

Wetlands Bureau Decision Report

Decisions Taken
09/06/2010 to 09/12/2010

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

2009-02780 DUNBAR TRUST, BONNIE
ALTON Lake Winnepesaukee

Requested Action:

The Applicant requests reconsideration of the Department's July 20, 2010 decision to deny the project on the merits of a revised proposal.

Conservation Commission/Staff Comments:

Con Com signed Exp Application

Inspection Date: 06/02/2010 by Dale R Keirstead

Inspection Date: 07/16/2010 by Darlene Forst

APPROVE RECONSIDERATION:

Install a 6 ft x 30 ft seasonal dock with a 6 ft x 10 ft seasonal access in a "L" shaped configuration on an average of 414 ft of frontage on Lake Winnepesaukee and Beaver Brook, in Alton.

With Conditions:

1. All work shall be in accordance with plans by Steven J Smith & Associates, Inc. dated August 10, 2010, as received by the NH Department of Environmental Services (DES) on August 19, 2010.
2. This permit shall not be effective until it has been recorded with the county Registry of Deeds Office by the Permittee. A copy of the recorded permit shall be submitted to the DES Wetlands Bureau by certified mail, return receipt requested, prior to 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 16 feet from the shoreline at full lake elevation.
6. The no watercraft shall be secured to the pier in a manner that creates an unreasonable navigational hazard to other watercraft in the cove.
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 major impact project per Administrative Rule Env-Wt 303.02(1), projects which, when taken in the aggregate with previous work on the property within the last 5 years, would be considered major.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01. 3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.
5. The applicant submitted stamped surveyed plans with water depths which indicate an open channel will remain after the installation of the docking structure.
6. The applicant has an average of 407 feet of shoreline frontage along Lake Winnepesaukee.
7. A maximum of 6 slips may be permitted on this frontage per Rule Env-Wt 402.13, Frontage Over 75'.
8. The proposed docking facility will provide 1 slips as defined per RSA 482-A:2, VIII and therefore meets Rule Env-Wt 402.13.
9. Public hearing is waived based on field inspection, by NH DES staff on June 02, 2010 and July 16, 2010, with the finding that the project impacts will not significantly impair the resources of Lake Winnepesaukee.

-Send to Governor and Executive Council-

2009-02853 LEBANON SCHOOL DISTRICT
LEBANON Unnamed Wetland

Requested Action:

Dredge and fill 115,400 square feet of wetlands for the construction of a school and associated facilities. Compensatory Mitigation for the wetlands impacts is in the form of a one time payment of \$75,000 to the DES Aquatic Resource Mitigation (ARM) Fund and a Conservation Easement on a 41.1 acre property.

Conservation Commission/Staff Comments:

ARM Fund payment to be paid and conservation easement.

APPROVE PERMIT:

Dredge and fill 115,400 square feet of wetlands for the construction of a school and associated facilities. Compensatory Mitigation for the wetlands impacts is in the form of a one time payment of \$75,000 to the DES Aquatic Resource Mitigation (ARM) Fund and a Conservation Easement on a 41.1 acre property.

With Conditions:

1. All work shall be in accordance with plans by Pathways Consulting, LLC. (Sheets 1-20 of 20) as received by DES July 01, 2010.
2. This approval is contingent on receipt by DES of a one time payment of \$75,000 to the DES Aquatic Resource Mitigation (ARM) Fund.
3. The total payment (\$75,000) shall be received by DES within 120 days of the date of the approval letter or the application shall be denied.
4. No wetland impacts shall occur prior to DES receiving the ARM fund payment.
5. This approval is contingent on approval by the DES Alteration of Terrain Bureau.
6. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
7. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
8. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
9. 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.
10. 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.
11. 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.
12. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
13. All activities shall be in accordance with the Comprehensive Shoreland Protection Act, per RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland after July 1, 2008.
14. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.

Wetland preservation:

15. This permit is contingent upon the execution of a conservation easement on 41.1 acres as depicted on plans received July 27, 2010.
16. The conservation easements to be placed on the preservation areas shall be written to run with the land, and both existing and future property owners shall be subject to this easement.

- 17. This permit is contingent upon the construction of an earthen berm adjacent to the preservation area in accordance with plans by Pathways Consulting, LLC entitled Snow Dump Improvement Plans as received by DES on July 01, 2010.
- 18. This permit is contingent upon the execution of The Quitclaim Deed as received by DES on July 01, 2010.
- 19. The Quitclaim Deed shall be recorded with the Registry of Deeds Office. A copy of the recording from the County Registry of Deeds Office shall be submitted to the DES Wetlands Bureau prior to the start of construction.
- 20. The final plan noting the conservation easement with a copy of the final easement language shall be recorded with the Registry of Deeds Office for each appropriate lot. A copy of the recording from the County Registry of Deeds Office shall be submitted to the DES Wetlands Bureau prior to the start of construction.
- 21. There shall be no removal of the existing vegetative undergrowth within the easement area and the placement of fill, construction of structures, and storage of vehicles or hazardous materials is prohibited.
- 22. Activities in contravention of the conservation easement shall be construed as a violation of RSA 482-A, and those activities shall be subject to the enforcement powers of the Department of Environmental Services (including remediation and fines).

With Findings:

- 1. This is a Major Project per NH Administrative Rule Env-Wt 303.02(c), projects that involve alteration of nontidal wetlands, nontidal surface waters, and banks adjacent to nontidal surface waters in excess of 20,000 square feet in the aggregate.
- 2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
- 3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
- 4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a), Requirements for Application Evaluation, has been considered in the design of the project.
- 5. The department has determined that this project is acceptable for payment to the Aquatic Resource Mitigation (ARM) Fund.
- 6. The payment to the Aquatic Resource Mitigation (ARM) Fund shall be \$75,000.
- 7. The Department decision is issued in letter form and upon receipt of the full ARM fund payment, the Department shall issue a posting permit in accordance with Env-Wt 803.08(f).
- 8. The payment shall be deposited in the DES ARM fund for the Connecticut-White River to Bellows Falls watershed per RSA 482-A:29.
- 9. The existing Middle School does not meet state Fire Code and is considered unsafe.
- 10. The school site was previously disturbed and the agent stated that is likely that the historic excavation, filling and regarding activities created the majority of wetlands on the site.
- 11. A vernal pool survey was conducted and no vernal pools were observed.
- 12. In accordance with RSA 428-A:8, DES finds that the requirements for a public hearing do not apply as the permitted project is not of substantial public interest, and will not have a significant impact on or adversely affect the values of the wetland resources, as identified under RSA 482-A:1.

2010-00287 CAIL, RANDALL
GILFORD Lake Winnepesaukee

Requested Action:

Modify an existing 2 slip "U" shaped docking structure and breakwater to create a 3 slip "U" shaped docking structure and breakwater consisting of a 4 ft x 36 ft 6 in piling supported dock connected to a 4 ft x 38 ft 5 in cantilevered dock adjacent to a 55 linear ft breakwater, by a 6 ft x 25 ft piling supported walkway, install two tie off piles in the eastern slip, install three tie off piles in the center slip, install two 14 ft x 30 ft seasonal canopies over the center slips, and repair the existing breakwater in kind on an average of 152 ft of frontage on Lake Winnepesaukee, in Gilford.

Conservation Commission/Staff Comments:

Con Com requested a 40 day hold, no follow up comments by April 20, 2010

APPROVE PERMIT:

Modify an existing 2 slip "U" shaped docking structure and breakwater to create a 3 slip "U" shaped docking structure and breakwater consisting of a 4 ft x 36 ft 6 in piling supported dock connected to a 4 ft x 38 ft 5 in cantilevered dock adjacent to a 55

linear ft breakwater, by a 6 ft x 25 ft piling supported walkway, install two tie off piles in the eastern slip, install three tie off piles in the center slip, install two 14 ft x 30 ft seasonal canopies over the center slips, and repair the existing breakwater in kind on an average of 152 ft of frontage on Lake Winnepesaukee, in Gilford.

With Conditions:

1. All work shall be in accordance with plans by Folsom Design Group and Construction Management revision dated July 19, 2010, as received by the NH Department of Environmental Services (DES) on July 22, 2010.
2. This permit shall not be effective until it has been recorded with the county Registry of Deeds Office by the Permittee. A copy of the recorded permit shall be submitted to the DES Wetlands Bureau, by certified mail, return receipt requested, prior to construction.
3. 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.
4. The breakwater repairs shall maintain the size, location and configuration of the pre-existing structures.
5. Existing rocks which have fallen shall be used for repairs. No rocks shall be added to the structure.
6. All construction related debris shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
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. Canopies shall be of seasonal construction type with a flexible fabric cover. The seasonal support frame shall be designed to be removed for the non-boating season. The flexible fabric cover shall be removed during all seasons of non-use.
11. All activities shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland.

With Findings:

1. This is a major impact project per Administrative Rule Env-Wt 303.02(d), construction or modification of any dock attached to a breakwater.
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. In accordance with RSA 428-A:8, DES finds 5that the requirements for a public hearing do not apply as the permitted project is not of substantial public interest, and will not have a significant impact on or adversely affect the values of Lake Winnepesaukee, as identified under RSA 482-A:1.
6. The applicant has an average of 152 feet of shoreline frontage along Lake Winnepesaukee.
7. A maximum of 3 slips may be permitted on this frontage per Rule Env-Wt 402.13 Frontage Over 75'.
8. The proposed docking facility will provide 3 slips as defined per Rule Env-Wt 101.09 Boat slip, and therefore meets Rule Env-Wt 402.13.

-Send to Governor and Executive Council-

2010-01495 OSSIPÉE BLUFFS ASSOCIATION INC
OSSIPÉE Ossipee Lake

Requested Action:

Impact 1868 sq ft on the bank and 11485 sq ft on the lake bed to remove organic debris on Ossipee Lake, Ossipee.

Conservation Commission/Staff Comments:

Con Com requested 40 day hold, no follow up comments submitted

APPROVE AFTER THE FACT:

Impact 1868 sq ft on the bank and 11485 sq ft on the lake bed to remove organic debris on Ossipee Lake, Ossipee.

With Conditions:

1. All work shall be in accordance with plans by White Mountain Survey dated July 13, 2010, as received by the NH Department of Environmental Services (DES) on July 14, 2010.
2. Area shall have been regraded to original contours following completion of work.
3. Dredged material shall have been placed outside of the jurisdiction of the DES Wetlands Bureau.
4. This approval allowed the removal of organic material once and is not an annual permit to remove organic matter from the beach.
5. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
6. 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 major impact project per Administrative Rule Env-Wt 303.02(h), projects which impact more than 200 linear feet, measured along the shoreline, of a lake.
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. In accordance with RSA 428-A:8, DES finds that the requirements for a public hearing do not apply as the permitted project is not of substantial public interest, and will not have a significant impact on or adversely affect the values of the lacustrine resource, as identified under RSA 482-A:1.

2010-01651 PORTSMOUTH, CITY OF
PORTSMOUTH Back Channel

Requested Action:

Construct an 8 ft. x 20 ft. float to be installed perpendicular at the end of an existing permitted docking structure consisting of a 8 ft. x 12ft. permanent pier connecting to a 3 ft. x 13 ft. ramp connecting to a 4 ft. x 12 ft. float, overall structure length 42 ft., providing one slip on 963.5 ft. of frontage on the Piscataqua River.

Conservation Commission/Staff Comments:

Con. Com. did not comment.

Inspection Date: 09/10/2010 by David A Price

APPROVE PERMIT:

Construct an 8 ft. x 20 ft. float to be installed perpendicular at the end of an existing permitted docking structure consisting of a 8 ft. x 12ft. permanent pier connecting to a 3 ft. x 13 ft. ramp connecting to a 4 ft. x 12 ft. float, overall structure length 42 ft., providing one slip on 963.5 ft. of frontage on the Piscataqua River.

With Conditions:

1. All work shall be in accordance with plans by Riverside & Pickering Marine Contractors dated June 10, 2010, as received by the Department on June 24, 2010.
2. Any future work in jurisdiction as specified in RSA 482-A on this property will require a new application and approval by the

Department of Environmental Services ("DES") Wetlands Bureau.

3. All work shall be in accordance with the Revocable License Agreement and First Amendment to Revocable License Agreement between the City of Portsmouth and Thomas R. Watson, Trustee of the Thomas R. Watson Revocable Trust of 2003 and Kathleen K. Salisbury as recorded at the Rockingham County Registry of Deeds Office as Book 4962 Page 2583-2586 and Book 5107 page 2195-2197, respectively.
4. This permit shall not be effective until recorded at the Rockingham County Registry of Deeds Office by the permittee. A copy of the recorded permit shall be submitted to the DES Wetlands Bureau prior to construction.
5. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain in until the area is stabilized.
6. 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.
7. Work shall be done during low tide.
8. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to surface waters and wetlands.
9. Work shall be conducted in a manner that avoids excessive discharges of sediments to fish spawning areas.
10. The float shall be constructed such as to rest on float skids to suspend the flotation drums off the substrate at low tides.

With Findings:

1. This is a major impact project per Administrative Rule Wt 303.02(a), projects in sand dunes, tidal wetlands, or bogs, except for the repair of existing structures pursuant to Wt 303.04(v).
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01. The existing 4 ft. x 12 ft. float is unstable and unsafe.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(a) and (c), Requirements for Application Evaluation, has been considered in the design of the project. The project was reviewed by staff of NH Natural Heritage Bureau (NHB) and the Nongame and Endangered Species Program and it was determined that, although there was a NHB record present within the vicinity of the project; NHB does not expect that it will be impacted. This project has been reviewed by the Pease Development Authority Division of Ports and Harbors which determined that the project would have no negative effect on navigation, per letter dated June 25, 2010; and the dock is located greater than 20 feet off the abutting property lines.
5. This dock is consistent with other tidal dock approvals in the seacoast.
6. DES staff field inspection on September 10, 2010 found that the site is accurately represented in the application.

MINOR IMPACT PROJECT

2006-02224 GALVIN, LEONARD
ALTON Lake Winnepesaukee

Requested Action:

Amend permit to install 4 piles within the center slip and a permanent pile supported boat lift.

Conservation Commission/Staff Comments:

Con Com submitted comments about abutters view with canopy, the agent submitted a signed notarized letter from the abutter who is also the applicant.

APPROVE AMENDMENT:

Amend permit to read: Construct two 6 ft x 30 ft permanent piling supported docks connected by a 4 ft x 12 ft permanent walkway

accessed by a 4 ft wide stairway constructed over the bank, install a 14 ft x 30 ft seasonal canopy over the center slip with a permanent pile supported boatlift in the center slip, install two tie off piles in the northern slip and two tie off piles in the southern slip, install two, 3 pile ice clusters on an average of 199 sq ft of frontage on Lake Winnepesaukee, in Alton.

With Conditions:

1. All work shall be in accordance with plans by Folsom Design Group dated August 21, 2006, as received by the Department on August 24, 2006 and amendment request plans by Winnepesaukee Marine Construction dated July 11, 2007, as received by the Department on August 20, 2007 and second amendment request plans by Winnepesaukee Marine Construction dated July 12, 2010, as received by the Department on July 14, 2010.
2. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to construction.
3. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
4. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, maintained during construction, and shall remain until the area is stabilized.
5. This permit does not allow for maintenance dredging.
6. Installation of this docking structure or access steps shall not require modification, regarding, recontouring, of the shoreline.
7. This shall be the only structure on this water frontage.
8. No portion of the pier shall extend more than 30 feet from the shoreline at full lake elevation.
9. The minimum clear spacing between pile bents shall be 12 feet.
10. Work shall be carried out in a time and manner such that there will be no disturbance to migratory waterfowl breeding areas or fish spawning areas.
11. Canopies shall be of seasonal construction type with a flexible fabric cover which shall be removed for the non-boating season.
12. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(d), construction of a 3 slip docking system.
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 an average of 199 feet of shoreline frontage along Lake Winnepesaukee.
5. A maximum of 3 slips may be permitted on this frontage per Rule Env-Wt 402.12, Frontage Over 75'.
6. The proposed docking facility will provide 3 slips as defined per RSA 482-A:2, VIII and therefore meets Rule Env-Wt 402.12.
7. The site is exposed to sufficient northeasterly fetch to meet the requirements of Rule Env-Wt 402.05.

2010-00367 YOUNGBLOOD REALTY TRUST
ALTON Lake Winnepesaukee

Requested Action:

The Applicant requests reconsideration of the Department's May 4, 2010 decision to deny a permit for modification of existing structures on the merits of a revised proposal.

Conservation Commission/Staff Comments:

Con Com has no objections to proposed work

APPROVE RECONSIDERATION:

Permanently remove an existing 10 ft 6 in x 34 ft 7 in crib supported dock and a 10 ft 5 in x 34 ft 7 in crib supported dock connected by a 6 ft x 37 ft walkway, and all boat lifts, and install two 6 ft x 40 ft seasonal docks attached to two 6 ft x 4 ft concrete pads and connected by a 6 ft x 12 ft seasonal walkway in a "U" shaped configuration, install two seasonal boat lifts and a 12 ft x 14 ft seasonal canopy and a 10 ft x 20 ft seasonal canopy, retain 2 personal watercraft lifts attached to the existing wharf on an average of 161 ft of frontage on Lake Winnepesaukee, in Alton.

With Conditions:

1. All work shall be in accordance with plans by Beckwith Builders dated March 03, 2010, revised by David Youngblood dated June 25, 2010, as received by the NH Department of Environmental Services (DES) on July 12, 2010.
2. This permit shall not be effective until it has been recorded with the county Registry of Deeds Office by the Permittee. A copy of the recorded permit shall be submitted to the DES Wetlands Bureau by certified mail, return receipt requested, prior to installation.
3. 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. Crib dredged material and construction debris shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
5. The permanent docks shall be completely removed prior to the installation of the seasonal docking structures.
6. All seasonal structures shall be removed from the lake for the non-boating season.
7. No portion of the piers shall extend more than 40 feet from the shoreline at full lake elevation.
8. 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.
9. Canopies shall be of seasonal construction type with a flexible fabric cover. The seasonal support frame shall be designed to be removed for the non-boating season. The flexible fabric cover shall be removed during all seasons of non-use.
10. All activities shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland.

With Findings:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(d), construction of a docking system that exceeds the criteria for minimum impact docks classified under Env-Wt 303.04.
2. The proposed impacts removes a non-conforming docking structure and installs a conforming seasonal docking structure on this frontage.
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 applicant has an average of 161 feet of shoreline frontage along Lake Winnepesaukee.
6. A maximum of 3 slips may be permitted on this frontage per Rule Env-Wt 402.13, Frontage Over 75'.
7. The proposed docking facility will provide 3 slips as defined per RSA 482-A:2, VIII and therefore meets Rule Env-Wt 402.13.

2010-00448 MOULTON, CARL
LEBANON Unnamed Stream

Requested Action:

Dredge and fill ± 3,400 sq. ft. of perennial stream at Plaza Heights Rd. to replace a 6-ft. x 70-ft. corrugated steel culvert with a 6-ft. x 11-ft. x 66.7-ft. box culvert.

Inspection Date: 03/09/2010 by Kirsten Pulkkinen

APPROVE PERMIT:

Dredge and fill ± 3,400 sq. ft. of perennial stream at Plaza Heights Rd. to replace a 6-ft. x 70-ft. corrugated steel culvert with a 6-ft. x 11-ft. x 66.7-ft. box culvert.

With Conditions:

1. All work shall be in accordance with plans by SVE Associates dated February 28, 2010, and revised through August 07, 2010, as received by the Department on August 10, 2010.
2. Work shall be done during low flow conditions.
3. Appropriate siltation and erosion controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
4. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no

turbidity escapes the immediate work area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.

5. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to wetlands and surface waters.
6. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
7. There shall be no excavation or operation of construction equipment in flowing water.
8. Prior to commencing work on a substructure located within surface waters, a cofferdam shall be constructed to isolate the substructure work area from the surface waters.
9. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of twenty (20) feet of undisturbed vegetated buffer.
10. Work within the stream, inclusive of work associated with installation of a cofferdam, shall be done during periods of low flow. High flows can be caused by seasonal runoff or precipitation; the permittee shall monitor local forecasts to review weather conditions.
11. No work within the confined area shall proceed until the cofferdam is fully effective, and water flow is controlled.
12. Temporary cofferdams shall be entirely removed immediately following construction.
13. Culverts shall be laid at original grade.
14. Proper headwalls shall be constructed within seven days of culvert installation.
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. The channel at the culvert inlet and outlet must maintain the natural and a consistent streambed elevation and not impede stream flow.
17. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid. Faulty equipment shall be repaired prior to construction.
18. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each operator shall be trained in its use.
19. All refueling of equipment shall occur outside of surface waters or wetlands during construction.
20. Areas from which vegetation has been cleared to gain access to the site shall be replanted with like native species.
21. 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.
22. The applicant shall notify the DES Wetlands Bureau in writing within twenty-four (24) hours of an erosion event resulting in sediment entering a wetland or surface water.
23. A post-construction report including photographs documenting the status of the completed construction shall be submitted to the DES Wetlands Bureau within thirty (30) days of the completion of construction.

With Findings:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(l), alteration of less than 200 linear feet of a perennial stream.
2. The culvert replacement is required as part of the infrastructure improvements for the development of the former Moulton gravel put to a FedEx Ground Package System distribution facility.
3. The approved culvert will freely pass the 50-year storm.
4. In correspondence received March 24, 2010, the Lebanon Conservation Commission recommended approval of the Standard Dredge and Fill Application.
5. The Natural Heritage Bureau review report resulted in a negative result.
6. DES Staff conducted a field inspection of the proposed project on March 09, 2010.
7. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
8. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
9. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.

2010-01035 GRAFTON, TOWN OF
GRAFTON Unnamed Stream

Requested Action:

Impact 1,885 sq. ft. (1,210 sq. ft. temporary & 675 sq. ft. permanent) within the embankments and flow channel for work associated with the replacement of the existing "structurally deficient" bridge which carries Davis Road over the Smith River.

Conservation Commission/Staff Comments:

No report or comments were received on this application from the Grafton Conservation Commission.

APPROVE PERMIT:

Impact 1,885 sq. ft. (1,210 sq. ft. temporary & 675 sq. ft. permanent) within the embankments and flow channel for work associated with the replacement of the existing "structurally deficient" bridge which carries Davis Road over the Smith River.

With Conditions:

1. All work shall be in accordance with plans by H.E.Bergeron Engineers, Inc. dated 04/09/10, as received by the NH Department of Environmental Services (DES) on April 23, 2010.
2. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
3. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
4. Work shall be done during low flow.
5. Unconfined work within the river, exclusive of work associated with installation of a cofferdam, shall be done during periods of low flow.
6. 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.
7. Prior to commencing work on a substructure located within surface waters, a cofferdam shall be constructed to isolate the substructure work area from the surface waters.
8. Temporary cofferdams shall be entirely removed immediately following construction.
9. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid prior to entering surface waters or wetlands.
10. Faulty equipment shall be repaired prior to entering jurisdictional areas.
11. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each operator shall be trained in its use.
12. All refueling of equipment shall occur outside of surface waters or wetlands.

With Findings:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(1).
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01. 3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.

2010-01238 MINUTI, DINO
CANDIA Unnamed Wetland

Requested Action:

Dredge and fill 5,600 sq. ft. of palustrine forested wetlands to construct a 16 ft. x 350 ft. haul road with three (3) cross culverts to access logging site utilizing forestry BMPs.

Conservation Commission/Staff Comments:

No comments were received from the Candia Conservation Commission on this application.

APPROVE PERMIT:

Dredge and fill 5,600 sq. ft. of palustrine forested wetlands to construct a 16 ft. x 350 ft. haul road with three (3) cross culverts to access logging site utilizing forestry BMPs.

With Conditions:

1. All work shall be in accordance with plans by Swift Corwin, Consulting Forester dated 6/15/2010, as received by the NH Department of Environmental Services (DES) on June 22, 2010.
2. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
3. NH DES Wetlands Bureau Southeast Region staff shall be notified in writing prior to commencement of work and upon its completion.
4. Orange construction fencing shall be placed at the limits of haul road construction to prevent accidental encroachment on wetlands.
5. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.

With Findings:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(h).
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.

2010-01559 MULCAHY, EDMUND & DAVID
RYE Unnamed Wetland

Requested Action:

Impact a total of 9,708 square feet of jurisdictional areas to include: 1,626 square feet of impact within the previously disturbed 100-foot tidal buffer zone for the installation of underground utility lines and grading associated with the driveway and drainage structures; and, 3,952 square feet of temporary impact and 4,130 square feet of permanent impact within a palustrine emergent wetland to construct a driveway for access to a single-family residential dwelling on approximately 12.96 acres.

Conservation Commission/Staff Comments:

No Comments were received from the Rye Conservation Commission.

Inspection Date: 03/30/2010 by Eben M Lewis

APPROVE PERMIT:

Impact a total of 9,708 square feet of jurisdictional areas to include: 1,626 square feet of impact within the previously disturbed 100-foot tidal buffer zone for the installation of underground utility lines and grading associated with the driveway and drainage structures; and, 3,952 square feet of temporary impact and 4,130 square feet of permanent impact within a palustrine emergent wetland to construct a driveway for access to a single-family residential dwelling on approximately 12.96 acres.

With Conditions:

1. All work shall be in accordance with plans by Ambit Engineering, Inc. dated May 2010 (last revised 8/30/10), as received by the NH Department of Environmental Services (DES) on September 1, 2010.
2. This permit is contingent on approval by the DES Alteration of Terrain Bureau.

3. This permit is contingent on approval by the DES Subsurface Systems Bureau.
4. All activities shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B.
5. DES Wetlands Bureau Southeast Region staff shall be notified in writing prior to commencement of work and upon its completion.
6. 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 approval by DES.
7. Work shall be done during seasonal low flow conditions.
8. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.
9. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
10. Construction shall be inspected by a qualified wetland scientist, erosion control specialist, or professional engineer to insure that appropriate protective measures are properly implemented, including those outlined in the plans and documents supporting this permit application and the conditions of this authorization.
11. The applicant shall notify DES Wetlands Bureau in writing within twenty-four (24) hours of an erosion event resulting in sediment entering a wetland or surface water.
12. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
13. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
14. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.
15. A post-construction monitoring report documenting status of restoration of temporary impacts shall be submitted to the Wetlands Bureau within 60-days of the completion of construction.
16. The initial monitoring report shall include, but not be limited to, documentation of erosion control deployment, construction sequencing, restoration activities and status of restoration at time of initial monitoring report. Photographs should depict all stages of restoration sequencing.

With Findings:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(h) Projects involving less than 20,000 square feet of alteration in the aggregate in nontidal wetlands, nontidal surface waters, or banks adjacent to nontidal surface waters which exceed the criteria of Env-Wt 303.04(f).
2. The impacts are necessary to gain access to buildable uplands; therefore, the need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. Access to the buildable upland is limited by the ledge cliff on the southerly border of the property. Additionally, an existing quarry road will be utilized. Therefore, the applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
5. DES Staff conducted a field inspection of the proposed project on August 30, 2010. Field inspection determined that proposed area of impact is accurately depicted on the plans and is the best means for access/egress to the buildable upland.
6. A letter from the NH Natural Heritage Bureau (NHB) dated 5/24/10 states, "although there was a NHB record (e.g., rare wildlife, plant and/or natural community) present in the vicinity [of the project], we do not expect that it will be impacted by the proposed project."
7. This project had been previously approved by DES under Wetland and Non-Site Specific Permit 2003-2218 (the "Permit") on 04/14/2004 with an expiration date of 04/14/2009.
8. To date, no work has been performed prior to the expiration of the Permit.

2010-01902 BARKING DOG REALTY TRUST
MOULTONBOROUGH Lake Winnepesaukee

Requested Action:

Repair an existing 8 ft 6 in x 25 ft 7 in piling supported dock with a wider 10 ft x 9 ft 6 in dock section at the lakeward end, remove 27 linear feet of retaining wall and replace with 17 linear feet of retaining wall and 4 ft wide access stairs, install a 4 ft x 10 ft seasonal access ramp over the wall on an average of 117 ft of frontage on Lake Winnepesaukee, in Moultonborough.

Conservation Commission/Staff Comments:
No comments from Con Com by 09/09/2010

APPROVE PERMIT:

Repair an existing 8 ft 6 in x 25 ft 7 in piling supported dock with a wider 10 ft x 9 ft 6 in dock section at the lakeward end, remove 27 linear feet of retaining wall and replace with 17 linear feet of retaining wall and 4 ft wide access stairs, install a 4 ft x 10 ft seasonal access ramp over the wall on an average of 117 ft of frontage on Lake Winnepesaukee, in Moultonborough.

With Conditions:

1. All work shall be in accordance with plans by Folsom Design Group and Construction Management dated July 06, 2010, as received by the NH Department of Environmental Services (DES) on July 16, 2010.
2. This permit shall not be effective until it has been recorded with the county Registry of Deeds Office by the Permittee. A copy of the recorded permit shall be submitted to the DES Wetlands Bureau, by certified mail, return receipt requested, prior to construction.
3. The repairs shall maintain the size, location and configuration of the pre-existing structures.
4. This permit to replace or repair existing structures shall not preclude the DES from taking any enforcement action or revocation action if the DES later determines that the structures represented as "existing" were not previously permitted or grandfathered.
5. All construction related debris shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
6. Appropriate siltation, erosion, and turbidity controls shall be in place prior to construction, maintained during construction, and shall remain until the area is stabilized.
7. Work authorized shall be carried out such that discharges in spawning or nursery areas during spawning seasons shall be avoided, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
8. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding areas and spawning areas shall be avoided.
9. The seasonal access ramp shall be removed for the non-boating season.
10. All activities shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland.

With Findings:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(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.
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. The applicant is repairing the wall in a smaller footprint.

**2010-01947 PIPER POND CAMP LLC
WILMOT Piper Pond**

Requested Action:

Install two 6 ft x 30 ft seasonal docks on 2,193 ft of frontage on Piper Pond, in Wilmont.

Conservation Commission/Staff Comments:
Con Com did not sign Exp Application

APPROVE PERMIT:

Install two 6 ft x 30 ft seasonal docks on 2,193 ft of frontage on Piper Pond, in Wilmont.

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 July 23, 2010.
2. This permit shall not be effective until it has been recorded with the county Registry of Deeds Office by the Permittee. A copy of the recorded permit shall be submitted to the DES Wetlands Bureau by certified mail, return receipt requested, prior to installation.
3. These shall be the only structures on this water frontage and all portions of the dock shall be at least 20 ft from abutting property lines or the imaginary extension of those lines into the water.
4. Seasonal piers shall be removed from the lake for the non-boating season.
5. No portion of the piers shall extend more than 30 feet from the shoreline at full lake elevation.
6. All activities shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland.

With Findings:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(d), construction of a docking system that provides for 4 boat slips.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has an average of 2193 feet of shoreline frontage along Piper Pond.
4. A maximum of 30 slips may be permitted on this frontage per Rule Env-Wt 402.13, Frontage Over 75'.
5. The proposed docking facility will provide 4 slips as defined per RSA 482-A:2, VIII and therefore meets Rule Env-Wt 402.13.

MINIMUM IMPACT PROJECT

**2005-01978 LUONGO, JOSEPH
AMHERST Unnamed Wetland**

Requested Action:

Dredge and fill 1,400 sq. ft. of palustrine forested/scrub-shrub wetlands to widen and upgrade an existing driveway, stabilize side slopes and install a culvert crossing to provide improved access to an existing home site.

APPROVE AMENDMENT:

Dredge and fill 1,400 sq. ft. of palustrine forested/scrub-shrub wetlands to widen and upgrade an existing driveway, stabilize side slopes and install a culvert crossing to provide improved access to an existing home site.

With Conditions:

1. All work shall be in accordance with plans by TFM dated August 30, 2010, as received by the NH Department of Environmental Services (DES) on August 31, 2010.
2. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
3. Culvert outlets shall be protected in accordance with the DES Best Management Practices for Urban Stormwater Runoff Manual (January 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August 1992).
4. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
5. Work shall be done during low flow.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(f).

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

2010-02180 HOLDERNESS SCHOOL
HOLDERNESS Unnamed Stream

Requested Action:

Proposal to dredge and fill 215 sq. ft. of intermittent stream (14 linear feet) for the construction of culvert headwalls and installation of a culvert outfall for drainage of a new pedestrian tunnel associated with facility improvements at the Holderness School.

APPROVE PERMIT:

Dredge and fill 215 sq. ft. of intermittent stream (14 linear feet) for the construction of culvert headwalls and installation of a culvert outfall for drainage of a new pedestrian tunnel associated with facility improvements at the Holderness School.

With Conditions:

1. All work shall be in accordance with plans by Provan & Lobber, Inc. revision date of August 3, 2010, as received by the NH Department of Environmental Services (DES) on August 12, 2010.
2. This permit is contingent on approval by the DES Alteration of Terrain Program.
3. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
4. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
5. Work shall be done during non-flow.
6. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
7. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
8. Within three days of final grading, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
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. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
12. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid. Faulty equipment shall be repaired immediately.
13. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each operator shall be trained in its use.
14. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(n) Any project not otherwise specified in this section that alters the course of or disturbs less than 50 linear feet, measured along the thread of the channel, of an intermittent nontidal stream channel or its banks provided construction is performed during periods of non-flow.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided

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

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

5. The New Hampshire Fish & Game Department, Nongame and Endangered Wildlife Program's concerns have been addressed by the applicant.

FORESTRY NOTIFICATION

2010-02043 VAN BLARCOM, EDWARD
RINDGE Unnamed Stream

COMPLETE NOTIFICATION:
Rindge Tax Map 7, Lot# 28

2010-02102 SAWYER, LEONARD & CAROLINE
NEW HAMPTON Unnamed Stream

COMPLETE NOTIFICATION:
New Hampton Tax Map R10, Lot# 4

2010-02214 WOODHAMS, ROBERT
UNITY Unnamed Stream

COMPLETE NOTIFICATION:
Unity Tax Map 13, Lot# 4-66

2010-02215 WYMAN TWO TRUST
BARTLETT Unnamed Stream

COMPLETE NOTIFICATION:
Bartlett Tax Map 6WSTSD, Lot# 00-00R00

2010-02220 TARSA, JOHN
CENTER OSSIPEE Unnamed Stream

COMPLETE NOTIFICATION:
Center Ossipee Tax Map 226, Lot# 12

EXPEDITED MINIMUM

2006-02682 TERRA FIRMA REAL ESTATE LLC, JOHN GAGNON
LONDONDERRY Unnamed Wetland Little Cohas Brook

Requested Action:

Dredge and fill 1,540 sq. ft. of forested wetlands for construction of a common access driveway to a two lot subdivision. Work in wetlands consists of installation of two 24 in. x 40 ft. CPP culverts, culvert headwalls, outlet protection, sewer line installation and associated road fill and grading.

APPROVE AMENDMENT:

Dredge and fill 1,540 sq. ft. of forested wetlands for construction of a common access driveway to a two lot subdivision. Work in wetlands consists of installation of two 24 in. x 40 ft. CPP culverts, culvert headwalls, outlet protection, sewer line installation and associated road fill and grading.

With Conditions:

1. All work shall be in accordance with plans by Eric C. Mitchell & Assoc. Inc., dated May 5, 2005, as received by the Department on October 19, 2006.
- 1a. Amendment approved in accordance with plan (sheet 5 of 8) by Eric C. Mitchell & Assoc., Inc. dated December 30, 2009 as received by the DES on August 02, 2010
2. This permit is contingent on submittal to and approval by the Department of a construction sequence and erosion and sedimentation control plan for the proposed project, prior to the commencement of work.
3. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.
4. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.
5. The deed which accompanies the sales transaction for each of the lots in this subdivision shall contain condition #4 of this approval.
6. No work shall be conducted that is contrary to the existing conservation easement (noted on submitted surveyed plan as R.C.R.D. BK 4656 PG. 2490) on lot 15-3.
7. Proper headwalls shall be constructed within seven days of culvert installation.
8. 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.
9. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
10. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
11. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid. Faulty equipment shall be repaired immediately.
12. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each operator shall be trained in its use.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(f) Projects involving alteration of less than 3,000 sq. ft. in swamps or wet meadows that are not in prime wetlands or do not meet the requirements of Env-Wt 303.02(k), provided that no previous department permit has placed restrictions on the property of the applicant.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01. 3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.
5. The New Hampshire Natural Heritage Bureau identified two State threatened species, swamp azalea and eastern hognose snake and a species of special concern, New England cottontail near the proposed project site.
6. The nearest species identified to the proposed wetlands impact area is approximately .75 miles.
7. Lot 15-3 (17.38 acres) contains a 14.95 acre conservation easement on the west side of the lot.

- 8. The Department spoke with the applicant's agent on November 17, 2006 and was informed that the current work proposed for lot 15-3 is allowed and work is only being conducted on the remaining 2.43 acres of the 17.38 acre lot (14.95 acre contiguous easement remains).
- 9. The Conservation Commission signed the application waiving their right to intervene.

2010-01324 MURPHY, GEORGE
EATON Snow Brook

Requested Action:

Proposal to maintenance dredge approximately 900 sq. ft. of sediment behind and existing small stone dam.

Conservation Commission/Staff Comments:

- 1. The Conservation Commission signed the application.

APPROVE PERMIT:

Approval to maintenance dredge approximately 900 sq. ft. of sediment behind and existing small stone dam.

With Conditions:

- 1. All work shall be in accordance with plans received by the NH Department of Environmental Services (DES) on May 25, 2010.
- 2. This permit is contingent on approval by the DES Dam Safety Program.
- 3. Work shall be done during low flow.
- 4. Work shall be done during drawdown.
- 5. Siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.
- 6. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
- 7. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
- 8. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid. Faulty equipment shall be repaired immediately.
- 9. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each operator shall be trained in its use.
- 10. All refueling of equipment shall occur outside of surface waters or wetlands.

With Findings:

- 1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(k) Maintenance dredging, when necessary to provide continued usefulness of nontidal drainage ditches, man-made ponds, and spillways.
- 2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
- 3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
- 4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.
- 5. The applicant has indicated that the Town Road Agent has fixed the erosion issue and will be conducting the pond work.

2010-01429 GIEBUTOWSKI, FRANK
WOLFEBORO Lake Winnepesaukee

Requested Action:

Repair 36 linear ft of shoreline along beach front, construct 4 ft wide steps to the water, and replenish beach with 3 cu yd of sand on a average of 188 ft of frontage on Lake Winnepesaukee, in Wolfeboro.

APPROVE PERMIT:

Repair 36 linear ft of shoreline along beach front, construct 4 ft wide steps to the water, and replenish beach with 3 cu yd of sand on a average of 188 ft of frontage on Lake Winnepesaukee, in Wolfeboro.

With Conditions:

1. All work shall be in accordance with plans by Watermark Marine Construction as revised July 13, 2010, and received by the NH Department of Environmental Services (DES) on August 10, 2010.
2. All dredged or excavated material shall be placed outside of the DES Wetlands Bureau jurisdiction.
3. Stone placed along the beach front for the purpose of retaining sand shall be placed above and/or landward of those rocks currently located along the normal high water line (Elevation 504.32).
4. The steps installed for access to the water shall be located completely landward of the normal high water line.
5. No more than 3 cu yd of sand may be used and all sand shall be located above the normal high water line.
6. This permit shall be used only once, and does not allow for annual beach replenishment.
7. Appropriate siltation, erosion, and turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.
8. No work is authorized to the existing dug-in boathouse and cantilevered pier.
9. 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), alteration of less than 50 linear ft of shoreline on a lake or pond.
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.

**2010-01432 WINDHAM, TOWN OF
WINDHAM Unnamed Wetland**

Requested Action:

Impact 1,476 square feet within the bed and banks of an intermittent stream and palustrine scrub shrub wetland for access to buildable uplands for the construction of a salt storage shed for the Town of Windham.

Conservation Commission/Staff Comments:

The Windham Conservation Commission signed the Minimum Impact Expedited Application.

APPROVE PERMIT:

Impact 1,476 square feet within the bed and banks of an intermittent stream and palustrine scrub shrub wetland for access to buildable uplands for the construction of a salt storage shed for the Town of Windham.

With Conditions:

1. All work shall be in accordance with plans by Edward N. Herbert Assoc. Inc. dated March 2010 and revised through 8-5-10, as received by the NH Department of Environmental Services (DES) on August 9, 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. Work shall be done during seasonal low flow conditions.
5. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
6. Work authorized shall be carried out such that discharges shall be avoided in spawning or nursery areas during spawning seasons, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
7. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding and nesting areas shall be avoided.
8. No fill shall be done to achieve septic setback and no dredging shall take place that would contradict the DES Subsurface Systems Bureau rules.
9. No fill shall be done for lot development.
10. No fill shall take place in Atlantic white cedar swamps.
11. Within three days of final grading or temporary suspension of work, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(f), alteration of less than 3,000 square feet of forested wetland.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01. 3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.
5. A memo dated 4/22/2010 from the NH Natural Heritage Bureau ("NHB") identified the Blanding's Turtle (*Emydoidea blandingii*) as a State Endangered vertebrate species within the vicinity of the project.
6. The applicant made the necessary changes to the site and plan details to satisfied the requests of the NH Fish and Game Dept with respect to the aforementioned NHB memo. Therefore, DES finds that the Blanding's Turtle will not be adversely affected by the project.

2010-01606 LEMPSTER, TOWN OF
LEMPSTER Unnamed Stream

Requested Action:

In-kind replacement of two stream crossings (intermittent and perennial) at Long Pond Road including a 4-ft. culvert and twin 5-ft. culverts.

APPROVE PERMIT:

In-kind replacement of two stream crossings (intermittent and perennial) at Long Pond Road including a 4-ft. culvert and twin 5-ft. culverts.

With Conditions:

1. All work shall be in accordance with plans received by the Department on June 21, 2010.
2. Work shall be done during low flow conditions.
3. In the event there is flow at the time of construction a stream diversion plan shall be submitted to the department prior to construction. Those plans shall detail the timing and method of stream flow diversion during construction, and show temporary siltation/erosion/turbidity control measures to be implemented.
4. Appropriate siltation and erosion controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
5. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate work area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.

6. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to wetlands and surface waters.
7. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
8. There shall be no excavation or operation of construction equipment in flowing water.
9. All in-stream work shall be conducted in a manner that minimizes the duration of construction in the watercourse. In-stream work shall not exceed five consecutive days in total unless specifically authorized in writing by the DES Wetlands Bureau.
10. 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.
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; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of twenty (20) feet of undisturbed vegetated buffer.
12. Work within the stream, inclusive of work associated with installation of a cofferdam, shall be done during periods of low flow. High flows can be caused by seasonal runoff or precipitation; the permittee shall monitor local forecasts to review weather conditions.
13. No work within the confined area shall proceed until the cofferdam is fully effective, and water flow is controlled.
14. Temporary cofferdams shall be entirely removed immediately following construction.
15. Culverts shall be laid at original grade.
16. Proper headwalls shall be constructed within seven days of culvert installation.
17. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
18. The channel at the culvert inlet and outlet must maintain the natural and a consistent streambed elevation and not impede stream flow.
19. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid. Faulty equipment shall be repaired prior to construction.
20. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each operator shall be trained in its use.
21. All refueling of equipment shall occur outside of surface waters or wetlands during construction.
22. Banks shall be restored to their original grades and to a stable condition within three days of completion of construction.
23. Areas from which vegetation has been cleared to gain access to the site shall be replanted with like native species.
24. 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.
25. The applicant shall notify the DES Wetlands Bureau in writing within twenty-four (24) hours of an erosion event resulting in sediment entering a wetland or surface water.
26. A post-construction report including photographs documenting the status of the completed construction shall be submitted to the DES Wetlands Bureau within thirty (30) days of the completion of construction.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(x) Maintenance, repair, or replacement of a nondocking structure such as a culvert.
2. Comments of concern were not submitted to the file.
3. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.

**2010-01607 STILES ENTERPRISES LLC, ROBERT
WHITEFIELD Unnamed Wetland**

Requested Action:

Impact 855 square feet to replace a retaining wall. 685 square feet of the impacts are temporary for construction access and will be restored.

APPROVE PERMIT:

Impact 855 square feet to replace a retaining wall. 685 square feet of the impacts are temporary for construction access and will be restored.

With Conditions:

1. All work shall be in accordance plans (Figure 2; Figure 3) as received by DES on July 29, 2010.
2. Work shall be done during low flow.
3. Appropriate siltation/erosion controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
4. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate work area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
5. Extreme precautions shall be taken within riparian areas to limit unnecessary removal of vegetation during construction.
6. Following completion of work the areas of temporary impact shall be restored with native vegetation and be restored to the original contours.
7. No equipment shall enter the water.
8. All refueling of equipment shall occur outside of surface waters or wetlands during construction.
9. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid prior to entering surface waters or wetlands. Faulty equipment shall be repaired prior to entering jurisdictional areas.
10. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
11. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
12. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
13. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
14. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.
15. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.

With Findings:

1. This is a Minimum Impact Project per Env-Wt 303.04(c) Repair or replacement of existing retaining walls that is performed "in the dry" during drawdown of waters, and that results in no change in height, length, location, or configuration. If a wall is to be refaced such additional width shall not exceed 6 inches.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. 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.
4. The existing retaining wall is failing.
5. The applicant submitted written permission in compliance with Wt 304.04(a) from the abutters within 20 feet of the work in jurisdiction.
6. No comments were submitted from the NHFG Nongame and Endangered Wildlife Program, the NH Natural Heritage Bureau or the Conservation Commission.

2010-01740 BORNSTEIN, HENRY
MILTON Northeast Pond

Requested Action:

Repair 46 linear feet of retaining wall and replace 97 linear feet of culvert on 110 feet of frontage on Northeast Pond, in Milton.

Conservation Commission/Staff Comments:

Con Com signed Exp Application

APPROVE PERMIT:

Repair 46 linear feet of retaining wall and replace 97 linear feet of culvert on 110 feet of frontage on Northeast Pond, in Milton.

With Conditions:

1. All work shall be in accordance with plans revision dated August 10, 2010, as received by the NH Department of Environmental Services (DES) on August 12, 2010 and plans by Gove Environmental dated May 21, 2010, as received by the NH Department of Environmental Services (DES) on June 30, 2010.
2. Area shall be regraded to original contours following completion of work.
3. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
4. Repairs shall maintain existing size, location and configuration.
5. Appropriate siltation, erosion, and turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
6. All activities shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(c), repair of existing retaining walls.
2. The affected abutters provided a letter granting permission for the proposed work located on their lot.

**2010-01891 MCGOVERN, ELIZABETH
PORTSMOUTH North Mill Pond**

Requested Action:

Impact 150 sq. ft. of previously developed upland tidal buffer zone to construct a landscape paver walkway. Temporarily impact 270 sq. ft. of previously developed upland tidal buffer zone for construction access.

APPROVE PERMIT:

Impact 150 sq. ft. of previously developed upland tidal buffer zone to construct a landscape paver walkway. Temporarily impact 270 sq. ft. of previously developed upland tidal buffer zone for construction access.

With Conditions:

1. All work shall be in accordance with plans by Ambit Engineering, Inc. dated July 2010, as received by the DES on July 19, 2010.
2. All work shall be in accordance with the Comprehensive Shoreland Protection Act.
3. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.
4. All temporary work areas shall be restored to original condition upon completion of work.
5. There shall be no further alteration to DES jurisdictional areas without amendment of this permit.
6. 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.

**2010-01956 CARON, RACHEL
MILAN Unnamed Wetland**

Requested Action:

Dredge and fill approximately 120 square feet of wetlands for the construction of an access road to a residential lot.

APPROVE PERMIT:

Dredge and fill approximately 120 square feet of wetlands for the construction of an access road to a residential lot.

With Conditions:

1. All work shall be in accordance with plans as received by DES on July 28, 2010.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. All activities shall be in accordance with the Comprehensive Shoreland Protection Act, per RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland after July 1, 2008.
4. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to surface waters and wetlands.
5. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
6. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
7. The culvert shall be laid at original grade.
8. Proper headwalls shall be constructed within seven days of culvert installation.
9. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
10. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
11. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
12. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.
13. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.

With Findings:

1. This is a minimum impact project per Env-Wt 303.03 (f) Projects involving alteration of less than 3,000 square feet in swamps or wet meadows that are not in prime wetlands or do not meet the requirements of Env-Wt 303.02(k), provided that no previous department permit has placed restrictions on the property of the applicant
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant obtained permission for the work from NH DOT and supplied a driveway permit to DES Wetlands Bureau.
5. The Conservation Commission signed the application waiving their right to intervene pursuant to RSA 482-A:11.
6. No comments were submitted from the NHFG Nongame and Endangered Wildlife Program or the Natural Heritage Bureau.

2010-02009 NATH, KAMALENDU & KARLA
EFFINGHAM Wilkson Brook

Requested Action:

Repair 22 linear feet of an existing driveway bridge abutment on Wilkinson Brook.

Conservation Commission/Staff Comments:

Con. Com. signed the expedited application

APPROVE PERMIT:

Repair 22 linear feet of an existing driveway bridge abutment on Wilkinson Brook.

With Conditions:

1. All work shall be in accordance with plans by K & K Nath dated July 27, 2010, as received by the Department on July 30, 2010.
2. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with haybales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 ft. of undisturbed vegetated buffer.
3. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.
4. 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. There shall be no further alteration to wetlands or surface waters without amendment of this permit.
6. 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.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(1), temporary cofferdams constructed in flowing water in conjunction with the repair or maintenance of existing structures.
2. The need for the proposed impacts has been addressed by the applicant per Env-Wt 302.01. The existing bridge abutment wall is severely deteriorated and in need of repair.
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.

2010-02021 LANDAFF, TOWN OF
LANDAFF Unnamed Wetland

Requested Action:

Impact 2,900 square feet of wetlands for a maintenance dredge of an existing ditch around an athletic field. 1,220 square feet of the impacts are temporary will be restored.

APPROVE PERMIT:

Impact 2,900 square feet of wetlands for a maintenance dredge of an existing ditch around an athletic field. 1,220 square feet of the impacts are temporary will be restored.

With Conditions:

1. All work shall be done in accordance with plans by Lobdell Associates (Figure 1) as received by DES on August 02, 2010.
2. Appropriate siltation/erosion controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
3. Machinery shall be refueled in upland areas.
4. Dredged spoils shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
5. Following completion of work the areas of temporary impact shall be restored with native vegetation and be restored to the original contours.
6. 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.
7. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
8. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.

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

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(k) Maintenance dredging, when necessary to provide continued usefulness of nontidal drainage ditches, man-made ponds, and spillways;
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The Conservation Commission signed the application waiving their right to intervene pursuant to RSA 482-A:11.
4. No comments were submitted from the NH Natural Heritage Bureau or the NH Fish and Game Department.

**2010-02197 SAYERS, LEWIS & ANN
NEW HAMPTON Lake Waukewan**

Requested Action:

Replace in kind an existing 10 ft x 18 ft dug in boat house on Lake Waukewan, New Hampton.

Conservation Commission/Staff Comments:

Con Com signed Exp Applicaiton

APPROVE PERMIT:

Replace in kind an existing 10 ft x 18 ft dug in boat house on Lake Waukewan, New Hampton.

With Conditions:

1. All work shall be in accordance with plans by Northstar Contractors, as received by the NH Department of Environmental Services (DES) on August 16, 2010.
2. This permit shall not be effective until it has been recorded with the county Registry of Deeds Office by the Permittee. A copy of the recorded permit shall be submitted to the DES Wetlands Bureau, by certified mail, return receipt requested, prior to construction.
3. The repairs shall maintain the size, location and configuration of the pre-existing structures.
4. This permit to replace or repair existing structures shall not preclude the DES from taking any enforcement action or revocation action if the DES later determines that the structures represented as "existing" were not previously permitted or grandfathered.
5. All construction related debris shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
6. Appropriate siltation, erosion, and turbidity controls shall be in place prior to construction, maintained during construction, and shall remain until the area is stabilized.
7. Work authorized shall be carried out such that discharges in spawning or nursery areas during spawning seasons shall be avoided, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
8. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding areas and spawning areas shall be avoided.
9. Additional expedited minimum impact applications shall be accepted for the subject property for a period of 12 months only if the applicant demonstrates by plan that the additional project(s) are wholly unrelated or separate from the original application and when considered with the original application are not classified as minor or major.
10. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
11. All activities shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland.

With Findings:

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

**2010-02200 HAMEL, DANA
TUFTONBORO Lake Winnepesaukee**

Requested Action:

Repair an existing crib supported 6 ft x 39 ft and 6 ft x 30 ft dock in a "dogleg" configuration on Lake Winnepesaukee, Tuftonboro.

Conservation Commission/Staff Comments:
Con Com signed Exp Application

APPROVE PERMIT:

Repair an existing crib supported 6 ft x 39 ft and 6 ft x 30 ft dock in a "dogleg" configuration on Lake Winnepesaukee, Tuftonboro.

With Conditions:

1. All work shall be in accordance with plans by Fernstone Associates for the Natural Resources dated July 29, 2010, as received by the NH Department of Environmental Services (DES) on August 17, 2010.
2. This permit shall not be effective until it has been recorded with the county Registry of Deeds Office by the Permittee. A copy of the recorded permit shall be submitted to the DES Wetlands Bureau, by certified mail, return receipt requested, prior to 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.

LAKES-SEASONAL DOCK NOTIF

**2010-02294 FRANCO IRREVOCABLE TRUST, MATTHEW & ANDREW
STODDARD Island Pond**

COMPLETE NOTIFICATION:

Stoddard Tax Map 134, Lot# 30 Island Pond

PERMIT BY NOTIFICATION

**2010-02019 REAMS, JAMES & JANIS
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.

**2010-02148 SAURIOL, THOMAS
MOULTONBOROUGH 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 about sediment controls during construction

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 IS COMPLETE:

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

**2010-02232 MCNULTY, WILLIAM
MEREDITH 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.

2010-02347 EISENBERG, BENSON & ARLENE
RANDOLPH Farm Pond

Requested Action:

Maintenance dredge approximately 8,700 square feet of an existing man-made pond and dredge and fill less than 200 square feet of a man-made pond for dry hydrant installation.

PBN IS COMPLETE:

Maintenance dredge approximately 8,700 square feet of an existing man-made pond and dredge and fill less than 200 square feet of a man-made pond for dry hydrant installation.

With Findings:

1. This project meets the criteria of NH Administrative Rule Env-Wt 506.01(a) (3) Maintenance dredging that meets the criteria in Env-Wt 303.04(k) and the criteria of NH Administrative Rule Env-Wt 506.01(a)(6), the excavation of less than 10 linear feet within the bank and bed of a surface water that does not exceed 200 square feet in total jurisdictional impact to the bed, that meets the criteria in Env-Wt 303.04(w).
2. The Conservation Commission signed the PBN waiving their right to intervene pursuant to RSA 482-A:11.
3. No comments were submitted from the NHFG Nongame and Endangered Wildlife Program, or the Natural Heritage Bureau.

2010-02366 153 NORTH BROADWAY LLC
NEWBURY Sunapee Lake

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.

**2010-02393 CHARLESTOWN, TOWN OF
CHARLESTOWN Halls Pond**

Requested Action:

Temporarily impact ± 1,600 sq. ft. of Hall Pond to repair a dam leak (No. 041.07).

PBN IS COMPLETE:

Temporarily impact ± 1,600 sq. ft. of Hall Pond to repair a dam leak (No. 041.07).

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(x), maintenance, repair or replacement of a dam.
2. Comments of concern were not submitted to the file.
3. The Charleston Conservation Commission signed the notification.
4. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
5. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
6. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

**2010-02400 LUCHINI, ANN
GILFORD Lake Winnepesaukee**

Requested Action:

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

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 and beach replenishment.

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

**2009-00655 BICKFORD, KENNETH/LAUREN
MOULTONBOROUGH Lake Winnepesaukee**

Requested Action:

AMENDMENT DESCRIPTION: Revised plans dated July 7, 2010 by Holden Engineering & Surveying, Inc. Detached garage location relocated. Portion of garage over the 250' Reference line with reconfiguration on the south and west side of structure. Gravel Driveway reconfigured. Total impact associated with driveway and garage, 8,730. Impervious area increased from 17.4% to 18.4%.

Impact 4631 sq ft for the purpose of constructing an addition onto an existing structure and relocating an existing driveway and and garage.

APPROVE AMENDMENT:

AMENDMENT DESCRIPTION: Revised plans dated July 7, 2010 by Holden Engineering & Surveying, Inc. Detached garage location relocated. Portion of garage over the 250' Reference line with reconfiguration on the south and west side of structure. Gravel Driveway reconfigured. Total impact associated with driveway and garage, 8,730. Impervious area increased from 17.4% to 18.4%.

Impact 4631 sq ft for the purpose of constructing an addition onto an existing structure and relocating an existing driveway and and garage.

With Conditions:

1. All work shall be in accordance with plans by Holden Engineering and Survey Inc dated May 6, 2009 and received by the Department of Environmental Services ("DES") on May 7, 2009.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. No new impervious surfaces shall be constructed until the portions of the existing asphalt driveway designated for removal as shown on plans by Holden Engineering and Survey Inc, are removed.
4. No more than 17.4% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
5. The project proposes to leave 725 sq ft in the unaltered state. There shall be no impacts to native vegetation associated with the proposed project in order to comply with RSA 483-B:9, V, (b), (2), (A), (i).
6. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands or areas to remain unaltered.
7. Within three days of final grading or temporary suspension of work, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
8. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
9. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
10. 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.
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.

2009-02069 JUDD, DAVID/JO-ANN
WAKEFIELD Horns Pond

Requested Action:

Amend shoreland impact permit to allow addition of 150 sq ft stairway to deck area.

APPROVE AMENDMENT:

Impact 3,750 sq ft for the purpose of constructing a new residential dwelling.

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 submitted by David Judd and received by the Department of Environmental

Services ("DES") on August 9, 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 17.6% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
4. The project as proposed will leave approximately 312 sq ft of the Natural Woodland Buffer beyond the primary building setback in an unaltered state. At least 2,485 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
5. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on areas determined to remain in an unaltered state.
6. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
7. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
8. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
9. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
10. Any fill used shall be clean sand, gravel, rock, or other suitable material.
11. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).
12. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
13. Silt fencing must be removed once the area is stabilized.
14. All stormwater controls shall be designed, installed and maintained to effectively absorb and infiltrate stormwater.
15. All pervious technologies shall be designed, installed and maintained to effectively absorb stormwater.

With Findings:

1. The existing non-conforming structure is located within the 50 ft primary building setback to Horns 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 revegetate previously existing impervious areas within the waterfront buffer with native vegetation.
4. The applicant has proposed to install stormwater controls consisting of infiltration trenches under the driplines of the new primary structure.
5. The applicant has proposed to use pervious technologies to construct a patio.
6. The applicant has proposed to install a new NH DES Subsurface Bureau approved wastewater treatment system behind the 150 foot natural woodland buffer.
7. The applicant has proposed to significantly enhance the waterfront buffer and install stormwater controls, and therefore, meets the requirements for a waiver to RSA 483-B:9 as described in RSA 483-B: 11, I.

2010-01833 **MICHAELIS, MARK**
PITTSBURG Francis Lake

Requested Action:

Impact 3,808 sq ft for the removal of existing cabin and outhouse and the construction of a 24ft x 32ft cabin on a full foundation with porch, new septic, well and to widen gravel drive.

APPROVE PERMIT:

Impact 3,808 sq ft for the removal of existing cabin and outhouse and the construction of a 24ft x 32ft cabin on a full foundation with porch, new septic, well and to widen gravel drive.

With Conditions:

1. All work shall be in accordance with plans by North Country Septic Design dated May 19, 2010 and received by the NH Department of Environmental Services (DES) on July 14, 2010.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. No more than 6.8% 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.

2010-01834 MICHAELIS, MARK
PITTSBURG Francis Lake

Requested Action:

Impact 1,300 sq ft for the widening of existing driveway.

APPROVE PERMIT:

Impact 1,300 sq ft for the widening of existing driveway.

With Conditions:

1. All work shall be in accordance with plans by North Country Septic Designs dated July 5, 2010 and received by the NH Department of Environmental Services (DES) on July 14, 2010.
2. No more than 3% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
3. The project as proposed will leave approximately 21,850 sq ft of the Natural Woodland Buffer beyond the primary building setback in an unaltered state. At least 10,925 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.

2010-01919 CENTER, BONNIE
HARRISVILLE Russell Reservoir

Requested Action:

Impact 688 sq.ft. for the construction of an 8'x 32' addition on dug piers.

APPROVE PERMIT:

Impact 688 sq.ft. for the construction of an 8'x 32' addition on dug piers.

With Conditions:

1. All work shall be in accordance with plans by David O'neal Construction, LLC dated July 1, 2010 and received by the NH Department of Environmental Services (DES) on July 16, 2010.
2. No more than 3.8% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
3. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
4. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
5. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
6. Any fill used shall be clean sand, gravel, rock, or other suitable material.
7. This permit shall not preclude 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.

2010-02143 NH DEPT OF TRANSPORTATION
SWANZEY Ashuelot River

Requested Action:

Impact 80,637 sq ft for the improvement of existing railroad bed using hard packed crushed gravel, stormwater drainage, erosion control and tree removal for sight distance improvements.

APPROVE PERMIT:

Impact 80,637 sq ft for the improvement of existing railroad bed using hard packed crushed gravel, stormwater drainage, erosion control and tree removal for sight distance improvements.

With Conditions:

1. All work shall be in accordance with plans by TF Moran Inc. dated March 28, 2010 and received by the NH Department of Environmental Services (DES) on August 10, 2010.
2. Any wetland impacts associated with the completion of the proposed project will require a wetlands permit under RSA 482-A
3. No more than 11% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
4. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
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. On August 10, 2010 the Department received a Shoreland Impact Application from TF Moran Inc for the purpose of impact 80,637 sq ft for the improvement of existing railroad bed using hard packed crushed gravel, stormwater drainage, erosion control and tree removal for sight distance improvements.
2. On August 19, 2010 the Department received a letter from Ashuelot River Local Advisory Committee stating they would like to see improvements in the drainage to better protect the Ashuelot River. Other concerns, safety signage for trail user and gates and/or barriers to prevent vehicular traffic from using trails.
3. The Department has reviewed the proposed project and found that the project as proposed is more conforming and environmentally beneficial through the proposed stormwater management plan and meets the requirements set forth in RSA 483-B.
4. The Department does not have jurisdiction to enforce signage, gates, and/or the placement of barriers on properties.

2010-02151 GOFFSTOWN, TOWN OF
GOFFSTOWN Piscataquog River

Requested Action:

Impact 15,614 sq ft for the stabilization of 150 ft of the slope along river with riprap.

APPROVE PERMIT:

Impact 15,614 sq ft for the stabilization of 150 ft of the slope along river with riprap.

With Conditions:

1. All work shall be in accordance with plans by Normandeu Associates Inc. dated August 3, 2010 and received by the NH Department of Environmental Services (DES) on August 12, 2010.
2. All proposed actions within the Banks and bed of the Piscataquog River are contingent upon first obtaining approval by the DES Wetlands Bureau in accordance with RSA 482-A.
3. No more than 7.7% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
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.

2010-02154 TAYLOR, WILLIAM
WAKEFIELD Balch Pond

Requested Action:

Impact 4,203 sq ft for the construction of a home, driveway, septic field, and well.

APPROVE PERMIT:

Impact 4,203 sq ft for the construction of a home, driveway, septic field, and well.

With Conditions:

1. All work shall be in accordance with plans by Fox Survey Company dated August 9, 2010 and received by the NH Department of Environmental Services (DES) on August 11, 2010.
2. No more than 23% 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 625 sq ft of the Natural Woodland Buffer beyond the primary building setback in an unaltered state. At least 156 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
4. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
5. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
6. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
7. Any fill used shall be clean sand, gravel, rock, or other suitable material.
8. This permit shall not preclude 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.
9. All actions associated with the installation of the proposed septic system are contingent on approval by the DES Subsurface Systems Bureau.

2010-02155 KORTE, JOHN
STRAFFORD Bow Lake

Requested Action:

Impact 1,709 sq ft for the construction of a deck, walkway, slab for a patio, and a foundation under existing dwelling.

APPROVE PERMIT:

Impact 1,709 sq ft for the construction of a deck, walkway, slab for a patio, and a foundation under existing dwelling.

With Conditions:

1. All work shall be in accordance with plans by Garry Perkins Concrete dated August 1, 2010 and received by the NH Department of Environmental Services (DES) on August 11, 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. 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.

2010-02157 OXNER, MARTHA & KARL
CONWAY Pequawket Pond

Requested Action:

Impact 1120 sq ft for the construction of a driveway, garage, and a connected breezeway.

APPROVE PERMIT:

Impact 1120 sq ft for the construction of a driveway, garage, and a connected breezeway.

With Conditions:

1. All work shall be in accordance with plans by Foster Maxwell dated August 1, 2010 and received by the NH Department of

Environmental Services (DES) on August 12, 2010.

2. No more than 12.6% 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 5,860 sq ft of the Natural Woodland Buffer beyond the primary building setback in an unaltered state. At least 2,500 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
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.

2010-02159 CARL, SUSAN & PETER
NEWBURY Todd Lake

Requested Action:

Impact 6,218 sq ft for the construction of a second residential structure.

APPROVE PERMIT:

Impact 6,218 sq ft for the construction of a second residential structure.

With Conditions:

1. All work shall be in accordance with plans by RCS Designs dated June 1, 2010 and received by the NH Department of Environmental Services (DES) on August 12, 2010.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. No more than 10.2% 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.

2010-02165 LAKE SHORE PARK ASSOC, ALAN KIRKMAN, DIRECTOR
GILFORD Lake Winnepesaukee

Requested Action:

Impact 1,551 sq ft for the removal and replacement of two existing cottages.

APPROVE PERMIT:

Impact 1,551 sq ft for the removal and replacement of two existing cottages.

With Conditions:

1. All work shall be in accordance with plans by Alan Kirkman dated August 1, 2010 and received by the NH Department of Environmental Services (DES) on August 13, 2010.
2. No more than 32.4% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
3. 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.

2010-02167 JACKSON, CLARK
SANBORNTON Winnisquam Lake

Requested Action:

Impact 6,563 sq ft to maintain and upgrade an existing common driveway and add underdrains.

APPROVE PERMIT:

Impact 6,563 sq ft to maintain and upgrade an existing common driveway and add underdrains.

With Conditions:

1. All work shall be in accordance with plans by Granite State Septic Designs dated May 25, 2010 and received by the NH Department of Environmental Services (DES) on August 16, 2010.
2. No more than 28.5% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
3. At least 1294 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
4. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
5. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
6. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
7. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
8. Any fill used shall be clean sand, gravel, rock, or other suitable material.

2010-02169 STOCKWELL, OPAL
SUNAPEE Otter Pond

Requested Action:

Impact 4,300 sq ft for the purpose of constructing a new parking area and walkway.

APPROVE PERMIT:

Impact 4,300 sq ft for the purpose of constructing a new parking area and walkway.

With Conditions:

1. All work shall be in accordance with by Pennyroyal Mill Land Surveying, LLC. last revised July 31, 2010 and received by the Department of Environmental Services ("DES") on August 16, 2010.
2. No more than 6.1% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
3. There shall be no impacts to native vegetation or natural ground covers between 50 ft and 150 ft of the reference line associated with this project.
4. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
5. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
6. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
7. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
8. Any fill used shall be clean sand, gravel, rock, or other suitable material.
9. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
10. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
11. Silt fencing must be removed once the area is stabilized.

2010-02174 SCHARAGA, STUART
UNITY Crescent Lake

Requested Action:

Impact 488 sq ft for the purpose of constructing a new garage.

APPROVE PERMIT:

Impact 488 sq ft for the purpose of constructing a new garage.

With Conditions:

1. All work shall be in accordance with plans by submitted by Wayne McCutcheon and received by the Department of Environmental Services ("DES") on August 16, 2010.
2. No more than 24.0% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
3. No impacts shall occur to native vegetation or natrual ground covers within the natural woodland buffer associated with this project.
4. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
5. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
6. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
7. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
8. Any fill used shall be clean sand, gravel, rock, or other suitable material.
9. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
10. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

11. Silt fencing must be removed once the area is stabilized.

**2010-02176 GIUCA, JAMES
NEW DURHAM Downing Pond**

Requested Action:

Impact 850 sq ft for the purpose of regrading a grandfathered altered area.

APPROVE PERMIT:

Impact 850 sq ft for the purpose of regrading a grandfathered altered area.

With Conditions:

1. All work shall be in accordance with plans submitted by Jim Giuca and received by the Department of Environmental Services ("DES") on August 16, 2010.
2. No more than 38.0% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
3. There shall be no impacts to native vegetation between 50 ft and 150 ft of the reference line in order to remain compliant with RSA 483-B:9, V, (b), (2), (A), (ii).
4. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
5. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
6. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
7. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
8. Any fill used shall be clean sand, gravel, rock, or other suitable material.
9. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
10. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
11. Silt fencing must be removed once the area is stabilized.

**2010-02188 MACENTEE, ROBERT
DEERING Deering Reservoir**

Requested Action:

Impact 3,350 sq ft for the purpose of constructing a new residential dwelling and associated accessory structures.

APPROVE PERMIT:

Impact 3,350 sq ft for the purpose of constructing a new residential dwelling and associated accessory structures.

With Conditions:

1. All work shall be in accordance with plans by Todd Land use Consultants, LLC dated August 9, 2010 and received by the Department of Environmental Services ("DES") on August 17, 2010.

2. No more than 8.0% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
3. This permit is contingent upon receiving all necessary approvals from the DES Subsurface Systems Bureau.
4. There shall be no impacts to native vegetation or natural ground cover within the waterfront buffer associated with this project.
5. The project as proposed will leave approximately 18,996 sq ft of the Natural Woodland Buffer beyond the primary building setback in an unaltered state. At least 11,748 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
6. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
7. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
8. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
9. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
10. Any fill used shall be clean sand, gravel, rock, or other suitable material.
11. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
12. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
13. Silt fencing must be removed once the area is stabilized.

2010-02189 HOWARD, JEFFERY
SUNAPEE Sunapee Lake

Requested Action:

Impact 6693 sq.ft. for the reconstruction of existing dwelling and an addition, breezeway, garage, well and new driveway.

APPROVE PERMIT:

Impact 6,693 sq ft for the reconstruction of existing dwelling and an addition, breezeway, garage, well and new driveway.

With Conditions:

1. All work shall be in accordance with plans by Schauer Environmental Consultants, LLC dated August 4, 2010 and received by the NH Department of Environmental Services (DES) on August 17, 2010.
2. No more than 16.4% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
3. 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.

CSPA PERMIT W/WAIVER

**2010-00660 MERCEDES A TYLER TRUST OF 2004
TUFTONBORO Lower Beach Pond**

Requested Action:

Impact 1,876 sq ft to expand an existing nonconforming primary structure, replace a waterline, and install a dry well and a new effluent disposal system.

APPROVE PERMIT:

Impact 1,876 sq ft to expand an existing nonconforming primary structure, replace a waterline, and install a dry well and a new effluent disposal system.

WAIVER APPROVED: RSA 483-B:9, II is waived to allow the expansion of an existing nonconforming structure in accordance with RSA 483-B:11, II,

With Conditions:

1. All work shall be in accordance with plans by Land Technical Service Corp as revised August 12, 2010, and received by the NH Department of Environmental Services (DES) on August 17, 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 Carroll County 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 15.6% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
4. The project as proposed will leave approximately 4,636 sq ft of the Natural Woodland Buffer beyond the primary building setback in an unaltered state. At least 2,211 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. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
6. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
7. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
8. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
9. Any fill used shall be clean sand, gravel, rock, or other suitable material.

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, 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 proposes to upgrade the on site effluent disposal system and install a dry well to improve the detention and infiltration of stormwater on site.
4. The applicant has proposed to improve stormwater and wastewater treatment on site and therefore, meets the requirements for a waiver to RSA 483-B:9 as described in RSA 483-B: 11, II.

**2010-01442 FRAZIER, JAMES
WINDHAM Cobbett's Pond**

Requested Action:

Impact 10,000 sq ft for the purpose of replacing a residential primary structure and installing stormwater controls.

APPROVE PERMIT:

Impact 10,000 sq ft for the purpose of replacing a residential 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 Benchmark Engineering, Inc., dated January 24, 2010 and received by the Department of Environmental Services ("DES") on July 7, 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 12.7% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
4. 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. In order to remain compliant with RSA 483-B:9, V, (b), (2), there shall be no impacts to native vegetation or natural ground cover between 50 feet and 150 feet from the reference line.
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.
11. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
13. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
14. Silt fencing must be removed once the area is stabilized.
15. 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.
16. 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 Cobbetts 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 install stormwater controls consisting of a drywell capable of capturing stormwater from the driveway.
4. The applicant has proposed to remove impervious area from the waterfront buffer.

5. Applicant has proposed to create a vegetated swale within the waterfront buffer.
6. The applicant has proposed to plant additional, native plantings.
7. The applicant has proposed to reduce the area of imperviousness within the protected shoreland by 1,335 sq ft.
8. The applicant has proposed to install sound stormwater controls and significantly 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.

2010-01937 SANTORO, PETER & CHASITY
NEWBURY Lake Sunapee

Requested Action:

Impact 3,344 sq ft for the purpose of constructing a new residential dwelling, associated accessory structures and installing stormwater management techniques.

APPROVE PERMIT:

Impact 3,344 sq ft for the purpose of constructing a new residential dwelling, associated accessory structures and installing stormwater management techniques.

WAIVER APPROVED: RSA 483-B:9, V(g)(1) is waived to allow the redevelopment a lot within the protected shoreland that exceeds 30% impervious surface coverage.

With Conditions:

1. All work shall be in accordance with plans by CLD Engineers dated May, 2010 and received by the Department of Environmental Services ("DES") on July 23, 2010.
2. This approval includes a waiver of RSA 483-B:9, V(g)(1) 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 47.9% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
4. The proposed stormwater management plan shall be designed, installed and maintained to effectively absorb and infiltrate stormwater.
5. All pervious technologies used shall be designed, installed and maintained to effectively absorb and infiltrate stormwater.
6. 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 native vegetation or natural ground cover between 50 feet and 150 feet from the reference line.
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 on a lot that exceeds 30% impervious surface coverage within the protected shoreland adjacent to Lake Sunapee, and therefore, fails to conform to the impervious surface limitation set forth in RSA 483-B:9, V (g)(1), 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 304 sq ft of impervious area from the protected shoreland.
4. The applicant has proposed to install stormwater controls consisting of rain gardens and stone infiltration trenches.
5. The applicant has proposed to achieve a greater setback from the reference line.
6. The applicant has proposed to install stormwater controls and reduce the total amount of impervious surface coverage within the protected shoreland, and therefore, meets the requirements for a waiver of RSA 483-B:9 as described in RSA 483-B: 11, I.

2010-01941 MONTEVERDI, CHARLES & LORETTA
DEERFIELD Pleasant Lake

Requested Action:

Impact 9,650 sq ft for the purpose of replacing a nonconforming, residential primary structure and installing a new septic system and stormwater controls.

APPROVE PERMIT:

Impact 9,650 sq ft for the purpose of replacing a nonconforming, residential primary structure and installing a new septic system and 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 Keyland Enterprises, L.L.C., dated July 6, 2010 and received by the Department of Environmental Services ("DES") on July 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 13.4% 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. All pervious technologies used shall be designed, installed and maintained to effectively absorb and infiltrate stormwater.
7. No impacts to natural ground cover or native vegetation shall occur within the waterfront buffer.
8. Upon completion of the proposed project, the submitted planting plan shall be implemented to ensure that all proposed plantings acheive a 100% success rate.
9. 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.
10. The project as proposed will leave approximately 7,668 sq ft of the Natural Woodland Buffer beyond the primary building setback in an unaltered state. At least 3,335 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).
11. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on areas determined

to remain in an unaltered state.

12. 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.

13. 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.

14. 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.

15. 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.

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

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

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

19. Silt fencing must be removed once the area is stabilized.

20. 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.

21. 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 Pleasant 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 remove approximately 420 sq ft of impervious surface within the waterfront buffer of the protected shoreland.

4. The applicant has proposed to install stormwater controls consisting of infiltration trenches and plunge pools.

5. The applicant has proposed to install a new NH DES Subsurface Bureau approved wastewater treatment system.

6. The applicant has proposed to enhance the waterfront buffer with additional, native vegetation.

7. The applicant has proposed to install stormwater controls, install a new septic system, reduce the total amount of impervious surfaces within the protected shoreland and plant additional vegetation within the waterfront buffer and therefore, meets the requirements for a waiver of RSA 483-B:9 as described in RSA 483-B: 11, I.

**2010-01972 REED, CARL
RAYMOND Lamprey River**

Requested Action:

Impact 14,000 sq ft for the purpose of redeveloping a nonconforming commercial lot.

APPROVE PERMIT:

Impact 14,000 sq ft for the purpose of redeveloping a nonconforming commercial lot.

WAIVER APPROVED: RSA 483-B:9, V(g)(1) is waived to allow the redevelopment of lot within the protected shoreland that exceeds 30% impervious surface coverage.

With Conditions:

1. All work shall be in accordance with plans by Jones and Beach Engineers, Inc., last revised July 15, 2010 and received by the Department of Environmental Services ("DES") on July 27, 2010. 2. This approval includes a waiver of RSA 483-B:9, V(g)(1) 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 58.4% 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 Alteration of Terrain 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. In order to remain compliant with RSA 483-B:9, V, (b), (2), there shall be no impacts to native vegetation or natural ground cover between 50 feet and 150 feet from the reference line.
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 on a lot that exceeds 30% impervious surface coverage within the protected shoreland adjacent to the Lamprey River and, therefore, fails to conform to the impervious surface limitation set forth in RSA 483-B:9, V (g)(1), 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 impervious areas within the protected shoreland.
4. The applicant has proposed to incorporate sound stormwater management techniques.
5. The applicant has proposed to install stormwater controls and reduce impervious area within the protected shoreland, and therefore, meets the requirements for a waiver of RSA 483-B:9 as described in RSA 483-B: 11, I.

2010-01973 REED, CARL
RAYMOND Lamprey River

Requested Action:

Impact 18,623 sq ft for the purpose of redeveloping a nonconforming commercial lot.

APPROVE PERMIT:

Impact 18,623 sq ft for the purpose of redeveloping a nonconforming commercial lot.

WAIVER APPROVED: RSA 483-B:9, V(g)(1) is waived to allow the redevelopment of lot within the protected shoreland that exceeds 30% impervious surface coverage.

With Conditions:

1. All work shall be in accordance with plans by Jones and Beach Engineers, Inc., last revised July 15, 2010 and received by the Department of Environmental Services ("DES") on July 27, 2010. 2. This approval includes a waiver of RSA 483-B:9, V(g)(1) 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 29.3% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
4. This permit is contingent upon receiving all necessary approvals from the NH DES Alteration of Terrain 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. In order to remain compliant with RSA 483-B:9, V, (b), (2), there shall be no impacts to native vegetation or natural ground cover between 50 feet and 150 feet from the reference line.
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 on a lot that exceeds 30% impervious surface coverage within the protected shoreland adjacent to the Lamprey River and, therefore, fails to conform to the impervious surface limitation set forth in RSA 483-B:9, V (g)(1), 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 impervious areas within the waterfront buffer.
4. The applicant has proposed to incorporate sound stormwater management techniques.
5. The applicant has proposed to install stormwater controls and reduce impervious area within the waterfront buffer, and therefore, meets the requirements for a waiver of RSA 483-B:9 as described in RSA 483-B: 11, I.

**2010-01974 REED, CARL
RAYMOND Lamprey River**

Requested Action:

Impact 32,516 sq ft for the purpose of redeveloping a nonconforming commercial lot.

APPROVE PERMIT:

Impact 32,516 sq ft for the purpose of redeveloping a nonconforming commercial lot.

WAIVER APPROVED: RSA 483-B:9, V(g)(1) is waived to allow the redevelopment of lot within the protected shoreland that exceeds 30% impervious surface coverage.

With Conditions:

1. All work shall be in accordance with plans by Jones and Beach Engineers, Inc., last revised July 15, 2010 and received by the Department of Environmental Services ("DES") on July 27, 2010. 2. This approval includes a waiver of RSA 483-B:9, V(g)(1) 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 87.6% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
4. This permit is contingent upon receiving all necessary approvals from the NH DES Alteration of Terrain 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. In order to remain compliant with RSA 483-B:9, V, (b), (2), there shall be no impacts to native vegetation or natural ground cover between 50 feet and 150 feet from the reference line.
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 on a lot that exceeds 30% impervious surface coverage within the protected shoreland adjacent to the Lamprey River and, therefore, fails to conform to the impervious surface limitation set forth in RSA 483-B:9, V (g)(1), 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 impervious areas within the waterfront buffer.
4. The applicant has proposed to incorporate sound stormwater management techniques.
5. The applicant has proposed to install stormwater controls and reduce impervious area within the waterfront buffer, and therefore, meets the requirements for a waiver of RSA 483-B:9 as described in RSA 483-B: 11, I.

2010-02032 PICARD JR, ROLAND
WENTWORTHS LOCA Magalaway River

Requested Action:

Impact 240 sq ft for the purpose of expanding a nonconforming primary structure and installing stormwater controls.

APPROVE PERMIT:

Impact 240 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 Roland Picard, dated March 3, 2009 and received by the Department of Environmental Services ("DES") on July 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 12.7% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
4. 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. 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. 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 the Magalloway 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 install stormwater controls consisting of 8 inch by 18 inch stone infiltration trenches under the drip edges of the existing and proposed structures.
4. The applicant has proposed to install significant stormwater controls, and therefore, meets the requirements for a waiver of RSA 483-B:9 as described in RSA 483-B: 11, I.

2010-02171 DZIERZEK, PRISCILLA
NEW DURHAM Merrymeeting Lake

Requested Action:

Impact 995 sq ft for the purpose of expanding a nonconforming primary structure and installing stormwater controls.

APPROVE PERMIT:

Impact 995 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 Ames Associates dated April 29, 2010 and received by the Department of Environmental Services ("DES") on August 13, 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 26.4% 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 techniques 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. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on the 1,475 sq ft area determined to exist 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.
- 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 Merrymeeting 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 a water bar within the existing driveway that will direct stormwater to an infiltration area.
- 4. The applicant has proposed to regrade an area adjacent to the home that will reduce the slope and will be more prone to infiltrating stormwater.
- 5. The applicant has proposed to plant additional, native plantings within the waterfront and natural woodland buffers.
- 6. The applicant has proposed to install stormwater controls and significantly enhance the buffer zones of the protected shoreland and therefore, meets the requirements for a waiver of RSA 483-B:9 as described in RSA 483-B: 11, I.

**2010-02276 FARMINGTON FISH & GAME CLUB
NEW DURHAM Club Pond**

Requested Action:

Impact 4,008 sq ft for the purpose of installing a transformer pad and underground utility lines.

APPROVE PERMIT:

Impact 4,008 sq ft for the purpose of installing a transformer pad and underground utility lines.

RULE WAIVER APPROVED: Administrative Rule Env-Wq 1406.12(h), is waived to allow the impacts to occur within the protected shoreland without completing the shoreland application worksheet.

With Conditions:

- 1. All work shall be in accordance with plans by White Mountain Survey dated August 23, 2010, and received by the Department of Environmental Services ("DES") on August 24, 2010.
- 2. This approval includes a waiver of administrative rule Env-Wq 1406.12(h), and therefore, there shall be no additional impacts within the protected shoreland unless additional approvals are obtained from DES.
- 3. No impacts to natural ground cover or native vegetation shall occur within the waterfront buffer.
- 4. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on areas determined to remain in an unaltered state.
- 5. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
- 6. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.

7. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
8. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
9. Any fill used shall be clean sand, gravel, rock, or other suitable material.
10. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
11. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
12. Silt fencing must be removed once the area is stabilized.
13. 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.
14. All impacts within wetlands, surface waters and their banks shall require a Wetland Permit under RSA 482-A.

With Findings:

1. The proposed impervious area is no greater than 16 sq ft on a large lot of which 41 acres is within the protected shoreland.
2. The subject lot nearly completely surrounds the public waterbody.
3. Granting the request will not result in an adverse effect to the environment or natural resources of the state, public health, or public safety.
4. The literal enforcement of the rule would create an unnecessary hardship as requiring the applicant to perform the calculations on the shoreland application worksheet would require extensive surveying and tremendous fees would be incurred.
5. Granting the request will do substantial justice as requiring the applicant to complete the shoreland application worksheet would be overly burdensome and is counter to the intent of the CSPA.
6. Granting the request will not result in an impact on abutting properties that is more significant than that which would result from complying with the rule.
7. Granting the request is consistent with the intent and purpose of the rule being waived.

UTILITY NOTIFICATION

2010-02397 PSNH
GROVETON Unnamed Wetland