

# Wetlands Bureau Decision Report

Decisions Taken  
04/05/2010 to 04/11/2010

## **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**

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**2009-00637                      SEAVIEW AT HAMPTON LLC**  
**HAMPTON Hampton River**

Requested Action:

Reconfigure the existing 18-slip docking system, previously denied to be retained after-the-fact, to a 14-slip configuration with a 2.5 ft. X 39.5 ft. gangway currently in place(attached to the existing permanent timber pier)on 429.50 linear feet of shoreline frontage. This action includes the removal of the 3-pile cluster (dolphin) at the eastern terminus of the existing docking system and the 3 easternmost float sections, one of which will be realigned to provide the easternmost boat slip.

The westernmost boat slip shall be clearly posted with signage that states: "Transient loading & unloading only - NO OVERNIGHT DOCKING".

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Conservation Commission/Staff Comments:

"The [Hampton] Conservation Commission strongly opposes the granting of the After-The-Fact wetlands permit for the existing ramp and float system, which was previously permitted under Permit #2005-00134." (see letter dated May 6, 2009 in file)

N.B. No comments were received from the Hampton Conservation Commission regarding the revised plan and reduced impacts approved for the 14-slip docking facility.

Inspection Date: 06/12/2009 by Frank D Richardson

Inspection Date: 11/04/2009 by Frank D Richardson

**APPROVE RECONSIDERATION:**

Reconfigure the existing 18-slip docking system, previously denied to be retained after-the-fact, to a 14-slip configuration with a 2.5 ft. X 39.5 ft. gangway currently in place(attached to the existing permanent timber pier)on 429.50 linear feet of shoreline frontage. This action includes the removal of the 3-pile cluster (dolphin) at the eastern terminus of the existing docking system and the 3 easternmost float sections, one of which will be realigned to provide the easternmost boat slip.

The westernmost boat slip shall be clearly posted with signage that states: "Transient loading & unloading only - NO OVERNIGHT DOCKING".

With Conditions:

1. All work shall be in accordance with plans by Jones & Beach Engineers, Inc. dated 11/12/08 (last revised 11/12/09), as received by DES on November 16, 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. This permit shall not be effective until it has been recorded with the Rockingham County Registry of Deeds office by the Permittee. A copy of the recorded permit shall be submitted to the DES Wetlands Bureau by certified mail, return receipt requested, prior to construction.
5. The Owner shall clearly post and maintain signage that states "Transient loading & unloading only - NO OVERNIGHT DOCKING" on the westernmost boat slip.
6. In accordance with Env-Wt 402.15(a), any new docking facility or additional docking or similar improvement, excluding repairs or replacements without expansion, that has any portion under commercial use shall comply with all local land-use controls for marinas, or appropriate non-residential land-use classification.
7. These shall be the only structures on this water frontage and all portions of the docking structures shall be at least 20 ft from the abutting property lines or the imaginary extension of those lines into the water.
8. This permit supersedes all other DES actions, past or pending, regarding a docking facility on this property.

With Findings:

1. This is a major impact project per Administrative Rule Env-Wt 303.02(d), construction or modification of a major docking system defined by Env-Wt 101.53.

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 a reasonable alternative to the previously denied request to retain, after-the-fact, the existing 18-slip docking system. This request includes the removal of the 3-pile cluster (dolphin) at the eastern terminus of the existing docks and the removal of the easternmost 3 in-line float sections, one of which will be realigned to provide the easternmost boat slip.
4. DES Staff conducted a field inspection of the proposed project on November 04, 2009. Field inspection determined that the removal of the 3-pile cluster (dolphin) at the eastern terminus as well as the easternmost 3 in-line float sections (the interior one being realigned to become the eastern most boat slip) will allow a 14-slip docking system to be retained in place of the existing 18-slip docking system which was denied after-the-fact.
5. The approved 14-slip docking system will provide adequate docking for the needs of the property owner without encroaching on the waterfront and/or limiting access to Hampton Harbor for abutting property owners.
6. Failure by the owners to conspicuously post and maintain signage stating: "Transient loading & unloading only - NO OVERNIGHT DOCKING" on the westernmost slip, opposite the Homeland Security pier, will be considered a violation of this approval and shall be subject to compliance action by the Department.
7. The limited use of the westernmost slip and posting of the required signage will ensure the appropriate use of the structure and abate potential navigation safety issues at that location.
8. Env-Wt 402.13 (frontage over 75 feet) is waived with the finding that Env-Wt 402.14 (exceptions to frontage criteria) sections (b)& (e) are applicable in this case.
9. In accordance with Env-Wt 402.15(a), this approval does not relieve the owners from the need to comply with all local land-use controls for marinas, or appropriate non-residential land-use classifications.

**2009-02884                      OSGOOD, RICHARD**  
**WOLFEBORO Lake Winnepesaukee**

Requested Action:

Fill 450 sq ft to expand an existing breakwater to be a 915 sq ft, 62 linear ft breakwater, in an "dog leg" configuration, with a 6 ft gap at the shoreline, and a 4 ft x 50 ft cantilevered pier accessed by a 4 ft x 6 ft walkway, with a 14 ft x 30 ft seasonal canopy over the lakeward slip, dredge 3 cubic yards from 120 sq ft of lakebed, and install 2 tie off piles between the slips provided, on an average of 104 ft of frontage on Lake Winnepesaukee, in Wolfeboro.

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Conservation Commission/Staff Comments:

Con Com questions the need for dredge and the shoreline impacts with the deck over the shoreline, and whether the proposed breakwater meets current rules

APPROVE PERMIT:

Fill 450 sq ft to expand an existing breakwater to be a 915 sq ft, 62 linear ft breakwater, in an "dog leg" configuration, with a 6 ft gap at the shoreline, and a 4 ft x 50 ft cantilevered pier accessed by a 4 ft x 6 ft walkway, with a 14 ft x 30 ft seasonal canopy over the lakeward slip, dredge 3 cubic yards from 120 sq ft of lakebed, and install 2 tie off piles between the slips provided, on an average of 104 ft of frontage on Lake Winnepesaukee, in Wolfeboro.

With Conditions:

1. All work shall be in accordance with plans by Beckwith Builders revision dated March 3, 2010, as received by the Department on March 11, 2010.
2. This permit shall not be effective until it has been recorded with the Carroll County Registry of Deeds office by the Permittee. A copy of the recorded permit shall be submitted to the DES Wetlands Bureau by certified mail, return receipt requested, prior to construction.
3. Appropriate siltation and erosion controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.
4. Work authorized shall be carried out such that discharges in spawning or nursery areas during spawning seasons shall be avoided, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
5. These shall be the only structures on this water frontage and all portions of the structures, including the breakwater toe of slope, shall be at least 20 ft from the abutting property lines or the imaginary extension of those lines into the water.

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

With Findings:

1. This project is classified as a major project per Rule Env-Wt 303.02(j), construction of a breakwater.
2. The construction of a breakwater to provide safe docking at this site is justified in accordance with Rule Env-Wt 402.07, Breakwaters.
3. The applicant has an average of 104 feet of frontage along Lake Winnepesaukee, Wolfeboro.
4. A maximum of 2 slips may be permitted on this frontage per Rule Env-Wt 402.13, Frontage Over 75'.
5. The proposed docking facility will provide 2 slips as defined per RSA 482-A and therefore meets Rule Wt 402.13.
6. 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 resource, as identified under RSA 482-A:1.
7. The applicant submitted plans indicating the docking structure will not overlap the shoreline, addressing the local Conservation Commissions.
8. The proposed breakwater meets the requirements of Env-Wt 402.07, and therefore addresses the concerns of the local Conservation Commission.
9. The requested canopy will not unreasonably affect the abutter's ability to utilize their frontage.

-Send to Governor and Executive Council-

**MINOR IMPACT PROJECT**

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**2006-01302                      HUNT, DENIS & NANCY**  
**LACONIA   Lake Winnepesaukee**

Requested Action:

Approve name change to: Denis & Nancy Hunt, 521 Great Road, Littleton, MA 01460, per request received 4/8/10. Previous owner: James Watson.

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Conservation Commission/Staff Comments:

Stay remains in effect pending settlement discussions.

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Con Com submitted comments that were placed in PBN submitted 5 days earlier, 2006-1031.

NH NHI and NH Fish and Game will not be submitting comments

**APPROVE NAME CHANGE:**

Remove an existing 8 ft x 8 ft "L" section of seasonal dock and a 4 ft x 16 ft seasonal dock extension and construct a 4 ft 6 in x 16 ft extension to an existing 4 ft 6 in x 40 ft permanent dock, install a seasonal boatlift with a 14 ft x 30 ft seasonal canopy in the northerly slip, install 2 seasonal PWC lifts in the southerly slip adjacent to the dock, install 4 ft wide access from the dock to the waterbody on 100 ft of frontage on Lake Winnepesaukee, Laconia.

**With Conditions:**

1. All work shall be in accordance with plans by Watermark Marine Construction dated December 17, 2006, revision date of April 16, 2007, as received by the Department on May 02, 2007.
2. This permit shall not be effective until it has been recorded with the County Registry of Deeds office by the Permittee. A copy of the recorded permit shall be submitted to the DES Wetlands Bureau by certified mail, return receipt requested, prior to construction.
3. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement action or revocation action if the DES later determines that these "existing structures" were not previously permitted or grandfathered.
4. Repairs to these structures may be conducted, as necessary, throughout the duration of this permit provided that the permittee notifies the Wetlands Bureau and Conservation Commission, in writing, of the proposed start and completion date prior to performing any repair.
5. Repairs shall maintain existing size, location and configuration.
6. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, maintained during construction, and shall remain until the area is stabilized.
7. This permit does not allow for maintenance dredging.
8. The dock shall not extend more than 56 ft lakeward at full lake elevation of 504.32.
9. The minimum clear spacing between piles shall be 12 feet.
10. Canopies shall be of seasonal construction type with a flexible fabric cover which shall be removed for the non-boating season.
11. The seasonal boatlift shall be of seasonal construction type which shall be removed for the non-boating season.
12. The seasonal PWC lifts shall be of seasonal construction type which shall be removed for the non-boating season.
13. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B.

**With Findings:**

1. This permit transfer is issued in accordance with NH Administrative Rule Env-Wt 502.02.

**2007-00315                      MICHACHUNK DEVELOPMENT LLC, C/O MICHAEL R FOISIE  
AMHERST   Unnamed Wetland**

**Requested Action:**

Approve name change to: Michachunk Development LLC, c/o Michael R. Foisie, 16-C Harrison St., Keene NH 03431, per request received 4/8/10. Previous owner: Tim Chi Holdings LLC

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**Conservation Commission/Staff Comments:**

"The [Milford Conservation] Commission supports the project as presented."

**APPROVE NAME CHANGE:**

Dredge and fill a total of 8,250 sq. ft. of palustrine forested/ scrub-shrub wetlands to construct a roadway system with box culvert crossings of seasonal streams and a 24 ft. arch span over a perennial stream to access a 45-lot open space residential subdivision on a 120.5 acre parcel of land of which 40.2 acres will be dedicated, in perpetuity, as open space.

With Conditions:

1. All work shall be in accordance with plans by Meridian Land Services, Inc. dated October 18 & 20, 2006 (last revised 8/20/07 & 8/31/07) as received by DES on September 11, 2007.
2. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and/or further permitting by the Bureau.
3. This permit is contingent on approval by the DES Alteration of Terrain Program.
4. This permit is contingent on approval by the DES Subsurface Systems Bureau.
5. This permit shall not be effective until it has been recorded with the Hillsborough County Registry of Deeds office by the Permittee. A copy of the recorded permit shall be submitted to the DES Wetlands Bureau by certified mail, return receipt requested, prior to construction.
6. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
7. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
8. Culvert outlets shall be protected in accordance with the DES Best Management Practices for Urban Stormwater Runoff Manual (January 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August 1992).
9. Work shall be done during low flow.
10. 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.
11. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
12. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.
13. NH DES Wetlands Bureau Southeast Region staff shall be notified in writing prior to commencement of work and upon its completion.

With Findings:

1. This permit transfer is issued in accordance with NH Administrative Rule Env-Wt 502.02.

**2007-01416                      COSTURA, JEFFREY**  
**DALTON   Unnamed Wetland**

Requested Action:

Dredge approximately 4,573 square feet and fill approximately 2,246 sq.ft. of wetlands for pond construction partially constructed in uplands.

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Conservation Commission/Staff Comments:

Recvd Response to RFMI on 13 Nov 2007. Awaiting NHF&G comments as of 16 Nov 2007. MAM Not LEDPA. Denial. 12/10/2007.

APPROVE PERMIT:

Dredge approximately 4,573 square feet and fill approximately 2,246 sq.ft. of wetlands for pond construction partially constructed in uplands.

With Conditions:

1. All work shall be in accordance with plans by Watershed to Wildlife, Inc. dated July 2009, as received by DES on July 10, 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. 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.
  4. Some dredged material for the pond will be used within the prescribed area to meet minimum slope conditions. All dredge material not used for the berm and slopes will be placed in an upland site.
  5. Work shall be done during dry seasons when there are low groundwater conditions.
  6. Construction equipment shall not be located within the wetland.
  7. Appropriate methods will be used to protect wetlands and surface waters from erosion.
  8. The applicant shall track weather conditions and on-site soil stabilization and erosion controls and containment to ensure that work is done to prevent water quality degradation.
  9. The disturbed area surrounding the pond shall be seeded and mulch hayed to encourage long-term stabilization. Hand-raking shall be done to smooth any rutting.
  10. An environmental consultant shall supervise construction, erosion controls and design to ensure that construction work is carried out in accordance with plans and permit.

With Findings:

1. The applicant coordinated with Fish and Game and DES to minimize the wildlife function impacts and to minimize impact to wetlands while enhancing project goals.
2. The applicant has added shallow shelves and gentler slopes throughout the pond profiles and to create a more gradual transition increasing the number of cover types.
3. The applicant has agreed to maintain a forested and no-cut zone around the pond to preserve scrub-shrub habitat to enhance wildlife use and overall wetland function.
4. The applicant has reduced the proposed wetland footprint from 8,393 square feet to 6,824 sq.ft. impact.
5. The applicant has developed a construction sequence to ensure minimal impact to wetlands and water quality overall.
6. Given the modifications to the plan, the proposal is compatible with the wetlands statute and rules.

**2009-02360 PRUCHANSKI, STEVEN & MARY**  
**TUFTONBORO Lake Winnepesaukee**

Requested Action:

Permanently remove an existing 6 ft x 33 ft piling dock, add 7 ft of length to the remaining 6 ft x 30 ft piling dock to create a 6 ft x 36 ft piling supported dock, construct a 28 ft x 36 ft dug in boathouse, dredge approximately 40 cubic yards of material from the lakebed to provide access, on an average of 215 feet of frontage on Lake Winnepesaukee, in Tuftonboro.

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Conservation Commission/Staff Comments:

Con Com submitted comments with regards to dredge area and volume

DENY PERMIT:

Permanently remove an existing 6 ft x 33 ft piling dock, add 7 ft of length to the remaining 6 ft x 30 ft piling dock to create a 6 ft x 36 ft piling supported dock, construct a 28 ft x 36 ft dug in boathouse, dredge approximately 40 cubic yards of material from the lakebed to provide access, on an average of 215 feet of frontage on Lake Winnepesaukee, in Tuftonboro.

With Findings:

Standards for Approval

1. In accordance with RSA 482-A:3, Excavating and Dredging Permits, "[n]o person shall excavate, remove, fill, dredge or construct any structures in or on any bank, flat, marsh, or swamp, or in an adjacent to any waters of the state without a permit from the department."
2. This project is classified as a major impact per Rule Env-Wt 303.02(g), "Removal of more than 20 cubic yards of rock, gravel, sand, mud, or other materials from public waters."

3. In accordance with RSA 482-A:3,XIV(2) the Department may "request any additional information that the department is permitted by law to require to complete its evaluation of the application, together with any written technical comments the department deems necessary."
4. In accordance with RSA 482-A:3,XIV (3) "Where the department requests additional information pursuant to subparagraph (a)(2), within 30 days of the department's receipt of a complete response to the department's information request: (A) Approve or deny the application, in whole or in part".
5. In accordance with Env-Wt 101.85 ""Shoreline frontage" means the average of the distances of the actual natural navigable shoreline footage and a straight line drawn between property lines, both of which are measured at the normal high water line."
6. In accordance with Env-Wt 402.13, "Frontage Over 75', a maximum of 3 slips can be approved of property having at least 150 ft, but less than 225 ft of, shoreline frontage.
7. In accordance with Env-Wq 1405.04 "Setback for Accessory Structures. All accessory structures built after November 26, 1996 shall be set back at least 20 feet from the reference line".
8. In accordance with RSA 482-A:2 IX. ""Structure" stairs with a width not exceeding 6 feet, provided that such benches, landings, or stairs are installed, erected, or constructed without regrading or recontouring of the shoreline and are not over water".

#### Findings of Fact

1. On October 03, 2009, the Wetlands Bureau received an incomplete application for surface water impacts on the lot identified as Tuftonboro tax map 38, lot 1, to permanently remove an existing 6 ft x 33 ft piling dock, add 7 ft of length to the remaining 6 ft x 30 ft piling dock to create a 6 ft x 36 ft piling supported dock, construct a 28 ft x 36 ft dug in boathouse, dredge approximately 40 cubic yards of material from the lakebed to provide access, on an average of 215 feet of frontage on Lake Winnepesaukee, Tuftonboro.
2. On October 12, 2009, the DES Wetlands Bureau received comments from the local Conservation Commission with concerns about the amount of proposed dredge in the lakebed to provide access to the boathouse.
3. The Conservation Commission also had concerns with regards to the amount of average shoreline frontage the applicant indicated on the application.
4. On October 23, 2009, the agent for the applicant submitted additional information to administratively complete the application so that it could be assigned to the DES Wetlands Bureau technical staff for review.
5. Information submitted by the previous owner of the property indicates that the property has an average of 215 ft of frontage.
6. The proposed docking structures will provide 4 slips on less than the required 225 ft of average frontage.
7. On January 05, 2010, the Wetland Bureau issued a Request for More Information letter to the applicant and the agent. Item #1 of the Request for More Information letter stated, "The 12 ft x 18 ft deck and 12 ft wide access steps are not permissible pursuant to RSA 482-A, RSA 483-B, Env-Wt 402.10, and were not permitted under permit 1998-00761. Submit plans indicating the removal of these structures and the area re-vegetated and stabilized."
8. Item #5 of the January 05, 2010, letter stated, "What is the average shoreline frontage? This is defined as the average of the lengths of the actual natural navigable shoreline frontage and the straight-line distance drawn from property line to property line as measured at the normal high water line. The application states the average frontage is 225 ft, the plans indicate and average frontage of 203 ft, file 1998-00761 indicates an average frontage of 215 ft. This is not sufficient frontage for the requested slips, submit plans indicating no more than 3 slips on the frontage."
9. Item #7 of the January 05, 2010, letter stated "The plans submitted do not include existing topographic information indicating the slope of the existing frontage. Pursuant to Env-Wq 1405.05 no structures shall be constructed in slopes of excess of 25%. Submit stamped surveyed plans indicating the existing and proposed grades of the frontage."
10. Item #8 of the January 05, 2010, letter request accurate and detailed information and calculations pertaining to the dredge requested for the access and approach to the proposed dug-in boathouse.
11. Item #11 of the January 05, 2010, letter stated "Submit specific information with regards to the dewatering basin. Typically the dewatering basin should be located at least 200 ft from the waterbody. Include the type proposed and all impacts associated with the dewatering basin."
12. Item #14 of the January 05, 2010, letter stated "It appears the proposed boat house is to be located in a wetland area. Please show on the plans the boundaries of all wetlands along with the name of the individual who delineated the wetlands and the method of delineation used."
13. The agent for the applicant submitted a response to the DES Wetlands Bureau on March 07, 2010. The agent responded to Item #1 of the Request for More Information letter stating the deck had been in the location since the 1990's. Photographs and plans in DES file 1998-761 indicate no structures on the frontage and telephone discussion with the owner in 2000 indicates no structures constructed on the frontage at this time.

14. The agent for the applicant responded to Item #5 stating "This property does not have a straight line along the normal high water line as it creates a cove. The straight line frontage does not apply to this case." The Applicant did not supply the requested average shoreline frontage calculation.
15. The Agent for the Applicant responded to Item #7 stating "The elevations are included on the tree survey plans and the area is flat at 506.00. The plans are not required to be stamped."
16. The Agent for the Applicant responded to Item #8 stating "The dredged material will be disposed out of DES jurisdiction. The plans are not required to be stamped." The plans submitted in support of the dredge volume were labeled "no scale" and indicated two different lengths of dredge from the shoreline, therefore DES could not verify the dredge area or volume.
17. The Agent for the Applicant responded to Item #11 without providing plans indicating the location, construction type or specific information with regard to the dewatering basin or any temporary impacts.
18. The Agent for the Applicant responded to Item #14 stating "I have enclosed photos of the boathouse area. There is no indication of any wetland or wetland vegetation. The area appears to have been a barge/machine access area with gravel at the surface and rocks placed just landward of the lake." The Agent is not a certified wetland scientist. The photographs submitted by the Agent were taken in winter and show snow-covered conditions in which ground cover vegetation is obscured. The Agent did not submit plans with the name of the individual who delineated the wetlands as requested.
18. DES Wetlands permit 1998-761 was issued to construct a 3 slip permanent docking structure on an average of 215 feet of frontage. The plans and photographs submitted with the application indicate the frontage with no decks, stairs or docks pre-existing on the frontage. This information and subsequent telephone discussion with the Applicant would indicate all structures, to include the deck and stairs, were constructed sometime after the year 2000.

Rulings in Support of Denial

1. The agent did not submit the information requested in the Request for More Information letter Items #1, 5, 7, 8, 11 and 14, therefore pursuant to RSA 482-A:3, the application is denied.
2. The existing docking structure exceeds the dimensions permitted under DES Wetlands Permit #1998-761 and RSA 482-A:2, and the proposed reconfiguration of the docking structure will not conform to RSA 482-A or Env-Wt 100-800, therefore the application is denied.
3. The subject property does not have sufficient frontage pursuant to Rule Env-Wt 402.13 to support the 4 slips requested. Therefore the application is denied.

**2009-02650                      BROWN, GLENN**  
**PETERBOROUGH   Unnamed Wetland**

Requested Action:

Retain ± 2,155 sq. ft. and restore ± 2,462 sq. ft. of palustrine forested wetlands and intermittent stream for driveway access to a single lot of a proposed 2-lot subdivision on ± 71.5 acres.

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APPROVE PERMIT:

Retain ± 2,155 sq. ft. and restore ± 2,462 sq. ft. of palustrine forested wetlands and intermittent stream for driveway access to a single lot of a proposed 2-lot subdivision on ± 71.5 acres.

With Conditions:

1. All work shall be in accordance with plans by Aspen Environmental Consultants, LLC revised through March 01, 2010, as received by the Department on March 08, 2010.
2. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback on the southern lot of the subdivision.
3. The deed which accompanies the sales transaction for the southern lot of the subdivision shall contain condition # 2 of this approval.
4. The property owner of the remaining northern lot shall have the wetlands and surface waters delineated by a Certified Wetland Scientist prior to any future subdivision or alteration of wetlands or surface waters.
5. The deed which accompanies the sales transaction for the remaining northern lot parcel shall contain condition # 4 of this approval.

6. This permit is contingent upon the restoration of 2,462 square feet of wetlands in accordance with plans received March 03, 2010, to be completed prior to the completion of other site construction and to be completed during the 2010 growing season.
7. Work shall be done during low flow conditions.
8. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to surface waters and wetlands.
9. Appropriate siltation/erosion controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
10. Orange construction fencing shall be placed at the limits of construction within or directly adjacent to wetlands or surface waters to prevent accidental encroachment on wetlands.
11. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
12. Proper headwalls shall be constructed within seven days of culvert installation.
13. Culverts shall be laid at original grade.
14. 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).
15. 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.
16. The permittee shall designate a qualified professional who will be responsible for monitoring and ensuring that the restoration areas are constructed in accordance with the restoration plan. Monitoring shall be accomplished in a timely fashion and remedial measures taken if necessary. The DES 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.
17. All material removed during work activities shall be removed down to the level of the original hydric soils.
18. Wetland soils from areas vegetated with purple loosestrife (*Lythrum salicaria*) shall not be used in the wetland restoration 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.
19. The restoration area shall be regraded to original contours following completion of work.
20. Only native plant species appropriate to the area shall be planted.
21. Seed mix within the restoration area shall be a wetland seed mix appropriate to the area and shall be applied in accordance with manufacturers' specifications and shall contain no reed canary grass (*Phalaris arundinacea*).
22. Mulch used within the wetland restoration areas shall be natural straw or equivalent.
23. 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 DES Wetlands Bureau if the species is found in the mitigation areas during construction and during the early stages of vegetative establishment.
24. Wetland restoration areas shall 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.
25. Wetland restoration 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.
26. A post-construction report documenting the status of the completed project with photographs shall be submitted to the DES Wetlands Bureau within thirty (30) days of the completion of construction.
27. The permittee or a designee shall conduct a follow-up inspection after the first growing season, to review the success of the restoration 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 year following the completion of each restoration site.

With Findings:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(h), alteration of less than 20,000 sq. ft. of wetlands.
2. In correspondence dated December 10, 2009, the Peterborough Conservation Commission recommended that crossing no. 2 be restored. The Commission also expressed concern for possible erosion of the new driveway fill and recommended that the plan include gravel installation to stabilize new driveway fill.
3. The agent submittal received December 17, 2009, addressed the Peterborough's concerns.
4. No comments of concern were submitted from the NHFG Nongame and Endangered Wildlife Program or the Natural Heritage Bureau.
5. The applicant has provided a waiver request per Env-Wt 204.03, to waive the wetland delineation over the remaining lots as

required by Env-Wt 304.09(a).

6. The project's NH Certified Wetland Scientist has provided NRCS Soil Maps and USGS Topographical Maps for the remainder of the parcel. The submitted maps confirm the proposed driveway best utilizes upland areas for access to the proposed back lot.
7. The areas proposed for construction have been field delineated by the project's NH Certified Wetland Scientist.
8. There will be no adverse effect to the environment or natural resources of the state, public health, or public safety; or on abutting properties that is more significant than that which would result from complying with the Env-Wt 304.09(a).
9. 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.
10. This permit is contingent upon the restoration of 2,462 square feet of wetlands in accordance with plans received March 03, 2010, to be completed prior to the completion of other site construction.
11. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
12. 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.
13. 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.

**2009-02714                      STURM RUGER & COMPANY INC**  
**NEWPORT   Sugar River**

Requested Action:

Dredge and fill ± 52 sq. ft. of the Sugar River to seal raceway intakes within an existing retaining wall.

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APPROVE AMENDMENT:

Dredge and fill ± 52 sq. ft. of the Sugar River to seal raceway intakes within an existing retaining wall.

With Conditions:

1. All work shall be in accordance with plans by GZA GeoEnvironmental, Inc. dated October 2009, as received by the DES on November 12, 2009, and plans dated February 2010, as received by the DES on March 02, 2010.
2. Appropriate siltation and erosion controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
3. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate work area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
4. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to wetlands and surface waters.
5. Prior to commencing work on a substructure located within surface waters, a cofferdam shall be constructed to isolate the substructure work area from the surface waters.
6. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of twenty (20) feet of undisturbed vegetated buffer.
7. Work within the stream, inclusive of work associated with installation of a cofferdam, shall be done during periods of low flow. High flows can be caused by seasonal runoff or precipitation; the permittee shall monitor local forecasts to review weather conditions.
8. No work within the confined area shall proceed until the cofferdam is fully effective, and water flow is controlled.
9. Temporary cofferdams shall be entirely removed immediately following construction.
10. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid. Faulty equipment shall be repaired prior to construction.
11. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each operator shall be trained in its use.
12. All refueling of equipment shall occur outside of surface waters or wetlands during construction.
13. 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.

14. The applicant shall notify the DES Wetlands Bureau in writing within twenty-four (24) hours of an erosion event resulting in sediment entering a wetland or surface water.

15. A post-construction report including photographs documenting the status of the completed construction shall be submitted to the DES Wetlands Bureau within sixty (60) days of the completion of construction.

With Findings:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(1), Projects that alter the course of or disturb less than 200 linear feet of an intermittent or perennial nontidal stream or river channel or its banks.
2. No comments of concern were submitted from the Natural Heritage Bureau or NH Fish and Game Department.
3. An amendment request to impact an additional 15 sq. ft. of the Sugar River to seal a second fire intake was received March 02, 2010.
4. The amendment request was determined to be a significant amendment per RSA 482-A:3 XIV (e).
5. Materials required for processing a significant amendment were received on March 17, 2010. Materials were reviewed under the original file number. The project abutter's were notified and a new application fee was paid.
6. The amendment is necessary to close the abandoned fire intake.
7. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
8. 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.
9. 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.

**2009-02952                      LITTLETON, TOWN OF  
LITTLETON    Unnamed Wetland**

Requested Action:

Dredge and fill ± 9,815 sq. ft. and temporarily impact 2,140 sq. ft. of palustrine forested wetlands and intermittent stream for the installation of an above-ground drinking water storage tank.

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APPROVE PERMIT:

Dredge and fill ± 9,815 sq. ft. and temporarily impact 2,140 sq. ft. of palustrine forested wetlands and intermittent stream for the installation of an above-ground drinking water storage tank.

With Conditions:

1. All work shall be in accordance with plans by Horizons Engineering dated October 2009, as received by the Department on December 11, 2009.
2. The Town shall submit the appropriate proof of ownership and/or easements for the areas where wetland and stream impacts are proposed outside of tax map/lot no. 67/2 to the DES Wetlands Bureau prior to construction.
3. This permit is contingent upon the restoration of 2,140 sq. ft. of temporary wetland impact in accordance with plans received December 11, 2009, within 15 days following the completion of construction.
4. Work shall be done during low flow conditions.
5. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to surface waters and wetlands.
6. Appropriate siltation/erosion controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
7. Orange construction fencing shall be placed at the limits of construction within or directly adjacent to wetlands or surface waters to prevent accidental encroachment on wetlands.
8. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
9. Proper headwalls shall be constructed within seven days of culvert installation.
10. Culverts shall be laid at original grade.
11. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).

12. 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.
13. Filter fabric shall be installed under the temporary fill areas to isolate fill from the natural hydric soils.
14. Wetland restoration 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.
15. Wetland restoration areas shall 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.
16. A post-construction report documenting the status of the completed project and temporary impact areas with photographs shall be submitted to the DES Wetlands Bureau within thirty (30) days of the completion of construction.
17. The permittee or a designee shall conduct a follow-up inspection after the first growing season, to review the success of the temporary impact restoration areas 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.

With Findings:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(h), alteration of less than 20,000 sq. ft. of wetlands.
2. The Natural Heritage Bureau (NHB) review did not document record of rare species or exemplary natural communities near the project area.
3. No comments of concern regarding the project were submitted.
4. The request for project review by the NH Division of Historical Resources has confirmed that no historic resources are present.
5. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
6. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
7. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.

**2009-03066                      J DOWD CO LLC**  
**SALEM   Unnamed Wetland**

Requested Action:

Dredge and fill a 3,244 sq. ft. isolated, palustrine scrub-shrub/wet meadow wetland and direct water (drainage) through an improved storm water management system for commercial lot development.

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Conservation Commission/Staff Comments:

The Salem Conservation Commission "... voted to recommend approval of the application and plans as submitted, ..."

APPROVE PERMIT:

Dredge and fill a 3,244 sq. ft. isolated, palustrine scrub-shrub/wet meadow wetland and direct water (drainage) through an improved storm water management system for commercial lot development.

With Conditions:

1. All work shall be in accordance with plans by SFC Engineering Partnership, Inc. dated 12/28/2009, as received by DES on December 30, 2009.
2. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and/or further permitting by the Bureau.
3. 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. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
5. Work shall be done during low flow.

With Findings:

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

**2010-00086                      HALE SR 2004 REVOC TRUST, ALLAN  
CENTER HARBOR   Unnamed Wetland**

Requested Action:

Proposal for after-the-fact approval to retain 1,770 sq. ft. of additional wetlands impacts for changes to designs of two culvert crossings and addition of a fire prevention pond associated with a previously approved dredge and fill application (File #2004-02863) for 4,240 sq. ft. wetlands impact (new wetland impact total 5,965 sq. ft.) for roadway access to a subdivision of approximately 350 acres into 17 single family residential lots a common lot and a residual lot.

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APPROVE AFTER THE FACT:

After-the-fact approval to retain 1,770 sq. ft. of additional wetlands impacts for changes to designs of two culvert crossings and addition of a fire prevention pond associated with a previously approved dredge and fill application (File #2004-02863) for 4,240 sq. ft. wetlands impact (new wetland impact total 5,965 sq. ft.) for roadway access to a subdivision of approximately 350 acres into 17 single family residential lots a common lot and a residual lot.

With Conditions:

1. All work shall be in accordance with plans by David M. Dolan and Associates plan sheets 1 through 7 of 7 dated December 18, 2009, as received by DES on January 11, 2010.
2. This approval is contingent on approval by the DES Alteration of Terrain Program.
3. This approval is contingent on approval by the DES Subsurface Systems Bureau.
4. This permit is contingent on approval by the DES Wetlands Bureau, Compliance Section (including finalization/compliance with any fines and orders).
5. This approval is contingent upon the preservation of the 50 foot no cut buffer from the edge of the very poorly drained wetlands as illustrated on the subdivision plans.
6. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.
7. Signs to indicate the location of and restrictions on the no cut area shall be posted every 150 feet along the boundary of the conservation area prior to construction (if not currently in place shall be done immediately).
8. There shall be no removal of the existing vegetative undergrowth within the no cut buffer area and the placement of fill, construction of structures, and storage of vehicles or hazardous materials is prohibited.
9. Activities in contravention of the no cut buffer 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).
10. The deed which accompanies the sales transaction for each of the lots in this subdivision shall contain condition #5 through #9 of this approval.
11. This approval shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau.
12. Orange construction fencing shall be placed at the limits of construction or the no cut buffer whichever is more restrictive to prevent accidental encroachment on wetlands during all remaining upland impacts.
13. Appropriate siltation/erosion controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized.
14. 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.
15. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
16. Proper headwalls shall be constructed within seven days of culvert installation.

17. 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.
18. 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.
19. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).

With Findings:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(h), projects involving less than 20,000 square feet of alteration in the aggregate in nontidal wetlands, nontidal surface waters, or banks adjacent to nontidal surface waters which exceed the criteria of Wt 303.04(f).
2. This project is considered a minor impact project due to cumulative impacts (in the aggregate) with the previous permit (#2004-02863) within the last 5 years.
3. The previous permit was valid but not in compliance at submittal of the amended application.
4. The revised application submittal is part of an ongoing DES Wetlands Bureau Compliance case regarding the non-permitted wetlands and alteration of terrain impacts/changes.
5. The impacts are 20 percent greater than the previous approval which requires submittal of a new wetlands impact application per RSA 482-A:3 XIV.(e).
6. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01. 7. This approval contains conditions pertinent to the previous permit (#2004-02863) and for work remaining for the DES Terrain Alteration Bureau ("Alteration of Terrain").

**2010-00133                      WHITE MTN NATIONAL FOREST, SACO DISTRICT RANGER ST  
CHATHAM Province Pond**

Requested Action:

Impact 2,040 square feet of wetlands for improvements to Province Pond Dam including 1,080 square (20 linear feet) to replace the existing timber spillway with a concrete spillway; and 960 square feet (120 linear feet) of temporary impacts to one perennial and three intermittent streams for the installation of temporary culverts for access to the dam.

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APPROVE PERMIT:

Impact 2,040 square feet of wetlands for improvements to Province Pond Dam including 1,080 square (20 linear feet) to replace the existing timber spillway with a concrete spillway; and 960 square feet (120 linear feet) of temporary impacts to one perennial and three intermittent streams for the installation of temporary culverts for access to the dam.

With Conditions:

1. All work shall be done in accordance with plans and narratives by The United States Forest Service entitled: Province Pond Dam (Sheets C1, C2, C3, C4, S1, and S4) dated September 28, 2009 as received by the department on January 22, 2010 and Typical Temporary Culvert Section as received by the department on March 16, 2010.
2. Areas of temporary impact shall be restored to pre-construction conditions.
3. A post-construction report documenting the status of the restored temporary impact areas, including photographs shall be submitted to the Wetlands Bureau within 60 days of the completion of construction.
4. The permittee or a designee shall conduct a follow-up inspection after the first growing season, to review the success of the restored temporary impact areas 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.
5. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, maintained during construction, and remain until the area is stabilized. Silt fencing must be removed once the area is stabilized.
6. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
7. The Permittee shall monitor the weather and will not commence work within flowing water, including the installation of cofferdams, when rain is in the forecast.

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. 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.
10. Work within the stream, inclusive of work associated with installation of a cofferdam, shall be done during periods of low flow. High flows can be caused by seasonal runoff or precipitation; the permittee shall monitor local forecasts to review weather conditions.
11. No work within the confined area shall proceed until the cofferdam is fully effective, and water flow is controlled.
12. Temporary cofferdams shall be entirely removed immediately following construction.
13. Dredged material shall be placed out of any area that is within the jurisdiction of the DES Wetlands Bureau.
14. Extreme precautions shall be taken within riparian areas to limit unnecessary removal of vegetation during access road construction and areas cleared of vegetation to be revegetated within three days of the completion of this project.
15. Areas from which vegetation has been cleared to gain access to the site shall be replanted with like native species.
16. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid prior to entering surface waters or wetlands. Faulty equipment shall be repaired prior to entering jurisdictional areas.
17. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each operator shall be trained in its use.
18. All refueling of equipment shall occur outside of surface waters or wetlands during construction.
19. 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).
20. 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.
21. 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.
22. 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.
23. 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 Minor Project per Administrative Rule Env-Wt 303.03 (1) Projects that alter the course of or disturb less than 200 linear feet of an intermittent or perennial nontidal stream or river channel or its banks and do not meet the criteria for minimum impact under Env-Wt 303.04(n).
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 dam was built in the mid 1960s.
6. Replacing the existing timber crib with a concrete crib increases the expected life span from 30-40 years to around 100 years with fewer repairs and maintenance cost.
7. Province Pond provides wildlife habitat and recreational opportunities, including a location for N.H. Fish and Game to stock Brook Trout.
8. All work associated with the re-shaping of the earthen dam is within the existing dam footprint.
9. The temporary stream crossings will pass at least the 25 year storm event.
10. This project is scheduled to receive funding through the American Recovery and Reinvestment Act.
11. The NH Natural Heritage Bureau and/or the Nongame and Endangered Species Program reviewed the project and determined that, although there was a NHB record (e.g., rare wildlife, plant, and/or natural community) present in the vicinity, they do not expect that it will be impacted by the proposed project.

**MINIMUM IMPACT PROJECT**

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**2009-02303                      WINNISQUAM REGIONAL SCHOOL DISTRICT #59  
TILTON Tributary To The Winnepesaukee River**

Requested Action:

After-the-fact proposal to impact 425 sq. ft. of wetlands for replacement of an existing 36 in. x 420 ft. CMP culvert with a 36 in. x 420 ft. plastic culvert.

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APPROVE AFTER THE FACT:

After-the-fact approval to impact 425 sq. ft. of wetlands for replacement of an existing 36 in. x 420 ft. CMP culvert with a 36 in. x 420 ft. plastic culvert.

With Conditions:

1. All work shall be in accordance with plans and narratives by Turtle Pond Enterprises dated October 26, 2009, as received by DES on November 18, 2009 and dated March 1, 2010, as received by DES on March 3, 2010.
2. This permit is contingent on approval by the DES Wetlands Bureau, Compliance Section (including finalization/compliance with any pending fines and orders).
3. Appropriate siltation/erosion/turbidity controls shall be in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
4. 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.
5. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(f) Projects involving alteration of less than 3,000 square feet in swamps or wet meadows that are not in prime wetlands.
2. This approval is for work within wetlands associated with replacement of an existing culvert that carries stream flows between wetlands.
3. It appears from information submitted by the applicant that the original culvert was installed at least 27 years ago.
4. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.

**2010-00583                      BATCHELDER, MADELINE  
ALSTEAD Warren Brook**

Requested Action:

Restore ± 800 linear feet (± 28,230 sq. ft.) of Warren Brook.

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APPROVE PERMIT:

Restore ± 800 linear feet (± 28,230 sq. ft.) of Warren Brook.

With Conditions:

1. All work shall be in accordance with plans by Headwaters Hydrology, PLLC dated February 2010, as received by the Department on March 10, 2010.

2. Work shall be done during low flow conditions.
3. Appropriate siltation and erosion controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
4. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate work area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
5. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to wetlands and surface waters.
6. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
7. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of twenty (20) feet of undisturbed vegetated buffer.
8. Proper headwalls shall be constructed within seven days of culvert installation.
9. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
10. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid. Faulty equipment shall be repaired prior to construction.
11. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each operator shall be trained in its use.
12. All refueling of equipment shall occur outside of surface waters or wetlands during construction.
13. 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.
14. The applicant shall notify the DES Wetlands Bureau in writing within twenty-four (24) hours of an erosion event resulting in sediment entering a wetland or surface water.
15. A post-construction report including photographs documenting the status of the completed construction shall be submitted to the DES Wetlands Bureau within thirty (30) days of the completion of construction.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(t), Restoration of altered or degraded wetlands.
2. Project funding includes an NHDES Watershed Restoration Grant with matching funds and professional services provided by the Cold River Local Advisory Committee, the Alstead Conservation Commission and Headwaters Hydrology.
3. As a result of the October 2005 floods the Cooper Hill Road culvert, located upstream from the project location, failed. As a result a large flood wave traveled down the valley and destroyed homes, businesses and infrastructure. Warren Brook was subsequently stabilized by the Natural Resource Consulting Service (Wetlands and Non-Site Specific Permit 2007-01778).
4. This project proposes to restore long term stability and aquatic and riparian habitat along  $\pm$  800 feet of Warren Brook. Specifically  $\pm$  400 feet of Warren Brook will be realigned to recreate the pre-flood meander pattern including flattening the channel slope; terraces bordering the brook will be lowered; an 87-in. span x 63-in. rise steel pipe arch (floodplain culvert) will be installed at Griffin Hill Road; rock and wood in stream structures will be installed; riprap will be removed; and  $\pm$  800 containerized shrubs will be planted along stream banks and new floodplain surfaces.
5. In correspondence received March 30, 2010, the HB1767 Commission, charged with determining the appropriate public use of flood damaged property purchased by the state, recommended the project's approval (tax map/lot no.'s 9/1, 15, 16, 17 and 18).
6. In correspondence received March 09, 2010, the property owner of a single parcel on which project activities will occur granted approval (tax map/lot no. 9/14)
7. The New Hampshire Department of Transportation, New Hampshire Fish and Game Department (NHFG) and the NHDES Rivers Program have expressed support for the project.
8. The Natural Heritage Bureau (NHB) review did not document record of rare species or exemplary natural communities near the project area and comments of concern were not submitted from the New Hampshire Fish and Game Department (NHFG) Nongame and Endangered Wildlife Program.
9. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
10. 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.
11. 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**

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**2010-00274                    SHUFELT, CRAIG & MIAMI**  
**GILMANTON   Unnamed Stream**

COMPLETE NOTIFICATION:  
Gilmanton Tax Map 27, Lot# 14

**2010-00710                    POWELL, PETER**  
**LANCASTER   Unnamed Stream**

COMPLETE NOTIFICATION:  
Lancaster Tax Map R1, Lot# 51

**2010-00711                    HODGDON, GEORGE**  
**OSSIPEE   Unnamed Stream**

COMPLETE NOTIFICATION:  
Ossipee Tax Map 7, Lot# 23, 24, 39

**2010-00713                    BROCHU INC, LA**  
**CONCORD   Unnamed Stream**

COMPLETE NOTIFICATION:  
Concord Tax Map 80, Lot# 2-9

**2010-00714                    BROX INDUSTRIES INC**  
**HUDSON   Unnamed Stream**

COMPLETE NOTIFICATION:  
Hudson Tax Map/Lot# 133/7, 140/1, 141/1, 150/13

**EXPEDITED MINIMUM**

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**2009-03021                    HEMINGWAY, CHRISTOPHER**  
**CHARLESTOWN   Unnamed Stream**

Requested Action:  
Dredge and fill 40 lin. ft. (584 sq. ft.) of an unnamed perennial stream to install an 83-in. x 57-in. x 40-ft. CMP squash culvert for forestry access (± 83.96 acre parcel).

\*\*\*\*\*

APPROVE PERMIT:

Dredge and fill 40 lin. ft. (584 sq. ft.) of an unnamed perennial stream to install an 83-in. x 57-in. x 40-ft. CMP squash culvert for forestry access ( $\pm$  83.96 acre parcel).

With Conditions:

1. All work shall be in accordance with plans by Beaver Tracks, LLC, as received by the Department on March 18, 2010.
2. Any change of access use to non-forestry may require a new application or approval by the DES Wetlands Bureau.
3. The deed which accompanies a sales transaction for this lot shall contain condition # 2 of this approval.
4. Work shall be done during annual low flow conditions.
5. Appropriate siltation and erosion controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
6. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate work area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
7. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to wetlands and surface waters.
8. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
9. There shall be no excavation or operation of construction equipment in flowing water.
10. All in-stream work shall be conducted in a manner that minimizes the duration of construction in the watercourse. In-stream work shall not exceed five consecutive days in total unless specifically authorized in writing by the DES Wetlands Bureau.
11. 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.
12. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of twenty (20) feet of undisturbed vegetated buffer.
13. Work within the stream, inclusive of work associated with installation of a cofferdam, shall be done during periods of low flow. High flows can be caused by seasonal runoff or precipitation; the permittee shall monitor local forecasts to review weather conditions.
14. No work within the confined area shall proceed until the cofferdam is fully effective, and water flow is controlled.
15. Temporary cofferdams shall be entirely removed immediately following construction.
16. Culverts shall be laid at original grade.
17. Proper headwalls shall be constructed within seven days of culvert installation.
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. Materials used to emulate a natural channel bottom within the culvert, between wingwalls and beyond must be rounded and smooth stones similar to the natural stream substrate and shall not include angular riprap or gravel.
20. The channel at the culvert inlet and outlet must maintain the natural and a consistent streambed elevation and not impede stream flow.
21. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid. Faulty equipment shall be repaired prior to construction.
22. 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.
23. All refueling of equipment shall occur outside of surface waters or wetlands during construction.
24. Areas from which vegetation has been cleared to gain access to the site shall be replanted with like native species.
25. 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.
26. The applicant shall notify the DES Wetlands Bureau in writing within twenty-four (24) hours of an erosion event resulting in sediment entering a wetland or surface water.
27. A post-construction report including photographs documenting the status of the completed construction shall be submitted to the DES Wetlands Bureau within thirty (30) days of the completion of construction.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(g), Installation of a culvert and associated fill to

permit vehicular access to a piece of property for forest management provided access shall not be used for subdivision, development, or other land conversion to non-forestry uses.

2. Abutter concerns were submitted in correspondence dated December 23, 2009, December 30, 2009, January 01, 2010, January 05, 2010, January 19, 2010, January 21, 2010, and February 04, 2010.
3. Abutter concerns include impacts to native wildlife and vegetation, impacts to groundwater, impacts to Hackett Swamp, mitigation requirement, least impacting alternative, possibility of planned development, completion of abutter notification and appropriate culvert sizing.
4. In email correspondence received February 07, 2010 the Conservation Commission expressed support for the proposal.
5. No comments of concern were submitted from the Natural Heritage Bureau or the New Hampshire Fish and Game Department.
6. Mitigation is not required per Env-Wt 302.03(b)(2)(e), because the project involves only minor or minimum impacts to streams identified in Env-Wt 303.03 and Env-Wt 303.04.
7. The subject parcel is a landlocked parcel with two narrow access ways. The alternative access way would require one additional stream crossings than the proposed alternative.
8. The revised culvert width is 1.2 times the provided bankfull width of the stream.
9. The Agent has confirmed the Applicant's intended use for the parcel is strictly forestry.
10. This permit is conditioned that any change of access use to non-forestry may require a new application or approval by the DES Wetlands Bureau.
11. Certified mail receipts for confirmation of all abutters were submitted.
12. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
13. 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.
14. 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.

**2010-00178 BUTLER, DONALD  
MEREDITH Lake Waukewan**

Requested Action:

Permanently remove an existing 4 ft x 30 ft seasonal dock, install a 6 ft x 30 ft seasonal dock with a 6 ft x 4 ft concrete pad, and construct a 185 sq ft perched beach with 2 ft wide access steps to the water installed "over the bank" on Lake Waukewan, in Meredith.

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Conservation Commission/Staff Comments:

Con Com signed Exp application

APPROVE PERMIT:

Permanently remove an existing 4 ft x 30 ft seasonal dock, install a 6 ft x 30 ft seasonal dock with a 6 ft x 4 ft concrete pad, and construct a 185 sq ft perched beach with 2 ft wide access steps to the water installed "over the bank" on Lake Waukewan, in Meredith.

With Conditions:

1. All work shall be in accordance with plans by New Hampshire Environmental Consultants dated March 11, 2010, as received by DES on March 12, 2010.
2. This permit shall not be effective until it has been recorded with the county Registry of Deeds Office by the Permittee. A copy of the recorded permit shall be submitted to the DES Wetlands Bureau by certified mail, return receipt requested, prior to installation.
3. The existing docking structure shall be completely removed prior to any the construction of the new dock.
4. The seasonal pier shall be removed from the lake for the non-boating season.
5. No portion of the pier shall extend more than 30 feet from the shoreline at full lake elevation.
6. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
7. Dredged or excavated material shall be placed outside of the DES Wetlands Bureau jurisdiction.
8. Stone placed along the beach front for the purpose of retaining sand shall be placed above and/or landward of those rocks

currently located along the normal high water line. Those rocks existing at the normal high water line shall remain otherwise undisturbed such that the natural shoreline remains identifiable.

9. The steps installed for access to the water shall be installed with no excavation or alteration of the bank. The steps shall be completely over the existing bank with no recontouring of the existing bank.
10. No more than 10 cu yd of sand may be used and all sand shall be located above the normal high water line.
11. This permit shall be used only once, and does not allow for annual beach replenishment.
12. The permittee shall provide appropriate diversion of surface water runoff to prevent erosion of beach area.
13. Revegetation of trees, shrubs and ground covers representing the density and species diversity of the existing stand of vegetation removed for this project shall begin at a distance no greater than 5 feet landward from the beach area.
14. All activities shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland.

With Findings:

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

**2010-00264                      VANSTELTON, JOHN & LINDA**  
**HEBRON   Unnamed Wetland**

Requested Action:

Approve name change to: John & Linda VanStelton, 279 Pinnacle Hill Rd, PO Box 13, New Hampton, NH 03256 per request received 3/30/10. Previous owner: Jane Ramsay

\*\*\*\*\*

APPROVE NAME CHANGE:

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

With Conditions:

1. All work shall be in accordance with plans by Barnard Survey Assoc., Inc., subdivision plan revision date of May 29, 2007 and wetlands plan dated February 12, 2010, as received by DES on February 16, 2010.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.
4. The deed which accompanies the sales transaction for each of the lots in this subdivision shall contain condition #3 of this approval.
5. The driveway side-slopes shall be loamed then seeded with an appropriate stabilization seed mix.
6. Work shall be done during low flow.
7. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
8. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
9. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
10. Within three days of final grading, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
11. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
12. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.
13. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
12. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid. Faulty equipment shall be repaired

immediately.

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

With Findings:

1. This permit transfer is issued in accordance with NH Administrative Rule Env-Wt 502.02.

**2010-00265 SWETT, LAURIE  
MEREDITH Lake Winnepesaukee**

Requested Action:

Repair an existing 8 ft x 26 ft 6 in permanent dock supported by a 8 ft x 16 ft crib, with no work to the 4 ft x 12 ft walkway accessing 4 ft x 30 ft seasonal dock and a 4 ft x 12 ft walkway accessing a 6 ft x 24 ft seasonal dock, repair existing access steps to the water "in kind" on Lake Winnepesaukee, Meredith.

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Conservation Commission/Staff Comments:

Con Com signed Exp Application

APPROVE PERMIT:

Repair an existing 8 ft x 26 ft 6 in permanent dock supported by a 8 ft x 16 ft crib, with no work to the 4 ft x 12 ft walkway accessing 4 ft x 30 ft seasonal dock and a 4 ft x 12 ft walkway accessing a 6 ft x 24 ft seasonal dock, repair existing access steps to the water "in kind" on Lake Winnepesaukee, Meredith.

With Conditions:

1. All work shall be in accordance with plans by Folsom Design and Construction Management dated December 12, 2010, as received by DES on February 16, 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. Repair shall maintain existing size, location and configuration.
11. All activities shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland.

With Findings:

1. This 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.

**2010-00440 ROGERS, MARION  
CANAAN Drainage Ditch**

**Requested Action:**

Install 250 sq. ft. of stone rip-rap, underlain with filter fabric, to stabilize 50 linear feet of eroded intermittent stream channel embankment.

\*\*\*\*\*

**APPROVE PERMIT:**

Install 250 sq. ft. of stone rip-rap, underlain with filter fabric, to stabilize 50 linear feet of eroded intermittent stream channel embankment.

**With Conditions:**

1. All work shall be in accordance with plans by Right Angle Engineering, PLLC dated February 1, 2010, as received by DES on March 08,2010.
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/or further permitting by the Bureau.
3. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
4. Work shall be done during low flow.

**With Findings:**

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

**2010-00574                      KOZLOVSKY, ALEXANDER  
WOLFEBORO Crescent Lake**

**Requested Action:**

Install a 6 ft x 30 ft seasonal dock on an average of 356 ft of frontage on Crescent Lake, Wolfeboro.

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**Conservation Commission/Staff Comments:**

Con Com signed Exp Application

**APPROVE PERMIT:**

Install a 6 ft x 30 ft seasonal dock on an average of 356 ft of frontage on Crescent Lake, Wolfeboro.

**With Conditions:**

1. All work shall be in accordance with plans by Folsom Design Group dated February 03, 2010, as received by DES on March 17, 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 installation.
3. This shall be the only structure on this water frontage and all portions of the dock shall be at least 20 ft. from abutting property lines or the imaginary extension of those lines into the water.
4. Seasonal pier shall be removed from the lake for the non-boating season.
5. No portion of the pier shall extend more than 30 feet from the shoreline at full lake elevation.
6. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
7. All activities shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B. The owner is responsible for

obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland.

With Findings:

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

**GOLD DREDGE**

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**2010-00527                    BLISH, CAROL**  
**(ALL TOWNS) Unnamed Stream**

**2010-00528                    BLISH, KEITH**  
**(ALL TOWNS) Unnamed Stream**

**2010-00736                    BOURNE, ROY**  
**(ALL TOWNS) Unnamed Stream**

**2010-00783                    SAWYER, JOHN**  
**(ALL TOWNS) Unnamed Stream**

**LAKES-SEASONAL DOCK NOTIF**

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**2009-02960                    COOGAN, JAMES**  
**SILVER LAKE Silver Lake**

COMPLETE NOTIFICATION:  
Madison Tax Map 118, Lot# 11 Silver Lake

**2010-00706                    HUNTER, DAVID**  
**NEWBURY Chalk Pond**

COMPLETE NOTIFICATION:

Newbury Tax Map 29A, Lot# 13-428 Chalk Pond

**2010-00707**                    **MCGINLEY-SMITH, DANIEL**  
**CANAAN**   **Clark Pond**

COMPLETE NOTIFICATION:  
Canaan Tax Map 1, Lot# 31 Clark Pond

**2010-00708**                    **MCGRATH, DAVID**  
**WOLFEBORO**   **Lake Winnepesaukee**

COMPLETE NOTIFICATION:  
Wolfeboro Tax Map 264, Lot# 20 Lake Winnepesaukee

**2010-00709**                    **MCGRATH, DAVID**  
**WOLFEBORO**   **Lake Winnepesaukee**

COMPLETE NOTIFICATION:  
Wolfboro Tax Map 264, Lot# 21 Lake Winnepesaukee

**2010-00737**                    **VALPEY, JOHN**  
**MEREDITH**   **Lake Waukewan**

COMPLETE NOTIFICATION:  
Meredith Tax Map 516, Lot# 5 Lake Waukewan

**2010-00784**                    **GARDNER COVE CORPORATION**  
**GILMANTON**   **Loon Pond**

COMPLETE NOTIFICATION:  
Gilmanton Tax Map 419, Lot# 91 Loon Pond

**ROADWAY MAINTENANCE NOTIF**

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**2010-00746**                    **NH DEPT OF TRANSPORTATION**  
**CONCORD**   **Unnamed Stream**

**2010-00747**                    **NH DEPT OF TRANSPORTATION**  
**CONCORD**   **Unnamed Stream**

**2010-00748**                    **NH DEPT OF TRANSPORTATION**  
**CONCORD**   **Unnamed Stream**

**2010-00749**                    **NH DEPT OF TRANSPORTATION**  
**CONCORD**   **Unnamed Stream**

**2010-00750**                    **AMHERST, TOWN OF**  
**AMHERST**   **Unnamed Wetland**

**2010-00751**                    **AMHERST, TOWN OF**  
**AMHERST**   **Unnamed Wetland**

**2010-00752**                    **AMHERST, TOWN OF**  
**AMHERST**   **Unnamed Wetland**

**2010-00753**                    **AMHERST, TOWN OF**  
**AMHERST**   **Unnamed Wetland**

**2010-00755**                    **AMHERST, TOWN OF**  
**AMHERST**   **Unnamed Wetland**

**2010-00756**                    **AMHERST, TOWN OF**  
**AMHERST**   **Unnamed Wetland**

**2010-00757**                    **AMHERST, TOWN OF**  
**AMHERST**   **Unnamed Wetland**

**PERMIT BY NOTIFICATION**

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**2010-00537                    TSETSILAS, BRANDEN**  
**WINDHAM   Cobbetts Pond**

Requested Action:

Repair of existing retaining walls that is performed "in the dry" during drawdown with no change in dimensions.

\*\*\*\*\*

Conservation Commission/Staff Comments:

Con Com did not sign PBN form

PBN IS COMPLETE:

Repair of existing retaining walls that is performed "in the dry" during drawdown with no change in dimensions.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(c), repair of existing retaining walls that is performed "in the dry" during drawdown.

**2010-00730                    WOLFEBORO INN, KAREN BERANGER**  
**WOLFEBORO   Lake Winnepesaukee**

Requested Action:

Repair of existing docking structures in kind on Lake Winnepesaukee.

\*\*\*\*\*

Conservation Commission/Staff Comments:

Con Com did not sign PBN form

PBN IS COMPLETE:

Repair of existing docking structures in kind on Lake Winnepesaukee.

With Findings:

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

**2010-00735                    SCHELLER FARM, SONIA SCHELLER**  
**WENTWORTH   Unnamed Pond**

Requested Action:

PBN proposal to maintenance dredge 19,500 sq. ft. of a man made pond.

\*\*\*\*\*

Conservation Commission/Staff Comments:

1. The Conservation Commission signed the PBN form.

PBN IS COMPLETE:

PBN complete to maintenance dredge 19,500 sq. ft. of a man made pond.

With Findings:

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

**2010-00790                      WALCOTT REVOC TRUST, KAREN  
MOULTONBOROUGH Lake Winnepesaukee**

Requested Action:

Repair existing retaining walls in the dry with no change in configuration.

\*\*\*\*\*

Conservation Commission/Staff Comments:

Con Com signed PBN form

PBN IS COMPLETE:

Repair existing retaining walls in the dry with no change in configuration.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(c), replacement of existing retaining walls that is performed in the dry.

**CSPA PERMIT**

\*\*\*\*\*

**2010-00166                      HANSON, NANCY  
MEREDITH Lake Winnepesaukee**

Requested Action:

Impact 200 sq ft for the addition of a 10ft x 14ft screened porch plus an uncovered 6ft x 4ft deck.

\*\*\*\*\*

APPROVE PERMIT:

Impact 200 sq ft for the addition of a 10ft x 14ft screened porch plus an uncovered 6ft x 4ft deck.

With Conditions:

1. All work shall be in accordance with plans by David Hanson dated January 22, 2010 and received by the Department of Environmental Services ("DES") on January 27, 2010.
2. No more than 17.43% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
3. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
4. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
5. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or

- contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.6
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.

**2010-00210                    MARQUIS, SCOTT**  
**MILTON   Milton Three Ponds**

Requested Action:

Impact 944 sq ft New construction on existing footprint.

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APPROVE PERMIT:

Impact 944 sq ft New construction on existing footprint.

With Conditions:

1. All work shall be in accordance with plans by Scott Marquis dated March 11, 2010 and received by the Department of Environmental Services ("DES") on March 12, 2010.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. 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.
4. The project as proposed will leave approximately N/A sq ft of the Natural Woodland Buffer beyond the primary building setback in an unaltered state. At least 1,731 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.

**2010-00431                    TURNERS COTTAGES ASSOCIATION**  
**BRISTOL   Newfound Lake**

Requested Action:

Impact 150 sq ft to repair cause of drainage stone collecting a foot of shoreland wall.

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APPROVE PERMIT:

Impact 150 sq ft to repair cause of drainage stone collecting a foot of shoreland wall.

With Conditions:

1. All work shall be in accordance with plans by Matthew Maimie dated March 1, 2010 and received by the Department of Environmental Services ("DES") on March 5, 2010.
2. No more than 17.25% 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 1,500 sq ft of the Natural Woodland Buffer beyond the primary building

- setback in an unaltered state. At least 750 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.

**2010-00492                      CONE, TIMOTHY**  
**HILLSBOROUGH    Franklin Pierce Lake**

Requested Action:  
 Impact 484 sq ft for the purpose of constructing a garage.  
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APPROVE PERMIT:  
 Impact 484 sq ft for the purpose of constructing a garage.

- With Conditions:
1. All work shall be in accordance with plans by Timothy Cone dated March 1, 2010 and received by the Department of Environmental Services ("DES") on March 10, 2010.
  2. No more than 7.7% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
  3. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
  4. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
  5. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
  6. Any fill used shall be clean sand, gravel, rock, or other suitable material.
  7. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement or revocation action if the DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

**2010-00568                      DUNKLEE, MICHELLE**  
**HEBRON    Newfound Lake**

Requested Action:  
 Impact 144 sq ft for the purpose of installing a breezeway supported by four posts.  
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APPROVE PERMIT:  
 Impact 144 sq ft for the purpose of installing a breezeway supported by four posts.

- With Conditions:
1. All work shall be in accordance with plans by Michelle Dunklee dated March 1, 2010 and received by the Department of Environmental Services ("DES") on March 15, 2010.

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

**2010-00585                      KOZLOVSKY, ALEXANDER**  
**WOLFEBORO   Crescent Lake**

Requested Action:  
 Impact 1,032 sq ft to construct a new deck on existing home.  
 \*\*\*\*\*

APPROVE PERMIT:  
 Impact 1,032 sq ft to construct a new deck on existing home.

- With Conditions:
1. All work shall be in accordance with plans by Folsom Design Group dated March 15, 2010 and received by the Department of Environmental Services ("DES") on March 13, 2010.
  2. No more than 5.8% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
  3. The project as proposed will leave approximately 12,100 sq ft of the Natural Woodland Buffer beyond the primary building setback in an unaltered state. At least 11,851 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.

**2010-00604                      HANNON, ROBERT**  
**WINDHAM   Cobbett's Pond**

Requested Action:  
 Impact 6,871 sq ft for the purpose of constructing full foundation for existing structure.  
 \*\*\*\*\*

APPROVE PERMIT:  
 Impact 6,871 sq ft for the purpose of constructing full foundation for existing structure.

With Conditions:

1. All work shall be in accordance with plans by MHF Design Consultants, Inc. dated February 25, 2010 and received by the Department of Environmental Services ("DES") on March 19, 2010.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. No more than 18% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
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.

**2010-00605                      OLSEN, KENETH**  
**GILFORD   Lake Winnepesaukee**

Requested Action:

Impact 24,348 sq ft for the purpose of adding a car port to existing garage and steps to guest house.

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APPROVE PERMIT:

Impact 24,348 sq ft for the purpose of adding a car port to existing garage and steps to guest house.

With Conditions:

1. All work shall be in accordance with plans by DMC Surveyors dated February 10, 2010 and received by the Department of Environmental Services ("DES") on March 19, 2010.
2. No more than 28.5% 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 1,627 sq ft of the Natural Woodland Buffer beyond the primary building setback in an unaltered state. At least 6,166 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
4. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
5. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
6. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
7. Any fill used shall be clean sand, gravel, rock, or other suitable material.
8. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement or revocation action if the DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

**2010-00628                      ADAIR, SCOTT**  
**MOULTONBOROUGH   Lake Kanasatka**

Requested Action:

Impact 1,000 sq ft for the purpose of constructing a retaining wall, stone fire pit & patio.

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**APPROVE PERMIT:**

Impact 1,000 sq ft for the purpose of constructing a retaining wall, stone fire pit & patio.

**With Conditions:**

1. All work shall be in accordance with plans by Dolbier Property Services dated March 1, 2010 and received by the Department of Environmental Services ("DES") on March 22, 2010.
2. No more than 11.8% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
3. The project as proposed will leave approximately 4,000 sq ft of the Natural Woodland Buffer beyond the primary building setback in an unaltered state. At least 9,365 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.

**2010-00632                      MAROTTA, DAVID & CAROLINE T  
MEREDITH Lake Winnepesaukee**

**Requested Action:**

Impact 2,330 sq ft for the purpose of constructing two retaining walls, excavating two areas of disturbed ground.

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**APPROVE PERMIT:**

Impact 2,330 sq ft for the purpose of constructing two retaining walls, excavating two areas of disturbed ground.

**With Conditions:**

1. All work shall be in accordance with plans by Belknap Landscape Co., Inc dated March 15, 2010 and received by the Department of Environmental Services ("DES") on March 22, 2010.
2. No more than 16.8% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
3. The project as proposed will leave approximately N/A sq ft of the Natural Woodland Buffer beyond the primary building setback in an unaltered state. At least 8,591 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. 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.

**2010-00633                      WEBER, GERARD**  
**ELKINS Pleasant Lake**

Requested Action:

Impact 9,844 sq ft for the purpose of constructing a 10ft x 20ft attached deck, a 14ft wide drive, septic tank and pump chamber.  
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APPROVE PERMIT:

Impact 9,844 sq ft for the purpose of constructing a 10ft x 20ft attached deck, a 14ft wide drive, septic tank and pump chamber.

With Conditions:

1. All work shall be in accordance with plans by CLD Consulting Engineers dated March 2, 2010 and received by the Department of Environmental Services ("DES") on March 22, 2010.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. No more than 13.9% 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 8,079 sq ft of the Natural Woodland Buffer beyond the primary building setback in an unaltered state. At least 5,850 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.

**2010-00638                      HADAM, NANCY**  
**MOULTONBOROUGH Lake Winnepesaukee**

Requested Action:

Impact 1,290 sq ft for the purpose of repairing existing drain, porch and regrading & paving existing drive.  
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APPROVE PERMIT:

Impact 1,290 sq ft for the purpose of repairing existing drain, porch and regrading & paving existing drive.

With Conditions:

1. All work shall be in accordance with plans by Ames Associates dated March 2, 2010 and received by the Department of Environmental Services ("DES") on March 23, 2010.
2. No more than 21.4% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
3. The project as proposed will leave approximately 4,095 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.

**2010-00639                      HANLON, FRANCIS**  
**MEREDITH   Lake Winnepesaukee**

Requested Action:

Impact 3,500 sq ft for the purpose of constructing new garage and reconfiguring driveway.

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APPROVE PERMIT:

Impact 3,500 sq ft for the purpose of constructing new garage and reconfiguring driveway.

With Conditions:

1. All work shall be in accordance with plans by Marc A. Vanson dated March 12, 2010 and received by the Department of Environmental Services ("DES") on March 23, 2010.
2. No more than 28.8% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
3. The project as proposed will leave approximately 2,470 sq ft of the Natural Woodland Buffer beyond the primary building setback in an unaltered state. At least 2,313 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.