DES and the EPA shall be notified when the marking is completed.
5. The applicant shall coordinate the plant relocation efforts with the New Hampshire Natural Heritage Bureau ("NHB").
6. Work shall be done during low flow.
7. The driveway crossing culvert for "Lot 4" shall be embedded with natural material and shall not include angular rip-rap.
8. The deed which accompanies the sales transaction for each of the lots containing the identified vernal pool buffers shall include the EPA approved restrictive covenants/deed restriction language and requirements for marking the boundary of the vernal pool

- buffers. 9. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.
10. The deed which accompanies the sales transaction for each of the lots in this subdivision shall contain condition #9 of this approval.
11. This permit shall not be effective until it has been recorded with the Carroll 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.
12. 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.
13. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
14. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
15. Within three days of final grading, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
16. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
17. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.
18. 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).
19. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid. Faulty equipment shall be repaired immediately.
20. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each operator shall be trained in its use.
21. All refueling of equipment shall occur outside of surface waters or wetlands.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(f) Projects involving alteration of less than 3,000 square feet in swamps or wet meadows.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.
5. The Conservation Commission submitted comments.
6. The applicant responded to the comments and revised portions of the application submittal.
7. The department received comments from the United States Environmental Protection Agency ("EPA") and subsequent comments from the United States Army Corps of Engineers ("ACOE") indicating the project was ineligible for the New Hampshire State Programmatic General Permit ("SPGP"). The project was considered ineligible due to the need for a vernal pool survey and needed vernal pool buffers.
8. The applicant worked with the EPA and established vernal pool buffers and protection through deed restrictions.
9. The applicant has been in contact with the New Hampshire Natural Heritage Bureau ("NHB") due to state threatened plant species identified on the site by the Conservation Commission.
10. The plants are not within wetlands and it has been indicated by the applicant and NHB that the landowner can "take" species on their own property.
11. The applicant has chose to try relocating the species rather than to avoid them.
12. This approval is conditioned on coordination with NHB on transplanting the species.

2009-01698 **EPPING, TOWN OF**
EPPING Hoar Pond

Requested Action:

Retain 250 sq. ft. of wetland impact for installation of a municipal wellhead, associated fill, and construction of 38 linear feet of

security fence on top of the fill.

APPROVE PERMIT:

Retain 250 sq. ft. of wetland impact for installation of a municipal wellhead, associated fill, and construction of 38 linear feet of security fence on top of the fill.

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.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(f), projects involving alteration of less than 3,000 sq. ft of swamps or wet meadows.
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. Additional fill material placed in excess of what was necessary is to be removed and restored as a compliance matter issued under separate cover.
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. NH Fish and Game Department reported in an email dated 11/30/2009 that impacts to Blandings turtles or spotted turtles were not expected as a result of this project.

**2009-02980 CHARRON, MICHAEL
GOFFSTOWN Unnamed Wetland**

Requested Action:

Proposal to dredge and fill 740 sq. ft. of wetlands for the installation of one 18 in. x 30 ft. and one 18 in. x 40 ft. HDPE culverts and associated grading and filling for two driveways associated with a proposed 4-lot residential subdivision.

APPROVE PERMIT:

Dredge and fill 740 sq. ft. of wetlands for the installation of one 18 in. x 30 ft. and one 18 in. x 40 ft. HDPE culverts and associated grading and filling for two driveways associated with a proposed 4-lot residential subdivision.

With Conditions:

1. All work shall be in accordance with plans by Joseph M. Wichert, LLS, Inc., plan date November 11, 2009, as received by DES on December 18, 2009 and plans revision date of November 11, 2009, as received by DES on January 12, 2010.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
4. Work shall be done during low flow.
5. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.
6. The deed which accompanies the sales transaction for each of the lots in this subdivision shall contain condition #5 of this approval.
7. This permit shall not be effective until it has been recorded with the Hillsborough County Registry of Deeds office by the Permittee. A copy of the recorded permit shall be submitted to the DES Wetlands Bureau by certified mail, return receipt requested, prior to construction.
8. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
9. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
10. Within three days of final grading, all exposed soil areas shall be stabilized by seeding and mulching during the growing season,

or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

- 11. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
- 12. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.
- 13. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
- 14. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid. Faulty equipment shall be repaired immediately.
- 15. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each operator shall be trained in its use.
- 16. All refueling of equipment shall occur outside of surface waters or wetlands.
- 17. 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 minimum impact project per Administrative Rule Env-Wt 303.04(f) Projects involving alteration of less than 3,000 square feet in swamps or wet meadows that are not in prime wetlands or do not meet the requirements of Env-Wt 303.02(k), provided that no previous department permit has placed restrictions on the property of the applicant.
- 2. The department issued a wetlands impact permit in 1995 (File #1994-2055) for a previous subdivision which included this lot. The permit was conditioned for no further impacts to wetlands. The newly proposed wetlands impacts are within a created drainage swale for the previously approved subdivision and was not delineated as a wetland in 1995. Therefore, the department does not consider the previous condition applicable to this proposal.
- 3. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01. 4. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
- 5. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.
- 6. The conservation commission submitted comments indicating that they did not sign the minimum impact expedited application because the lots have not yet been approved by the planning department.
- 7. The application was processed by the department because the direct impacts are minimal and considered approvable if the lots are approved by NHDES and the municipality.

**2010-00076 NH CATHOLIC CHARITIES
MANCHESTER Unnamed Wetland**

Requested Action:

Dredge and fill approximately 1920 sq. ft. of wetlands for building access and parking and stormwater outlet work associated with redevelopment of an existing building for the new "NH Food Bank" facility.

APPROVE PERMIT:

Dredge and fill approximately 1920 sq. ft. of wetlands for building access and parking and stormwater outlet work associated with redevelopment of an existing building for the new "NH Food Bank" facility.

With Conditions:

- 1. All work shall be in accordance with plans by TF Moran, Inc., plan sheet 3 of 18 revision date of December 23, 2009, plan sheets 5, 7 and 8 of 18 revision date of January 6, 2010 and plan sheet 9 of 18 dated December 7, 2009, as received by DES on January 11, 2010.
- 2. Work shall be done during low flow.

3. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
4. 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. Within three days of final grading, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
7. 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.
8. 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.
9. 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).
10. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require further permitting by the Bureau.
11. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid. Faulty equipment shall be repaired immediately.
12. 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.
13. All refueling of equipment shall occur outside of surface waters or wetlands.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(f) Projects involving alteration of less than 3,000 square feet in swamps or wet meadows that are not in prime wetlands or do not meet the requirements of Env-Wt 303.02(k), provided that no previous department permit has placed restrictions on the property of the applicant
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

**2010-00077 ST PAULS SCHOOL
CONCORD Unnamed Wetland**

Requested Action:

Dredge and fill 1035 sq. ft. of wetlands for construction of stone outlets for two grassed swales and construction of a detention pond outlet.

APPROVE PERMIT:

Dredge and fill 1035 sq. ft. of wetlands for construction of stone outlets for two grassed swales and construction of a detention pond outlet.

With Conditions:

1. All work shall be in accordance with plans by Provan & Lorber, Inc. plan sheet C2.0, C2.4, and C2.8 dated January 2010, plan sheets C3.6, and C3.7 revision date of July 29, 2009, plan sheets C3.8 and C3.9 dated August 2008 and plan sheets C3.11 revision date of November 4, 2009, as received by DES on January 11, 2010.
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. Within three days of final grading, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
7. 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.
8. 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.
9. 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).
10. 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.
11. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid. Faulty equipment shall be repaired immediately.
12. 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.
13. All refueling of equipment shall occur outside of surface waters or wetlands.

With Findings:

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

**2010-00085 PSNH
DERRY Unnamed Wetland**

Requested Action:

Temporarily impact wetlands under frozen conditions within the bed and banks of a stream to replace a pole on structure #382 associated with PSNH transmission line B172.

Conservation Commission/Staff Comments:

No comments were received from the Derry Conservation Commission.

CONFIRM EMERGENCY AUTHORIZATION:

Temporarily impact wetlands under frozen conditions within the bed and banks of a stream to replace a pole on structure #382 associated with PSNH transmission line B172.

With Conditions:

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

With Findings:

1. This project is classified as a minimum impact project per Rule Env-Wt 303.04(i) construction of temporary crossings of brooks, streams, or rivers for the transportation of forest products or the construction or maintenance of utility pipes or lines and is not in prime wetlands or within 100 feet of the highest observable tide line.
2. The project was necessary to ensure the continued safe and reliable operation of PSNH's transmission and distribution systems.

- 3. Emergency authorization for this work was issued by DES Wetlands Bureau Staff on January 20, 2010.
- 4. Review of the materials submitted pursuant the emergency authorization indicates that work has been completed in accordance with the emergency authorization.

**2010-00252 DENONCOURT REVOC TRUST, DEBORAH
MERRIMACK Unnamed Wetland**

Requested Action:

Dredge and fill 125 square feet of previously disturbed palustrine forested wetland to relocate and straighten an existing, 15-inch HDPE culvert to allow the construction of a garage and install a deep sump catch basin for improved stormwater treatment.

Conservation Commission/Staff Comments:

The Merrimack Conservation Commission signed the Minimum Impact Expedited application.

APPROVE PERMIT:

Dredge and fill 125 square feet of previously disturbed palustrine forested wetland to relocate and straighten an existing, 15-inch HDPE culvert to allow the construction of a garage and install a deep sump catch basin for improved stormwater treatment.

With Conditions:

- 1. All work shall be in accordance with 'Shoreland and Wetland Permit Plan' by Meridian Land Services, Inc. dated January 4, 2010, as received by DES on February 12, 2010.
- 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. DES Wetlands Bureau southeast region staff shall be notified in writing prior to commencement of work and upon its completion.
- 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. Work shall be done during seasonal low flow conditions.
- 6. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
- 7. 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(f), alteration of less than 3,000 square feet of forested wetland.
- 2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01. 3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
- 4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.
- 5. In accordance with Env-Wt304.04, the applicant received written concurrence from the abutter identified as Douglas and Esther Hadlock, more specifically reference on Merrimack Tax Map 6A Lot 1-92, for the impacts within 20-feet of the Hadlock property line.

FORESTRY NOTIFICATION

2010-00339 PETTIT, RUSSELL & KATHY
SANBORNVILLE Unnamed Stream

COMPLETE NOTIFICATION:
Sanbornville Tax Map 100, Lot# 2

2010-00466 JAHOS, WILLIAM
ALSTEAD Unnamed Stream

COMPLETE NOTIFICATION:
Alstead Tax MAp 27, Lot# 2

2010-00472 SIDMORE, DAVID
PIERMONT Unnamed Stream

COMPLETE NOTIFICATION:
Piermont Tax Map R12, Lot# 3

2010-00473 FARMINGTON CEMETERY ASSOC
FARMINGTON Unnamed Stream

COMPLETE NOTIFICATION:
Farmington Tax Map 7, Lot# 15

2010-00529 WILLIAMS, BURTON & MILDRED
EFFINGHAM Unnamed Stream

COMPLETE NOTIFICATION:
Effingham Tax Map 417, Lot# 93

2010-00530 HOBBS FAMILY, LEE HOBBS STEEGE POA
OSSIPEE Unnamed Stream

COMPLETE NOTIFICATION:
Ossipee Tax Map/Lot# 2/176 & 28/1, 13 & 50

2010-00531 NEW ENGLAND FORESTRY FOUNDATION
OSSIPEE Unnamed Stream

COMPLETE NOTIFICATION:
Ossipee tax map 16,lot 1 and 5.1

2010-00532 THOMPSON, LYLE & CYNTHIA
SANDWICH Unnamed Stream

COMPLETE NOTIFICATION:
Sandwich Tax Map R10, Lot# 27A

2010-00533 NORMANDEAU, KELLEY
HENNIKER Unnamed Stream

2010-00577 HOAR TRUST, D BLAKELY
HILL Unnamed Stream

COMPLETE NOTIFICATION:
Hill Tax Map/Lot# 11/401, 28/402, 69/401

2010-00581 KNIGHT, GARY
STRAFFORD Unnamed Stream

COMPLETE NOTIFICATION:
Strafford Tax Map/Lot# 16/27-3

OTHER BUSINESS

2007-03022 PELHAM, TOWN OF
PELHAM Lower Beaver Brook Prime Wetland

Requested Action:
Request by the Town of Pelham to designate an additional prime wetland consisting of the 416 acre Lower Beaver Brook Wetlands #41.

OTHER:
Approve request by the Town of Pelham to designate an additional prime wetland consisting of the 416 acre Lower Beaver Brook Wetlands #41.

With Findings:
1. Based on review of the Town of Pelham's Wetland Evaluation Report and associated mapping ("Report") by West Environmental Inc., dated April 2007 and plans by SFC Engineering Partnership Inc., revision date of January 5, 2007, as received by DES October 1, 2007, DES Wetlands Bureau has determined that the report and associated maps identifying one additional wetland as designated Prime Wetlands in the Town of Pelham comply with Administrative Rules Section Env-Wt 701, Criteria and Evaluation, and Part Env-Wt 702, Submission and RSA 482-A:15, and is therefore accepted.

2010-00510 PELHAM CONSERVATION COMMISSION
PELHAM Prime Wetlands 8, 42, 63

Requested Action:

Request by the Town of Pelham to accept designation of three additional prime wetlands consisting of the 40 acre Wetland #8, 48 acre Wetland #42, and 36 acre Wetland #63.

OTHER:

Approve request by the Town of Pelham to accept designation of three additional prime wetlands consisting of the 40 acre Wetland #8, 48 acre Wetland #42, and 36 acre Wetland #63.

With Findings:

1. Based on review of the Town of Pelham's Wetland Evaluation Report and associated mapping ("Report") by West Environmental Inc., dated December 2008 and plans by SFC Engineering Partnership Inc., revision date of July 2009, as received by DES March 15, 2010, DES Wetlands Bureau has determined that the report and associated maps identifying three additional wetlands as designated Prime Wetlands in the Town of Pelham comply with Administrative Rules Section Env-Wt 701, Criteria and Evaluation, and Part Env-Wt 702, Submission and RSA 482-A:15, and is therefore accepted.

EXPEDITED MINIMUM

**2009-02879 LEMPSTER, TOWN OF
LEMPSTER Unnamed Stream**

Requested Action:

In-kind replacement of a 36-inch x 30-foot CMP culvert (part of twin culverts) along an unnamed perennial stream at Keys Hollow Road.

APPROVE PERMIT:

In-kind replacement of a 36-inch x 30-foot CMP culvert (part of twin culverts) along an unnamed perennial stream at Keys Hollow Road.

With Conditions:

1. All work shall be in accordance with plans received by the Department on December 07, 2009.
2. Work shall be done during low flow conditions.
3. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to surface waters and wetlands.
4. Appropriate siltation/erosion controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
5. 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.
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 twenty (20) feet of undisturbed vegetated buffer.
7. Work within the stream, inclusive of work associated with installation of a cofferdam, shall be done during periods of low flow. High flows can be caused by seasonal runoff or precipitation; the permittee shall monitor local forecasts to review weather conditions.
8. No work within the confined area shall proceed until the cofferdam is fully effective, and water flow is controlled.
9. Temporary cofferdams shall be entirely removed immediately following construction.
10. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid. Faulty equipment shall be repaired prior to construction.
11. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each operator shall be trained in its use.
12. All refueling of equipment shall occur outside of surface waters or wetlands during construction.

13. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
14. The channel at the culvert inlet and outlet must maintain the natural and a consistent streambed elevation and not impede stream flow.
15. Proper headwalls shall be constructed within seven days of culvert installation.
16. Culverts shall be laid at original grade.
17. 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).
18. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
19. The applicant shall notify the DES Wetlands Bureau in writing within twenty-four (24) hours of an erosion event resulting in sediment entering a wetland or surface water.
20. A post-construction report including photographs documenting the status of the completed construction shall be submitted to the DES Wetlands Bureau within thirty (30) days of the completion of construction.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(x), In-kind replacement of a culvert.
2. The Conservation Commission signed the Minimum Impact Expedited Application.
3. No comments of concern were submitted from the Natural Heritage Bureau.
4. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
5. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
6. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

**2010-00136 OWEN REO LLC POA CHASE HOME FINANCE, E ALEXANDER
EAST WAKEFIELD Belleau Lake**

Requested Action:

Approves the Restoration Plan as submitted to restore shoreline and retain a 33 ft x 20 ft beach on an average of 102 ft of frontage on Belleau Lake.

Conservation Commission/Staff Comments:

Con Com did not sign Exp Applicaiton, however submitted comments stating they do not have any concerns

OTHER:

Approves the Restoration Plan as submitted to restore shoreline and retain a 33 ft x 20 ft beach on an average of 102 ft of frontage on Belleau Lake.

With Conditions:

1. All work shall be in accordance with plans by Land Tech revision dated November 15, 2005, as received by the Department on January 27, 2010.
2. The 5 ft wide terraced area with a 12 in wide retaining wall shall be constructed around the perimeter of, and immediately adjacent to, the beach, by no later than January 01, 2011.
3. The 5 ft wide terrace area shall be completely vegetated with a combination of native shrubs and ground covers
4. The construction/restoration shall be done according to the Restoration Plan and as conditioned by this Restoration Plan Approval. Any changes or alterations to the Restoration Plan must be requested in writing and approved by DES in writing prior to implementing any such changes or alterations.
5. All persons involved in restoration activities on the Property shall have read and become familiar with the provisions of the Restoration Plan and this Restoration Plan Approval prior to beginning restoration work on the Property. A copy of the Restoration Plan and this Restoration Plan Approval shall be kept posted at the Property during the time restoration work continues on the Property.

6. 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.
7. Photos documenting the completion of the 5 ft wide terrace and plantings shall submitted to the Wetlands Bureau by January 01, 2011.
8. All future activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).
9. This approval shall be recorded with the appropriate County Registry of Deeds office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to May 01, 2010
10. Machinery access shall be limited to those areas indicated on the plan. All impacts shall be conducted in the dry during drawdown. No machinery shall enter the water.
11. All temporary access impacts shall be completely restored to pre-existing conditions with no modifications to the area.
12. All material removed during restoration activities shall be placed out of DES's jurisdiction.
13. This Restoration Plan Approval does not convey a property right, nor authorize any injury to property of others, nor invasion of rights of others.
14. This Restoration Plan Approval does not relieve the owner from the obligation to obtain other local, state or federal permits that may be required.
15. Transfer of ownership of the Property shall require notification to DES and an agreement on transfer of the rights and obligations of this Restoration Plan Approval, if required, prior to such transfer of ownership.
16. Within three days following the last activity in the restoration area or where restoration activities are suspended for more than three days, all soils exposed by restoration activities shall be stabilized by seeding and mulching.

2010-00264 RAMSAY, JANE
HEBRON Unnamed Wetland

Requested Action:

Proposal to dredge and fill approximately 300 sq. ft. of poorly drained wetlands for the construction of a driveway to one lot of a two lot residential subdivision. Work in wetlands consists of installation of 12 in. x 20 ft. HDPE culvert with associated grading, filling and culvert headwalls.

APPROVE PERMIT:

Dredge and fill approximately 300 sq. ft. of poorly drained wetlands for the construction of a driveway to one lot of a two lot residential subdivision. Work in wetlands consists of installation of 12 in. x 20 ft. HDPE culvert with associated grading, filling and culvert headwalls.

With Conditions:

1. All work shall be in accordance with plans by Barnard Survey Assoc., Inc., subdivision plan revision date of May 29, 2007 and wetlands plan dated February 12, 2010, as received by DES on February 16, 2010.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.
4. The deed which accompanies the sales transaction for each of the lots in this subdivision shall contain condition #3 of this approval.
5. The driveway side-slopes shall be loamed then seeded with an appropriate stabilization seed mix.
6. Work shall be done during low flow.
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. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
9. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
10. Within three days of final grading, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
11. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be

stabilized within 14 days by seeding and mulching.

12. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.

13. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).

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

13. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each operator shall be trained in its use.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(f) Projects involving alteration of less than 3,000 square feet in swamps or wet meadows that are not in prime wetlands or do not meet the requirements of Env-Wt 303.02(k), provided that no previous department permit has placed restrictions on the property of the applicant
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

**2010-00362 STRUCTAL BRIDGE, DIV OF CANAM STEEL CORP
CLAREMONT Unnamed Wetland**

Requested Action:

Dredge and fill ± 1,800 sq. ft. of palustrine emergent wetlands for extension of existing crane rail track.

APPROVE PERMIT:

Dredge and fill ± 1,800 sq. ft. of palustrine emergent wetlands for extension of existing crane rail track.

With Conditions:

1. All work shall be in accordance with plans and narrative by Aries Engineering, Inc. dated January 2010, as received by the Department on February 25, 2010.
2. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to surface waters and wetlands.
3. Appropriate siltation/erosion controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
4. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
5. Culverts shall be properly riprapped.
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. 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.
8. A post-construction report including photographs documenting the status of the completed construction shall be submitted to the DES Wetlands Bureau within thirty (30) days of the completion of construction

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(f), alteration of less than 3,000 sq. ft. of wetlands.
2. This permit approves the initial phase of renovation and development of the subject parcel. The applicant plans to submit a second application for entire site development.
3. The Conservation Commission signed the Minimum Impact Expedited Application.
4. No comments of concern were submitted from the NHFG Nongame and Endangered Wildlife Program or the Natural Heritage

Bureau.

- 5. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
- 6. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
- 7. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

2010-00469 PSNH
DEERING Deering Reservoir

Requested Action:

Temporarily impact 60 sq ft on tax map 234 lot 17 and temporarily impact 90 sq ft on tax map 235 lot 65 to install a submarine electrical cable from the mainland to Driftwood Island in Deering Reservoir, in Deering.

Conservation Commission/Staff Comments:

Con Com signed Exp Application

APPROVE PERMIT:

Temporarily impact 60 sq ft on tax map 234 lot 17 and temporarily impact 90 sq ft on tax map 235 lot 65 to install a submarine electrical cable from the mainland to Driftwood Island in Deering Reservoir, in Deering.

With Conditions:

- 1. All work shall be in accordance with plans by Northeast Utilities dated February 25, 2010, as received by DES on March 10, 2010.
- 2. Area shall be regraded to original contours following completion of work.
- 3. Appropriate siltation and erosion controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
- 4. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
- 5. 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 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.
- 2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
- 3. The utility line provides electrical power to approximately 13 residential homes on Driftwood Island in Deering Reservoir.

AGRICULTURE MINIMUM

2008-02544 PUTNAM FARMS INC
CHARLESTOWN Jabe Meadow Brook

Requested Action:

Dredge approximately 2,000 linear feet of existing agricultural ditches and Jabe Meadow Brook to remove sediment and debris that

have accumulated since the agricultural ditches were originally designed and constructed under a Farm Plan with guidance from USDA, Soil Conservation Service.

Inspection Date: 07/21/0009 by Ana K Ford

APPROVE AFTER THE FACT:

Dredge approximately 2,000 linear feet of existing agricultural ditches and Jabe Meadow Brook to remove sediment and debris that have accumulated since the agricultural ditches were originally designed and constructed under a Farm Plan with guidance from USDA, Soil Conservation Service.

With Conditions:

1. All work shall be done in accordance with plans by USDA, Soil Conservation Service dated November 1955, and received by DES on February 9, 2010. All work shall adhere to the standards of the "Best Management Wetlands Practices for Agriculture," NH Dept. of Agriculture, dated July 16, 1993, amended September 1998.
2. Any change in use to a non-agricultural purpose will require further permitting by the DES Wetlands Bureau.
3. This permit shall be recorded with the county Registry of Deeds office by the permittee.
4. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
5. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.

With Findings:

1. This is a Minimum Impact Project per NH Administrative Rule Env-Wt 303.04(u), as impacts are to maintain and improve existing crop or pasture land for continued agricultural use.
2. The applicant entered into an agreement with the USDA, SCS in the 1950's to follow a Farm Plan which included creating agricultural ditches on the property and within Jabe Meadow Brook (which is classified as a "main ditch" on SCS plans) to improve crop and pasture land. The Farm Plan included a maintenance plan dated April 15, 1970 that instructs to, "retain adequate storage by removing accumulations of silt and debris".
3. The applicant owns Putnam Farms, Inc. which is considered an agricultural operation.

GOLD DREDGE

**2010-00591 RAMO, MICHAEL
(ALL TOWNS) Unnamed Stream**

**2010-00592 RAMO, SHELIA
(ALL TOWNS) Unnamed Stream**

ROADWAY MAINTENANCE NOTIF

**2010-00584 NH DEPT OF TRANSPORTATION
CONCORD Unnamed Stream**

PERMIT BY NOTIFICATION

**2010-00300 CONCORD, CITY OF
CONCORD Unnamed Pond**

Requested Action:

Maintenance dredge 14325 sq. ft. ditch line and a small man made pond.

PBN IS COMPLETE:

PBN complete to maintenance dredge 14325 sq. ft. ditch line and a small man made pond.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04((k) Maintenance dredging, when necessary to provide continued usefulness of nontidal drainage ditches, man-made ponds, and spillways.
2. The culvert portion of the project was removed by the applicant.

**2010-00465 OBRIEN, WILLIAM
ALTON BAY Lake Winnepesaukee**

Requested Action:

Replace 2 existing 7 ft x 8 ft cribs and replace one 8 ft x 28 ft crib supporting a "U-shaped" docking facility on 170 ft of frontage in Alton Bay on Lake Winnepesaukee.

Conservation Commission/Staff Comments:

Con Com signed PBN form

PBN IS COMPLETE:

Replace 2 existing 7 ft x 8 ft cribs and replace one 8 ft x 28 ft crib supporting a "U-shaped" docking facility on 170 ft of frontage in Alton Bay on Lake Winnepesaukee.

With Findings:

1. This project is classified as a minimum impact project per Rule Env-Wt 303.04(v), repair of existing docking structures with no change in size, location or configuration.

**2010-00538 WINNIPESAUKEE FLAGSHIP CORP
LACONIA Lake Winnepesaukee**

Requested Action:

Maintenance and repair of non-docking structures.

Conservation Commission/Staff Comments:

Con Com did not sign PBN

PBN IS COMPLETE:

Maintenance and repair of non-docking structures.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(x), maintenance, repair, or replacement of non-docking structure.

2010-00571 DEUTSCH, IANE
GILFORD Lake Winnepesaukee

Requested Action:

Repair existing docking structures in kind.

Conservation Commission/Staff Comments:

Con Com did not sign PBN form

PBN IS COMPLETE:

Repair existing docking structures in kind.

With Findings:

1. This project is classified as a minimum impact project per Rule Env-Wt 303.04(v), repair of existing docking structures with no change in size, location or configuration.

CSPA PERMIT

2009-01600 LANDRY, JOSEPH
AUBURN Lake Massabesic

Requested Action:

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

APPROVE AMENDMENT:

Impact 548 sq ft for the installation of an above ground swimming pool with deck.
AMENDMENT DESCRIPTION: Change 10ft x 10ft deck to 16ft x 20ft deck.

With Conditions:

1. All work shall be in accordance with plans by Joseph Landry dated July 1, 2009 and received by the Department of Environmental Services ("DES") on July 27, 2009.
2. No more than 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. 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.
4. 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.
5. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
6. Any fill used shall be clean sand, gravel, rock, or other suitable material.
7. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement or revocation action if the DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

2010-00167 SMITH JR, ALBERT & JOAN
HILLSBOROUGH Loon Pond

Requested Action:

Impact 3,897 sq ft to replace home within same footprint.

APPROVE PERMIT:

Impact 3,897 sq ft to replace home within same footprint.

With Conditions:

1. All work shall be in accordance with plans by Christopher C. Pinkham dated January 1, 2010 and received by the Department of Environmental Services ("DES") on January 27, 2010.
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. At least 14,156 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.

2010-00278 TOWN OF LITTLETON, CHARLES CONNELL
LITTLETON Ammonoosuc River

Requested Action:

Impact 12,140 sq ft. Replacing the structurally deficient Redington bridge with a slight alignment change and limited roadway improvements to the north and southbound approaches.

APPROVE PERMIT:

Impact 12,140 sq ft. Replacing the structurally deficient Redington bridge with a slight alignment change and limited roadway improvements to the north and southbound approaches.

With Conditions:

1. All work shall be in accordance with plans by Vanasse Hangen Brustlin, Inc. dated December 9, 2009 and received by the Department of Environmental Services ("DES") on February 17, 2010.
2. No more than N/A% 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 N/A sq ft of the Natural Woodland Buffer beyond the primary building setback in an unaltered state. At least N/A 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. 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.
5. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
6. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
7. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
8. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
9. Any fill used shall be clean sand, gravel, rock, or other suitable material.
10. 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.

2010-00320 MARTIN, GERARD
RYE BEACH Atlantic Ocean

Requested Action:

Impact 2902 sq ft for the purpose of placing 32 well heads within the wetland.

APPROVE PERMIT:

Impact 2,902 sq ft for the purpose of placing 32 well heads within the wetland.

With Conditions:

1. All work shall be in accordance with plans by MSC Civil Engineers & Land Surveyors dated February 17, 2010 and received by the Department of Environmental Services ("DES") on February 23, 2010.
2. This permit is contingent on approval by the DES Wetlands and Groundwater Bureau.
3. No more than 7.22% 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 43,585 sq ft of the Natural Woodland Buffer beyond the primary building setback in an unaltered state. At least 23,742 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. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
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.
6. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
7. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
8. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.

- 9. Any fill used shall be clean sand, gravel, rock, or other suitable material.
- 10. 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.

2010-00374 LANGFORD, SHIRLEY
WOLFEBORO Lake Wentworth

Requested Action:
Impact 1,800 sq ft for the purpose of removing existing cottage and to replace with new structure.

APPROVE PERMIT:
Impact 1,800 sq ft for the purpose of removing existing cottage and to replace with new structure.

- With Conditions:
- 1. All work shall be in accordance with plans by Fernstone Associates dated February 9, 2010 and received by the Department of Environmental Services ("DES") on February 25, 2010.
 - 2. No more than 31.8% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
 - 3. At least 2,525 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). If lot was developed prior to July 1, 2008, and does not meet the current unaltered state requirement, you are not required to re-plant but, you are not permitted to decrease the area currently existing in an unaltered state.
 - 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. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
 - 7. No 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.

2010-00375 BUCANS, JUDY
HENNIKER Long Pond

Requested Action:
Impact 8,000 sq ft for the purpose of building new home with septic system, well and driveway.

APPROVE PERMIT:
Impact 8,000 sq ft for the purpose of building new home with septic system, well and driveway.

- With Conditions:
- 1. All work shall be in accordance with plans by Meridian Land Services, Inc. dated April 27, 2006 and received by the Department of Environmental Services ("DES") on March 15, 2010.
 - 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 9.35% 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 8,180 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. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
8. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
9. Any fill used shall be clean sand, gravel, rock, or other suitable material.
10. 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.

2010-00379 DENONCOURT REVOC TRUST, DEBORAH
MERRIMACK Baboosic Lake

Requested Action:

Impact 4730 sq ft for the purpose of replacing existing shed with a garage and rerouting existing drainage culvert.

APPROVE PERMIT:

Impact 4,730 sq ft for the purpose of replacing existing shed with a garage and rerouting existing drainage culvert.

With Conditions:

1. All work shall be in accordance with plans by Meridian Land Services, Inc dated January 4, 2010 and received by the Department of Environmental Services ("DES") on February 25, 2010.
2. No more than 37% 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 479 sq ft of the Natural Woodland Buffer beyond the primary building setback in an unaltered state. At least 479 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.

2010-00382 DUCHARME, ANDRE/CORIN
PELHAM Beaver Brook

Requested Action:

Impact 794 sq ft for the purpose of replacing a 8ft x 8ft deck and replacing with a 12ft x 34ft deck and an above ground pool.

APPROVE PERMIT:

Impact 794 sq ft for the purpose of replacing a 8ft x 8ft deck and replacing with a 12ft x 34ft deck and an above ground pool.

With Conditions:

1. All work shall be in accordance with plans by Andrea and Corin Ducharme dated February 15, 2010 and received by the Department of Environmental Services ("DES") on March 1, 2010.
2. No more than 13.14% 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 825 sq ft of the Natural Woodland Buffer beyond the primary building setback in an unaltered state.
4. 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.
5. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
6. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
7. Any fill used shall be clean sand, gravel, rock, or other suitable material.
8. 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.

2010-00383

MICHAELS, MIKE

RYE Witch Creek

Requested Action:

Impact 2500 sq ft for the purpose of constructing a one story addition over existing footprint and a replacement septic system, and regrading of the front yard.

APPROVE PERMIT:

Impact 2500 sq ft for the purpose of constructing a one story addition over existing footprint and a replacement septic system, and regrading of the front yard.

With Conditions:

1. All work shall be in accordance with plans by Ambit Engineering, Inc. dated February 1, 2010 and received by the Department of Environmental Services ("DES") on March 1, 2010.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. No more than 16.7% 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 no decreased sq ft of the Natural Woodland Buffer beyond the primary building setback in an unaltered state. At least 3,275 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.

2010-00390 **ROBB, MARTHA**
SUNAPEE Lake Sunapee

Requested Action:

Impact 500 sq ft for the purpose of a 16ft x 11ft addition with a frost wall and crawl space.

APPROVE PERMIT:

Impact 500 sq ft for the purpose of a 16ft x 11ft addition with a frost wall and crawl space.

With Conditions:

1. All work shall be in accordance with plans by Eckman Engineering, LLC dated November 20, 2008 (revised March 1, 2010 and received by the Department of Environmental Services ("DES") on March 2, 2010.
2. No more than 23.74% 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 8,917 sq ft of the Natural Woodland Buffer beyond the primary building setback in an unaltered state. At least 4,547 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.

2010-00422 **MEEHAN, THOMAS & KATHRYN**
BELMONT Lake Winnisquam

Requested Action:

Impact 740 sq ft for the purpose of replacing existing 1,043 sq ft structure.

APPROVE PERMIT:

Impact 740 sq ft for the purpose of replacing existing 1,043 sq ft structure.

With Conditions:

1. All work shall be in accordance with plans by Bryan L. Bailey Associates, Inc. dated February 23, 2010 and received by the Department of Environmental Services ("DES") on March 4, 2010.
2. No more than 19.7% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
3. 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.
4. 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.
5. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
6. Any fill used shall be clean sand, gravel, rock, or other suitable material.
7. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement or revocation action if the DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not

previously permitted or grandfathered.

2010-00425 CROOK, LESLIE
WINDHAM Cobbetts Pond

Requested Action:

Impact 9,883 sq ft for the purpose of removing existing garage and building a new house, garage and driveway.

APPROVE PERMIT:

Impact 9,883 sq ft for the purpose of removing existing garage and building a new house, garage and driveway.

With Conditions:

1. All work shall be in accordance with plans by Edward N. Herbert Assoc. Inc. dated January1, 2010 and received by the Department of Environmental Services ("DES") on March 4, 2010. 2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. 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.
4. The project as proposed will leave approximately 1,118 sq ft of the Natural Woodland Buffer beyond the primary building setback in an unaltered state. At least 923 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.

2010-00432 PSNH
DEERING Deering Reservoir

Requested Action:

Temporarily impact 156 sq ft on tax map 234 lot 17 and temporarily impact 132 sq ft on tax map 235 lot 65 to install an electrical cable from the mainland to Driftwood Island in Deering Reservoir, in Deering.

APPROVE PERMIT:

Temporarily impact 156 sq ft on tax map 234 lot 17 and temporarily impact 132 sq ft on tax map 235 lot 65 to install an electrical cable from the mainland to Driftwood Island in Deering Reservoir, in Deering.

With Conditions:

1. All work shall be in accordance with plans by North Utilities dated February 25, 2010 and received by the Department of Environmental Services ("DES") on March 3, 2010.
2. 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.
3. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
4. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the

site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.

- 5. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
- 6. Any fill used shall be clean sand, gravel, rock, or other suitable material.
- 7. 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.

2010-00433 LASKO, RUTH & LINDA GIESKEN
JAFFREY Frost Pond

Requested Action:

Impact 4,029 sq ft for the purpose of constructing a 12ft x 12ft attached garage and breezeway to existing house.

APPROVE PERMIT:

Impact 4,029 sq ft for the purpose of constructing a 12ft x 12ft attached garage and breezeway to existing house.

With Conditions:

- 1. All work shall be in accordance with plans by Forest Designs dated February 24, 2010 and received by the Department of Environmental Services ("DES") on March 4, 2010.
- 2. No more than 10% 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 17,354 sq ft of the Natural Woodland Buffer beyond the primary building setback in an unaltered state. At least 12,386 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.

CSPA PERMIT W/WAIVER

2009-00227 ZECHEL, M
RYE Atlantic Ocean

Requested Action:

Applicant requests the permit be amended to reflect more restrictive development plans as approved by the Town of Rye.

APPROVE AMENDMENT:

Impact 97,300 sq ft to remove existing commercial facilities, parking areas, driveways, and other associated structures from two

lots, upgrade road in right of way, and construct 4 new single family dwellings with septic systems and driveways within the protected shorelands along the Atlantic Ocean and associated salt marshes.

WAIVER APPROVED: RSA 483-B:9, II is are waived to allow the replacement of primary structures which will encroach upon the primary building setback in order to redevelop and convert a commercial property to residential use.

With Conditions:

1. All work shall be in accordance with revised plans by Altus Engineering, Inc. received by the Department of Environmental Services ("DES") on March 15, 2010.
2. All actions associated with the installation of the proposed septic system and subdivision of lands are contingent on approval by the DES Subsurface Systems Bureau.
3. There shall be no excavation, fill or construction within 100 ft of the highest observable tide line until such time as any permit required under RSA 482-A is obtained from the DES Wetlands Bureau.
4. This approval includes a waiver of RSA 483-B:9, II, and therefore, shall not be effective until it has been recorded at the Rockingham County Registry of Deeds and a copy of the recorded waiver is sent to the department by certified mail, return receipt requested.
5. The deed which accompanies the sales transaction for each of the lots in this subdivision shall contain Condition # 5 of this approval.
6. No more than 20.6% of the combined area of the two lots within the protected shoreland shall be covered by impervious surfaces.
7. No areas between 50 and 150 ft from the reference line currently in an unaltered state shall be altered as a result of this project in order to comply with RSA 483-B:9, V, (b), (2).
8. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
9. 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.
10. 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.
11. 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.
12. Any fill used shall be clean sand, gravel, rock, or other suitable material.

With Findings:

1. The existing non-conforming structures are located within the 50 ft primary building setback to the Atlantic Ocean and cover 40.1 percent of the lot with impervious surfaces and, therefore, fail to conform to the setback restriction set forth in RSA 483-B:9, II, and the impervious surface limits set forth in RSA 483-B:9, V, (g) of the CSPA.
2. In accordance with RSA 483-B:11, II, the commissioner shall review proposals which are more nearly conforming than the existing structures, and may waive some of the standards specified in RSA 483-B:9, so long as there is at least the same degree of protection provided to the public waters and the proposal is "more nearly conforming."
3. The project as proposed would result in improved traffic flow and safety due to the conversion of use from a restaurant to 4 individual homes, a 28,070 sq ft reduction in impervious surface area, a significant decrease in on-site septic loading, and improved stormwater control and treatment through the construction of detention structures and vegetated swales.
4. The applicant has proposed to improve stormwater control by reducing impervious surfaces and constructing stormwater management and treatment structures, improve wastewater treatment by constructing new subsurface systems and reducing loading, and improve traffic volume and flow, and therefore, meets the requirements for a waiver to RSA 483-B:9 as described in RSA 483-B: 11, I.

UTILITY NOTIFICATION

2010-00501 PSNH
MASON Unnamed Stream Unnamed Wetlands

2010-00502 **PSNH**
MEREDITH Unnamed Stream Unnamed Wetlands

2010-00503 **PSNH**
MERRIMACK Unnamed Stream Unnamed Wetlands

2010-00504 **PSNH**
MILAN Unnamed Stream Unnamed Wetlands

2010-00505 **PSNH**
MILFORD Unnamed Stream Unammed Wetlands

2010-00506 **PSNH**
NEW BOSTON Unnamed Stream Unnamed Wetlands

2010-00507 **PSNH**
NORTH HAMPTON Unnamed Stream Unnamed Wetlands

2010-00508 **PSNH**
NEW LONDON Unnamed Stream Unnamed Wetlands

2010-00509 **PSNH**
NEWINGTON Unnamed Stream Unnamed Wetlands

2010-00512 **PSNH**
NORTHFIELD Unnamed Stream Unnamed Wetlands

2010-00513 **PSNH**
NORTHUMBERLAND Unnamed Stream Unnamed Wetlands

2010-00514 **PSNH**
NOTTINGHAM Unnamed Stream Unnamed Wetlands

2010-00515 **PSNH**
PEMBROKE Unnamed Stream Unnamed Wetlands

2010-00516 **PSNH**
PITTSFIELD Unnamed Stream Unnamed Wetlands

2010-00517 **PSNH**
PLYMOUTH Unnamed Stream Unnamed Wetlands

2010-00518 **PSNH**
PORTSMOUTH Unnamed Stream Unnamed Wetlands

2010-00519 **PSNH**
RYE Unnamed Stream Unnamed Wetlands

2010-00520 **PSNH**
SEABROOK Unnamed Stream Unnamed Wetlands

2010-00521 **PSNH**
SOMERSWORTH Unnamed Stream Unnamed Wetlands

2010-00522 **PSNH**
SPRINGFIELD Unnamed Stream Unnamed Wetlands

2010-00523 **PSNH**
STARK Unnamed Stream Unnamed Wetlands

2010-00524 **PSNH**
SUGAR HILL Unnamed Stream Unnamed Wetlands

2010-00540 **PSNH**
SUNAPEE Unnamed Stream Unnamed Wetlands

2010-00542 **PSNH**
SUTTON Unnamed Stream Unnamed Wetlands

2010-00543 **PSNH**
SWANZEY Unnamed Stream Unnamed Wetlands

2010-00544 **PSNH**
TAMWORTH Unnamed Stream Unnamed Wetlands

2010-00545 **PSNH**
THORNTON Unnamed Stream Unnamed Wetlands

2010-00546 **PSNH**
TILTON Unnamed Stream Unnamed Wetlands

2010-00548 **PSNH**
WARNER Unnamed Stream Unnamed Wetlands

2010-00549 **PSNH**
WEARE Unnamed Stream Unnamed Wetlands

2010-00550 **PSNH**
WEBSTER Unnamed Stream Unnamed Wetlands

2010-00554 **PSNH**
WHITEFIELD Unnamed Stream Unnamed Wetlands

2010-00555 **PSNH**
WILTON Unnamed Stream Unnamed Wetlands

2010-00556 **PSNH**
WINCHESTER Unnamed Stream Unnamed Wetlands

2010-00557 **PSNH**
WOODSTOCK Unnamed Stream Unnamed Wetlands

2010-00560 **PSNH**
HAVRHILL Unnamed Stream Unnamed Wetlands

2010-00562 **PSNH**
CHESTER **Unnamed Stream Unnamed Wetlands**

2010-00563 **PSNH**
NEW DURHAM **Unnamed Wetland**

2010-00594 **NE POWER, NATIONAL GRID**
BEDFORD **Unnamed Wetland**

2010-00595 **NE POWER, NATIONAL GRID**
DUNBARTON **Unnamed Wetland**

2010-00596 **NE POWER, NATIONAL GRID**
GOFFSTOWN **Unnamed Wetland**

2010-00597 **NE POWER, NATIONAL GRID**
HUDSON **Unnamed Wetland**

2010-00598 **NE POWER, NATIONAL GRID**
LITCHFIELD **Unnamed Wetland**

2010-00599 **NE POWER, NATIONAL GRID**
LONDONDERRY **Unnamed Wetland**

2010-00600 **NE POWER, NATIONAL GRID**
MERRIMACK Unnamed Wetland