

Wetlands Bureau Decision Report

Decisions Taken
08/23/2010 to 08/29/2010

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

**2010-01525 NH DEPT OF TRANSPORTATION
ENFIELD Tributary To Mascoma Lake**

Requested Action:

Request to place 42,765 sq. ft. (8,859 cu. yds.) of fill in public water and impact a total of 159,802 sq. ft. (28,017 sq. ft. temporary) of lacustrine, palustrine and riverine wetlands to reconstruct NH Route 4A and Main Street including overlaying and widening to provide 11 ft. lanes with 4 ft shoulders, drainage improvements, bridge replacement and provide a road and drainage upgrade on the adjacent property owned by NH Fish and Game Dept.

Conservation Commission/Staff Comments:

Cons. Comm. - no comments

Inspection Date: 05/12/2010 by Gino E Infascelli

APPROVE PERMIT:

Approve the Grant in Right request to place 42,765 sq. ft. (8,859 cu. yds.) of fill in public water and impact a total of 159,802 sq. ft. (28,017 sq. ft. temporary) of lacustrine, palustrine and riverine wetlands to reconstruct NH Route 4A and Main Street including overlaying and widening to provide 11 ft. lanes with 4 ft shoulders, drainage improvements, bridge replacement and provide a road and drainage upgrade on the adjacent property owned by NH Fish and Game Dept. Mitigation is to be completed by payment into the Aquatic Resource Mitigation Fund. NHDOT project #12967.

With Conditions:

1. All work shall be in accordance with plans by NHDOT Bureau of Highway Design dated 4-8-10, as received by the Department on June 7, 2010.
2. This permit is contingent upon the submission of a project specific stream diversion and erosion control plans to the DES Wetlands Bureau. Those plans shall detail the timing and method of stream flow diversion during construction, and shall show the temporary siltation, erosion and turbidity control measures to be implemented.
3. This permit is contingent upon the submission of stamped engineering plans relative to and specifically for the bank stabilization design in accordance with Rule Env Wt 404.04 and shall be received prior to any construction.
4. Dredged material shall be placed out of the DES Wetlands Bureau jurisdiction.
5. At least 48 hours prior to the start of construction, a pre-construction meeting shall be held with NHDES Land Resources Management Program staff at the project site or at the DES Office in Concord, N.H. to review the conditions of this wetlands permit. It shall be the responsibility of the permittee to schedule the pre-construction meeting, and the meeting shall be attended by the permittee, his/her professional engineer(s), wetlands scientist(s), and the contractor(s) responsible for performing the work.
6. Unconfined work within a riverine wetland, exclusive of work associated with installation of a cofferdam, shall be done during periods of low flow.
7. Cofferdams shall not be installed during periods of high flow, whether due to seasonal runoff or precipitation. Once a cofferdam is fully effective, confined work can proceed without restriction.
8. Prior to commencing work on a substructure located within surface waters, a cofferdam shall be constructed to isolate the substructure work area from the surface waters.
9. Temporary cofferdams shall be entirely removed immediately following construction.
10. Construction equipment shall not be located within surface waters.
11. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; and c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
12. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
13. Within three days of the last activity in an area, all exposed soil areas, where construction activities are complete, shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack on slopes

steeper than 3:1 or netting /matting and pinning on slopes steeper than 2:1.

14. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching or if temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching, mulching with tack on slopes steeper than 3:1 and stabilized by matting and pinning on slopes steeper than 2:1.

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

16. 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.

17. There shall be no further alteration to wetlands or surface waters without amendment of this permit.

18. Standard precautions shall be taken to prevent import or transport of soil or seed stock from nuisance, invading species such as purple loosestrife or Phragmites.

19. The impacts associated with the temporary work shall be restored immediately following construction.

20. This approval is contingent on receipt by DES of a one time payment of \$339,037.39 to the DES Aquatic Resource Mitigation (ARM) Fund. The payment shall be received by DES within 120 days of the date of the approval letter.

With Findings:

1. This is a major impact project per Administrative Rule Env-Wt 303.02(n), projects which fill in public waters for the purposes of making land and Rule Env-Wt 303.02(c) projects impacting more than 20,000 sq. ft. of nontidal wetlands, surface waters and banks.

2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.

3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.

4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a), Requirements for Application Evaluation, has been considered in the design of the project.

5. The project was discussed on Oct. 20, 1999, June 18, 2003, Feb. 18, 2004, Feb. 17, 2010 and Mar. 17, 2010 at the monthly Natural Resource Agency Meeting held at the NH Dept. of Transportation (DOT). There were no concerns expressed regarding endangered or threatened plants and wildlife.

6. The Department of Environmental Services (DES) Staff conducted a field inspection of the project area on May 12, 2010. Field inspection determined that the project will provide safety improvements for the traveling public and the replacement of deteriorating drainage structures along with the reconfiguration / replacement of entrenched ditches will improve water quality.

7. The applicant has reviewed on-site options for mitigation and the department has determined that this project is acceptable for payment to the Aquatic Resource Mitigation (ARM) Fund.

8. On August 12, 2010, the DES was informed by the applicant that the Main Street Shaker Bridge in Enfield was closed due to safety issues and that traffic was being detoured around the lake. In order to maintain emergency and delivery vehicle access, the DES allowed the construction of the temporary emergency vehicle/truck road providing access to the properties on the northern side of the lake as these vehicles are too large to pass beneath the northern railroad bridge on Main Street.

9. A Grant in Right public hearing was held in accordance with RSA 482-A:17 on August 13, 2010.

10. At the hearing, the applicant expressed the need to add stone to the causeway this fall so that the weight will settle over the winter and in preparation for the bridge work to begin in 2011.

11. The area of work in jurisdiction of the NHDES Wetlands Bureau exceeds three acres as this includes the banks adjacent to surface waters. The amount of work within the jurisdiction of the US Army Corps of Engineers does not include banks adjacent to surface waters, is less than three acres and does not require an individual permit.

12. The US Environmental Protection Agency has reviewed the file and determined the project is eligible for the NH State Programmatic General Permit.

13. A review of the file finds that no party has expressed concerns with the proposed project.

Send to G&C for a Grant in Right approval.

-Send to Governor and Executive Council-

MINOR IMPACT PROJECT

2010-00222 RACZKA, NANCY
ATKINSON Island Pond

Requested Action:

Applicant request reconsideration of the Department's decision to deny the Applicant's request to repair and replace 94 linear feet of retaining wall with a request to repair 56 linear feet of retaining wall on Island Pond, Atkinson.

Conservation Commission/Staff Comments:

Con Com did not submit any comments by April 02, 2010

DENY RECONSIDERATION:

Deny reconsideration and reaffirm the denial of the Applicant's request to repair and replace 56 linear feet of retaining wall on Island Pond, Atkinson.

With Findings:

Standards for Approval

1. In accordance with RSA 482-A:10,III, Appeals, "On reconsideration, the department shall receive and consider any new and additional evidence presented, and shall make findings of fact and rulings of law in support of its decision after reconsideration."
2. In accordance with RSA 482-A:10,III, Appeals, "if the basis for denial includes failure by the applicant to submit all requested information and the applicant submits all of the requested information with the request for reconsideration, the department shall act on the request within 75 days from the date of the department's receipt of the request for projects where the applicant proposes under one acre of jurisdictional impact, and within 105 days for all other projects."
3. This project is classified as a minor impact per Rule Env-Wt 303.03(k), projects that disturb between 50 and 200 linear feet, measured along the shoreline, of a lake or pond or its bank and do not meet the criteria of Env-Wt 303.02.

Findings of Fact

1. On July 2, 2010, the Department denied the Applicant's original request to repair 94 linear feet of rip-rap on the basis the information requested by the Department in writing on April 2, 2010 had not been submitted. The outstanding information included evidence of a pre-existing wall, the need for a new wall, outstanding filing fees, and evidence that the wall was the least impacting, practicable alternative method of bank stabilization at this site.
2. On August 4, 2010, the Department received a Reconsideration Request dated July 28, 2010. This request included a new plan indicating the replacement or repair of 56 linear feet of retaining wall instead of the original 94 linear feet of wall repair and 6 photographs in support of the request. The requested evidence of a pre-existing wall, the need for a new wall, outstanding filing fees, and evidence that the wall was the least impacting, practicable alternative method of bank stabilization at this site was not included in the Reconsideration Request.

Rulings in Support of Denial

1. The Applicant did not submit the outstanding required information that was the basis for the July 2, 2010 denial. As such, the Applicant has failed to meet the requirements of RSA 482-A:10, III, in that no "new and additional evidence" has been presented and they failed to submit "all of the requested information with the request for reconsideration," and therefore, the request for reconsideration is denied.

2010-00442 STATE OF NH, DEPT OF CULTURAL RESOURCE
BROOKLINE

Requested Action:

Remove man-made items from the bed of Potanipo Pond.

APPROVE PERMIT:

Remove man-made items from the bed of Potanipo Pond.

With Conditions:

1. All work shall be conducted in accordance with protocols by Joseph King as received by the NH Department of Environmental Services (DES) on August 27, 2010.
2. This permit does not allow dredging for any purpose.
3. No person undertaking any activity associated with the removal of man-made items as authorized 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.
4. The Applicant shall understand that this permit does not convey any property right, nor authorize any injury to property of others, nor invasion of the rights of others.

With Findings:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(a), Projects in any bank, flat, marsh, or swamp or in and adjacent to any waters of the state or within 100 feet of the highest observable tide line that do not meet any of the criteria of Env-Wt 303.02, Env-Wt 303.04 or Env-Wt 303.05;

**2010-02057 GLENCLIFF HOME FOR THE ELDERLY, ATTN TODD BICKFORD
BENTON Unnamed Wetland**

Requested Action:

Fill 3,038 square feet of wetland to provide access to a proposed wood chip burning plant.

APPROVE PERMIT:

Fill 3,038 square feet of wetland to provide access to a proposed wood chip burning plant.

With Conditions:

1. All work shall be in accordance with the plans by McFarland Johnson entitled Glencliff Home (sheets C-1; C-3; C-5; C-8; C-9) dated July 30, 2010 as received by DES on August 09, 2010.
2. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized.
3. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to surface waters and wetlands.
4. 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).
5. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
6. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid prior to entering surface waters or wetlands
7. All refueling of equipment shall occur outside of surface waters or wetlands during construction.
8. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
9. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
10. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.
11. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.

With Findings:

1. This is a Minor Project per Administrative Rule Env-Wt 303.03 (h) Projects involving less than 20,000 square feet of alteration in the aggregate in nontidal wetlands, nontidal surface waters, or banks adjacent to nontidal surface waters which exceed the criteria of Env-Wt 303.04(f);
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
5. The proposed location of the wood chip burning plant is in close proximity to the utility tunnels that carry the electrical supply to the rest of the facility.
6. This project is scheduled to receive funding through the American Recovery and Reinvestment Act.

MINIMUM IMPACT PROJECT

**2010-00486 BARNSTEAD, TOWN OF
BARNSTEAD Big River**

Requested Action:

Upgrade an existing 14 ft x 32 ft gravel boatramp by adding gravel to the ramp, add rock lined swales to the sides of the ramp and a diversion swale at the upland edge of the ramp, on Big River, in Barnstead.

Conservation Commission/Staff Comments:

Con Com submitted application on behalf of town

APPROVE RECONSIDERATION:

Upgrade an existing 14 ft x 32 ft gravel boatramp by adding gravel to the ramp, add rock lined swales to the sides of the ramp and a diversion swale at the upland edge of the ramp, on Big River, in Barnstead.

With Conditions:

1. All work shall be in accordance with plans dated August 03, 2010, as received by the NH Department of Environmental Services (DES) on August 04, 2010.
2. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
3. Work shall be done during drawdown if one is available.
4. Work shall be done during low flow.
5. This work does not allow for any dredge or fill below the normal high water line.
5. All activities shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(m), "Projects that disturb less than 50 linear feet, measured along the shoreline, of a lake or pond or its bank and do not meet the criteria of Env-Wt 303.03 or Env-Wt 303.02."
2. The proposed plan indicates all impacts will be above normal high water line with no impacts below normal high water line.

FORESTRY NOTIFICATION

**2010-01850 CALEF, GEORGE
BARRINGTON Unnamed Stream**

COMPLETE NOTIFICATION:
Barrington Tax Map 9, Lot# 25

**2010-01852 BAYROOT LLC
PITTSBURG Unnamed Stream**

COMPLETE NOTIFICATION:
Pittsburg Tax Map A8, Lot# 435

**2010-02041 DANZE JR, FRANCIS
EPSOM Unnamed Stream**

COMPLETE NOTIFICATION:
Epsom Tax Map R4, Lot# 3

**2010-02079 FRANGES REALTY TRUST, NEDA WALPOLE
BROOKFIELD Unnamed Stream**

COMPLETE NOTIFICATION:
Brookfield Tax Map 42, Lot# 3

**2010-02118 TOWN OF NORTHWOOD
NORTHWOOD Unnamed Stream**

COMPLETE NOTIFICATION:
Northwood Tax Map 235 & 237, Lot# Old Mountain Road Trail

**2010-02120 DUTTON, ORIN
CONCORD Unnamed Stream**

COMPLETE NOTIFICATION:
Concord Tax MAp 104, Lot# 6106

**2010-02121 VANDERHOOF, CHARLES
CONWAY Unnamed Stream**

COMPLETE NOTIFICATION:
Conway Tax Map 284, Lot# 14

**2010-02123 JACKSON, TOWN OF
JACKSON Unnamed Stream**

COMPLETE NOTIFICATION:
Jackson Tax Map R7, Lot# 1

**2010-02124 KUMIN, VICTOR & MAXINE
WARNER Unnamed Stream**

COMPLETE NOTIFICATION:
Warner Tax MAp 10, Lot# 49 & 50

**2010-02125 EVANGELISTA, JASON
NORTHFIELD Unnamed Stream**

COMPLETE NOTIFICATION:
Northfield Tax Map R19, Lot# 10

**2010-02126 SCHWAEGLER, BRUCE
ORFORD Unnamed Stream**

COMPLETE NOTIFICATION:
Orford Tax Map 8-27, Lot# 1,1A, 4, 4A, 7, 9, 10, 11, 11A, 13, 14, 26

**2010-02127 ZANARD, PETER
NOTTINGHAM Unnamed Stream**

COMPLETE NOTIFICATION:
Nottingham Tax Map 59, Lot# 1 & 2

**2010-02129 BAYROOT LLC
DUMMER Unnamed Stream**

COMPLETE NOTIFICATION:
Dummer Tax Map R1, Lot# 2

**2010-02132 MCNAIR, JOHN
MADISON Unnamed Stream**

COMPLETE NOTIFICATION:
Madison Tax Map 250, Lot 1

**2010-02133 KENNEDY, ELIZABETH
SANDWICH Unnamed Stream**

COMPLETE NOTIFICATION:
Sandwich Tax Map R11, Lot# 27 & 31

2010-02134 WOOD, RICHARD
ANDOVER Unnamed Stream

COMPLETE NOTIFICATION:
Andover Tax Map 27, Lot# 810,429

2010-02136 COLDITZ, GRAHAM
CANAAN Unnamed Stream

COMPLETE NOTIFICATION:
Canaan Tax Map 16, Lot# 30

2010-02192 KNOX, LOUISE
ALLENSTOWN Unnamed Stream

COMPLETE NOTIFICATION:
Allenstown Tax Map 402, Lot# 110 & 111

2010-02201 GRAY, BRUCE & KATHERINE
LYME Unnamed Stream

COMPLETE NOTIFICATION:
Lyme Tax Map 409, Lot# 67

EXPEDITED MINIMUM

2009-02194 ROY, EDWARD
STEWARTSTOWN Big Diamond Pond

Requested Action:
Install a 3 ft x 5 ft concrete anchor pad with a 4 ft x 25 ft seasonal dock on an average of 321 ft of frontage on Big Diamond Pond, in Stewartstown.

Conservation Commission/Staff Comments:
Con Com signed PBN form on Sept 21, 2009

APPROVE PERMIT:
Install a 3 ft x 5 ft concrete anchor pad with a 4 ft x 25 ft seasonal dock on an average of 321 ft of frontage on Big Diamond Pond, in Stewartstown.

With Conditions:

1. All work shall be in accordance with plans by E H Roy, as received by the NH Department of Environmental Services (DES) on September 24, 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. 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 25 feet from the shoreline at full lake elevation.
6. The concrete pad shall be located entirely behind and above 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 dock.

2010-01433 STEVENS, JANET
RYE Sagamore Creek

Requested Action:

Impact approximately 15 square feet within the previously disturbed 100-foot tidal buffer zone to install a 3-foot by 5-foot pad for a generator for a single family residential dwelling with approximately 220 feet of frontage on Sagamore Creek.

Conservation Commission/Staff Comments:

The Rye Conservation Commission signed the Minimum Impact Expedited Application.

APPROVE PERMIT:

Impact approximately 15 square feet within the previously disturbed 100-foot tidal buffer zone to install a 3-foot by 5-foot pad for a generator for a single family residential dwelling with approximately 220 feet of frontage on Sagamore Creek.

With Conditions:

1. All work shall be in accordance with plans by EJS Construction, LLC dated July 2, 2010, as received by the NH Department of Environmental Services (DES) on July 26, 2010.
2. DES Southeast region staff shall be notified in writing prior to commencement of work and upon its completion.
3. Additional expedited minimum impact applications shall be accepted for the subject property for a period of 12 months only if the applicant demonstrates by plan that the additional project(s) are wholly unrelated or separate from the original application and when considered with the original application are not classified as minor or major.
4. No fill shall be done for lot development.
5. No fill shall take place in Atlantic white cedar swamps.
6. All activities shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B.
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.

With Findings:

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

Evaluation, has been considered in the design of the project.

**2010-02022 CLUTTERBUCK REVOC TRUST, JANE
NEWBURY Lake Sunapee**

Requested Action:

Repair an existing 8 ft x 38 ft dock supported by a 6 ft x 8 ft crib with a 12 ft x 8 ft wharf along the shoreline on Lake Sunapee, Newbury.

Conservation Commission/Staff Comments:

Con Com signed Exp Application

APPROVE PERMIT:

Repair an existing 8 ft x 38 ft dock supported by a 6 ft x 8 ft crib with a 12 ft x 8 ft wharf along the shoreline on Lake Sunapee, Newbury.

With Conditions:

1. All work shall be in accordance with plans by Richard Green, as received by the NH Department of Environmental Services (DES) on August 02, 2010.
2. This permit shall not be effective until it has been recorded with the county Registry of Deeds Office by the Permittee. A copy of the recorded permit shall be submitted to the DES Wetlands Bureau, by certified mail, return receipt requested, prior to construction.
3. The repairs shall maintain the size, location and configuration of the pre-existing structures.
4. This permit to replace or repair existing structures shall not preclude the DES from taking any enforcement action or revocation action if the DES later determines that the structures represented as "existing" were not previously permitted or grandfathered.
5. All construction related debris shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
6. Appropriate siltation, erosion, and turbidity controls shall be in place prior to construction, maintained during construction, and shall remain until the area is stabilized.
7. Work authorized shall be carried out such that discharges in spawning or nursery areas during spawning seasons shall be avoided, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
8. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding areas and spawning areas shall be avoided.
9. Additional expedited minimum impact applications shall be accepted for the subject property for a period of 12 months only if the applicant demonstrates by plan that the additional project(s) are wholly unrelated or separate from the original application and when considered with the original application are not classified as minor or major.
10. All activities shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland.

With Findings:

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

**2010-02067 DONOVAN, WILLIAM
MILAN Cedar Pond**

Requested Action:

Replace an existing 16 ft x 26 ft flat roof boat house with a 6 ft x 26 ft crib supported dock and a 4 ft x 26 ft crib supported dock on Cedar Pond, Milan.

Conservation Commission/Staff Comments:

Con Com signed Exp Application

APPROVE PERMIT:

Replace an existing 16 ft x 26 ft flat roof boat house with a 6 ft x 26 ft crib supported dock and a 4 ft x 26 ft crib supported dock on Cedar Pond, Milan.

With Conditions:

1. All work shall be in accordance with plans as received by the NH Department of Environmental Services (DES) on August 04, 2010.
2. This permit shall not be effective until it has been recorded with the county Registry of Deeds Office by the Permittee. A copy of the recorded permit shall be submitted to the DES Wetlands Bureau, by certified mail, return receipt requested, prior to construction.
3. The repairs shall maintain the size, location and configuration of the pre-existing structures.
4. This permit to replace or repair existing structures shall not preclude the DES from taking any enforcement action or revocation action if the DES later determines that the structures represented as "existing" were not previously permitted or grandfathered.
5. All construction related debris shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
6. This permit does not allow dredging for any purpose.
7. Appropriate siltation, erosion, and turbidity controls shall be in place prior to construction, maintained during construction, and shall remain until the area is stabilized.
8. Work authorized shall be carried out such that discharges in spawning or nursery areas during spawning seasons shall be avoided, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
9. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding areas and spawning areas shall be avoided.
10. Additional expedited minimum impact applications shall be accepted for the subject property for a period of 12 months only if the applicant demonstrates by plan that the additional project(s) are wholly unrelated or separate from the original application and when considered with the original application are not classified as minor or major.
11. All activities shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland.

With Findings:

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

GOLD DREDGE

2010-02193 MILLS, JERRY
(ALL TOWNS) Unnamed Stream

Conservation Commission/Staff Comments:
cc: Bath Con Comm

2010-02269 SOMERS, JIM
(ALL TOWNS) Unnamed Stream

Conservation Commission/Staff Comments:
cc: Bath Con Comm

TRAILS NOTIFICATION

2010-02119 PSNH
DEERFIELD Lamprey River

COMPLETE NOTIFICATION:
Northwood Tax Map 424, Lot# 66

2010-02303 NORTHWOOD, TOWN OF
NORTHWOOD Betty Meadows Prime Wetland

COMPLETE NOTIFICATION:
Northwood Tax Map 235 & 237 Lot# Old Mountain Road Trail

LAKES-SEASONAL DOCK NOTIF

2010-02293 PLONSKI, JOSEPH
SANBORNTON Lake Winnisquam

COMPLETE NOTIFICATION:
Sanbornton Tax Map 18, Lot# 70-1 Lake Winnisquam

PERMIT BY NOTIFICATION

2010-02131 OMER REVOC TRUST
WOLFEBORO Crescent Lake

Requested Action:
Replenish existing beach with less than 10 cubic yards of sand.

Conservation Commission/Staff Comments:
Con Com signed PBN form

PBN IS COMPLETE:
Replenish existing beach with less than 10 cubic yards of sand.

With Findings:
1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(aa), Replenish existing beach with less than 10 cubic yards of sand.

**2010-02147 PHILLIPS EXETER ACADEMY
EXETER Exeter River**

Requested Action:

In-kind replacement of two (2) 48-inch CMP culverts with two (2) 48-inch by 24-foot long RCP pipes within the Exeter River beneath an existing pedestrian trail.

Conservation Commission/Staff Comments:

The Exeter Conservation Commission signed the PBN.

PBN IS COMPLETE:

In-kind replacement of two (2) 48-inch CMP culverts with two (2) 48-inch by 24-foot long RCP pipes within the Exeter River beneath an existing pedestrian trail.

**2010-02149 HINDLE SR TRUST, DAVID
ALTON Lake Winnepesaukee**

Requested Action:

Repair of existing docking structures with no change in size, location or configuration.

Conservation Commission/Staff Comments:

Con Com submitted comments questioning legal status of docks

PBN IS COMPLETE:

Repair of existing docking structures with no change in size, location or configuration.

With Findings:

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

**2010-02177 CLAREMONT, CITY OF
CLAREMONT Unnamed Wetland**

Requested Action:

Dredge and fill 5,565 of wetlands to install a toe drain at the downslope face toe of the Dole Reservoir Dam.

PBN DISQUALIFIED:

Dredge and fill 5,565 of wetlands to install a toe drain at the downslope face toe of the Dole Reservoir Dam.

With Findings:

1. The project does not meet the criteria of Env-Wt 506.01(a)(5) because the proposed repairs are not replacement in-kind.

**2010-02196 HAYES, TRAVIS
MADBURY Unnamed Stream**

Requested Action:

Impact 880 sq. ft. of wetland to install a 2' x 10' box replacement culvert to correct failed drainage and erosion issues associated with a municipal water transmission main.

PBN IS COMPLETE:

Impact 880 sq. ft. of wetland to install a 2' x 10' box replacement culvert to correct failed drainage and erosion issues associated with a municipal water transmission main.

**2010-02242 PSNH
ROCHESTER Unnamed Wetland**

Requested Action:

Temporarily impact 7,788 sq. ft. of wetlands to for placement of swamp mats and install guy wires and anchors for maintenance of existing utility poles.

PBN IS COMPLETE:

Temporarily impact 7,788 sq. ft. of wetlands to for placement of swamp mats and install guy wires and anchors for maintenance of existing utility poles.

**2010-02258 CORCORAN, JANE
NEW DURHAM Merrymeeting Lake**

Requested Action:

Repair of existing docking structures with no change in size, location or configuration.

Conservation Commission/Staff Comments:

Con Com did not sign PBN form

PBN IS COMPLETE:

Repair of existing docking structures with no change in size, location or configuration.

With Findings:

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

**2010-02259 GAMACHE, WILLIAM
ACWORTH Crescent Lake**

Requested Action:

Repair existing retaining wall in kind.

Conservation Commission/Staff Comments:

Con Com did not sign PBN form

PBN IS COMPLETE:

Repair existing retaining wall in kind.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(c), repair of existing retaining walls.

2010-02280 **FOLEY, JOHN**
ALTON Lake Winnepesaukee

Requested Action:

Repair of existing docking structures with no change in size, location or configuration.

Conservation Commission/Staff Comments:

Con Com signed PBN form

PBN IS COMPLETE:

Repair of existing docking structures with no change in size, location or configuration.

With Findings:

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

CSPA PERMIT

2009-02597 **HARNEY, MICHAEL**
WAKEFIELD Belleau Lake

Requested Action:

Approve name change to: Michael Harney, 176 Bolton Center Rd, Bolton CT 06043 per request received 08/27/2010. Previous owner: Shane E. Kennedy.

APPROVE NAME CHANGE:

Approve name change to: Michael Harney, 176 Bolton Center Rd, Bolton CT 06043 per request received 08/27/2010. Previous owner: Shane E. Kennedy.

With Conditions:

1. All work shall be in accordance with plans by Landtech dated July 1, 2009 and received by the Department of Environmental Services ("DES") on November 2, 2009.
2. No more than 30% 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 443 sq ft of the Natural Woodland Buffer beyond the primary building setback in an unaltered state. At least 1,215 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.

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

With Findings:

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

2010-00102 BEAUREGARD, SUSAN/WILLIAM
SPOFFORD Spofford Lake

Requested Action:

AMENDMENT DESCRIPTION: Replacement house will shift to the north 14 ft from southbound property line and further from reference line. House is 1,760 sq ft and deck is 502 sq ft.
Stone retaining wall located along the west side of primary structure, from the Bench Mark 1 to the southern end of primary structure, to be rebuilt and replaced in kind. Wood retaining wall located at the most south westerly side of lot, to be replaced in kind with stone.

Impact 5,605 sq ft in the removal of an existing home and replace in the exact footprint.

APPROVE AMENDMENT:

AMENDMENT DESCRIPTION: Replacement house will shift to the north 14 ft from southbound property line and further from reference line. House is 1,760 sq ft and deck is 502 sq ft.
Stone retaining wall located along the west side of primary structure, from the Bench Mark 1 to the southern end of primary structure, to be rebuilt and replaced in kind. Wood retaining wall located at the most south westerly side of lot, to be replaced in kind with stone.

Impact 5,605 sq ft in the removal of an existing home and replace in the exact footprint.

With Conditions:

- All work shall be in accordance with plans by Forest Designs dated November 11, 2009 and received by the Department of Environmental Services ("DES") on January 20, 2010.
- No more than 18% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
- The project as proposed will leave approximately 13,233 sq ft of the Natural Woodland Buffer beyond the primary building setback in an unaltered state. At least 6,616 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).
- 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.
- 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.
- 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.
- Any fill used shall be clean sand, gravel, rock, or other suitable material.
- 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.

2010-01688 DUPEE, DANIEL & DHNIARSHI
STRAFFORD Bow Lake

Requested Action:

Approve name change to: Daniel S. & Dharshini J. Dupee, 8 Brandon Woods Circle, Hingham MA 02043 per request received 08/20/2010. Previous owner: Calvin W. & Corrine F. Stiles Revocable Trusts of 2000.

APPROVE PERMIT:

Impact 5,937 sq ft to replace the existing non-conforming structures with a conforming residential structure and associated accessory structures.

With Conditions:

1. All work shall be in accordance with plans by Geometres Blue Hills, LLC dated June 23, 2010 and received by the NH Department of Environmental Services (DES) on June 23, 2010.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. No more than 15.2% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
4. The project as proposed will leave approximately 5,420 sq ft of the Natural Woodland Buffer beyond the primary building setback in an unaltered state. At least 5,418 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 DES from taking any enforcement or revocation action if DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

With Findings:

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

**2010-01714 SPEULSTRA, GERRIT
WEST CHESTERFIELD Connecticut River**

Requested Action:

Impact 445 sq ft for the construction of a deck and patio.

APPROVE PERMIT:

Impact 445 sq ft for the construction of a deck and patio.

With Conditions:

1. All work shall be in accordance with plans by Gerit Speulstra dated August 24, 2010 and received by the NH Department of Environmental Services (DES) on July 1, 2010.
2. No more than 11.2% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
3. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
4. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
5. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.

- 6. Any fill used shall be clean sand, gravel, rock, or other suitable material.
- 7. This permit shall not preclude DES from taking any enforcement or revocation action if DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

**2010-01734 SANDSTROM, RONALD
MADISON Pea Porridge Ponds**

Requested Action:

Impact 3,612 sq ft for the construction of addition to existing home, new garage, walkway, retaining wall and the alteration of existing driveway.

APPROVE PERMIT:

Impact 3,612 sq ft for the construction of addition to existing home, new garage, walkway, retaining wall and the alteration of existing driveway.

With Conditions:

- 1. All work shall be in accordance with plans by White Mountain Survey Co., Inc. dated July 29, 2010 and received by the NH Department of Environmental Services (DES) on July 30, 2010.
- 2. No more than 25.6% 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 3,116 sq ft of the Natural Woodland Buffer beyond the primary building setback in an unaltered state. At least 2,212 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 DES from taking any enforcement or revocation action if DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

**2010-01735 MAIDA, PAUL
HAMPSTEAD Island Pond**

Requested Action:

Impact 2035 sq.ft. for the construction of a deck and stairs on existing structure.

APPROVE PERMIT:

Impact 2,035 sq ft for the construction of a deck and stairs on existing structure.

With Conditions:

- 1. All work shall be in accordance with plans by James M. Lavelle, LLS dated June 28, 2010 and received by the NH Department of Environmental Services (DES) on July 2, 2010.
- 2. No more than 18.2% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
- 3. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
- 4. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with

applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.

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

2010-01953 SHANNON, WILLIAM
WASHINGTON Millen Lake

Requested Action:

Impact 7,700 sq ft for the replacement of existing cottage with 1,087 sq ft cottage, new deck and porch.

APPROVE PERMIT:

Impact 7,700 sq ft for the replacement of existing cottage with 1,087 sq ft cottage, new deck and porch.

With Conditions:

1. All work shall be in accordance with plans by Shannon William dated July 26, 2010 and received by the NH Department of Environmental Services (DES) on July 26, 2010.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. No more than 14.9% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
4. 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 DES from taking any enforcement or revocation action if DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

2010-01961 WATERVILLE, TOWN OF
WATERVILLE VALLEY Mad River

Requested Action:

Impact 25,000 sq ft for the extension of sanitary sewer collection system and water distribution system in three phases.

APPROVE PERMIT:

Impact 25,000 sq ft for the extension of sanitary sewer collection system and water distribution system in three phases.

With Conditions:

1. All work shall be in accordance with plans by CMA Engineers dated July 1, 2010 and received by the NH Department of Environmental Services (DES) on July 26, 2010.
2. There shall be no impacts within the jurisdiction of the DES Wetlands Bureau without prion approval granted in accordance with RSA 482-A.
3. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
4. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.

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

**2010-01962 CONCORD SEWAGE TREATMENT PLANT, CITY OF
CONCORD Merrimack River**

Requested Action:

Impact 7,375 sq ft for the installation of new water intake structure.

APPROVE PERMIT:

Impact 7,375 sq ft for the installation of new water intake structure.

With Conditions:

1. All work shall be in accordance with plans by Vanasse Hangen Brustlin, Inc., dated July 1, 2010 and received by the NH Department of Environmental Services (DES) on July 26, 2010.
2. This permit is contingent on approval by the DES Wetlands Bureau pursuant to RSA 482-A.
3. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
4. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
5. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
6. Any fill used shall be clean sand, gravel, rock, or other suitable material.
7. This permit shall not preclude DES from taking any enforcement or revocation action if DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

**2010-01975 MARLOW HYDRO LLC
MARLOW Ashuelot River**

Requested Action:

Impact 4,321 sq ft for the installation of septic system and construction of an addition to existing structure.

APPROVE PERMIT:

Impact 4,321 sq ft for the installation of septic system and construction of an addition to existing structure.

With Conditions:

1. All work shall be in accordance with plans by Lawrence Septic Design dated August 15, 2010 and received by the NH Department of Environmental Services (DES) on July 28, 2010.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. No more than 6.5% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
4. The project as proposed will leave approximately 104,000 sq ft of the Natural Woodland Buffer beyond the primary building setback in an unaltered state. At least 52,547 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain

in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).

- 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 DES from taking any enforcement or revocation action if DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

2010-01976 LOMBARDI, MARIE
HAMPSTEAD Island Pond

Requested Action:

Impact 7,296 sq ft for the construction of a new dwelling, septic system, and driveway.

APPROVE PERMIT:

Impact 7,296 sq ft for the construction of a new dwelling, septic system, and driveway.

With Conditions:

- 1. All work shall be in accordance with plans by James M. Lavelle Associates dated July 23, 2010 and received by the NH Department of Environmental Services (DES) on July 28, 2010.
- 2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
- 3. No more than 5% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
- 4. The project as proposed will leave approximately 1,328 sq ft of the Natural Woodland Buffer beyond the primary building setback in an unaltered state. At least 332 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 DES from taking any enforcement or revocation action if DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

2010-01977 CATES LAKEHOUSE LLC
HEBRON Newfound Lake

Requested Action:

Impact 7,500 sq ft for the replacement of existing house and septic system.

APPROVE PERMIT:

Impact 7,500 sq ft for the replacement of existing house and septic system.

With Conditions:

- 1. All work shall be in accordance with plans by B.A. Barnard Enterprises, Inc. dated February 1, 2010 and received by the NH

Department of Environmental Services (DES) on July 28, 2010.

2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. No more than 13.2% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
4. 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 DES from taking any enforcement or revocation action if DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

2010-01978 LEPINE, PHILIP
LACONIA Lake Winnepesaukee

Requested Action:

Impact 6,075 sq ft for the construction of new residence, driveway, and patio.

APPROVE PERMIT:

Impact 6,075 sq ft for the construction of new residence, driveway, and patio.

With Conditions:

1. All work shall be in accordance with plans by Ames Associates dated July 20, 2010 and received by the NH Department of Environmental Services (DES) on July 29, 2010.
2. No more than 11.9% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
3. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
4. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
5. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
6. Any fill used shall be clean sand, gravel, rock, or other suitable material.
7. This permit shall not preclude DES from taking any enforcement or revocation action if DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

2010-01979 BARABY, WILLIAM & DIANE
HILL Poverty Pond

Requested Action:

Impact 4,081 sq ft for the construction of new single family home and septic system.

APPROVE PERMIT:

Impact 4,081 sq ft for the construction of new single family home and septic system.

With Conditions:

1. All work shall be in accordance with plans by B.A. Barnard Enterprises, Inc. dated July 1, 2010 and received by the NH Department of Environmental Services (DES) on July 29, 2010.

2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. No more than 1.2% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
4. 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 DES from taking any enforcement or revocation action if DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

2010-01981 CONGORAN, TOM & KELLY
NELSON Nubanusit Lake

Requested Action:

Impact 3,306 sq ft for the construction of a gravel access drive.

APPROVE PERMIT:

Impact 3,306 sq ft for the construction of a gravel access drive.

With Conditions:

1. All work shall be in accordance with plans by Fieldstone Land Consultants, PLLC dated July 23, 2010 and received by the NH Department of Environmental Services (DES) on July 29, 2010.
2. No more than 3.1% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
3. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
4. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
5. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
6. Any fill used shall be clean sand, gravel, rock, or other suitable material.
7. This permit shall not preclude DES from taking any enforcement or revocation action if DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

2010-01988 PUBLICOVER/RAND, DAVID/BETSY
BARTLETT Saco River

Requested Action:

Impact 1,508 sq ft for the installation of new tank and septic field.

APPROVE PERMIT:

Impact 1,508 sq ft for the installation of new tank and septic field.

With Conditions:

1. All work shall be in accordance with plans by Thaddeus Thorne Surveys Inc. dated July 20, 2010 and received by the NH Department of Environmental Services (DES) on July 30, 2010.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.

3. No more than 17.3% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
4. The project as proposed will leave approximately 13,786 sq ft of the Natural Woodland Buffer beyond the primary building setback in an unaltered state. At least 11,228 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 DES from taking any enforcement or revocation action if DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

2010-02030 HANRAHAN, MARGARET
SPOFFORD Spofford Lake

Requested Action:

Impact 2117 sq.ft. for the reconstruction of existing garage on same footprint.

APPROVE PERMIT:

Impact 2,117 sq ft for the reconstruction of existing garage on same footprint.

With Conditions:

1. All work shall be in accordance with plans by Forest Designs dated July 19, 2010 and received by the NH Department of Environmental Services (DES) on August 2, 2010.
2. No more than 19% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
3. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
4. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
5. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
6. Any fill used shall be clean sand, gravel, rock, or other suitable material.
7. This permit shall not preclude DES from taking any enforcement or revocation action if DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

2010-02033 FRANCO, JOHN & KATHLEEN
OSSIPEE Ossipee Lake

Requested Action:

Impact 112 sq ft for the construction of an entrance and walkway.

APPROVE PERMIT:

Impact 112 sq ft for the construction of an entrance and walkway.

With Conditions:

1. All work shall be in accordance with plans by Fernstone Associates dated July 18, 2010 and received by the NH Department of

Environmental Services (DES) on August 2, 2010.

2. No more than 34% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
3. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
4. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
5. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
6. Any fill used shall be clean sand, gravel, rock, or other suitable material.
7. This permit shall not preclude DES from taking any enforcement or revocation action if DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

CSPA PERMIT W/VARIANCE

**2010-01286 SARKOZY, LAWRENCE/REGINA
WINDHAM Cobbetts Pond**

Requested Action:

Impact 7,130 sq ft for the purpose of expanding the footprint of a nonconforming primary structure and installing stormwater controls.

APPROVE PERMIT:

Impact 7,130 sq ft for the purpose of expanding the footprint of a nonconforming primary structure and installing stormwater controls.

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.

VARIANCE APPROVED: RSA 483-B:9, (V)(a)(2)(D)(iii) is varied to allow disturbances of natural ground cover within the waterfront buffer.

With Conditions:

1. All work shall be in accordance with plans by Joseph Maynard of Benchmark Engineering, Inc., dated December 7, 2010 and received by the Department of Environmental Services ("DES") on May 24, 2010.
2. This approval includes a waiver of RSA 483-B:9, II (b) and a variance of RSA 483-B:9, (V)(a)(2)(D)(iii), 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 30.0% 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 NH DES Subsurface Systems Bureau.
5. There shall be no impacts to the waterfront buffer beyond that absolutely necessary for the installation of the stormwater infiltration system.
6. The proposed stormwater management plan shall be designed, installed and maintained to effectively absorb and infiltrate stormwater.
7. Upon completion of the proposed project, the submitted planting plan shall be implemented to ensure that all plantings achieve a 100% success rate.
8. 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.

9. 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.
10. 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.
11. 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.
12. 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.
13. Any fill used shall be clean sand, gravel, rock, or other suitable material.
14. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
15. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
16. Silt fencing must be removed once the area is stabilized.
17. 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.
18. All impacts within wetlands, surface waters and their banks shall require a Wetland Permit under RSA 482-A.

With Findings:

1. The existing non-conforming structure is located within the 50 ft primary building setback to Cob Betts Pond and, therefore, fails to conform to the setback restriction set forth in RSA 483-B:9, II (b), of the CSPA.
2. In accordance with RSA 483-B:11, II, the commissioner shall review proposals which are more nearly conforming than the existing structures, and may waive some of the standards specified in RSA 483-B:9, so long as there is at least the same degree of protection provided to the public waters and the proposal is "more nearly conforming."
3. The applicant has proposed to achieve a 5 foot greater setback from the reference line.
4. The applicant has proposed to install stormwater controls consisting drainage swales that direct large volumes of stormwater from the driveway and proposed structure to a drywell.
5. The applicant has proposed to install sound stormwater controls and enhance the waterfront 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.
6. The applicant or their designated agent also request a variance of RSA 483-B:9, (V)(a)(2)(D)(iii) for the purpose of disturbing an area of natural ground cover within the waterfront buffer.
7. The literal enforcement of the standard would result in an unnecessary hardship as the waterfront buffer region is the only practical way an effective stormwater management system can be installed.
8. Granting the variance will not result in the diminution in the value of the surrounding properties as upon completion of the proposed project, the subject lot will be capable of infiltrating a greater quantity of stormwater than that infiltrated presently.
9. Granting the variance will not result in the diminution in the value of the surrounding properties as upon completion of the proposed project, the disturbed areas will be revegetated with natural ground cover and native vegetation.
10. Granting the variance will not be contrary to the spirit to RSA 483-B as stormwater management techniques will be implemented to effectively absorb and infiltrate stormwater associated with the projects proposed impervious areas.
11. Granting the variance will do substantial justice as the project will provide the same or greater degree of protection than those that currently existing by infiltrating a greater quantity of stormwater.

2010-01888 ALTON BAY CHRISTIAN CONFERENCE CENTER
ALTON BAY Lake Winnepesaukee

Requested Action:

Impact 36,945 sq ft for the purpose of constructing 4 new residential units, accessory structures and stormwater controls.

APPROVE PERMIT:

Impact 36,945 sq ft for the purpose of constructing 4 new residential units, accessory structures and stormwater controls.

VARIANCE APPROVED: RSA 483-B:9 (V)(g)(3) is varied to allow a project resulting in between 20 and 30% impervious surface area coverage without the restoration of the waterfront buffer.

With Conditions:

1. All work shall be in accordance with plans by the Turner Group dated March 29, 2010 and received by the Department of Environmental Services ("DES") on July 19, 2010.
2. This approval includes a variance of RSA 483-B:9, V(g)(3) 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 25.9% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
4. No impacts to areas within Wetland Bureau jurisdiction as defined under RSA 482-A are authorized by this permit.
5. All impacts within wetlands, surface waters, and their banks shall require a Wetland Permit under RSA 482-A.
6. This permit is contingent upon receiving all necessary approvals from the NH DES Alteration of Terrain Program for impacts under the jurisdiction of RSA 485-A:17.
7. This permit is contingent upon receiving all necessary approvals from the NH DES Subsurface Systems Bureau.
8. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
9. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
10. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
11. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
12. Any fill used shall be clean sand, gravel, rock, or other suitable material.
13. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
14. 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.
15. Silt fencing must be removed once the area is stabilized.
16. 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.

With Findings:

1. The applicant or their designated agent hereby requests a variance of RSA 483-B:9, V(g)(3) for the purpose of increasing impervious area of a lot within the protected shoreland greater than 20% without having to provide additional plantings within grid segments of the waterfront buffer that do not meet the required 50 point minimum tree and sapling score.
2. The property owned by the Applicant is located across the street from the protect surface water and include any portion of the waterfront buffer. The Applicant is precluded from restoring the waterfront buffer as they do not own this land.
3. The literal enforcement of the standard would result in an unnecessary hardship as the deficient grid segments are located on different lots of record.
4. Granting the variance will not result in the diminution in the value of the surrounding properties. The applicant is required by RSA 485-A:17 to incorporate stormwater practices that will increase the level of protection of public waters.
5. Granting the variance will not be contrary to the spirit to RSA 483-B as the applicant is providing sound stormwater treatment practices.
6. Granting the variance will do substantial justice as the project will provide the same or greater degree protection than those that currently existing by providing significant levels of stormwater treatment.

CSPA PERMIT W/WAIVER

2010-01568 DAVIS, JOHN
SUTTON Warner River

Requested Action:

Impact 5,085 sq ft for the purpose of expanding a nonconforming primary structure and installing stormwater controls.

APPROVE PERMIT:

Impact 5,085 sq ft for the purpose of expanding a nonconforming primary structure and installing stormwater controls.

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 Robert C. Stewart of RCS Designs dated May, 2010, and received by the Department of Environmental Services ("DES") on June 16, 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 9.5% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
4. This permit is contingent upon receiving all necessary approvals from the NH DES Subsurface Systems Bureau.
5. The proposed stormwater management plan shall be designed, installed and maintained to effectively absorb and infiltrate stormwater.
6. No impacts to natural ground cover or native vegetation shall occur within the waterfront buffer.
7. The project as proposed will leave approximately 6,184 sq ft of the Natural Woodland Buffer beyond the primary building setback in an unaltered state. At least 3,076 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).
8. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
9. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
10. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
11. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
12. Any fill used shall be clean sand, gravel, rock, or other suitable material.
13. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
14. 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.
15. Silt fencing must be removed once the area is stabilized.
16. 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.
17. No impacts within wetlands, surface waters and their banks shall occur prior to receiving a Wetland Permit under RSA 482-A.

With Findings:

1. The existing non-conforming structure is located within the 50 ft primary building setback to the Warner River and, therefore, fails to conform to the setback restriction set forth in RSA 483-B:9, II (b), of the CSPA.
2. In accordance with RSA 483-B:11, II, the commissioner shall review proposals which are more nearly conforming than the existing structures, and may waive some of the standards specified in RSA 483-B:9, so long as there is at least the same degree of protection provided to the public waters and the proposal is "more nearly conforming."
3. The applicant has proposed to remove approximately 145 sq ft of impervious surface within the Waterfront Buffer.
4. The applicant has proposed to install stormwater controls capable of treating stormwater from the existing and proposed impervious areas.
5. The applicant has proposed to install sound stormwater controls and enhance the waterfront buffer, and therefore, meets the requirements for a waiver of RSA 483-B:9 as described in RSA 483-B: 11, I.

2010-01659 MALLETT, RONALD
BRIDGEWATER Newfound Lake

Requested Action:

Impact 3,129 sq ft for the purpose of expanding a nonconforming primary structure and installing stormwater controls.

APPROVE PERMIT:

Impact 3,129 sq ft for the purpose of expanding a nonconforming primary structure and installing stormwater controls.

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 Shering Associates dated June 1, 2010 and received by the Department of Environmental Services ("DES") on June 23, 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 25.5% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
4. This permit is contingent upon receiving all necessary approvals from the NH DES Subsurface Systems Bureau.
5. The proposed stormwater management systems shall be designed, installed and maintained to effectively absorb and infiltrate stormwater.
6. No impacts to natural ground cover or native vegetation shall occur within the waterfront buffer.
7. 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.
8. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on the areas designated to remain in an unaltered state.
9. 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.
10. 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.
11. 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.
12. 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.
13. Any fill used shall be clean sand, gravel, rock, or other suitable material.
14. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).

15. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
16. Silt fencing must be removed once the area is stabilized.
17. 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.
18. All impacts within wetlands, surface waters and their banks shall require a Wetland Permit under RSA 482-A.

With Findings:

1. The existing non-conforming structure is located within the 50 ft primary building setback to Newfound Lake and, therefore, fails to conform to the setback restriction set forth in RSA 483-B:9, II (b), of the CSPA.
2. In accordance with RSA 483-B:11, II, the commissioner shall review proposals which are more nearly conforming than the existing structures, and may waive some of the standards specified in RSA 483-B:9, so long as there is at least the same degree of protection provided to the public waters and the proposal is "more nearly conforming."
3. The applicant has proposed to install infiltration trenches capable of intercepting stormwater from the driveway.
4. The applicant has proposed to install infiltration trenches under the drip line of the proposed expansion.
5. The applicant has proposed to install a stone dry-well to catch and infiltrate stormwater.
6. The applicant has proposed to install significant stormwater control measures and therefore, meets the requirements for a waiver of RSA 483-B:9 as described in RSA 483-B: 11, I.

2010-01711 BOWMAN, JOHN
MEREDITH Lake Winnepesaukee

Requested Action:

Impact 1,042 sq ft for the purpose of expanding the footprint of a nonconforming primary structure and installing stormwater controls.

APPROVE PERMIT:

Impact 1,042 sq ft for the purpose of expanding the footprint of a nonconforming primary structure and installing stormwater controls.

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 revised plans by Matthew E. Wood of NH Environmental Consultants, LLC, dated September 4, 2010 and received by the Department of Environmental Services ("DES") on August 18, 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 9.4% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
4. This permit is contingent upon receiving all necessary approvals from the NH DES Subsurface Systems Bureau.
5. The proposed stormwater management plan shall be designed, installed and maintained to effectively absorb and infiltrate stormwater.
6. No impacts to natural ground cover or native vegetation shall occur within the waterfront buffer.
7. The project as proposed will leave approximately 16,200 sq ft of the Natural Woodland Buffer beyond the primary building setback in an unaltered state. At least 9,304 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).

8. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
9. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
10. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
11. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
12. Any fill used shall be clean sand, gravel, rock, or other suitable material.
13. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
14. 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.
15. Silt fencing must be removed once the area is stabilized.
16. 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.
17. All impacts within wetlands, surface waters and their banks shall require a Wetland Permit under RSA 482-A.

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 CSPA.
2. In accordance with RSA 483-B:11, II, the commissioner shall review proposals which are more nearly conforming than the existing structures, and may waive some of the standards specified in RSA 483-B:9, so long as there is at least the same degree of protection provided to the public waters and the proposal is "more nearly conforming."
3. The applicant has proposed to plant additional, native vegetation within the waterfront buffer.
4. The applicant has proposed to install stormwater controls consisting of washed stone infiltration trenches below the drip line of the proposed expansion.
5. The applicant has proposed to install stormwater controls consisting of (2) washed stone basins capable of intercepting stormwater via gutters from the existing structure.
6. The applicant has proposed to install sound stormwater controls and enhance the waterfront and natural woodland buffers and therefore, meets the requirements for a waiver of RSA 483-B:9 as described in RSA 483-B: 11, I.

2010-01868 ROY, DONNA
BARRINGTON Mendums Pond

Requested Action:

Impact 4,902 sq ft for the purpose of rebuilding a nonconforming structure within the previously existing footprint and installing a new septic system.

APPROVE PERMIT:

Impact 4,902 sq ft for the purpose of rebuilding a nonconforming structure within the previously existing footprint and installing a new septic system.

With Conditions:

1. All work shall be in accordance with plans by NHSC, Inc., dated November, 2006 as modified by Donna Roy and received by the Department of Environmental Services ("DES") on July 12, 2010.
2. No more than 19.8% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
3. This permit is contingent upon receiving all necessary approvals from the DES Subsurface Systems Bureau.
4. There shall be no expansion of living space within the structure beyond the pre-existing living space footprint.
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 1,650 sq ft of the Natural Woodland Buffer beyond the primary building setback in an unaltered state. At least 1,400 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).
7. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on areas determined to remain in an unaltered state.
8. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
9. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
10. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
11. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
12. Any fill used shall be clean sand, gravel, rock, or other suitable material.
13. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
14. 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.
15. Silt fencing must be removed once the area is stabilized.

With Findings:

1. Upon completion of the proposed project, the existing septic system will pose no threat to adjacent surface waters.

UTILITY NOTIFICATION

2010-02282 PSNH
EATON Unnamed Wetland