

Wetlands Bureau Decision Report

Decisions Taken
04/19/2010 to 04/25/2010

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

**2001-00920 MARTINGALE WHARF LP
PORTSMOUTH Piscataqua River**

Requested Action:

Amend permit to remove use restriction. Reconstruct in-kind previously existing and previously grandfathered 12' x 100' timber wharf on pilings, and replace existing deteriorated shoreline stabilization with construction of a 175 lin. ft. of concrete seawall on 175 ft. of frontage on the Piscataqua River.

Conservation Commission/Staff Comments:

Did not report.

Inspection Date: 04/01/2000 by Dori A Wiggin

APPROVE AMENDMENT:

Amend permit to remove use restriction. Reconstruct in-kind previously existing and previously grandfathered 12' x 100' timber wharf on pilings, and replace existing deteriorated shoreline stabilization with construction of a 175 lin. ft. of concrete seawall on 175 ft. of frontage on the Piscataqua River.

With Conditions:

1. If construction of this structure fails to occur under this permit, then any future application shall be required to come into compliance with the current regulations with respect to dimensions, slip count, dock configuration, etc.
2. Work shall be in accordance with plans by Appledore Engineering dated May 15, 2001, as received by the Department on May 22, 2001 relative to the wharf construction detail only, and construction of the concrete seawall shall be in accordance with revised plans by Appledore Engineering received by the Department on July 5, 2001.
3. The wharf shall be a separate and distinct structure from the concrete slab of the shoreline stabilization.
4. The decking of the dock shall have 3/4-inch spacing between the decking planks.
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. This permit 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 prior to construction.
7. Coastal staff shall be notified in writing prior to commencement of work and upon completion.

With Findings:

1. Public hearing is waived based on field inspection by DES in spring 2000 with the finding that the project impacts will not significantly impair the resources of this tidal system.
2. This is a re-permitting of a previously approved project (permitted under file 90-1836, and again under 95-1922) which was never constructed.
3. The applicant had planned construction in spring of 2001, but then held off at the suggestion of DES realizing that permit 95-1922 would expire on June 4, 2001, before all the work could be completed. The applicant may have been able to have completed most of the project if he had not held off per the suggestion of DES.
4. The dimensions of the "grandfathered" structure exceed the currently approved private pier widths, and the length provides 2 more slips than provided in current regulations, and the structure could be considered to be abandoned if not previously permitted for reconstruction. Therefore if the applicant fails to build the wharf under this permit, any new proposal will be required to comply with the regulations applicable at the time of the new proposal, and any previous historical dimensions will be abandoned and irrelevant.
5. The wharf location runs parallel to shore and will not obstruct navigation. The NH Port Authority has not raised any objection to the previous permitting or the current proposal.
6. Wt 304.04 relative to set back from property lines is waived for the seawall with the finding that the applicant owns the abutting property on one side, and the abutter on the opposite side has more extensive shoreline stabilization in place than the currently proposed seawall represents. The wharf is more than 20' off each abutting property line.

7. The Waiver Request of Env-Wt 204.03(a) as detailed in Attachment E in a letter to DES from NHSC dated March 24, 2010 is granted based upon the information contained in the request. The permit has been amended to remove the use restriction

Requested Action:

Approve name change to: Martingale Wharf, LP, 225 Banfield Rd., Portsmouth NH 03801. Previous owner: RRJ Properties Limited Partnership.

APPROVE NAME CHANGE:

Reconstruct in-kind previously existing and previously grandfathered 12' x 100' timber wharf on pilings, and replace existing deteriorated shoreline stabilization with construction of a 175 lin. ft. of concrete seawall on 175 ft. of frontage on the Piscataqua River.

With Conditions:

1. If construction of this structure fails to occur under this permit, then any future application shall be required to come into compliance with the current regulations with respect to dimensions, slip count, dock configuration, etc.
2. Work shall be in accordance with plans by Appledore Engineering dated May 15, 2001, as received by the Department on May 22, 2001 relative to the wharf construction detail only, and construction of the concrete seawall shall be in accordance with revised plans by Appledore Engineering received by the Department on July 5, 2001.
3. The wharf shall be a separate and distinct structure from the concrete slab of the shoreline stabilization.
4. The decking of the dock shall have 3/4-inch spacing between the decking planks.
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. This permit 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 prior to construction.
7. Coastal staff shall be notified in writing prior to commencement of work and upon completion.

With Findings:

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

**2009-02713 ELECTROCRAFT NEW HAMPSHIRE INC, JAMES ELSNER
DOVER Unnamed Wetland**

Requested Action:

Temporarily impact 38,544 sq. ft. of wetlands for the installation of In Situ Heating Thermal Desorption equipment to remediate site contamination of tetrachloroethylene, in coordination with the requirements of the DES Waste Management Division.

APPROVE PERMIT:

Temporarily impact 38,544 sq. ft. of wetlands for the installation of In Situ Heating Thermal Desorption equipment to remediate site contamination of tetrachloroethylene, in coordination with the requirements of the DES Waste Management Division.

With Conditions:

1. All work shall be in accordance with plans by NHSC Inc. dated 10/2009, as received by DES on 11/12/2009.
2. This permit is contingent adherence to project requirements approved by the DES Waste Management Division.
3. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
4. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
5. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
6. Area shall be regraded to original contours following completion of work.
7. Within three days of final grading or temporary suspension of work, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or matting and pinning on slopes

steeper than 3:1.

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

9. Wetland restoration areas shall be properly planted and 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.

10. The permittee shall designate a qualified professional who will be responsible for monitoring and ensuring that the mitigation areas are constructed in accordance with the mitigation plan. Monitoring shall be accomplished in a timely fashion and remedial measures taken if necessary. The Wetlands Bureau shall be notified in writing of the designated professional prior to the start of work and if there is a change of status during the project.

11. The permittee or a designee shall conduct a follow-up inspection after the first growing season, to review the success of the mitigation area and schedule remedial actions if necessary. A report outlining the status of the restoration area and any 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 mitigation site.

12. A post-construction report documenting the status of the completed project with photographs shall be submitted to the Wetlands Bureau within 60 days of the completion of construction.

13. The Department has determined that this project is in the vicinity of an impaired waterbody. Therefore stormwater runoff treatment for this project shall be designed and constructed so that the stormwater pollutant loads from the completed project are no greater than the stormwater pollutant loads that existed prior to the project for all pollutants causing impairment which are likely to be in stormwater discharged from the completed project.

With Findings:

1. This is a major impact project per Administrative Rule Env-Wt 303.02(c), projects that involve alteration of non-tidal wetlands in excess of 20,000 square feet in the aggregate.

2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01. The project is proposed in coordination with the requirements of DES Waste Management Division Remedial Action Plan to remediate a subsurface plume of the contaminant tetrachloroethylene at a hazardous waste site.

3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03. The impact is temporary, and the wetland will be restored following the removal of the remediation equipment. The duration of the temporary impact is expected to be 6 - 9 months.

4. Pursuant to Env-Wt 302.03(d), compensatory mitigation shall not be required for impacts that are not intended to remain after the project is completed.

5. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project. The NH Natural Heritage Bureau reported on 9/29/2009 that, although there were occurrences of species of concern in the project vicinity, no impact was expected to these species as a result of the project.

6. On 12/10/2009 the project received federal joint processing team review, and was deemed "Eligible as Proposed" for NH SPGP approval, by USEPA staff Mark Kern.

7. The Dover Conservation Commission did not report.

8. 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 resource, as identified under RSA 482-A:1.

2009-02783 **MOORES, ROBERT & WENDY**
ALTON Lake Winnepesaukee

Requested Action:

Permanently remove an existing non-conforming breakwater and docking system. Fill 980 sq ft to construct 70 linear ft of breakwater in an "dogleg" configuration with a 10 ft gap at the shoreline. Construct a 4 ft x 30 ft cantilevered pier accessed by a 4 ft

x 33 ft walkway, with a 4 ft x 30 ft piling supported dock in an "F" configuration. All work on an average of 100 ft of frontage on Lake Winnepesaukee, in Alton.

Conservation Commission/Staff Comments:

Con Com submitted comments stating all structures should be removed

APPROVE PERMIT:

Permanently remove an existing non-conforming breakwater and docking system and fill 980 sq ft to construct 70 linear ft of breakwater, in an "dogleg" configuration, with a 10 ft gap at the shoreline, and a 4 ft x 30 ft cantilevered pier accessed by a 4 ft x 33 ft walkway, with a 4 ft x 30 ft piling supported dock in an "F" configuration, on an average of 100 ft of frontage on Lake Winnepesaukee, in Alton.

With Conditions:

1. All work shall be in accordance with plans by Winnepesaukee Marine Construction revision dated March 18, 2010, as received by the Department on March 23, 2010.
2. This permit shall not be effective until it has been recorded with the Belknap County Registry of Deeds office by the Permittee. A copy of the recorded permit shall be submitted to the DES Wetlands Bureau by certified mail, return receipt requested, prior to construction.
3. The existing breakwater material shall be used as material for the new proposed breakwater.
4. 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.
5. 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.
6. 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.
7. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
8. No portion of breakwater as measured at normal full lake shall extend more than 50 feet from normal full lake shoreline.
9. The breakwater shall not exceed 3 feet in height(Elev. 507.32) over the normal high water line(Elev. 504.32).
10. The width as measured at the top of the breakwater(Elev. 507.32) shall not exceed 3 feet.
11. Rocks may not remained stockpiled on the frontage for a period longer than 60 days.
12. 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.
13. 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.
14. 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.
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 100 feet of frontage along Lake Winnepesaukee, in Alton.
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.

-Send to Governor and Executive Council-

2010-00248 **LITTLETON, TOWN OF**
LITTLETON Ammonoosuc River

Requested Action:

Dredge and fill a total of 1,890 sq. ft. (total 300 linear ft.) of perennial stream bed and banks to replace existing failing metal culvert with a larger, 7' high x 18' wide x 52' long open bottom concrete box culvert, with associated wingwalls, inlet and outlet stabilization, and realign an existing water main. Waive Env-Wt 301.01(g) requiring plans for minor and major category project to be stamped by a Certified Wetland Scientist.

APPROVE PERMIT:

Dredge and fill a total of 1,890 sq. ft. (total 300 linear ft.) of perennial stream bed and banks to replace existing failing metal culvert with a larger, 7' high x 18' wide x 52' long open bottom concrete box culvert, with associated wingwalls, inlet and outlet stabilization, and realign an existing water main. Waive Env-Wt 301.01(g) requiring plans for minor and major category project to be stamped by a Certified Wetland Scientist.

With Conditions:

1. All work shall be in accordance with plans by Horizons Engineering, Inc. dated January 2010, as received by DES on 2/5/2010, and per supporting materials by Horizons Engineering, Inc. dated 4/20/2010, as received by DES on 4/21/2010.
2. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
3. This permit is contingent upon submission and DES approval of final dewatering plans prior to the commencement of work.
4. Work shall be done during low flow.
5. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
6. Appropriate siltation/erosion controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
7. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
8. Prior to commencing work on a substructure located within surface waters, a cofferdam shall be constructed to isolate the substructure work area from the surface waters.
9. Temporary cofferdams shall be entirely removed immediately following construction.
10. Unconfined work within the river, exclusive of work associated with installation of a cofferdam, shall be done during periods of low flow.
11. Cofferdams shall not be installed during periods of high flow, whether due to seasonal runoff or precipitation. Once a cofferdam is fully effective, confined work can proceed without restriction.
12. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
13. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
14. Within three days of final grading or temporary suspension of work, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
15. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid prior to entering surface waters or wetlands.
16. 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.

With Findings:

1. This is a major impact project per Administrative Rule Env-Wt 303.02(i), projects that disturb more than 200 linear feet of perennial stream channel and banks.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01. The existing culvert is failing and the town road (Highland Avenue) is down to one lane at this crossing due to the potential hazard.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03. The new culvert proposed was designed at 1.2 times bank full width and will have greater flow capacity than the existing culvert; and will have an open bottom and naturalized stream bed to facilitate aquatic species passage. The storm event design did not take into account the attenuating effect of the upstream culverts when determining that the 25 or 50 year flow may over top the road. To install a 50 year storm event structure, however, would involve installing a bridge, which would cut well into the abutting properties, and the increased flow could threaten downstream infrastructure on high flow events. The Littleton Road Agent, who is also an abutter, reported that, to his knowledge, the Baker Brook had not overtopped the road in this location in 30 years.
4. The project represents replacement of an existing culvert with an improved flow capacity, and provides stabilization to protect existing infrastructure, therefore does not require further mitigation pursuant to Env-Wt 302.03(c).
5. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project. There were no species of concern reported for the project vicinity by the NH Natural Heritage Bureau.
6. The Littleton Conservation Commission did not report.
7. The Ammonoosuc River Local Advisory Committee (ARLAC) reviewed the project as the Baker Brook is a tributary of the Ammonoosuc and provided comments dated 3/5/2010, acknowledging that the culvert needed repair, and recommended erosion/siltation controls and seeding, that are part of the permit conditions.
8. Waive Env-Wt 301.01(g)(1), requirement for wetlands delineation to be stamped by a certified wetland scientist, based on the following, pursuant to Env-Wt 204 Waivers:
 - a. Granting the waiver will not result in adverse impact as described in Env-Wt 204.04(a)(1);
 - b. The project affects a clearly evident perennial stream bank and bed, without evidence of wetlands soils or vegetation above the top of bank, eliminating the need for further delineation, and thus meets the criteria of Env-Wt 204.04(a)(2)a.
9. In accordance with RSA 428-A:8, DES finds that the requirements for a public hearing do not apply as the permitted project is not of substantial public interest, and will not have a significant impact on or adversely affect the values of the riverine resource, as identified under RSA 482-A:1.

MINOR IMPACT PROJECT

2007-00885 GUILMETTE, BRAD
CANDIA Unnamed Wetland

Requested Action:

Change name to: Brad J Guilmette,31 Howe Street,
Rochester NH 03867 per request received 4/23/10.
Previous owner: Nikki Realty, LLC, 161 River Road, Manchester, NH 03104.

Conservation Commission/Staff Comments:

No report or comments were received from the Candia Conservation Commission regarding this project.

APPROVE NAME CHANGE:

Approve name change to Brad J Guilmette on permit to: Dredge and fill a total of 6,935 sq. ft. of palustrine forested/ scrub-shrub wetlands to construct a driveway with culvert crossings, including a box culvert crossing of a perennial stream, to access a proposed 2-lot residential subdivision on a 50-acre parcel of land.

With Conditions:

1. All work shall be in accordance with plans by Robert G. Rook, P.E. Consulting Engineer dated 04-11-07 (last revised 11/21/08), as received by DES on March 16, 2009 together with "Subdivision Plan" dated September 29, 2008 received by the DES on March 16, 2009.
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, for septic setback or other construction activities.
4. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
5. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
6. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
7. Work shall be done during low flow.
8. Culvert outlets shall be protected in accordance with the DES Best Management Practices for Urban Stormwater Runoff Manual (January 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August 1992).
9. NH DES Wetland 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.

**2008-00424 KELLETT, CHARLES
AUBURN Unnamed Wetland**

Requested Action:

Fill an 8,100 sq. ft. man-made depression in an agricultural field, that has caused surface water to collect, to restore the natural contours of the field and improve drainage.

Conservation Commission/Staff Comments:

"The Auburn Conservation Commission has voted to support this Dredge and Fill Request ... "

APPROVE PERMIT:

Fill an 8,100 sq. ft. man-made depression in an agricultural field, that has caused surface water to collect, to restore the natural contours of the field and improve drainage.

With Conditions:

1. All work shall be in accordance with plans by Applicant, as received by DES on October 28, 2008.
2. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
3. This permit only provides for the restoration of an agricultural field. Any change in use, such as for a house lot, will require further permitting from the DES.
4. NH DES Wetlands Bureau Southeast Region staff and the Auburn Conservation Commission shall be notified in writing prior to commencement of work and upon its completion.
5. Area shall be regraded to original contours.
6. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
7. Within three days of final grading or temporary suspension of work, all exposed soil areas shall be stabilized by seeding and

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

With Findings:

1. This is a 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.

**2008-02370 COTE, JOHN & ROSEMARY
MEREDITH Lake Waukewan**

Requested Action:

Applicant request reconsideration of the Department's decision to deny the amendment request to extend rip rap 36 ft lakeward through the beach and into lakebed.

Conservation Commission/Staff Comments:

Con Com has no objections, but recommends a perched beach

DENY RECONSIDERATION:

Deny reconsideration and reaffirm the Department's decision to deny the amendment request to extend rip rap 36 ft lakeward through the beach and into lakebed on Lake Waukewan, in Meredith.

With Findings:

Standards for Approval

1. In accordance with RSA 482-A:10, II "A request for reconsideration of a department decision under RSA 482-A:3 shall be filed with the department within 30 days of issuance of the department's decision. The request for reconsideration shall describe in detail each ground for the request for reconsideration."
2. In accordance with RSA 482-A:10,III, "On reconsideration, the department shall receive and consider any new and additional evidence presented, and shall make findings of fact and rulings of law in support of its decision after reconsideration".

Findings of Fact

1. On September 24, 2009, the Department issued a permit, with conditions, for the applicant to "rip rap 64 linear feet of stream channel, dredge less than 20 cubic yards from 540 sq ft of lake bed to reclaim the eroded beach sand, replenish the existing beach with the reclaimed sand, and add no more than 10 cubic yards of new sand to the beach above full lake elevation on 100 ft of frontage on Lake Waukewan, in Meredith."
2. On December 18, 2009, the Department received an amendment request to extend rip rap an additional 36 ft lakeward through the beach and into lakebed of Lake Waukewan.
3. On February 23, 2010, the Department denied the amendment request to add 36 feet of rip rap to the channel lakeward of the normal high water line.
4. On March 22, 2010 the Department received a Request for Reconsideration from the Appellant. The reconsideration contained new photographs in support of the request.
5. The photographs submitted on March 22, 2010, in support of the reconsideration request, when compared to the photograph submitted with the original application submittal labeled "Historical Photo- Stream at Capacity" indicate no change in the stream

location or size on the frontage.

Rulings in Support of the Decision

1. The Appellant did not submit evidence indicating a need to rip rap the existing stream channel on the frontage.

2009-02034 THE FELLS
NEWBURY Lake Sunapee

Requested Action:

Install a 5 ft x 40 ft seasonal dock accessed by a 5 ft x 10 ft seasonal dock in a "L" shaped configuration on Lake Sunapee, in Newbury.

Conservation Commission/Staff Comments:

Con Com signed Exp Application

APPROVE PERMIT:

Install a 5 ft x 40 ft seasonal dock accessed by a 5 ft x 10 ft seasonal dock in a "L" shaped configuration on Lake Sunapee, in Newbury.

With Conditions:

1. All work shall be in accordance with plans as received by DES on March 22, 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. The seasonal pier shall be removed from the lake for the non-boating season.
5. No portion of the pier shall extend more than 15 feet from the shoreline at full lake elevation.
6. All activities shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland.

With Findings:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(d), construction of a docking structure that exceeds the design and construction criteria discussed at Env-Wt 402.01 for minimum impact docks classified under Env-Wt 303.04.
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. This project will have no adverse impact of abutting properties.

2009-02060 SIMMONS REVOC TRUST, SUZANNE
ALTON Lake Winnepesaukee

Requested Action:

Lengthen an existing piling pier to final dimensions of 6 ft x 39 ft, drive 2 tie-off pilings and install a 14 ft x 30 ft seasonal canopy on an average of 118 ft of frontage in Roberts Cove, Lake Winnepesaukee, in Alton.

APPROVE PERMIT:

Lengthen an existing piling pier to final dimensions of 6 ft x 39 ft, drive 2 tie-off pilings and install a 14 ft x 30 ft seasonal canopy on an average of 118 ft of frontage in Roberts Cove, Lake Winnepesaukee, in Alton.

With Conditions:

1. All work shall be in accordance with plans by Watermark Marine Construction revised December 14, 2009, as received by DES on December 16, 2009.
2. This permit shall not be effective until it has been recorded with the county Registry of Deeds Office by the Permittee. A copy of the recorded permit shall be submitted to the DES Wetlands Bureau by certified mail, return receipt requested, prior to installation.
3. These shall be the only docking structures 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 except as authorized in writing by the owner of the property identified as Alton tax map 18, lot 29-2.
4. 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.
5. No portion of the pier shall extend more than 39 feet from the shoreline at full lake elevation.
6. All activities shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland.

With Findings:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(d), alteration of a 2-slip permanent docking facility.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The Applicant has submitted evidence that the site meets the requirements for a permanent pier in the original construction application for the existing pier.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
5. The applicant has an average of 118 feet of shoreline frontage along Lake Winnepesaukee.
6. A maximum of 2 slips may be permitted on this frontage per Rule Env-Wt 402.13, Frontage Over 75'.
7. The proposed docking facility will provide 2 slips as defined per RSA 482-A:2, VIII and therefore meets Rule Env-Wt 402.13.

**2009-02845 JACKSON SCHOOL DISTRICT
JACKSON Unnamed Wetland Wildcat Brook**

Requested Action:

Dredge and fill ± 3,240 sq. ft. of palustrine emergent wetlands and 35 sq. ft. of unnamed perennial stream bank for playground and field construction and associated improvements at the Jackson Elementary School.

APPROVE PERMIT:

Dredge and fill ± 3,240 sq. ft. of palustrine emergent wetlands and 35 sq. ft. of unnamed perennial stream bank for playground and field construction and associated improvements at the Jackson Elementary School.

With Conditions:

1. All work shall be in accordance with plans by H.E. Bergeron Engineers, Inc. dated July 07, 2009, as received by the Department on November 25, 2009.
2. Work shall be done during low flow conditions.
3. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to surface waters and wetlands.
4. Appropriate siltation/erosion controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
5. 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.
6. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
7. Proper headwalls shall be constructed within seven days of culvert installation.
8. Culverts shall be laid at original grade.
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. 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.

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 and Env-Wt 303.03(i), alteration of less than 200 linear feet of a perennial stream.
2. No comments of concern were submitted from the NHFG Nongame and Endangered Wildlife Program, the Natural Heritage Bureau, or the Conservation Commission.
3. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
4. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
5. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.

2010-00079 GROTT, ROBERT
TUFTONBORO Lake Winnepesaukee

Requested Action:

Excavate and impact 400 sq ft to construct a perched beach with less than 10 cubic yards of sand, with 4 ft wide access stairs to the waterbody, on Lake Winnepesaukee, in Tuftonboro.

Conservation Commission/Staff Comments:

Con Com has no concerns

APPROVE PERMIT:

Excavate and impact 400 sq ft to construct a perched beach with less than 10 cubic yards of sand, with 4 ft wide access stairs to the waterbody, on Lake Winnepesaukee, in Tuftonboro.

With Conditions:

1. All work shall be in accordance with plans by Beckwith Builders dated March 23, 2010, as received by DES on March 26, 2010 and email dated April 15, 2010, from Allen Folsom indicating volume of sand not to exceed 10 cubic yards.
2. Dredged or excavated material shall be placed outside of the DES Wetlands Bureau jurisdiction.
3. 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 (Elevation 504.32). Those rocks existing at the normal high water line shall remain otherwise undisturbed such that the natural shoreline remains identifiable.
4. The steps installed for access to the water shall be located completely landward of the normal high water line.
5. No more than 10 cu yd of sand may be used and all sand shall be located above the normal high water line.
6. This permit shall be used only once, and does not allow for annual beach replenishment.
7. The permittee shall provide appropriate diversion of surface water runoff to prevent erosion of beach area.
8. 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.
9. Appropriate siltation, erosion, and turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.
10. All activities shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland.

With Findings:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(g), removal of no more than 20 cubic yards of material from public waters.

**2010-00104 NH DEPT OF TRANSPORTATION
ERROL Unnamed Stream**

Requested Action:

Along three locations repair roadway and bank slope, replace headwall of 60 in. culvert, install 2,155 ft. of underdrain, replace six 18 in. culverts and install six catch basins along with stabilizing 30 linear feet of bank with rip rap to prevent further bank slope & roadway failure impacting 10,800 sq. ft. (9,970 sq. ft. temporary) of palustrine and riverine wetlands.

Conservation Commission/Staff Comments:

Also see Emergency Authrization 2009-2575

APPROVE PERMIT:

Along three locations repair roadway and bank slope, replace headwall of 60 in. culvert, install 2,155 ft. of underdrain, replace six 18 in. culverts and install six catch basins along with stabilizing 30 linear feet of bank with rip rap to prevent further bank slope & roadway failure impacting 10,800 sq. ft. (9,970 sq. ft. temporary) of palustrine and riverine wetlands. NHDOT project #15897.

With Conditions:

1. All work shall be in accordance with plans by NHDOT Maintenance District 1 dated 11/6/09 and 12/17/09 as received by the Department on Jan. 13, 2010.
2. Any dredged material shall be placed out of the DES Wetlands Bureau jurisdiction.
3. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.
4. Construction equipment shall not be located within surface waters.
5. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
6. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
7. Extreme precautions to be taken within riparian areas to limit unnecessary removal of vegetation during road construction and areas cleared of vegetation to be revegetated as quickly as possible.
8. There shall be no further alteration to wetlands or surface waters without amendment of this permit.
9. Proper headwalls shall be constructed within seven days of culvert installation.
10. Work shall be done during low flow.

With Findings:

1. This is a minor impact project per Administrative Rule Wt 303.03(1), alteration of less than 200 linear feet of channel and bank.
2. The need for the proposed impacts has been demonstrated by the applicant per 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 Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(a), Requirements for Application Evaluation, has been considered in the design of the project.
5. Mitigation is not required for impacts that are not intended to remain after the project is completed, provided the areas are restored in accordance with the project plans.

**2010-00368 TOWN OF LITTLETON, CHARLES CONNELL
LITTLETON Ammonoosuc River**

Requested Action:

Dredge and fill 950 square feet of wetlands and 100 square feet (65 linear feet) of the bank of the Ammonoosuc River for bridge abutment reconstruction associated with the replacement of the Redington Street Bridge.

APPROVE PERMIT:

Dredge and fill 950 square feet of wetlands and 100 square feet (65 linear feet) of the bank of the Ammonoosuc River for bridge abutment reconstruction associated with the replacement of the Redington Street Bridge.

With Conditions:

1. All work shall be in accordance with plans and narrative materials by Vanasse Hangen Brustlin Inc. dated 12/9/2009, as received by DES on 2/18/2010, and per full sized plans received 4/21/2010.
2. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
3. This permit is contingent upon submission to, and review and approval by DES, of a detailed siltation/erosion control and construction sequence plan, including potential dewatering methods; means of removing the existing bridge without allowing debris impacts to the Ammonoosuc River; construction equipment staging areas and access points; and post construction stabilization means.
4. Appropriate siltation/erosion controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
5. Work shall be done during low flow.
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. 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.
8. Cofferdams shall not be installed during periods of high flow, whether due to seasonal runoff or precipitation. Once a cofferdam is fully effective, confined work can proceed according to the restrictions specified by NHFG in conditions 3a.- 3f. above.
9. Temporary cofferdams shall be entirely removed immediately following construction, in accordance with the timing restrictions stated above.
10. 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.
11. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
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 matting and pinning on slopes steeper than 3:1.
13. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid prior to entering surface waters or wetlands.
14. Faulty equipment shall be repaired prior to entering jurisdictional areas.
15. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each operator shall be trained in its use.
16. All refueling of equipment shall occur outside of surface waters or wetlands during construction.
17. The Department has determined that this project is in the vicinity of an impaired waterbody. Therefore stormwater runoff treatment for this project shall be designed and constructed so that the stormwater pollutant loads from the completed project are no greater than the stormwater pollutant loads that existed prior to the project for all pollutants causing impairment which are likely to be in stormwater discharged from the completed project.

With Findings:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(1), projects that disturb less than 200 linear feet of a perennial stream.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01. The bridge is considered a high priority for replacement due to its deteriorated safety condition and poor alignment. The shift in abutment position will improve the road alignment for traffic safety.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03. The bridge is a single span across the river, and the abutments will be constructed landward of the existing abutments, and the existing abutments will be cut off at grade.
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. There were no species of concern reported for the project vicinity by the NH Natural Heritage Bureau or by NH Fish and Game Department.

- 5. The Littleton Conservation Commission did not report.
- 6. The Amonoosuc River Local Advisory Committee did not report.

MINIMUM IMPACT PROJECT

**2009-01688 PORTSMOUTH DPW, CITY OF
PORTSMOUTH Piscataqua River**

Requested Action:

Repair in-kind 102 linear feet of existing cut granite seawall and adjacent developed upland tidal buffer zone city street; total impact 1,400 square feet.

APPROVE PERMIT:

Repair in-kind 102 linear feet of existing cut granite seawall and adjacent developed upland tidal buffer zone city street; total impact 1,400 square feet.

With Conditions:

- 1. All work shall be in accordance with plans by Waterfront Engineers LLC dated 7/20/2009, as received by DES on 7/29/2009.
- 2. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
- 3. Existing stones which have fallen shall be used for repair. No additional stones other than cap stones or duplicate replacement stones that do not extend the footprint of the existing structure.
- 4. This permit does not allow dredging for any purpose.
- 5. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
- 6. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid prior to entering surface waters or wetlands.
- 7. Faulty equipment shall be repaired prior to entering jurisdictional areas.
- 8. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each operator shall be trained in its use.
- 9. All refueling of equipment shall occur outside of surface waters or wetlands.
- 10. Work shall be done during low tide.

With Findings:

- 1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(x), repair of a non-docking structure.
- 2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01. The stone seawall supports the side of the city street at this location, and is deteriorating, with large cut granite pieces having fallen out.
- 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. This is a replacement in-kind with no expansion into the tidal resource or public trust area.
- 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. The NH Natural Heritage Bureau reported on 4/28/2009 that, although there were occurrences of species of concern in the project vicinity, no impact was expected to these species as a result of the project.
- 5. The Portsmouth Conservation Commission recommended approval of the project.

**2009-01720 PORTSMOUTH DPW, CITY OF
PORTSMOUTH Piscataqua River & Atlantic Ocean**

Requested Action:

Repair in-kind 134 linear feet of existing cut granite seawall and adjacent developed upland tidal buffer zone city street; total impact 1,600 square feet. Waive Env-Wt 304.04, Setback From Property Lines.

APPROVE PERMIT:

Repair in-kind 134 linear feet of existing cut granite seawall and adjacent developed upland tidal buffer zone city street; total impact 1,600 square feet. Waive Env-Wt 304.04, Setback From Property Lines

With Conditions:

1. All work shall be in accordance with plans by Waterfront Engineers LLC dated 7/20/2009, as received by DES on 7/29/2009.
2. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
3. Existing stones which have fallen shall be used for repair. No additional stones other than cap stones or duplicate replacement stones that do not extend the footprint of the existing structure.
4. This permit does not allow dredging for any purpose.
5. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
6. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid prior to entering surface waters or wetlands.
7. Faulty equipment shall be repaired prior to entering jurisdictional areas.
8. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each operator shall be trained in its use.
9. All refueling of equipment shall occur outside of surface waters or wetlands.
10. Work shall be done during low tide.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(x), repair of a non-docking structure.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01. The stone seawall supports the side of the city street at this location, and is deteriorating, with large cut granite pieces having fallen out.
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. This is a replacement in-kind with no expansion into the tidal resource or public trust area.
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. The NH Natural Heritage Bureau reported on 4/28/2009 that, although there were occurrences of species of concern in the project vicinity, no impact was expected to these species as a result of the project.
5. The Portsmouth Conservation Commission recommended approval of the project.
6. The request to waive Env-Wt 304.04, Setback From Property Lines, is supported by the applicant's long-standing attempts to obtain permission from the affected abutter; and by the intent of Env-Wt 501.01(c), which does not require abutter notification for public highway construction. The request for the waiver meets the requirements of Env-Wt 204.04(a)(1) and (2).

**2010-00137 NEWMARKET COMMUNITY DEVELOPMENT CORP
NEWMARKET Lamprey River**

Requested Action:

Impact impact a total of 28,379 sq. ft. of previously developed upland tidal buffer zone associated with redevelopment of existing historic mill buildings, including 15,467 sq. ft. to repave existing parking area and install up-graded stormwater management devices, and 12,912 sq. ft. of impact to remove invasive species, including root systems, and replant with native seed mix.

APPROVE PERMIT:

Impact impact a total of 28,379 sq. ft. of previously developed upland tidal buffer zone associated with redevelopment of existing historic mill buildings, including 15,467 sq. ft. to repave existing parking area and install up-graded stormwater management devices, and 12,912 sq. ft. of impact to remove invasive species, including root systems, and replant with native seed mix.

With Conditions:

1. All work shall be in accordance with plans by Altus Engineering Inc. dated 12/4/2009, as received by DES on 1/27/2010.
2. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
3. 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. 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.
5. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid prior to entering surface waters or wetlands.
6. Faulty equipment shall be repaired prior to entering jurisdictional areas.
7. 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.
8. All refueling of equipment shall occur outside of surface waters or wetlands.
9. The Department has determined that this project is in the vicinity of an impaired waterbody. Therefore stormwater runoff treatment for this project shall be designed and constructed so that the stormwater pollutant loads from the completed project are no greater than the stormwater pollutant loads that existed prior to the project for all pollutants causing impairment which are likely to be in stormwater discharged from the completed project.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(b), projects in previously developed upland areas within 100 feet of the highest observable tide line unless they are major or minor as defined in Env-Wt 302.02 or Env-Wt 303.03, respectively.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01. The existing parking pavement is deteriorated and unstable; the existing stormwater management system is substandard; and the vegetated area adjacent to the mill and river consists of debris and invasive plant species.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03. The proposal will correct the issues stated in finding 2.
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. The NH Natural Heritage Bureau ("NHB") stated in a letter dated 2/16/2010, received by DES on 2/18/2010, that, based on the NHB's review of the proposed project, no impacts were expected to the species of concern reported as occurring in the Lamprey River in the project vicinity.
5. The Newmarket Conservation Commission signed the expedited minimum application.
6. This area of Newmarket has been exempted from the provisions of the Comprehensive Shoreland Protection Act by action of DES on 8/28/2009.

**2010-00181 WILLIAMS, PERRY
LYMAN Unnamed Wetland**

Requested Action:

Dredge and fill a total of 626 sq. ft. of palustrine forested /scrub-shrub wetlands, with an intermittent stream, to construct a driveway with two (2) culvert crossings to access a residential lot on a 27 acre parcel of land.

Conservation Commission/Staff Comments:

The Lyman Conservation Commission did not sign the Minimum Impact Expedited Application. It was reviewed as a Standard Minimum Impact project.

APPROVE PERMIT:

Dredge and fill a total of 626 sq. ft. of palustrine forested /scrub-shrub wetlands, with an intermittent stream, to construct a driveway with two (2) culvert crossings to access a residential lot on a 27 acre parcel of land.

With Conditions:

1. All work shall be in accordance with plans by Connecticut Valley Designs dated Dec 29, 2009, as received by DES on February 04, 2010.
2. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
3. This permit is contingent on approval by the DES Subsurface Systems Bureau.
4. 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).
5. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
6. Work shall be done during low flow.

With Findings:

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

FORESTRY NOTIFICATION

2010-00855 UPLAND FARM INC
PETERBOROUGH Unnamed Stream

COMPLETE NOTIFICATION:
Peterboro Tax Map/Lot# R2/49, 53 & U20/27

2010-00856 MANCHESTER WATER WORKS
MANCHESTER Unnamed Stream

COMPLETE NOTIFICATION:
Manchester Tax Map/Lot# 610/4,5,7 & 727/7 & 759/2,3

2010-00857 FRANK RICH KNIGHTS POND LLC
ALTON Unnamed Stream

COMPLETE NOTIFICATION:
Alton Tax Map 19, Lot# 51-, 51-2, 51-3

2010-00858 GARLAND, ROGER
CONWAY Unnamed Stream

COMPLETE NOTIFICATION:
Conway Tax MAp 238, Lot# 1

2010-00859 GARLAND, ROGER
CONWAY Unnamed Stream

COMPLETE NOTIFICATION:
Conway Tax Map 226, Lot# 1

2010-00860 WILLETT, JOSEPH & RUTH
WAKEFIELD Unnamed Stream

COMPLETE NOTIFICATION:
Wakefield Tax MAp 41, Lot# 8 & 9

2010-00861 LAMSON FARM COMMISSION, ELLIOT LYON
MONT VERNON Unnamed Stream

COMPLETE NOTIFICATION:
Mont Vernon Tax MAp 7, Lot# 67

2010-00862 TRUSTEES OF CAMP CARPENTER
AUBURN Unnamed Stream

COMPLETE NOTIFICATION:
Auburn Tax Map 1, Lot# 2

2010-00863 WHIPPIE, REBECCA & JENN CAMPBELL
SWANZEY Unnamed Stream

COMPLETE NOTIFICATION:
Swanzey Tax Map 66, Lot# 7

EXPEDITED MINIMUM

2010-00419 SHAUGHNESSY, BRIAN
MOULTONBOROUGH Lake Winnepesaukee

Requested Action:
Remove an existing 4 ft x 28 ft seasonal pier, reduce an existing deck to be a 6 ft x 16 ft 3 in walkway to 6 ft wide access steps, and

install a 6 ft x 40 ft seasonal pier on an average of 100 ft on frontage on Lake Winnepesaukee.

APPROVE PERMIT:

Remove an existing 4 ft x 28 ft seasonal pier, reduce an existing deck to be a 6 ft x 16 ft 3 in walkway to 6 ft wide access steps, and install a 6 ft x 40 ft seasonal pier on an average of 100 ft on frontage on Lake Winnepesaukee.

With Conditions:

1. All work shall be in accordance with plans by Watermark Marine Construction as revised March 22, 2010, and received by DES on March 24, 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 deck shall be reduced to 6 ft in width prior to the installation of the new pier.
4. All portions of these structures shall be at least 20 ft from abutting property lines or the imaginary extension of those lines into the water.
5. The seasonal pier shall be removed from the lake for the non-boating season.
6. No portion of the pier shall extend more than 40 feet from the shoreline at full lake elevation.
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), installation of a seasonal, 2-slip, docking facility.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the Department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

**2010-00535 MASCOMA LAKE FARM LLC
LEBANON Unnamed Wetland**

Requested Action:

Dredge and fill 600 sq. ft. in the embankments & flow channel of a small perennial stream to install a 24 inch culvert with headwalls and stone rip-rap scour protection to access a proposed 7-lot residential subdivision on a 95.18 +/- acre parcel of land.

Conservation Commission/Staff Comments:

The Lebanon Conservation Commission voted unanimously in favor of the application.

APPROVE PERMIT:

Dredge and fill 600 sq. ft. in the embankments & flow channel of a small perennial stream to install a 24 inch culvert with headwalls and stone rip-rap scour protection to access a proposed 7-lot residential subdivision on a 95.18 +/- acre parcel of land.

With Conditions:

1. All work shall be in accordance with plans by Bruno Associates, Inc.,P.C. dated 9/11/09 (last revised 12/3/09), as received by DES on March 15, 2010.
2. THIS PERMIT IS ONLY FOR THE INSTALLATION OF A SINGLE 24 inch CULVERT w/ HEADWALLS & RIP-RAP SCOUR PROTECTION. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.
3. 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 Grafton 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. Proper headwalls shall be constructed within seven days of culvert installation.
10. Culvert outlets shall be properly rip-rapped.
11. Work shall be done during low flow.

With Findings:

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

**2010-00699 TOOLEY, DAVID & VASILIA
PORTSMOUTH Piscataqua River**

Requested Action:

Impact 375 square feet in the developed upland tidal buffer zone for garage reconstruction, removal of patio brick and replanting with grass.

APPROVE PERMIT:

Impact 375 square feet in the developed upland tidal buffer zone for garage reconstruction, removal of patio brick and replanting with grass.

With Conditions:

1. All work shall be in accordance with plans by Ambit Engineering Inc. dated 3/16/2010, as received by DES on 3/30/2010.
2. Work shall also be in accordance with the conditions of Shoreland Permit 2010-661.
3. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
4. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
5. Within three days of final grading or temporary suspension of work, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(b), projects in previously developed upland areas within 100 feet of the highest observable tide line unless they are major or minor.
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. There were no species of concern reported by the NH Natural Heritage Bureau as occurring in the project vicinity.
5. The Portsmouth Conservation Commission signed the expedited application.

**2010-00738 ESTES, CHRISTINE
DOVER Unnamed Wetland**

Requested Action:

Dredge and fill a total of 619 sq. ft. of wetland over three locations for installation of a 24" x 36" x 38' open bottom box culvert and two small areas of edge fill.

APPROVE PERMIT:

Dredge and fill a total of 619 sq. ft. of wetland over three locations for installation of a 24" x 36" x 38' open bottom box culvert and two small areas of edge fill.

With Conditions:

1. All work shall be in accordance with revised plans by Trittech Engineering Corp. dated 4/23/2010, as received by DES on 4/23/2010.
2. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
3. 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. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the recorded permit shall be submitted to the DES Wetlands Bureau, by certified mail, return receipt requested.
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. Within three days of final grading or temporary suspension of work, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
9. The Department has determined that this project is in the vicinity of an impaired waterbody. Therefore stormwater runoff treatment for this project shall be designed and constructed so that the stormwater pollutant loads from the completed project are no greater than the stormwater pollutant loads that existed prior to the project for all pollutants causing impairment which are likely to be in stormwater discharged from the completed project.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(f), projects involving alteration of less than 3,000 sq. ft. of swamps or wet meadows.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01. The applicant is upgrading the existing road to meet town road specifications, which necessitates culvert and width upgrades.
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. There were no species of concern reported by the NH Natural Heritage Bureau for the project vicinity.
5. The Dover Conservation Commission signed the expedited application.

GOLD DREDGE

**2010-00843 TEELE, JONATHAN
(ALL TOWNS) Unnamed Stream**

Conservation Commission/Staff Comments:
cc Bath ConCom

2010-00896 HANSEN, WILLIAM
(ALL TOWNS) Unnamed Stream

2010-00925 JACKSON, HEATHER
(ALL TOWNS) Unnamed Stream

2010-00930 MASON, ROBERT
(ALL TOWNS) Unnamed Stream

2010-00953 STEVENS, PATRICK
(ALL TOWNS) Unnamed Stream

2010-00955 STARBIRD, JENNY
(ALL TOWNS) Unnamed Stream

LAKES-SEASONAL DOCK NOTIF

2010-00864 DUFRESNE, SCOTT & YVA GALLANT
ATKINSON Unnamed Wetland Big Island Pond

COMPLETE NOTIFICATION:
Atkinson Tax Map 23, Lot# 8 Big Island Pond

2010-00882 DONAHUE, MORRIS & LESLIE
NOTTINGHAM Nottingham Lake

COMPLETE NOTIFICATION:
Nottingham Tax Map 24, Lot# 96 Nottingham Lake

**2010-00883 ROMANO, ROBERT & PAMELA
MOULTONBOROUGH Lake Winnepesaukee**

COMPLETE NOTIFICATION:
Moultonboro Tax Map 133, Lot# 4 Lake Winnepesaukee

**2010-00885 COMEAU, NANCY/ROBERT
WHITEFIELD Burns Pond**

COMPLETE NOTIFICATION:
Whitefield Tax Map 242, Lot# 20 Burns Pond

**2010-00887 JACBSON, EILEEN
WAKEFIELD Balch Lake**

COMPLETE NOTIFICATION:
Wakefield Tax Map 80, Lot# 48 Balch Lake

X-SHORELAND VARIANCE / WA

**2008-00280 HALLIDAY/ PALMA, WILLIAM & KAREN
MOULTONBOROUGH Lake Winnepesaukee**

Requested Action:
Expand an existing nonconforming primary structure located within the primary building setback to Lake Winnepesaukee in Moultonborough.

Inspection Date: 03/06/2008 by Thomas Gilbert

APPROVE AMENDMENT:
Expand an existing nonconforming primary structure located within the primary building setback to Lake Winnepesaukee in Moultonborough.

- With Conditions:
1. All work shall be conducted in accordance with revised building plans, stormwater control plans, and landscaping plans by David Dolan Associates, P.C. dated October 24, 2008 and received by the Department of Environmental Services ("DES") on November 20, 2008 and amendment request received by the depart on March 19, 2010.
 2. This Waiver shall not be effective unless and until it has been recorded at the Carroll County Registry of Deeds and a copy of the recorded document is sent to DES by certified mail, return receipt requested.
 3. Neither the Owner nor any subsequent owner shall construct, expand, install or otherwise create any impervious surfaces within the Setback other than those shown on revised plans by David Dolan Associates, P.C. dated October 24, 2008 and received by DES on November 20, 2008 without additional approval from DES.
 4. This Waiver shall run with the land and be binding upon the Owner and all subsequent owners of the Subject Property.
 5. Unnecessary removal of vegetation within the shoreland during construction shall be prohibited.

6. All planted vegetation shall be native and consistent with surrounding natural vegetation on the property and surrounding properties. Planting invasive or exotic species is prohibited.
7. All proposed vegetation shall be planted by July 1, 2010. Plantings shall have a 100% survival success rate by October 31, 2010. An initial monitoring report shall be submitted to DES by November 15, 2010 documenting the success of the plantings. In the event that construction is delayed, the Applicant shall submit a written request to DES to plant the proposed vegetation at a later date.
8. There shall be no substitutions made for the plant species specified on the approved plan without prior written approval from DES.
9. There shall be no disturbance within the 50 ft waterfront buffer beyond the limits of proposed temporary impact depicted as a dashed red line on revised plans by David Dolan Associates, P.C. dated October 24, 2008 and received by DES on November 20, 2008.
10. All proposed pervious technologies shall be designed, installed and maintained to effectively absorb and infiltrate stormwater.
11. This permit is contingent upon approval by the DES Subsurface Systems Bureau if the property is dependant on an on-site sewage disposal system.
12. The contractor/owner responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).
13. Appropriate siltation, erosion, and 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.
14. A copy of the recorded Waiver shall be posted on site during construction in a prominent location visible to inspecting personnel.
15. This Waiver does not exempt the owner from obtaining any other necessary local, state or federal permits or approvals.
16. The owner shall maintain compliance with all other applicable requirements of the Comprehensive Shoreland Protection Act, RSA 483-B.
17. DES and the town of Moultonborough, pursuant to RSA 483-B:8, III, shall have the right to enforce the terms and conditions of this Waiver, including collection of their reasonable costs and attorneys' fees in bringing any such action.
18. The authorization provided herein is contingent upon compliance with all conditions specified. In the event any condition is violated, the State or town of Moultonborough may seek appropriate relief, including but not limited to removal of the structure authorized by this waiver.

With Findings:

1. The existing structure, as identified on the town of Moultonborough Tax Map 147 Lot 29, is located within the 50 ft Setback to public waters and, therefore, fails to conform to the setback restriction set forth in RSA 483-B:9, II, of the Comprehensive Shoreland Protection Act ("CSPA").
2. The existing structure is located approximately 10.2 ft from the reference line, and has a footprint of approximately 3,167 sq ft.
3. The proposed structure will be located approximately 10.2 ft from the reference line, and have a footprint of approximately 4,168 sq ft.
4. In accordance with RSA 483-B:11, II, the commissioner shall review proposals which are more nearly conforming than the existing structures, and may waive some of the standards specified in RSA 483-B:9, so long as there is at least the same degree of protection provided to the public waters and the proposal is "more nearly conforming." More nearly conforming "means a proposal for significant changes to the location or size of the existing structures that bring the structures into greater conformity, or a proposal for changes to other aspects of the property, including but not limited to stormwater management, wastewater treatment or traffic volume or flow, or both types of proposal which significantly improve wildlife habitat or resource protection."
5. The Applicant has proposed to replace approximately 2,914 sq ft of an existing impervious driveway with Permeable Interlocking Concrete Pavement.
6. The Applicant has proposed to plant native vegetation including Rhododendron and Sheep Laurel.
7. The Applicant has proposed to install stormwater controls consisting of a gutter system that shall direct stormwater to 1 of 5 proposed drywells for infiltration.
8. The Applicant has proposed to install a vegetated berm along an existing beach to minimize erosion of beach sand.
9. The Applicant's proposal will decrease the amount of impervious surface on the lot by approximately 1,513 sq ft, and includes stormwater controls and native plantings.
10. Based on this information, the Department has determined that the Applicant's proposal is more nearly conforming with RSA 483-B, the CSPA, and provides at least the same degree of protection to the public waters, and, therefore, meets the requirements of

RSA 483-B:11, II to be eligible for a waiver.

Requested Action:

Expand an existing nonconforming primary structure located within the primary building setback to Lake Winnepesaukee in Moultonborough.

APPROVE CSPA WAIVER:

Expand an existing nonconforming primary structure located within the primary building setback to Lake Winnepesaukee in Moultonborough.

ROADWAY MAINTENANCE NOTIF

2010-00899 HANCOCK, TOWN OF
HANCOCK Unnamed Stream Unnamed Wetland

2010-00900 HANCOCK, TOWN OF
HANCOCK Unnamed Wetland

2010-00901 NH DEPT OF TRANSPORTATION
CONCORD Unnamed Wetland

2010-00902 NH DEPT OF TRANSPORTATION
NEW DURHAM Storm Water Run Off

2010-00912 NOTTINGHAM DPW, TOWN OF
NOTTINGHAM Unnamed Stream

2010-00937 SANTOS, WALTER
SALEM Unnamed Stream

2010-00938 **SALEM DPW, TOWN OF**
SALEM **Unnamed Stream**

2010-00939 **MANOOGIAN JR, EDWARD & VIRGINIA**
SALEM **Unnamed Stream**

2010-00940 **CABREL, MANUAL & GEORGIANA**
SALEM **Unnamed Stream**

2010-00941 **PLAZA GARDENS LLC**
SALEM **Unnamed Stream**

2010-00942 **CHALMERS, STEPHEN & WANDA**
SALEM **Unnamed Stream**

2010-00943 **SALEM, TOWN OF**
SALEM **Unnamed Wetland**

2010-00945 **NOTTINGHAM DPW, TOWN OF**
NOTTINGHAM **Unnamed Stream**

2010-00946 **NOTTINGHAM DPW, TOWN OF**
NOTTINGHAM **Unnamed Stream**

2010-00947 **NOTTINGHAM DPW, TOWN OF**
NOTTINGHAM **Unnamed Stream**

2010-00948 **NOTTINGHAM DPW, TOWN OF**
NOTTINGHAM **Unnamed Stream**

2010-00949 **NOTTINGHAM DPW, TOWN OF**
NOTTINGHAM **Unnamed Stream**

2010-00950 **NOTTINGHAM DPW, TOWN OF**
NOTTINGHAM **Unnamed Stream**

2010-00951 **CHARLESTOWN DPW, TOWN OF**
CHARLESTOWN **Unnamed Stream**

2010-00952 **ALTON HIGHWAY DEPT, TOWN OF**
ALTON **Unnamed Wetland Drainage Area**

2010-00954 **NH DEPT OF TRANSPORTATION**
ANDOVER **Unnamed Stream**

2010-00956 **NH DEPT OF TRANSPORTATION**
DURHAM **Unnamed Stream**

2010-00957 **ALTON, TOWN OF**
ALTON **Unnamed Wetland**

2010-00970 **WARNER, TOWN OF**
WARNER **Unnamed Stream**

**2010-00971 WARNER, TOWN OF
WARNER Unnamed Stream**

PERMIT BY NOTIFICATION

**2010-00847 PITMAN TRUST, WENDY
NEWMARKET Great Bay**

Requested Action:

Temporarily impact 7,000 sq. ft. of previously developed upland tidal buffer zone to repair existing foundation drains around existing dwelling in same footprint.

Conservation Commission/Staff Comments:

Newmarket Conservation Commission signed PBN.

PBN IS COMPLETE:

Temporarily impact 7,000 sq. ft. of previously developed upland tidal buffer zone to repair existing foundation drains around existing dwelling in same footprint.

**2010-00906 GREAT BAY YACHT CLUB
DOVER Tidal Buffer**

Requested Action:

Maintenance existing gravel causeway surface impacting approximately 400 sq. ft. in the developed upland tidal buffer zone.

Conservation Commission/Staff Comments:

Dover Conservation Commission signed the PBN.

PBN IS COMPLETE:

Maintenance existing gravel causeway surface impacting approximately 400 sq. ft. in the developed upland tidal buffer zone.

X-SHORELAND RULE WAIVER

**2010-00640 NEWBURY, TOWN OF
NEWBURY Andrew Brook**

Requested Action:

Impact 32,405 sq ft for the purpose of rehabilitating an existing bridge and roadway.

APPROVE PERMIT:

Impact 32,405 sq ft for the purpose of rehabilitating an existing bridge and roadway.

With Conditions:

1. All work shall be in accordance with plans by DuBois and King, Inc. received by the Department of Environmental Services ("DES") on March 23, 2010.
2. Any impacts jurisdictional under RSA 482-A shall receive proper approval and appropriate permits from the NH DES Wetlands Bureau.
3. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
4. Erosion and siltation 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. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
6. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
7. Any fill used shall be clean sand, gravel, rock, or other suitable material.
8. 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).
9. 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.
10. Silt fencing must be removed once the area is stabilized.

CSPA PERMIT

2009-02771 CAMPAGNA, BRUCE
WOLFEBORO Lake Winnepesaukee

Requested Action:

Impact 6,528 sq ft to construct single family residential home.

Inspection Date: 04/12/2010 by Jeffrey D Blecharczyk

APPROVE AMENDMENT:

Impact 6,528 sq ft to construct single family residential home.

AMENDMENT DESCRIPTION: All work shall be in accordance with plans by Contempory and Adirondaem Exquisite Home Builders dated September 17, 2009 and received by the Department of Environmental Services ("DES") on November 20, 2009.

With Conditions:

1. All work shall be in accordance with plans by Contempory and Adirondaem Exquisite home Builders dated November 1, 2009 and received by the Department of Environmental Services ("DES") on November 20, 2009.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. No more than 26.6% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.

4. The project as proposed will leave approximately 2,500 sq ft of the Natural Woodland Buffer beyond the primary building setback in an unaltered state. At least 2,500 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
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.

**2010-00132 CARBONNEAU, JEAN-FRANCOIS & S BRETON
BELMONT Silver Lake**

Requested Action:

Amend existing shoreland impact permit to construct a smaller residential dwelling.

APPROVE AMENDMENT:

Impact 3,494 sq ft for the purpose of constructing a new residential dwelling and installing stormwater controls.

With Conditions:

1. All work shall be in accordance with plans by Harold E. Johnson, Inc. dated April 6, 2010, and received by the Department of Environmental Services ("DES") on April 19, 2010.
2. No more than 23.0% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
3. This permit is contingent upon receiving all necessary approvals from the DES Subsurface Systems Bureau.
4. The proposed stormwater management plan shall be designed, installed and maintained to effectively absorb and infiltrate stormwater.
5. Upon completion of the proposed project, the submitted planting plan will be implemented to ensure that each previously existing deficient grid segment will have at least the minimum score of RSA 483-B:9, V(a)(2)(D) as required by RSA 483-B:9, V, (g), (3).
6. There shall be no impacts to native vegetation between 50' and 150' of the reference line in order to remain compliant with RSA 483-B:9, V, (b), (2), (A), (ii).
7. 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.
8. 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.
9. 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.
10. 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.
11. Any fill used shall be clean sand, gravel, rock, or other suitable material.
12. 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).
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. Silt fencing must be removed once the area is stabilized.

2010-00259 ROGERS, DENNIS/SHARON
WINDHAM Cobbetts Pond

Requested Action:

Impact 7,194 sq ft for the purpose of constructing a new residential dwelling and associated accessory structures and installing a new septic system.

APPROVE PERMIT:

Impact 7,194 sq ft for the purpose of constructing a new residential dwelling and associated accessory structures and installing a new septic system.

With Conditions:

1. All work shall be in accordance with plans by Edward N. Herbert Association., dated January, 2010 and received by the Department of Environmental Services ("DES") on February 16, 2010 and revised planting plans dated January, 2010, and received by the Department of Environmental Services ("DES") on March 25, 2010.
2. This permit is contingent upon receiving all necessary approvals from the DES Subsurface Systems Bureau.
3. No more than 24.4% 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 proposed stormwater management plan shall be designed, installed and maintained to effectively absorb and infiltrate stormwater.
5. All pervious technologies used shall be designed, installed and maintained to effectively absorb and infiltrate stormwater.
6. In order to remain compliant with RSA 483-B:9, V, (b), (2), there shall be no impacts to existing native vegetation between 50 feet and 150 feet from the reference line.
7. 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.
8. 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.
9. 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.
10. 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.
11. Any fill used shall be clean sand, gravel, rock, or other suitable material.
12. 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).
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. Silt fencing must be removed once the area is stabilized.

2010-00658 IHNH LLC
CLAREMONT Sugar River

Requested Action:

Impact 14,400 sq ft for the purpose of constructing a gravel drive and relocating existing shed.

APPROVE NAME CHANGE:

Impact 14,400 sq ft for the purpose of constructing a gravel drive and relocating existing shed.

With Conditions:

1. All work shall be in accordance with plans by TFM Moran Inc. dated March 17, 2010 and received by the Department of Environmental Services ("DES") on March 24, 2010.
2. No work is to take place within the wetlands without an approved Wetland Permit per RSA 482-A
3. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
4. No more than 25.4% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
5. The project as proposed will leave approximately 105 sq ft of the Natural Woodland Buffer beyond the primary building setback in an unaltered state. At least 13,153 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).
6. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
7. 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.
8. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
9. Any fill used shall be clean sand, gravel, rock, or other suitable material.
10. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement or revocation action if the DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

Requested Action:

Impact 14,400 sq ft for the purpose of constructing a gravel drive and relocating existing shed.

APPROVE PERMIT:

Impact 14,400 sq ft for the purpose of constructing a gravel drive and relocating existing shed.

With Conditions:

1. All work shall be in accordance with plans by TFM Moran Inc. dated March 17, 2010 and received by the Department of Environmental Services ("DES") on March 24, 2010.
2. No work is to take place within the wetlands without an approved Wetland Permit per RSA 482-A
3. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
4. No more than 25.4% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
5. The project as proposed will leave approximately 105 sq ft of the Natural Woodland Buffer beyond the primary building setback in an unaltered state. At least 13,153 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).
6. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
7. 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.
8. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
9. Any fill used shall be clean sand, gravel, rock, or other suitable material.
10. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement or revocation action if the DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

2010-00667 **INNOVATIVE HOMES OF NEW ENGLAND**
CLAREMONT Sugar River

Requested Action:

Impact 38,925 sq ft for the purpose of constructing five temporary display modular homes and a permanent 30ft x 32ft office and 36ft x 42ft garage with gravel drive.

APPROVE NAME CHANGE:

Impact 38,925 sq ft for the purpose of constructing five temporary display modular homes and a permanent 30ft x 32ft office and 36ft x 42ft garage with gravel drive.

With Conditions:

1. All work shall be in accordance with plans by TFMoran Inc. dated January 20, 2010 and received by the Department of Environmental Services ("DES") on March 24, 2010.
2. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
3. No more than 15.1% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
4. The project as proposed will leave approximately 1,230 sq ft of the Natural Woodland Buffer beyond the primary building setback in an unaltered state. At least 25,945 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.

Requested Action:

Impact 38,925 sq ft for the purpose of constructing five temporary display modular homes and a permanent 30ft x 32ft office and 36ft x 42ft garage with gravel drive.

APPROVE PERMIT:

Impact 38,925 sq ft for the purpose of constructing five temporary display modular homes and a permanent 30ft x 32ft office and 36ft x 42ft garage with gravel drive.

With Conditions:

1. All work shall be in accordance with plans by TFMoran Inc. dated January 20, 2010 and received by the Department of Environmental Services ("DES") on March 24, 2010.
2. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
3. No more than 15.1% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
4. The project as proposed will leave approximately 1,230 sq ft of the Natural Woodland Buffer beyond the primary building setback in an unaltered state. At least 25,945 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.

**2010-00723 LALUMIERE, FRANK/KATHRYN
FREEDOM Danforth Pond**

Requested Action:

Impact 9,998 sq ft for the purpose of constructing a new residential dwelling, associated accessory structures and installing a new septic system.

APPROVE PERMIT:

Impact 9,998 sq ft for the purpose of constructing a new residential dwelling, associated accessory structures and installing a new septic system.

With Conditions:

1. All work shall be in accordance with plans by White Mountain Survey Co., Inc, dated March 31, 2010 and received by the Department of Environmental Services ("DES") on April 1, 2010.
2. No more than 18.3% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
3. This permit is contingent upon receiving all necessary approvals from the DES Subsurface Systems Bureau.
4. The project as proposed will leave approximately 3,259 sq ft of the Natural Woodland Buffer beyond the primary building setback in an unaltered state. At least 2,579 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
5. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on areas determined to remain in an unaltered state.
6. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
7. Erosion and siltation 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.
8. 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.
9. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
10. Any fill used shall be clean sand, gravel, rock, or other suitable material.
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. Silt fencing must be removed once the area is stabilized.
14. Upon completion of the proposed project, the existing septic system will pose no threat to adjacent surface waters.

**2010-00724 CIARDI, JOHN/JUDITH
WAKEFIELD Great East Lake**

Requested Action:

Impact 2,580 sq ft for the purpose of installing a new septic system.

APPROVE PERMIT:

Impact 2,580 sq ft for the purpose of installing a new septic system.

With Conditions:

1. All work shall be in accordance with plans by Fogg Environmental Design dated September 18, 2010 and received by the Department of Environmental Services ("DES") on April 1, 2010.
2. No more than 29.2% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
3. This permit is contingent upon receiving all necessary approvals from the DES Subsurface Systems Bureau.
4. There shall be no impacts to native vegetation between 50 ft and 150 ft of the reference line in order to remain compliant with RSA 483-B:9, V, (b), (2), (A), (ii).
5. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
6. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
7. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
8. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
9. Any fill used shall be clean sand, gravel, rock, or other suitable material.
10. 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).
11. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
12. Silt fencing must be removed once the area is stabilized.
13. Upon completion of the proposed project, the existing septic system will pose no threat to adjacent surface waters.

2010-00742 GELINAS, BRUCE/DEBORAH
HOOKSETT Merrimack River

Requested Action:

Impact 9,987 sq ft for the purpose of constructing a new residential dwelling and associated accessory structures.

APPROVE PERMIT:

Impact 9,987 sq ft for the purpose of constructing a new residential dwelling and associated accessory structures.

With Conditions:

1. All work shall be in accordance with plans by Schauer Environmental Consultants, LLC., dated March 10, 2010 and received by the Department of Environmental Services ("DES") on April 5, 2010.
2. No more than 12.5% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
3. This permit is contingent upon receiving all necessary approvals from the DES Subsurface Systems Bureau.
4. There shall be no impacts to native vegetation between 50 ft and 150 ft of the reference line in order to remain compliant with RSA 483-B:9, V, (b), (2), (A), (ii).
5. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
6. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
7. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
8. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
9. Any fill used shall be clean sand, gravel, rock, or other suitable material.
10. 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).

11. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
12. Silt fencing must be removed once the area is stabilized.

2010-00776 US AIR FORCE
MONT VERNON Joe English Pond

Requested Action:

Impact 11,463 sq ft for the purpose of constructing an effluent disposal system and five mobile homes.

APPROVE PERMIT:

Impact 11,463 sq ft for the purpose of constructing an effluent disposal system and five mobile homes.

With Conditions:

1. All work shall be in accordance with plans by Sanford Surveying and Engineering dated August 27, 2010 and received by the Department of Environmental Services ("DES") on April 7, 2010.
2. No land disturbance or tree cutting shall occur within 50 ft of high water mark.
3. No more than 7.2% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
4. The project as proposed will leave approximately 69,069 sq ft of the Natural Woodland Buffer beyond the primary building setback in an unaltered state. At least 47,071 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.

2010-00778 LONSKE, JONATHAN
BRIDGEWATER New Found Lake

Requested Action:

Impact 214.7 sq ft for the purpose of adding to existing deck.

APPROVE PERMIT:

Impact 214.7 sq ft for the purpose of adding to existing deck.

With Conditions:

1. All work shall be in accordance with plans by B. A. Barnard Ent., Inc. dated March, 2010 and received by the Department of Environmental Services ("DES") on April 7, 2010.
2. No more than 10.1% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.

3. The project as proposed will leave approximately n/a sq ft of the Natural Woodland Buffer beyond the primary building setback in an unaltered state. At least 4,537 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.

**2010-00812 SAIA, THEODORE/MADONNA
NEW HAMPTON Lake Winona**

Requested Action:

Impact 3,750 sq ft for the purpose of raising existing structure to install foundation and build an open porch.

APPROVE PERMIT:

Impact 3,750 sq ft for the purpose of raising existing structure to install foundation and build an open porch.

With Conditions:

1. All work shall be in accordance with plans by Larry Trombetta dated April 1, 2010 and received by the Department of Environmental Services ("DES") on April 9, 2010.
2. No more than 19.0% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
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 1,252 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.

**2010-00825 TOWLE, SAMUEL
BERLIN Androscoggin River**

Requested Action:

Impact 8,652 sq ft for the purpose of constructing new dwelling and garage on slabs and add landscaping.

APPROVE PERMIT:

Impact 8,652 sq ft for the purpose of constructing new dwelling and garage on slabs and add landscaping.

With Conditions:

1. All work shall be in accordance with plans by York Land Services, LLC dated April 8, 2010 and received by the Department of Environmental Services ("DES") on April 12, 2010.
2. No more than 15.6% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
3. The project as proposed will leave approximately n/a sq ft of the Natural Woodland Buffer beyond the primary building setback in an unaltered state. At least 6,900 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
4. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
5. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
6. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
7. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
8. Any fill used shall be clean sand, gravel, rock, or other suitable material.
9. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement or revocation action if the DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

CSPA PERMIT W/WAIVER

2010-00021 CSENDES FAMILY LLC
MOULTONBOROUGH Lake Winnepesaukee

Requested Action:

Impact 17,130 sq ft for the purpose of expanding an existing primary structure, constructing an accessory structure, and installing a new septic system.

APPROVE PERMIT:

Impact 17,130 sq ft for the purpose of expanding an existing primary structure, constructing an accessory structure, and installing a new septic system.

WAIVER APPROVED: RSA 483-B:9, II(b) is waived to allow the expansion of a primary structure that encroaches upon the primary building setback.

With Conditions:

1. All work shall be in accordance with plans by David M. Dolan associates, PC and received by the Department of Environmental Services ("DES") on January 7, 2010 and revised plans received by DES on April 8, 2010, dated March 31, 2010.
2. This approval includes a waiver of RSA 483-B:9, II (b) and, therefore, shall not be effective until it has been recorded at the appropriate Registry of Deeds and a copy of the recorded waiver is sent to the department by certified mail, return receipt requested.
3. No more than 13.88% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
4. This permit is contingent upon receiving all necessary approvals from the DES Subsurface Systems Bureau and installing the new system.
5. The proposed stormwater management plan shall be designed, installed and maintained to effectively absorb and infiltrate

stormwater.

6. The project as proposed will leave approximately 42,000 sq ft of the Natural Woodland Buffer beyond the primary building setback in an unaltered state. At least 24,986 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to remain compliant with RSA 483-B:9, V, (b), (2).
7. 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.
8. 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.
9. 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.
10. 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.
11. Any fill used shall be clean sand, gravel, rock, or other suitable material.
12. 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).
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. Silt fencing must be removed once the area is stabilized.

With Findings:

1. The existing non-conforming structure is located within the 50 ft primary building setback to Lake Winnepesaukee and, therefore, fails to conform to the setback restriction set forth in RSA 483-B:9, II (b), of the Shoreland Protection Act.
2. In accordance with RSA 483-B:11, II, the commissioner shall review proposals which are more nearly conforming than the existing structures, and may waive some of the standards specified in RSA 483-B:9, so long as there is at least the same degree of protection provided to the public waters and the proposal is "more nearly conforming."
3. The applicant has proposed to remove approximately 1,140 sq ft of impervious area within the waterfront buffer of the protected shoreland.
4. The applicant has proposed to install stormwater controls consisting of infiltration trenches under the existing and proposed structures.
5. The applicant has proposed to install a new NH DES Subsurface Bureau approved wastewater treatment system that will handle septic loading from the adjacent 2 bedroom seasonal cottage as well.
6. The applicant has proposed to plant an additional 4,330 sq ft of additional native shrubs, trees and natural ground cover.
7. The applicant has proposed to install stormwater controls, install a new septic system, and reduce the total amount of impervious surface coverage within the waterfront and significantly enhance both the waterfront and natural woodland buffer with additional vegetation and therefore, meets the requirements for a waiver of RSA 483-B:9 as described in RSA 483-B: 11, I.