

Wetlands Bureau Decision Report

Decisions Taken
11/01/2010 to 11/07/2010

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

**2010-01434 SPINNAKER COVE YACHT CLUB
LACONIA Lake Winnepesaukee**

Requested Action:

Dredge 700 cubic yards of sediment deposited during storm events, from 12,500 square feet of the bed of Lake Winnepesaukee, in Laconia.

Conservation Commission/Staff Comments:

The local Con Com submitted several comments

APPROVE PERMIT:

Dredge 700 cubic yards of sediment deposited during storm events, from 12,500 square feet of the bed of Lake Winnepesaukee, in Laconia.

With Conditions:

1. All work shall be in accordance with plans by Right Angle Engineering PLLC revision dated October 04, 2010, as received by the NH Department of Environmental Services (DES) on October 07, 2010.
2. Work shall be done during low flow.
3. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
4. 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.
5. Appropriate siltation and erosion controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
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(g), removal of more than 20 cubic yards of material from public waters.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a), Requirements for Application Evaluation, has been considered in the design of the project.
5. In accordance with RSA 428-A:8, DES finds that the requirements for a public hearing do not apply as the permitted project is not of substantial public interest, and will not have a significant impact on or adversely affect the values of Lake Winnepesaukee, as identified under RSA 482-A:1.

-Send to Governor and Executive Council-

**2010-01767 BELLAMY RIVER VILLAGE CONDOMINIUM ASSOCIATION, RIC
DOVER Bellamy River**

Requested Action:

Retain a previously unpermitted, non-grandfathered tidal dock, to be reconstructed into a 3' wide x 51' long permanent pier expanding into a 15' wide x 10' long permanent mooring platform at the structure's waterward end, providing one slip on 400 feet of

frontage on the Bellamy River.

Inspection Date: 10/29/2010 by Dori A Wiggin

APPROVE PERMIT:

Retain a previously unpermitted, non-grandfathered tidal dock, to be reconstructed into a 3' wide x 51' long permanent pier expanding into a 15' wide x 10' long permanent mooring platform at the structure's waterward end, overall length 61 feet, providing one slip on 400 feet of frontage on the Bellamy River.

With Conditions:

1. All work shall be in accordance with plans by Richard Ferraro, Bellamy River Village Condo Association dated September 18, 2010, as received by the Department on September 29, 2010.
2. Any future work in jurisdiction as specified in RSA 482-A on this property will require a new application and approval by the Department of Environmental Services ("DES") Wetlands Bureau.
3. The decking of the dock shall have a minimum of 6 ft. clearance from the surface of the tidal marsh or 1:1 ratio of deck height to width as appropriate, and shall have 3/4-inch spacing between the decking planks.
4. This permit shall not be effective until recorded at the Strafford County Registry of Deeds Office by the permittee. A copy of the recorded permit shall be submitted to the DES Wetlands Bureau prior to construction.
5. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain in until the area is stabilized.
6. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
7. Construction of this tidal docking structure consisting of a 3' wide x 51' long permanent pier expanding into a 15' wide x 10' long permanent mooring platform at the structure's waterward end, overall permanent structure length 61 feet, providing one slip on 400 feet of frontage on the Bellamy River, shall be the only dock 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.
8. Work shall be done during low tide.
9. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to surface waters and wetlands.
10. Work shall be conducted in a manner that avoids excessive discharges of sediments to fish spawning areas.

With Findings:

1. This is a major impact project per Administrative Rule Wt 303.02(a), projects in sand dunes, tidal wetlands, or bogs, except for the repair of existing structures pursuant to Wt 303.04(v).
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01. There is currently an unpermitted, non-grandfathered docking structure on the property which needs to be properly authorized and repaired.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03. The permanent pier is designed at one foot of height for each foot of structure width, with 3/4 inch spacing between decking to prevent shading of the tidal vegetation. There is no seasonal ramp or float, only a mooring platform constructed at the end of the permanent pier, due to the limited water available to the structure. The applicant is reducing the overall size of the structure from over 400 square feet of the unauthorized structure, to 303 square feet for the reconstructed dock.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(a) and (c), Requirements for Application Evaluation, has been considered in the design of the project. NH Natural Heritage Bureau reports that although there is a listed species occurrence in the vicinity, the project is not expected to have a negative impact. This project has been reviewed by the Pease Development Authority Division of Ports and Harbors which determined that the project would have no negative effect on navigation, per letter dated October 25, 2010; and the dock is located greater than 20 feet off the abutting property lines.
5. This dock is consistent with other tidal dock approvals in the seacoast.
6. DES staff field inspection on October 29, 2010 found that the site is accurately represented in the application.
7. The Dover Conservation Commission signed the minimum impact expedited application originally submitted for this project.

-Send to Governor and Executive Council-

2010-02026 LAKE POINTS OF VIEW INC
SANBORNVILLE Lovell Lake

Requested Action:

Permanently remove all existing seasonal docks on the frontage and install four 6 ft x 30 ft seasonal docks and one 6 ft x 35 ft seasonal dock, a 6 ft x 6 ft concrete pad, a 7 ft x 3 ft concrete pad, and two personal watercraft lifts, on an average of 677 ft of frontage on Lovell Lake, in Wakefield.

Conservation Commission/Staff Comments:

Con Com did not submit comments by 09/30/2010

APPROVE PERMIT:

Permanently remove all existing seasonal docks on the frontage and install four 6 ft x 30 ft seasonal docks and one 6 ft x 35 ft seasonal dock, a 6 ft x 6 ft concrete pad, a 7 ft x 3 ft concrete pad, and two personal watercraft lifts, on an average of 677 ft of frontage on Lovell Lake, in Wakefield.

With Conditions:

1. All work shall be in accordance with plans by Carol Clark dated June 30, 2010, as received by the NH Department of Environmental Services (DES) on October 12, 2010.
2. This permit shall not be effective until it has been recorded with the county Registry of Deeds Office by the Permittee. A copy of the recorded permit shall be submitted to the DES Wetlands Bureau by certified mail, return receipt requested, prior to installation.
3. This shall be the only structure on this water frontage and all portions of the dock shall be at least 20 ft from abutting property lines or the imaginary extension of those lines into the water.
4. The existing piers shall be completely removed from the waterbody prior to the installation of the new docking structures.
5. All seasonal piers shall be removed from the lake for the non-boating season.
6. No portion of piers 1 through 4 shall extend more than 30 feet from the shoreline at full lake elevation and pier 5 shall extend no more than 35 feet from the shoreline at full lake elevation.
7. The seasonal personal watercraft lifts shall be removed for the non-boating season.
8. 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 major project per Rule Env-Wt 303.02(d), construction of a major docking facility.
2. The applicant has an average of 677 feet of frontage along Lovell Lake.
3. A maximum of 10 slips may be permitted on this frontage per Rule Env-Wt 402.13, Frontage Over 75'.
4. The proposed docking facility will provide 10 slips as defined per RSA 482-A:2, VIII and therefore meets Rule Env-Wt 402.13.
5. Public hearing is waived with the finding that the project impacts will not significantly impair the resources of Lovell Lake.
6. The Department previously approved five 4 ft x 20 ft docking structures on this frontage, the new docking structures provide the same number of slips on the frontage as the previously approved docking structures.

-Send to Governor and Executive Council-

MINOR IMPACT PROJECT

2009-01687 JESANIS, MICHAEL
SUNAPEE Lake Sunapee

Requested Action:

The Applicant requests reconsideration of the Department's December 4, 2009 decision to deny modifications to the docking facilities on the frontage on the merits of a revised proposal.

Conservation Commission/Staff Comments:

Con Com submitted comments

APPROVE RECONSIDERATION:

Repair an existing 12 ft x 18 ft permanent dock supported by an 8 ft x 12 ft crib in kind, dredge to remove remnants of an abandoned 10 ft x 10 ft crib and a 10 ft x 7 ft abandoned crib, install a 6 ft x 40 ft seasonal dock attached to a 4 ft x 7 ft concrete pad, install a seasonal boatlift between the seasonal dock and the permanent dock with a 13 ft x 28 ft seasonal canopy, and install two seasonal personal watercraft lifts south of the permanent docking structure on an average of 314 feet of frontage on Lake Sunapee, in Sunapee.

With Conditions:

1. All work shall be in accordance with dock plans by Pellettieri Associates Inc dated October 12, 2010, and beach plans by Pellettieri Associates Inc dated October 13, 2010, as received by the NH Department of Environmental Services (DES) on October 15, 2010.
2. This permit shall not be effective until it has been recorded with the county Registry of Deeds Office by the Permittee. A copy of the recorded permit shall be submitted to the DES Wetlands Bureau by certified mail, return receipt requested, prior to installation.
3. This shall be the only structure on this water frontage and all portions of the dock shall be at least 20 ft from abutting property lines or the imaginary extension of those lines into the water.
4. The permanent dock shall be repaired in kind with no expansion, as indicated on the approved plans.
5. Seasonal pier shall be removed from the lake for the non-boating season.
6. No portion of the pier shall extend more than 40 feet from the shoreline at full lake elevation.
7. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
8. Appropriate siltation and erosion controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
9. 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.
10. Canopies shall be of seasonal construction type with a flexible fabric cover. The seasonal support frame shall be designed to be removed for the non-boating season. The flexible fabric cover shall be removed during all seasons of non-use.
11. The seasonal boat lift shall be removed from the lake for the non-boating season.
12. The seasonal personal watercraft lifts shall be removed from the lake for the non-boating season.
13. Stone placed along the beach front for the purpose of retaining sand shall be placed above and/or landward of those rocks currently located along the normal high water line (Elevation 1093.15). Those rocks existing at the normal high water line shall remain otherwise undisturbed such that the natural shoreline remains identifiable.
14. The steps installed for access to the water shall be located completely landward of the normal high water line.
15. No more than 10 cu yd of sand may be used and all sand shall be located above the normal high water line.
16. This permit shall be used only once, and does not allow for annual beach replenishment.
17. The permittee shall provide appropriate diversion of surface water runoff to prevent erosion of beach area.
18. Revegetation of trees, shrubs and ground covers representing the density and species diversity of the existing stand of vegetation removed for this project shall begin at a distance no greater than 5 feet landward from the beach area.
19. 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(c), construction of a docking system that exceeds the design criteria for minimum impact docks.
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 314 feet of shoreline frontage along Lake Sunapee.
6. A maximum of 2 slips may be permitted on this frontage per Rule Env-Wt 402.13, Frontage Over 75'.
7. The proposed docking facility will provide 5 slips as defined per RSA 482-A:2, VIII and therefore meets Rule Env-Wt 402.13.

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

Requested Action:

The Appellant requests reconsideration of the Department's April 08, 2010, decision to deny the request for a 2 slip dug-in, boathouse on the merits of revised plans submitted.

Conservation Commission/Staff Comments:

Con Com submitted comments with regards to dredge area and volume

Inspection Date: 03/02/2010 by Dale R Keirstead

APPROVE RECONSIDERATION:

Permanently remove an existing 6 ft x 33 ft piling dock, 12 ft wide steps over the bank, and a 12 ft x 18 ft illegally constructed deck within protected shorelands, extend a piling pier to final dimensions of 6 ft x 37 ft, dredge 19.6 cu yd from 784 sq ft of lake bed and excavate 898 sq ft along 42 linear ft of shoreline to construct a 28 ft x 36 ft dug in boathouse, on an average of 240 feet of frontage on Lake Winnepesaukee, in Tuftonboro.

With Conditions:

1. All work shall be in accordance with plans by Diversified Marine Construction as revised November 3, 2010, and received by the Department on November 4, 2010.
2. All portions of the 12 ft wide steps over the bank, the 12 ft x 18 ft deck within protected shorelands, and the 6 ft x 33 ft piling dock shall be removed from the frontage prior to the initiation of any dredging or excavation activities on the frontage.
3. 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 registered permit shall be submitted to the DES Wetlands Bureau prior to construction.
4. The owner shall file a restrictive covenant in the appropriate registry of deeds limiting the use of the boathouse to the storage of boats and boating-related accessories. A copy of the recorded covenant permit shall be submitted to the DES Wetlands Bureau prior to construction.
5. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
6. The boathouse shall be a single-story structure; ridgeline not to exceed 20 ft in height (Elev. 524.32) above normal high water (Elev. 504.32).
7. Dewatering of work areas and dredged materials shall be discharged to sediment basins located in uplands and lined with hay bales or other acceptable sediment trapping liner.
8. All dredged and excavated material and construction related debris shall be placed outside of the areas under the jurisdiction of the DES Wetlands Bureau including the shorelands protected under RSA 483-B.
9. Appropriate siltation and erosion controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.
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 water at the work site has returned to normal clarity.
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. This facility is permitted with the condition that future maintenance dredging, if needed, shall not be permitted more frequently than once every 6 years, and that a new permit shall be required for each dredge activity.
13. The owner understands and accepts the risk that if this facility requires dredging to maintain a minimum slip depth of 2 feet, more frequently than once every 6 years, or is shown to have an adverse impact on abutting frontages, it shall be subject to removal.
14. 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 minor project per Rule Env-Wt 303.03(d) & (g), construction of docking facilities involving less than 20 cu yd of dredge from public waters.
2. The applicant has an average of 240 feet of frontage along Lake Winnepesaukee.
3. A maximum of 4 slips may be permitted on this frontage per Rule Env-Wt 402.13, Frontage Over 75'.
4. The proposed docking facilities will provide 4 slips as defined per RSA 482-A:2, VIII and therefore meets Rule Env-Wt 402.13.
5. The Applicant has met the criteria for a waiver of Rule Env-Wt 402.09, (b), (5) Structures Disallowed, as established in Part Env-Wt 204. Therefore the impacts to the previously filled wetlands have been permitted.

2010-01347 ROCHESTER HOUSING AUTHORITY
ROCHESTER Unnamed Wetland

Requested Action:

Dredge and fill 7,093 square feet of isolated, disturbed wet meadow wetland for construction of a multi-unit elderly housing development and associated stormwater management structures.

APPROVE PERMIT:

Dredge and fill 7,093 square feet of isolated, disturbed wet meadow wetland for construction of a multi-unit elderly housing development and associated stormwater management structures.

With Conditions:

1. All work shall be in accordance with plans by Civilworks Engineers dated 11/11/2009, as received by the NH Department of Environmental Services (DES) on 5/24/2010, and per materials received from GZA GeoEnvironmental Inc. dated 9/22/2010 as received on 9/23/2010.
2. This permit is contingent on approval by the DES Alteration of Terrain Bureau.
3. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.
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, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
7. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
8. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.
9. Silt fencing must be removed once the area is stabilized.
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).

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 of non-tidal wetlands.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided

evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03. The development is confined to the disturbed area adjacent to a City street, away from the larger wetland area and the Cocheco River, and has incorporated low impact development techniques into its design.

4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project. There were no species of concern reported by the NH Natural Heritage Bureau as occurring in the project vicinity.

5. The Rochester Conservation Commission did not report.

6. The Cocheco River LAC was notified by certified mail and did not report.

**2010-01778 THE SUGAR RIVER HYDROELECTRIC POWER COMPANY, WILLI
NEWPORT Unnamed Stream**

Requested Action:

An amendment request was received on September 20, 2010, revisions include: 1) stabilizing the water line in place instead of relocating; 2) Repairing the scour hole by extending the dam apron instead of installing riprap; 3) Repairing additional undermined foundation areas; and 4) installing riprap below the concrete dam apron.

APPROVE AMENDMENT:

Dredge and fill \pm 2,425 sq. ft. of the Sugar River to extend the existing dam apron to repair a scour hole below the Sugar River Dam II, install riprap below the concrete apron, repair undermined foundation areas and stabilize an exposed water main.

With Conditions:

1. All work shall be in accordance with plans by Turner Group dated September 15, 2010, as received by the Department on September 20, 2010.
2. Work shall be done during low flow conditions and in the dry.
3. Appropriate siltation and erosion controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
4. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate work area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
5. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to wetlands and surface waters.
6. There shall be no excavation or operation of construction equipment in flowing water.
7. Dewatering of work areas or of dredge materials, if required, shall be conducted in a manner so as to prevent turbidity.
8. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of twenty (20) feet of undisturbed vegetated buffer.
9. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid. Faulty equipment shall be repaired prior to construction.
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.
11. All refueling of equipment shall occur outside of surface waters or wetlands during construction.
12. Extreme precautions shall be taken within riparian areas to limit unnecessary removal of vegetation during construction and areas cleared of vegetation to be revegetated with native like species within three days of the completion of this project.
13. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
14. The applicant shall notify the DES Wetlands Bureau in writing within twenty-four (24) hours of an erosion event resulting in sediment entering a wetland or surface water.
15. A post-construction report including photographs documenting the status of the completed construction shall be submitted to the DES Wetlands Bureau within thirty (30) days of the completion of construction.

With Findings:

DES reaffirms original finding no.'s 1 - 13:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(1), Projects that alter the course of or disturb less than 200 linear feet of a river channel or its banks.
2. In correspondence received July 13, 2010, the Newport Conservation Commission confirmed approval of the Standard Dredge and Fill Application.
3. In correspondence signed May 20, 2010, the NH Division of Historic Resources commented that given plans do not change, there is no potential to cause effects.
4. In correspondence dated May 04, 2010, the NH Natural Heritage Bureau commented they currently have no record of occurrences for sensitive species neat the project area.
5. The applicant has received written consent from the Town of Newport, owners of abutting lots, on which project activities will take place, for work within 20 feet of their property lines, in accordance with Env-Wt 304.04(a).
6. The applicant has provided a waiver request per Env-Wt 204.03, to waive the NH Certified Wetlands Scientist stamp on plans as required by Env-Wt 310.01(g).
7. The jurisdictional boundaries of the Sugar River, which are depicted in submitted photographs, are obvious.
8. The applicant has stated that obtaining a NH Certified Wetland Scientist to prepare plans would be an unnecessary burden on the expedited timeframe for repair completion as requested by the Federal Energy Regulatory Commission.
9. There will be no adverse effect to the environment or natural resources of the state, public health, or public safety; or on abutting properties that is more significant than that which would result from complying with the Env-Wt 304.09(a).
10. The waiver is granted in accordance with Env-Wt 204.04(b), as strict compliance with the rule will provide no benefit to the public and will cause an operational or economic hardship to the applicant.
11. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
12. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
13. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.

DES also makes the following additional findings:

14. An amendment request was received on September 20, 2010, revisions included: 1) stabilizing the water line in place instead of relocating; 2) Repairing the scour hole by extending the dam apron instead of installing riprap; 3) Repairing additional undermined foundation areas; and 4) installing riprap below the concrete dam apron.
15. The amendment revisions were required as a result of ongoing negotiates between the Town and the dam owner, as well as Federal Energy Regulatory Commission review.

**2010-01820 WASHINGTON, TOWN OF
WASHINGTON Unnamed Stream**

Requested Action:

Dredge and fill ± 220 sq. ft. of intermittent stream to replace an existing 30-in. x 50-ft. CMP with a 3-ft. x 4-ft. x 50-ft. concrete box culvert.

APPROVE PERMIT:

Dredge and fill ± 220 sq. ft. of intermittent stream to replace an existing 30-in. x 50-ft. CMP with a 3-ft. x 4-ft. x 50-ft. concrete box culvert.

With Conditions:

1. All work shall be in accordance with plans by Right Angle Engineering, PLLC dated June 18, 2010, as received by the Department on July 12, 2010.
2. This permit is contingent on review and approval, by the DES Wetlands Bureau, of final stream diversion/erosion control plans. 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.

3. Appropriate siltation and erosion controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
4. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate work area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
5. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to wetlands and surface waters.
6. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
7. There shall be no excavation or operation of construction equipment in flowing water.
8. Prior to commencing work on a substructure located within surface waters, a cofferdam shall be constructed to isolate the substructure work area from the surface waters.
9. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of twenty (20) feet of undisturbed vegetated buffer.
10. Work within the stream, inclusive of work associated with installation of a cofferdam, shall be done during periods of low flow. High flows can be caused by seasonal runoff or precipitation; the permittee shall monitor local forecasts to review weather conditions.
11. No work within the confined area shall proceed until the cofferdam is fully effective, and water flow is controlled.
12. Temporary cofferdams shall be entirely removed immediately following construction.
13. Culverts shall be laid at original grade.
14. Proper headwalls shall be constructed within seven days of culvert installation.
15. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
16. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid. Faulty equipment shall be repaired prior to construction.
17. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each operator shall be trained in its use.
18. All refueling of equipment shall occur outside of surface waters or wetlands during construction.
20. Banks shall be restored to their original grades and to a stable condition within three days of completion of construction.
21. Extreme precautions shall be taken within riparian areas to limit unnecessary removal of vegetation during access road construction and areas cleared of vegetation to be revegetated with native like species within three days of the completion of this project.
22. 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.
23. 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 minor impact project per Administrative Rule Env-Wt 303.03(1), alteration of less than 200 linear feet of intermittent stream.
2. A drainage analysis was provided that confirm the proposed culvert will freely pass the 50-year storm.
3. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
4. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
5. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.

2010-01893 WINCHESTER, TOWN OF
WINCHESTER Unnamed Stream

Requested Action:

Dredge and fill ± 1,106 sq. ft. of Wheelock Brook at Old Westport Rd. to replace an 18.5-ft. steel beam bridge with a 24-ft. precast

rigid frame bridge (NHDOT Bridge No. 133/163).

APPROVE PERMIT:

Dredge and fill \pm 1,106 sq. ft. of Wheelock Brook at Old Westport Rd. to replace an 18.5-ft. steel beam bridge with a 24-ft. precast rigid frame bridge (NHDOT Bridge No. 133/163).

With Conditions:

1. All work shall be in accordance with plans by Hoyle, Tanner & Associates, Inc. dated June 2010, as received by the Department on July 13, 2010.
2. Appropriate siltation and erosion controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
3. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate work area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
4. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to wetlands and surface waters.
5. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
6. There shall be no excavation or operation of construction equipment in flowing water.
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. 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.
9. Work within the stream, inclusive of work associated with installation of a cofferdam, shall be done during periods of low flow. High flows can be caused by seasonal runoff or precipitation; the permittee shall monitor local forecasts to review weather conditions.
10. No work within the confined area shall proceed until the cofferdam is fully effective, and water flow is controlled.
11. Temporary cofferdams shall be entirely removed immediately following construction.
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 prior to construction.
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 during construction.
16. Extreme precautions shall be taken within riparian areas to limit unnecessary removal of vegetation during construction and areas cleared of vegetation to be revegetated with native like species within three days of the completion of this project.
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. 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.
19. A post-construction report including photographs documenting the status of the completed construction shall be submitted to the DES Wetlands Bureau within thirty (30) days of the completion of construction.

With Findings:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(1), alteration of less than 200 linear feet of perennial stream. The project design was completed and monies for this project were appropriated before adoption of the DES stream rules.
2. The Agent response received October 14, 2010, confirmed: a) That funding for the project was appropriated in March 2009 and design started thereafter; b) That a detailed hydraulic study was completed by FEMA, which indicates flooding at the site is result of a backwater condition downstream of the project site at the confluence of Wheelock and Rickford Brook; c) Estimations indicate that the proposed bridge will pass approximately the 20-year storm; d) The proposed bridge will pass the 50-year storm absent of the

backwater; and e) Alternatives were considered that raised an extensive portion of Old Westport Rd. above the Q50 elevation and increased the bridge span to accommodate the NHDOT requirement of 1-ft. of freeboard over the Q50, but these alternatives are cost prohibitive.

3. In email correspondence from the town received October 25, 2010, a copy of NHDOT correspondence dated April 01, 2010, was provided that indicated the proposed design satisfactory and that, "...the Town accepts liability for a hydraulic model that will not carry the 50-year storm event.."

4. In email correspondence from the town received October 25, 2010, a copy of NHDOT correspondence dated July 16, 2010, indicating, "The Consultant may proceed to developing Final Contract Plans."

5. Comments of concern were not submitted to the file.

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

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.

**2010-01914 NH DRED, BUREAU OF TRAILS
WOLFEBORO Frost Brook**

Requested Action:

Proposal to dredge and fill approximately 2444 sq. ft. (84 linear ft.) of the bank and bed of Frost Brook for bank stabilization and restoration. Work will consist of the installation of vegetated gabions, cross vanes, j-hook, boulders, associated grading, filling and plantings.

Conservation Commission/Staff Comments:

1. The Conservation Commission indicated that they have no objection to the project.

APPROVE PERMIT:

Dredge and fill approximately 2444 sq. ft. (84 linear ft.) of the bank and bed of Frost Brook for bank stabilization and restoration. Work will consist of the installation of vegetated gabions, cross vanes, j-hook, boulders, associated grading, filling and plantings.

With Conditions:

1. All work shall be in accordance with plans by Ilex Wetlands Consultants and Truslow Resource Consulting dated July 9, 2010 and narratives as received by the NH Department of Environmental Services (DES) on July 19, 2010.

2. The applicant shall obtain permission from affected landowners for all work associated with the project on their property.

3. Work shall be done during low flow.

4. Extreme precautions shall be taken within riparian areas to limit unnecessary removal of vegetation.

5. 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.

6. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.

7. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.

8. 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.

9. Within three days of final grading or temporary suspension of work, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

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

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

12. All refueling of equipment shall occur outside of surface waters or wetlands during construction.

13. A post-construction report documenting the status of the restored/stabilized streambed and banks shall be submitted to the

Wetlands Bureau within 60 days of the completion of construction.

With Findings:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(l) Projects that alter the course of or disturb less than 200 linear feet of an intermittent or perennial nontidal stream or river channel or its banks and do not meet the criteria for minimum impact under Env-Wt 303.04(n).
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
5. The applicant considered five alternatives.

2010-02252 PALMER, PETER
WOLFEBORO Lake Winnepesaukee

Requested Action:

Drive 3, three pile ice clusters and remove 11 sq ft from an existing "U" shaped permanent docking structure on and average of 150 ft of frontage on Lake Winnepesaukee, in Wolfeboro.

Conservation Commission/Staff Comments:
No comments from Con Com by 11/01/2010

APPROVE PERMIT:

Drive 3, three pile ice clusters and remove 11 sq ft from an existing "U" shaped permanent docking structure on and average of 150 ft of frontage on Lake Winnepesaukee, in Wolfeboro.

With Conditions:

1. All work shall be in accordance with plans by Winnepesaukee Marine Construction revision dated September 08, 2010, as received by the NH Department of Environmental Services (DES) on September 10, 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. Eleven sq ft of surface area shall be removed from the existing docking structure prior to the driving of the ice cluster piling.
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.
6. 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.
7. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding areas and spawning areas shall be avoided.
8. The ice clusters shall not be installed until the dock surface area has been reduced as identified on the approved plan.
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(m), installation of ice clusters which do not add boat slips to the frontage.
2. The applicant has demonstrated the need for the proposed impacts by the number of applications submitted to repair the docking structure.
3. The applicant has addressed Env-Wt 402.21 by reducing the surface area of permanent dock over public submerged lands.

MINIMUM IMPACT PROJECT

2008-02372 THORNTON, TOWN OF
THORNTON Unnamed Stream

Requested Action:

Amend permit to replace and repair existing abutment footings of a bridge on Mill Brook impacting 144 square feet.

APPROVE AMENDMENT:

Replace and repair existing rip-rap area and abutment footings of a bridge on Mill Brook impacting 192 square feet.

With Conditions:

1. All work shall be in accordance with the plans by Tom Dubey revised February 10, 2009 as received by DES February 11, 2009 and plans by Tom Dubey received by DES on October 21, 2010.
2. 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.
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. Work within the stream, inclusive of work associated with installation of a cofferdam, shall be done during periods of low flow. High flows can be caused by seasonal runoff or precipitation; the permittee shall monitor local forecasts to review weather conditions.
5. No work within the confined area shall proceed until the cofferdam is fully effective, and water flow is controlled.
6. Temporary cofferdams shall be entirely removed immediately following construction.
7. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to surface waters and wetlands.
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. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).
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. 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. 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 during construction.
16. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(x), maintenance, repair, or replacement of a nondocking structure such as a culvert, headwall, bridge, dam, residential utility line, or rip-rap slope of less than 50 linear feet.
2. All work will be within the Town's right of way.

3. This project is a replacement in kind with no change in location, configuration, construction type or dimension of the existing rip rap.
4. The existing rip rap was permitted in wetlands file D-972.
5. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
6. No comments were submitted from the NHFG Nongame and Endangered Wildlife Program, or the Natural Heritage Bureau.
7. On October 21, 2010 DES received a proposed amendment request.
8. The amendment is necessary to repair the bridge.

2010-00406 JI-CAL MASONRY INC
RINDGE Unnamed Wetland

Requested Action:

Retain ± 750 sq. ft. of palustrine forested wetlands impact for the installation of a 15-in. x 40-ft. HDPE culvert and install a riprap outlet apron for driveway access to a proposed storage area on a 7.4 acre commercial property.

APPROVE PERMIT:

Retain ± 750 sq. ft. of palustrine forested wetlands impact for the installation of a 15-in. x 40-ft. HDPE culvert and install a riprap outlet apron for driveway access to a proposed storage area on a 7.4 acre commercial property.

With Conditions:

1. All work shall be in accordance with plans by Christopher K. Danforth & Associates LLC dated July 05, 2010, as received by the Department on June 08, 2010.
2. Work shall be done during dry 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. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
7. 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.
8. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(f), alteration of less than 3,000 sq. ft. of wetlands.
2. A complaint for activities on this parcel was received by the DES Wetlands Bureau.
3. DES enforcement staff conducted a field inspection of the site on March 09, 2010, and required that the property owner obtain a NH Certified Wetland Scientist (CWS) to prepare and submit an After-the-Fact Standard Dredge and Fill Application.
4. The Standard Dredge and Fill Application was received on June 08, 2010.
5. A letter of concern regarding the project was received on September 08, 2010, concerns included impacts to wildlife and the possibility of an alternative access off of Route 202.
6. Email correspondence received September 09, 2010, expressed concern that the wetland impacts for the project may be greater than indicated in the application.
7. The NH CWS representing the Applicant has confirmed a wetland crossing is required to access 7.4 acres of uplands.
8. The Natural Heritage Bureau report dated April 09, 2010, indicated they have no recorded occurrences for sensitive species near the project area.
9. The NH CWS for the project has confirmed that wetlands were delineated in accordance with, "The Corps of Engineers Wetlands Delineation Manual (Technical Report Y-87-1, January 1987)."

10. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01. 11. 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.

12. 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.

**2010-01650 MACPHEE REVOC TRUST, KATHLEEN
HAMPSTEAD Sunset Lake**

Requested Action:

Repair 116 linear feet of existing retaining wall "in kind", install 5 ft wide steps through the wall for access to the water, and install a 4 ft x 35 ft seasonal dock, on an average of 119 ft of frontage on Sunset Lake, in Hampstead.

Conservation Commission/Staff Comments:

No Con Com comments by 08/19/2010

APPROVE PERMIT:

Repair 116 linear feet of existing retaining wall "in kind", install 5 ft wide steps through the wall for access to the water, and install a 4 ft x 35 ft seasonal dock, on an average of 119 ft of frontage on Sunset Lake, in Hampstead.

With Conditions:

1. All work shall be in accordance with plans by Ken Walsh revision dated October 06, 2010, as received by the NH Department of Environmental Services (DES) on October 12, 2010 and email from Ken Walsh on October 29, 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 docking structure on this water frontage and all portions of the dock shall be at least 20 ft from abutting property lines or the imaginary extension of those lines into the water.
4. The seasonal pier shall be removed from the lake for the non-boating season.
5. No portion of the pier shall extend more than 35 feet from the shoreline at full lake elevation.
6. Retaining wall repairs shall maintain it's pre-existing size, location and configuration.
7. This permit does not allow for the removal of any trees on the frontage to conduct the wall repair work. Only trees as permitted under a separate Shoreland Permit shall be removed or as allowed pursuant to RSA 483-B.
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. All activities shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland.

With Findings:

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

**2010-02179 ROMAN CATHOLIC BISHOP OF MANCHESTER
MANCHESTER Unnamed Wetland**

Requested Action:

Proposal to dredge and fill 887 sq. ft. of forested wetlands for grading and access to a proposed multifamily housing development including 11 single family residential lots and 1 building lot continuing 6 multifamily buildings.

APPROVE PERMIT:

Dredge and fill 887 sq. ft. of forested wetlands for grading and access to a proposed multifamily housing development including 11

single family residential lots and 1 building lot continuing 6 multifamily buildings.

With Conditions:

1. All work shall be in accordance with plans by CLD Consulting Engineers, Inc., dated July 2010 and plans by Joseph M. Wichert LLS, Inc., dated July 6, 2010, as received by the NH Department of Environmental Services (DES) on August 12, 2010.
2. This permit is contingent on approval by the DES Alteration of Terrain 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.
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. 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. 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).

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 applicant indicated the design is the lesser impact because they are avoiding the larger wetlands onsite.

**2010-02256 MERRIMAC REAL ESTATE INVESTORS LLC
HUDSON Unnamed Wetland**

Requested Action:

Dredge and fill a total of 763 sq. ft. in isolated palustrine wet meadow and scrub-shrub wetlands for work associated with the expansion of an existing nursing home facility.

Conservation Commission/Staff Comments:

The Hudson Conservation Commission recommended a Wetlands Special Exception for intrusion into the Wetland Conservation District to the Zoning Board of Adjustment.

APPROVE PERMIT:

Dredge and fill a total of 763 sq. ft. in isolated palustrine wet meadow and scrub-shrub wetlands for work associated with the

expansion of an existing nursing home facility.

With Conditions:

1. All work shall be in accordance with plans by Keach-Nordstrom Associates, Inc. dated June 2010 (last revised July 8,2010), as received by the NH Department of Environmental Services (DES) on August 18, 2010.
2. This permit is contingent on approval by the DES Alteration of Terrain 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.

FORESTRY NOTIFICATION

2010-02934 LAVALLEY, HAROLD & GERALDINE
NEWPORT Unnamed Stream

COMPLETE NOTIFICATION:

Newport Tax Map 256, Lot# 5

2010-02939 CLAREMONT DPW, CITY OF
CORNISH Unnamed Stream

COMPLETE NOTIFICATION:

Cornish Tax Map 12, Lot# 43 Whitewater Reservoir

2010-02941 CLAREMONT DPW, CITY OF
CLAREMONT Unnamed Stream

COMPLETE NOTIFICATION:

Claremont Tax Map R16, Lot# 7 Rice Reservoir

2010-02942 CLAREMONT DPW, CITY OF
CLAREMONT Unnamed Stream

COMPLETE NOTIFICATION:

Claremont Tax Map 85, Lot# 9 Pine Lot

2010-02944 CLAREMONT DPW, CITY OF
CLAREMONT Unnamed Stream

COMPLETE NOTIFICATION:

Claremont Tax Map 84, Lot# 17 Dole Reservoir

2010-02954 BARNES, LORI
NEWPORT Unnamed Stream

COMPLETE NOTIFICATION:

Newport Tax Map 256, Lot# 4

2010-02956 **LOYNDS, BILL & WANDA**
CANAAN Unnamed Stream

COMPLETE NOTIFICATION:

Canaan Tax Map 9, lot# 26-1

2010-02957 **MORGAN, ROBERT**
BOW Unnamed Stream

COMPLETE NOTIFICATION:

Bow Tax Map 23, Lot# 3-62B

2010-02958 **STEWART, CAROL**
MARLOW Unnamed Stream

COMPLETE NOTIFICATION:

Marlow Tax Map 402, Lot# 39

2010-02959 **BEMIS, DANIEL/CHRISTINE RYAN**
FITZWILLIAM Unnamed Stream

COMPLETE NOTIFICATION:

Fitzwilliam Tax Map 30, Lot# 7-1

2010-02965 **ALLMAN, STEVEN**
CANTERBURY Unnamed Stream

COMPLETE NOTIFICATION:

Canterbury Tax Map 213, Lot# 1

2010-02966 **HOLT, DANIEL**
LYNDEBOROUGH Unnamed Stream

COMPLETE NOTIFICATION:

Lyndeboro Tax Map 247, Lot# 1

2010-02968 **MARTIN, MICHAEL & DOROTHY**
HOPKINTON Unnamed Stream

Conservation Commission/Staff Comments:

Forester, Ron Klemarczyk called 11/03/10, to say that he prepared the mgmt plan but will have no further involvement with the project. NRCS is taking the lead on this.

COMPLETE NOTIFICATION:
Hopkinton Tax Map 230, Lot# 13

2010-02977 LINKENBACH, LINDA
ERROL Unnamed Stream

COMPLETE NOTIFICATION:
Errol Tax Map R7, Lot 2

2010-02978 HURLEY, MAUREEN
WASHINGTON Unnamed Stream

COMPLETE NOTIFICATION:
Washington Tax Map 15, Lot# 33

EXPEDITED MINIMUM

2010-01549 BURKE, KEVIN/DEANA
MOULTONBOROUGH Lake Winnepesaukee

Requested Action:

Construct a 15 ft x 23 ft perched beach using 10 cu yds of sand, install 2 seasonal boat lifts adjacent to the existing 69 ft long crib dock, and install 2 seasonal personal watercraft lifts adjacent to the dock, on an average of 421 ft of frontage on Lake Winnepesaukee, in Moultonborough.

Conservation Commission/Staff Comments:

Con Com signed EXP application

APPROVE PERMIT:

Construct a 15 ft x 23 ft perched beach using 10 cu yds of sand, install 2 seasonal boat lifts adjacent to the existing 69 ft long crib dock, and install 2 seasonal personal watercraft lifts adjacent to the dock, on an average of 421 ft of frontage on Lake Winnepesaukee, in Moultonborough.

With Conditions:

1. All work shall be in accordance with plans by New Hampshire Environmental Consultants revision dated July 22, 2010, as received by the NH Department of Environmental Services (DES) on July 27, 2010.
2. This permit shall not be effective until it has been recorded with the appropriate 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 Owner accepts that as a condition of this approval to construct a new beach, approved by DES on the basis of claims by the Applicant that the existing beach is naturally occurring and not safe for use, that there shall be no future approvals issued by DES for the replenishment of sand or other work in this area with the exception of replanting with non-invasive species.
4. 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.
5. This permit does not allow the removal of any trees or saplings from the frontage.
6. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction,

and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.

7. Dredged or excavated material shall be placed outside of the DES Wetlands Bureau jurisdiction.
8. Stone placed along the beach front for the purpose of retaining sand shall be placed above and/or landward of those rocks currently located along the normal high water line (Elevation 504.32). Those rocks existing at the normal high water line shall remain otherwise undisturbed such that the natural shoreline remains identifiable.
9. The steps installed for access to the water shall be located completely landward of the normal high water line.
10. No more than 10 cu yd of sand may be used and all sand shall be located above the normal high water line.
11. This permit shall be used only once, and does not allow for annual beach replenishment.
12. The permittee shall provide appropriate diversion of surface water runoff to prevent erosion of beach area.
13. Revegetation of trees, shrubs and ground covers representing the density and species diversity of the existing stand of vegetation removed for this project shall begin at a distance no greater than 5 feet landward from the beach area.
14. Seasonal personal watercraft lifts shall be removed from the lake for the non-boating season.
15. Seasonal boat lifts shall be removed from the lake for the non-boating season.
16. 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(d), construction of a beach.
2. The Applicant claims that the existing beach is naturally occurring and not safe for use and, therefore, there is a need for the impacts associated with the new beach construction.
3. The alleged natural beach area was the subject of DES enforcement action #2006-1874 closed with the issuance of a Notice of Past Violation to the previous owner of the property.

2010-01956 GAUTHIER, NATHAN & JASON
MILAN Unnamed Wetland

Requested Action:

Approve name change to: Nathan and Jason Gauthier per request received 9/27/10. Previous owner: Rachel Caron.

APPROVE NAME CHANGE:

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

With Conditions:

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

12. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.

13. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.

With Findings:

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

**2010-02181 LAMONTAGNE, CHRISTINE
WENTWORTH Unnamed Wetland**

Requested Action:

Dredge and fill 33 square feet of wetlands for the installation of an 18" culvert on an existing access road.

APPROVE PERMIT:

Dredge and fill 33 square feet of wetlands for the installation of an 18" culvert on an existing access road.

With Conditions:

1. All work shall be in accordance with plans received by DES on August 12, 2010 and an overview plan received by DES on November 02, 2010.
2. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to surface waters and wetlands.
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.
4. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
5. The culvert shall be laid at original grade.
6. Proper headwalls shall be constructed within seven days of culvert installation.
7. 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).
8. 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.
9. 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.
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. All activities shall be in accordance with the Comprehensive Shoreland Protection Act, per RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland after July 1, 2008.
12. 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 (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 Conservation Commission signed the application waiving their right to intervene pursuant to RSA 482-A:11.
6. No comments were submitted from the NHFG Nongame and Endangered Wildlife Program or the Natural Heritage Bureau.

2010-02385 DUPILLE, LEONARD
MOULTONBOROUGH Lake Winnepesaukee

Requested Action:

Amend permit to increase stairs to 6 feet in width.

Conservation Commission/Staff Comments:

Con Com did not sign Exp Application

APPROVE AMENDMENT:

Install 6 ft x 3 ft granite steps in the bank on 76 ft of frontage on Lake Winnepesaukee, in Moultonborough.

With Conditions:

1. All work shall be in accordance with plans by Folsom Design and Construction Management revision dated March 25, 2010, as received by the NH Department of Environmental Services (DES) on September 03, 2010 and stair width amendment plans by Folsom Design and Construction Management revised by Leonard Dupille revision dated October 25, 2010, as received by the NH Department of Environmental Services (DES) on October 25, 2010.
2. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
3. Dredged and excavated material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
4. 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.
5. All activities shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(m), projects that disturb less than 50 linear feet of shoreline.

2010-02453 ROSENBLEETH (ERICSON), CAROL
HENNIKER Man-made Pond

Requested Action:

Maintenance dredge 1,320 sq. ft. of an existing pond.

APPROVE PERMIT:

Maintenance dredge 1,320 sq. ft. of an existing pond.

With Conditions:

1. All work shall be in accordance with plans received by the Department on September 15, 2010.
2. All work shall be done in the under draw down conditions.
3. Maintenance dredging shall not exceed the original pond depth.
4. 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.
5. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no

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

6. 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.
7. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of twenty (20) feet of undisturbed vegetated buffer.
8. Work within the pond, inclusive of work associated with installation of a cofferdam, shall be done during periods of low flow. High flows can be caused by seasonal runoff or precipitation; the permittee shall monitor local forecasts to review weather conditions.
9. No work within the confined area shall proceed until the cofferdam is fully effective, and water flow is controlled.
10. Temporary cofferdams shall be entirely removed immediately following construction.
11. Machinery shall not be located within surface waters, where practicable.
12. Machinery shall be staged and refueled in upland areas.
13. Dredged spoils shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
14. Work shall not cause sedimentation and turbidity in flows exiting the site.
15. 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(k), Maintenance dredging, when necessary to provide continued usefulness of nontidal drainage ditches, man-made ponds, and spillways.
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.

2010-02519 MERENA REVOC TRUST OF 2004, PATRICIA ROBERTS
WOLFEBORO Lake Winnepesaukee

Requested Action:

Remove an existing 3 ft wide dug in stair and vegetate the area, install a 4 ft wide dug in stair to access an existing docking structure on Lake Winnepesaukee, Wolfeboro.

Conservation Commission/Staff Comments:

Con Com signed Exp Application

APPROVE PERMIT:

Remove an existing 3 ft wide dug in stair and vegetate the area, install a 4 ft wide dug in stair to access an existing docking structure on Lake Winnepesaukee, Wolfeboro.

With Conditions:

1. All work shall be in accordance with plans by White Mountain Survey Co dated September 03, 2010, as received by the NH Department of Environmental Services (DES) on September 17, 2010.
2. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
3. All activities shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(m), projects that disturb less than 50 linear feet of shoreline.

2010-02768 LAMARCHE, JAY & CAROL
MOULTONBOROUGH Lake Winnepesaukee

Requested Action:

Repair an existing 44 linear feet of retaining wall "in kind" on lake Winnepesaukee, Moultonborough.

Conservation Commission/Staff Comments:

Con Com submitted concerns the north east corner may require to be repaired in the wet.

APPROVE PERMIT:

Repair an existing 44 linear feet of retaining wall "in kind" on lake Winnepesaukee, Moultonborough.

With Conditions:

1. All work shall be in accordance with plans by Ames Associates dated September 14, 2010, as received by the NH Department of Environmental Services (DES) on October 12, 2010.
2. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
3. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
4. Repair shall maintain existing size, location and configuration.
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(c), repair of existing retaining walls.
2. The photographs submitted and review of past lake elevations indicate the repair area can be repaired in the dry. This address's the local Conservation Commission's concerns.

2010-02827 CURRY, BILL & KELLY
MOULTONBOROUGH Lake Winnepesaukee

Requested Action:

Replace an existing 6 ft x 40 ft seasonal dock in the same location and configuration, attached to the existing boulder, on Lake Winnepesaukee, Moultonborough.

Conservation Commission/Staff Comments:

Con Com submitted comments stating work has already been completed

APPROVE PERMIT:

Replace an existing 6 ft x 40 ft seasonal dock in the same location and configuration, attached to the existing boulder, on Lake Winnepesaukee, Moultonborough.

With Conditions:

1. All work shall be in accordance with plans by Don Carey dated September 24, 2010, as received by the NH Department of Environmental Services (DES) on October 15, 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.
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 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.

2010-02853 MEISSNER, JOCHEN
DURHAM Great Bay

Requested Action:

Impact 751 square feet of previously developed upland tidal buffer zone, including 684 square feet of temporary impact, and 67 square feet of permanent impact, to construct an addition on an existing dwelling.

APPROVE PERMIT:

Impact 751 square feet of previously developed upland tidal buffer zone, including 684 square feet of temporary impact, and 67 square feet of permanent impact, to construct an addition on an existing dwelling.

With Conditions:

1. All work shall be in accordance with plans by GZA GeoEnvironmental Inc. dated September 2010, as received by the NH Department of Environmental Services (DES) on 10/18/2010.
2. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
3. This permit is contingent upon compliance with DES Shoreland Permit 2010-2511.
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 in 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.
5. The Durham Conservation Commission signed the Expedited Minimum Impact application.

LAKES-SEASONAL DOCK NOTIF

2010-03030 GEDGE, WILLIAM
ALTON BAY Sunset Lake

ROADWAY MAINTENANCE NOTIF

2010-03029 NH DEPT OF TRANSPORTATION
WESTMORELAND Unnamed Stream Unnamed Wetland

PERMIT BY NOTIFICATION

2010-02502 BORNSTEIN, HENRY
MILTON Northeast Pond

Requested Action:
Replace 90 linear ft of retaining wall with concrete block wall.

PBN IS COMPLETE:
Replace 90 linear ft of retaining wall with concrete block wall.

With Findings:
1. This project is qualifies for Permit by Notification per Rule Env-Wt 303.04 (c)

2010-02983 BASSETT, WILLIAM
NEW DURHAM Merrymeeting Lake

Requested Action:
In kind repair of culvert outlet.

Conservation Commission/Staff Comments:
Con Com did not sign PBN form

PBN IS COMPLETE:
In kind repair of culvert outlet.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(x), repair of existing non-docking structure.

2010-02986 THEODORA, GERALD
ALTON Lake Winnepesaukee

Requested Action:

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

Conservation Commission/Staff Comments:

Con Com did not sign PBN form

PBN IS COMPLETE:

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

With Findings:

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

2010-02995 SIMONS REV TRUST, ELIZABETH
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.

2010-02996 COBURN, LINDA
MOULTONBOROUGH 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.

2010-02997 LEVAY FAMILY TRUST, THRESA MCQUADE TRUSTEE
MOULTONBOROUGH Lake Winnepesaukee

Requested Action:

Repair of existing retaining walls.

Conservation Commission/Staff Comments:

Con Com signed PBN form

PBN IS COMPLETE:

Repair of existing retaining walls.

With Findings:

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

CSPA PERMIT

2010-02376 TOWN OF SUNAPEE
SUNAPEE Sunapee Lake

Requested Action:

Impact 365 sq ft for the purpose of replacing a stormwater culvert and installing a catch basin.

APPROVE PERMIT:

Impact 365 sq ft for the purpose of replacing a stormwater culvert and installing a catch basin.

With Conditions:

1. All work shall be in accordance with plans submitted by Anthony Bergeron and received by the Department of Environmental Services ("DES") on September 8, 2010.
2. There shall be no increases in impervious area associated with this project.
3. No impacts to natural ground cover or native vegetation shall occur within the waterfront buffer.
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.

12. All impacts within wetlands, surface waters and their banks shall require a Wetland Permit under RSA 482-A.

**2010-02494 THE SUSAN G THOMAS REVOC TRUST
MOULTONBOROUGH Lake Winnepesaukee**

Requested Action:

Impact 3,600 sq ft in order to construct an addition, concrete footers and install a septic system.

APPROVE PERMIT:

Impact 3,600 sq ft in order to construct an addition, concrete footers and install a septic system.

With Conditions:

1. All work shall be in accordance with plans by David M. Dolan Associates, P.C. dated September 10, 2010 and received by the NH Department of Environmental Services (DES) on September 15, 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 13.3% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
4. At least 3,460 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
5. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
6. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
7. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
8. Any fill used shall be clean sand, gravel, rock, or other suitable material.
9. This permit shall not preclude DES from taking any enforcement or revocation action if DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

**2010-02556 LANGLOIS, THOMAS & KATHLEEN
GOFFSTOWN Glen Lake**

Requested Action:

Impact 470 sq ft in order to install a new septic tank and leech field.

APPROVE PERMIT:

Impact 470 sq ft in order to install a new septic tank and leech field.

With Conditions:

1. All work shall be in accordance with plans by Meridian Land Services dated August 23, 2010 and received by the NH Department of Environmental Services (DES) on October 18, 2010.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. No more than 18% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
4. At least 1,000 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
5. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
6. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
7. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
8. Any fill used shall be clean sand, gravel, rock, or other suitable material.
9. This permit shall not preclude DES from taking any enforcement or revocation action if DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

2010-02610 LINDQUIST, CATHERINE
HAMPSTEAD Sunset Lake

Requested Action:

Impact 1,320 sq ft for the purpose of constructing a new open porch.

APPROVE PERMIT:

Impact 1,320 sq ft for the purpose of constructing a new open porch.

With Conditions:

1. All work shall be in accordance with plans by V.W. Dingman and Sons dated July 27, 2010 and received by the Department of Environmental Services ("DES") on September 27, 2010.
2. No more than 11.0% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
3. No impacts to natural ground cover or native vegetation shall occur within the waterfront buffer.
4. The open porch shall have no electricity, heat or insulation.
5. Upon completion of the proposed project, the submitted planting plan will be implemented to ensure that each previously existing deficient grid segment will have at least the minimum score of RSA 483-B:9, V(a)(2)(D) as required by RSA 483-B:9, V, (g), (3).
6. There shall be no impacts to native vegetation between 50 ft and 150 ft of the reference line in order to remain compliant with RSA 483-B:9, V, (b), (2), (A), (ii).
7. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
8. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
9. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
10. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
11. Any fill used shall be clean sand, gravel, rock, or other suitable material.
12. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
13. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing

season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

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

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.

**2010-02755 UMSCHEID, RUDOLF
NEWBURY Sunapee Lake**

Requested Action:

Impact 389 sq ft in order to replace existing shed with a post and beam barn with a full foundation.

APPROVE PERMIT:

Impact 389 sq ft in order to replace existing shed with a post and beam barn with a full foundation.

With Conditions:

1. All work shall be in accordance with plans by Rudolph Umscheid dated October 1, 2010 and received by the NH Department of Environmental Services (DES) on October 6, 2010.
2. No more than 15.3% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
3. At least 10,225 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
4. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
5. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
6. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
7. Any fill used shall be clean sand, gravel, rock, or other suitable material.
8. This permit shall not preclude DES from taking any enforcement or revocation action if DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

**2010-02756 JUDITH CAMERON REVOC TRUST
NEW LONDON Sunapee Lake**

Requested Action:

Impact 2,000 sq ft in order to replace the foundation of an existing house.

APPROVE PERMIT:

Impact 2,000 sq ft in order to replace the foundation of an existing house.

With Conditions:

1. All work shall be in accordance with plans by Hogg Hill Design, LLC dated September 15, 2010 and received by the NH Department of Environmental Services (DES) on October 6, 2010.
2. No more than 20% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
3. At least 3,507 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
4. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the

site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.

- 5. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
- 6. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
- 7. Any fill used shall be clean sand, gravel, rock, or other suitable material.
- 8. This permit shall not preclude DES from taking any enforcement or revocation action if DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

2010-02758 GESELL, SUSAN/WILLIAM
ENFIELD Mascoma Lake

Requested Action:

Impact 2,845 sq ft to construct a 3 bedroom home, walkway, patio and stairs, and install a septic system.

APPROVE PERMIT:

Impact 2,845 sq ft to construct a 3 bedroom home, walkway, patio and stairs, and install a septic system.

With Conditions:

- 1. All work shall be in accordance with plans by Hogg Hill Design, LLC dated October 19, 2010 and received by the NH Department of Environmental Services (DES) on October 22, 2010.
- 2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
- 3. No more than 22.8% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
- 4. At least 1,670 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
- 5. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
- 6. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
- 7. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
- 8. Any fill used shall be clean sand, gravel, rock, or other suitable material.
- 9. This permit shall not preclude DES from taking any enforcement or revocation action if DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

2010-02760 EDWARDS, ANDREW
HILLSBOROUGH Franklin Pierce Lake

Requested Action:

Impact 10,611 sq ft in order to construct a driveway, four bedroom house, and septic system.

APPROVE PERMIT:

Impact 10,611 sq ft in order to construct a driveway, four bedroom house, and septic system.

With Conditions:

- 1. All work shall be in accordance with plans by Meridian Land Services, Inc. dated July 12, 2010 and received by the NH Department of Environmental Services (DES) on October 7, 2010.
- 2. This permit is contingent on approval by the DES Subsurface Systems Bureau.

3. No more than 8.4% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
4. The project as proposed will leave approximately 6,389 sq ft of the Natural Woodland Buffer beyond the primary building setback in an unaltered state. At least 3,331 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
5. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
6. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
7. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
8. Any fill used shall be clean sand, gravel, rock, or other suitable material.
9. This permit shall not preclude DES from taking any enforcement or revocation action if DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

2010-02762 RIVET, MARILYN
PELHAM Little Island Pond

Requested Action:

Impact 4,365 sq ft in order to raze an existing structure and rebuild on a new foundation within the same footprint.

APPROVE PERMIT:

Impact 4,365 sq ft in order to raze an existing structure and rebuild on a new foundation within the same footprint.

With Conditions:

1. All work shall be in accordance with plans by Meridian Land Services, Inc. dated September 14, 2010 and received by the NH Department of Environmental Services (DES) on October 7, 2010.
2. No more than 25.6% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
3. At least 903 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
4. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
5. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
6. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
7. Any fill used shall be clean sand, gravel, rock, or other suitable material.
8. This permit shall not preclude DES from taking any enforcement or revocation action if DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

2010-02766 DANTONIO, NANCY/ROBERT
MOULTONBOROUGH Kanasatka Lake

Requested Action:

Impact 5,315 sq ft in order to construct a detached garage and extend existing driveway.

APPROVE PERMIT:

Impact 5,315 sq ft in order to construct a detached garage and extend existing driveway.

With Conditions:

1. All work shall be in accordance with plans by Ames Associates dated September 27, 2010 and received by the NH Department of Environmental Services (DES) on October 8, 2010.
2. Prior to the start of work, silt-fencing must be in place around the limits of the wetlands. There shall be no impacts within wetlands, surface waters, or their banks until any permit as may be required under RSA 482-A has been obtained.
3. No more than 15.5% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
4. The project as proposed will leave approximately 16,165 sq ft of the Natural Woodland Buffer beyond the primary building setback in an unaltered state. At least 10,955 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
5. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
6. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
7. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
8. Any fill used shall be clean sand, gravel, rock, or other suitable material.
9. This permit shall not preclude DES from taking any enforcement or revocation action if DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

2010-02798 NORTHUP-BENNETT, JUDITH
HENNIKER Contocook River

Requested Action:

Impact 20,290 sq ft in order to construct a single family home, garage with driveway, and septic system.

APPROVE PERMIT:

Impact 20,290 sq ft in order to construct a single family home, garage with driveway, and septic system.

With Conditions:

1. All work shall be in accordance with plans by Michael A. Lambert dated October 1, 2010 and received by the NH Department of Environmental Services (DES) on October 13, 2010.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. No more than 7% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
4. The project as proposed will leave approximately 34,680 sq ft of the Natural Woodland Buffer beyond the primary building setback in an unaltered state. At least 19,960 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
5. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
6. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
7. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
8. Any fill used shall be clean sand, gravel, rock, or other suitable material.
9. This permit shall not preclude DES from taking any enforcement or revocation action if DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

2010-02800 MCKERLEY, MATTHEW
BOSCAWEN Merrimack River

Requested Action:

Impact 9,564 sq ft in order to construct a single family residence, driveway, and septic system.

APPROVE PERMIT:

Impact 9,564 sq ft in order to construct a single family residence, driveway, and septic system.

With Conditions:

1. All work shall be in accordance with plans by T. F. Bernier, Inc. dated October 7, 2010 and received by the NH Department of Environmental Services (DES) on October 12, 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 7% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
4. At least 1,144 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
5. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
6. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
7. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
8. Any fill used shall be clean sand, gravel, rock, or other suitable material.
9. This permit shall not preclude DES from taking any enforcement or revocation action if DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

2010-02802 TALLARICO, STEVEN
SUNAPEE Sunapee Lake

Requested Action:

Impact 1,023 sq ft in order to install a foundation under existing cottage, deck and porch.

APPROVE PERMIT:

Impact 1,023 sq ft in order to install a foundation under existing cottage, deck and porch.

With Conditions:

1. All work shall be in accordance with plans by CLD Consulting Engineers dated September 1, 2010 and received by the NH Department of Environmental Services (DES) on October 12, 2010.
2. No more than 14.2% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
3. At least 451 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
4. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
5. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
6. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
7. Any fill used shall be clean sand, gravel, rock, or other suitable material.
8. This permit shall not preclude DES from taking any enforcement or revocation action if DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

2010-02809 ENTRUST FREEDOM LLC
PITTSBURG Lake Francis

Requested Action:

Impact 7,068 sq ft in order to demolish existing camp and deck and construct new cabin and deck with a septic system.

APPROVE PERMIT:

Impact 7,068 sq ft in order to demolish existing camp and deck and construct new cabin and deck with a septic system.

With Conditions:

1. All work shall be in accordance with plans by North Country Septic Design dated October 1, 2010 and received by the NH Department of Environmental Services (DES) on October 12, 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 22.9% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
4. At least 912 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
5. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
6. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
7. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
8. Any fill used shall be clean sand, gravel, rock, or other suitable material.
9. This permit shall not preclude DES from taking any enforcement or revocation action if DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

2010-02811 MAGDZIASZ, NANCY/STEVEN
NEW HAMPTON Waukewan Lake

Requested Action:

Impact 1,213 sq ft in order to construct an 11 ft x 16 ft addition to a primary structure and a detached 24 ft x 24 ft garage.

APPROVE PERMIT:

Impact 1,213 sq ft in order to construct an 11 ft x 16 ft addition to a primary structure and a detached 24 ft x 24 ft garage.

With Conditions:

1. All work shall be in accordance with plans by Watermark Planning & Permits dated October 1, 2010 and received by the NH Department of Environmental Services (DES) on October 12, 2010.
2. No more than 25% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
3. The proposed stormwater management plan shall be designed, installed, and maintained to effectively collect, retain, and infiltrate stormwater.
4. The project as proposed will leave approximately 3,080 sq ft of the Natural Woodland Buffer beyond the primary building setback in an unaltered state. At least 2,536 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
5. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the

site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.

- 6. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
- 7. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
- 8. Any fill used shall be clean sand, gravel, rock, or other suitable material.
- 9. This permit shall not preclude DES from taking any enforcement or revocation action if DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

2010-02812 ANGLE, CAROLYN/HENRY
MUNSONVILLE Granite Lake

Requested Action:

Impact 592 sq ft in order to repair drainage in existing crawlspace and install a drywell.

APPROVE PERMIT:

Impact 592 sq ft in order to repair drainage in existing crawlspace and install a drywell.

With Conditions:

- 1. All work shall be in accordance with plans by Jeremy Hamilton dated October 1, 2010 and received by the NH Department of Environmental Services (DES) on October 12, 2010.
- 2. No more than 14.3% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
- 3. The project as proposed will leave approximately 2,906 sq ft of the Natural Woodland Buffer beyond the primary building setback in an unaltered state. At least 7,940 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
- 4. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
- 5. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
- 6. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
- 7. Any fill used shall be clean sand, gravel, rock, or other suitable material.
- 8. This permit shall not preclude DES from taking any enforcement or revocation action if DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

2010-02815 CARDIGAN MOUNTAIN SCHOOL
CANAAN Canaan Street Lake

Requested Action:

Impact 21,064 sq ft in order to construct parking, walkways, utilities, drainage improvements and grading.

APPROVE PERMIT:

Impact 21,064 sq ft in order to construct parking, walkways, utilities, drainage improvements and grading.

With Conditions:

- 1. All work shall be in accordance with plans by Pathways Consulting, LLC dated September 30, 2010 and received by the NH Department of Environmental Services (DES) on October 12, 2010.
- 2. This permit is contingent on approval by the DES Alteration of Terrain Bureau.

3. No more than 9.5% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
4. The project as proposed will leave approximately 415,796 sq ft of the Natural Woodland Buffer beyond the primary building setback in an unaltered state. At least 298,003 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
5. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
6. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
7. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
8. Any fill used shall be clean sand, gravel, rock, or other suitable material.
9. This permit shall not preclude DES from taking any enforcement or revocation action if DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

2010-02836 JOYCE, WILLIAM
GILMANTON Crystal Lake

Requested Action:
Impact 800 sq ft in order to construct a porch.

APPROVE PERMIT:
Impact 800 sq ft in order to construct a porch.

With Conditions:

1. All work shall be in accordance with plans by William Joyce dated October 9, 2010 and received by the NH Department of Environmental Services (DES) on October 14, 2010.
2. No more than .9% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
3. At least 75,743 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 controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
7. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
8. Any fill used shall be clean sand, gravel, rock, or other suitable material.
9. This permit shall not preclude 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.

2010-02837 GRAFFUM ET AL, VICKI
ALTON Sunset Lake

Requested Action:
Impact 2,055 sq ft in order to construct a driveway on Lot 15 of Alton Tax Map 70.

APPROVE PERMIT:

Impact 2,055 sq ft in order to construct a driveway on Lot 15 of Alton Tax Map 70.

With Conditions:

1. All work shall be in accordance with plans by Hinds Septic Design Services dated October 3, 2010 and received by the NH Department of Environmental Services (DES) on October 14, 2010.
2. No more than 15.2% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
3. At least 3,323 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
4. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
5. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
6. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
7. Any fill used shall be clean sand, gravel, rock, or other suitable material.
8. This permit shall not preclude DES from taking any enforcement or revocation action if DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

2010-02838 GRAFFUM, ROBERT/VICKI
ALTON Sunset Lake

Requested Action:

Impact 5,793 sq ft in order to a new house, detached garage with driveway, and a septic system.

APPROVE PERMIT:

Impact 5,793 sq ft in order to a new house, detached garage with driveway, and a septic system.

With Conditions:

1. All work shall be in accordance with plans by Hinds Septic Design Services dated October 3, 2010 and received by the NH Department of Environmental Services (DES) on October 14, 2010.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. No more than 17.6% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
4. The project as proposed will leave approximately 18,398 sq ft of the Natural Woodland Buffer beyond the primary building setback in an unaltered state. At least 10,404 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
5. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
6. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
7. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
8. Any fill used shall be clean sand, gravel, rock, or other suitable material.
9. This permit shall not preclude DES from taking any enforcement or revocation action if DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

2010-02867 THE LAKEHOUSE COTTAGES LLC
LACONIA Lake Winnepesaukee

Requested Action:

Impact 2,952 sq ft for the purpose of repairing and replacing footings on multiple cottages.

APPROVE PERMIT:

Impact 2,952 sq ft for the purpose of repairing and replacing footings on multiple cottages.

With Conditions:

1. All work shall be in accordance with plans submitted by Jerry Maloney and received by the Department of Environmental Services ("DES") on October 19, 2010.
2. There shall be no increases in impervious area unless additional approval is obtained from DES.
3. No impacts to natural ground cover or native vegetation shall occur within the waterfront buffer.
4. There shall be no impacts to native vegetation between 50 ft and 150 ft of the reference line in order to remain compliant with RSA 483-B:9, V, (b), (2), (A), (ii).
5. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
6. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
7. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
8. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
9. Any fill used shall be clean sand, gravel, rock, or other suitable material.
10. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
11. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
12. Silt fencing must be removed once the area is stabilized.
13. All impacts within wetlands, surface waters and their banks shall require a Wetland Permit under RSA 482-A.

CSPA PERMIT W/WAIVER

2010-00065 HOWARD, ROBERT
DERRY Big Island Pond

Requested Action:

Amend Shoreland Permit to excavate 90 additional sq ft for the purpose of weatherproofing an existing foundation.

APPROVE AMENDMENT:

Impact 300 sq ft for the purpose of expanding the footprint of a nonconforming primary structure and excavating to weatherproof existing foundation.

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 Doucet Survey, Inc., dated July 30, 2010 and received by the Department of Environmental Services ("DES") on August 9, 2010 and revised plans received by DES on November 2, 2010.
2. This approval includes a waiver of RSA 483-B:9, II (b) and, therefore, shall not be effective until it has been recorded at the appropriate Registry of Deeds and a copy of the recorded waiver is sent to the department by certified mail, return receipt requested.
3. No more than 16.2% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
4. The work authorized under this permit shall not be conducted prior to the completion of the approved restoration plan associated with DES enforcement file # 2009-02506.
5. The proposed plantings shall have a 100% success rate.
6. No impacts to natural ground cover or native vegetation shall occur within the waterfront buffer.
7. In order to remain compliant with RSA 483-B:9, V, (b), (2), there shall be no impacts to existing native vegetation between 50 feet and 150 feet from the reference line.
8. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
9. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
10. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
11. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
12. Any fill used shall be clean sand, gravel, rock, or other suitable material.
13. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
14. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
15. Silt fencing must be removed once the area is stabilized.
16. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement or revocation action if the DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

With Findings:

1. All work shall be in accordance with plans by Doucet Survey, Inc., dated July 30, 2010 and received by the Department of Environmental Services ("DES") on August 9, 2010 and revised plans received by DES on November 2, 2010.
2. This approval includes a waiver of RSA 483-B:9, II (b) and, therefore, shall not be effective until it has been recorded at the appropriate Registry of Deeds and a copy of the recorded waiver is sent to the department by certified mail, return receipt requested.
3. No more than 16.2% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
4. The work authorized under this permit shall not be conducted prior to the completion of the approved restoration plan associated with DES enforcement file # 2009-02506.
5. The proposed plantings shall have a 100% success rate.
6. No impacts to natural ground cover or native vegetation shall occur within the waterfront buffer.
7. In order to remain compliant with RSA 483-B:9, V, (b), (2), there shall be no impacts to existing native vegetation between 50 feet and 150 feet from the reference line.
8. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
9. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
10. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.

11. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
12. Any fill used shall be clean sand, gravel, rock, or other suitable material.
13. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
14. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
15. Silt fencing must be removed once the area is stabilized.
16. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement or revocation action if the DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

**2010-02660 WATTS COTTAGE FAMILY FOREST LAND PRES & FORTRESS T
BRIDGEWATER Newfound Lake**

Requested Action:

Impact 4,370 sq ft for the purpose of modifying a non-conforming primary structure, constructing new accessory structures and installing stormwater management techniques.

APPROVE PERMIT:

Impact 4,370 sq ft for the purpose of modifying a non-conforming primary structure, constructing new accessory structures and installing stormwater management techniques.

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

With Conditions:

1. All work shall be in accordance with plans by Ames Associates, dated September 27, 2010 and received by the Department of Environmental Services ("DES") on September 29, 2010.
2. This approval includes a waivers of RSA 483-B:9, II (b) and 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 32.6% of the area of the lot within the protected shoreland shall be composed of impervious surfaces unless additional approval is obtained from DES.
4. The proposed stormwater management plan shall be designed, installed and maintained to effectively intercept, retain, 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. There shall be no impacts within wetlands, surface waters, or their banks until any permit as may be required under RSA 482-A has been obtained.
8. Upon completion of the proposed project, all proposed plantings shall achieve a 100% success rate.
9. The project as proposed will leave approximately 2,335 sq ft of the Natural Woodland Buffer beyond the primary building setback in an unaltered state. There shall be no impacts to native vegetation between 50 ft and 150 ft of the reference line associated with the proposed project in order to comply with RSA 483-B:9, V, (b), (2), (A), (ii).
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.

With Findings:

1. The existing non-conforming structure is located within the 50 ft primary building setback to Newfound Lake and, therefore, fails to conform to the setback restriction set forth in RSA 483-B:9, II (b), of the CSPA.

2. The existing non-conforming structure is located on a lot that exceeds 30% impervious surface coverage within the protected shoreland adjacent to Newfound Lake and, therefore, fails to conform to the impervious surface limitation set forth in RSA 483-B:9, V (g)(1), of the CSPA.

3. 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."

4. The applicant has proposed to remove approximately 220 sq ft of impervious surface within the waterfront buffer of the protected shoreland.

5. The applicant has proposed to decrease the overall area of impervious surface area within the protected shoreland by 130 sq ft.

4. The applicant has proposed to install stormwater controls consisting of a catch basin within the driveway that will outlet driveway stormwater to a rip-rap vegetated area.

5. The applicant has proposed to construct water bars on the existing driveway that will be capable of directing stormwater to vegetated areas.

6. The applicant is proposing to plant additional native vegetation within the waterfront and natural woodland buffers.

7. The applicant has proposed to install sound stormwater controls, reduce impervious surface coverage 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.