

Wetlands Bureau Decision Report

Decisions Taken
09/27/2010 to 10/03/2010

DISCLAIMER:

This document is published for information purposes only and does not constitute an authorization to conduct work. Work in jurisdiction may not commence until the applicant has received a posting permit.

Decisions are subject to appeal, and are reviewed by the federal agencies for compliance with Section 404 of the Federal Clean Water Act.

APPEAL:

I. Any affected party may ask for reconsideration of a permit decision in accordance with RSA 482-A:10,II within 30 days of the Department's issuance of a decision. Requests for reconsideration should:

- 1) describe in detail each ground for complaint. Only grounds set forth in the request for reconsideration can be considered at subsequent levels of appeal;
- 2) provide new evidence or information to support the requested action;
- 3) Parties other than the applicant, the town, or contiguous abutters must explain why they believe they are affected; and
- 4) Be mailed to the DES Wetlands Bureau, PO Box 95, Concord, NH 03302-0095.

II. An appeal of a decision of the department after reconsideration may be filed with the Wetlands Council in accordance with RSA 482-A:10, IV within 30 days of the department's decision. Filing of the appeal must:

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

MAJOR IMPACT PROJECT

**2010-00680 DERRY, TOWN OF
DERRY 100' Prime Wetland**

Requested Action:

Upgrade 2.15 miles of the existing recreational rail trail in the Town of Derry located between Bowers Road to the north and North Lowell Road to the south, of which 63,078 square feet lies within the 100 foot buffer to a designated prime wetland. There are no direct wetlands impacts associated with this project.

Conservation Commission/Staff Comments:

The Derry Conservation Commission supports this project.

Inspection Date: 07/15/2010 by Frank D Richardson

APPROVE PERMIT:

Upgrade 2.15 miles of the existing recreational rail trail in the Town of Derry located between Bowers Road to the north and North Lowell Road to the south, of which 63,078 square feet lies within the 100 foot buffer to a designated prime wetland. There are no direct wetlands impacts associated with this project.

With Conditions:

1. All work shall be in accordance with plans by Edward N. Herbert Assoc., Inc. dated March 2010, as received by the NH Department of Environmental Services (DES) on March 19, 2010.
2. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and/or further permitting by the Bureau.
3. NH DES Wetlands Bureau Southeast Region staff and the Derry Conservation Commission shall be notified in writing prior to commencement of work and upon its completion.
4. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.

With Findings:

1. This is a major impact project per Administrative Rule Env-Wt 303.02(k), Projects located in or adjacent to prime wetlands designated under RSA 482-A:15
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01. 3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a), Requirements for Application Evaluation, has been considered in the design of the project.
5. DES Staff conducted a field inspection of the proposed project on July 15, 2010. Field inspection determined the trail is deeply rutted in many areas and needs to be regraded and paved to provide for safe passage of bicycles, wheel chairs, foot traffic and other conveyances.
6. In accordance with RSA 428-A:8, DES finds that the requirements for a public hearing do not apply as there is clear and convincing evidence, based on review of the application and existing site conditions, that this project will result in no significant loss of values to the adjacent designated prime wetlands.
7. All work is confined to the existing rail trail travel way. There is no work proposed in jurisdictional wetlands.

**2010-00764 SUNSET RANCH CAMP INC, ROLAND DURHAM
ORFORD Upper Baker Pond**

Requested Action:

Applicant request reconsideration of the Department's decision to deny the Applicant's request to rip rap approximately 70 linear feet of shoreline, on Upper Baker Pond, in Orford.

Conservation Commission/Staff Comments:

No comments from Con Com by 06/22/2010

DENY RECONSIDERATION:

Deny reconsideration and reaffirm the denial of the Applicant's request to to rip rap approximately 70 linear feet of shoreline, on Upper Baker Pond, in Orford.

With Findings:

Standards for Approval

1. In accordance with RSA 482-A:10,III, Appeals, "On reconsideration, the department shall receive and consider any new and additional evidence presented, and shall make findings of fact and rulings of law in support of its decision after reconsideration."
2. In accordance with RSA 482-A:10,III, Appeals, "if the basis for denial includes failure by the applicant to submit all requested information and the applicant submits all of the requested information with the request for reconsideration, the department shall act on the request within 75 days from the date of the department's receipt of the request for projects where the applicant proposes under one acre of jurisdictional impact, and within 105 days for all other projects."
3. In accordance with RSA 482-A:10,II "A request for reconsideration of a department decision under RSA 482-A:3 shall be filed with the department within 30 days of issuance of the department's decision. The request for reconsideration shall describe in detail each ground for the request for reconsideration."
4. This project is classified as a major impact per Rule Env-Wt 303.02(I), "projects which, when taken in the aggregate with previous work on the property within the last 5 years, would be considered major."

Findings of Fact

1. On August 05, 2010, the Department denied the Applicant's original request to rip rap approximately 70 linear feet of shoreline, on Upper Baker Pond, in Orford.
2. On September 07, 2010, the Department received a Reconsideration Request dated September 02, 2010. This Reconsideration Request was received 33 days from the date of the decision to deny the application by the Department.
3. This request included a several new photographs of the shoreline. The requested evidence that the rip rap was the least impacting, practicable alternative method of bank stabilization at this site was not included in the Reconsideration Request.
4. The additional information did not include new plans of the shoreline indicating a reduction in elevation of the top of the rip rap.
5. The information submitted did not include adequate information that vegetative stabilization would not sufficiently stabilize this frontage.

Rulings in Support of Denial

1. The Applicant did not submit the outstanding required information that was the basis for the August 05, 2010 denial. As such, the Applicant has failed to meet the requirements of RSA 482-A:10, III, in that they failed to submit "all of the requested information with the request for reconsideration," and therefore, the request for reconsideration is denied.
2. The Applicant did not submit the Reconsideration Request within the time requirements of RSA 482-A:10,II, therefore the reconsideration is denied.

**2010-00765 SEYBOLT FAMILY TRUST, JOHN
RYE Sagamore River**

Requested Action:

Stabilize 244 linear feet of eroded shoreline, in specifically located sections to avoid impacting areas of indigenous coastal vegetation, with stone rip-rap underlain with filter fabric. All work to be landward of the highest observable tide line.

Conservation Commission/Staff Comments:

"The [Rye] Conservation Commission has no objection to the requested permit."

Inspection Date: 06/23/2010 by Frank D Richardson

APPROVE PERMIT:

Stabilize 244 linear feet of eroded shoreline, in specifically located sections to avoid impacting areas of indigenous coastal vegetation, with stone rip-rap underlain with filter fabric. All work to be landward of the highest observable tide line.

With Conditions:

1. All work shall be in accordance with plans by Riverside & Pickering Marine Contractors dated 02/18/2010 (last revised 06/30/10), as received by the NH Department of Environmental Services (DES) on August 24, 2010.
2. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and/or further permitting by the Bureau.
3. NH DES Wetlands Bureau Southeast Region staff and the Rye Conservation Commission shall be notified in writing prior to commencement of work and upon its completion.
4. All activities shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland.
5. DES Wetlands Bureau Southeast Region staff must be contacted to verify that the sections of shoreline to be stabilized are clearly staked out prior to construction to preserve areas of indigenous coastal vegetation that should not be disturbed which are found between the areas to receive the rip-rap.
6. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
7. Work shall be done during periods of low tide. All work to be above the highest observable tide line.
8. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid prior to entering areas adjacent to surface waters or wetlands.
9. Faulty equipment shall be repaired prior to entering jurisdictional areas.
10. 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 major impact project per Administrative Rule Env-Wt 303.02(b), Projects within 100 feet of the highest observable tide line that alter any bank ...
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) and (c), 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 June 23, 2010. Field inspection determined that the placement of stone rip-rap to stabilize sections of the shoreline on this property is warranted due to the erosion observed. However, the sections to be stabilized must be clearly staked out prior to construction to preserve areas of indigenous coastal vegetation that should not be disturbed which are found between the areas to receive the rip-rap.

2010-01160

MADISON ASSOCIATION OF TENANTS ENTERPRISE, MARGARE

MADISON Davis Pond

Requested Action:

Replenish an existing 70 ft x 24 ft sloped beach with 31 cubic yards of sand on an average of 70 ft of frontage on Davis Pond, in Madison.

Conservation Commission/Staff Comments:

No comments from Con Com by Aug 17, 2010

APPROVE PERMIT:

Replenish an existing 70 ft x 24 ft sloped beach with 31 cubic yards of sand on an average of 70 ft of frontage on Davis Pond, in Madison.

With Conditions:

1. All work shall be in accordance with plans as received by the NH Department of Environmental Services (DES) on September 08, 2010.
2. 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.
3. No more than 31 cu yd of sand may be used and all sand shall be located above the normal high water line.
4. This permit shall be used only once, and does not allow for annual beach replenishment.
5. The permittee shall provide appropriate diversion of surface water runoff to prevent erosion of beach area.
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(o), replenishment of a beach that does not meet the criteria for minimum impact under Env-Wt 303.04(aa), or minor impact under Env-Wt 303.03(f).

2010-01580 BAHRE ALTON PROPERTIES LLC
ALTON Unnamed Wetland

Requested Action:

Proposal to dredge and fill 24,670 sq. ft. of wetlands and temporarily impact 700 sq. ft. of wetlands for the construction of a bank, retail building, associated access, parking and utilities at an existing commercial development site in Alton. Approved Compensatory Mitigation is an alternative mitigation proposal as described in the Memorandum of Agreement between Bahre Alton Properties LLC and the Town of Alton Board of Selectmen dated September 15, 2010, as received by DES on September 28, 2010 to conduct the Coffin Brook Road Floodplain Connectivity Improvement Project.

APPROVE PERMIT:

Dredge and fill 24,670 sq. ft. of wetlands and temporarily impact 700 sq. ft. of wetlands for the construction of a bank, retail building, associated access, parking and utilities at an existing commercial development site in Alton. Approve as Compensatory Mitigation an alternative mitigation proposal as described in the Memorandum of Agreement between Bahre Alton Properties LLC and the Town of Alton Board of Selectmen dated September 15, 2010, as received by DES on September 28, 2010 to conduct the Coffin Brook Road Floodplain Connectivity Improvement Project.

With Conditions:

1. All work shall be in accordance with plans by Golde Planning & Design, Inc., et al., sheets C0, C10, C11, C12, C13 and C14 dated April 28, 2010, plan sheets C4 and C5 revision date of June 8, 2010 and plan sheet C1 revision date of June 9, 2010 and narratives by Stoney Ridge Environmental, LLC, as received by the NH Department of Environmental Services (DES) on June 14, 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. 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. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.
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. 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. The project's Qualified Environment Professional shall monitor the project to assure it is constructed in accordance with the approved plans and narratives.
10. Within three days of final grading, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
11. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
12. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.
13. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
14. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid. Faulty equipment shall be repaired immediately.
15. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each operator shall be trained in its use.
16. All refueling of equipment shall occur outside of surface waters or wetlands.

Compensatory Mitigation (alternative mitigation):

17. This permit is contingent upon the execution of the alternative compensatory mitigation plan as detailed in the Memorandum of Agreement (MOA) between Bahre Alton Properties LLC and the Town of Alton Board of Selectmen dated September 15, 2010, as received by DES on September 28, 2010 to conduct the Coffin Brook Road Floodplain Connectivity Improvement Project.
18. The MOA stipulates acceptance of the funds by the Town of Alton Selectmen and commits all of the funds to the Coffin Brook Floodplain Connectivity Improvement Project. Funds for the work shall be deposited with the Town prior to site construction and documentation of the payment provided to the DES Wetlands Bureau.
19. The mitigation area shall be properly constructed, monitored, and managed in accordance with approved final mitigation plans.
20. The permittee shall designate a qualified professional who will be responsible for monitoring and ensuring that the mitigation areas are constructed in accordance with the mitigation plan. Monitoring shall be accomplished in a timely fashion and remedial measures taken if necessary. The Wetlands Bureau shall be notified in writing of the designated professional prior to the start of work and if there is a change of status during the project.
21. The permittee shall notify DES and the local conservation commission in writing of their intention to commence construction no less than 5 business days prior to construction.
22. The permittee shall attempt to control invasive, weedy species such as purple loosestrife (*Lythrum salicaria*) and common reed (*Phragmites australis*) by measures agreed upon by the Wetlands Bureau if the species is found in the mitigation areas during construction and during the early stages of vegetative establishment.
23. A post-construction report documenting the status of the completed mitigation project with photographs shall be submitted to the Wetlands Bureau within 60 days of the completion of construction.
24. The funds provided from the project cannot be spent on any other project and in the event that the mitigation project (DES File #2010-02327) does not get constructed within one year of the mitigation project approval, the \$83,175.03 shall be deposited into the DES ARM Fund account.
25. At least 72 hours prior to the start of construction, a pre-construction meeting shall be held with DES Land Resources Management Program staff at the project site or at the DES Office in Concord, N.H. to review the conditions of this wetlands permit and the DES Alteration of Terrain Permit. It shall be the responsibility of the permittee to schedule the pre-construction meeting, and the meeting shall be attended by the permittee, his/her professional engineer(s), wetlands scientist(s), and the contractor(s) responsible for performing the work.

With Findings:

1. This is a major impact project per Administrative Rule Env-Wt 303.02(c) Projects that involve alteration of nontidal wetlands, nontidal surface waters, and banks adjacent to nontidal surface waters in excess of 20,000 square feet in the aggregate.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has indicated that the additional wetland impacts are needed for relocation of the existing bank and retail location in order to provide an expansion area for the existing supermarket to meet customer needs and expectation resulting from the higher than anticipated level of business. Additionally, the applicant has indicated that the site is located in the center of Alton's limited commercial zone and there are no other lots available to accommodate the bank and retail building.
4. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
5. After meeting with the U.S. Army Corps of Engineers ("ACOE"), the U.S. Environmental Protection Agency ("EPA") and DES the applicant has reduced the original design by 8,690 sq. ft. by altering the project layout and adding retaining walls.
6. 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.
7. DES Staff conducted a field inspection of the proposed project on November 10, 2009.
8. The existing site development was approved through Wetlands Bureau file #2004-01292 issued on December 21, 2004 for 82,235 sq. ft. of palustrine forested impacts.
9. Compensatory mitigation was provided for those approved impacts.
10. The previous permit expired on December 21, 2009.
11. It was determined through meetings with DES and the applicant/agents that this application would be reviewed by DES as a new project.
12. The New Hampshire Fish and Game Department, Nongame and Endangered Wildlife Program has indicated that based on review of conceptual plans of the project they do not expect impacts to the State Threatened species identified in the vicinity of the project.
13. DES has received a comment review sheet from the EPA indicating the project is eligible for the NH Programmatic General Permit process ("NHPGP"). The comment sheet noted pervious pavement, wetland impact area size and in lieu fee ("Aquatic Resource Mitigation Fund") payment.
14. The project design includes pervious pavement and the alternative mitigation payment is based on the fee structure that would have been required by the Aquatic Resource Mitigation Fund ("ARM").
15. DES has not received any comments from the ACOE or any additional comments from the EPA.
16. The Conservation Commission did not indicate no objection or recommend denial of the project. They did note concerns with water quality, maintenance of porous pavement and limited buffer to the river. The Conservation Commission also noted there was no 40-day hold placed on the application review.
17. The stormwater water detention and treatment design will be addressed through permitting requirements of the DES Alteration of Terrain Bureau ("AOT").
18. DES discussed concerns with the lost treatment/buffer of storm water before leaving the site with the applicant/agents. The applicant has designed the project to try to avoid the higher function and value wetlands on the site, submitted an application to AOT and is providing additional offsite stormwater treatment for runoff from the adjacent property before entering the site.
19. There was no record of the hold request in the file and the file was reviewed after a 40-day hold would have expired.
20. DES has not received any additional comments from the Conservation Commission.
21. DES received comments from an abutter concerned of causing "even more water" to drain on to the abutter's property. Additionally, the abutter commented that before the supermarket there was only seasonal water in the spring but now there seems to be water there most of the year and questioned what is going to happen with two more buildings with parking on the small area.
22. The applicant's agent has indicated the associated wetlands were delineated in 2003 and for this project and there has been no increase in wetlands and the wetlands flagged that are associated with the abutter's property are the same. Additionally, it was indicated that there is no water being directed to the abutter's property or being dammed onto the abutter's property.
23. DES has not received any other comments or objections to the proposed project.
24. The applicant is offsetting the project impacts by providing an alternative compensatory mitigation plan which restores aquatic passage, floodplain connectivity, nutrient attenuation, and sediment trapping. This proposal meets the criteria for acceptable alternative mitigation proposals pursuant to Env-Wt 803.06.
25. The proposed improvements will enhance and restore valuable functions to a large scrub/shrub wetland system ("Coffin Brook Road Wetland system") that is over 76 acres in size with varying plant communities including peat land plant communities.
26. The Coffin Brook Road wetland system is of high ecological value and the proposed mitigation work has potential for long-term improvement to the overall floodplain ecosystem including improved conditions for amphibian movement and passage for Blanding's

and spotted turtle.

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

**2010-01797 GOFFSTOWN, TOWN OF
GOFFSTOWN Unnamed Pond Piscataqua River**

Requested Action:

Proposal to dredge and fill 7558 sq. ft. of river bed and bank (includes 1600 sq. ft. of temporary impacts) and 3835 sq. ft. of associated wetlands (includes 3168 sq. ft. of temporary impacts) for stabilization of approximately 168 linear ft. of bank along the Piscataquog River/Lake Nemaske to protect the Town of Goffstown's sewer main.

APPROVE PERMIT:

Dredge and fill 7558 sq. ft. of river bed and bank (includes 1600 sq. ft. of temporary impacts) and 3835 sq. ft. of associated wetlands (includes 3168 sq. ft. of temporary impacts) for stabilization of approximately 168 linear ft. of bank along the Piscataquog River/Lake Nemaske to protect the Town of Goffstown's sewer main.

With Conditions:

1. All work shall be in accordance with plans by Golder Associates plan sheets 1 through 7, revision date of August 31, 2010 and plans and associated narratives by Normandeau Associates Inc., plan sheets 8 through 11, revision date of August 3, 2010, as received by the NH Department of Environmental Services (DES) on September 20, 2010.
2. This permit is contingent on approval by the DES Alteration of Terrain Bureau.
3. The permit is contingent on coordination of the timing of the project with the New Hampshire Fish and Game Department, Nongame and Endangered Wildlife Program.
4. This permit is contingent on review and approval, by the DES Wetlands Bureau, of final stream diversion/erosion control plans (if different than approved plans and narratives). 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.
5. All activities shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland.
6. The projects Professional Engineer and Certified Wetland Scientist shall monitor the project to assure it is conducted in accordance with the approved plans and narratives.
7. Proposed plantings shall have at least 75% successful establishment vegetation after two (2) growing seasons, or it shall be replanted and re-established in a manner satisfactory to the DES Wetlands Bureau.
8. A post-construction report documenting the status of the project area with photographs shall be submitted to the Wetlands Bureau within 60 days of the completion of construction.
9. 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.
10. 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.
11. Work shall be done during low flow.
12. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
13. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
14. Within three days of final grading, 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. 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.
16. 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.

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. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid. Faulty equipment shall be repaired immediately.

19. 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.

20. All refueling of equipment shall occur outside of surface waters or wetlands.

With Findings:

1. This is a major impact project per Administrative Rule Env-Wt 303.02(i) Projects that alter the course of or disturb 200 or more linear feet of an intermittent or perennial nontidal stream or river channel or its banks. For intermittent streams, the distance shall be measured along the thread of the channel. For perennial streams or rivers, the total disturbance shall be calculated by summing the lengths of disturbances to the channel and the banks.

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

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

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

5. The current slope failure issue is a result of the October 2005 and May 2006 flood/storm events.

6. The project is receiving 75% of the funding through a hazard mitigation grant from the Federal Emergency Management Agency ("FEMA").

7. The applicant has looked at four possible stabilization designs/alternatives to protect the existing sewer main.

8. The alternative chosen (alternative 3) was based on a needed "Factor of Safety", practicable design (i.e., site constraints, construction constraints and available funding) and least impact to the river and bank.

9. The slope will be planted with native plantings to address aesthetic concerns and replace wildlife habitat.

10. The applicant conducted multiple meetings with DES and it was concluded that their chosen alternative was practicable.

11. DES has not received any comments from the Goffstown Conservation Commission.

12. The Piscatauquog River Local Advisory Committee ("PRLAC") endorsed the selected alternative with provisos at their meeting on July 19, 2010. The conditions included, construction supervision and enforcement of strict sedimentation controls, recommended placing removed trees into the river for habitat and review by the Town's Greenway Committee to assure no problems with reopening the rail trail.

13. The applicant provided a response to the PRLAC comments. The Town indicated that they are committed to the supervision/sedimentation controls as a condition of the permit, they are concerned with the placement of debris in the river that could impact downstream infrastructure and dislodged trees that could decrease the stability of the constructed rock toe which could reduce the designed Factor of Safety. Additionally, the Town indicated that the project will only reduce the Goffstown Rail Trail ROW by 10 feet and the project will be reviewed by the Trail Development Committee to insure the reduction does not create a major problem with reopening the trail.

14. The Rail Trail Steering Committee indicated at their August 20, 2010 meeting that they are fine with the project as long as there is a 10 foot trail remaining at the end of the project.

15. The submitted application information depicts that there will be at least a 10 foot wide area remaining after the work is conducted.

16. The U.S. Army Corps of Engineers ("ACOE"), the U.S. Environmental Protection Agency ("EPA") has indicated the project is eligible for the New Hampshire State Programmatic General Permit ("NHSPGP").

17. The New Hampshire Fish and Game Department, Nongame and Endangered Wildlife Program has indicated that they do not expect impacts to the State Endangered species identified in the vicinity of the project. Additionally, they made recommendation of timing of tree removal, using removed vegetation for habitat and requested to be contacted if the scope of the project changes lowering water elevation downstream of the impoundment.

18. The permit is conditioned on coordination with The New Hampshire Fish and Game Department, Nongame and Endangered

Wildlife Program.

19. As previously noted the applicant is concerned with adding the materials to the river bank project due to concerns with material being dislodged and impacting downstream infrastructure and impacting the stability of the project design.
20. The project has received a DES Shoreland Permit for work the being conducted within the limits of the Comprehensive Shoreland Protection Act RSA 482-B (CSPA).
21. The approval is contingent on review by the DES Alteration of Terrain Bureau.
22. The DES Dam Bureau determined that this section of the river bed is not under State ownership.
23. The proposed project is considered a major impact, however, no compensatory mitigation is required because the project is needed to protect existing infrastructure per Administrative Rule Env-Wt 302.03(c)(2).
24. The applicant notified all required abutters, landowners within a quarter mile and landowners that have a potential view of the project site from across the river.
25. DES has not received any comments in objection to the proposed project.
26. In accordance with RSA 428-A:8, DES finds that the requirements for a public hearing do not apply as the permitted project is not of substantial public interest, and will not have a significant impact on or adversely affect the values of the riverine resource, as identified under RSA 482-A:1.

2010-02460 CITY OF NASHUA, DEB CHISHOLM
NASHUA Prime Wetland/nashua River

Requested Action:

Impact 220 sq. ft. within the 100 foot buffer to a designated prime wetland (the Nashua River) for work associated with the demolition of the Nashua Boiler House and regrading and stabilizing the site thereafter.

Conservation Commission/Staff Comments:

This application was authorized for expedited review per SOP # 201 on September 09, 2010. The Nashua City Clerk signed the application on September 09, 2010. The application was received at the DES Wetlands Bureau on September 14, 2010.

APPROVE PERMIT:

Impact 220 sq. ft. within the 100 foot buffer to a designated prime wetland (the Nashua River) for work associated with the demolition of the Nashua Boiler House and regrading and stabilizing the site thereafter.

With Conditions:

1. All work shall be in accordance with plans by Crede Associates, LLC dated 9/3/10, as received by the NH Department of Environmental Services (DES) on September 14, 2010.
2. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and/or further permitting by the Bureau.
3. 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.
4. NH DES Wetlands Bureau Southeast Region staff and the Nashua Conservation Commission shall be notified in writing prior to commencement of work and upon its completion.
5. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
6. Area shall be regraded to original contours following completion of work.

With Findings:

1. This is a major impact project per Administrative Rule Env-Wt 303.02(f), projects located in or adjacent to prime wetlands designated under RSA 482-A:15.
2. 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 482-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 100 foot buffer to a designated prime wetland - the Nashua River.

MINOR IMPACT PROJECT

2006-02567 TRENDEZZA LLC
MERRIMACK Unnamed Wetland

Requested Action:

Approve name change to: Trenzessa LLC, 7 colby Court, Suite 211, Bedford, NH 03110 per request received 9/24/10. Previous owner: Saddle Brook Realty LLC.

Conservation Commission/Staff Comments:

Conservation Commission submitted comments in support of the proposed project.

APPROVE NAME CHANGE:

Dredge and fill approximately 3,100 sq. ft. of forested wetlands for access(a common driveway) to two relocated lots of a previously approved 9-lot (includes one 28.321 open space lot) residential subdivision. Two lots along the northeast corner of the open space lot will be relocated to the edge of the main subdivision and within the previous open space lot. The previous lots will now be part of the open space lot. Work in wetlands consists of installation of a 36 in. x 40 ft. ADS plastic culvert, associated filling and grading, headwalls and inlet and outlet protection.

With Conditions:

1. All work shall be in accordance with plans by Granite State Surveying Inc., plan sheet 1 and 2 of 2, dated September 18, 2006 and plan sheets C1 through C5 by Toth Engineering, PLLC and Granite State Surveying Inc., dated September 6, 2006, as received by DES on September 26, 2006.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.
4. The deed which accompanies the sales transaction for each of the lots in this subdivision shall contain condition #3 of this approval.
5. 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.
6. Straw shall be utilized during construction and for stabilization in place of hay (if proposed/applicable).
7. The proposed culvert inlet and outlet protection areas with wetlands shall consist of embedded round stone or natural wetland and stream bed materials (i.e., no rip-rap) within the natural flow path.
8. Work shall be done during low flow.
9. 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.
10. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
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 20 feet of undisturbed vegetated buffer.
12. Proper headwalls shall be constructed within seven days of culvert installation.
13. Orange construction fencing shall be placed at the limits of construction adjacent prevent accidental encroachment on wetlands.
14. 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.

15. 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.

16. 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.

17. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid. Faulty equipment shall be repaired immediately.

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.

With Findings:

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

2009-02706 BEDFORD THREE CORNERS CORP
BEDFORD Unnamed Wetland

Requested Action:

Approve name change to: Bedford Three Corners corp., 317 South River Rd., Bedford NH 03110 per request received 09/28/10.

Previous owner: Bryan S. Fox.

APPROVE NAME CHANGE:

Dredge and fill 5406 sq. ft. of wetlands for a driveway to a proposed single family building site. Work includes installation of three culverts, associated outlet protection, grading, filling and side-slope stabilization.

With Conditions:

1. All work shall be in accordance with plans by Bedford Design Consultants, plan sheet dated March 11, 2010 and plan sheet revision date of March 11, 2010, as received by DES on April 2, 2010 and Construction Sequence by Peter S. Schauer, received by DES on November 10, 2009.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. Work shall be done during low flow.
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. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.
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. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
9. 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.
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. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid. Faulty equipment shall be repaired immediately.
14. 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.
15. All refueling of equipment shall occur outside of surface waters or wetlands.

With Findings:

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

**2010-00225 MT WILLIAMS CORP INC, CHRIS BOLTON
WEARE Unnamed Wetland Mt William Pond**

Requested Action:

Retain 6,635 sq. ft. of palustrine forested wetlands impact and install filter fabric beneath rock sandwich crossings and install culverts within the constructed forest access road.

APPROVE PERMIT:

Retain 6,635 sq. ft. of palustrine forested wetlands impact and install filter fabric beneath rock sandwich crossings and install culverts within the constructed forest access road.

With Conditions:

1. All work shall be in accordance with plans dated August 2010, as received by the Department on August 16, 2010.
2. Work shall be done during low flow conditions.
3. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to surface waters and wetlands.
4. Appropriate siltation/erosion controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
5. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
6. Proper headwalls shall be constructed within seven days of culvert installation.
7. Culverts shall be laid at original grade.
8. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
9. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

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.
2. In email correspondence received September 18, 2010, the Weare Conservation Commission indicated that the Applicant had adequately responded to items outlined in the Wetland Bureau's April 27, 2010, Request for More Information.
3. In correspondence received June 28, 2010, the Agent confirmed they had coordinated with the Environmental Protection Agency (EPA) to address their concerns regarding vernal pools and culvert installation.
4. The NH Fish and Game Nongame and Endangered Species Program has indicated they do not expect impacts to wood turtle at this location.
5. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
6. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
7. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.

**2010-00367 YOUNGBLOOD REALTY TRUST
ALTON Lake Winnepesaukee**

Requested Action:

Correct permit description to indicate canopy dimensions.

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 10 ft x 37 ft 8 in seasonal canopy and a 10 ft x 21 ft 7 in 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 and canopy dimension plans by David Youngblood as received by the NH Department of Environmental Services (DES) on September 20, 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.

2010-01366 KIEDAISCH, CYNTHIA
MEREDITH Lake Winnepesaukee

Requested Action:

Construct a 4 ft x 30 ft piling pier to be connected to an existing 4 ft x 30 ft piling pier and a 6 ft x 30 ft piling pier by a 6 ft x 38 ft crib supported walkway in a "W" configuration protected by 3 ice clusters and accessed by a 12 ft x 6 ft walkway over existing rocks on contiguous properties having an average combined frontage of 256 ft on Lake Winnepesaukee.

APPROVE PERMIT:

Construct a 4 ft x 30 ft piling pier to be connected to an existing 4 ft x 30 ft piling pier and a 6 ft x 30 ft piling pier by a 6 ft x 38 ft crib supported walkway in a "W" configuration protected by 3 ice clusters and accessed by a 12 ft x 6 ft walkway over existing rocks on contiguous properties having an average combined frontage of 256 ft on Lake Winnepesaukee.

With Conditions:

1. All work shall be in accordance with plans by Watermark Marine Construction dated May 10, 2010, as received by the NH Department of Environmental Services (DES) on May 24, 2010.
2. This permit shall not be effective until it has been recorded with the county Registry of Deeds Office by the Permittee. A copy of the recorded permit shall be submitted to the DES Wetlands Bureau, by certified mail, return receipt requested, prior to construction.
3. This permit to modify 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. All construction related debris shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
5. Appropriate siltation, erosion, and turbidity controls shall be in place prior to construction, maintained during construction, and shall remain until the area is stabilized.
5. Work authorized shall be carried out such that discharges in spawning or nursery areas during spawning seasons shall be avoided, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
6. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding areas and spawning areas shall be avoided.
7. These shall be the only structures on these combined water frontages and all portions of the docking structures shall be at least 20 ft from abutting property lines or the imaginary extension of those lines into the water.
8. No portion of the piers shall extend more than 53 feet from the shoreline at full lake elevation.
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 minor impact project per Administrative Rule Env-Wt 303.03(d), construction of a 4-slip permanent docking facility.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has 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 256 feet of shoreline frontage along Lake Winnepesaukee.
6. A maximum of 4 slips may be permitted on this frontage per Rule Env-Wt 402.13, Frontage Over 75'.
7. The proposed docking facility will provide 4 slips as defined per RSA 482-A:2, VIII and therefore meets Rule Env-Wt 402.13.

**2010-01556 NEW ENGLAND POWER COMPANY D/B/A NATIONAL GRID
WARREN Ore Hill Brook / Baker River**

Requested Action:

Impact 1,875 square feet of wetlands to re-establish vehicular access to an existing utility access trail. Impacts include 534 square feet of impacts to the bed and banks of two unnamed perennial streams for the replacement of culverts; 1,257 square feet of permanent impacts to wetlands to stabilize the utility trail; and 84 square feet of temporary impacts for the placement of swamp mats to facilitate access to the work areas.

APPROVE PERMIT:

Impact 1,875 square feet of wetlands to re-establish vehicular access to an existing utility access trail. Impacts include 534 square feet of impacts to the bed and banks of two unnamed perennial streams for the replacement of culverts; 1,257 square feet of permanent impacts to wetlands to stabilize the utility trail; and 84 square feet of temporary impacts for the placement of swamp mats to facilitate access to the work areas.

With Conditions:

1. All work shall be in accordance with plans by Vanasse Hangen Brustlin, Inc. (Sheets W1; W-2; W3A to W3H; W-4A; W-4B; W-5; W-6; Sv-1 to Sv-3) as received by DES on September 20, 2010.
2. Materials used to emulate a natural channel bottom must be natural river stones similar to the natural stream substrate and shall not include angular rip-rap or gravel.
3. Work shall be done during low flow.
4. The Permittee shall monitor the weather and will not commence work within flowing water, including the installation of cofferdams, when rain is in the forecast.
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. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
7. Work shall be conducted in a manner so as to minimize turbidity and sedimentation.
8. 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.
9. Extreme precautions shall be taken within riparian areas to limit unnecessary removal of vegetation during construction.
10. No equipment shall enter the water.
11. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid. Faulty equipment shall be repaired immediately.
12. All refueling of equipment shall occur outside of surface waters or wetlands during construction.
13. The culverts shall be laid at original grade.
14. Proper headwalls shall be constructed within seven days of culvert installation.
15. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
16. Areas of temporary impact shall be restored to existing conditions following completion of work.
17. 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.
18. 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.
19. 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.
20. 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).
21. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.

With Findings:

1. This is a Minor Project per Administrative Rule Env-Wt 303.03 (1) Projects that alter the course of or disturb less than 200 linear feet of an intermittent or perennial nontidal stream or river channel or its banks and do not meet the criteria for minimum impact under Env-Wt 303.04(n). For intermittent streams, this distance shall be measured along the thread of the channel. For perennial streams or rivers, the total disturbance shall be calculated by summing the lengths of disturbances to the channel and the banks;
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
5. The new culverts were sized to accommodate the 50-year storm event.
6. The stream crossings are an upgrade of the existing stream crossings.

Requested Action:

Dredge and fill a total of 2,850 sq. ft. in palustrine forested/scrub-shrub wetlands, with two intermittent streams, to construct driveway/culvert crossings for a 4-lot single family residential subdivision on a 8.025 acre parcel of land.

Conservation Commission/Staff Comments:

No report or comments were received from the Newton Conservation Commission.

APPROVE PERMIT:

Dredge and fill a total of 2,850 sq. ft. in palustrine forested/scrub-shrub wetlands, with two intermittent streams, to construct driveway/culvert crossings for a 4-lot single family residential subdivision on a 8.025 acre parcel of land.

With Conditions:

1. All work shall be in accordance with plans by Civil Construction Management Inc. dated June 2010, as received by the NH Department of Environmental Services (DES) on July 06, 2010.
2. DES Wetlands Bureau Southeast Region staff and the Newton Conservation Commission shall be notified in writing prior to commencement of work and upon its completion.
3. This permit is contingent on approval by the DES Subsurface Systems Bureau.
4. This permit shall not be effective until it has been recorded with the Rockingham County Registry of Deeds office by the Permittee. A copy of the recorded permit shall be submitted to the DES Wetlands Bureau by certified mail, return receipt requested, prior to construction.
5. There shall be no further alteration of wetlands for lot development, driveways, culverts, septic setback or other construction activities.
6. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
7. Work shall be done during low flow.

With Findings:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(1), disturbance of 85 linear feet of intermittent stream.
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.

**2010-01819 CHESTER, TOWN OF
CHESTER Tributary To Exeter River**

Requested Action:

Dredge and fill a total of 1,295 sq. ft. in wetlands, embankments and the flow channel of a perennial stream for work associated with the replacement of the structurally deficient bridge which carries Fremont Road over Towle Brook.

Conservation Commission/Staff Comments:

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

APPROVE PERMIT:

Dredge and fill a total of 1,295 sq. ft. in wetlands, embankments and the flow channel of a perennial stream for work associated with the replacement of the structurally deficient bridge which carries Fremont Road over Towle Brook.

With Conditions:

1. All work shall be in accordance with plans by Dubois & King Inc. dated June 2010, as received by the NH Department of Environmental Services (DES) on July 09, 2010.
2. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and/or further permitting by the Bureau.
3. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
4. Work shall be done during low flow.
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), permanent impact to 175 linear feet of stream bank & bed.
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.

2010-02440 DAY, WILLIAM
WINDHAM Cobbetts Pond

Requested Action:

Dredge and fill a total of 4,479 sq. ft. of palustrine scrub-shrub wetlands (4,240 sq. ft. permanent & 239 sq. ft. temporary impacts) and within the flow channel and embankments of an intermittent tributary/drainage channel for work associated with the construction of a stormwater management system along the existing flow path to abate current erosion and sediment transport conditions resulting in sediment and nutrient loading in Cobbett's Pond.

Conservation Commission/Staff Comments:

This application received authorization for expedited review per SOP # 201 on September 03, 2010. The Town of Windham Deputy Town Clerk signed the application on September 09, 2010. The application was received at the DES Wetlands Bureau on September 13, 2010.

Inspection Date: 08/04/2010 by Frank D Richardson

APPROVE PERMIT:

Dredge and fill a total of 4,479 sq. ft. of palustrine scrub-shrub wetlands (4,240 sq. ft. permanent & 239 sq. ft. temporary impacts) and within the flow channel and embankments of an intermittent tributary/drainage channel for work associated with the construction of a stormwater management system along the existing flow path to abate current erosion and sediment transport conditions resulting

in sediment and nutrient loading in Cobbett's Pond.

With Conditions:

1. All work shall be in accordance with plans by Geosyntec Consultants dated 8/20/2010, as received by the NH Department of Environmental Services (DES) on September 13, 2010.
2. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and/or further permitting by the Bureau.
3. NH DES Wetlands Bureau Southeast Region staff and the Windham Conservation Commission shall be notified in writing prior to commencement of work and upon its completion.
4. All activities shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland.
5. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
6. Work shall be done during low flow.
7. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
8. Culvert outlets shall be protected in accordance with the DES Best Management Practices for Urban Stormwater Runoff Manual (January 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August 1992).
9. 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. 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.
11. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid prior to entering surface waters or wetlands.
12. Faulty equipment shall be repaired prior to entering jurisdictional areas.
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. 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(h)& (k).
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01. 3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
5. DES Staff conducted a field inspection of the proposed project on August 04, 2010. Field inspection determined that the project as proposed is reasonable and necessary to abate the current ongoing erosion of this intermittent stream / drainage channel for runoff from Range Road to reduce sediment & nutrient loading in Cobbett's Pond.
6. Administrative Rule Env-Wt 304.04(a), Setback from Property Lines, is waived with the finding that this project will not unreasonably affect the interests of abutting property owners.

MINIMUM IMPACT PROJECT

2009-01136 ALLEN, GARY & CAROL
DOVER Horn Brook

Requested Action:

Retain a temporary forestry crossing consisting of 600 square feet of poled ford constructed in Horn Brook, for purposes of conducting timber harvesting on the property.

APPROVE AFTER THE FACT:

Retain a temporary forestry crossing consisting of 600 square feet of poled ford constructed in Horn Brook, for purposes of conducting timber harvesting on the property.

With Conditions:

1. All work shall be in accordance with plans by Berry Surveying & Engineering dated August 12, 2010, as received by DES on August 30, 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.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(g), installation of a pole ford to permit vehicular access to a piece of property for forestry management.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01. The access was needed temporarily to accommodate the property with logging equipment.
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 temporary crossing was constructed within a narrow portion of Horn Brook and the crossing was removed and restored.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project. There were no species of concern reported for the project area by the NH Natural Heritage Bureau.

**2010-00319 LAROCHELLE, PETER & KARLA
ROCHESTER Unnamed Wetland**

Requested Action:

Retain 245 sq. ft. of fill in wetland for the construction of a gravel driveway to access a proposed garage.

APPROVE AFTER THE FACT:

Retain 245 sq. ft. of fill in wetland for the construction of a gravel driveway to access a proposed garage.

With Conditions:

1. All work shall be in accordance with plans by Landry Surveying, LLC dated May 5, 2010, as received by the Department on June 22, 2010.
2. This permit is contingent upon wetland restoration of 625 sq. ft. addressed under separate cover.
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. 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(f), projects involving alteration of less than 3,000 square feet in swamps or wet meadows that are not prime wetlands or do not meet the requirements of Env-Wt 303.02(k).
2. Avoidance and minimization of impacts have been demonstrated by the applicant, per Administrative Rule Env-Wt 302.03, by avoiding and restoring the larger higher functional wetlands on the property. The wetland impacted by the project is as

**2010-01746 MELANSON, MICHAEL
RAYMOND Tributary To Lamprey River**

Requested Action:

Maintenance dredge 5,330 sq. ft. of accumulated sediments and debris from the impoundment area, install a dry hydrant for fire protection and repair leak in existing dam to restore impoundment pond to former depth and surface area.

Conservation Commission/Staff Comments:

No written comments or report received from the Raymond Conservation Commission.
NH DES Dam Bureau investigated the project proposal and reported that no dam permit was required for the repairs to the existing dam.

Inspection Date: 09/17/2010 by Frank D Richardson

APPROVE PERMIT:

Maintenance dredge 5,330 sq. ft. of accumulated sediments and debris from the impoundment area, install a dry hydrant for fire protection and repair leak in existing dam to restore impoundment pond to former depth and surface area.

With Conditions:

1. All work shall be in accordance with plans by Schauer Environmental Consultants, LLC dated 06/17/10, as received by the NH Department of Environmental Services (DES) on June 28, 2010.
2. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and/or further permitting by the Bureau.
3. NH DES Wetlands Bureau Southeast Region staff and the Raymond Conservation Commission shall be notified in writing prior to commencement of work and upon its completion.
4. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
5. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
6. Work shall be done during low flow.
7. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid prior to entering surface waters or wetlands.
8. Faulty equipment shall be repaired prior to entering jurisdictional areas.
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.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01. 3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

FORESTRY NOTIFICATION

2010-02436 USDA FOREST SERVICE, PEMIGEWASSET RANGER DIST
BENTON Unnamed Stream

COMPLETE NOTIFICATION:

Benton no Tax Map or Lot# US Tracts 59, 548A, 564, 2009 and 974, 1061 in Warren

2010-02488 USDA FOREST SERVICE, PEMIGEWASSET RANGER DIST
BENTON Unnamed Stream

COMPLETE NOTIFICATION:

Benton no Map or Lot#, US Tracts 44, 48, 59, 59A-C, 59P, 62A, 77, 155

2010-02489 USDA FOREST SERVICE, PEMIGEWASSET RANGER DIST
WARREN Unnamed Stream

COMPLETE NOTIFICATION:

Warren No Map or Lot# US Tracts 57W, 194, 776, 805

2010-02582 MANCHESTER WATER WORKS
MANCHESTER Unnamed Stream

COMPLETE NOTIFICATION:

Manchester Tax Map 843, Lot# 14, 16, 18, 19

2010-02583 MANCHESTER WATER WORKS
AUBURN Unnamed Stream

COMPLETE NOTIFICATION:

Auburn Tax Map 19, Lot# 1

2010-02584 COUNTY OF CARROLL
OSSIPEE Unnamed Stream

COMPLETE NOTIFICATION:

Ossipee Tax Map 20, Lot# 70, 71

2010-02589 EDRY, ROBERT
FITZWILLIAM Unnamed Stream

COMPLETE NOTIFICATION:

Fitzwilliam Tax Map 7, Lot# 24

2010-02598 NEW IPSWICH PROPERTIES LLC
NEW IPSWICH Unnamed Stream

COMPLETE NOTIFICATION:
New Ipswich Tax Map 8, Lot# 11

EXPEDITED MINIMUM

2010-00387 DELOREY, NANCY
WASHINGTON Ashuelot Lake

Requested Action:
Deny permit to repair 35 feet of existing retaining wall and add 12 feet of retaining wall for a total of 48 feet.

Conservation Commission/Staff Comments:
Con Com signed Exp Application

DENY PERMIT-INSUFFICIENT & UNTIMELY RESP:
Deny permit to repair 35 feet of existing retaining wall and add 12 feet of retaining wall for a total of 48 feet.

- With Findings:
1. A request for additional information dated April 13, 2010, addressed to the applicant or agent of record, clearly identified the requirement that the applicant to submit additional information to DES within 60 days of the request.
 2. Pursuant to RSA 482-A:3, XIV(a), if the requested additional information is not received by DES within 60 days of the request, DES shall deny the application.
 3. DES did not receive the requested additional information within the 60 days and therefore the application has been denied.

2010-01231 CARLSON, NELS
SHARON Unnamed Wetland

Requested Action:
Dredge and fill ± 7,005 sq. ft. of palustrine forested wetlands for pond construction.

APPROVE PERMIT:
Dredge and fill ± 7,005 sq. ft. of palustrine forested wetlands for pond construction.

- With Conditions:
1. All work shall be in accordance with plans by Christopher K. Danforth, Associates, LLC, dated February 12, 2010, as received by the Department on May 17, 2010.
 2. All work shall be done in during low flow conditions.
 3. Appropriate erosion and siltation controls shall be installed prior to construction, shall be maintained during construction, and shall remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
 4. Machinery shall be staged and refueled in upland areas.
 5. Dredged spoils shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
 6. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or

other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of twenty (20) feet of undisturbed vegetated buffer.

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

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(p), Construction of a pond with less than 20,000 sq. ft. of wetlands impact.
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.
4. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
5. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

2010-01842 DENTON, LAWRENCE & MAUREEN MCGUIRE
BRISTOL Pemigewasset River

Requested Action:

Install a 2 ft 8 in x 20 ft seasonal dock with a 5 ft 5 in x 8 ft 4 in seasonal dock on the Pemigewasset River, Bristol.

Conservation Commission/Staff Comments:

Con Com signed Exp Application

APPROVE PERMIT:

Install a 2 ft 8 in x 20 ft seasonal dock with a 5 ft 5 in x 8 ft 4 in seasonal dock on the Pemigewasset River, Bristol.

With Conditions:

1. All work shall be in accordance with plans by, as received by the NH Department of Environmental Services (DES) on July 14, 2010.
2. This permit shall not be effective until it has been recorded with the county Registry of Deeds Office by the Permittee. A copy of the recorded permit shall be submitted to the DES Wetlands Bureau by certified mail, return receipt requested, prior to installation.
3. This shall be the only structure on this water frontage and all portions of the dock shall be at least 20 ft. from abutting property lines or the imaginary extension of those lines into the water.
4. Seasonal pier shall be removed from the lake for the non-boating season.
5. No portion of the pier shall extend more than 29 feet from the shoreline at mean high water 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 minimum impact project per Administrative Rule Env-Wt 303.04(a), installation of a seasonal dock.
2. The local RAC has no concerns with the proposed docking structure.

2010-01890 GOELET, MICHAEL & HALLIE
PORTSMOUTH Little Harbor

Requested Action:

Impact a total of 710 square feet of previously developed upland tidal buffer zone, including regrade 400 square feet to improve drainage and access, to, and around existing dwelling; construct a 300 square foot bluestone patio; and construct 10 square feet of a new portico, remainder of which is outside the tidal buffer zone.

APPROVE PERMIT:

Impact a total of 710 square feet of previously developed upland tidal buffer zone, including regrade 400 square feet to improve drainage and access, to, and around existing dwelling; construct a 300 square foot bluestone patio; and construct 10 square feet of a new portico, remainder of which is outside the tidal buffer zone.

With Conditions:

1. All work shall be in accordance with plans by Fullerton Associates dated 6/23/2010, as received by the NH Department of Environmental Services ("DES") on 7/19/2010.
2. The permittee shall also comply with Shoreland Permit 2010-2268 issued on 9/14/2010 for work within the tidal buffer zone which is exempt from the wetland rules, but is instead regulated by the Comprehensive Shoreland Protection Act, RSA 483-B.
3. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
4. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
5. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
6. Within three days of final grading or temporary suspension of work, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(b), projects within previously developed upland areas within 100 feet of the highest observable tide line that are not classified as major or minor.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project. There were no species of concern reported for the project vicinity by the NH Natural Heritage Bureau.
5. Shoreland Permit 2010-2268 was issued on 9/14/2010 for elements of work within the tidal buffer zone that are exempt from permitting under the wetlands statute and rules.
6. The Portsmouth Conservation signed the expedited application.

2010-02235 SAPONARO, DAVID
MEREDITH Lake Winnisquam

Requested Action:

Remove a previously permitted 6 ft x 30 ft seasonal dock and install a 6 ft x 40 ft seasonal dock in the same location on an average of 76 ft of frontage, Lake Winnisquam, Meredith.

Conservation Commission/Staff Comments:

Con Com signed Exp Application

APPROVE PERMIT:

Remove a previously permitted 6 ft x 30 ft seasonal dock and install a 6 ft x 40 ft seasonal dock in the same location on an average of 76 ft of frontage, Lake Winnisquam, Meredith.

With Conditions:

1. All work shall be in accordance with plans 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. Seasonal pier shall be removed from the lake for the non-boating season.
5. No portion of the pier shall extend more than 40 feet from the shoreline at full lake elevation.
5. All activities shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland.

With Findings:

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

**2010-02327 ALTON HIGHWAY DEPT, TOWN OF
ALTON Unnamed Wetland**

Requested Action:

Proposal to dredge and fill 2483 sq. ft. of scrub shrub and emergent wetlands for the installation of seven 34 in. x 22 in. s 40 ft. precast elliptical concrete culverts for the Coffin Brook Floodplain Connectivity Improvement Project.

Conservation Commission/Staff Comments:

1. The Conservation Commission recommended approval of the proposed project.

APPROVE PERMIT:

Dredge and fill 2483 sq. ft. of scrub shrub and emergent wetlands for the installation of seven 34 in. x 22 in. x 40 ft. precast elliptical concrete culverts for the Coffin Brook Floodplain Connectivity Improvement Project.

With Conditions:

1. All work shall be in accordance with plans by Farmhouse Development, revision date of July 30, 2010 and narratives by Stoney Ridge Environmental LLC, as received by the NH Department of Environmental Services (DES) on August 19, 2010.
2. The Town shall obtain written permission or easements from affected landowners outside of the existing road right-of-way and within 20 feet of the proposed work in wetlands and shall supply copies of the permission or easements to DES Wetlands File No. 2010-2327 prior to construction.
3. The mitigation funds received from the Bahre Alton Properties project, DES file #2010-1580, cannot be spent on any other project and in the event that this project is not constructed, the funds shall be deposited into the DES ARM Fund.
4. The project shall be completed within one year of the approval unless approved by DES.
5. Work shall be done during low flow.
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. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
8. The permittee shall designate a qualified professional who will be responsible for monitoring and ensuring that the project is constructed in accordance with the approved plans.
9. A post-construction report documenting the status of the completed project with photographs shall be submitted to the Wetlands Bureau within 60 days of the completion of construction.
10. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a

minimum of 20 feet of undisturbed vegetated buffer.

11. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
12. Within three days of final grading or temporary suspension of work, 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. 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. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid. Faulty equipment shall be repaired immediately.
15. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each operator shall be trained in its use.
16. All refueling of equipment shall occur outside of surface waters or wetlands.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(f) Projects involving alteration of less than 3,000 square feet in swamps or wet meadows that are not in prime wetlands 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 proposed improvements will enhance and restore valuable functions to a large scrub/shrub wetland system ("Coffin Brook Road Wetland system") that is over 76 acres in size with varying plant communities including peat land plant communities.
6. The Coffin Brook Road wetland system is of high ecological value and the proposed mitigation work has potential for long-term improvement to the overall floodplain ecosystem including improved conditions for amphibian movement and passage for Blanding's and spotted turtle.
7. The project is receiving partial funding, \$23,000, from the Aquatic Resource Mitigation Fund award approved by DES July 13, 2010.
8. The project is also receiving funding through mitigation funds, \$83,175.03, received from the Bahre Alton Properties project, DES file #2010-1580.

2010-02349 CASSIDY, TIM
GREENVILLE Unnamed Wetland

Requested Action:

Dredge and fill ± 1,450 sq. ft. of palustrine forested wetlands to install a 24-in. x 40-ft. HDPE culvert for driveway access to a single family residence lot.

APPROVE PERMIT:

Dredge and fill ± 1,450 sq. ft. of palustrine forested wetlands to install a 24-in. x 40-ft. HDPE culvert for driveway access to a single family residence lot.

With Conditions:

1. All work shall be in accordance with plans by Fieldstone Land Consultants, PLLC dated August 17, 2010, as received by the Department on August 30, 2010.
2. Work shall be done during low flow conditions.
3. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to surface waters and wetlands.
4. Appropriate siltation/erosion controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
5. Orange construction fencing shall be placed at the limits of construction within or directly adjacent to wetlands or surface waters

to prevent accidental encroachment on wetlands.

6. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
7. Proper headwalls shall be constructed within seven days of culvert installation.
8. Culverts shall be laid at original grade.
9. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
10. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(f), alteration of less than 3,000 sq. ft. of wetlands.
2. Subdivision of the lot was approved by the DES Subsurface Bureau on May 07, 2008 (SA2008008592).
3. DES Alteration of Terrain Bureau approval for the associated subdivision on May 01, 2008 (WPS-8122).
4. Comments of concern were not submitted to the file.
5. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01. 6. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
7. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

2010-02445 NOREEN, ELLEN
GILFORD Lake Winnepesaukee

Requested Action:

Repair an existing 44 ft breakwater with a 6 ft gap at the shoreline and repair 20 linear feet of existing retaining wall on a frontage with existing 7 ft x 47 ft pier connected to a 7 ft x 47 ft piling pier by a 12 ft x 15 ft walkway in a "U" configuration, and a permanent, piling supported boatlift in the center slip of an existing "U" shaped docking facility on an average of 155 ft of frontage on Lake Winnepesaukee, in Gilford.

Conservation Commission/Staff Comments:

Con Com signed Exp Applicaiton

APPROVE PERMIT:

Repair an existing 44 ft breakwater with a 6 ft gap at the shoreline and repair 20 linear feet of existing retaining wall on a frontage with existing 7 ft x 47 ft pier connected to a 7 ft x 47 ft piling pier by a 12 ft x 15 ft walkway in a "U" configuration, and a permanent, piling supported boatlift in the center slip of an existing "U" shaped docking facility on an average of 155 ft of frontage on Lake Winnepesaukee, in Gilford.

With Conditions:

1. All work shall be in accordance with plans by Watermark Marine Construction dated September 08, 2010, as received by the NH Department of Environmental Services (DES) on September 14, 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. 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.

AGRICULTURE MINIMUM

2010-01117 NEVINS, ROBERT & LISA
HENNIKER Unnamed Stream

Requested Action:

Dredge and fill ± 750 sq. ft. (80 lin. ft.) of unnamed intermittent stream for riprap stabilization.

APPROVE PERMIT:

Dredge and fill ± 750 sq. ft. (80 lin. ft.) of unnamed intermittent stream for riprap stabilization.

With Conditions:

- 1. All work shall be done in accordance with plans by NRCS dated May 2009, and received by the NH Department of Environmental Services (DES) on May 04, 2010.
- 2. All work shall adhere to the standards of the "Best Management Wetlands Practices for Agriculture," NH Dept. of Agriculture, September 1998.
- 3. Any change in use to a non-agricultural purpose will require further permitting by the DES Wetlands Bureau.
- 4. This permit shall be recorded with the county Registry of Deeds office by the permittee.
- 5. Work shall be done during annual low flow conditions and in the dry.
- 6. 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.
- 7. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to wetlands and surface waters.
- 8. There shall be no excavation or operation of construction equipment in flowing water.
- 9. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
- 10. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid. Faulty equipment shall be repaired prior to construction.
- 11. All refueling of equipment shall occur outside of surface waters or wetlands during construction.
- 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. Areas from which vegetation has been cleared to gain access to the site shall be replanted with like native species.
- 14. The applicant shall notify the DES Wetlands Bureau in writing within twenty-four (24) hours of an erosion event resulting in sediment entering a wetland or surface water.

With Findings:

- 1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(u), Maintenance or improvement of existing crop or pasture land for continued agricultural use.
- 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.

2010-02020 FRANZ, ALBERT & PATRICIA
DORCHESTER Bucks Brook

Requested Action:

Impact approximately 1,000 square feet of Bucks Brook, a perennial stream, for the removal of a bridge that has fallen into the Bucks Brook.

APPROVE PERMIT:

Impact approximately 1,000 square feet of Bucks Brook, a perennial stream, for the removal of a bridge that has fallen into the Bucks Brook.

With Conditions:

1. All work shall be in accordance with plans and narrative as received by DES on August 02, 2010.
2. Work shall be done during low flow.
3. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate work area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
4. Appropriate siltation/erosion controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
5. 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.
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 (o) Projects deemed minimum impact by the department based on the degree of environmental impact.
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 Requirements for Application

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

4. The existing bridge had fallen and is blocking the stream.

5. A new bridge will be built in accordance with Env-Wt 303.05 (r): Any stream crossing built landward of the top of one bank to landward of the top of the opposite bank so as not to impact jurisdictional areas.

**2010-02064 HERSEY, GERALD
ANDOVER Drainage Ditches**

Requested Action:

Proposal to impact 18,586 wetlands for the maintenance dredging of three drainage swales and two farm ponds (watering facilities) at the Hersey Farm in Andover.

APPROVE PERMIT:

Impact 18,586 wetlands for the maintenance dredging of three drainage swales and two farm ponds (watering facilities) at the Hersey Farm in Andover.

With Conditions:

1. All work shall be done in accordance with plans by US Department of Agriculture, as received by the NH Department of Environmental Services (DES) on August 4, 2010 and September 30, 201.
2. All work shall adhere to the standards of the "Best Management Wetlands Practices for Agriculture," NH Dept. of Agriculture, September 1998.
3. 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.
4. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
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. Any change in use to a non-agricultural purpose will require further permitting by the DES Wetlands Bureau.
7. This permit shall be recorded with the county Registry of Deeds office by the permittee.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(u) Maintenance or improvement of existing crop or pasture land for continued agricultural use, provided:

- (1) The applicant's county conservation district certifies in writing that:
 - a. The project is in accordance with a plan developed to standards of the "Best Management Wetland Practices for Agriculture", N.H. department of agriculture, dated July 16, 1993, amended September 1998;
 - b. The project is necessary for or incidental to a preexisting and ongoing bonafide agricultural operation as defined by RSA 21:34-a; and
 - c. The plan is limited to those items addressed by the "Best Management Wetlands Practices for Agriculture", N.H. department of agriculture, dated July 16, 1993, amended September 1998;

GOLD DREDGE

**2010-02635 ZARZOUR, DANIEL
(ALL TOWNS) Unnamed Stream**

Conservation Commission/Staff Comments:
cc Bath Con Com

2010-02636 DESJARDINS, KENNETH
(ALL TOWNS) Unnamed Stream

Conservation Commission/Staff Comments:
cc Bath ConCom

2010-02637 RIEL, MICHAEL
(ALL TOWNS) Unnamed Stream

Conservation Commission/Staff Comments:
cc Bath Con Com

TRAILS NOTIFICATION

2010-02597 JOHNSON, MARILYN
BETHLEHEM Unnamed Stream

COMPLETE NOTIFICATION:
Bethlehem Tax Map 409, Lot# 18.2

LAKES-SEASONAL DOCK NOTIF

2010-01114 JOYCE, WILLIAM
GILMANTON Crystal Lake

COMPLETE NOTIFICATION:
Gilmanton Tax Map 4, Lot# 54 Crystal Lake

ROADWAY MAINTENANCE NOTIF

2010-02625 NH DEPT OF TRANSPORTATION
LITTLETON Unnamed Wetland

2010-02626 **NH DEPT OF TRANSPORTATION**
HARRISVILLE Unnamed Wetland

2010-02632 **NH DEPT OF TRANSPORTATION**
ATKINSON Unnamed Stream

2010-02633 **NH DEPT OF TRANSPORTATION**
NELSON Unnamed Stream Unnamed Wetland

2010-02634 **LACONIA DPW, CITY OF**
LACONIA Unnamed Stream

2010-02653 **NH DEPT OF TRANSPORTATION**
LYME Unnamed Stream

PERMIT BY NOTIFICATION

2007-02141 **FISHER, JOHN & CATHERINE**
NASHUA Nashua River

Conservation Commission/Staff Comments:
Application was disqualified 9/20/2007...On 9/27/2010 the database was updated to reflect this disqualification - C. Brison

2010-02557 **SONNABEND-CICCOLO NOMINEE TRUST**
RYE Sagamore Creek

Requested Action:
In-kind replacement of two (2) deteriorated float pilings on an existing pier on the Sagamore Creek.

Conservation Commission/Staff Comments:
The Rye Conservation Commission signed the PBN.

PBN IS COMPLETE:

In-kind replacement of two (2) deteriorated float pilings on an existing pier on the Sagamore Creek.

**2010-02560 OSMOND, ROBERT
TUFTONBORO 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.

**2010-02629 DACHOWSKI, DAVID & PAMELA
BELMONT Winnisquam Lake**

Requested Action:

Install an anchor pad and 6 ft x 40 ft seasonal dock.

Conservation Commission/Staff Comments:

Con Com signed PBN form

PBN IS COMPLETE:

Install an anchor pad and 6 ft x 40 ft seasonal dock.

With Findings:

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

**2010-02639 COROLLO, ANTHONY
MOULTONBOROUGH Lake Winnepesaukee**

Requested Action:

PBN disqualified as the applicant does not have an existing wall on the frontage.

PBN DISQUALIFIED:

PBN disqualified as the applicant does not have an existing wall on the frontage.

With Findings:

1. The applicant submitted a PBN to repair an existing wall, however the frontage appears to have a rip rap shoreline and not a wall along the frontage.

2010-02644 **ASHLEY, DENNIS & DIANA**
LACONIA **Opechee Bay**

Requested Action:

Repair existing retaining wall in kind.

Conservation Commission/Staff Comments:

Con Com signed PBN form

PBN IS COMPLETE:

Repair existing retaining wall in kind.

With Findings:

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

2010-02645 **CAMPIOLA REVOC TRUST, RICHARD & VIRGINIA**
WINDHAM **Canobie Lake**

Requested Action:

Repair existing retaining wall in kind.

Conservation Commission/Staff Comments:

Con Com signed PBN form

PBN IS COMPLETE:

Repair existing retaining wall in kind.

With Findings:

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

CSPA PERMIT

2010-01062 **BERLIN WATER WORKS**
BERLIN **Upper Ammonoosuc River**

Requested Action:

AMENDMENT DESCRIPTION: Impact a total of 50 sq ft to install a platform 5 ft by 5 ft, install three stairs 5 ft by 3 ft, and regrade 10 sq ft at the base of stairs.

Impact 100 sq.ft. Installation of stairs, and pedestrian ramp to dam gateworks pedestrian bridge.

APPROVE AMENDMENT:

AMENDMENT DESCRIPTION: Impact a total of 50 sq ft to install a platform 5 ft by 5 ft, install three stairs 5 ft by 3 ft, and

regrade 10 sq ft at the base of stairs.

Impact 100 sq.ft. Installation of stairs, and pedestrian ramp to dam gateworks pedestrian bridge.

With Conditions:

1. All work shall be in accordance with plans by Provan & Lorber, Inc dated July 2009 and received by the Department of Environmental Services ("DES") on April 30, 2010.
2. No more than .04% 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 8,446,980 sq ft of the Natural Woodland Buffer beyond the primary building setback in an unaltered state. At least 4,223,500 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. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
5. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
6. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
7. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
8. Any fill used shall be clean sand, gravel, rock, or other suitable material.
9. This permit is contingent on approval by the DES Wetlands Program.

2010-01986 KOPKA, DANA & ROBERTA
BARRINGTON Ayer's Pond

Requested Action:

Impact 2,863 sq ft for the replacement of existing structure and the expansion of deck and stairs.

APPROVE PERMIT:

Impact 2,863 sq ft for the replacement of existing structure and the expansion of deck and stairs.

With Conditions:

1. All work shall be in accordance with plans by Berry Surveying & Engineering dated July 27, 2010 and received by the NH Department of Environmental Services (DES) on July 30, 2010.
2. No more than 13.2% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
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.

2010-02266 CREAN, DAVID
WOLFEBORO Lake Winnepesaukee

Requested Action:

Impact 4,618 sq ft for the purpose of constructing a new residential dwelling, associated accessory and installing a new septic system.

APPROVE PERMIT:

Impact 4,618 sq ft for the purpose of constructing a new residential dwelling, associated accessory and installing a new septic system.

With Conditions:

1. All work shall be in accordance with plans by Peter Cooperdock dated August 3, 2010 and received by the Department of Environmental Services ("DES") on August 23, 2010 and revised plans received by DES on September 23, 2010.
2. No more than 19.7% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
3. This permit is contingent upon receiving all necessary approvals from the DES Subsurface Systems Bureau.
4. The project as proposed will leave approximately 3,104 sq ft of the Natural Woodland Buffer beyond the primary building setback in an unaltered state. At least 3,036 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
5. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on areas determined to remain in an unaltered state.
6. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
7. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
8. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
9. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
10. Any fill used shall be clean sand, gravel, rock, or other suitable material.
11. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
12. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
13. Silt fencing must be removed once the area is stabilized.

**2010-02277 FULLER, WILLIAM & REBECCA
MEREDITH Lake Winnepesaukee**

Requested Action:

Impact 19,990 sq ft for the purpose of replacing an existing non-conforming structure with a new, conforming, primary structure and associated accessory structures.

APPROVE AMENDMENT:

Impact 19,990 sq ft for the purpose of replacing an existing non-conforming structure with a new, conforming, primary structure and associated accessory structures.

With Conditions:

1. All work shall be in accordance with plans by David M. Dolan as revised September 21,2010 and received by the Department of Environmental Services ("DES") on September 21, 2010.
2. No more than 18.36% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
3. All actions associated with the installation of the proposed septic system are contingent on approval by the DES Subsurface

Systems Bureau.”

4. Upon completion of the proposed project, regions of the waterfront buffer formerly covered by impervious areas shall be stabilized and planted with native vegetation.
5. 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).
6. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on the 3,000 sq ft area determined to remain in an unaltered state.
7. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
8. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
9. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
10. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
11. Any fill used shall be clean sand, gravel, rock, or other suitable material.
12. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
13. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
14. Silt fencing must be removed once the area is stabilized.

2010-02307 WILSON, ALAN
DEERFIELD Freeses Pond

Requested Action:

Impact 720 sq ft for the installation of a concrete foundation under existing house and the removal of two trees.

APPROVE PERMIT:

Impact 720 sq ft for the installation of a concrete foundation under existing house and the removal of two trees.

With Conditions:

1. All work shall be in accordance with plans by Alan Wilson dated August 1, 2010 and received by the NH Department of Environmental Services (DES) on August 26, 2010.
2. No more than 10.8% 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. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
6. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
7. Any fill used shall be clean sand, gravel, rock, or other suitable material.
8. This permit shall not preclude 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.

2010-02369 DOW, RICHARD & BARBARA
ENFIELD Mascoma River

Requested Action:

Impact 1,962 sq ft for the purpose of constructing a concrete support pad.

APPROVE PERMIT:

Impact 1,962 sq ft for the purpose of constructing a concrete support pad.

With Conditions:

1. All work shall be in accordance with plans by Pathway Consulting, LLC., dated August 27, 2010 and received by the Department of Environmental Services ("DES") on September 1, 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. The project as proposed will leave approximately 9,100 sq ft of the Natural Woodland Buffer beyond the primary building setback in an unaltered state. At least 2,275 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
4. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
5. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
6. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
7. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
8. Any fill used shall be clean sand, gravel, rock, or other suitable material.
9. 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.

2010-02371 LINTELMAN, GREGORY & TRACEY
MILTON Milton Pond

Requested Action:

Impact 2,775 sq ft for the purpose of regrading and installing stormwater management techniques.

APPROVE PERMIT:

Impact 2,775 sq ft for the purpose of regrading and installing stormwater management techniques.

With Conditions:

1. All work shall be in accordance with revised plans by Fogg Environmental Design and received by the Department of Environmental Services ("DES") on September 29, 2010.
2. No more than 32.8% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
3. The proposed stormwater management plan shall be designed, installed and maintained to effectively absorb and infiltrate stormwater.

4. The proposed walkway shall not concentrate and discharge stormwater to public waters.
5. No impacts to natural ground cover or native vegetation shall occur within the waterfront buffer.
6. All pervious technologies used shall be designed, installed and maintained to effectively absorb and infiltrate stormwater.
7. 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).
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.

**2010-02429 ELI & BESSIE COHEN FOUNDATION CAMPS
HAMPSTEAD Wash Pond**

Requested Action:

Impact 56,408 sq ft (temporarily impact 41,619 sq ft, permanent impact 14,789 sq ft) to remove tennis court, replace pool, expand basketball court, and construct an effluent disposal system.

APPROVE PERMIT:

Impact 56,408 sq ft (temporarily impact 41,619 sq ft, permanent impact 14,789 sq ft) to remove tennis court, replace pool, expand basketball court, and construct an effluent disposal system.

With Conditions:

1. All work shall be in accordance with plans by Meridian Land Services, Inc dated August 2, 2010 and received by the NH Department of Environmental Services (DES) on September 2, 2010.
2. All actions associated with the installation of the proposed septic system are contingent on approval by the DES Subsurface Systems Bureau.
3. No more than 15.9% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
4. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
5. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
6. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
7. Any fill used shall be clean sand, gravel, rock, or other suitable material.
8. This permit shall not preclude DES from taking any enforcement or revocation action if DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

**2010-02449 DAY, WILLIAM
WINDHAM Cobbett's Pond**

Requested Action:

Impact 1,200 sq ft to construct channel stabilization methods and retention basins.

APPROVE PERMIT:

Impact 1,200 sq ft to construct channel stabilization methods and retention basins.

With Conditions:

1. All work shall be in accordance with plans by Geosyntec dated August 20, 2010 and received by the NH Department of Environmental Services (DES) on September 13, 2010.
2. No more than 2.6% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
3. 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.

**2010-02452 SUNAPEE SCHOOLS SAU OFFICE
SUNAPEE Sugar River**

Requested Action:

Impact 9,972 sq ft to construct a paved parking lot, walkways, and addition to an existing building.

APPROVE PERMIT:

Impact 9,972 sq ft to construct a paved parking lot, walkways, and addition to an existing building.

With Conditions:

1. All work shall be in accordance with plans by CLD Consulting Engineers dated August 1, 2010 and received by the NH Department of Environmental Services (DES) on September 13, 2010.
2. No more than 23.1% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
3. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
4. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
5. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
6. Any fill used shall be clean sand, gravel, rock, or other suitable material.
7. This permit shall not preclude DES from taking any enforcement or revocation action if DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

2010-02456 GREARSON, ARLYNNE/DOUGLAS
WOLFEBORO Wentworth Lake

Requested Action:

Impact 3,166 sq ft for the purpose of installing a new septic system.

APPROVE PERMIT:

Impact 3,166 sq ft for the purpose of installing a new septic system.

With Conditions:

1. All work shall be in accordance with plans by Folsom Design Group dated September 1, 2010 and received by the Department of Environmental Services ("DES") on September 14, 2010.
2. No more than 9.7% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
3. This permit is contingent upon receiving all necessary approvals from the DES Subsurface Systems Bureau.
4. No impacts to natural ground cover or native vegetation shall occur within the waterfront buffer.
5. The project as proposed will leave approximately 12,025 sq ft of the Natural Woodland Buffer beyond the primary building setback in an unaltered state. At least 5,008 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.
14. 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.
15. All impacts within wetlands, surface waters and their banks shall require a Wetland Permit under RSA 482-A.
16. Upon completion of the proposed project, the existing septic system will pose no threat to adjacent surface waters.

2010-02457 BYRD, ABIGAIL/WILLIAM
NASHUA Salmon Brook

Requested Action:

Impact 4,698 sq ft for the purpose of expanding a residential dwelling and driveway and installing stormwater controls.

APPROVE PERMIT:

Impact 4,698 sq ft for the purpose of expanding a residential dwelling and driveway and installing stormwater controls.

With Conditions:

1. All work shall be in accordance with plans by David O'Hara dated September 1, 2010 and received by the Department of Environmental Services ("DES") on September 9, 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. The proposed stormwater management plan shall be designed, installed and maintained to effectively absorb and infiltrate stormwater.
4. No impacts to natural ground cover or native vegetation shall occur within the waterfront buffer.
5. The project as proposed will leave approximately 8,389 sq ft of the Natural Woodland Buffer beyond the primary building setback in an unaltered state. At least 2,238 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.
14. All impacts within wetlands, surface waters and their banks shall require a Wetland Permit under RSA 482-A.

**2010-02464 NH DEPT OF TRANSPORTATION
CONWAY Saco River**

Requested Action:

Impact 2252 sq ft in order to stabilize 125 ft of bank, upgrade drainage structures, and install guardrail.

APPROVE PERMIT:

Impact 2252 sq ft in order to stabilize 125 ft of bank, upgrade drainage structures, and install guardrail.

With Conditions:

1. All work shall be in accordance with plans by NH Dept of transportation dated August 1, 2010 and received by the NH Department of Environmental Services (DES) on September 13, 2010.
2. No more than 27% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
3. The project as proposed will leave approximately 9,299 sq ft of the Natural Woodland Buffer beyond the primary building setback in an unaltered state. At least 5,348 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.

**2010-02490 EDWARDS, KENNETH
NEW DURHAM Merrymeeting Lake**

Requested Action:

Impact 8538 sq ft (2722 sq ft permanent, 5776 sq ft temporary) to construct a new house with septic system, expand the driveway, remove a shed, and regrade an existing pile of dirt and rocks.

APPROVE PERMIT:

Impact 8538 sq ft (2722 sq ft permanent, 5776 sq ft temporary) to construct a new house with septic system, expand the driveway, remove a shed, and regrade an existing pile of dirt and rocks.

With Conditions:

1. All work shall be in accordance with plans by Varney Engineering, LLC dated September 7, 2010 and received by the NH Department of Environmental Services (DES) on September 13, 2010.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. 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.
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.

**2010-02491 FLAHERTY, DANIEL & GINGER
WAKEFIELD Balch Lake**

Requested Action:

Impact 2,225 sq ft to construct a deck and staircase along with stone retaining wall

APPROVE PERMIT:

Impact 2,225 sq ft to construct an addition to primary structure, a deck and staircase, and a stone retaining wall located behind the 50 ft reference line.

With Conditions:

1. All work shall be in accordance with plans by Fogg Environmental Design dated August 1, 2010 and received by the NH Department of Environmental Services (DES) on September 13, 2010.
2. No more than 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. 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.

2010-02497 MAGGIO, DIANE
BARRINGTON Mendums Pond

Requested Action:

Impact 1,846 sq ft for the purpose of constructing a new foundation below a nonconforming primary structure.

APPROVE PERMIT:

Impact 1,846 sq ft for the purpose of constructing a new foundation below a nonconforming primary structure.

With Conditions:

1. All work shall be in accordance with plans submitted by Tony Maggio dated August, 2010 and received by the Department of Environmental Services ("DES") on September 13, 2010.
2. No more than 31.0% 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 horizontal expansion of interior living space associated with this project.
4. This permit is contingent upon receiving all necessary approvals from the DES Subsurface Systems Bureau.
5. No impacts to natural ground cover or native vegetation shall occur within the waterfront buffer.
6. The project as proposed will leave approximately 2,336 sq ft of the Natural Woodland Buffer beyond the primary building setback in an unaltered state. At least 1,260 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
7. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
8. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
9. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
10. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
11. Any fill used shall be clean sand, gravel, rock, or other suitable material.
12. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
13. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
14. Silt fencing must be removed once the area is stabilized.
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.

CSPA PERMIT W/VARIANCE

2010-02161 RADCLIFFE, GEORGE
WEBSTER Pillsbury Lake

Requested Action:

Impact 395 sq ft for the purpose of expanding a residential dwelling and installing stormwater controls.

APPROVE PERMIT:

Impact 395 sq ft for the purpose of expanding a residential dwelling and installing stormwater controls.

With Conditions:

1. All work shall be in accordance with plans by Sharon Monahan dated July 10, 2010 and received by the Department of Environmental Services ("DES") on August 13, 2010 and revised stormwater plans received by DES on September 30, 2010.
2. No more than 29.0% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
3. This permit is contingent upon receiving all necessary approvals from the DES Subsurface Systems Bureau.
4. The proposed stormwater management plan shall be designed, installed and maintained to effectively absorb and infiltrate stormwater.
5. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
6. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
7. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
8. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
9. Any fill used shall be clean sand, gravel, rock, or other suitable material.
10. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
11. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
12. Silt fencing must be removed once the area is stabilized.

2010-02322 SURRETTE, PAUL
NEW DURHAM Merrymeeting Lake

Requested Action:

Impact 3,762 sq ft for the purpose of constructing a new foundation under a nonconforming primary structure and installing a new septic system and stormwater controls.

APPROVE PERMIT:

Impact 3,762 sq ft for the purpose of constructing a new foundation under a nonconforming primary structure and installing a new septic system and stormwater controls.

VARIANCE APPROVED: RSA 483-B:9, V(b)(2)(A)(i) is varied to allow an area within the natural woodland buffer to be disturbed greater than that required to remain in an unaltered state.

With Conditions:

1. All work shall be in accordance with plans by Varney Engineering, LLC., dated May 18, 2010 and received by the Department of Environmental Services ("DES") on August 24, 2010.
2. No more than 15.8% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
3. This permit is contingent upon receiving all necessary approvals from the DES Subsurface Systems Bureau.
4. The proposed stormwater management plan shall be designed, installed and maintained to effectively absorb and infiltrate stormwater.
5. The project as proposed will leave approximately 694 sq ft of the Natural Woodland Buffer beyond the primary building setback in an unaltered state.
6. There shall be no impacts to native vegetation between 50 ft and 150 ft of the reference line beyond that necessary for installing the new septic system in order to comply with RSA 483-B:9, V, (b), (2), (A), (ii).
7. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on areas determined to remain in an unaltered state.
8. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
9. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
10. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
11. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
12. Any fill used shall be clean sand, gravel, rock, or other suitable material.
13. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
14. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
15. Silt fencing must be removed once the area is stabilized.

With Findings:

1. The applicant or their designated agent hereby request a variance of RSA 483-B:9, V(b)(2)(A)(i) for the purpose of disrupting an area of the natural woodland buffer greater than that required to remain in an unaltered state.
2. The literal enforcement of the standard would result in an unnecessary hardship as the natural woodland buffer impacted for the installation of a new septic system.
3. Granting the variance will not result in the diminution in the value of the surrounding properties as upon completion of the proposed project the disturbed area will be vegetated and will remain pervious.
4. Granting the variance will not be contrary to the spirit of RSA 483-B as a new septic system will be installed resulting in a greater level of resource protection.
5. Granting the variance will do substantial justice as the project will provide the same or greater degree protection than those that currently exist.

CSPA PERMIT W/WAIVER

2010-01444 SCHWARZ, CHRISTOPHER
BROOKLINE Nissitissit River

Requested Action:

Impact 2,194 sq ft for the purpose of expanding a nonconforming primary structure.

DENY PERMIT:

Impact 2,194 sq ft for the purpose of expanding a nonconforming primary structure.

With Findings:

Standards for Approval

1. In accordance with RSA 483-B:5-b, V, (a), Permit Required; Exemption, "Within 30 days of receipt of an application for a permit or 75 days of receipt of an application for a permit that will require a variance of the minimum standard of RSA 483-B:9, V or a waiver of the minimum standards of RSA 483-B:9, Any request for additional information shall specify that the applicant submit such information as soon as practicable and notify the applicant that if all of the requested information is not received within 60 days of the request, the department shall deny the application."

Findings of Fact

1. On June 7 2010 the Department received an application for impacts associated with the modification of an existing nonconforming structure locate on property identified as Brookline Tax map K00260.10, Lot K19.
2. On July 6, 2010 the Department issued a Request for More Information Letter to the Applicant notifying them that additional information including an explanation of how the project would be more nearly conforming that the existing conditions, plans clearly portraying the proposed post-construction site conditions, and a proposed planting plan was required to complete their file.
3. The Department's letter specified that if the information requested was not received by September 8, 2010, their application would be denied.

Ruling in Support of the Decision

1. The Applicant failed to submit the requested information by September 8, 2010 and, therefore, the application is denied in accordance with RSA 483-B:5-b, V, (a).

2010-01783 ROBERTSON, GARRY
ALTON Lake Winnepesaukee

Requested Action:

Impact 2,826 sq ft for the purpose of constructing a new garage and installing stormwater controls.

APPROVE PERMIT:

Impact 2,826 sq ft for the purpose of constructing a new garage and installing stormwater controls.

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

With Conditions:

1. All work shall be in accordance with revised plans by Varney Engineering, LLC., dated September 8, 2010 and received by the Department of Environmental Services ("DES") on September 17, 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 60.5% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
4. The 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. The project as proposed will leave approximately 33 sq ft of the Natural Woodland Buffer beyond the primary building setback in an unaltered state. In order to remain compliant with RSA 483-B:9, V, (b), (2), there shall be no impacts to the 33 sq ft area deemed to exist in an unaltered state.
8. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on areas determined to remain in an unaltered state.
9. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
10. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
11. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
12. The proposed plantings shall achieve a 100% success rate.
13. 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.
14. Any fill used shall be clean sand, gravel, rock, or other suitable material.
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. 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.
17. Silt fencing must be removed once the area is stabilized.
18. 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.
19. 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 Winnepesaukee 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 reduce the level of imperviousness within the protected shoreland by 1,232 sq ft by incorporating porous pavement.
4. The applicant has proposed to install stormwater controls consisting of rain gutters that direct stormwater to drywells on the existing structure as well as the proposed garage.
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, reduce impervious area and significantly enhance the waterfront and natural woodland buffers, and therefore, meets the requirements for a waiver of RSA 483-B:9 as described in RSA 483-B: 11, I.

2010-02038 DAVENPORT, TRAVIS
CHESTERFIELD Connecticut River

Requested Action:

Impact 2,118 sq ft for the purpose of expanding a nonconforming primary structure, and installing a new septic system and stormwater controls.

APPROVE PERMIT:

Impact 2,118 sq ft for the purpose of expanding a nonconforming 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 SVE Associates, dated July 6, 2010 and received by the Department of Environmental Services ("DES") on August 3, 2010 and revised planting plans received by DES on September 20, 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. This permit is contingent upon receiving all necessary approvals from the NH DES Subsurface Systems Bureau and installing the proposed septic system.
4. No more than 10.52% 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 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 achieve a 100% success rate.
9. The project as proposed will leave approximately 560 sq ft of the Natural Woodland Buffer beyond the primary building setback in an unaltered state and in order to remain compliant with RSA 483-B:9, V, (b), (2), there shall be no impacts to the 560 sq ft area deemed unaltered.
10. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on areas determined to remain in an unaltered state. \
11. 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.
12. 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.
13. 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.
14. 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.
15. Any fill used shall be clean sand, gravel, rock, or other suitable material.
16. 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).
17. 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.
18. Silt fencing must be removed once the area is stabilized.
19. 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.
20. 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 Connecticut River and, therefore, fails to conform to the setback restriction set forth in RSA 483-B:9, II (b), of the CSPA.
2. In accordance with RSA 483-B:11, II, the commissioner shall review proposals which are more nearly conforming than the existing structures, and may waive some of the standards specified in RSA 483-B:9, so long as there is at least the same degree of protection provided to the public waters and the proposal is "more nearly conforming."
3. The applicant has proposed to remove approximately 30 sq ft of impervious area within the protected shoreland.
4. The applicant has proposed to install stormwater controls consisting of infiltration trenches under the drip edges of the proposed

structure and remaining portions of the driveway.

5. The applicant has proposed to plant additional, native vegetation within the waterfront buffer.
6. The applicant will allow a significant area of the waterfront buffer to revert to natural ground cover.
7. The applicant has proposed to install a new NH DES Subsurface Bureau approved wastewater treatment system.
8. The applicant has proposed to install stormwater controls, install a new septic system, reduce the total amount of impervious surface coverage within the protected shoreland 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.

UTILITY NOTIFICATION

2010-02624 NEWINGTON POWER FACILITY LLC, ALAN DOUGLASS
NEWINGTON Piscataqua River

2010-02680 PSNH
TROY Unnamed Stream