

Wetlands Bureau Decision Report

Decisions Taken
03/22/2010 to 03/28/2010

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 George "Chip" Kimball, Chairperson, Wetlands Council, PO Box 95, Concord, NH 03302-0095 (a copy should also be sent to the DES Wetlands Bureau);
- 2) contain a detailed description of the land involved in the department's decision; and
- 3) set forth every ground upon which it is claimed that the department's decision is unlawful or unreasonable.

MAJOR IMPACT PROJECT

**2008-02217 RAGGED MOUNTAIN PACIFIC LLC, ATTN GERALD JACKSON
DANBURY Unnamed Wetland**

Requested Action:

Applicant requests an amendment to the permit and conditions in response to more detailed site information and specific mitigation recommendations.

APPROVE AMENDMENT:

Amend permit to read:

Permanently impact 9.32 acres of wetlands including 8,375 linear feet of stream channel; impact 0.06 acres of wetlands for temporary impacts; and provide improved fish passage at the existing West Brook culvert under Ragged Mountain road for the redevelopment of an existing golf course and ski area and subdivide and develop 120 residential units. Mitigate for the proposed impacts by enhancement and restoration of 19.9 acres of wetlands and uplands, create 9 vernal pools, enhance approximately 19,005 linear feet of perennial and intermittent stream channels, and preserve approximately 1300 acres of upland and wetland by conservation easements and restrictions.

With Conditions:

With amended conditions:

1. All work shall be in accordance with plans by Horizon's Engineering dated October 2008, and revised through September, 2009 as received by the Department on November 10, 2009. In addition, work shall be in accordance with the Department of the Army, Corps of Engineers amendment and revised plan sheets including the revisions showing vernal pool locations and buffers dated received March 8, 2010. Compensatory mitigation shall be in accordance with plans dated September 24, 2009 as noted as the Ragged Mountain Resort Final Compensatory Wetland Mitigation Design and Monitoring Plan (hereinafter "CWMP").
2. The permittee shall designate a qualified professional, Wetland Mitigation Specialist, who will be responsible for monitoring and ensuring that the mitigation areas are constructed in accordance with the mitigation plan. Monitoring shall be accomplished in a timely fashion and remedial measures taken if necessary. The Wetlands Bureau shall be notified in writing of the designated professional prior to the start of work and if there is a change of status during the project.
3. All activity shall be in compliance with the Shoreland Protection Act RSA 483-B.
4. This permit is contingent on approval by the DES Alteration of Terrain.
5. This permit is contingent on approval by the DES Groundwater Bureau.
6. The applicant will comply with the provisions of the Section 401 Water Quality certification upon its issuance and noncompliance shall be considered a violation of the conditions of this permit.
7. A water quality and quantity monitoring program will be developed and implemented in accordance with requirements established by NHDES, Watershed Management Bureau.
8. This permit is contingent on approval by the DES Dam Safety.
9. This permit is contingent on approval by the DES Wastewater Bureau.
10. This permit is contingent on completion of the Land Transfer between the permittee and NH Fish and Game Department.
11. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback within the Phase 1 Development Area.
12. The deed which accompanies the sales transaction for each of the lots in this subdivision shall contain condition #11 of this approval.
13. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the recorded permit shall be submitted to the DES Wetlands Bureau prior to the start of construction.
14. 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.
15. Construction in cold water fishery streams shall not occur between October 1 and May 31 to minimize impacts to the fishery resource during spawning season.
16. This permit is contingent on review and approval, by the DES Wetlands Bureau, of final stream diversion/erosion control plans.

Those plans shall detail the timing and method of stream flow diversion during construction, and show temporary siltation/erosion/turbidity control measures to be implemented.

17. At least 72 hours prior to the start of construction, of each phase of construction (the snow withdrawal pipe, golf course construction, residential development construction) a pre-construction meeting shall be held with NHDES Land Resources Management Program staff at the project site or at the DES Office in Concord, NH to review the conditions of this wetlands permit and other NHDES permits. It shall be the responsibility of the permittee to schedule the pre-construction meeting, and the meeting shall be attended by the permittee, his/her professional engineer(s), wetlands scientist(s), and the contractor(s) responsible for performing the work.
18. The permittee shall notify DES and the Danbury Board of Selectmen in writing of their intention to commence construction no less than 5 business days prior to construction.
19. Construction shall be inspected by a qualified wetland scientist, erosion control specialist, or professional engineer to insure that appropriate protective measures are properly implemented, including those outlined in the plans and documents supporting this permit application and the conditions of this authorization.
20. All wetlands approved to be impacted by construction shall be re-flagged during pre-construction preparation in accordance with the United States Army Corps of Engineers Wetlands Delineation Manual, Technical Report Y-87-1.
21. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands or the agreed upon buffer areas.
22. Work within perennial streams shall be done during low flow.
23. Work within the snowmaking pond shall be done under drawdown conditions
24. Work within intermittent streams shall be done during periods of non-flow.
25. Appropriate siltation/erosion controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized.
26. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that Env-Wq 1700 is met at all times and water exceeding those rules shall not occur outside of the immediate dredge area. Turbidity controls shall remain in place until suspended particles have settled and the water at the work site has returned to within 10 NTU's of background.
27. Underground utilities shall cross perennial streams as temporary impacts in the narrowest footprint necessary. The removal of native vegetation shall be limited to the minimum necessary, and vegetation shall be stockpiled. Stream banks shall be restored to original grades, a stable condition and shall be restored to the same as or better than pre-construction conditions utilizing the existing stockpiled vegetation. Vegetation may be supplemented, if necessary, with native like vegetation.
28. Boardwalks shall be installed in accordance with the detail on sheet 53 of the June 8, 2009 revised plan set and shall have a minimum clear span of 3 feet from the bottom of the boardwalk deck to the existing ground elevation.
29. There shall be no temporary impacts associated with the installation of the boardwalks and equipment shall be sited outside of wetlands or on the constructed boardwalk.
30. The mitigation specialist will coordinate with the contractor and golf course designer to identify areas for plant salvaging. These shall identify and stockpile suitable native vegetation from impact areas for use within the proposed enhancement/mitigation areas.
31. The areas of stream enhancement shall have no soil disturbance and no disturbances of substrates or topography. No stumps or root systems shall be pulled or removed from these areas.
32. Prior to commencing work on a structure located within surface waters, a cofferdam shall be constructed to isolate the work area from the surface waters.
33. 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.
34. Work within a perennial stream or Bog Pond, 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.
35. No work within the confined area shall proceed until the cofferdam is fully effective, and water flow is controlled.
36. Temporary cofferdams shall be entirely removed immediately following construction of the structure below the high water line.
37. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau unless otherwise specified.
38. Culvert inverts shall be installed at existing grades unless otherwise allowed by this permit.
39. Proper headwalls shall be constructed within seven days of culvert installation.
40. Areas of temporary construction impact shall be regraded to original contours within 3 days of the installation of the water withdrawal pipe line.
41. Mulch within restoration areas shall be straw.

42. Seed mix within the restoration areas shall be as specified in the CWMP.
43. 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).
44. 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.
45. Where construction activities not adjacent to wetlands have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
46. Where construction activities not adjacent to wetlands 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.
47. Silt fencing must be removed once the area is stabilized.
48. This permit is contingent upon the construction of nine shallow pools, proposed to function as vernal pools.
49. There shall be three shallow ponds constructed on the east side of the abandoned golf course and two pools constructed on the west side of the abandoned golf course.
50. There shall be three shallow ponds in Parcel A, and one in the vicinity of VAH1 in order to provide alternate breeding habitat for amphibians.
51. There shall be no curbing installed on roadways within the 750 foot critical habitat zone of the vernal pools on site.
52. There shall be no lawns, fertilizer, or pesticide use within 100 feet of the vernal pools.
53. Surface water shall only be withdrawn from Bog Pond between November 15 and January 31, for the proposed snowmaking.
54. There shall be a no disturbance area located within twenty (20) feet of an existing perennial stream and no non-native trees, shrubs or ground cover shall be planted within this no disturbance area.
55. All crossings over perennial streams shall be open spanning bridges with a minimum of 10 feet on either side of the stream.
56. The declaration of covenants conditions and restrictions for the phase one subdivision shall run with the land and shall be binding on all successors, assigns, heirs, lien holders and any other person holding an interest in the lots and shall run with the land for the benefit of all other lots within the phase one subdivision.
57. No part of a disturbance area on a lot shall be located within (50) feet of the ordinary high water mark of a perennial stream.
58. There shall be a minimum 5 foot buffer of 3-5 foot high vegetation left to all intermittent streams within the proposed golf course area.
59. There shall be a minimum 20 foot buffer of 3-5 foot high vegetation left to all perennial streams within the proposed golf course area.
60. Synthetic fertilizers and pesticides may not be applied on any lot.
61. Native trees shrubbery and groundcover may not be clear-cut outside of the Disturbance Area on any lot. Dead diseased vegetation trees or shrubbery and noxious weed shall be removed as required.
62. Only 6 foot wide trails shall be cut within the fifty (50) foot buffer area along the perennial streams.
63. The applicant shall restore fish passage to the "West Brook" by correcting the situation at the existing culvert under Ragged Mountain Road. This shall be done based on input from the Technical Advisory Group.
64. The NH Fish and Game and NH DES Wetlands shall review and provide written approval of the plans to restore fish passage to the "West Brook" by correcting the existing culvert under Ragged Mountain Road.
65. This permit is contingent upon the enhancement of 19.9 acres of existing wetland currently used for the existing golf course.
66. Mitigation areas where the turf is dense, such as fairways, greens and tees shall be tilled to 4-6 inches to break up the root mat. Irregularities shall be allowed to remain and will aid in the development of micro relief.
67. The designated existing boardwalks and cart paths shall be removed to expose the underlying substrates to the sunlight, support posts shall be pulled where disturbance will be minimal. In areas where the disturbance is excessive then posts will be cut flush with the existing grade and left in place.
68. Wetland soils from areas vegetated with purple loosestrife shall not be used in the wetland creation site. The potential for the establishment of the invasive species should be considered in other areas where spoils may be spread to limit its further establishment.
69. The wetland enhancement areas shall be seeded with a wetland seed mix and mulched with straw or seedless hay to stabilize and the soil and allow local species to colonize.
70. Wetland restoration/enhancement areas shall be in accordance with the CWMP and be properly constructed, landscaped, monitored and remedial actions taken that may be necessary to create functioning wetland areas similar to those of the wetlands destroyed by the project. Remedial measures may include replanting, relocating plantings, removal of invasive species, changing soil composition and depth, changing the elevation of the wetland surface, and changing the hydrologic regime.
71. The mitigation specialist shall conduct a follow-up inspection after the first growing season, to review the success of the

mitigation area and schedule remedial actions if necessary. A report outlining these follow-up measures and a schedule for completing the remedial work shall be submitted by December 1 of that year. Similar inspections, reports and remedial actions shall be undertaken in at least the second and third years following the completion of the mitigation.

72. Wetland restoration/enhancement areas shall have at least 75% successful establishment of wetlands vegetation after two (2) growing seasons, or shall be replanted and re-established until a functional wetland is replicated in a manner satisfactory to the DES Wetlands Bureau.

73. The permittee shall delineate the wetlands within the mitigation site, document the delineation with data forms, and depict the delineation as an overlay of the final as-built plans after at least five full growing seasons.

74. All mitigation work shall be in accordance with plans and narrative by Normandeau Associates dated September 2009.

75. The Mitigation Specialist will be on-site to monitor construction at critical periods, including but not limited to grading, seeding, and pool excavation, and to make any adjustments as appropriate to meet the mitigation goals.

76. The mitigation area shall be properly constructed, monitored, and managed in accordance with approved final mitigation plans.

77. The mitigation earthwork shall be performed during the dry portion of the summer and mitigation work shall be seeded and completed in an expeditious manner, by September 15.

78. The schedule for construction of the mitigation area shall coincide with the reconstruction of the golf course unless otherwise considered and authorized by the Wetlands Bureau.

79. The construction of the mitigation area including the vernal pool on Parcel A shall be completed within 18 months of the commencement of the first phase of the residential development.

80. Prior to the start of construction, the permittee shall provide \$162,000 financial guaranty, in the form of a bond, cash escrow or letter of credit, in Favor of the Army Corps of Engineers for improvements. An executed copy of the guaranty shall be submitted to NHDES permit number 2008-2217, prior to the start of construction.

81. The permittee shall attempt to control invasive, weedy species such as purple loosestrife (*Lythrum salicaria*) and common reed (*Phragmites australis*) by measures agreed upon by the Wetlands Bureau if the species is found in the mitigation areas during construction and during the early stages of vegetative establishment.

82. The Permittee shall submit a post-construction report, prepared by the mitigation specialist, including an as built plan, documenting the status of the completed mitigation area. This report should include recommendations and field adjustments made. The report should also include locations of photographs and future monitoring and control sites within the mitigation area. This report shall be submitted to the Wetlands Bureau within 60 days of the completion of construction of the mitigation.

83. No motorized vehicles shall be utilized within the mitigation area except as necessary for access and maintenance of existing infrastructure within the mitigation area.

84. This permit is contingent upon the enhancement of approximately 19,005 linear feet of intermittent (4,175) and perennial (14,830) stream channel currently cleared for the existing golf course.

85. The areas of proposed stream enhancement shall have a minimum width of 20 feet from the edge of jurisdiction.

86. The mitigation specialist or a designee shall assess each stream enhancement area at the beginning of construction and provide a report within 30 days of the stream assessment including any possible dredge and fill associated with the removal of existing structures, each area determined to be unstable, and the methods proposed to stabilize the area and the timing and installation of these measures.

87. The qualified professional shall provide monitoring reports of the stream assessment. These reports shall include photographs, follow-up measures and a schedule for completing the remedial work. The reports shall be submitted by December 1 of that year. Similar inspections, reports and remedial actions shall be undertaken in at least the second and third years following the initial stream assessment.

88. Once established there shall be no disturbance within the twenty (20) foot stream enhancement areas and no non-native trees, shrubs or ground cover shall be planted within these enhancement areas.

89. Care shall be taken to limit the spread or growth of loosestrife or other invasive species on the site. This shall be accomplished by educating contractors to reduce the risk of transportation of seeds in construction equipment and quick seeding of open substrates. Should invasives become established they shall be controlled by pulling seedlings, deadheading and herbicide.

90. The stand of *Phragmites* adjacent to West Brook shall be excavated and treated within the first year of construction. The applicant shall continue to monitor this area and provide monitoring reports annually for the duration of the permit, or at least 5 years. If the species should reestablish further action or remediation may be required at the request of DES.

91. This permit is contingent upon the applicant placing approximately 1,300 acres of upland and wetland under conservation easements and/or conservation restrictions, as depicted on plans submitted to DES in September, 2009.

92. Copies of the executed and recorded conservation easements and/or conservation restrictions shall be submitted to the Department prior to the start of construction.

93. The conservation easements and/or conservation restrictions to be placed on the preservation areas shall be written to run with

the land, and both existing and future property owners shall be subject to this easement.

94. All areas subject to conservation easements and/or conservation restrictions shall be shown on plans recorded with the Merrimack County Registry of Deeds Office and copies of the recorded plans shall be submitted to the Department prior to the start of construction.

95. Signs to indicate the location of and restrictions on the area shall be posted along the boundary of the conservation areas prior to construction in a manner that sufficiently demarcates the area from surrounding development.

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

97. The conservation areas shall be surveyed by a licensed surveyor, and marked by monuments [stakes] prior to construction.

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

99. There shall be no removal of the existing vegetative undergrowth within the easement area and the placement of fill, construction of structures, and storage of vehicles or hazardous materials is prohibited. The foregoing prohibition shall not pre-empt the Grantor's exercise of the reserved rights in the conservation easement(s) and/or conservation restriction(s).

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

With Findings:

With original findings:

1. This is a major impact project per Administrative Rule Env-Wt 303.02(c), alteration of alteration of nontidal wetlands, nontidal surface waters, and banks adjacent to nontidal surface waters in excess of 20,000 square feet in the aggregate
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01. 3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a), Requirements for Application Evaluation, has been considered in the design of the project.
5. DES Staff conducted field inspections of the proposed project on May 12, 2008, and July 29th and 30th. Field inspection determined the wetland areas within the existing golf course have been historically disturbed. The proposal will remove the high intensity use areas further away from the high quality Bog Pond habitat.
6. The proposal will move the existing golf course an additional 700 feet further away from Bog Pond as compared to the existing golf course. Bog Pond is an existing Tier one habitat in the NH Fish and Game Wildlife Action Plan.
7. All perennial stream crossings will be bridged from the top of bank to the top of bank within the golf course area.
8. Perennial streams that are currently culverted will be restored to their natural state with a 10-foot flood buffer to either side.
9. The developer proposes a 50-foot setback from the ordinary high water mark of all perennial streams to roads and buildings.
10. Lot building areas will be defined for each lot and no tree cutting or alteration of natural vegetation shall be cut outside of that area.
11. The project site has 156 acres of wetlands and 17 miles of stream channel, the proposal is to impact 7.37 acres and 9042 linear feet of stream, that is 4.6% of the wetlands on site and 10% of the streams on site.
12. The proposed project will have limited if any impact on the 3 on site vernal pools by maintaining appropriate envelopes to the development.
13. The applicant is proposing to construct 3 shallow depressions on parcel A to mitigate upland habitat loss for impacts to the vernal pool at this site.
14. The proposed project area was screened for rare state and federally listed species, migratory fish and wildlife or exemplary natural communities identified by Natural Heritage Bureau on September 19, 2008. No known species are expected to be impacted by this project.
15. There are no proposed direct impacts to the vernal pools on site.
16. The applicant will place 80% of the land associated with the project into permanent conservation easement, under the stewardship of the Society of the Protection of NH Forests.
17. The applicant is placing 1670 acres into permanent easement under the stewardship of the Society for the Protection of NH Forests.
18. The applicant is proposing a state of the art wastewater treatment system, runoff treatment and has prioritized water conservation

on the site.

19. The wetlands proposed to be impacted by the golf course are previously impacted areas that were originally agricultural fields prior to jurisdiction and were converted to a golf course in the mid 1990's.
20. The proposed road layout was done in such a way that the design is attempting to maintain similar flows to all drainages on site and to maintain the current flow paths.
21. NH Fish and Game personnel have noted that once restored the 41.1 acre parcel will provide high habitat value for American woodcock, beaver and muskrat.
22. The proposal has a net gain of streamside woody vegetation in the golf course area.
23. The proposed wetland enhancement/restoration area abuts the Danbury Bog Wildlife Management Area and will enhance that existing system.
24. The removal of the golf course from the wetland will improve the water quality by providing a greater treatment area and decreasing nutrient loading prior to reaching Bog Pond.
25. The Town of Danbury has approved the proposed development concept.
26. Sustainable fertilizing and pesticide management will reduce the potential of run off from the proposed golf course.
27. The applicant will allow the woody cover over the stream channels will stabilize the stream banks and limit bank erosion during high flows.
28. The proposed mitigated wetland will increase their productivity and export to adjacent systems.
29. The applicant performed an adequate screening process to identify alternatives that could potentially satisfy the project purpose and summarized environmental consequences of each alternative. As a result of the screening process, a reasonable range of alternatives was selected for analysis.
30. The proposed project is the large scale re-development of an existing ski area and golf course.
31. The applicant will remove golf play from 20 acres of wetlands.
32. The applicant has met the requirements of Env-Wt 304.09(a).
33. The applicant has met the requirements of Env-Wt 304.09(c).
34. The applicant has received an Alteration of Terrain permit indicating that stormwater will be treated and detained in accordance with the current standards.
35. This permit is contingent upon the receipt of a Section 401 Water Quality Certificate that will be reviewed and monitored by NHDES Watershed Management Bureau.
36. The applicant has provided a waiver request per Env-Wt 204.03, to waive the 5 year permit duration as required by Env-Wt 502.01.
37. The applicant has requested this change in order to match both the duration of the town/local permits and the Section 404 Federal Permit.
38. It would be an economic hardship for the owner have to update the state permit while the federal and local permits would be in place.
39. The applicant has provided higher quality waste water facilities than NHDES requires.
40. The applicant has provided for buffers to the streams and limited the lawn areas on the lots to protect the water quality.
41. The applicant has increased the cover over the perennial and intermittent streams on the site.
42. There will be no adverse effect to the environment or natural resources of the state, public health, or public safety; or on abutting properties that is more significant than that which would result from complying with the Env-Wt 502.01.
43. The waiver is granted in accordance with Env-Wt 204.04(b), as strict compliance with the rule will provide no benefit to the public and will cause an operational or economic hardship to the applicant.
44. The Wetlands Bureau has not received any letters or significant numbers of phone calls from the general public indicating a substantial public interest. The applicant has had several public hearings in the town of Danbury with limited attendance.
45. 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 resources, as identified under RSA 482-A:1.

2009-00347 HOMES FOR A LIFETIME LLC
HOOKSETT Unnamed Wetland

Requested Action:

Proposal to impact 23,910 sq. ft. (includes 858 sq. ft. of previously approved impacts) of wetlands and associated intermittent streams for construction of a subdivision access road to a proposed 43-lot (includes 6 previously approved lots and there will be 2

open-space areas) residential subdivision. Work in wetlands consists of installation of 5 open bottom box culvert crossings and 3 impacts resulting from roadway side-slope/grading and filling. Compensatory mitigation for wetland impacts consists of an approximately 67 acre upland buffer preservation area.

APPROVE PERMIT:

Dredge and fill 22,657 sq. ft. (includes 858 sq. ft. of previously approved impacts) of wetlands and associated intermittent streams for construction of a subdivision access road to a proposed 43-lot (includes 6 previously approved lots and there will be 2 open-space areas) residential subdivision. Work in wetlands consists of installation of 5 closed bottom box culvert crossings including natural stream bed material and bio-degradable matting and 3 impacts resulting from roadway side-slope/grading and filling. Compensatory mitigation for wetland impacts consists of an approximately 67 acre upland buffer preservation area.

With Conditions:

1. All work shall be in accordance with plans by Eric C. Mitchell & Associates, Inc. plan sheets 1 through 105 revision date of February 1, 2010, as received by DES on February 23, 2010 and plan sheets WL1 through WL10 revision date of February 1, 2010, as received by DES on March 24, 2010.
2. This permit is contingent on approval by the DES Alteration of Terrain Program.
3. This permit is contingent on approval by the DES Subsurface Systems Bureau.
4. This permit is contingent on approval by United States Environmental Protection Agency ("EPA") of the proposed compensatory mitigation.
5. At least 72 hours prior to the start of construction, a pre-construction meeting shall be held with NHDES Land Resources Management Program staff at the project site or at the DES Office in Concord, NH to review the conditions of this wetlands permit and the DES Alteration of Terrain Permit. It shall be the responsibility of the permittee to schedule the pre-construction meeting, and the meeting shall be attended by the permittee, his/her professional engineer(s), wetlands scientist(s), and the contractor(s) responsible for performing the work.
6. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.
7. The deed which accompanies the sales transaction for each of the lots in this subdivision shall contain condition #6 of this approval.
8. The approved box culverts shall be embedded with natural stream bed material or rounded stone and shall not include the use of angular rip-rap within the culvert, wetlands, stream channel or stream banks.
9. This permit shall not be effective until it has been recorded with the Merrimack 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.
10. Work shall be done during low flow.
11. 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.
12. 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.
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. Unconfined work within the streams, exclusive of work associated with installation of a cofferdam, shall be done during periods of low flow.
20. 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.

21. 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.
22. Temporary cofferdams shall be entirely removed immediately following construction.
23. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid. Faulty equipment shall be repaired immediately.
24. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each operator shall be trained in its use.
25. All refueling of equipment shall occur outside of surface waters or wetlands.
26. 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.

Compensatory Mitigation

Wetland preservation:

27. This permit is contingent on receipt and approval by DES of the final conservation easement language and plan.
28. This permit is contingent upon the execution of a conservation easement on 66.87 acres as depicted on plans received February 23, 2010 (or final plans per condition #26).
29. The conservation easements to be placed on the preservation areas shall be written to run with the land, and both existing and future property owners shall be subject to this easement.
30. The final plan noting the conservation easement with a copy of the final easement language shall be recorded with the Registry of Deeds Office for each appropriate lot. A copy of the recording from the County Registry of Deeds Office shall be submitted to the DES Wetlands Bureau prior to the start of construction.
31. The applicant shall prepare a report summarizing existing conditions within the conservation area. Said report shall contain photographic documentation of the easement area, and shall be submitted to the DES and the grantee prior to construction to serve as a baseline for future monitoring of the easement area.
32. The conservation easement area shall be surveyed by a licensed surveyor, and marked by monuments [stakes] prior to construction.
33. The Wetlands Bureau shall be notified of the placement of the easement monuments to coordinate on-site review of their location prior to construction.
34. There shall be no removal of the existing vegetative undergrowth within the easement area and the placement of fill, construction of structures, and storage of vehicles or hazardous materials is prohibited.
35. Activities in contravention of the conservation easement shall be construed as a violation of RSA 482-A, and those activities shall be subject to the enforcement powers of the Department of Environmental Services (including remediation and fines).

With Findings:

1. This is a major impact project per Administrative Rule Env-Wt 303.02(c) Projects that involve alteration of nontidal wetlands, nontidal surface waters, and banks adjacent to nontidal surface waters in excess of 20,000 square feet in the aggregate.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
5. The project incorporates the use of naturally embedded box culverts within the wetland/stream crossing.
6. A portion of the proposed project contains a subdivision with similar impacts (currently 858 sq. ft.) approved by DES File #2006-00498. This permit supersedes the previous approval.
7. DES Staff conducted a field inspection of the proposed project on November 13, 2009.
8. DES received comments of concern/objection to the project from a direct abutter to the proposed access from South Bow Road.
9. The applicant has provided DES with a response to the abutters comments and attempted to design the access to address concerns of the abutter.
10. There are no wetlands or surface water impacts associated with the access near the concerned abutter's property.
11. DES has received correspondence from the United States Army Corps of Engineers ("ACOE") indicating the project is ineligible

for the New Hampshire State Programmatic General Permit ("SPGP"). The reason for this decision was due to comments from the United States Environmental Protection Agency ("EPA") regarding the proposed mitigation. The applicant indicated that they have responded to the ACOE and EPA.

12. DES has received indication (e-mail) from the EPA suggesting the mitigation is acceptable if approved by DES and a possible monitoring fee to the easement holder.

13. The permit is contingent on approval by the EPA.

14. The proposed 67 acre (approximately) compensatory mitigation area (upland buffer preservation) exceeds the area required by DES for the wetland impacts.

15. The proposed mitigation/preservation area contains wetlands and surface waters with the same functions and values as being directly impacted by the project.

16. The Hooksett Conservation Commission has indicated that they are interested in holding the conservation easement for the project.

17. DES has not received any other comments in objection to the proposed project.

18. 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 lacustrine and riverine resource, as identified under RSA 482-A:1.1.

**2009-02846 SALEM, TOWN OF
SALEM Unnamed Wetland**

Requested Action:

Temporarily impact a total of 11,405 sq. ft. within jurisdictional wetlands (5,100 sq. ft. palustrine wetlands / 6,305 sq. ft. within 100 ft. of a designated prime wetland) for work associated with the replacement of a municipal sewer line.

Conservation Commission/Staff Comments:

The Salem Conservation Commission voted to recommend approval of the application.

APPROVE PERMIT:

Temporarily impact a total of 11,405 sq. ft. within jurisdictional wetlands (5,100 sq. ft. palustrine wetlands / 6,305 sq. ft. within 100 ft. of a designated prime wetland) for work associated with the replacement of a municipal sewer line.

With Conditions:

1. All work shall be in accordance with plans by The Louis Berger Group, Inc. dated 11/09, as received by DES on November 25, 2009.
2. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and/or further permitting by the Bureau.
3. NH DES Wetlands Bureau Southeast Region staff and the Salem Conservation Commission shall be notified in writing prior to commencement of work and upon its completion.
4. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
5. Work shall be done during low flow.

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 regarding work proposed at this location was held 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.

**2009-02847 SALEM, TOWN OF
SALEM Widow Harris Brook**

Requested Action:

Impact a total of 3,433 sq. ft. within jurisdictional wetlands (1,744 sq. ft. permanent impacts to palustrine wetlands / 1,689 sq. ft. temporary impacts in or adjacent to designated prime wetlands) for the replacement of the bridges which carry Emerson Way and North Main Street over Widow Harris Brook.

Conservation Commission/Staff Comments:

The Salem Conservation Commission voted to recommend approval of the application.

APPROVE PERMIT:

Impact a total of 3,433 sq. ft. within jurisdictional wetlands (1,744 sq. ft. permanent impacts to palustrine wetlands / 1,689 sq. ft. temporary impacts in or adjacent to designated prime wetlands) for the replacement of the bridges which carry Emerson Way and North Main Street over Widow Harris Brook.

With Conditions:

1. All work shall be in accordance with plans by The Louis Berger Group, Inc. dated 11/09, as received by DES on November 25, 2009.
2. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and/or further permitting by the Bureau.
3. NH DES Wetlands Bureau Southeast Region staff and the Salem Conservation Commission shall be notified in writing prior to commencement of work and upon its completion.
4. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
5. Work shall be done during low flow.
6. Unconfined work within the brook, exclusive of work associated with installation of a cofferdam, shall be done during periods of low flow.
7. Cofferdams shall not be installed during periods of high flow, whether due to seasonal runoff or precipitation. Once a cofferdam is fully effective, confined work can proceed without restriction.
8. Prior to commencing work on a substructure located within surface waters, a cofferdam shall be constructed to isolate the substructure work area from the surface waters.
9. Temporary cofferdams shall be entirely removed immediately following construction.
10. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid prior to entering surface waters or wetlands.
11. Faulty equipment shall be repaired prior to entering jurisdictional areas.
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 major impact project per Administrative Rule Env-Wt 303.02(f), projects located in or adjacent to prime wetlands designated under RSA-A:15
2. A prime wetlands public hearing regarding work proposed at this location was held 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.

MINOR IMPACT PROJECT

2010-00164 NH DEPT OF TRANSPORTATION
WEARE Hillside Brook

Requested Action:

Repair existing twin 6' diameter CMP culverts located along NH Route 77 by placing reinforced concrete on the culvert inverts. Permanent impacts include 198 sq.ft. in the bank and 376 sq.ft. of temporary impacts for cofferdam and bypass pipe.

APPROVE PERMIT:

Repair existing twin 6' diameter CMP culverts located along NH Route 77 by placing reinforced concrete on the culvert inverts. Permanent impacts include 198 sq.ft. in the bank and 376 sq.ft. of temporary impacts for cofferdam and bypass pipe.

With Conditions:

1. All work shall be in accordance with plans received by DES on January 27, 2010.
2. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
3. 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).
4. Unconfined work within Hillside 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. 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. 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.

With Findings:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(1).
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.

MINIMUM IMPACT PROJECT

**2006-03150 DORR, EBEN
FARMINGTON Tributary To Colbath Pond**

Requested Action:

Fill a total of 2,800 sq. ft. of wetland to widen an existing 10 ft. wide woods road to 15 ft. wide including installation of four (4) 24 in. x 15 ft. culverts within an intermittent stream. Wetland restoration of 3,000 sq. ft. is addressed under separate cover. Install a temporary logging bridge over the intermittent stream within the same footprint described above in order to transport slash from the wetland restoration areas. Install a 15 in. x 15 ft. culvert within the 15 ft. wide road.

APPROVE AMENDMENT:

Fill a total of 2,800 sq. ft. of wetland to widen an existing 10 ft. wide woods road to 15 ft. wide including installation of four (4) 24 in. x 15 ft. culverts within an intermittent stream. Wetland restoration of 3,000 sq. ft. is addressed under separate cover. Install a temporary logging bridge over the intermittent stream within the same footprint described above in order to transport slash from the wetland restoration areas. Install a 15 in. x 15 ft. culvert within the 15 ft. wide road.

With Conditions:

1. AMENDED: All work shall be in accordance with amended plans and narrative by Round Pond Soil Survey dated March 11, 2010, as received by the Department on March 12, 2010, and narrative dated August 24, 2009, as received by the Department on August 26, 2009.
2. This permit is contingent upon completion of wetland restoration on the property addressed under separate cover.
3. Work within surface waters shall be done in the dry or during low flow.
4. Construction equipment shall not be located within surface waters.
5. 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.
6. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).
7. There shall be no further alteration to wetlands or surface waters without amendment of this permit.
8. 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.
9. The DES Wetlands Bureau Pease Office shall be notified in writing prior to commencement of work and upon completion.
10. The temporary bridge shall be removed immediately upon completion of the transport of slash from the wetland restoration areas.

With Findings:

1. This is a minimum project pursuant to Administrative Rule Env-Wt 303.04(f), projects involving alteration of less than 3,000 sq. ft. of wetland.
2. The need for the proposed impacts has been addressed by the applicant per Env-Wt 302.01(b) by demonstrating that the proposal must cross wetlands at some locations on this property to access buildable uplands on the property.
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 by designing the access roadway within the same general footprint as an existing woods road.

4. The applicant will restore 3,000 sq. ft. of unauthorized work in wetlands on the property and is addressed under separate cover.
5. The applicant has addressed the concerns of Natural Heritage Bureau ("NHB") relative to the medium level fen system within the vicinity of the project. Round Pond Soil Survey determined that the medium level fen system is over 600 ft. to the southwest of the project area and has no direct hydrologic connection. NHB sent an e-mail to Round Pond Soil Survey on April 16, 2009 stating that NHB concerns were adequately addressed.
6. The applicant submitted a request for a waiver of Env-Wt 304.04, as received by DES on February 6, 2009. DES waives Env-Wt 304.04 requiring projects to be setback 20 ft. from abutter's property lines. The property has an existing roadway with a 50 ft. wide access strip to Ten Rod Road. The existing 10 ft. wide access road will be widened to 15 ft. which would make it impossible to meet Env-Wt 304.04. The existing access road is not centered on the 50 ft. wide access strip and in many locations is currently less than 20 ft. to the abutting property lines. The proposal will center the 15 ft. widening as much as possible while minimizing impacts to wetlands.

2009-02921 NH DRED
HAMPTON Atlantic Ocean & Tidal Buffer

Requested Action:

Impact a total of 11,099 sq. ft. (1,874 sq. ft. permanent / 9,225 sq. ft. temporary) within the previously developed tidal buffer zone for work associated with the Hampton Beach State Park Multi-Phase Redevelopment Project.

Conservation Commission/Staff Comments:

"The [Hampton] Conservation Commission does not oppose the granting of a wetlands permit for this project ..."

Inspection Date: 12/23/2009 by Frank D Richardson

APPROVE PERMIT:

Impact a total of 11,099 sq. ft. (1,874 sq. ft. permanent / 9,225 sq. ft. temporary) within the previously developed tidal buffer zone for work associated with the Hampton Beach State Park Multi-Phase Redevelopment Project.

With Conditions:

1. All work shall be in accordance with plans by Vanasse Hangen Brustlin, Inc. dated November 30, 2009, as received by DES on December 09, 2009.
2. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and/or further permitting by the Bureau.
3. NH DES Wetlands Bureau Southeast Region staff and the Hampton Conservation Commission shall be notified in writing prior to commencement of work and upon its completion.
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. Appropriate siltation/erosion/turbidity controls shall be in place, if necessary depending on location of work, 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.

With Findings:

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

FORESTRY NOTIFICATION

2010-00467 ALDRICH, DENNIS & BARBARA
LISBON Unnamed Stream

COMPLETE NOTIFICATION:
Lisbon Tax Map/Lot# R27/5 & R35/1

2010-00593 YANKEE FOREST LLC, C/O WAGNER FOREST MGMT
MILAN Unnamed Stream

COMPLETE NOTIFICATION:
Milan Tax Map 42, Lot #2, Parcel A

2010-00608 JEDDREY JR, JOHN
OSSIPEE Unnamed Stream

COMPLETE NOTIFICATION:
Ossipee Tax Map 18, Lot #56

2010-00610 MCKERLEY, MATTHEW
FRANKLIN Unnamed Stream

COMPLETE NOTIFICATION:
Franklin Tax Map 108, Lot# 401

OTHER BUSINESS

2005-03069 SALEM - MULTIPLE OWNERS
SALEM Prime Wetlands

Requested Action:
Request by the Town of Salem to accept designation of four additional prime wetlands (and wetland re-numbering) consisting of Wetland #34, Wetland #14 ext, Wetland #7 ext and Wetland #35.

OTHER:
Approve request by the Town of Salem to accept designation of four additional prime wetlands (and wetland re-numbering) consisting of Wetland #34, Wetland #14 ext, Wetland #7 ext and Wetland #35.

With Findings:
1. Based on review of the Prime Wetland Designation Report ("Report") for Salem, New Hampshire, March 2004 by West

Environmental, Inc., as received by DES June 24, 2004 and revisions dated April 6, 2005, as received by DES June 23, 2006 the DES Wetlands Bureau has determined that the report and associated maps identifying four additional wetlands as designated Prime Wetlands in the Town of Salem 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.

**2006-03293 SALEM - MULTIPLE OWNERS
SALEM Prime Wetlands**

Requested Action:

Request by the Town of Salem to accept designation of three additional prime wetlands (and wetland re-numbering) consisting of Wetland #36, Wetland #37 and Wetland #38.

OTHER:

Approve request by the Town of Salem to accept designation of three additional prime wetlands (and wetland re-numbering) consisting of Wetland #36, Wetland #37 and Wetland #38.

With Findings:

1. Based on review of the Prime Wetland Designation Report ("Report") for Salem, New Hampshire, March 2004 by West Environmental, Inc., as received by DES June 24, 2004 and revisions dated June 22, 2006, as received by DES June 23, 2006 the DES Wetlands Bureau has determined that the report and associated maps identifying three additional wetlands as designated Prime Wetlands in the Town of Salem 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.

**2007-03021 SALEM - MULTIPLE OWNERS
SALEM**

Requested Action:

Request by the Town of Salem to accept designation of two additional prime wetlands consisting of Wetland #39 and Wetland #40.

OTHER:

Approve request by the Town of Salem to accept designation of two additional prime wetlands consisting of Wetland #39 and Wetland #40.

With Findings:

1. Based on review of the Prime Wetland Designation Report ("Report") for Salem, New Hampshire, March 2004 by West Environmental, Inc., as received by DES June 24, 2004 and revisions dated October 25, 2007, as received by DES October 26, 2007 the DES Wetlands Bureau has determined that the report and associated maps identifying two additional wetlands as designated Prime Wetlands in the Town of Salem 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

**2010-00075 WILKIE, FLOYD/PRUDENCE
CAMPTON Unnamed Stream Pemigewasset River**

Requested Action:

Dredge and fill approximately 500 square feet of wetlands, including 49 linear feet of an intermittent stream, for the removal of a 24" culvert and the installation of a new culvert 36" upstream of the existing crossing. The existing stream crossing will be restored.

APPROVE PERMIT:

Dredge and fill approximately 500 square feet of wetlands, including 49 linear feet of an intermittent stream, for the removal of a 24" culvert and the installation of a new culvert 36" upstream of the existing crossing. The existing stream crossing will be restored.

With Conditions:

1. All work shall be in accordance with plans by Neil McIver entitled Stream Crossing Plan dated January 11, 2010 as received by DES on February 26, 2010 and the Revised Construction Sequence Amendment by Neil McIver date February 28, 2010 and received by the Department on March 01, 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 periods of non-flow.
5. The culvert shall be laid to match the existing stream grade.
6. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
7. Proper headwalls shall be constructed within seven days of culvert installation.
8. Seed mix within the restored area shall be a wetland seed mix appropriate to the area and shall be applied in accordance with manufacturers specifications.
9. The streambed shall be restored with native stream material.
10. A post-construction report documenting the status of the restored area, including photographs shall be submitted to the Wetlands Bureau within 60 days of the completion of construction.
11. The permittee or a designee shall conduct a follow-up inspection after the first growing season, to review the success of the restored area and schedule remedial actions if necessary.
12. 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.
13. 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.
14. 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.
15. 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).
16. 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 Env-Wt 303.04(n) Projects that alter the course of or disturb less than 50 linear feet, measured along the thread of the channel, of an intermittent nontidal stream channel or its banks provided construction is performed during periods of non-flow;
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.
5. The Conservation Commission signed the application waiving their right to intervene pursuant to RSA 482-A:11.
6. The Pemigewasset River Local Advisory reviewed the application and had no issues.
7. No comments were submitted from the NHFG Nongame and Endangered Wildlife Program or the NH Natural Heritage Bureau.

**2010-00301 THOMSON, THOMAS & SHEILA
WENTWORTH Unnamed Stream**

Requested Action:

Dredge and fill approximately 2,000 square feet of wetlands to replace two existing culvert crossings and install five new culvert crossings for forestry management/tree farm access.

APPROVE PERMIT:

Dredge and fill approximately 2,000 square feet of wetlands to replace two existing culvert crossings and install five new culvert crossings for forestry management/tree farm access.

With Conditions:

1. All work shall be in accordance with plans and narratives submitted by Thomas Thomson, as received by DES on February 19, 2010.
2. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
3. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
4. Work shall be done during periods of low or non-flow.
5. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
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. 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. 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.
9. 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(g) Installation of a culvert, pole, or rock ford and associated fill to permit vehicular access to a piece of property for forest management.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01. 3. The Conservation Commission signed the application waiving their right to intervene pursuant to RSA 482-A:11.
4. No comments were submitted from the NHEM Nongame and Endangered Wildlife Program or the NH Natural Heritage Bureau.

**2010-00302 LEAR, STEVEN
GILFORD Lake Winnepesaukee**

Requested Action:

Repair an existing 3 ft x 38 ft piling supported dock connected to a 6 ft x 46 ft piling supported dock by a 3 ft x 12 ft walkway in a "h" configuration, on Lake Winnepesaukee, Gilford.

Conservation Commission/Staff Comments:

Con Com signed Exp Application

APPROVE PERMIT:

Repair an existing 3 ft x 38 ft piling supported dock connected to a 6 ft x 46 ft piling supported dock by a 3 ft x 12 ft walkway in a "h" configuration, on Lake Winnepesaukee, Gilford.

With Conditions:

1. All work shall be in accordance with plans as received by DES on February 19, 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 repairs shall maintain the size, location and configuration of the pre-existing structures.
4. This permit to replace or repair existing structures shall not preclude the DES from taking any enforcement action or revocation action if the DES later determines that the structures represented as "existing" were not previously permitted or grandfathered.
5. All construction related debris shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
6. Appropriate siltation, 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. Additional expedited minimum impact applications shall be accepted for the subject property for a period of 12 months only if the applicant demonstrates by plan that the additional project(s) are wholly unrelated or separate from the original application and when considered with the original application are not classified as minor or major.
10. All activities shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland.

With Findings:

1. This project is classified as a minimum impact project per Rule Env-Wt 303.04(v), repair of existing docking structures with no change in size, location or configuration.
2. The applicant has an average of 100 feet of shoreline 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 previously permitted docking facility provides 3 slips as defined per RSA 482-A:2, VIII.

**2010-00408 SADOWSKY, JAMES & BARBARA
NEWBURY Lake Sunapee**

Requested Action:

Repair an existing "L" shaped docking structure supported by two 14 ft x 16 ft cribs and a 7 ft x 12 ft crib, and a 29 ft 6 in x 32 ft 6 in boathouse supported by two 4 ft x 12 ft cribs and a 3 ft 6 in x 12 ft crib, on Lake Sunapee, Newbury.

Conservation Commission/Staff Comments:

Con Com signed Exp Application

APPROVE PERMIT:

Repair an existing "L" shaped docking structure supported by two 14 ft x 16 ft cribs and a 7 ft x 12 ft crib, and a 29 ft 6 in x 32 ft 6 in boathouse supported by two 4 ft x 12 ft cribs and a 3 ft 6 in x 12 ft crib, on Lake Sunapee, Newbury.

With Conditions:

1. All work shall be in accordance with as received by DES on March 03, 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 repairs shall maintain the size, location and configuration of the pre-existing structures.
4. This permit to replace or repair existing structures shall not preclude the DES from taking any enforcement action or revocation

- action if the DES later determines that the structures represented as "existing" were not previously permitted or grandfathered.
5. All construction related debris shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
 6. Appropriate siltation, 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. Additional expedited minimum impact applications shall be accepted for the subject property for a period of 12 months only if the applicant demonstrates by plan that the additional project(s) are wholly unrelated or separate from the original application and when considered with the original application are not classified as minor or major.
 10. All activities shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland.

With Findings:

1. This project is classified 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.

2010-00651 BREEDEN, DAVID & RICHARD
CENTER CONWAY Conway Lake

Requested Action:

Install a 4 ft x 20 ft seasonal dock on Conway Lake.

Conservation Commission/Staff Comments:

Con Com signed PBN form

PBN IS COMPLETE:

Install a 4 ft x 20 ft seasonal dock on Conway Lake.

With Findings:

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

AGRICULTURE MINIMUM

2010-00100 STRAUGHAN, KEVIN
CENTER OSSIPEE Unnamed Wetland

Requested Action:

Fill 200 sq. ft. of wetlands for retaining wall edge fill to support access to a manure disposal bunker.

APPROVE PERMIT:

Fill 200 sq. ft. of wetlands for retaining wall edge fill to support access to a manure disposal bunker.

With Conditions:

1. All work shall be in accordance with plans by NRCS dated February 2009, as received by DES on 1/21/2010.
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. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
4. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
5. Within three days of final grading or temporary suspension of work, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

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 swamps or wet meadows.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01. Site constraints make this retaining wall necessary to support location of the manure bunker out of wetlands jurisdiction.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03. The impact is confined to the edge of the wetland.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project. There were no species of concern reported for the project vicinity by the NH Natural Heritage Bureau.
5. The Ossipee Conservation Commission did not report.

GOLD DREDGE

2010-00609 KEMBLE JR, LESTER
(ALL TOWNS) Unnamed Stream

2010-00622 LUND, TERRY
(ALL TOWNS) Unnamed Stream

2010-00623 SHUMWAY, STEVEN
(ALL TOWNS) Unnamed Stream

2010-00624 GRASSO, TRACY
(ALL TOWNS) Unnamed Stream

2010-00631 **FRANKE, DEAN**
(ALL TOWNS) Unnamed Stream

2010-00654 **TAMI, MICHAEL**
(ALL TOWNS) Unnamed Stream

2010-00655 **TETREAULT, NORMAN**
(ALL TOWNS) Unnamed Stream

2010-00656 **TETREAULT, DARRELL**
(ALL TOWNS) Unnamed Stream

TRAILS NOTIFICATION

2009-02912 **NH DRED**
BERLIN Unnamed Stream

COMPLETE NOTIFICATION:
Berlin Tax Map 402, Lot# 32 East Border Trail

LAKES-SEASONAL DOCK NOTIF

2010-00630 **BURLING, JEAN**
SUNAPEE Lake Sunapee

COMPLETE NOTIFICATION:
Sunapee Tax Map 126, Lot# 28 Lake Sunapee

2010-00634 **GRIFFIN, MICHAEL**
GILMANTON Sawyer Lake

COMPLETE NOTIFICATION:

Gilmanton Tax Map 119, Lot# 135 Sawyer Lake

ROADWAY MAINTENANCE NOTIF

**2010-00649 NH DEPT OF TRANSPORTATION
PITTSFIELD Unnamed Stream**

PERMIT BY NOTIFICATION

**2010-00586 LAMOND, HEATHER
NEW DURHAM Merrymeeting Lake**

Requested Action:

Install a 4 ft x 4 ft anchor pad and a 4 ft x 24 ft seasonal dock on Merrymeeting Lake, New Durham.

Conservation Commission/Staff Comments:

Con Com signed PBN form

PBN IS COMPLETE:

Install a 4 ft x 4 ft anchor pad and a 4 ft x 24 ft seasonal dock on Merrymeeting Lake, New Durham.

With Findings:

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

**2010-00587 NH DES DAM BUREAU, JIM GALLAGHER
WAKEFIELD Pine River Pond**

Requested Action:

Repair 22 linear feet (65 sq. ft.) of existing eroded dam embankment retaining wall in same footprint.

PBN IS COMPLETE:

Repair 22 linear feet (65 sq. ft.) of existing eroded dam embankment retaining wall in same footprint.

**2010-00607 DURLING MCNABB TRUST OF 1999, DIANNA
GILFORD Lake Winnepesaukee**

Requested Action:

Repair existing docking structures in kind.

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.

2010-00621 ZOLLNER, RICHARD & DEBORAH
ALTON Lake Winnepesaukee

Requested Action:

Installation of a 6 ft x 40 ft seasonal dock and anchoring pad on Lake Winnepesaukee, Alton.

Conservation Commission/Staff Comments:

Con Com signed PBN form

PBN IS COMPLETE:

Installation of a 6 ft x 40 ft seasonal dock and anchoring pad on Lake Winnepesaukee, Alton.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(a), installation of a seasonal dock.
2. The applicant has an average of 100 feet of shoreline 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.

2010-00629 LEOTTA, NANCY
STODDARD Highland Lake

Requested Action:

Repair an existing dock and replenish a beach with less than 10 cubic yards of sand on Highland Lake, Stoddard.

Conservation Commission/Staff Comments:

Con Com signed PBN form

PBN IS COMPLETE:

Repair an existing dock and replenish a beach with less than 10 cubic yards of sand on Highland Lake, Stoddard.

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

2009-02189 COTA, GARY & ELLEN
WEST CHESTERFIELD Connecticut River

Requested Action:

Build 3 stone retaining walls with natural stone.

APPROVE PERMIT:

Build 3 stone retaining walls with natural stone.

With Conditions:

1. All work shall be in accordance with plans by Gary Cota dated December 1, 2009 and received by the Department of Environmental Services ("DES") on December 23, 2009.
2. No more than 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 500 sq ft of the Natural Woodland Buffer beyond the primary building setback in an unaltered state. At least 500 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
4. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
5. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
6. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
7. Any fill used shall be clean sand, gravel, rock, or other suitable material.
8. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement or revocation action if the DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

2009-02945 RUSSELL, RICHARD
MOULTONBOROUGH Lake Winnepesaukee

Requested Action:

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

APPROVE AMENDMENT:

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

AMENDMENT DESCRIPTION: Impact 13,178 sq ft to construct a 5 bedroom single family dwelling with attached garage and septic system. Adding a 14ft x 10ft porch to South side of house. Total impact for project, 13,262 sq ft.

With Conditions:

1. All work shall be in accordance with plans by Associated Surveyors dated August 1, 2009 and received by the Department of Environmental Services ("DES") on December 15, 2009.
2. All actions associated with the installation of the proposed septic system are contingent on approval by the DES Subsurface Systems Bureau."
3. No more than 19.6% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
4. The project as proposed will leave approximately 9,635 sq ft of the Natural Woodland Buffer beyond the primary building setback in an unaltered state. At least 7,697 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
5. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
6. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.

- 7. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
- 8. Any fill used shall be clean sand, gravel, rock, or other suitable material.
- 9. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement or revocation action if the DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

2010-00043 SAUNDERS, RICHARD
CANAAN Goose Pond

Requested Action:

Impact 3,525 sq ft to construct a 888 sq ft detached studio/guest house on an existing residential lot to include water, septic and power hookups.

APPROVE AMENDMENT:

Impact 3,525 sq ft to construct a 888 sq ft detached studio/guest house on an existing residential lot to include water, septic and power hookups.

AMENDMENT DESCRIPTION: Studio/guest house to be rotated 90 dgrees counter clockwise. Square footage to remain the same.

With Conditions:

- 1. All work shall be in accordance with plans by CLD Engineers dated December 1, 2009 and received by the Department of Environmental Services ("DES") on January 11, 2010.
- 2. No more than 11.7% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
- 3. The project as proposed will leave approximately 14,272 sq ft of the Natural Woodland Buffer beyond the primary building setback in an unaltered state. At least 14,257 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.

2010-00188 LEVESQUE/ FOREST, NATHAN & THOMAS
WASHINGTON Highland Lake

Requested Action:

Impact 1,257 sq ft to remove existing dwelling and to rebuild on the same footprint.

APPROVE AMENDMENT:

Impact 1,257 sq ft to remove existing dwelling and to rebuild on the same footprint.

AMENDMENT DESCRIPTION: From east side of house, add a 420 sq ft deck 10 ft toward reference line.

With Conditions:

- 1. This permit is contingent on approval by the DES Subsurface Systems Bureau.

2. All work shall be in accordance with plans by Forest Designs dated November 30, 2009 and received by the Department of Environmental Services ("DES") on February 2, 2010.
3. 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.
4. The project as proposed will leave approximately 3,284 sq ft of the Natural Woodland Buffer beyond the primary building setback in an unaltered state. At least 907 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.

2010-00269 CAREY, MICHAEL & ALISON
HEBRON Newfound Lake

Requested Action:

Impact 2,550 sq ft Move a 14ft x 24ft garage and construct 150ft linear feet of driveway 10ft wide.

APPROVE PERMIT:

Impact 2,550 sq ft Move a 14ft x 24ft garage and construct 150ft linear feet of driveway 10ft wide.

With Conditions:

1. All work shall be in accordance with plans by French Land Services Inc. dated January 1, 2010 and received by the Department of Environmental Services ("DES") on February 17, 2010.
2. No more than 13% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
3. The project as proposed will leave approximately 2,916 sq ft of the Natural Woodland Buffer beyond the primary building setback in an unaltered state. At least 2,916 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.

2010-00429 CARON, DAVID
GOFFSTOWN Glen Lake

Requested Action:

Impact 1,290 sq ft for the purpose of constructing a 30ft x 28ft detached garage and to remove existing driveway and lakefront deck.

APPROVE PERMIT:

Impact 1,290 sq ft for the purpose of constructing a 30ft x 28ft detached garage and to remove existing driveway and lakefront deck.

With Conditions:

1. All work shall be in accordance with plans by Loren Brunet dated March 1, 2010 and received by the Department of Environmental Services ("DES") on March 5, 2010.
2. No more than 35% 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. 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.

2010-00445 LAROCHELLE, JOHN & LYNNE
NEW DURHAM Merrymeeting Lake

Requested Action:

Impact 3,295 sq ft for the purpose of moving existing residence 5 feet south and constructing attached garage, new foundation and updated septic system.

APPROVE PERMIT:

Impact 3,295 sq ft for the purpose of moving existing residence 5 feet south and constructing attached garage, new foundation and updated septic system.

With Conditions:

1. All work shall be in accordance with plans by Ames Associates dated February 8, 2010 and received by the Department of Environmental Services ("DES") on March 8, 2010.
2. No more than 40% 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 390 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.

2010-00449 GRENON, MATHEW
BELMONT Winnisquam Lake

Requested Action:

Impact 1,535 sq ft for the purpose of constructing poured slab and frost wall foundation under existing dwelling and adding second floor, exterior stairs and pea stone drip areas.

APPROVE PERMIT:

Impact 1,535 sq ft for the purpose of constructing poured slab and frost wall foundation under existing dwelling and adding second floor, exterior stairs and pea stone drip areas.

With Conditions:

1. All work shall be in accordance with plans by David M. Dolan Associates, P.C. dated March 2, 2010 and received by the Department of Environmental Services ("DES") on March 8, 2010.
2. No more than 27% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
3. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
4. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
5. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
6. Any fill used shall be clean sand, gravel, rock, or other suitable material.
7. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement or revocation action if the DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

2010-00489 GRANWICK, JENNIFER
NEW DURHAM Club Pond

Requested Action:

Impact 11,894 sq ft for the purpose of constructing a new home, garage driveway and well.

APPROVE PERMIT:

Impact 11,894 sq ft for the purpose of constructing a new home, garage driveway and well.

With Conditions:

1. All work shall be in accordance with plans by Varney Engineering, LLC dated February 16, 2010 and received by the Department of Environmental Services ("DES") on March 9, 2010.
2. No more than 7.6% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
3. The project as proposed will leave approximately 6,747 sq ft of the Natural Woodland Buffer beyond the primary building setback 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. 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.

2010-00490 HANSEN, MICHAEL
SUNAPEE Sunapee Lake

Requested Action:

Impact 105 sq ft for the purpose of installing underground electric to existing camp from street.

APPROVE PERMIT:

Impact 105 sq ft for the purpose of installing underground electric to existing camp from street.

With Conditions:

1. All work shall be in accordance with plans by Michael Hansen dated March 1, 2010 and received by the Department of Environmental Services ("DES") on March 1, 2010.
2. No more than 29% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
3. The project as proposed will leave approximately 1,470 sq ft of the Natural Woodland Buffer beyond the primary building setback in an unaltered state. At least 1,470 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.

2010-00491 CLARK, JONATHAN
WESTMORELAND Mill Brook

Requested Action:

Impact 364 sq ft for the purpose of constructing a 33ft x 37ft concrete pad in an existing impervious gravel drive.

APPROVE PERMIT:

Impact 364 sq ft for the purpose of constructing a 33ft x 37ft concrete pad in an existing impervious gravel drive.

With Conditions:

1. All work shall be in accordance with plans by Forest Designs dated March 9, 2010 and received by the Department of Environmental Services ("DES") on March 10, 2010.
2. No more than 55% 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 13,182 sq ft of the Natural Woodland Buffer beyond the primary building setback in an unaltered state. At least 6,591 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. 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.